AGENDA
CITY OF SHERIDAN
JULY 16, 2018
REGULAR COUNCIL MEETING START 7:00 P.M.

1. Call to Order

2. Pledge of Allegiance

3. Invocation to be given by Tri Robinson with The Rock Church.

4. Roll Call of Members

5. Approval of Agenda

6. Public Hearings

   A. Approval of Sanford's Grub and Pub Application for Bar & Grill Liquor License #5 - City Clerk Cecilia Good

   B. First Reading of Adoption of Ordinance #2192, Prohibiting Engine Brakes Within Sheridan City Limits - Public Works Director Lane Thompson

   C. First Reading of Ordinance #2191 - Change to Municipal Court Costs - City Attorney Brendon Kerns

   D. Approval of Resolution #30-18, Rocky Mountain Electronic Message Center Sign - Community Development Director Brian Craig

   E. Approval of Resolution#31-18 Morrison Ranch PUD Amendment - Community Development Director Brian Craig

7. Consent Agenda

   A. Appoint Bruce Moriarty as a new member and Re-appoint Mark Demple and Dave Hubert to the Sheridan Travel and Tourism Board for three (3) year terms

   B. Appoint Paula Whitworth and Clinton Beaver to the City of Sheridan Planning Commission for three (3) year terms

   C. Final Acceptance of Infrastructure for Poplar Grove IV Subdivision

D. Final Acceptance of Infrastructure for Morrison Ranch PUD - Filing 1

E. Minutes of Special Council Meeting June 25th 2018

F. Minutes of Special Council Meeting July 9th 2018

G. Claims

8. Staff Update

A. Wyoming Municipality Handbooks Discussion - City Clerk Cecilia Good

B. City Council Seat Vacancy Update - City Attorney Brendon Kerns

OLD BUSINESS

9. Approval of Resolution #20-18, Lincoln Drive Minor Subdivision - Community Development Director Brian Craig

NEW BUSINESS

10. Appoint City Council President and City Council Vice President.

11. Appoint a City Council Representative to Sheridan Economic and Educational Development Authority (SEEDA).

12. Approval of Sanford's Grub and Pub Application for a Bar & Grill Liquor License #5 - City Clerk Cecilia Good

13. Approval of Resolution #30-18, Rocky Mountain Electronic Message Center Sign - Community Development Director Brian Craig

14. Approval of Resolution#31-18 Morrison Ranch PUD Amendment - Community Development Director Brian Craig

15. Approval of 10-Year Water Agreement Between Whitney Benefits and the City of Sheridan

16. Approval of First Reading of Ordinance #2192, Prohibiting Engine Brakes Within Sheridan City Limits - Public Works Director Lane Thompson

17. Approval of First Reading of Ordinance #2191 - Change to Municipal Court Costs - City Attorney Brendon Kerns

18. Approval of Peaks to Plains Design (In Association with PROS Consulting) as the Consultants for Parks, Recreation Facility and Open Space Master Plan Update 2018 - Public Works Director Lane Thompson

19. Resolution 37-18 Authorizing a Public Opinion Survey Regarding the Continuation of Adding Fluoride to Sheridan’s Drinking Water - Dan Roberts, P.E., Utilities Director

20. Comment from the Council and the Public

21. Adjournment

CITY OF SHERIDAN, WYOMING

55 Grinnell Street, P.O. Box 848, Sheridan Wyoming 82801
Ph (307) 674-6483 Fax (307) 674-2195

Clerk

MEMORANDUM

Project Name:	Approval of Sanford's Grub and Pub Application for Bar & Grill Liquor License #5 - City Clerk Cecilia Good
From:	Cecilia Good, City Clerk
To:	Mayor and Council
CC:	Mark Collins, City Administrator
Date:	

Recommendation:

Staff recommends approval of Sanford's Grub & Pub's application for Bar and Grill Liquor License #5.

Attachments

Sanford's Bar & Grill License Application

WLD-31 (4/17)

NEW OR TRANSFER LIQUOR LICENSE OR PERMIT APPLICATION

FOR LIQUOR DIVISION USE ONLY		
Customer #:		
Trf from:		
Reviewer:	Initials	Date
Agent:		/ /
Chief:		/ /

To be completed by City/County Clerk

Local License #: 5

License Fees
Annual Fee: $.
Prorated Fee: $ 5,250.00
Transfer Fee: $.
Publishing Fee: $ 90.00

Date filed with clerk: 6 / 22 / 2018

Advertising Dates: (2 Weeks) 7/05/2018 & 7/12/2018

Hearing Date: 7 / 16 / 2018

Publishing Fee Direct Billed to Applicant: ☐

License Term: 7 (Month) / 16 (Day) / 2018 (Year) Through 12 (Month) / 31 (Day) / 2018 (Year)

LICENSING AUTHORITY: Begin publishing promptly. As W.S. 12-4-104(d) specifies: **NO LICENSING AUTHORITY SHALL APPROVE OR DENY THE APPLICATION UNTIL THE LIQUOR DIVISION HAS CERTIFIED THE APPLICATION IS COMPLETE.**

Applicant: Sanford's Grub & Pub Inc.

Trade/Business Name (dba): Sanford's Grub & Pub

Building to be licensed/Building Address: 1 East Alger St. (Number & Street)
Sheridan (City) WY (State) 82801 (Zip) Sheridan (County)

Mailing Address: 625 Par Dr. (Number & Street or P.O. Box)
Gillette (City) WY (State) 82718 (Zip)

Business Telephone Number: (307) 674-1722 Fax Number: (307) 689-9116

E-Mail Address: Loren@sanfords.biz

Brief legal description and the zoning of the licensed building or site for licensed building: W.S. 12-4-102 (a) (vi)
North 85' of Lot 15 & Lots 16, 18, 20 & 22, Grinnell Block 3

FILING FOR
- ☒ NEW LICENSE
- ☐ TRANSFER OF LOCATION
- ☐ TRANSFER OWNERSHIP
- ☐ ASSIGNMENT LETTER ATTACHED

FORMERLY HELD BY:

FILING IN (CHOOSE ONLY ONE)
- ☒ CITY OF: Sheridan
- ☐ COUNTY OF:

FILING AS (CHOOSE ONLY ONE)
- ☐ INDIVIDUAL
- ☐ PARTNERSHIP
- ☐ LP/LLP
- ☐ LLC
- ☐ CORPORATION
- ☐ LTD PARTNERSHIP
- ☐ ORGANIZATION
- ☐ OTHER

TYPE OF LICENSE OR PERMIT (CHOOSE ONLY ONE)

RETAIL LIQUOR LICENSE
- ☐ ON-PREMISE ONLY (BAR)
- ☐ OFF-PREMISE ONLY (PACKAGE STORE)
- ☐ COMBINATION ON/OFF PREMISE (BOTH BAR & PACKAGE STORE)

- ☐ RESTAURANT LIQUOR LICENSE
- ☐ RESORT LIQUOR LICENSE
- ☒ BAR AND GRILL

LIMITED RETAIL (CLUB)
- ☐ VETERANS CLUB
- ☐ FRATERNAL CLUB
- ☐ GOLF CLUB
- ☐ SOCIAL CLUB

- ☐ MICROBREWERY
- ☐ WINERY
- ☐ DISTILLERY SATELLITE
- ☐ WINERY SATELLITE
- ☐ COUNTY RETAIL or SPECIAL MALT BEVERAGE PERMIT

SPECIAL DESIGNATIONS
- ☐ CONVENTION FACILITY
- ☐ CIVIC CENTER/EVENT CENTER/ PUBLIC AUDITORIUM
- ☐ GOLF CLUB
- ☐ GUEST RANCH
- ☐ RESORT

To Assist the Liquor Division with scheduling inspections: **WHEN DO YOU OPERATE?**

- ☒ FULL TIME (e.g. Jan through Dec) (specify months of operation) from Jan. to Dec.
- ☐ SEASONAL/PART-TIME DAYS OF WEEK (e.g. Mon through Sat) from Mon to Sun
- ☐ NON-OPERATIONAL/PARKED HOURS OF OPERATION (e.g. 10a - 2a) from 11am to 10 pm

ALL APPLICANTS MUST COMPLETE QUESTIONS 1- 6

1. BUILDING OWNERSHIP: Does the applicant? W.S. 12-4-103 (a) (iii)

(1) **OWN** the licensed building? ☐ YES (own)

(2) **LEASE** the licensed building? (Lease must be through the term of the liquor license) ☒ YES (lease)

If Yes, please submit a copy of the lease and indicate:

(A) When the lease expires, located on page 1 paragraph 2 of lease.

(B) Where the **Sales** provision for alcoholic or malt beverages is located, on page 9 paragraph 4 of lease. (MUST contain a provision for SALE OF ALCOHOLIC or MALT BEVERAGES.)

2. To operate your liquor business, have you assigned, leased, transferred or contracted with any other person (entity) to operate and assert total or partial control of the license and the licensed building? W.S. 12-4-601 (b) ☐ YES ☒ NO

3. Does any manufacturer, brewer, rectifier, wholesaler, or through a subsidiary affiliate, officer, director or member of any such firm: W.S. 12-5-401, 12-5-402, 12-5-403

   (a) Hold any interest in the license applied for? ☐ YES ☒ NO

   (b) Furnish by way of loan or any other money or financial assistance for purposes hereof in your business? ☐ YES ☒ NO

   (c) Furnish, give, rent or loan any equipment, fixtures, interior decorations or signs other than standard brewery or manufacturer's signs? ☐ YES ☒ NO

   (d) If you answered **YES** to any of the above, explain fully and submit any documents in connection there within:

   _____

4. Does the applicant have any interest or intent to acquire an interest in any other liquor license issued by **this** licensing authority? W.S. 12-4-103 (b) ☐ YES ☒ NO

   If "YES", explain: _____

5. **If applicant is filing as an Individual, Partnership or Club:** W.S. 12-4-102 (a) (ii) & (iii)

   Each individual, partner or club officer must complete the box below.

True and Correct Name	Date of Birth	Residence Address No. & Street City, State & Zip ***DO NOT LIST PO BOXES***	Residence Phone Number	Have you been a DOMICILED resident for at least 1 year and not claimed residence in any other state in the last year?	Have you been Convicted of a Felony Violation?	Have you been Convicted of a Violation Relating to Alcoholic Liquor or Malt Beverages?
				YES ☐ NO ☐	YES ☐ NO ☐	YES ☐ NO ☐
				YES ☐ NO ☐	YES ☐ NO ☐	YES ☐ NO ☐
				YES ☐ NO ☐	YES ☐ NO ☐	YES ☐ NO ☐
				YES ☐ NO ☐	YES ☐ NO ☐	YES ☐ NO ☐
				YES ☐ NO ☐	YES ☐ NO ☐	YES ☐ NO ☐
				YES ☐ NO ☐	YES ☐ NO ☐	YES ☐ NO ☐

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

6. **If the applicant is a Corporation, Limited Liability Company, Limited Liability Partnership or Limited Partnership:** W.S. 12-4-102 (a) (iv) & (v)

   Each stockholder holding, either jointly or severally, ten percent (10%) or more of the outstanding and issued capital stock of the corporation, limited liability company, limited liability partnership, or limited partnership, **and every officer, and every director** must complete the box below.

True and Correct Name	Date of Birth	Residence Address No. & Street City, State & Zip ***DO NOT LIST PO BOXES***	Residence Phone Number	No. of Years in Corp or LLC	% of Corporate Stock Held	Have you been Convicted of a Felony Violation?	Have you been Convicted of a Violation Relating to Alcoholic Liquor or Malt Beverages?
William Yates	6/8 1964	241 S. Center Casper WY 82601	307-315-2073	23	50%	YES ☐ NO ☒	YES ☐ NO ☒
James Yates	6/26 1966	2605 Summit Dr. Cheyenne, WY 82009	307-432-0029	23	50%	YES ☐ NO ☒	YES ☐ NO ☒
						YES ☐ NO ☐	YES ☐ NO ☐
						YES ☐ NO ☐	YES ☐ NO ☐
						YES ☐ NO ☐	YES ☐ NO ☐
						YES ☐ NO ☐	YES ☐ NO ☐
						YES ☐ NO ☐	YES ☐ NO ☐

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

7. BAR AND GRILL LICENSE:

Have you submitted a valid food service permit or application? W.S. 12-4-413 (a) ☒ YES ☐ NO

8. RESTAURANT LICENSE:

(a) Give a description of the dispensing room(s) and state where it is located in the building. W.S. 12-4-408 (b)
(e.g. 10 x 12 room in SE corner of building):_____

(b) Have you submitted a valid food service permit or application? W.S. 12-4-407 (a) ☐ YES ☐ NO

(c) Have you attached a drawing of the establishment that includes the restaurant dispensing room(s)? W.S. 12-4-410 (f) ☐ YES ☐ NO

9. RESORT LICENSE:

Does the resort complex:

(a) Have an actual valuation of at least one million dollars, or have you committed or expended at least one million dollars ($1,000,000.00) on the complex, excluding the value of the land? W.S. 12-4-401(b)(i) ☐ YES ☐ NO

(b) Include a restaurant and a convention facility which will seat at least one hundred (100) persons? W.S. 12-4-401(b)(ii) ☐ YES ☐ NO

(c) Include motel, hotel or privately owned condominium, town house or home accommodations approved for short term occupancy with at least one hundred (100) sleeping rooms? W.S. 12-4-401(b)(iii) ☐ YES ☐ NO

(d) If no on question (c), have a ski resort facility open to the general public in which you have committed or expended not less than 10 million dollars ($10,000,000.00)? W.S. 12-4-401(b)(iv) ☐ YES ☐ NO

(e) Are you contracting/leasing the food and beverage services? W.S. 12-4-403(b)

1. If Yes, have you submitted a copy of the food and beverage contract/lease? ☐ YES ☐ NO

10. MICROBREWERY LICENSE:

Will the license be held in conjunction with another liquor license? W.S. 12-4-412(b)(iii) ☐ YES ☐ NO

(a) If "YES", please specify type: ☐ RETAIL ☐ RESTAURANT ☐ RESORT ☐ BAR AND GRILL ☐ WINERY

(b) Do you self distribute your products? W.S. 12-2-201(a) (Requires wholesaler license with the Liquor Division) ☐ YES ☐ NO

(c) Do you distribute your products through an existing malt beverage wholesaler? W.S. 12-2-201(g)(i) (Requires authorization to sell license with the Liquor Division) ☐ YES ☐ NO

11. WINERY LICENSE:

Will the license be held in conjunction with another liquor license? W.S. 12-4-412(b)(iii) ☐ YES ☐ NO

(a) If "YES", please specify type: ☐ RETAIL ☐ RESTAURANT ☐ RESORT ☐ BAR AND GRILL ☐ MICROBREWERY

12. LIMITED RETAIL (CLUB) LICENSE:

FRATERNAL CLUBS W.S. 12-1-101(a)(iii)(B)

(a) Has the fraternal organization been actively operating in at least thirty-six (36) states? ☐ YES ☐ NO

(b) Has the fraternal organization been actively in existence for at least twenty (20) years? ☐ YES ☐ NO

13. LIMITED RETAIL (CLUB) LICENSE:

VETERANS CLUBS W.S. 12-1-101(a)(iii)(A):

(a) Does the Veteran's organization hold a charter by the Congress of the United States? ☐ YES ☐ NO

(b) Is the membership of the Veteran's organization comprised only of Veterans and its duly organized auxiliary? ☐ YES ☐ NO

14. LIMITED RETAIL (CLUB) LICENSE:

GOLF CLUBS W.S. 12-1-101(a)(iii)(D)/W.S. 12-4-301(e):

(a) Do you have more than fifty (50) bona fide members? ☐ YES ☐ NO

(b) Do you own, maintain, or operate a bona fide golf course together with clubhouse? ☐ YES ☐ NO

(c) Are you a political subdivision of the state that owns, maintains, or operates a golf course? ☐ YES ☐ NO

1. Are you contracting/leasing the food and beverage services? W.S. 12-5-201(g) ☐ YES ☐ NO
2. If Yes, have you submitted a copy of the food and beverage contract/lease? ☐ YES ☐ NO

WLD-31 (4/17)

15. LIMITED RETAIL (CLUB) LICENSE:

SOCIAL CLUBS W.S. 12-1-101(a)(iii)(E)W.S. 12-4-301(b):

(a) Do you have more than one hundred (100) bona fide members who are residents of the county in which the club is located? ☐ YES ☐ NO

(b) Is the club incorporated and operating solely as a nonprofit organization under the laws of this state? ☐ YES ☐ NO

(c) Is the club qualified as a tax exempt organization under the Internal Revenue Service? ☐ YES ☐ NO

(d) Has the club been in continuous operation for a period of not less than one (1) year? ☐ YES ☐ NO

(e) Has the club received twenty-five dollars ($25.00) from each bona fide member as recorded by the secretary of the club and are club members at the time of this application in good standing by having paid at least one (1) full year in dues? ☐ YES ☐ NO

(f) Does the club hold quarterly meetings and have an actively engaged membership carrying out the objectives of the club? ☐ YES ☐ NO

(g) Have you filed a true copy of your bylaws with this application? ☐ YES ☐ NO

(h) Has at least fifty one percent (51%) of the membership signed a petition indicating a desire to secure a Limited Retail Liquor License? (Petition Attached) ☐ YES ☐ NO

REQUIRED ATTACHMENTS:

☒ A statement indicating the financial condition and financial stability of the applicant W.S. 12-4-102 (a) (vi).

☐ Restaurants: include a drawing of the establishment that includes the dispensing room(s) W.S. 12-4-410 (f).

☒ Attach any lease agreements (especially for resort/political subdivisions leasing out food & beverage services) W.S. 12-4-103 (a) (iii)/ W.S. 12-4-403(b)/W.S. 12-4-301(e).

☐ If transferring a license from one ownership to another, a form of assignment from the current licensee to the new applicant authorizing the transfer W.S. 12-4-601 (b).

OATH OR VERIFICATION

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

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

STATE OF WYOMING)
) *SS.*
COUNTY OF Natrona)

Signed and sworn to before me on this 21st day of June, 2018 that the facts alleged in the foregoing instrument are true by the following:

	(Signature)	(Printed Name)	Title
1)	[signature]	WILLIAM E YATES	VP SEE TITLES
2)	[signature]	James Yates	Pres
3)			
4)			
5)			
6)			

My Commission Expires
March 14, 2024

Witness my hand and official seal:

James Vande Hey
for James Yates
(SEAL)

SEAL JAMES VANDE HEY NOTARY PUBLIC State of South Dakota SEAL

[signature]
Signature of Notary Public

WINDY TAYLOR
Notary Public - Wyoming
Natrona County
My Commission Expires Jun 24, 2020

My commission expires: 6-24-2020

Sanford's Grub & Pub, Inc. - WY
Sheridan
Balance Sheet
December 30, 2017

	2017	2016
ASSETS		
Current Assets		
Cash	$611.10	$392.07
Accounts Receivable	261.06	129.73
Inventories	22,423.24	19,593.92
Prepaid Expenses	1,296.03	4,392.98
Total Current Assets	**24,591.43**	**24,508.70**
Fixed Assets		
Equipment	183,173.88	183,173.88
Leasehold Improvements	147,997.67	147,997.67
Accumulated Depreciation	(265,888.85)	(259,420.85)
Total Fixed Assets	**65,282.70**	**71,750.70**
Other Assets		
Deposits	5,000.00	5,000.00
Total Other Assets	**5,000.00**	**5,000.00**
TOTAL ASSETS	***94,874.13***	***101,259.40***
LIABILITIES & STOCKHOLDERS' EQUITY		
Current Liabilities		
Accounts Payable	89,132.64	78,444.32
Accrued Property Taxes	(0.00)	(0.00)
Sales Tax Payable	16,673.70	6,792.26
Accrued Expenses Payable	130.10	614.97
Total Current Liabilities	**105,936.44**	**85,851.55**
Long-Term Liabilities		
Intercompany Accounts	(1,367,745.55)	(1,414,065.31)
Total Long-Term Liabilities	**(1,367,745.55)**	**(1,414,065.31)**
Stockholders' Equity		
Accumulated Earnings	1,429,473.16	1,361,646.91
Current Profit (Loss)	(72,789.92)	67,826.25
Total Stockholders' Equity	**1,356,683.24**	**1,429,473.16**
TOTAL LIABILITIES & STOCKHOLDERS' EQUITY	***94,874.13***	***101,259.40***

CITY OF SHERIDAN, WYOMING

55 Grinnell Street, P.O. Box 848,
Sheridan Wyoming 82801
Ph (307)674-6483 Fax (307)674-2195

Mayor Roger Miller City Administrator Mark Collins

LIQUOR LICENSE OPERATION PLAN

Name as it appears on license: Sanford's Grub & Pub Inc.

Common Name (doing business as): Sanford's Grub & Pub

Street Address: 1 East Alger St.

Phone #: 307-674-1722

Type of License (circle): Retail Limited Restaurant (Bar & Grill)

Hours of Operation

Our planned hours of operation are: Sunday through Saturday from 11:00 am to 10:00 pm

Last call will be 30 **minutes before closing and last service will be** 30 **minutes before closing.**

Format

The premises will be operated as: Bar and Grill full service restaurant (Family)

Include:

Nature of business	Regular Events	Special Events
Bar	(Happy Hour)	Competitions of Strength
Package Liquor	~~Live Entertainment~~	Other Special Events
(Restaurant)		

(All outside events require and Malt Beverage or Catering Permit)

Security/ Crowd Control/ Capacity Limits

The Official Capacity limit for our business is:

CITY OF SHERIDAN, WYOMING

55 Grinnell Street, P.O. Box 848,
Sheridan Wyoming 82801
Ph (307)674-6483 Fax (307)674-2195

Mayor Roger Miller City Administrator Mark Collins

Maximum Occupancy 106

In order to comply with our capacity limits we shall:
Only Seat our available seats in the restaurant and manage any Customers waiting for Seats.

We shall maintain peace and order in and around our business by:
Maintaining a family atmosphere in our family restaurant. Manage serving of alcohol to guests.

Rules of the establishment shall be enforced by:
All members of our our leadership and managerial team members. Training of all team members will also help.

Alcohol Management

To comply with laws regarding alcoholic and malt beverages, including the use of eighteen (18) to twenty (20) year old servers in restaurants if applicable, our establishment will:
Have all team members, including 18-20 year olds that deal w/ alcohol get TIPS Certified training.

[signature] 6-20-18

Signature of License Holder **Date**

WILLIAM E. YATES

Printed Name

Issued by:

WYOMING DEPARTMENT OF AGRICULTURE
CONSUMER HEALTH SERVICES
2219 CAREY AVE
CHEYENNE, WY 82002

EQUAL OPPORTUNITY IN EMPLOYMENT AND SERVICES

Retail Food

ACCOUNT # 5641

Whereas this party has made application for the licenses listed below in the State of Wyoming according to the law and agrees to comply with all laws, rules and regulations thereto, including the payment of all required fees, there is hereby issued to the applicant this license. This license is not transferable and, unless revoked, shall expire on the date indicated below.

Issued to:
SANFORD'S GRUB & PUB
1 E ALGER ST
SHERIDAN, WY 82801

EXPIRATION DATE:
6/30/2019

SANFORD'S GRUB & PUB, INC.
SANFORD'S GRUB & PUB, INC.
625 PAR DR
GILLETTE, WY 82718

Director of Dept. of Ag

THIS LICENSE MUST BE CURRENT AND POSTED CONSPICUOUSLY AT THE PHYSICAL LOCATION

COPY

LEASE AGREEMENT

This lease is entered into the first day of January 2014 between Summit Gas Resources, Inc., a Delaware corporation ("Landlord") and Sanford's Grub & Pub, Inc., a Wyoming Corporation, (Tenant").

THE PARTIES AGREE AS FOLLOWS:

1. **Premises:** In consideration of the rents, covenants and agreements contained herein, Landlord leases to Tenant, and Tenant leases from Landlord the space outlined in pink on attached Exhibit A, which comprises a part of the Cady Building located at 5 East Alger Street, Sheridan, WY 82801.

2. **Term:**

   (a) Length of Initial Term. The initial term of this lease shall be for a period of sixty (60) consecutive months, beginning on the commencement date as set forth below. The lease shall terminate on December 31, 2018.
   (b) Length of Additional Terms. Tenant shall have the option, as described in paragraph 5, to extend the initial term for one additional term, with the term consisting of a period of sixty (60) consecutive full months. The additional term shall commence on January 1, 2019 and shall terminate on December 31, 2023.
   (c) Commencement Date and Obligation to Pay Rent. The commencement date for this Lease Agreement and of Tenant's obligation to pay rent hereunder is January 1, 2014.

3. **Monthly Rent:** Tenant agrees to pay Landlord at such places as Landlord may designate, without prior demand therefore and without setoff, as fixed rent, the sum of three thousand dollars ($3,000.00) per month for each calendar month during the sixty (60) months of this lease. If Tenant exercises its option to extend the lease, Tenant shall pay to Landlord the sum of three thousand, five hundred dollars ($3,500.00) per month for each calendar month during the sixty (60) months of the additional term. The rent shall be paid in advance, on the first day of each calendar month during the term of this lease. In the event the commencement date occurs on a day other than the first day of the month, the rent shall be paid on the commencement date for the initial fractional month prorated on a per-diem basis. The same shall be true of the last month of the term. Tenant shall have a ten-day grace period within which to make any rent payment. If the rent is not paid within the grace period (but without notice or demand), Landlord may, in addition to any other rights and remedies, terminate this lease. Tenant shall also pay to Landlord with such

delinquent amount a late charge in an amount equal to 5% of the delinquent amount for the purposes of defraying administrative costs and expenses incident to handling and delinquency. The late charge shall be deemed Additional Rent, and the right to require it shall be in addition to all of Landlord's other rights and remedies hereunder or at law and shall not be construed a liquidated damages or as limiting Landlord's remedies in any manner.

4. **Renewal:** Tenant shall have the option to extend this lease for one additional term, with the term consisting of a period of sixty (60) consecutive full months so long as: (a) Tenant has not been in default under any of its obligations under this lease and (b) Tenant notifies Landlord in writing of its intent to exercise its option for the additional term at least 90 days before the expiration of the initial lease term or the prior additional term. The rental for the additional term shall be as specified in paragraph 4 above.

5. **Use of Premises:** Tenant shall not use the premises for any purpose other than the operation of a restaurant, bar, bakery and related facilities. Tenant shall comply with all governmental regulations concerning the use of the premises. In the event that any state, county or city regulation or statute prohibits the use of the premises for the purpose intended, either party may forthwith cancel this lease.

6. **Parking:** Landlord shall provide Tenant with the use of the 4 parking spaces directly north of the rear access door for Tenant's employee parking.

7. **Taxes:** Landlord shall pay all real property taxes levied or assessed by lawful taxing authorities against the land, buildings and improvements comprising the leased facilities. Tenant shall be assessed 50 percent (50%) of the yearly property tax statement. Tenant is expected to divide amount by 12 and include that amount with monthly rent payment on a calendar year basis beginning January of each year. Tenant's total current portion of property taxes is $2,333.65.

8. **Utilities:** Tenant shall pay for all electricity, gas, garbage removal, water, sewer, and sewer charges for the leased premises. The parties acknowledge that all of the utilities for the kitchen, shared by Tenant and a third-party tenant of Landlord, are on one meter and are being billed to Tenant. The utilities are fairly prorated between Tenant and the third-party tenant of Landlord. In the event of a dispute between the parties over the percentage of the utilities which Tenant should be required to pay, the dispute shall be submitted to a mutually-agreed-upon arbitrator for final determination of the fair percentages. If the parties are unable to agree upon an arbitrator, either party may apply to a court of appropriate jurisdiction for appointment of an arbitrator. When those percentages are determined, the percentages shall be inserted in attached Exhibit C and initialed by the parties. Tenant shall have

the option of installing its own meter at any time with consent of Landlord, which consent will not be unreasonably withheld. Landlord is currently paying for all of the utilities on a second meter for the remainder of the Tenant's leased premises. Landlord charges 50% of the total utilities from this meter back to Tenant. The monthly amount currently charged to Tenant is $563.65. A copy of the monthly bill will be mailed to Tenant to confirm the amount Tenant will pay Landlord.

10. Maintenance:

(a) Tenant Maintenance: Tenant at Tenant's sole cost and expense shall keep the leased premises and equipment and leased items described on Exhibit B in good order, condition and repair. Repairs of mechanical, plumbing, heating, electrical, air conditioning, and swamp cooling systems servicing both the area leased by Tenant and areas leased by third parties from Landlord shall be prorated between Tenant and the third parties in the same manner and percentage as utilities are to be prorated under paragraph 9 above.

(b) Replacement Items: As to the items described on Exhibit B, Tenant shall repair and replace all such items at Tenant's expense. Tenant may also trade any such property for property with a value at least equal to the value of the traded property as is necessary to acquire different equipment which meets the needs of Tenant's operation. Tenant will give written notice to Landlord before making such a trade. Any replacements or trades acquired by Tenant for such items shall become Landlord's property and shall be surrendered by Tenant to Landlord at the termination of this lease free and clear of all liens and encumbrances and claims of third parties.

11. Mechanic's Lien: Should any mechanic's or other lien be filed against the premises or any part thereof by reason of Tenant's acts or omissions or because of a claim against Tenant, Tenant shall cause the same to be canceled and discharged of record by bond or otherwise within ten (10) days after notice from Landlord.

12. Access to Premises: Landlord shall have the right to enter the premises for the purpose of maintenance and repair of any portion of the leased premises or other portions of the building in which the leased premises are located. Landlord shall also have the right to enter the premises to inspect the same or to exhibit the same to prospective purchasers, mortgagees, tenants, and lessees, and to make such repairs, additions, alterations, or improvement as Landlord may deem desirable or as are required by the terms hereof, provided, however, that such activities shall not unreasonably interfere with the business activities of Tenant.

13. **Quiet Enjoyment:** Tenant, upon paying the rents and observing and performing all of the terms, covenants, and conditions on its part to be performed hereunder, shall peaceably and quietly enjoy the premises for the term hereof.

14. **Surrender of Premises:** At the expiration of this lease, Tenant shall surrender the premises as well as the equipment and personal property described on the inventory or its specific replacement which is to be attached hereto in the same condition as they were in upon delivery of possession thereto under this lease, reasonable depreciation, wear and tear excepted, and shall deliver all keys to Landlord. Missing inventory items will be replaced or paid for by Tenant. Before surrendering the premises, Tenant shall remove all of Tenant's personal property and trade fixtures and shall repair any damage caused by such property or the removal thereof. If Tenant fails to remove its personal property and fixtures upon expiration of this lease, the same shall be deemed abandoned and shall, at the option of Landlord, become the property of the Landlord.

15. **Signs:** Subject to Landlord's approval, which Landlord agrees not to unreasonably withhold, Tenant may install a suitable sign or signage pertaining to its business upon the exterior of the Cady Building.

16. **Holding Over:** Any holding over after the expiration of the term hereof or of any renewal term shall be construed to be a tenancy from month to month at the rents herein specified (prorated on a monthly basis) and shall otherwise be on the terms herein specified as far as possible.

17. **Attorney's Fees:** If either Landlord or Tenant institutes any action or proceeding against the other relation to the provisions of this lease or any default hereunder then the unsuccessful party in such action or proceeding agrees to reimburse the successful party for the reasonable expense of such action including reasonable attorney's fees, incurred therein by the successful party.

18. **Condition of Premises:** Tenant has examined the leased premises as well as the buildings and improvements located thereon and the leased equipment. **TENANT ACCEPTS THE LEASED PREMISES AND ALL PROPERTY LOCATED THEREON "AS IS."**

19. **Assignment:** Tenant shall not assign this lease or sublet the leased premises or any interest therein without the written consent of Landlord. A consent by Landlord to one assignment or subletting shall not be deemed to be consent to any subsequent assignment or subletting. An assignment or subletting without the written consent of Landlord, or an assignment or subletting by operation of law, shall be void and, at the option of the Landlord, terminate this lease.

20. **Release and Indemnity:** To the maximum extent permitted by law, Tenant releases, waives and discharges Landlord, its officers, directors, shareholders, employees and successors from all liability to Tenant, its successors and assigns, for any and all loss or damage and any claims or damages resulting therefrom on account of injury to Tenant's person or property while Tenant or Tenant's property is on the leased premises.

To the maximum extent permitted by law, Tenant shall indemnify and hold Landlord, its officers, directors, shareholders, employees and successors harmless from any and all claims and costs arising from Tenant's use or occupancy of the leased property.

21. **Remedies and Termination:** Tenant may terminate this lease at any time after the first twelve (12) months by (a) giving six (6) months' prior written notice of intent to terminate to Landlord and (b) surrendering possession of the premises on the termination date and (c) paying to Landlord the sum of Fifty Thousand Dollars ($50,000.00) payable Four Thousand Dollars ($4,000.00) on the first day of each month until paid, or for the number of month left in the lease term on the termination date, whichever is less, beginning with the first day of the sixth month following the month in which the notice of termination is received by Landlord.

If Landlord leases all of the leased premises to a third party during the termination period Tenant is obligated to pay the Four Thousand Dollars ($4,000.00) per month payment hereunder, Tenant's obligation to continue to make the Four Thousand Dollar ($4,000.00) per month payment shall terminate. If Landlord leases only a portion of the leased premises to a third party during the period Tenant is obligated to pay the Four Thousand Dollar ($4,000.00) per month payment hereunder, Tenant's obligation to make the Four Thousand per month payment shall be reduced by the ratio that the proportion which the area of the premises leased to the third party bears to the total area of the leased premises.

In the event of default, Landlord and Tenant shall each have all of the rights and remedies available to them at law or inequity, and Landlord shall also have the right to remove all property and persons from the leased premises and the right to store in any public warehouse at Tenant's expense all property so removed.

22. **Time:** Time is of the essence in this agreement.

23. **Insurance:** Tenant will, at Tenant's own expense, during the term of this lease, maintain in force a policy of property and liability insurance written by a responsible insurance carrier providing coverage for (1) property, furniture and fixtures, equipment, restaurant facilities, and loss of income and (2) liability (minimum of $1,000,000). Also, Tenant will reimburse Landlord for

any and all increases in insurance premiums on Landlord's master insurance policy for the Cady Building due to the addition of a restaurant facility.

24. **Casualty:** If the leased premises are damaged and such damage is not caused by Tenant or any person on the leased premises with the express or implied consent of the Tenant, then this lease agreement (a) may be terminated at the election of either party if the damage is so extensive as to make it impractical for the Tenant to use the leased premises for the purposes for which the premises were leased or (b) if the damage does not make it impractical for the Tenant to use the property for the purposes for which the premises were leased, then the rent due for the period during which the damage remains unrepaired shall be abated to the amount of that proportion of the rent which the fair rental value of the lease premises after the damage bears to its fair rental value before the damage.

25. **Nonwaiver:** The waiver by Landlord of any breach of any provision of this lease shall not constitute a continuing waiver or waiver of any subsequent breach of the same or different provisions of this lease.

26. **Entire Agreement:** This instrument contains the sole and only agreement between the parties concerning the leased premises and correctly sets forth their rights and obligations as to each other concerning the leased premises as of its date. There are no other agreements or representations respecting the leased premises or the duties of the parties in relation thereto not expressly set forth in this instrument.

27. **Security Deposit:** Tenant shall pay to Landlord a security deposit in the amount of Five Thousand Dollars ($5,000.00) (currently being held by Landlord) to be held by Landlord as follows:

(a) The security deposit shall be held as security for the full and faithful performance by Tenant of the terms, conditions and covenants of this agreement.

(b) The security deposit is not to be deducted by Tenant from rent payments of other charges due hereunder, and Landlord's right to possession of the premises for nonpayment of rent or for any other reason shall not be affected by the reason of the fact that Landlord holds the deposit.

(c) Landlord reserves the right to deduct from the security deposit at any time prior to refund, amounts reasonably necessary to remedy Tenants' defaults under this agreement including, without limitation, payment of rent, to repair damage to the premises and equipment caused by Tenant, or to clean the premises upon termination of the tenancy.

(d) Tenant shall restore the security deposit to its original amount should the use of such funds be required by Landlord during the period of this agreements. Refusal to restore such amount shall be cause for termination of the agreement. Landlord shall provide a written itemization of all deductions made by Landlord.

(e) The security deposit shall be refunded to Tenant within thirty (30) days after Tenant vacates, less any charges made pursuant to this agreement are necessary to compensate Landlord for any loss or damages sustained by Landlord due to breach by Tenant, including, but not limited to, expensed, fees and costs incurred by Landlord in securing full possession of the premises.

28. **Jurisdiction:** Any question of law or fact shall be determined pursuant to Wyoming law. Jurisdiction of any dispute between the parties shall be in the state of Wyoming.

DATED this 23rd day of Sept. 2013

SUMMIT GAS RESOURCES, INC.

By: _____
Peter G. Schoonmaker, President and CEO

ATTEST:

SANFORD'S GRUB & PUB, INC.

By: _____
Bruce J. Kelley, Secretary Treasurer

ATTEST:

Amendment #1 to Lease Agreement entered into on the 1st day of January 2014, between Summit Gas Resources, Inc. ("Landlord") and Sanford's Grub & Pub, Inc.,("Tenant").

WHEREAS, the Lease Agreement states, "In consideration of the rents, covenants and agreements contained herein, Landlord leases to Tenant, and Tenant leases from Landlord the space outlined in pink on attached Exhibit A, which comprises a part of the Cady Building located at 5 East Alger Street, Sheridan WY 82801.

NOW THEREFORE, the Lease Agreement shall be amended to state, " In consideration of the rents, covenants and agreements contained herein, Landlord leases to Tenant, and Tenant leases from Landlord the space outlined in pink on attached Exhibit A, which comprises a part of the Cady Building located at 1 East Alger Street, Sheridan WY 82801."

ALSO

WHEREAS, the Lease Agreement states, "Tenant shall not use the premises for any other purpose other than the operation of a restaurant, bar, bakery and related facilities."

NOW THEREFORE, the Lease Agreement shall be amended to state, "Tenant shall not use the premises for any other purpose other than the operation of a restaurant, bar, bakery and related facilities. Tenant has specific permission of Landlord to sell alcoholic or malt beverages(or alcoholic beverages) which is certainly necessary in the operation of a bar."

LANDLORD:

SUMMIT GAS RESOURCES, INC.

By: _____ **Date:** 12/14/17

Peter G. Schoonmaker, President & CEO

State of Wyoming)
) SS.
County of Sheridan)

The foregoing instrument was acknowledged before me by Peter G. Schoonmaker **this** 14 **day of** December **, 20** 17**.**

Witness my hand and official seal.

_____
Notary Public
My Commission Expires 8/14/2021

ZANE H. DURHAM NOTARY PUBLIC
COUNTY OF SHERIDAN STATE OF WYOMING
MY COMMISSION EXPIRES AUGUST 14, 2021

TENANT:

Sanford's Grub & Pub, Inc.

By: _____ **Date:** 12-8-17

By: _____ **Date:** _____

State of Wyoming)
) SS.
County of Sheridan)

The foregoing instrument was acknowledged before me by William Yates **and** N/A **this** 8th **day of** December **, 20**17**.**

Witness my hand and official seal.

WINDY TAYLOR
Notary Public - Wyoming
Natrona County
My Commission Expires Jun 24, 2020

Notary Public

My Commission Expires 6/24/2020

CITY OF SHERIDAN, WYOMING

55 Grinnell Street, P.O. Box 848, Sheridan Wyoming 82801
Ph (307) 674-6483 Fax (307) 674-2195

Clerk

MEMORANDUM

Project Name:	First Reading of Adoption of Ordinance #2192, Prohibiting Engine Brakes Within Sheridan City Limits - Public Works Director Lane Thompson
From:	
To:	Mayor and Council
CC:	Mark Collins, City Administrator
Date:	06/13/2018

Attachments

Ordinance 2192 Engine Brakes

ORDINANCE NO.2192

AN ORDINANCE adopting provisions concerning prohibiting engine compression brakes within City of Sheridan city limits for Chapter 16 SPECIFICALLY:

WHEREAS, The City of Sheridan recognizes that this ordinance is to prohibit engine compression brakes within city limits;

WHEREAS, The purpose of this ordinance is to prohibit the excessive, loud, unusual or explosive use of engine and compressed air-braking within designated areas in the City of Sheridan;

WHEREAS, this Ordinance shall be located and Titled as Chapter 16 Article I Section 10.6 more commonly known as 16-10.6 of the City of Sheridan Ordinances.

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

That the following Sections shall be adopted as follows:

Title: Engine Brakes Prohibited

1. Definitions

Compression brakes: Any motor vehicle brakes which are activated or worked by the compression of the engine of the motor vehicle.

2. Engine Brakes Prohibited

a. No person shall operate or use any vehicle engine compression brake within the corporate limits of the City of Sheridan

3. Enforcement

a. This ordinance is deemed to be a city infraction. It shall be enforced pursuant to Chapter 16 and Chapter 9 of City of Sheridan City Code.

CITY OF SHERIDAN, WYOMING

55 Grinnell Street, P.O. Box 848, Sheridan Wyoming 82801
Ph (307) 674-6483 Fax (307) 674-2195

Attorney

MEMORANDUM

Project Name:	First Reading of Ordinance #2191 - Change to Municipal Court Costs - City Attorney Brendon Kerns
From:	Brendon Kerns, City Attorney
To:	Mayor and Council
CC:	Mark Collins, City Administrator
Date:	06/06/2017

Attachments

Memo

Ordinance 2191 - Change in Municipal Court Costs

KERNS LAW OFFICE, LLC
30 GRINNELL PLAZA
P.O. BOX 6669
SHERIDAN, WYOMING 82801

BRENDON E. KERNS *

TELEPHONE (307) 655-8600
FACSIMILE (307) 655-8602

**Also admitted in Montana*

July 5, 2018

City of Sheridan
City Council
55 E. Grinnell Plaza
Sheridan, WY 82801

RE: Memorandum- Ordinance 2191

Dear Council,

Ordinance 2191 is an ordinance which amends City of Sheridan Ordinance 9-1. This section of the City Ordinance regards sentencing of Defendants. The proposed amendment only alters and adjusts a small portion of Ordinance 9-1; specifically, the section concerning Court costs.

Upon the sentencing of a Defendant, a person pays a judgment consisting of Court costs and an assessed fine amount. Court costs are set by Ordinance and State Statute. The fine portion generally follows the Wyoming Supreme Court Bond Schedule.

Ordinance 9-1 currently requires the Municipal Court to assess a Court cost for the "judicial systems automation account" per W.S. § 5-2-120. This cost is used to pay for the Wyoming sponsored computer system which processes and tracks citations and fines for the Courts. There is no requirement to keep this system.

The City of Sheridan staff, and as approved by Council per the FY 2019 budget, have allocated funds to purchase new and better software for the Municipal Court. The new software will be better supported and work more efficiently that the State program. Once the new software has been purchased, the State software will be deleted and no longer used. The City will no longer be required under State Statute to assess the "judicial systems automation account" Court cost. Further, the change to the Ordinance will not increase the amount assessed by the Municipal Court to Defendants for violations of City Ordinances.

Amending Ordinance 9-1 will allow the City of Sheridan to retain the Court cost paid by Defendants and apply that money towards the purchase and maintenance of the new software system.

Best Regards,

Sincerely,
KERNS LAW OFFICE, LLC

Brendon E. Kerns

Ordinance 2191

AN ORDINANCE AMENDING CHAPTER 9 OF THE CITY OF SHERIDAN MUNICIPAL ORDINANCES CONCERNING COURT COSTS, SPECIFICALLY;

WHEREAS, the City of Sheridan Ordinances contain provisions requiring the assessment of Court Costs for the "judicial systems automation account";

WHEREAS, the City of Sheridan is not required to have Ordinances which require contribution to the "judicial systems automation account";

WHEREAS, the City of Sheridan desires to retain those Court Costs so they can be applied against the cost of operating the Municipal Court.

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

9-1 Shall be amended to read as follows:

(1) Generally. Any violation of this ordinance or rule or regulation promulgated by any officer or agency of the City under authority granted by statute or ordinance is declared unlawful and when no specific penalty is provided therefore, the violation shall constitute a misdemeanor and shall be punishable by a fine of no more than what is allowed by Wyoming Statute. In addition to any fine ordered, the court shall assess court costs in the amount of Ten Dollars ($10.00) and as required by Wyoming State Statute ~~an administration fee is required by W.S. § 5-2-120 to be assessed~~. In addition to any fine, community service may be ordered to be performed and credited towards any fine at the prevailing Federal minimum wage. Each day of any violation of this Ordinance, rule, or regulation, shall constitute a separate offense.

WHEREUPON, a motion was passed and the Ordinance declared adopted this _____ day of _____, 2018.

CITY OF SHERIDAN, WYOMING

_____
Mayor

ATTEST:

_____
City Clerk

FIRST READING:

SECOND READING:

PUBLISHED:

EFFECTIVE THE _____ DAY OF _____, 2018.

CITY OF SHERIDAN, WYOMING

55 Grinnell Street, P.O. Box 848, Sheridan Wyoming 82801
Ph (307) 674-6483 Fax (307) 674-2195

Public Works

MEMORANDUM

Project Name:	Approval of Resolution #30-18, Rocky Mountain Electronic Message Center Sign - Community Development Director Brian Craig
From:	Brian Craig, Community Development Director
To:	Mayor and Council
CC:	Mark Collins, City Administrator
Date:	06/21/2018

Recommendation:

Staff recommends the City Council approve Resolution 30-18, a request to approve an Electronic Message Center at Rocky Mountain Sign, Design and Print, located at 611 Coffeen Ave., zoned B1 Business District, with the following condition:

1. Any information displayed on the Electronic Message Center (EMC) shall be static, and messages displayed shall not change their message or copy more than once per ten seconds. Transitions between messages shall occur in two seconds or less.
2. No animation, video, or non-static display or audio shall be allowed.

Sheridan City Code Chapter 3-11A allows for a recommendation of approval of an EMC sign within 300 feet of a single family residence may only be made upon finding that the proposed EMC meets the following criteria:

1. An EMC, or sign incorporating an EMC, installed as freestanding sign shall have a decorative base of masonry or stone.
2. Any information displayed on the Electronic Message Center (EMC) shall be static, and messages displayed shall not change more frequently than once per hour.
3. Messages displayed must be monochromatic (a single color, value and hue) and the background of the EMC must likewise be of a single color, value or hue.
4. The maximum pixel spacing (pixel pitch) shall not exceed 10 mm for a EMC-RGB or 20 mm EMC-Mono.
5. The minimum legal lot or parcel size for which an EMC, or sign incorporating an EMC, can be installed in a residential district is one acre.
6. The EMC will conform in all other ways with the provisions of this section and applicable city code.

Planning Commission Action: The City of Sheridan Planning Commission recommended approval of this item at their July 9, 2018 Meeting.

Background:

The applicant, Rocky Mountain Sign, Design and Print has submitted a request to install an EMC display, mounted in an existing freestanding sign, on the southwest side of the building 611 Coffeen Ave.

As part of the application process, staff contacted 27 nearest neighbors. Staff has heard neither positive nor negative comments in response to the mailings or press publication.

Discussion:

EMC signs that are within 300 feet of a single family dwelling require Planning Commission and City Council approval. This sign will be perpendicular to both Coffeen Avenue, and the nearest single family residence. Coffeen Ave. is a primary commercial corridor for the community and the orientation of the sign should be the least obtrusive to nearby residences, yet most efficient for traffic on Coffeen Ave.

Staff offers the following comments on the criteria requirement for EMC's:

1. *An EMC, or sign incorporating an EMC, installed as a freestanding sign shall have a decorative base of masonry or stone.*

The proposed signage will be on an existing concrete base.

2. *Any information displayed on the Electronic Message Center (EMC) shall be static, and messages displayed shall not change more frequently than once per hour.*

In a business district the copy may change no more than once per ten seconds, and transitions between messages shall occur in two seconds or less.

3. *Messages displayed must be monochromatic (a single color, value and hue) and the background of the EMC must likewise be of a single color, value or hue.*

Monochromatic is not a requirement in a Business District.

4. *The maximum pixel spacing (pixel pitch) shall not exceed 10 mm for a EMC-RGB or 20 mm EMC-Mono.*

The proposed sign meets this requirement.

5. *The minimum legal lot or parcel size for which an EMC, or sign incorporating an EMC, can be installed in a residential district is one acre.*

Again, this is not in a residential district.

6. *The EMC will conform in all other ways with the provisions of this section and applicable city code.*

At the time of the building permit, Building Department staff will ensure all applicable electrical and building codes are met.

Staff has no further comments at this time.

Attachments

Res 30-18
Sign Packet

CITY OF SHERIDAN
RESOLUTION 30-18

A RESOLUTION approving PL 18-25, an electronic message center (EMC) sign Rocky Mountain Sign, Design and Print, located at 611 Coffeen Ave., zoned B-1 Business Disrict.

WHEREAS, the electronic sign has been reviewed for consistency with Chapter 3 (Advertising) and other applicable City Code; and

WHEREAS, all applicable requirements for an electronic sign have been approved and the procedure described in Chapter 3 (Advertising) §3-11A (a) have been met, and

WHEREAS, the Planning Commission recommended approval of the electronic message center (EMC) at their July 9, 2018 meeting, NOW THEREFORE

Be it resolved by the City Council of the City of Sheridan, Wyoming, that the electronic message center (EMC) sign for Rocky Mountain Sign, Design and Print, located at 611 Coffeen Ave. is hereby approved by vote of the City of Sheridan's City Council, with the following conditions:

1. An EMC, or sign incorporating an EMC, installed as freestanding sign shall have a decorative base of masonry or stone.
2. Any information displayed on the Electronic Message Center (EMC) shall be static, and messages displayed shall not change more frequently than once per hour.
3. Messages displayed must be monochromatic (a single color, value and hue) and the background of the EMC must likewise be of a single color, value or hue.
4. The maximum pixel spacing (pixel pitch) shall not exceed 10 mm for an EMC-RGB or 20 mm EMC-Mono.
5. The EMC will conform in all other ways with the provisions of this section and applicable city code.

In approving the Electronic message center (EMC) sign for Rocky Mountain Sign, Design and Print, the City Council finds:

The sign has met the requirements of Chapter 3 (Advertising)

PASSED, APPROVED, AND ADOPTED this 16th day of July, 2018.

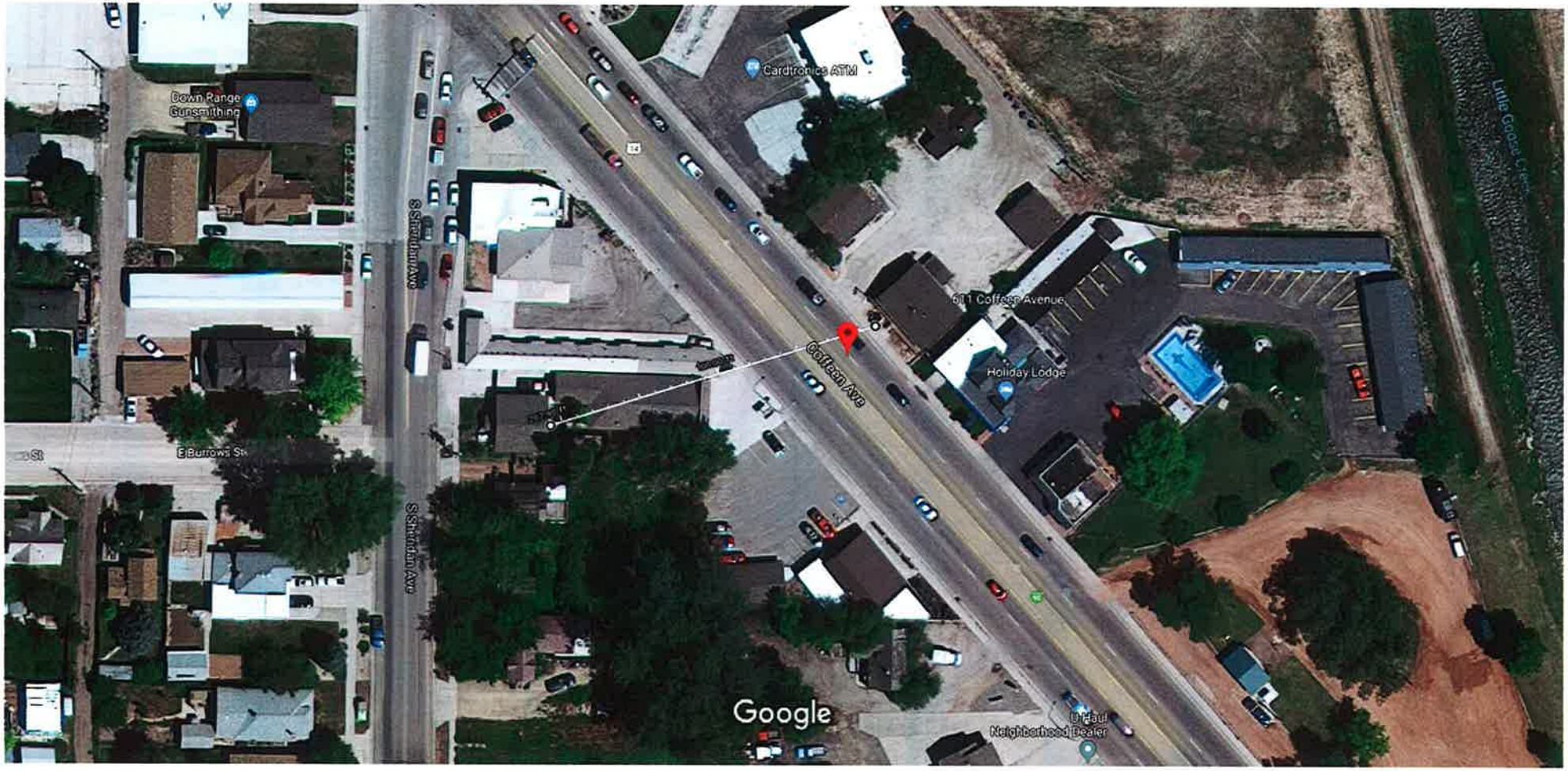
_____
Roger Miller, Mayor

Attest:

_____
Cecilia Good, City Clerk



Google Maps 611 Coffeen Ave



Imagery ©2018 Google, Map data ©2018 Google 50 ft

Measure distance

Total distance: 207.90 ft (63.37 m)


96″
Arcylic Lighted Face
19″
7″
60″
Rocky Mountain
sign, design & print
SANTA
RIDE
& PARTY
41″
106″
16mm RGB EMC


Rocky Mountain
sign, design & print
SANTA
RIDE
& PARTY
10mm RGB EMC
same dimentions as other side


48″
13″

MEGA
LED TECHNOLOGY

6500 Flotilla St.
Commerce, CA, 90040

QUOTE

2707169000012085125

Project Name	Demo Signs
Sales Person	Victor Fernandez
Amount	$ 14,277.00
Valid Till	09/06/2018

Ship To
Neil Fancher
Sheridan
WY

Product Details	Quantity
MP16-37-RFC Premier Full Color LED Display 16mm 3' 5-1/4" x 7' 7-3/4"	1

Premier Series outdoor LED displays feature rugged Line-X coated all aluminum cabinets made right here in the USA. Toll Free Lifetime Diagnostics Support and 5 Year Parts & Factory Labor Warranty, 160 degree viewing angle LEDs on our IP65 Rated front and back water proof modules, Front Serviceable cabinets, Universally Sized Modules to allow easy future upgradability, Conformal Coated Delta Power Supplies, Oversized 12" Deep Cooling Fan Hoods to keep water out of displays, operating temperature -22F to 122F. MET Labs Certified and tested compliant with UL48, UL8750, UL1433

Display Specification
Series: Premier
Total Dimension (ft): 3' 5-1/4" x 7' 7-3/4"
Active Viewing Area (ft): 3' 1-3/4" x 7' 4-1/4"
Pixel Pitch: 16mm
Color Capability: Full Color
Pixel Matrix: 60 x 140
Pixel Configuration: Real Pixel - 1 Red / 1 Green / 1 Blue
Brightness: 11,000 NITS
Viewing Angle: 160 Degree Horizontal / 120V Degree Vertical
Minumum Character Height: 4 3/8 inch
Maximum Character Height: 37 inch
Maximum Lines: 7
Estimated Weight: 215.04 lbs
Maintenance: Front Maintenance

Electrical Requirement Per Face
Regular Operating Watts: 323
Maximum Boot-up Watts: 1075
Max Amps @120V: 9
Max Amps @240V: 4.5
Estimated Monthly Electricity Cost: $17
***Estimated @ Operating 18hrs / Day @ $.10/kWH**

Product Details	Quantity
MP10-37-RFC Premier Full Color LED Display 10mm 3' 5-1/4" x 7' 7-3/4"	1

Premier Series outdoor LED displays feature rugged Line-X coated all aluminum cabinets made right here in the USA. Toll Free Lifetime Diagnostics Support and 5 Year Parts & Factory Labor Warranty, 160 degree viewing angle LEDs on our IP65 Rated front and back water proof modules, Front Serviceable cabinets, Universally Sized Modules to allow easy future upgradability, Conformal Coated Delta Power Supplies, Oversized 12" Deep Cooling Fan Hoods to keep water out of displays, operating temperature -22F to 122F. MET Labs Certified and tested compliant with UL48, UL8750, UL1433

Display Specification
Series: Premier
Total Dimension (ft): 3' 5-1/4" x 7' 7-3/4"
Active Viewing Area (ft): 3' 1-3/4" x 7' 4-1/4"
Pixel Pitch: 10mm
Color Capability: Full Color
Pixel Matrix: 90 x 210
Pixel Configuration: Real Pixel - 1 Red / 1 Green / 1 Blue
Brightness: 9,000 NITS
Viewing Angle: 160 Degree Horizontal / 120V Degree Vertical
Minumum Character Height: 2 3/4 inch
Maximum Character Height: 37 inch
Maximum Lines: 11
Estimated Weight: 215.04 lbs
Maintenance: Front Maintenance

Electrical Requirement Per Face
Regular Operating Watts: 258
Maximum Boot-up Watts: 860
Max Amps @120V: 7.2
Max Amps @240V: 3.6
Estimated Monthly Electricity Cost: $14
***Estimated @ Operating 18hrs / Day @ $.10/kWH**

Wifi - Extended Range 2

Advanced 5 GHz Wireless Communication System designed and built for severe weather conditions. Enables fast, wireless transmission of data files and content seamlessly to your LED display at distances up to 1500 feet apart with line of sight. Protects your important files and LED display messages from outside interference or tampering. Communication is done via tried and tested TCPIP communication with WPA/PSK Security Encryption. - Outdoor access point antenna included - Outdoor sign antenna included - Mounting hardware included.

Auto Dimming Sensor 2

Auto dimming sensor will automatically adjust the LED Display brightness based on ambient light.

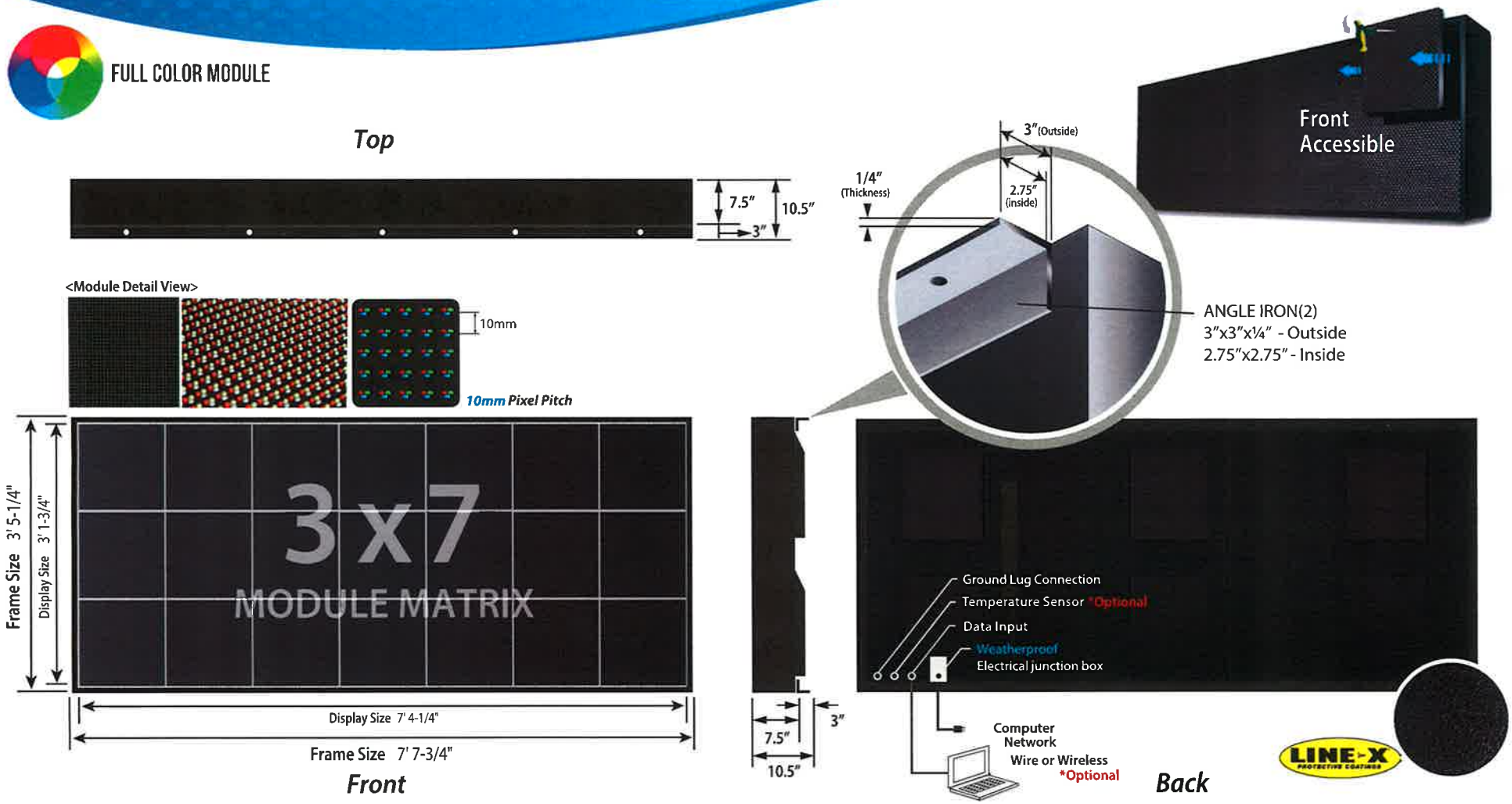
Shipping - Freight 1

Freight Charge - Only covers basic delivery with no extra services.
Carrier will call to schedule time frame for delivery. Extra fees will be billed if any of these services are requested, or conditions exist before or during delivery: Residential, Limited Access, Inside Delivery (carrying product into building), Lift Gate, or Re-Delivery (2nd attempt)

S4 | Premier HD FULL COLOR SERIES
MODEL#MP10-37RFC

Est. Weight	Pixel Matrix	Module Matrix	Frame Size
215.04 lbs	90 x 210 px	3 x 7	3' 5-1/4"(h) x 7' 7-3/4"(w) x 10.5"(d)

FULL COLOR MODULE



In this age of technology, digital LED signs are becoming more and more paramount to the success of business advertising. With our MEGA LED DISPLAY, you have the ability to display ultra sharp text, images, and videos to engage and capture the attention of onlookers. Designed and engineered in our California facilities, you can expect the highest quality out of the MEGA LED DISPLAY : weather proof structure, aluminum body, energy efficiency, conformal coated power supplies, and only the top quality LEDs for vibrant colors and extended lifeline.

* Picture may be different than actual product! This is a reference guide only!

MEGA SIGN, INC.
MEGA LED TECHNOLOGY
6500 Flotilla st. Los Angeles CA 90040
TOLL FREE : 888.315.7446
TEL : 213.746.7445 FAX : 213.764.7442
info@megasigninc.com

Title	Electrical
Premier - S4 - MP10-37RFC	Max Watts: 860 / Max Amps: 7.2 at 120 volts

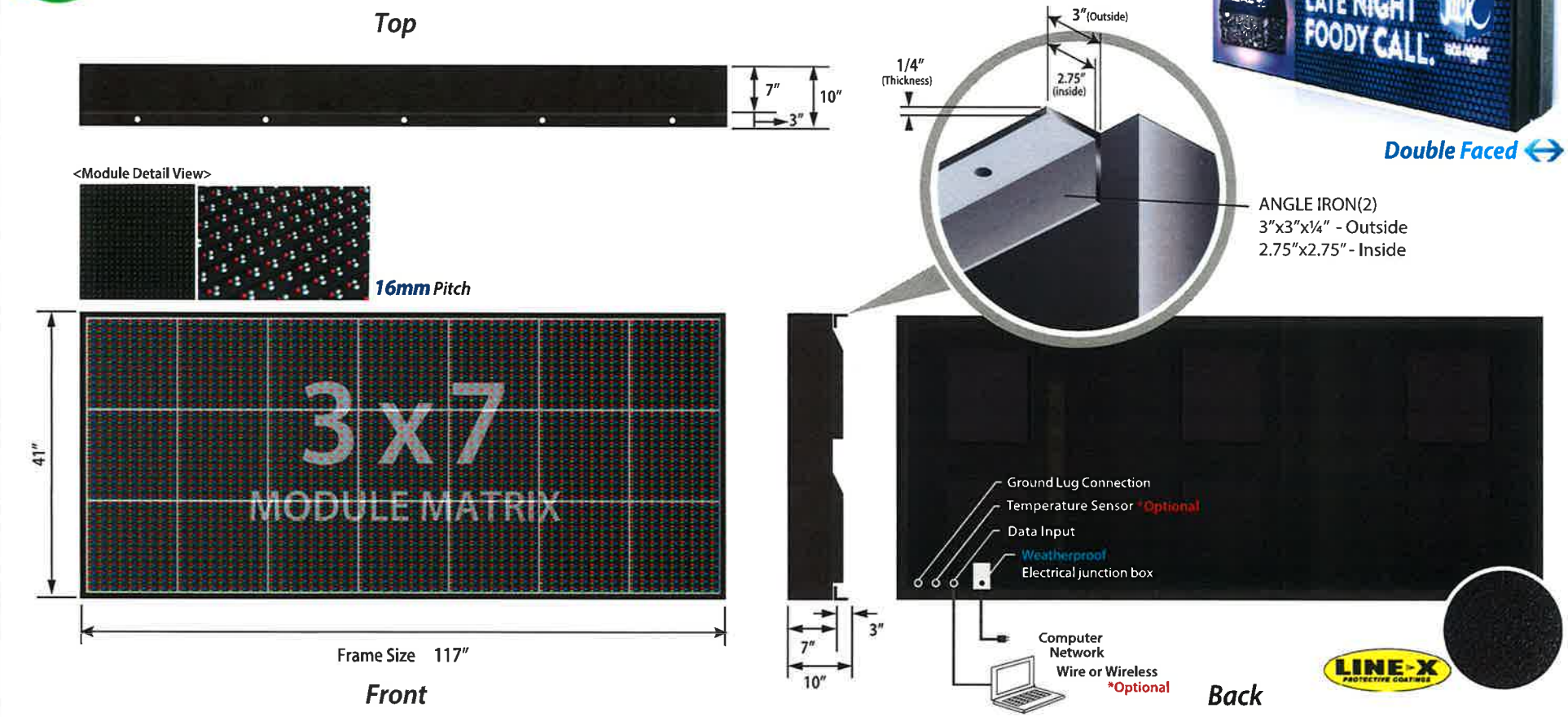
Date	Drawn by	Unit	Sheet
2 / 22 / 2018	Philip K.	Inch	1 of 1

MEGA LED TECHNOLOGY

S4 | Premier HD FULL COLOR SERIES
MODEL#MP16-37RFC

Model #	Pixel Matrix	Module Matrix	Frame Size
MP16-37RFC	60 x 140 px	3 x 7	41"(h) x 117"(w) x 10"(d)

FULL COLOR MODULE



In this age of technology, digital LED signs are becoming more and more paramount to the success of business advertising. With our MEGA LED DISPLAY, you have the ability to display ultra sharp text, images, and videos to engage and capture the attention of onlookers. Designed and engineered in our California facilities, you can expect the highest quality out of the MEGA LED DISPLAY : weather proof structure, aluminum body, energy efficiency, conformal coated power supplies, and only the top quality LEDs for vibrant colors and extended lifeline.

* Picture may be different than actual product! This is a reference guide only!

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TEL : 213.746.7445 FAX : 213.764.7442
info@megasigninc.com

Title	Electrical
Premier - S4 - MP16-37RFC	Each Side: Max Watts: 1075 / Max Amps: 9 at 120 volts

Date	Drawn by	Unit	Sheet
02 / 27 / 2018	Philip K.	Inch	1 of 1

MEGA LED TECHNOLOGY

CITY OF SHERIDAN, WYOMING

55 Grinnell Street, P.O. Box 848, Sheridan Wyoming 82801
Ph (307) 674-6483 Fax (307) 674-2195

Public Works

MEMORANDUM

Project Name:	Approval of Resolution#31-18 Morrison Ranch PUD Amendment - Community Development Director Brian Craig
From:	Brian Craig, Community Development Director
To:	Mayor and Council
CC:	Mark Collins, City Administrator
Date:	06/21/2018

Recommendation:

Staff recommends the City Council approve Resolution #31-18, the Morrison Ranch Planned Unit Development (PUD) Amendments regarding building setbacks and lot coverages.

Planning Commission Action: The City of Sheridan Planning Commission recommended approval of this item at their July 9, 2018 Meeting.

Potential Findings of Fact:

Sheridan City Code Appendix B §806.8 C requires amendments considered substantial changes to the existing Planned Unit Development (PUD) Master Plan to be considered by the City Council for approval. The administrative approval authority given to the Public Works Director is limited to specified required findings, but the Major Amendment as considered by City Council has no required findings. In general the City Council should consider the proposed amendment's conformance to the original intent of the Master Plan.

Background:

In February 2018 a front yard setback change was administratively approved for Lots 25 – 34 of Morrison Ranch PUD to allow a fifteen foot (15') setback for the front setback so long as a twenty foot (20') parking area was accommodated on the lot that does not encroach upon the sidewalk. Additionally, an administrative amendment to reduce side yard setbacks from ten feet (10') to five feet (5') for Lots 9 through 43 of Morrison Ranch PUD was granted in April 2018. The Morrison Ranch developer requested additional modifications to the required setbacks and lot coverage requirements outlined in the Master Plan and staff determined it was best to consider these modifications through the Major Amendment process, which requires Planning Commission consideration and City Council approval.

The Major Amendment request seeks to reduce front yard setbacks to fifteen feet (15') for the entire subdivision provided twenty feet (20') is maintained in front of front loading garage doors. Additionally, the proposal seeks to reduce the rear yard setback for Low Density Residential areas to fifteen feet (15') and side yards to five feet (5'). The proposal seeks to increase the allowable lot coverages for Low and Medium Residential areas to 65%, and 75% respectively.

To date, staff has not received any feedback, positive or negative, regarding this proposal.

Discussion:

Staff believes that these requests are compliant with the spirit and intent of the Sheridan Zoning Ordinance and will not substantially impact the community outside of this neighborhood. Staff was met with the developer and their agents on this project. The applicant has encountered several scenarios where desired floorplans and footprints of potential buyers and builders will not fit within the existing lot setbacks. The proposed reductions other than the front yard setback are in line with what is allowed in R-3 Residence Zoning in our community and are thus consistent with many established neighborhoods in Sheridan. The front yard setback of fifteen feet (15') will allow for some architectural variation and the condition of the twenty foot (20') parking area maintains the intent of the R-3 setback requirement. At this time only one lot within Morrison Ranch is owned separately from the applicant; that owner is in agreement and supportive of this amendment request.

Staff has no further comments at this time.

Attachments

PUD Amendment Proposal

Res 31-18

Morrison Ranch PUD Amendment Request Memorandum

To: City of Sheridan Planning Commission and City of Sheridan City Council

From: Morrison Ranch, LLC

Date: June 15, 2018

This Amendment Request is to modify the minimum Setback and maximum Lot Coverage requirements throughout the Morrison Ranch PUD Master Plan as described in Table R-2 Residential Bulk Standards on Page LU-4 of the Morrison Ranch PUD.

For the Low Density Single Family Residential (LDR) classification, the requested modification is to change the Minimum Setback for Principal Structures for Front Yard Setback from 25 feet to 15 feet; Side Yard to Street Setback from 20 feet to 10 feet; Side Yard Setback from 10 feet to 5 feet; and Rear Yard Setback from 20 feet to 15 feet. Also, for the LDR classification, the requested modification is to change the Minimum Setback for Accessory Structures for Front Yard Setback from 25 feet to 15 feet; Side Yard Setback from 10 feet to 5 feet; and Rear Yard Setback from 20 feet to 15 feet. And finally, for the LDR classification, the requested modification is to change the maximum Lot Coverage percentage from 50 to 65 percent.

For the Medium Density Single Family and Attached Residential (MDR) classification, the requested modification is to change the Minimum Setback for Principal Structures for Front Yard Setback from 20 feet to 15 feet. Also, for the MDR classification, the requested modification is to change the Minimum Setback for Accessory Structures for Front Yard Setback from 20 feet to 15 feet and Side Yard Setback from 10 feet to 5 feet. And finally, for the MDR classification, the requested modification is to change the maximum Lot Coverage percentage from 60 to 75 percent.

For the High Density Residential (HDR) classification, the requested modification is to change the Minimum Setback for Principal Structures and for Accessory Structures for Front Yard Setback from 20 feet to 15 feet.

Provided, however, as determined administratively by the City of Sheridan Planning Division on February 5, 2018, all 15 foot Front Yard Setbacks are conditioned upon a minimum of 20 feet between the garage door and street unless oriented as a side load garage, in which case the parking surface must be designed so as no part of the parking surface extends over the public sidewalk or into the public right of way.

The Setback modifications requested are based upon and are equivalent to the Minimum Setback requirements as set forth in the City of Sheridan Zoning Ordinance for R-3 Residence Districts. See Appendix A-6 of the Sheridan City Code.

This Amendment Request is made due to the conditions and size, specifically the width and length, of the Lots as platted within the Morrison Ranch PUD. The current Setbacks are incompatible with the requests of prospective purchasers and home builders within the Sheridan area. The average size footprint of residential construction currently being built within the City of Sheridan and the surrounding area will not fit within the constraints of the current Setbacks.

In accordance with the requested Setback modifications, this Amendment Request includes modifications to the maximum Lot Coverage percentage. The construction of larger size footprint homes will trigger the need for greater maximum Lot Coverage percentage.

While the requested modifications will reduce the Setbacks and increase the proximity of homes within the subdivision to each other and also will increase the maximum Lot Coverage percentage, the overall plan of the Morrison Ranch PUD preserves significant open and green space that will sustainably maintain the communal, recreational, and natural environment of the Plan throughout the subdivision.

If approved, the Setback and Lot Coverage modifications will result in a project that is at least equal to or better than would be accomplished under the strict application of conditions as set forth in the current Morrison Ranch PUD. Approval of this Amendment Request will have little to no offsite impact or effect on traffic and use patterns and is compatible with other uses within the PUD as what is being requested is only a reduction of the Setback requirements and an increase in Lot Coverage percentage.

This Amendment Request does not and will not violate the spirit and intent of the Sheridan Zoning Ordinance and creates setbacks within the Morrison Ranch PUD that are substantially similar to other established residential neighborhoods and subdivisions within the City of Sheridan. Furthermore, only one lot within the Morrison Ranch PUD has been sold to a third-party owner, Simco Construction, LLC (Simco). We have consulted with Simco regarding the specifics of this Amendment Request and Simco is in agreement with and supports this Request. Therefore, the modification will not adversely affect the rights of other property owners in any material manner.

Respectfully Submitted,

Martha I. Hilleby, Manager
Morrison Ranch, LLC

Table R-2 Residential Bulk Standards			
Land Use	Low Density Single Family (LDR)	Medium Denisty Single Family And Attached (MDR)	High Density Residential (HDR)
Minimum Lot Size			
Single Family	8,000	5,000	3,000
Single Family Attached (Duples, Triplex, Townhome	N/A	1,200	1,200
Minimum Lot Area per Unit (s.f.)	8,000	1,500	400
Minimum Setback for Principal Structures			
Local Streets			
Front Yard	15' ~~25'~~	15' ~~20'~~	15' ~~20'~~
Side Yard to Street	10' ~~20'~~	10'	10'
Side Yard	5' ~~10'~~	5' min. or 0' with min 10' feet between structures for attached product	5' min or 0' with min. 10' feet between structures for attached product
Rear Yard	15' ~~20'~~	15'	10'
Alleys			
Side Yard to alley	10'	5'	5'
Rear Yard to alley	5'	5'	5'
Collector			
Front yard to street	25'	20'	20'
Rear Yard to street	20'	15'	0'
Arterial			
Front yard to street	50'	50'	50'
Rear Yard to street	50'	50'	50'
Minimum Setbacks for Assessory Structures			
Alleys			
Side	10'	5'	5'
Rear	5'	5'	5'
All other Streets			
Front	15' ~~25'~~	15' ~~20'~~	15' ~~20'~~
Side	5' ~~10'~~	5' ~~10'~~	5'
Rear	15' ~~20'~~	5'	5'
Lot Coverage (maximum percent)	65 ~~50~~	75 ~~60~~	85
Height Limitations	35'	35'	45'

Morrison Ranch, Lots 25-34

RE: Front Building Setback

The topography of these lots demonstrate a 25% to 30% downward slope beyond an average front setback of 35 feet. We recommend reducing the typical front setback from 20 feet to 15 feet in order to provide a minimum grade differential from the main access arterial to the driveway and garage. By minimizing these transitional slopes, we will provide for safer driving conditions and also reduce grading impacts at street level.

Please refer to the following attached Exhibits for reference:

Exhibit A - Side Loading Garage
Exhibit B - Front Loading Garage

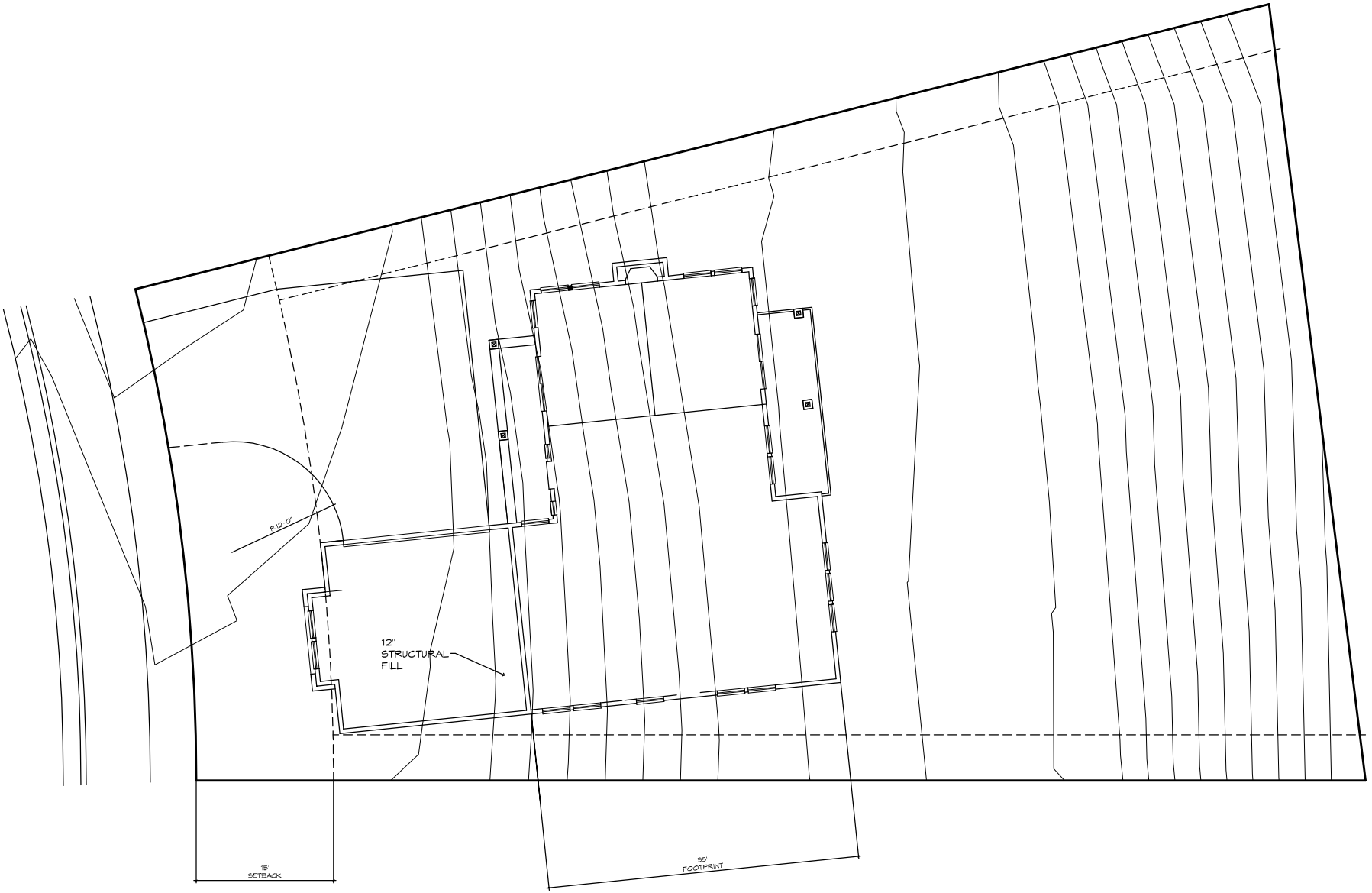


EXHIBIT A

15' FRONT SETBACK - SIDE LOADING GARAGE

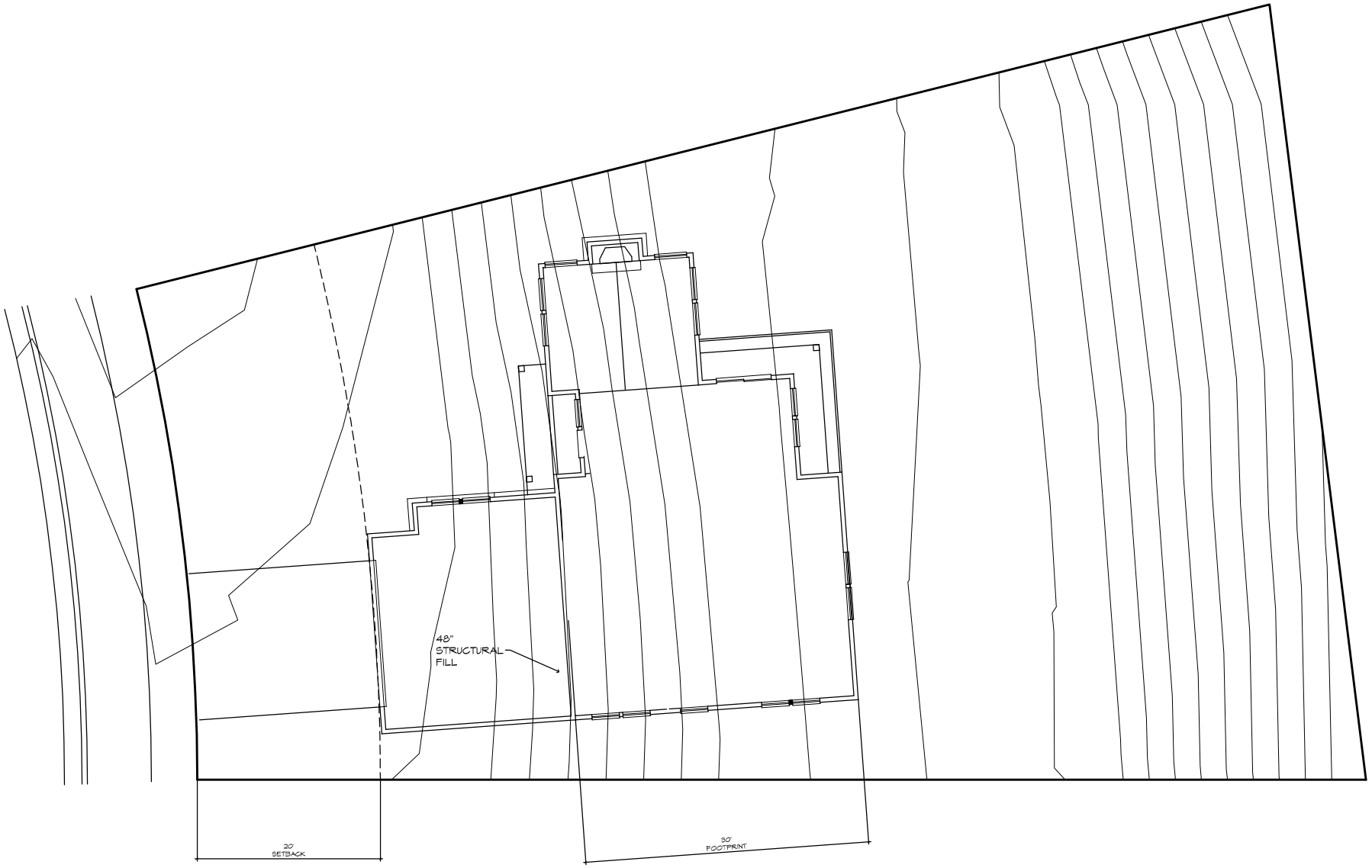
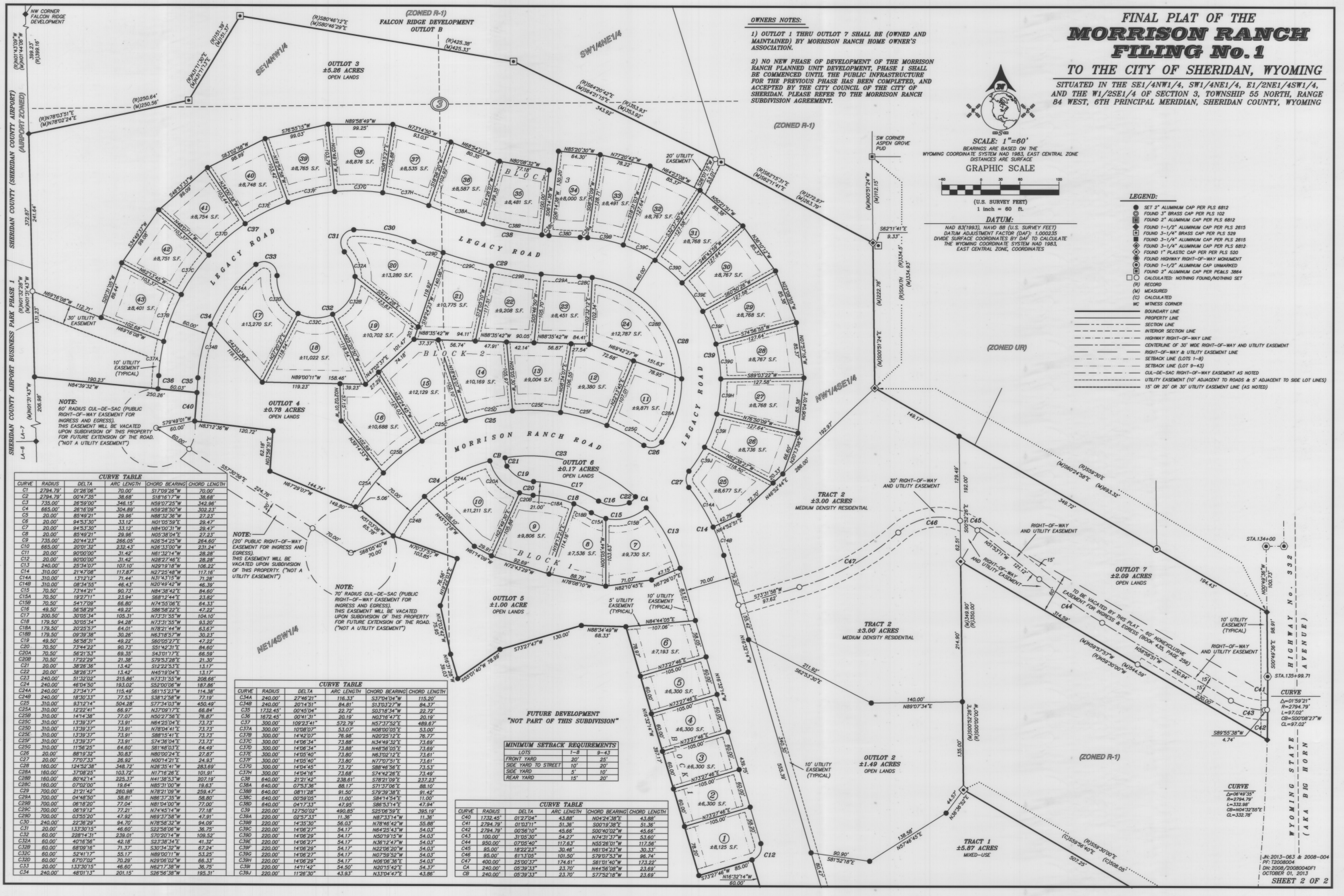


EXHIBIT B

20' FRONT SETBACK - FRONT LOADING GARAGE



CURVE TABLE					
CURVE	RADIUS	DELTA	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	2794.79'	01°28'06"	70.00'	S12°09'28"W	70.00'
C2	2794.79'	00°47'35"	38.68'	S18°16'17"W	38.68'
C3	735.00'	26°59'00"	346.15'	N59°07'25"W	342.96'
C4	665.00'	26°16'09"	304.89'	N59°28'50"W	302.23'
C5	20.00'	85°49'21"	29.96'	N88°32'36"W	27.23'
C6	20.00'	94°53'30"	33.12'	N01°05'59"E	29.47'
C7	20.00'	94°53'30"	33.12'	N84°00'31"W	29.47'
C8	20.00'	85°49'21"	29.96'	N05°38'04"E	27.23'
C9	735.00'	20°44'23"	266.05'	N26°54'25"W	264.60'
C10	665.00'	20°01'32"	232.43'	N26°13'00"W	231.24'
C11	20.00'	90°00'00"	31.42'	N81°32'14"W	28.28'
C12	20.00'	90°00'00"	31.42'	N28°27'46"E	28.28'
C13	240.00'	25°34'07"	107.10'	N29°18'18"W	106.23'
C14	310.00'	21°47'08"	117.87'	N27°25'48"W	117.16'
C14A	310.00'	13°12'12"	71.44'	N31°43'15"W	71.28'
C14B	310.00'	08°34'55"	46.43'	N20°49'42"W	46.39'
C15	70.50'	73°44'21"	90.73'	N84°38'42"E	84.60'
C15A	70.50'	19°27'11"	23.94'	S68°12'44"E	23.82'
C15B	70.50'	54°17'09"	66.80'	N74°55'06"E	64.33'
C16	49.50'	56°58'29"	49.22'	S86°58'22"E	47.22'
C17	200.50'	30°05'34"	105.31'	N73°31'55"W	104.10'
C18	179.50'	30°05'34"	94.28'	N73°31'55"W	93.20'
C18A	179.50'	20°25'57"	64.01'	N78°21'44"W	63.67'
C18B	179.50'	09°39'38"	30.26'	N63°18'57"W	30.23'
C19	49.50'	56°58'31"	49.22'	S60°03'27"E	47.22'
C20	70.50'	73°44'22"	90.73'	S51°42'31"E	84.60'
C20A	70.50'	56°21'53"	69.35'	S43°01'17"E	66.59'
C20B	70.50'	17°22'29"	21.38'	S79°53'28"E	21.30'
C21	20.00'	38°26'36"	13.42'	S12°22'53"E	13.17'
C22	20.00'	38°26'37"	13.42'	N45°19'04"E	13.17'
C23	240.00'	51°32'02"	215.88'	N73°31'55"W	208.66'
C24	249.00'	46°04'50"	193.05'	S52°00'06"W	187.96'
C24A	240.00'	27°34'17"	115.49'	S81°57'23"W	114.38'
C24B	240.00'	18°30'33"	77.53'	S38°12'58"W	77.19'
C25	310.00'	83°12'14"	504.28'	S77°34'03"W	460.49'
C25A	310.00'	12°22'41"	66.97'	N37°09'17"E	66.84'
C25B	310.00'	14°14'38"	77.07'	N50°27'56"E	76.87'
C25C	310.00'	13°39'37"	73.91'	N64°25'04"E	73.73'
C25D	310.00'	13°39'37"	73.91'	N78°04'41"E	73.73'
C25E	310.00'	13°39'37"	73.91'	S88°15'41"E	73.73'
C25F	310.00'	13°39'37"	73.91'	S74°36'04"E	73.73'
C25G	310.00'	11°56'25"	64.60'	S81°48'03"E	64.49'
C26	20.00'	88°19'32"	30.83'	N80°00'24"E	27.87'
C27	20.00'	77°07'33"	26.92'	N00°14'21"E	24.93'
C28	160.00'	124°32'38"	348.72'	N26°35'41"W	283.69'
C28A	160.00'	37°08'25"	103.73'	N17°16'28"E	101.91'
C28B	160.00'	80°16'14"	225.17'	N41°38'53"W	207.10'
C28C	160.00'	07°02'00"	19.64'	N85°31'00"W	19.63'
C29	700.00'	21°21'42"	260.98'	N78°21'09"W	259.47'
C29A	700.00'	04°48'50"	58.81'	N86°37'35"W	58.80'
C29B	700.00'	06°18'20"	77.04'	N81°04'00"W	77.00'
C29C	700.00'	06°19'12"	77.21'	N74°45'14"W	77.18'
C29D	700.00'	03°53'20"	47.92'	N69°37'50"W	47.91'
C30	240.00'	22°36'29"	94.70'	N78°58'32"W	94.09'
C31	20.00'	133°30'15"	46.60'	S22°58'06"W	36.75'
C32	60.00'	228°14'31"	239.01'	S70°20'14"W	109.52'
C32A	60.00'	40°16'56"	42.18'	S21°38'34"E	41.32'
C32B	60.00'	68°09'16"	71.37'	S30°34'32"W	67.24'
C32C	60.00'	52°41'17"	55.17'	N89°00'11"W	53.25'
C32D	60.00'	67°07'02"	70.29'	N29°06'02"W	66.33'
C33	20.00'	133°30'15"	46.60'	N62°17'38"W	36.75'
C34	240.00'	48°01'13"	201.15'	S26°56'38"W	195.31'

CURVE TABLE					
CURVE	RADIUS	DELTA	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C34A	240.00'	27°46'21"	116.33'	S37°04'04"W	115.20'
C34B	240.00'	20°14'51"	84.81'	S13°03'27"W	84.37'
C35	1732.45'	00°45'04"	22.72'	S03°18'34"W	22.72'
C36	1672.45'	00°41'31"	20.19'	N03°16'47"E	20.19'
C37	330.00'	109°23'41"	572.79'	N57°37'52"E	489.67'
C37A	300.00'	10°08'07"	53.07'	N08°00'05"E	53.00'
C37B	300.00'	14°42'07"	76.98'	N20°25'12"E	76.77'
C37C	300.00'	14°06'34"	73.88'	N34°49'32"E	73.69'
C37D	300.00'	14°06'34"	73.88'	N48°56'05"E	73.69'
C37E	300.00'	14°05'40"	73.80'	N63°02'12"E	73.61'
C37F	300.00'	14°05'40"	73.80'	N77°07'51"E	73.61'
C37G	300.00'	14°04'45"	73.72'	S88°46'56"E	73.53'
C37H	300.00'	14°04'16"	73.68'	S74°42'26"E	73.49'
C38	640.00'	21°21'42"	238.61'	S78°21'09"E	237.23'
C38A	640.00'	07°53'36"	88.17'	S71°37'06"E	88.10'
C38B	640.00'	08°11'28"	91.50'	S79°39'38"E	91.42'
C38C	640.00'	00°59'05"	11.00'	S84°14'54"E	11.00'
C38D	640.00'	04°17'33"	47.95'	S86°53'14"E	47.94'
C39	220.00'	12°50'02"	490.85'	S25°06'39"E	395.19'
C39A	220.00'	02°57'31"	11.36'	N87°33'14"W	11.36'
C39B	220.00'	14°35'30"	56.03'	N78°46'42"W	55.88'
C39C	220.00'	14°06'27"	54.17'	N64°25'43"W	54.03'
C39D	220.00'	14°06'29"	54.17'	N50°19'15"W	54.03'
C39E	220.00'	14°06'27"	54.17'	N36°12'47"W	54.03'
C39F	220.00'	14°06'29"	54.17'	N22°06'20"W	54.03'
C39G	220.00'	14°06'27"	54.17'	N07°59'52"W	54.03'
C39H	220.00'	14°06'29"	54.17'	N06°06'36"E	54.03'
C39I	220.00'	14°11'42"	54.50'	N20°15'42"E	54.37'
C39J	220.00'	11°28'30"	43.93'	N33°04'47"E	43.86'

MINIMUM SETBACK REQUIREMENTS		
LOTS	1-8	9-43
FRONT YARD	20'	25'
SIDE YARD TO STREET	10'	20'
SIDE YARD	5'	10'
REAR YARD	15'	20'

CURVE TABLE					
CURVE	RADIUS	DELTA	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C40	1732.45'	01°37'04"	43.86'	N04°24'36"E	43.86'
C41	2794.79'	01°03'11"	51.36'	S00°19'36"E	51.36'
C42	2794.79'	00°56'10"	45.66'	S02°40'02"W	45.66'
C43	100.00'	31°55'30"	54.27'	N74°31'27"W	53.60'
C44	950.00'	07°05'40"	117.63'	N55°26'01"W	117.56'
C45	85.00'	18°22'23"	30.46'	N81°04'23"W	30.33'
C46	85.00'	61°13'05"	101.50'	S79°07'53"W	96.74'
C47	400.00'	25°00'27"	174.61'	S81°31'40"W	173.22'
CA	240.00'	05°39'33"	23.70'	N44°56'08"W	23.69'
CB	240.00'	05°39'33"	23.70'	S77°52'18"W	23.69'

CITY OF SHERIDAN
Resolution 31-18

A resolution approving PL-18-26, the setback revisions for the Morrison Ranch P.U.D. Planned Unit Development.

Whereas, revised setbacks for the Morrison Ranch P.U.D. has been reviewed for consistency with Appendix A (Zoning Ordinance) of Sheridan City Code and applicable planning documents adopted by the City Council; and

Whereas, all applicable requirements for a Planned Unit Development have been met, and all documents meet the applicable requirements in Appendix B (Subdivision Regulations) of Sheridan City Code, and

Whereas, the Planning Commission recommended setback revisions for the Morrison Ranch P.U.D. Planned Unit Development to the to the City Council for approval; therefore

Be it resolved by the City Council of the City of Sheridan, Wyoming that setback and lot coverage revisions for the Morrison Ranch P.U.D. Planned Unit Development is hereby approved.

Passed, approved and adopted this _____day of _____, 2018

_____
Roger Miller, Mayor

Attest:

_____
Cecilia Good, City Clerk

CITY OF SHERIDAN, WYOMING

55 Grinnell Street, P.O. Box 848, Sheridan Wyoming 82801
Ph (307) 674-6483 Fax (307) 674-2195

Sheridan Travel & Tourism

MEMORANDUM

Project Name:	Appoint Bruce Moriarty as a new member and Re-appoint Mark Demple and Dave Hubert to the Sheridan Travel and Tourism Board for three (3) year terms
From:	Shawn Parker, Sheridan Travel & Tourism Director
To:	Mayor and Council
CC:	Mark Collins, City Administrator
Date:	07/12/2018

Attachments

Appointment Sheridan Travel & Tourism Board

CITY OF SHERIDAN
55 Grinnell Plaza
P.O. Box 848
Sheridan, Wyoming 82801

phone: 307.674.6483
fax: 307.674.7289
www.sheridanwy.us

DATE: July 12, 2018

FROM: Mayor Roger Miller

TO: City Council; Sheridan Travel & tourism Board; Mark Collins, Sheridan City Administrator; Shawn Parker, Sheridan Travel & Tourism Executive Director

RE: Sheridan Travel & Tourism Appointments, July 2018

I hereby re-appoint Mark Demple and Dave Hubert to one more term on the Sheridan Travel & Tourism Commission for a term of three years, ending July 30, 2021.

I also appoint Bruce Moriarity to the Sheridan Travel & Tourism Commission for a term of three years, ending July 30, 2021.

Both appointments are effective immediately.

CITY OF SHERIDAN, WYOMING

55 Grinnell Street, P.O. Box 848, Sheridan Wyoming 82801
Ph (307) 674-6483 Fax (307) 674-2195

Public Works

MEMORANDUM

Project Name:	Appoint Paula Whitworth and Clinton Beaver to the City of Sheridan Planning Commission for three (3) year terms
From:	Brian Craig, Community Development Director
To:	Mayor and Council
CC:	Mark Collins, City Administrator
Date:	06/21/2018

Recommendation:

Staff recommends the City Council approve the three (3) year appointments of Paula Whitworth and Clinton Beaver to the City of Sheridan Planning Commission.

Background:

Recently two members of the City of Sheridan Planning Commission stepped down from their volunteer positions. Both Larry Storo Jr. and Cindy Morris were valued members of the Planning Commission and their leadership and thoughtful evaluations will be missed. The Planning Commissioners evaluate plats, rezonings, entryway corridor projects, and various other items of community interest and provide recommendations to the City Council. After the recent vacancies were announced, Mayor Miller proceeded with soliciting letters of interest and completing interviews with prospective candidates.

Mayor Miller has selected nominees Paula Whitworth and Clinton Beaver for confirmation by City Council to the Planning Commission. Mrs. Whitworth is the current Marketing Director for Sunlight Federal Credit Union and serves on both the Community Theater Guild and the Downtown Sheridan Association boards. Mr. Beaver is a Deputy County Attorney for Sheridan County and has served on various non-profit boards; he is currently a board member for Wyoming Swimming, Inc. Once confirmed Mrs. Whitworth and Mr. Beaver will serve three (3) year terms beginning August 2018.

Attachments

Beaver Letter of Interest

Whitworth Letter of Interest

CLINTON D. BEAVER
1745 Mountain View Drive
Sheridan, Wyoming 82801
(307) 680-9099

May 13, 2018

Roger Miller, Mayor
Sheridan City Hall
P.O. Box 848
Sheridan, Wyoming 82801

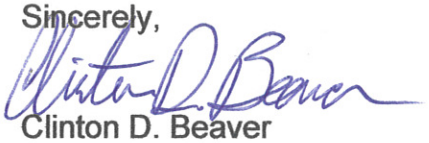
RE: City Planning Commission

Dear Mayor Miller:

This is in response to the notice of a vacancy on the Sheridan City Planning Commission. I am interested in serving on the Commission and would appreciate your consideration. Attached is a short biography.

The point of having a multi-member commission is the benefit from having a variety of viewpoints represented. If my background suggests that I would bring a helpful additional perspective, I would be honored to serve on the Planning Commission.

Sincerely,



Clinton D. Beaver

enc: Biography

CLINTON D. BEAVER
1745 Mountain View Drive
Sheridan, Wyoming 82801

BIOGRAPHY

- Born in Columbus, Ohio – Transplanted to Laramie, Wyoming in 1982.
- Lived in Cheyenne (16 years); Gillette (15 years); Sheridan (2 years)
- Worked in Wyoming State and County government agencies for a total of 21 years; in the Wyoming private sector for 11 years.
- Married, with 3 children – 20, 22, and 25. Youngest in college at Colorado Mesa University.
- Wife, Cindy, works as a real estate agent at ABC Realty, and as an adjunct instructor at Sheridan College.
- Served on board of directors for regional and state-level Christian Education non-profit organizations.
- Served on board of directors of private school in Cheyenne.
- Currently serving on board of directors of Wyoming Swimming, Inc.
- Significant experience in drafting, reviewing, and enforcing administrative rules and regulations.
- B.S. and M.S. degrees in Natural Resource Development (OSU); J.D. degree (UW).

May 4, 2018

Mayor Roger Miller
City Hall
PO Box 848
Sheridan WY 82801

Re: Planning Commission Opening

Dear Mayor Miller:

My name is Paula Whitworth and I am writing to you to apply for the vacancy on the Planning Commission. As requested, I have also attached a brief bio. I am certain that my appreciation for Sheridan, strong work ethic and time management skills would be an asset for the Planning Commission.

Should you have any questions, please do not hesitate to contact me via cell 307-461-2670 or at work 307-672-9028. I appreciate your time and look forward to hearing from you soon.

Sincerely,

Paula Whitworth

Paula Whitworth Bio:

My family and I moved to Sheridan from Houston, TX almost five years ago. Six months before moving, we had travelled through Wyoming on a Spring Break trip to Yellowstone and fell in love with Wyoming. We researched different areas and made a decision/plan to relocate to Sheridan. We had no family or friends in the area but we did have a strong desire for a better life, one we felt we could live in Sheridan. We could not be happier with that decision. Sheridan is home.

Prior to moving to Sheridan, I had been in the insurance industry for 17 years. Less than six months after moving here, I decided it was also time for a career change and took a position as Business Manager with Valley Motor Honda. I was with VMH for three years before deciding the chaotic hours were not conducive with the type of life I had envisioned. I then took an Office Management position with Sunlight Federal Credit Union. I have found this job to be very rewarding. There I have been able to meet more people in the community, hear more of their stories and have a better understanding of Sheridan. About 2 months ago Sunlight offered me a position of Marketing Director for all four Sunlight locations. I am still very much involved with our members but this new position also gives me more flexibility to be more involved in my community.

I currently am sitting on the boards of the Community Theater Guild (CTG) and the Downtown Sheridan Association (DSA).

My husband, James, and I have two amazing sons, Dustin & Jay. Dustin is a Marine and stationed in Yuma, AZ. Jay will be graduating from high school later this month.

My hobbies include reading and hiking. I truly love the mountains and I am so thankful we are able to live in Sheridan.

CITY OF SHERIDAN, WYOMING

55 Grinnell Street, P.O. Box 848, Sheridan Wyoming 82801
Ph (307) 674-6483 Fax (307) 674-2195

Public Works

MEMORANDUM

Project Name:	Final Acceptance of Infrastructure for Poplar Grove IV Subdivision
From:	Lane Thompson, Public Works Director
To:	Mayor and Council
CC:	Mark Collins, City Administrator
Date:	05/31/2018

Recommendation:

Staff recommends Mayor and City Council approve the Final Acceptance of the the Poplar Grove IV Subdivision. Final acceptance of the above stated Planned Urban Development (PUD) authorizes the Utilities Director to sign the necessary DEQ Permit Transfer Request Form in compliance with the Wyoming Department of Environmental Quality (DEQ) Rules and Regulations.
By signing the Permit Transfer Request Form, the City accepts ownership and future operation/maintenance of all utilities and infrastructure within the Poplar Grove IV Subdivision.

Background:

The developer has already received preliminary acceptance of all water and sewer infrastructure. With the remaining infrastructure improvements including street paving, curb and gutter, etc. now complete, the developer is requesting final acceptance of the Poplar Grove IV Subdivision (see attached Map). At the time of final acceptance, the Utilities Director is authorized to sign the necessary Permit Transfer Request Form in compliance with Wyoming DEQ Rules and Regulations, accepting all utilities.

The infrastructure for Poplar Grove IV Subdivision was installed per City of Sheridan Standard Specifications and Details for Utility Construction. The City has received all the required information from the developer's consulting engineer in preparation of acceptance of ownership and maintenance of this infrastructure.

Attachments

Poplar Grove IV Subdivision Map


Poplar Grove IV Subdivision
ASPEN TRL
LOOKOUT POINT DR
POPLAR TRL
ASPEN TRL
Industrial Dr
Skeels St
Skeels St
Skeels St
Skeels St
N

CITY OF SHERIDAN, WYOMING

55 Grinnell Street, P.O. Box 848, Sheridan Wyoming 82801
Ph (307) 674-6483 Fax (307) 674-2195

Public Works

MEMORANDUM

Project Name:	Final Acceptance of Infrastructure for Morrison Ranch PUD - Filing 1
From:	Lane Thompson, Public Works Director
To:	Mayor and Council
CC:	Mark Collins, City Administrator
Date:	05/31/2018

Recommendation:

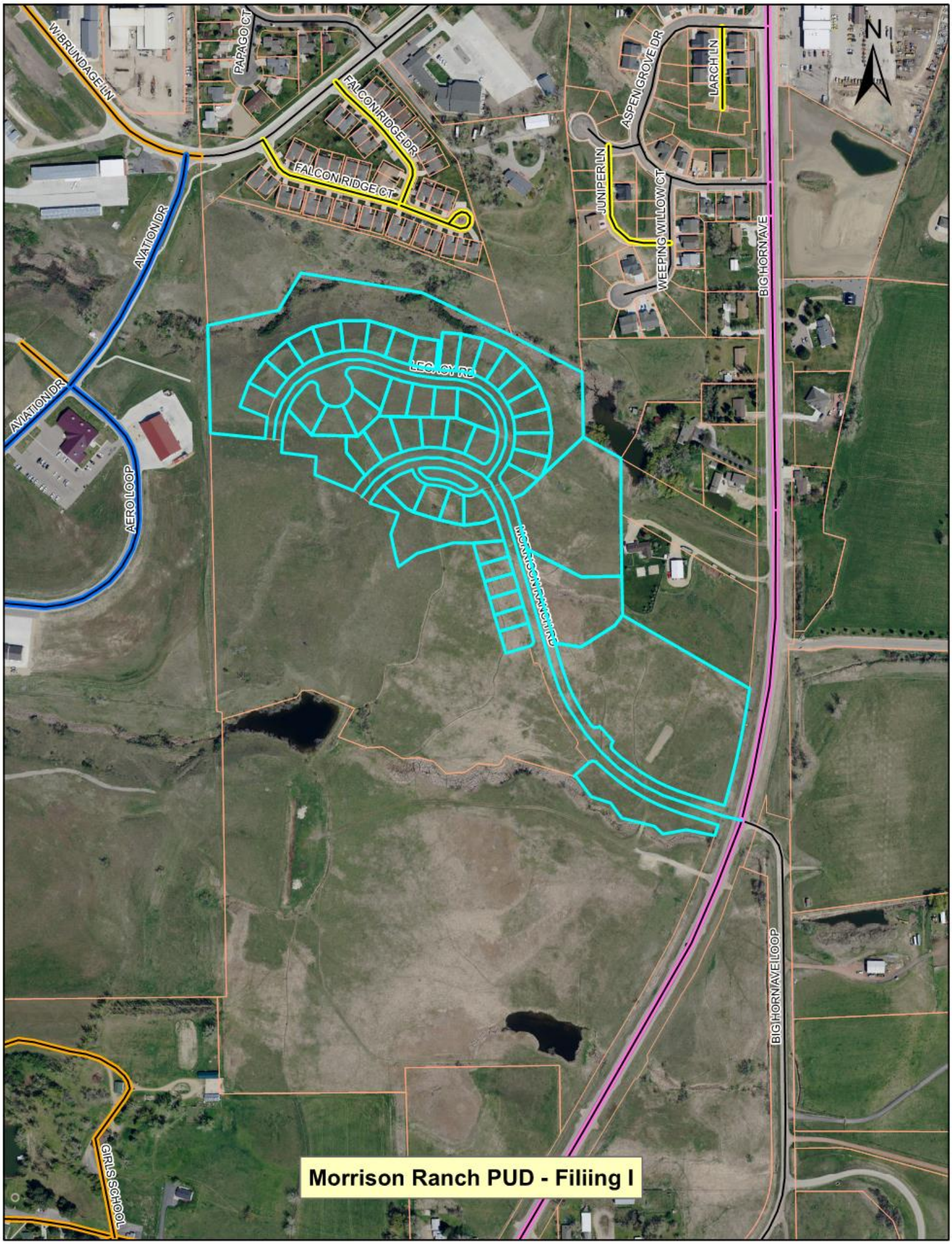
Staff recommends Mayor and City Council approve the Final Acceptance of the Morrison Ranch PUD- Filing 1. Final acceptance of the above stated Planned Urban Development (PUD) authorizes the Utilities Director to sign the necessary DEQ Permit Transfer Request Form in compliance with the Wyoming Department of Environmental Quality (DEQ) Rules and Regulations.
By signing the Permit Transfer Request Form, the City accepts ownership and future operation/maintenance of all utilities and infrastructure within the Morrison Ranch PUD.

Background:

The developer has already received preliminary acceptance of all water and sewer infrastructure. With the remaining infrastructure improvements that include street paving, curb and gutter, etc. now complete, the developer is requesting final acceptance of the Morrison Ranch PUD - Filing I (see attached Map). At the time of final acceptance, the Utilities Director is authorized to sign the necessary Permit Transfer Request Form in compliance with Wyoming DEQ Rules and Regulations, accepting all utilities.
The infrastructure for Morrison Ranch PUD - Filing I was installed per City of Sheridan Standard Specifications and Details for Utility Construction. The City has received all the required information from the developer's consulting engineer in preparation of acceptance of ownership and maintenance of this infrastructure.

Attachments

Morrison Ranch Filing I Map


N
W BRUNDAGE LN
PARAGO CT
FALCON RIDGE DR
FALCON RIDGE CT
ASPEN GROVE DR
LARCH LN
JUNIPER LN
WEEPING WILLOW CT
BIG HORN AVE
AVIATION DR
AVIATION DR
AERO LOOP
LEGACY RD
MORRISON RANCH RD
BIG HORN AVE LOOP
GIRLS SCHOOL RD
Morrison Ranch PUD - Filiing I

CITY OF SHERIDAN, WYOMING

55 Grinnell Street, P.O. Box 848, Sheridan Wyoming 82801
Ph (307) 674-6483 Fax (307) 674-2195

Clerk

MEMORANDUM

Project Name:	Minutes of Special Council Meeting June 25th 2018
From:	
To:	Mayor and Council
CC:	Mark Collins, City Administrator
Date:	07/12/2018

Attachments

Minutes of Special Meeting June 25th 2018

CITY OF SHERIDAN, WYOMING
MINUTES OF SPECIAL COUNCIL MEETING

COUNCIL CHAMBERS **5:30 P.M.** **June 25th, 2018**

1. Mayor Roger Miller called the meeting to order at 5:30 P.M.

2. The Pledge of Allegiance to the Flag was led by Mayor Roger Miller.

3. The meeting was called to order with a quorum as follows: Mayor Roger Miller presiding with Councilors Alex Lee, Rich Bridger, Thayer Shafer, Erin Hanke and Patrick Henderson. Members of staff present included Police Chief Rich Adriaens, City Clerk Cecilia Good, Human Resources Director Heather Doke, Public Works Director Lane Thompson, Interim Treasurer Todd Watkins, Utilities Director Dan Roberts, and various other members of City Staff.

4. Roger Miller presented information on the items that he had selected to veto within the FY19 Budget.

    A. Mayor Roger Miller discussed the first line item that he would like to veto related to water fluoridation – he believes that this is an unnecessary expense for the community, and an unresolved issue that should be voted on. Patrick Henderson moved, seconded by Councilor Hanke, to overturn Mayor Roger Miller's line item veto for agenda item 4 (A) and 4 (B). Councilor Bridger made a motion to call the question. Councilor Shafer further discussed water fluoridation. Councilor Henderson made a point of order regarding continuation of discussion as the question had been called. City Clerk Cecilia Good and City Attorney Brendon Kerns described the rules pertaining to the motion to call the question. Council approved the motion to bring the question to a vote; roll call vote: Motion passed with four ayes and two nays - Councilor Shafer and Mayor Roger Miller voted nay. The motion was then passed to override the vetoes with four ayes and two nays; Councilor Shafer and Mayor Roger Miller voted nay.
    B. Councilor Lee made a point of order as Mayor Miller began discussing the line item veto for the City Administrator's salary increase. City Attorney Kerns addressed the fact that a motion had been made to address both of the line item vetoes, and it was in order.

5. Council addressed the vetoes within agenda item 4(A).

6. Councilor Hanke moved, seconded by the Bridger, to adjourn the meeting at 5:46 P.M. Council approved the motion; voice vote: unanimous.

APPROVED:

_____
Roger Miller, Mayor

ATTEST:

_____
Cecilia Good, City Clerk

CITY OF SHERIDAN, WYOMING

55 Grinnell Street, P.O. Box 848, Sheridan Wyoming 82801
Ph (307) 674-6483 Fax (307) 674-2195

Clerk

MEMORANDUM

Project Name:	Minutes of Special Council Meeting July 9th 2018
From:	
To:	Mayor and Council
CC:	Mark Collins, City Administrator
Date:	07/12/2018

Attachments

Minutes of Special Meeting July 9th 2018

CITY OF SHERIDAN, WYOMING
MINUTES OF SPECIAL COUNCIL MEETING

COUNCIL CHAMBERS **5:30 P.M.** **July 9th, 2018**

1. Mayor Roger Miller called the meeting to order at 5:30 P.M.

2. The Pledge of Allegiance to the Flag was led by Mayor Roger Miller.

3. The meeting was called to order with a quorum as follows: Mayor Roger Miller presiding with Councilors Alex Lee, Rich Bridger and Patrick Henderson. Members of staff present included Police Chief Rich Adriaens, Human Resources Director Heather Doke, Public Works Director Lane Thompson, Utilities Director Dan Roberts, and various other members of City Staff.

4. Mayor Roger Miller then read aloud the consent items:
   A. Claims

Claims 07-10-18

Vendor Name	Description	Total
307 Homes, LLC	Balance Refund/559 Coffeen Ave.	37.92
Ace Hardware-Newkirk	Supplies	914.65
Ace Radiator LLC	Replacement radiator Unit 2-64	188.00
Air Technology Laboratories, Inc	Methane skid extraction testing	337.00
Ali Kamran	Balance Refund/1681 Edwards Dr.	32.35
AlphaGraphics of Wyoming	Social Media Management -May & June 2018-Letterhead Finance Department	2,771.50
Amanda Champlin	Deposit Refund/158 W 8th St.	18.85
Amanda Monasmith	Balance Refund/1513 N MainSt.	72.52
Amanda Roberts	Balance Refund/1020 Park Dr.	6.20
American Maid	Cleaning Services	4,838.00
American Water Works Association	Annual AWWA membership renewal-Davis-Trangmoe	404.00
American Welding & Gas, Inc.	Supplies	130.86
Aquatic Scuba Adventures	Holly Ponds drainage work-Open Gates to Pond	1,000.00
Asia Stockwell	Balance Refund/911 Emerson St	59.86
Automationdirect.com	electrical componites for new Plc replacement	1,766.25
AVI Systems	Integration on-site service - Apr 9, 2018	856.41
Axis Forensic Toxicology, Inc	Comprehensive Drug Panels	825.00
B&B Leasing Company	UM copier lease May	96.65
B.J. Poll	Balance Refund/415 Shadow Ridge Blvd.	5.00
Babcock Laboratories, Inc	UCMR4 testing- May 2018	700.00
Beneterra Enviromnemtal	Balance Refund/1649 Kroe Ln #B	49.00
Bernard Properties	Balance Refund/443 1/2 Gladstone St.	18.19
Big Horn Sanitation	Deliver toilets to Emerson, Dog, & Mavrakis Parks	744.00
Blea Plumbing and Heating	Leak repair on Delphi	175.50
Bloedorn Lumber	Cedar Fence Rails & Posts for the Parks	486.39
Brianna Hofmeier	Balance Refund/308 Wyoming Ave.	90.00
Bronc Builders	June Weed Eating Cemetery Grounds	1,894.88
Burns & Mc Donnell	Professional services for Landfill thru 5.31.2018	13,164.65
C & K Equipment	Auger bit - Unit 4-15 (Parks)	433.03
Carquest Auto Parts	Filters and parts	1,145.63
Cecilia Good	Parliamentary Procedure Course	250.00
Cedars Health LLC	Drug and Alcohol Testing - May 2018	394.49
CH Diagnostics and Consulting	Crypto and Giardia Analysis 5/23/2018	520.00
Chemtrade Chemicals US LLC	1 truckload Alum	6,344.88
Chris & Sara Kirol	Balance Refund/911 Emerson St.	54.10

Christian Townley	Deposit Refund/595 E 5th St.	35.81
Circuit Court of Sheridan	Fine Payment/Norleen Healy	65.00
City Dwellings	Balance Refund/721 Carlin St./S Linden Ave	230.87
City of Sheridan	Balance Refund/2003 Bungalow Village Ln.	32.45
Cole-Parmer Instrument Co	Micropump pump head, flowmeter scale, freight	2,196.14
Collection Professionals Inc.	CPI Collections-5/1/18-5/31/18	878.48
Compass - Center for Families	Justice 3D training	8,500.00
Comtronix	UM Alarm monotoring/Annual Fire alarm system inspection	696.22
Craftco Metals Services, Inc	Emergency Baler repairs	3,654.14
Crescent Electric	electrical repair parts	299.17
Dana Kepner Company	Hydrant oil/flange gaskets, tapping machine	1,336.75
Daniel Keller	Per Diem - LECC Conference in Cheyenne	128.00
David Haile	Balance Refund/935 Emerson St.	5.00
D-H Technologies, LLC	reprogram voice mail for Marks phone	100.00
Dixon Land Management and Consulting Inc	lawn service	2,120.00
Dog and Cat Shelter	4th Quarter Report One Cent Funding FY18	17,750.00
Dowl	Flow Measurements, Leopard St. Sewer Lines	1,470.00
Ed Hammer Inc	replaced SIR coil on 2-82	463.34
Eddies Truck Center Inc.	Parts for repairs to Unit 3-63	170.48
Elevation Outdoors Magazine	EO Advertising 1/2 page Spring	1,825.00
Emily Kremers	Balance Refund/461 W 5th St.	55.37
Employ, LLC	Temporary Labor	10,281.75
Energy Laboratories, Inc	TOC Analysis 6/4/2018, WO# C18060146	160.00
Entech, Inc.	GIS Professional Serv/Kendrick Park Road Imp	4,935.00
Farmers Co-op Oil Co.	Fuel	15,618.84
Fastenal Industrial Supplies	Vending machine at Landfill/Recycling for June 2018	589.51
Fletcher Construction Co	Hydropower-Beckton Hall Retainage/Hydropower Beckton Hall Energy Recovery	126,885.00
Fort Bend Services, Inc	polymer	3,312.41
Habitat for Humanity	4th Quarter Report One Cent Funding FY18	2,220.00
Harris Computer Systems	Employee Services Portal-Crystal Reports Viewer	6,044.82
Hawkins Inc	chemicals	9,938.23
Health Education Design Solutions, Inc	CPR Classes for NX Bar Employees	1,486.00
Heather Doke	Reimbursement for SHRM Annual Conference	927.09
Henry Sickler	Incident involving paint splatter at Landfill	109.00
High Land Inc.	Kendrick Park Irrigation Improvement - #5710	28,143.48
Hot Iron, Inc.	W Loucks St Reconstruction Phase II #4742	158,457.41
InfoSend, Inc.	Meter Project Inserts/billing statements and postage	3,151.23
Inter-Mountain Laboratories Inc	E.Coli Analysis 5/23/2018 WO# S1805395	35.00
Intermountain Sales, Inc	Loucks Phase II-Misc #4742	3,359.00
Jack's Auto Body Specialist	Repair work on 2008 Ford Expedition Car 1	3,855.41
Jack's Truck & Equipment	Parts for Unit 3-14 Sanitation truck	114.28
John & Desiree Gowen	Balance Refund/316 E 3rd St.	23.33
John Deere Financial #1111308145	Supplies and Uniforms	420.70
Joy Controls	2 in. Mag meters for sludge	5,837.02
Katherine N Majerus, L.C.S.W LLC	Case #18P005022-Psychotherapy	1,210.34
Kilpatrick Creations Inc.	Screen Print - Swaney bike shirts	218.40
Kinnaird Law Office, PC	Municipal Court Judge Billing May 2018	105.00
Klay Condos	Reimb gloves and socks for KCondos	37.61
Knecht Home Center	Cedar Fence Rails & Posts for the Parks	815.67
Kois Brothers Equipment, Co.	Sand spreader/parts and repairs	21,648.61
L L Johnson Distributing Company	Boom motor valve assembly	704.17
Lamar Selig	used flat bed for maintenance truck	350.00

Landon's Greenhouse & Nursery, Inc.	Water 16 inch Creek Crossing - Misc #4743/bulk cedar	2,084.71
Lannan's Supply	Paint for locates	57.00
LJS Concrete and Excavating, LLC	WDT Reconstruction Project- #4725	110,205.50
MAP, LLC	Contractual Services	2,174.63
Marcus Schoenfelder	Balance Refund/610 Lincoln Dr.	76.10
Maria Billie	Deposit Refund/813 E 7th St. #A	90.00
MD Materials Co	Shade Structure, hoops for Kendrick Park Imp	12,525.00
Mike's Electric Inc	Hot Plant Upgrade (professional services)	645.16
Money Land Surveying, LLC	N Sheridan Interchange Misc #4729	1,297.50
Monnit Corp	Cellular data plan for compost monitoring	20.00
Morrison-Maierle, Inc.	N Sheridan Interchge -Utilites & Enhanc CA #4729	68,309.37
Mueller Systems	Meter Replacement - CA #4507	268,940.59
Mullinax Concrete Service & Irrigation	Gravel & River Rock Delivery to Parks	5,785.76
Nalco Company	24 bags: (18S, 6BG) of 8110 polymer	6,495.93
Napa Auto Parts	Parts and supplies	965.95
Nathan Barney	Balance Refund/636 E Works St.	72.46
Norco, Inc	Parts and supplies	1,483.65
Normont Equipment Co.	Crack seal oil/durapatcher oil	4,956.63
North Park Transportation	Parts for repair and maintenance Unit 3-12	89.04
Office Shop Inc	Copy count for Engr 5/25-6/24/18	194.65
OMP Engineering Inc.	SCADA maintenance for SWTP/Upgrade HMI hardware intake	6,435.00
O'Reilly Auto Parts	Floor mats for new Dodge	99.99
Paul M Juergens	Reimb running shoes for PJuergens	101.54
Pavement Markings LLC	Lay out/stripe parking lot (C & C lot)	1,358.55
Perry Rosenlund	Balance Refund/1404 Bowman Ave.	68.88
Peterbilt of Wyoming	Parts for repairs Unit 3-12	1,980.96
Plains Tire & Battery	Tire Purchases	6,612.68
Powder River Power Co	Parts and supplies	828.58
Prestfeldt Surveying LLC	Skeel`s Street alignment & ROW Acquisition	1,829.00
ProMec Services	Parts for repairs	1,037.93
Qwick Kurb, Inc	Yellow mega markers w/flex & bars/arcs/screws	3,961.65
R. J. Thomas Manufacturing Company, Inc.	Trash Recep, Liners, Tables - Parks	18,753.20
Radwell International, Inc	Secondary sludge plc upgrade	8,422.27
Red Fox Asphalt	Powerwash breezeway, stairs and curb in lot	110.00
Reiman Corp. and High Country Construction Inc.	N Sheridan Interchange Misc #4729	23,926.12
Respond First Aid Systems of Wyoming	First-Aid Supplies for the Parks Cemetery Crew	187.76
Rhonda M Gould	Sew logos and patches on shirts	27.50
Ricoh USA, Inc.	June Copier Charges	490.42
Ridgepoint Consulting, LLC	R&O for 2017 Professional Services- #4701	3,390.00
Rita Lund	Balance Refund/957 Emerson St.	56.18
River Oaks Communications Corporation	June Inv - Discuss/Correspondence Re: Centurylink	1,448.25
Robert Ford Matsudaira IV	Poster and billboard design	1,382.00
Rocky Mountain Ambulance Service LLC	Ambulance Services for July 2018 FY19	10,000.00
Ron Peterson	Reimbursement for CDL renewal	46.00
Russell & Mills Studios	N Sheridan Interchange Visioning Project #4729	6,710.00
S & L Livestock	Balance Refund/1068 Westview Dr.	27.82
Sculpture Services of Colorado	Sculpture Cleaning all sculptures FY2018	4,400.00
Security State Bank	W Loucks Recon Phase II-Retan Acct # 11193151	17,606.38
Senior Citizens Council	4th Quarter Report One Cent Funding FY18	20,000.00
Servall Uniform and Linen, Inc	Rug Service	445.74
Shaunessey Reeves	Clean Parks Restrooms/Cemetery- May21st-June 1st 2018	1,100.00
Sheridan Commercial Co.	Supplies	1,722.83

Sheridan Computers LLC	Computer for Spillman Screen station	523.96
Sheridan County Public Works	plat filing pdf	28.00
Sheridan Econ-O-Wash	laundry service	104.00
Sheridan Media	Advertising package	700.00
Sheridan Motor Inc	Purch 2017 Toyota Tacoma, C. Drell, Utilities Veh/New on call Truck	62,797.00
Sheridan Newspapers Inc	Advertising May 2018	3,359.00
Sheridan Wyo Rodeo	support of 2018 Pow Wow	25,000.00
Simon Contractors	R&O for 2018 Pavement Maintenance #4701	217,186.18
Source Office & Technology	Supplies	356.86
SSR Construction Inc	Leak repair top soil	1,200.00
Stacey Roadifer	Reimbursement for immunization	20.00
Stacey Staben Living Trust	Balance Refund/1126 Cross Creek Ct.	71.52
State of WY - Judicial Systems Automation Acct	Court Automation Fund 05.2018	2,650.00
Steve's Truck Service Inc	Repairs to Unit 3-63 Recycling truck	950.87
Surf Communication DBA Fiberpipe, Inc	Balance Refund/39 S. Main St.	20.54
The Trophy Case	Dept Sign and Wall Placards	67.00
Tire Rama	Tire repairs and replacements	3,391.27
Top Office Products Inc	Office Supplies and copy charges	591.64
Travis Koltiska	Per Diem - LECC Conference in Cheyenne	128.00
TripaAdvisor LLC	Graphical advertising - May	2,990.04
Ultramax Ammunition	Range Ammo	12,537.00
USA Blue Book	BG: Polymer funnel, S: #3 Filter flow meter	2,805.44
Veolia ES Technical Solutions, LLC	Hazardous waste disposal	14,719.43
Verizon Wireless	Aircards for MDC`s	579.03
Victim Services	Crime Victims Fund 05.2018	300.00
Visit.Com Inc.	Booking engine support fee	300.00
VRM	Emergency repairs to compactor & tractor-Landfill	2,733.55
WatchGuard, Inc.	Body Worn Camera Purchase	71,687.00
Water Products, Inc	water bottles for culligan water	28.00
Way Oil Inc	Grease/hydraulic oil	1,505.47
Weed Warriors	Cutting Weeds on E Brundage & Comm Garden	1,000.00
Wenck Associates, Inc.	Leopard St Waterline Replacement-CA #4741	1,722.00
Winsupply of Sheridan Wy Co	Parts and supplies	9,530.50
Wood Group USA, Inc	GIS Professional Services - May 2018/SCADA upgrade in digestive sludge bldg	11,910.00
WWC Engineering, A Division of	Holloway St Reconstruction - Misc #4747	3,250.00
Wyoming Machinery Co	12 month rental of wheel loader/12 month rental skid steer/6 month mini excavator	15,436.92
Zowada Plumbing & Heating Inc	Meter Replacement - Misc #4507	142.50
Grand Total:		**1,597,191.87**

Prepaids 06-14-18

Vendor Name	Description	Total
Arete Design Group	Weatherby Building Design & CA - #5315	46,826.45
CenturyLink Communications, LLC	SCADA Lines and Extensions	804.67
Dick Anderson Construction Inc.	Weatherby Building Construction - #5315	1,134,600.80
Montana Dakota Utilities	Numerous Electric Bills-pump stations	37,693.26
Postmaster	Post Office Rent for Box 848 for a year	338.00
Todd Watkins or Brett Caiola	Reimburse Petty Cash 05.14.18-06.12.18	321.00
Grand Total:		**1,220,584.18**

Prepaids 06-21-18

Vendor Name	Description	Total
Law Office of Rex O. Arney	SEEDA board meeting & Weatherby replatting	340.00
Local Govt Liability Pool	SEEDA insurance renewal 7/1/18-6/30/19	500.00
Montana Dakota Utilities	Numerous Electic Bills/pump stations	3,449.97
Grand Total:		**4,289.97**

Prepaids 06-28-18

Vendor Name	Description	Total
Montana Dakota Utilities	Pump Stations/numerous electric bills	11,386.30
Tire Rama	Redo CK 2743 Voided - Dismount/Tire Disposal fee/lawn mower tire repair	88.24
Todd Watkins or Brett Caiola	Reimburse Petty Cash 06.13.18-06.25.18	234.00
Grand Total:		**11,708.54**

Prepaids 07-02-18

Vendor Name	Description	Total
Brian James	July Golf Pro Fees; Third Quarter Operating Exp	101,256.25
Caterpillar Financial	CAT 930K Loader #RHN04265 Payment #3	30,237.81
Giorgis Properties, LLC	July Rent - Office Lease - Weatherby	4,791.36
Philadelphia Insurance Companies	SEEDA School Pkg Insurance renewal 6/20/18-6/20/19	4,708.00
Pitney Bowes Inc	Postage for April and May 2018	1,220.99
Tri State Truck & Equipment, Inc	Volvo L90H Rental 6/22/18 - 6/22/19	18,900.00
University of Wyoming Office of Sponsored Program	Incubator services - 8th payment for six months	40,000.00
WAMCAT	WAMCAT Membership Renewal - Todd	65.00
Willard E. Cook, Jr. and Sarah F. Cook	Rent on Old C&C property - July 2018	2,500.00
Yamaha Motor Finance Corporation, U.S.A.	Golf cart payment #1 - Lease #6746483	28,160.50
Grand Total:		**231,839.91**

Regular Payroll 06-22-18

Vendor Name	Total
497-874-NCPERS Wyoming	320.00
Aflac	1,419.54
Blue Cross Blue Shield of Wyoming	70,030.40
Child Support-Ohio	196.14
CITCO FCU	4,768.13
Collection Professionals Inc.	74.53
Colonial Supplemental Insurance	21.78
First Federal Savings Bank	9,751.99
HealthEquity, Inc.	2,627.12
ICMA Retirement Trust 300698	6,356.38
IRS 941	68,182.77
LOCAL 276, IAFF	750.00

Nationwide	52.13
Optum Bank, Inc.	1,027.10
Orchard Trust	2,240.00
Security State Bank	508.76
Sunlight Federal Credit Union	1,623.51
VSP	1,035.83
Workers' Safety &	9,402.01
Wyoming Retirement System	56,320.10
Wyoming State Disbursement Unit	730.32
Grand Total:	**237,438.54**

Regular Payroll 07-06-18

Vendor Name	Total
497-874-NCPERS Wyoming	320.00
Aflac	1,419.54
Blue Cross Blue Shield of Wyoming	80,635.03
Child Support-Ohio	196.14
CITCO FCU	4,768.13
Colonial Supplemental Insurance	21.78
First Federal Savings Bank	9,414.56
HealthEquity, Inc.	2,627.12
ICMA Retirement Trust 300698	6,720.26
IRS 941	66,435.31
LegalShield	45.85
LOCAL 276, IAFF	750.00
Nationwide	64.52
Optum Bank, Inc.	1,027.10
Orchard Trust	2,240.00
Police Protective Assoc.	70.00
Security State Bank	508.76
Sunlight Federal Credit Union	1,623.51
VSP	1,024.73
Workers' Safety &	9,236.57
Wyo Educator's Benefit Trust	1,093.32
Wyoming Retirement System	56,493.58
Wyoming State Disbursement Unit	730.32
Grand Total:	**247,466.13**

Councilor Bridger moved, seconded by Councilor Henderson, for the approval of the consent agenda. Council approved the motion for approval of the consent agenda: voice vote; unanimous.

5. Councilor Bridger moved, seconded by Councilor Henderson, to present Resolution 19-18 - Supporting the Ballot Proposition for the Implementation of a 4% County-Wide Lodging Tax on the November 2018 General Election. Council approved the motion: voice vote; unanimous. City Attorney Brendon Kerns presented information on the parliamentary procedure correction associated with this agenda item. This action is to correct an the item of the same title approved on June 18th, 2018 without a motion and a second. Councilor Lee moved, seconded by Councilor Bridger to approve the minutes from the June 18, 2018 Council Meeting. Council approved the motion: voice vote; unanimous. Councilor Lee moved, seconded by Councilor Henderson to approve Resolution 19-18 - Supporting the Ballot Proposition for the Implementation of a 4% County-Wide Lodging Tax on the November 2018 General Election. Council approved the motion: voice vote; unanimous.

6. Councilor Henderson moved, seconded by Councilor Bridger, for Approval of Bid Award for North End Utilities Waterline Extension Project to Wilson Bros. Construction, Inc. of Lovell, Wyoming. Staff presentation was provided by Public Works Director Lane Thompson. Councilor Lee made a friendly amendment to add in the amount of $3,776,930.00 into the amendment. Council approved the amendment to the motion: voice vote, unanimous. in the amount of $3,776,930.00. Council approved the motion; voice vote: unanimous.

7. Councilor Henderson moved, seconded by Councilor Bridger, to adjourn the meeting at 5:40 P.M. Council approved the motion; voice vote: unanimous.

APPROVED:

_____
Roger Miller, Mayor

ATTEST:

_____
Cecilia Good, City Clerk

CITY OF SHERIDAN, WYOMING

55 Grinnell Street, P.O. Box 848, Sheridan Wyoming 82801
Ph (307) 674-6483 Fax (307) 674-2195

Treasurer

MEMORANDUM

Project Name:	Claims
From:	
To:	Mayor and Council
CC:	
Date:	07/12/2018

Attachments

Claims

City of Sheridan
Claims paid on 07/17/18

Sum of Amount		
Vendor Name	Description	Total
Ace Hardware-Newkirk	Parks & Cemetery Supplies	86.83
ACT Communications	Telephone and internet	205.51
AgTerra Technologies Inc.	SprayLogger Annual License-Weed & Pest	620.00
AlphaGraphics of Wyoming	Rodeo Poster	25.56
Azteca Systems, Inc.	Cityworks AMS and Citizen API Renewal	23,000.00
B&B Leasing Company	Copier lease payments	1,653.23
Big Horn Asphalt & More	Loucks St. Reconstruction - Misc #4742	15,782.00
Brian Edwards	Wellness Reimbursement 2017-2018 Program	200.00
Brian's Boot & Shoe	UM boots- DD	160.00
Buffalo Bulletin	Fly Sheridan Marketing 6/28	592.50
Captain Clean Services, Inc.	Cleaning of sewer back up	125.00
Carolina Software	WasteWorks Software Support & Vision Image Capture	550.00
Carolyn A. Byrd	Planning Commission secretary	50.00
Carquest Auto Parts	parts and repairs	97.74
Cascade Subscription Service, Inc.	2 Year Subscription to Firehouse-ESPN for Chief	399.00
Charter Communications, Inc.	Spectrum - Monthly Bill	14.82
Coca-Cola Bottling Company High Country	UM water	319.20
Comtronix	Alarm monitoring - Aug thru Oct	87.00
Dana Kepner Company	Adaptor nipple	173.35
David Todd	Reimbursement for CDL	40.00
Dixon Land Management and Consulting Inc	Mowing for weeks June 11th, 18th, & 25th	1,320.00
Dowl	Sheridan Tanks Professional Services	1,983.75
Edward Boone	Travel Reimbursement to NACHOA Training	409.02
Emergency Reporting	Emergency Reporting Fire Setup and Upgrade	1,758.00
EMH Pro Cleaning	June 2018 Janitorial Services	1,450.00
Employ, LLC	Temporary Labor	7,730.41
Employers Council	Background Checks	375.00
Entech, Inc.	Loucks St Reconstruction Phase II CA- #4742	27,220.25
Farmers Co-op Oil Co.	Fuel	15,453.08
Fastenal Industrial Supplies	supplies	297.32
Foot of the Bighorns	Refund of SID 76.0915 Payment made in error	118.12
Four Seasons Lawn Care, Inc.	Fertilizer and weed control-2nd application	371.00
Green Carpet Sod Co	Sod for Parks/Cemetery Project	87.50
Hayward Baker	Hillslides Project - Sheridan Landslide CA # 5317	184,514.55
Heartland Kubota, LLC	5 gal oil, receiver tube for #4-80	125.28
Heather Doke	Wellness Reimbursement-2017-2018	150.00
Hot Iron, Inc.	W Loucks St Reconstruction Phase II #4742	350,100.02
HUB International Mountain States Limited	Notary Bond Kat Hersman	50.00
J S Machine and Welding	Change seal on Hydraulic cylinder for 3-60 LF	1,000.00
Jack's Truck & Equipment	Fuel sender gauge	66.01
James M. Maher	Dreams of Flight - Honorarium FY18	500.00
Jenae Neeson	Sheridan Visitor`s Guide	6,918.96
John Deere Financial #1111308145	Push switch-wire	67.14
Josh Law	June Council Mtgs; Plan Commission - N. Trampe	1,200.00
Katherine Hersman	Wellness reimbursement-2017-2018-Notary Filing	168.00
Kerns Law Office, LLC	June Legal Services	12,291.70
Kinnaird Law Office, PC	Municipal Court Prosecution Fees - June 2018	150.00
Knecht Home Center	Parts for Mowing equip at the Cemetery	213.38
KXK Construction	Curb replacement	8,920.00
L L Johnson Distributing Company	PTO cable	153.73
Landon's Greenhouse & Nursery, Inc.	plants and supplies for City Hall planter	252.55
Landscaping Services Inc.	Mowing for the City Parks Dept	125.00
Lane Thompson	reimbursement for SLIB travel	76.50
Luke A Goddard	Medical Doctor Coverage for July 2018	500.00
Lyle Signs, Inc.	Road work signs/stands/general signs	1,732.19
Madden Media	SEM Co-Op April 2018	625.00
MAP, LLC	Contractual Services	2,174.63
Matthew Bender & Co. Inc.	WY Court Rules 2018 Ed w/CD	153.90
Monster Worldwide, Inc.	Recruiting - Ad Space for Open Positions	903.00
Montana Dakota Utilities	Loucks St. Reconstruction/N Sheridan interchange electric	55.77
Morrison-Maierle, Inc.	N Sheridan Interchange -Utilites & Enhance CA 4729	51,458.47
Mullinax Concrete Service & Irrigation	Aggregate materials for paving Madia Field	33,427.21

Vendor Name	Description	Total
Napa Auto Parts	Motor for swamp cooler/pump	848.99
Navarro Bronze Works	Eclipse sculpture for SPAC Permanent Aquisition	1,481.25
Norco, Inc	supplies	584.89
North East Wyoming Economic Development Four	Congressional Tour sponsorship 2018	10,000.00
Office Shop Inc	Canon Copier Contract - June	126.78
Olson's Pest Technicians	Monthly service- BGWTP & Intake	210.00
O'Reilly Auto Parts	Battery, core charge, wire joiner, test leads	276.45
Panetta Asphalt Maintenance LLC	Clean/crack seal/seal coat C&C parking lot	5,000.00
Pat Burke Trucking	Haul glass to Colorado for recycling/tires Montana	1,800.00
Plains Tire & Battery	Wrangler duratrac tire and repair for #2-75	237.17
Powder River Heating & Air Conditioning, Inc	Fixed loud noise coming from ductwork	815.00
Powder River Power Co	Parts for repairs to water truck at Landfill	176.07
Radwell International, Inc	electrical parts for secondary sludge PLC Upgrade	117.05
Ridgepoint Consulting, LLC	R&O for 2017 Professional Services/Meter Replacement	31,958.00
Rocky Mountain Ambulance Service LLC	Ambulance Services for August FY19	10,000.00
Roll 'N' Rite Doors Inc	repairs to over head door	179.68
Russell Industries Inc.	(3) PWS booster pack pumps (new)	28,893.00
Schlecht Innovations LLC	Troubleshoot electrical issues @ Hot Plant	282.73
Security State Bank	W Loucks St Recon Phase II-RetainAcct # 11193151	30,590.36
Servall Uniform and Linen, Inc	Rugs Service	466.49
Shaunessey Reeves	Clean Parks & Cemetery Restrooms June 2018	2,000.00
Sheridan Commercial Co.	Supplies	74.57
Sheridan Econ-O-Wash	June laundry service - Shop	164.00
Sheridan Media	Radio Spots for Mosquito Control P.S.A.	756.00
Sheridan Motor Inc	Wheel/2017 Used GMC Sierra 1500 pickup	34,199.08
Sheridan Newspapers Inc	Ads	3,706.94
Sheridan Printing Inc	Business cards for new Weed & Pest - Van Hoosier	117.00
Sheridan Seed Co., Inc.	Grass seed	132.50
Sheridan Transportation Taxi	Safe Ride June 2018	2,364.00
Sherwin Williams	Rac 5 striping tips/line lazer tips/credit	235.43
Simon Contractors	R&O for 2018 Pavement Maintenance #4701	304,268.31
Source Office & Technology	Office Supplies	1,136.49
SSR Construction Inc	R&O for 2017 Misc- #4701	12,900.00
Stan Schwabauer	Reimbursement for CDL renewal	40.00
Swagit Productions, LLC	Video Streaming Services for June FY18	950.00
Thatcher Company	Soda Ash: BG-8 bags, SW- 14 bags	9,134.53
The Lamar Companies	Billboards	2,878.00
Thomas J Klepperich	Municipal Court Judge Billing June 2018	1,880.00
Tire Rama	Repairs to tire Unit 3-60	74.82
Tires for Reclamation, Inc.	Tire disposal	1,163.75
Titan Machinery Inc.	Curtain press/drag shoes/rubber deflector	2,344.53
Tom Ringley	Travel Reimbursement to Douglas WLEA	38.99
Top Office Products Inc	Notary Stamp-Hersman-Books	70.60
Transaction Warehouse, Inc	Web Payment Transaction Fee, June 2018	2,267.10
Tri State Truck & Equipment, Inc	Speed sensor/cover	1,099.24
Trihydro Corporation	WDT Reconstruction Project- #4725	6,812.75
TW Enterprises, Inc	Coolant level monitoring kit for generator	147.61
U.S. Armor Corporation	Vest Krinkee	800.00
Van Diest Supply Company	Weed & Pest Products for the Rodeo Clean-up: City	660.00
VRM	Repairs to water truck at Landfill	719.00
WAM	Membership Dues 2018-19	22,209.70
Water Products, Inc	Bottled water	7.00
Weed Warriors	Mowing for the City Parks Dept	2,425.00
Wells Fargo Bank-CC	Wells Fargo charges June 2018	28,649.76
Wenck Associates, Inc.	Double Day Complex -Professional Services #4729	5,676.83
Wilbur-Ellis LLC	Speedzone broadleaf herbicide	4,200.00
Winsupply of Sheridan Wy Co	tapping saddles, Bellevue project	2,079.01
Wyoming Association of Risk Management	Property & Vehicle/Equipment Insurance/Crime coverage	118,588.40
Wyoming Machinery Co	electrical repair	664.73
Wyoming Rents, LLC	Husqvarna rental for Cemetery	85.00
Xerox Corporation	Xerox lease and copies - June	163.33
Zowada Plumbing & Heating Inc	Fixed leak found when replacing water meter	49.50
Grand Total		1,462,805.59

CITY OF SHERIDAN, WYOMING

55 Grinnell Street, P.O. Box 848, Sheridan Wyoming 82801
Ph (307) 674-6483 Fax (307) 674-2195

Clerk

MEMORANDUM

Project Name:	Wyoming Municipality Handbooks Discussion - City Clerk Cecilia Good
From:	Cecilia Good, City Clerk
To:	Mayor and Council
CC:	Mark Collins, City Administrator
Date:	07/11/2018

Background:

Staff was requested to conduct research on the roles and responsibilities of Mayor and City Council members. Additionally, staff was asked to research the documents provided to a new Mayor or Council member. Currently, the City of Sheridan utilizes material provided by the Wyoming Association of Municipalities within the packet.

Attachments

Municipality Handbook Examples

CITY OF SHERIDAN, WYOMING

55 Grinnell Street, P.O. Box 848, Sheridan Wyoming 82801
Ph (307)674-6483 Fax (307)674-2195

Clerk's Office

MEMORANDUM

Re: **City Council Handbook Materials**

From: **Cecilia Good, City Clerk**

To: **Mayor and City Council**

CC: **Mark Collins, City Administrator**

Staff was requested to conduct research on the roles and responsibilities of Mayor and City Council members. Additionally, staff was asked to research the documents provided to a new Mayor or Council member. Currently, the City of Sheridan utilizes material provided by the Wyoming Association of Municipalities within the packet.

Below you will find a table representing the results received from canvassing other municipalities.

Municipality	Job Descriptions for Mayor/Council	Orientation Material	Form of Government
Jackson	State Statute	WAM Documents	City Administrator
Douglas	None	WAM Documents, Supplementary Material	City Administrator
Cody	None	WAM Documents, Supplementary Material	City Administrator
Gillette	Referenced in Handbook	City Initiated Handbook	City Administrator
Powell	Referenced in Charter Ordinance	WAM Documents	City Administrator
Green River	Referenced in Handbook	City Initiated Handbook	City Administrator
Lovell	None	Send to WAM Conferences, Council Mentors	City Administrator
Kemmerer	None	None	City Administrator
Riverton	Referenced in Code	WAM Mayor/Council Handbook	City Administrator
Afton	None	Send to WAM Conferences, Council Mentors	City Administrator
Greybull	Referenced in Code		City Administrator

Star Valley Ranch	None		City Administrator
Cheyenne	None	City Initiated Handbook	Mayor-Council
Laramie	Referenced in Handbook	City Initiated Handbook	City Manager
Rawlins	State Statute	Nothing	City Manager
Casper	Referenced in Handbook	City Initiated Handbook	City Manager

Based off of the information collected above, the most often used resource for Council orientation documents is the WAM provided material. None of the communities surveyed had a specific Mayor/Council job description. Roles and responsibilities are referenced in supplemental documents, city ordinances, or state statute.

END OF MEMO

Fact Sheet
City Administrator Ordinance

- First Reading or City Administrator Ordinance to be conducted at September 4th Council Meeting.

- Work Session September 6th 11:00 – 1:00 with Duane Evenson, Mayor of Gillette, Bret Jones, City Administrator of Gillette and Art Elkins, Clerk-Treasurer for the City of Sheridan.

- Second Reading of ordinance at September 17th Council Meeting.

- Work Session September 19th 11:00 – 1:00 with Bobbi Fitzhugh, City Administrator for the city of Douglas, George Parks, Executive Director, Wyoming Association of Municipalities and Michelle Shea, University of Wyoming Political Science Graduate Student.

- Third Reading of ordinance at October 1st Council Meeting.

Preface
Forms of City Government

Under Wyoming Law there are four possible forms of City government:

- Mayor-Council, sometimes referred to as the "strong mayor/council" form
- City Manager
- Commission
- Mayor/Council w/Administrator

Sheridan, as with many other cities in Wyoming has gone through a pretty typical metamorphosis with regard to its form of city government. In the territorial days, the City of Sheridan like many other cities operated under a commission form of government with a Mayor and two Commissioners. The Commission form was actually in effect here up until 1957. In 1958 the City adopted the City Manager form of government. At that time the City of Sheridan had seven wards and each ward elected a council member. That seven person council selected one of their members to serve as mayor for a one year period. In 1973 the City adopted the Mayor/Council form of government which has remained in place since then.

Under the Mayor/Council form of government, council members represent wards but the Mayor runs for a four year term of office separate and apart from the council—that is, the Mayor is elected "at large." The Mayor possesses a veto authority. This includes a line item veto authority. Under the Mayor/Council form of government the Mayor is vested with "superintending authority" of all affairs of the city.

Under the Mayor/Council form, there is no requirement that the Mayor have any qualifications other than the ability to win the election. After which, he or she is responsible for the administration of the City's budget which is currently $53 million per year.

There is a fourth or hybrid form of governance known as "Mayor/Council and Administrator." This form was initiated by now US senator Mike Enzi when he was the Mayor of Gillette in the '70s. Under this form, the Mayor and City Council can vote to create a City Administrator position and vest in that administrator the day-to-day administrative responsibilities of running the city. The Mayor is still elected at large and still retains a line item veto right. This form of government retains all the advantages of the city manager form (professional management) and the advantages of the strong mayor-council form (strong policy guidance from an elected mayor and council).

A survey of other cities and towns was conducted by a City of Sheridan staff member. The summary results are as follows: Cities who have a full time City Manager or City Administrator (population indicated in parenthesis): Casper (50,632); Laramie (27,204); Gillette (25,829); Green River (12,000); Riverton (9,310); Cody (8,835); Jackson (8,647); Rawlins (9,006); Powell (5,373); Douglas (5,288); Kemmerer (2,651); Lovell (2,281).

Frequently Asked Questions – City Administrator Ordinance

What are the reasons for having a professional City Administrator to handle the day-to-day management of the City rather than an elected candidate?

City Administrators are individuals who are trained, educated and experienced in managing cities and towns. Typically, they have a Masters Degree in Public Administration. A town of Sheridan's size would be able to recruit someone with substantial experience in the management of communities similar to Sheridan.

Greater detail can be found in a report prepared by Michelle Mecca, a Political Science graduate student at the University of Wyoming, on the benefits of hiring a City Administrator. There are a number of advantages outlined in Ms. Mecca's report. The main advantage being, professional, specialized day-to-day management, subject to the policy guidance of a Mayor and elected Council. According the report, the City Administrator form of government is "the best of both worlds" when it comes to Wyoming municipal government.

The report by Ms. Mecca also lists the following advantages:

- Public policy is developed by the electorate by the elected officials, but implemented by a City Administrator extensively trained in policymaking.
- A City Administrator offers professional public management experience and expertise in the successful administration of daily city operations.
- Administrative accountability is centralized into one position.
- City Administrators are experts who are trained and specialized in city management.

What are the duties that are typically fulfilled by a City Administrator?

Again, referring to the report by Ms. Mecca, - a City Administrator:

- Carries out policies adopted by elected officials
- Recruits, hires and supervises the workforce of the city or town including department heads
- Manages city services such as Public Works, Public Safety, Planning and Development, Parks and Recreation, Recycling and Utilities
- Prepares a comprehensive annual budget and capitol improvement programs
- Insures fiscal responsibility through experience, education, training and modern accounting practices
- Develops performance measurement techniques for City services
- Seeks out, applies for, and administers federal, state and private foundation grant funding
- Develops long range plans with the guidance of elected officials
- Professional Administration makes sense for communities both large and small.

What would it take to adopt a City Administrator form of government in Sheridan?

It would take an ordinance of the City Council which typically requires three readings at three meetings held at least ten days apart. If five of the seven council members vote for the ordinance it becomes a "charter ordinance" which is like a constitutional amendment for cities in Wyoming. That means that it could be changed in the future only by a 2/3's vote of the city council.

Under the draft City Administrator Ordinance the City Administrator would be hired by the City Council and Mayor, and could only be fired by the City Council and Mayor. Such action would require a majority vote.

If we were to hire a City Administrator, it would cost money - Is it worth it in the long run?

A study by the Reason Public Policy Institute showed that cities with a City Administrator are more efficient. This study found that cities with a professional administrator or manager are 50% more likely to be efficient than those that are administered by an elected mayor.

Currently the Mayor of the City of Sheridan earns $45,000 per year. Under the City Administrator ordinance, the Mayor's salary would be reduced to $500 per month, the same as the City Council members. The City Administrator would earn two to possibly three times the current salary of the Mayor – part of that would be recouped by reducing the Mayor's pay. Sheridan would, in the long run, be a much more efficiently managed city; the city would "earn back" a professional administrator's salary from our annual $53 million budget.

Would our current Mayor become the City Administrator?

Mayor Kinskey has indicated that he will not be a candidate for the City Administrator position.

How would this change the Mayor's position?

Sheridan would continue to retain a "strong mayor" who is elected at large for a four year term and has a line item veto authority over expenses and legislation. The Mayor's position however would not be involved in the day-to-day administration but would rather focus on policy making priorities and initiatives such as affordable housing, economic development and diversification (i.e. attracting businesses to the community that will provide high paying jobs) as well as growth planning and management.

If adopted, when would the City Administrator position go into effect?

As drafted, the City of Sheridan City Administrator Charter ordinance would go into effect immediately upon adoption.

What would the City Administrator's salary be & how is that determined?

The City Administrator position was surveyed in the salary survey by Condrey and Associates. This is a professional salary and wage survey firm which completely examined the entire pay structure of City administration and employees two years ago. The firm considered the job descriptions and pay ranges of towns in our region of the same size as Sheridan, as well as other communities in Wyoming.

The Condrey survey concluded that a City Administrator in Sheridan would be a grade 27, with a pay range between $84,263.00 and $128,217 per year.

Who would report to the City Administrator?

Under the City Administrator form of government as adopted in many other cities and towns, all department managers would report to the City Administrator, (i.e. Clerk, Treasurer, Police Chief, Fire Chief, and Director of Public Works). The City Judge and City Attorney would continue to be appointed by and report to the Mayor and Council.

What has changed since Sheridan eliminated the City Manager in 1973?

Today's city administration is much more complex than it was in 1973 when Sheridan adopted the Mayor/Council form and eliminated any professional administrator or manager. Effective City administration today calls for an individual with superb organizational skills, a solid sense of strategic management, the ability to communicate effectively with many city groups, the knowledge of infrastructure, sewer systems, water plants, police procedures, union regulations, labor laws, computer systems, government accounting, construction management and financial planning. An election may or may not produce a Mayor who possesses all of these skills.

Why does the City Administrator form of Government make so much sense for Sheridan?

This is an easy question, Sheridan has tried three forms of municipal government and they all worked for a time. Senator Enzi championed the City Administrator form of municipal government which many other cities and towns in Wyoming have since found to be best and most responsible solution for municipal governing in today's climate of rapid growth and the many demands that go along with it.

Co-sponsored by:
Councilwoman Mona Hansen
Councilwoman Kathy Kennedy
Council Vice- President Mark Ketcham
Mayor Kinskey
Council President Bob Webster

Charter Ordinance - City of Sheridan

A charter ordinance establishing a City Administrator and prescribing the duties therefore; and making inapplicable or modifying in part or in whole Wyoming Statutes Sections 15-3-204 and 15-1-103 (a) (xxxvii) of Wyoming Statutes 2005 Edition.

Whereas, the City of Sheridan has established and is currently operating as a first class city, pursuant to pertinent constitutional and statutory provisions of Wyoming Law; and

Whereas, Article 13, Section 1, Wyoming Constitution, provides in part that a Wyoming city or town may elect that the whole or any part of any statute, other than statutes uniformly applicable to all cities and towns, shall not apply to any city and town; and further provides that such city or town may make other provisions on the same subject; and

Whereas, pursuant to the above and forgoing the governing body of Sheridan, Wyoming, desires to create the position of City Administrator; and to provide budgetary and personnel guidelines, rules and procedures necessary for the proper operation and financial integrity of the City of Sheridan;

Now, therefore, be it ordained by the City Council of the city of Sheridan, Wyoming:

1. **Short Title**. This Ordinance may be cited as the "Enzi City Administrator Ordinance".

2. **City Administrator – appointments, review, removal**

   a. The mayor by and with the consent of a majority of the governing body shall appoint a City Administrator. The City Administrator may be discharged by the Mayor with the consent of a majority of the governing body. If the Position of City Administrator becomes vacant for any reason, the mayor shall immediately proceed to seek another person for appointment to the position with the advice and consent of the governing body. If there is a delay in securing a new administrator the mayor may appoint an interim Acting Administrator with the advice and consent of the governing body.

   b. The City Administrator shall annually have a performance review conducted by the governing body.

c. The City Administrator shall appoint a Chief of Police, City Treasurer, City Clerk, Fire Chief, and such other positions as may be necessary.

d. The aforementioned appointees may be removed from employment at any time with or without cause by the administrator, following notification to the governing body.

e. The Mayor shall appoint, with the consent of a majority of the governing body, a City Attorney and Municipal Court Judge. The aforementioned appointees may be removed from employment at any time with or without cause by the Mayor, following notification to the governing body.

3. **City Administrator – duties and authority, generally**

a. The City Council and Mayor shall deal with the administration of the city through the City Administrator. Directives issued by the Mayor and governing body concerning policies or operations of the city shall be made so as to direct the City Administrator to accomplish the necessary orders.

b. The City Administrator shall attend all meetings of the governing body and may recommend to the governing body adoption of such measures as the City Administrator deems necessary for the health, safety, and welfare of the community or for the improvement of municipal services.

c. The City Administrator shall perform all duties imposed on the position consistent with state laws or ordinances. The City Administrator shall be the purchasing agent for the City and subject to the requirements of statutes and ordinances, in accordance with rules and regulations now or hereafter promulgated by the governing body, shall purchase materials and authorize expenditures of funds on behalf of the city.

d. The City Administrator shall supervise the administration of the enforcement of all laws, ordinances, rules, regulations, policies and procedures of the city.

e. The City Administrator shall be responsible to the governing body for the administration of all departments of the city; and to supervise the administrative functions of such departments; to issue such administrative regulations and outline general administrative procedures applicable to all areas and departments.

f. The City Administrator shall prepare and submit to the governing body required reports that the administrator or governing body may consider advisable.

g. The City Administrator shall manage any utilities owned and operated by the city. Subject to the laws relating to public utilities, the governing body shall fix all rates and compensation to be paid by the customers of water, sewer, sanitation or any other public utility service owned or operated by city. The City Administrator shall enforce all rules, regulations and penalties to enforce their collection or for the protection of the property and rights pertaining to public utilities.

4. City Administrator & Governing Body – budget process

The City Administrator shall keep the governing body fully advised of the city's current financial condition and its future needs; and shall prepare a budget annually, submit it to the governing body and be responsible for its administration after adoption. The governing body may direct that budget to be prepared on a two-year cycle.

5. City Administrator – employment matters

Except for the City Administrator, the City Attorney and Municipal Court Judge, all employees shall be employed by the City Administrator. Except for the City Administrator, Attorney and Municipal Judges, all employees shall be employed by the City Administrator and be selected on merit. The City Administrator shall fix their salaries by and with the consent of the Governing Body, consistent with the city's ability to pay. Nothing herein shall be construed as affecting or superseding the provisions of Wyoming Statutes, 15-5-101 to 15-5-422 and 27-10-101 through 27-10-109 Wyoming Statute 2005.

6. Severability

If any section, paragraph, clause or provision of the Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this ordinance, the intention being that the various provisions herof are severable.

7. Repealer

All orders, by-laws, resolutions and ordinances, or parts thereof in conflict with this Ordinance are hereby repealed to the extent of such inconsistency.

8.

That this Ordinance shall be in full force and effect immediately upon its passage and publication as by law provided.

PASSED, APPROVED AND ADOPTED this ____ day of _____, 2007

City of AFTON

Council Orientation/Handbook materials for this municipality provided by WAM



Wyoming Association of Municipalities

Building Strong Communities

City of CASPER

CASPER CITY COUNCIL HANDBOOK

OUTDATED VERSION -

UPDATE IN PROCESS

June 26, 2017

MEMO TO: Casper City Council Members

FROM: J. Carter Napier, City Manager

SUBJECT: The *Casper City Council Handbook*

Allow me to begin by congratulating you on your success in the election.

I would like to take this opportunity to provide you with a handbook for your use as a council member. Though its information is far from exhaustive, it does provide a good introduction to the City and its operations. It also provides specific information on the City Council itself, such as how the Council conducts its meetings, elects its officers, sets its agenda, and adopts the budget. I hope you find it useful.

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CASPER CITY COUNCIL: GENERAL POWERS & RESPONSIBILITIES

City Council Generally

The Council may undertake any action related to City affairs other than those forbidden or preempted by State or Federal law. It is the Council's responsibility to enact ordinances, resolutions, and orders necessary for governing the affairs of the City; to approve or amend the annual budget; to authorize certain contracts on behalf of the City; to be the body that hears all final appeals on rulings of various boards and commissions; and, to appoint the City Manager, City Attorney, Municipal Court Judges, and members of the various boards and commissions.

It is important to note that Council acts as a body. No member has any extraordinary powers beyond those of other members. In the establishment of policies, voting, and in other significant areas, all members are equal. The Mayor and Vice-President of Council have some additional ceremonial and administrative responsibilities, but they cannot veto council action.

While individual members may disagree with decisions of the majority, a decision of the majority does bind the Council to a course of action. In turn, it is staff's responsibility to insure the policy of the Council is upheld.

The Council meets in formal session on the first and third Tuesdays of each month, and in work session on the second and fourth Tuesdays, and the last Friday of each month. The Mayor, or any five Councilmen, may call special meetings.

Role of the Mayor and Vice-President of Council

The Mayor is elected by the City Council from their members. Interested members submit their names as candidates for Mayor and Vice-President of the Council at a special meeting near the end of the calendar year. An informal and non-binding straw poll is taken by secret ballot at that work session. The votes are turned over to the City Attorney and the current Mayor to count and announce the results. Traditionally, the prior year's Vice-President is elected as the new Mayor, but this is not required by any ordinance or other legal instrument. After the vote for Mayor, a second straw poll is taken to elect the Vice-President.

At the first official Council meeting of the new year, the prior year's Mayor steps aside and the Council formally votes on the new Mayor and Vice-President. Traditionally, the Council members selected are those who were selected by the straw poll, and they are elected unanimously.

As set forth in the Council rules, the Mayor is to preside at all meetings of the City Council. The Mayor does not possess any power of veto. As presiding officer of the Council, the Mayor is to

communicate the will of the Council majority in matters of policy. The Mayor is also recognized as the official head of the City for all ceremonial purposes.

The Mayor and Vice-President of Council also consult and coordinate with the City Manager in the development of agendas for meetings of the City Council. The scope of such review focuses on the timing of business items and the volume of business that can be considered at any one meeting. The Vice-President of the Council acts on the Mayor's behalf in his or her absence. The Vice-President of the Council attends all leadership meetings with the Mayor.

Appointment of City Manager, City Attorney and Municipal Court Judges

The City Council appoints the City Manager, City Attorney and Municipal Court Judges. These positions serve at the will of the City Council, and all have employment agreements. By State law, the City Manager is responsible for all other personnel appointments in the organization.

Role in Disaster

The Mayor and Vice-President of Council both have the power to proclaim an emergency, as outlined in Chapter 2.24 of the Casper Municipal Code (see page 91).

Appointment of Advisory Bodies

The City has several boards and commissions. In addition, special-purpose citizens' committees and task forces are often appointed by the City Council to address issues of interest. The following procedures reflect the policy of the City Council regarding the appointment of volunteer citizens to the various advisory boards and commissions of the City.

The establishment of these procedures insures that well-qualified, responsible and willing citizens are given the opportunity to serve the City and participate in the governing of their community.

Qualifications

A member must be knowledgeable and experienced in the areas of interest of the board/commission on which he or she wishes to serve. It is preferred that all members be residents of the City of Casper during the term of appointment; however, exceptions can be made for extraordinary circumstances on a case by case basis. The City Council may consider allowing a member to complete a term if he or she moves outside of the City limits. Other exceptions may include ex-officio appointments, or appointments which represent an organization or field of expertise (such as the City/County Health Department).

Names to be considered for appointment will be submitted to the City Council. The applicant must be at least 18 years of age at the time of appointment, unless it is specified that a youth member is desired. Members of the board or commission will be asked to review applications and make recommendations for appointments and/or reappointments.

Terms

The term of office on most boards and commissions is three years. In most cases, membership is limited to not more than two full consecutive terms. A member having served two full consecutive terms may be reappointed, based on exceptional circumstances, which may include the incumbent's special expertise, the need to preserve continuity on the board or commission, or a lack of other qualified applicants.

After a one-year absence from service, persons may reapply to serve on the same board or commission. No person should serve on more than one board or commission at the same time. However, individuals with special qualifications may be asked to serve on an additional board, commission, or task force.

CITY OF CASPER FACTS

Form of Government: Council – Manager (adopted by a vote of the citizens of Casper in November, 1957; went into effect January, 1959)
City Council: 9 Members; 3 Wards; 3 Councilmen per Ward
City Manager: Appointed by Council for an indefinite period of time; serves at the will of the City Council
City Attorney: Appointed by Council for an indefinite period of time; serves at the will of the City Council

Municipal Judge(s): Appointed by Council for an indefinite period of time; serve at the will of the City Council
City Employees: Excluding the Municipal Judge and City Attorney, all employees are appointed and/or removed by the City Manager

513 Full Time Employees
505 Part Time and Seasonal Employees
Budget: $147,329,230 (FY 2013 Budget)
Streets: 346 miles (748 lane miles)

Parks: 84 developed (720 acres)
50 open space and other parkland parcels (1,651 acres)

Athletic Complex: 8 (38 fields) (108.55 acres)
Water Lines: 425 miles
Sewer Lines: 270 miles
Storm Water Lines: 122 miles
Municipal Buildings (# of): 175
Bridges (# of): 3 road bridges and 12 pedestrian bridges

Total Land Area: 26.1 square miles (16,854 acres)

FORMS OF CITY GOVERNMENT

There are three (3) forms of city governments utilized throughout the United States. They include the mayor-council, commission, and council-manager forms of government.

Mayor-Council

The mayor-council form of government includes an elected legislature and a separately elected executive. The mayor, or elected executive, is designated as the head of the government and his or her authority ranges from purely ceremonial to full responsibility for daily operations. This typically includes hiring and firing personnel, budget preparation and maintaining veto authority. The legislature (Council) is typically responsible for adopting the budget, passing resolutions and ordinances, auditing the government's performance and adopting general policy provisions.

Commission

The commission form of government is most popular amongst counties. This form of government includes an elected governing board that holds both legislative and executive powers. The board acts as the head of the government and is responsible for adopting the budget, passing resolutions and enacting resolutions and ordinances. Other officials are elected to serve as the heads of major departments.

Council-Manager

The council-manager form of government was developed as a result of the progressive movement of the early Twentieth Century. A council-manager system combines the political leadership of elected officials with the managerial experience of an appointed, professional administrator. Since its beginning in 1908, the council-manager form of government has become the most popular form of government in cities with populations of 10,000 and over. Currently, 89 million Americans live in communities with Council-Manager governments. The size of the council is generally smaller than that of a mayor-council municipality, and council elections are usually non-partisan. Typically, the mayor is recognized as the political head of the municipality, but is a member of the legislative body and does not have the power to veto legislative actions. The mayor and council, as a collegial body, are responsible for setting policy, and approving the budget. They hire a manager to carry out their policies. The manager serves at the pleasure of the council, and has responsibility for preparing the budget, directing day-to-day operations, hiring and firing personnel, and serving as the council's chief advisor.

The citizens of Casper adopted the Council-Manager form of government at an election held in November, 1957, and placed it in effect in January, 1959. The Casper City Council is comprised of nine members, three Council members elected from each of three wards. Each Council member is elected to a four year term.

TYPES OF MEETINGS

There are three types of meetings that the City Council conducts:

- Regular Council Meetings
  - Public Hearings
  - Executive Sessions
- Special Meetings
- Work Sessions

Regular Council Meetings

The City Council meets on a regular basis to take formal action on items of business affecting City government. The Council approves payment of claims, and it adopts of ordinances, conducts public hearings, and takes other actions required to keep the City operating. Prior to each regular meeting, the Council meets in a pre-meeting format to discuss any changes to the agenda and receive any additional information with regard to items on the agenda. The news media is invited to attend all pre-meetings as well as the meetings themselves.

Public Hearings

Hearings are a forum for citizens to express opinions and for Council members to explain their positions to the public.

Executive Sessions

These closed meetings are limited to only a few topics. According to Wyoming law (see page 108), executive sessions are generally restricted to nine subject areas:

1. Meetings with law enforcement officials to consider threats to the security of public or private property or to the public's right of access;

2. Meetings to consider the appointment, employment or dismissal of a public officer, professional person or employee or to hear complaints or charges brought against an employee, professional person or officer, unless the person concerned requests a public hearing;

3. Meetings regarding current or proposed litigation to which the governing body may be a party;

4. Meetings on matters of national security;

5. Meetings of a licensing agency while preparing, administering or grading examinations;

6. Meetings regarding real estate selection or purchase when such public knowledge could cause price increases;

7. Meetings to consider accepting gifts, donations or bequests which the donor has requested, in writing, to be confidential;

8. Meetings to consider or receive any information classified as confidential by law;

9. Meetings to consider the acceptance or tender of offers regarding wages, salaries, benefits, and terms of employment during all such negotiations.

The City Attorney will advise the Council as to whether a proposed topic may be considered in Executive Session.

Special Meetings

Business that cannot be postponed, or issues that affect a limited number of citizens, are dealt with at specially scheduled meetings. These meetings usually have a more limited agenda than regular meetings, but, like regular meetings, they are open to the public. The Mayor, or any five consenting Council members, may call a special meeting. The Mayor may call a special meeting by giving notice at a regular meeting or by filing a notice with the City Clerk (in Casper, the City Clerk is also the Administrative Services Director). The Council members may only call a special meeting by filing notice with the City Clerk.

Work Sessions

A work session is an informal meeting, generally called for the purpose of conducting an in-depth study on a limited number of topics. A work session encourages exploration of subjects in more detail than is possible in regular meetings because of the time constraints and the press of other business. The 1995 Wyoming Legislature revised public meeting laws which apply to municipalities. Because the new law broadened the definition of a public meeting, Council may take formal action at a work session. Furthermore, minutes must be taken at each work session. These minutes, however, do not have to be published in a newspaper of general circulation if no official action and vote is taken.

PUBLIC MEETINGS

Operations and procedures of the City and City Council incorporate requirements designed to insure compliance with the State's open meeting laws. This law is an integral part of local government operations. Because this law is so important, some specific requirements of the law are highlighted below for your information and future reference.

Applicability and Penalties

The entire City organization conducts its business in compliance with Wyoming State Statutes, Title 16, Article 4, Chapter 400 (see page 107). The intent of the law is to ensure that deliberation and actions of local public agencies are conducted in open and at public meetings. The law provides for misdemeanor penalties for members of a body who violate the law. In addition, violations are subject to civil action.

A. Applicability. The law applies to Council and all commissions, boards and task forces that advise Council. Staff cannot promote actions that would violate the law.

B. Meetings. All meetings shall be open and public. A meeting takes place whenever a quorum (5 or more members) is present and information about the business of the body is received; discussions qualify as a meeting. Social functions (e.g., receptions, dinners) do not fall under the law unless City business is discussed.

C. Agendas. Agendas for regular meetings are posted in advance of the meeting.

D. Actions. No action can be taken on any item not appearing on the posted agenda. Exceptions:

1) An emergency situation exists (determined by a majority of the Council).
2) The need to take action arose subsequent to the agenda being posted and there is a need for immediate action (determined by 2/3 vote of the Council; or if less than 2/3 are present, by unanimous vote).
3) The item was continued to another meeting that was scheduled and posted within 5 days of the original agenda.

E. Public Input. The public has an opportunity to address the Council on any item of interest to the public that is within the jurisdiction of the Council. The City has the right to establish time limits on speakers and the total time allocated for a particular issue.

F. Public Disruptions. A portion or all of the public may be removed if willful disruption makes conducting the meeting "unfeasible"; the press may remain unless they participate in the disruption.

G. Correspondence. All writings distributed for discussion or consideration at a public meeting are public records.

H. Special Meetings. Special meetings may be called by the Mayor or a majority of the Council with strict notification requirements for delivery to the media and Council.

I. Emergency Meetings. Emergency meetings may be called without notification due to the disruption or threatened disruption of public facilities. Only work stoppages or crippling disasters that impair the public health and/or safety qualify for emergency meetings.

The law provides many other restrictions and requirements; this is intended merely as a summary and overview of the law. Nothing in this summary supersedes the provisions of the Wyoming Public Meetings law. Please check with the City Attorney for more information.

AGENDA ITEMS

It shall be the responsibility of the Department Heads or their support personnel to make sure that agenda items are submitted to the City Manager's Office, by full title, ***no later than 12:00 noon, Monday***, of the week prior to the Council meeting. This will allow time for the preliminary agenda to be prepared and distributed at the Department Head meeting on Tuesday at 7:30 a.m. Tentative items are acceptable at this time.

The Mayor, Vice-President, City Manager, and City Attorney meet on the Thursday prior to the regularly-scheduled Council meeting to set the agenda. On Friday, prior to the regularly-scheduled Council meeting, the finalized agenda is prepared, and a packet with all pertinent details is posted on the City's web site at www.casperwy.gov.

If, after reviewing the agenda packet, a Council member wishes to remove an item from "consent" for the purpose of debate, amendment, tabling, or postponing, he or she may do so prior to the Council meeting by contacting the City Manager's Office. This courtesy permits the City Manager to inform all Councilmen of the items removed from consent prior to the meeting.

Members of the public wishing to speak to an item already on the agenda, other than a public hearing, must submit a written request to the City Manager by 12:00 Noon on the Monday immediately preceding the Council meeting. Individuals wishing to address an issue being considered at a public hearing may do so without prior notification.

ORDINANCES, RESOLUTIONS, MINUTE ACTION, AND CONSENT

There often is confusion as to the difference between an ordinance (law) and a resolution and as to when each should be used. Black's Law Dictionary, Fourth Edition, on page 1474, states:

"The term (resolution) is usually employed to denote the adoption of a motion, the subject matter of which would not properly constitute a statute (law); such as a mere expression of opinion; an alteration of the rules; a vote of thanks or censure; etc....

"The chief distinction between a 'resolution' and a 'law' is that the former is used whenever the legislative body passing it wishes merely to express an opinion as to some given matter or thing and is only to have a temporary effect on such particular thing, while by a 'law' it is intended to permanently direct and control matters applying to persons or things in general....

Hence, an **ordinance** is law and is used whenever the governing body intends to prescribe a permanent rule of conduct or government which is general in application (for example: traffic regulations, zoning regulations, etc.). A **resolution**, on the other hand, is used when the order of the governing body is of a special or temporary character (for example: the granting of licenses, adopting and/or amending the body's rules of procedure, statements of policy, etc.). All ordinances, as previously noted, must be published or posted to be effective while resolutions generally need not. (Note: This information was taken from the Handbook for Mayors and Council Members developed by the Wyoming Association for Municipalities.)

"Minute Action" is an action taken to formally address agenda items that do not require codification or a signed resolution. Such items may include, but are not limited to, appointments to boards and commissions, various permits, and purchases that do not require a contract.

"Consent" is a category that was created to help expedite Council meetings. An agenda may include consent items for ordinances, resolutions and minute actions. Items eligible for consent are those that may have been discussed at a work session or are of such insignificance that discussion is not required (i.e. making syntax corrections to a resolution or ordinance). The Council members take one vote, either affirming or denying, all items under the consent category. If a Council member desires to withdraw an item from the consent category, the City Manager's Office should be notified ***no later than 12:00 noon of the day of the meeting*** in order for the agenda to be modified.

PARLIAMENTARY TERMINOLOGY

The Casper City Council conducts meetings according to Roberts Rules of Order. Several key terms and concepts of this system are outlined below. If confusion should arise during a council meeting, council members are encouraged to consult with the City Attorney regarding specific parliamentary procedure.

Main Motion (or "Principal Motion"): Council members initiate formal acts of Council by making motions. A Main Motion is made to bring before the Council, for its consideration, any particular subject or request. As a general rule, they require for their adoption only a majority vote. Main Motions are generally followed by a Subsidiary Motion, which is a motion that will dispose of the first motion (by agreeing to go ahead with it, by tabling it, by postponing a decision on it, etc.)

Permission to Withdraw or Modify a Motion: After a motion has been stated by the chair it belongs to the meeting as a whole, and the maker must request the assembly's permission to withdraw or modify his or her own motion.

To Call for Orders of the Day: Council members can insist that the Council return to the items on its agenda by making a motion to call for the Orders of the Day. Generally, this is only required if the chair is in error or has committed an oversight.

Point of Order: When a member thinks that the rules of the Council are being violated, he or she can make a Point of Order. This is a request to the chairperson, asking for an enforcement of the regular rules.

Suspend the Rules: When an assembly wishes to do something during a meeting that it cannot do without violating one or more of its regular rules, it can adopt a motion to Suspend the Rules interfering with the proposed action. Suspending the rule cannot conflict with the organization's bylaws, constitution, local, or national law, or with a fundamental principle of parliamentary law.

Reconsider: A motion that enables a majority to bring back for further consideration a motion which has already been voted on. The purpose of reconsidering a vote is to permit correction of hasty, ill-advised, or erroneous action, or to take into account added information. It can only be moved at the next meeting of Council and it must be moved either by a member who was absent or who voted on the prevailing side.

To Postpone Indefinitely (or "Lay on the Table"): Is a motion that the assembly decline to take a position on the main question. Its adoption kills the main motion and avoids a direct vote on the question. It is useful in disposing of a badly chosen main motion.

To Commit or Refer: This is generally used to send a pending question to a relatively small group of selected persons or a committee so that the question may be carefully investigated.

Reference Guide to Motions

Parliamentary Procedure in Action

MOTION	MAY APPLY TO THESE MOTIONS	MAY INTERRUPT A MEMBER ON THE FLOOR	MOVER MUST BE RECOGNIZED	REQUIRES A SECOND	DEBATABALE	
FIX TIME OF NEXT MEETING	NONE	NO	YES	YES	Not when privileged	Majority
TO ADJOURN (Recess)	NONE	NO	YES	YES	Not when privileged	Majority
QUESTION OF PRIVILEGE	NONE	Yes, if Necessary	NO	NO	No, but a resulting motion is	Decided by Chair
CALL FOR ORDERS OF THE DAY	Any special or general order	Yes, to call for a special order	NO	NO	NO	None, it Takes 2/3 vote to postpone special order
RISE TO POINT OF ORDER	Any motion or act	YES	NO	NO	NO	None, unless appealed, then Majority
APPEAL	Any decision by the Chair	YES	NO	YES	USUALLY NO	Majority
SUSPEND THE RULES	Any motion Where needed	NO	YES	YES	NO	Usually 2/3
WITHDRAW (or Renew) A MOTION	Any motion	NO	YES	NO	NO	Majority
OBJECTION TO CONSIDERATION	Main question, and questions of privilege	YES	NO	NO	NO	2/3 in negative
LAY ON THE TABLE	Main question, appeals, questions of privilege, reconsideration	NO	YES	YES	NO	Majority

MOTION	MAY APPLY TO THESE MOTIONS	MAY INTERRUPT A MEMBER ON THE FLOOR	MOVER MUST BE RECOGNIZED	REQUIRES A SECOND	DEBATABALE	
TAKE FROM TABLE	Only to motion that was “tabled”	NO	YES	YES	NO	Majority
CLOSE OR LIMIT DEBATE	Any debatable motion	NO	YES	YES	NO	2/3 Majority
POSTPONE TO CERTAIN DAY	Main motion, Questions of privilege, reconsider	NO	YES	YES	YES	Majority
REFER	Main motion, questions of privilege	NO	YES	YES	YES	Majority
AMEND	Main motion, limit debate, refer, postpone indefinitely, fix time of next meeting	NO	YES	YES	YES	Majority
POSTPONE INDEFINITELY	Main motion, question of privilege	NO	YES	YES	YES	Majority
MAIN QUESTION (or motion)	No other motion	NO	YES	YES	YES	Majority
RECONSIDER	Any motion except adjourn, suspend rules, lay on table	YES for entry	NO	YES	YES	Majority
RESCIND (or Repeal)	Main motions, appeals, questions of privilege	NO	YES	YES	YES	Majority

Broadcasting Meetings

Charter broadcasts all regularly-scheduled meetings of the City Council. Meetings are broadcast live on cable channel 192. This service is provided by Optimum as part of their franchise agreement with the City.

A live video stream of the regularly-scheduled City Council meetings is also made available on the City's website at www.casperwy.gov through Granicus; and, audio recordings of work sessions are placed on the Council's web page after each work session.

COUNCIL RULES

There are two documents that set forth specific rules for the City Council, and a policy that sets forth Council Etiquette and Responsibilities.

Resolution No. 00-9, which sets forth Council Rules, as amended by Resolution No. 06-291, can be found on page 77. Chapter 2.04 of the Casper Municipal Code can be found on page 88. Resolution No. 02-159 (as amended by Resolution No. 02-284), which relates to Council Etiquette and Responsibilities, can be found on page 83.

Questions regarding any information contained in these documents should be directed to the City Manager or City Attorney.

SUPPORT PROVIDED TO CITY COUNCIL

Staff/Clerical Support
General staff and administrative support to members of the City Council is provided through the City Manager's Office. Secretarial services, including scheduling of appointments, receipt of telephone messages and word processing are available as needed. In addition to supporting the nine City Council members, the three support staff members also assist the City Manager, two Assistant City Managers, and Deputy Assistant City Manager.

Office Equipment
To enhance a Council member's ability to communicate with staff and the public, City-purchased computers can be provided. When individual Council members have completed their term of office, this equipment must be returned to the City.

E-mail, Computers
Council members may be connected from their home and/or business to the City-wide computer system. With this connection, Council members are able to access the City's computer network and the internet (for e-mail and other internet-related services). The Information Technology Division will provide initial installation of external modems and communications software. While staff will maintain those computer applications related to City affairs, staff cannot provide assistance for personal computer applications. When individual Council members have completed their term of office, this equipment must be returned to the City.

This equipment is meant to facilitate efficient communication by Council members. However, their use also raises important legal questions to which Council members must pay special attention. E-mails sent by Council members are public records under the Public Records Act. Even though it does not create paper, sending an e-mail is more similar to mailing a letter than placing a telephone call. The information in the e-mail is stored on the computer network until deleted. As a result, e-mails can become records of the City maintained in the course of business, and thus available for public disclosure under the Public Records Act.

Please use the City's e-mail system for the conduct of official business, and not for political/personal reasons. Chapter 2.60 of the Casper Municipal Code (Public Service Code of Ethics) discusses the use of public property more thoroughly (see page 127).

Meeting Rooms
The Council's meeting room can be reserved for use by Council members for City business by scheduling it through the City Manager's Office staff. Other meeting rooms are also available upon request.

Mail, Deliveries
Members of the City Council receive a large volume of mail and other materials from the public, private interests, and staff. These items are delivered to the Council at the time Council meeting packets are delivered, unless they are time-sensitive. In this case, materials are delivered to the preferred address of a Council member. These materials, if not too voluminous, may also be faxed.

Lockers
There are individual lockers located in the Council's Meeting Room of City Hall available for use by members of the City Council. Individual names appear on the outside of these lockers and keys are issued by the City Manager's Office.

Communications
Council will be provided with many tools to assist in meeting the many demands for communication with citizens and staff. Official Council communications will be sent on Mayor's stationery, and signed by either the Mayor, as directed, or the entire Council, when appropriate. Communications regarding City business from individual Councilmen can be handled through the City Manager's office. Council packets, e-mail messages, faxes and other forms of electronic communication will also be used from time to time. Councilmen should indicate which form of communication they feel most comfortable with so that contacts can be directed appropriately.

Interaction with City Staff/Officials Override

City Council policy is implemented through professional staff. Therefore, it is critical that the relationship between Council and staff be well understood by all parties so policies and programs may be implemented successfully. The City of Casper has a long tradition of positive relationships between members of the City Council and staff.

Council-Manager Form of Government
The City Council is asked to work through the City Manager in dealing with City staff, rather than contacting staff directly. As discussed previously, Casper operates under a Council-Manager form of government. The City Council's role in this form of government is to establish city policy and priorities. The Council appoints a City Manager to implement this policy and administer the organization.

The City Manager is appointed by the City Council to enforce its laws, to direct the daily operations of city government, to prepare and monitor the municipal budget, and to implement the policies and programs initiated by the City Council. The City Manager is responsible to the City Council rather than to individual Council members, and directs and coordinates the various departments.

City Manager Code of Ethics
The City Manager is subject to a professional code of ethics from his professional association, the International City/County Management Association (ICMA). These standards appear on page 121 of this manual. It should be noted that this code binds the City Manager to certain practices which are designed to ensure actions are in support of the City's best interests. Violations of such standards can result in censure by the professional association.

City Council/City Attorney Relationship
The City Attorney is the legal advisor for the Council, City Manager, and department heads. The general legal responsibilities of the City Attorney are to: 1) provide legal assistance necessary for formulation and implementation of legislative policies and projects; 2) represent the City's interest, as determined by the City Council, in litigation, administrative hearings, negotiations and similar proceedings; 3) prepare ordinances, resolutions, contracts and other legal documents to best reflect and implement the purposes for which they are prepared; and, 4) to keep City Council and staff apprised of court rulings and legislation affecting the legal interest of the City. It is important to

note that the City Attorney does not represent individual members of Council, but the City Council as a whole. Memoranda between the City Attorney and the City Council are generally protected from public disclosure by attorney-client privilege.

Dissemination of Information
In cases where a staff response to an individual Council member request involves written materials that may be of interest to other Council members, the City Manager will provide copies of the material to all other Council members. In making this judgment, the City Manager will consider whether the information is significant, new, otherwise not available to the Council, or of interest to the Council.

Media Policy
The current City Council does not have a formal media policy. Council members should use discretion when talking to any of the various media personalities, and in the event that in-depth material is required by the media, it should be obtained from the City Manager.

Document Policy
The Wyoming Public Records Act is the guide used for accommodating requests for information from the public. A copy of this act can be found on page 112.

The City Manager's office produces vast amounts of paperwork to help accommodate the Council's meetings. The following policies should help Council members to manage the many documents that you will encounter.

- Any public requests for information or documentation should be directed to the City Manager's Office.

- Any citizen requesting copies of documents will be charged according to the City Document Copying Policy.

- Any confidential documents contained in Council packets of any kind will be printed on blue paper and should not be disclosed to anyone other than another Council member.

Citizen Complaints/Concerns
The complaint/concern protocol insures accountability in responding to such matters. The City Manager's Office encourages Council members to refer all citizen concerns and/or complaints to the Assistant City Manager or Assistant to the City Manager, either by oral, written, or electronic correspondence. These individuals will then contact the necessary department(s) and parties involved. The Council member who relayed the complaint or concern will then be provided with a response, explanation and/or resolution. If the Council member does not wish to relay this information, the Assistant City Manager or Assistant to the City Manager will provide this information to the parties involved.

Correspondence from Individual Councilmen
Members of the City Council will often feel compelled to write letters to citizens, businesses, or other public agencies. Typically, the Mayor will be charged with transmitting the City's position on policy matters to outside agencies on behalf of the City Council. Individual members of Council will often prepare letters for constituents in response to inquiries or to provide requested

information. City Council letterhead is available for this purpose, and staff can assist in the preparation of such correspondence, should it be desired.

On occasion, members may wish to transmit correspondence on an issue upon which the Council has yet to take a position or about an issue for which the Council has no position. In these circumstances, members should clearly indicate within letters that they are not speaking for the City Council as a whole, but for themselves as one member of Council. City letterhead and office support may be utilized in these circumstances.

After the City Council has taken a position on an issue, official correspondence should reflect this position. While members who may disagree with a position are free to prepare correspondence on such issues as private citizens, City letterhead, official Council title and staff support should not be utilized. In addition, City letterhead and staff support cannot be utilized for personal or political purposes.

Speaking for the City

Similar to written correspondence, when members are requested to speak to groups or are asked the Council's position on an issue, the response should reflect the position of the Council as a body. Of course, a member may clarify their vote on a matter and indicate the position of the Council. When representing the City at meetings or under other circumstances, it is important that those in attendance gain an understanding of the City Council's position rather than that of an individual member.

Role of the Board/Commission Liaison

Each member of the Council is assigned to serve in a liaison capacity with one or more boards or commissions. The purpose of the liaison assignment is to facilitate communication between the two bodies. The liaison also helps to increase the Council's familiarity with the members, programs and issues of that board or commission. In fulfilling their liaison assignment, members should attend meetings periodically to observe the board's activities.

Council members should be sensitive to the fact that they are not participating members of the board or commission, but are there to create a link between it and the Council. In interacting with boards or commissions, Council members should reflect the views of the Council as a body.

Assignments to the Board/Commission liaison positions are made annually by the incoming Mayor. The Mayor will draft a proposed assignment list and ask that each Council member review the listing and request liaison assignments that are desired by each member. Liaison assignments will be confirmed no later than the second Council meeting in January of each year.

Proclamations

Ceremonial proclamations are often requested of the City in recognition of an event or an individual. Proclamations are not statements of policy, but a manner in which the City can make special recognition of an event (i.e., National Education Week). The Mayor is charged with administration of proclamations.

Conflicts and Liability/Ethics

Conflict of interest state laws are in place which attempt to eliminate any action by a Council member that may reflect a conflict of interest. The purpose of such laws and regulations is to

insure that all actions taken are in the public's best interests. On page 93 of this handbook, you will find the State law known as the "Ethics and Disclosure Act". On page 127, you will find Chapter 2.60 of the Casper Municipal Code.

ETHICS LEGISLATION

On the following pages is a summation of the provisions and prohibitions of Wyoming Statute Title 9, Chapter 13. Also included is a list of specific questions and the City Attorney's opinion regarding these issues.

DATE: December 5, 2004

MEMO TO: Honorable Mayor and Members of City Council
Thomas O. Forslund, City Manager
Linda Witko, Assistant City Manager
All Department Heads

FROM: William C. Luben, City Attorney

SUBJECT: Wyoming Ethics Legislation
W.S. § 9-13-101 through 109

ISSUES

In regard to the City, the Wyoming Ethics Legislation only applies to a public official or local officer which is defined as the mayor or a city councilman. W.S. § 9-13-102(a)(vii) and (xiv). Following is a summation of the provisions and prohibitions of this legislation. Also following is a list of specific questions which I was asked regarding this and my opinion regarding these issues.

LAW

No local official shall use his office or position for his private benefit. W.S. § 9-13-103(a). Private benefit is defined as receipt of a gift which results from holding of the office. W.S. § 9-13-103(b). A gift is defined as anything of value to the extent that consideration of equal or greater value is not given. W.S. § 9-13-102(a)(vi). There are a list of exceptions to the definition of gift which can be received. These are roughly as follows:

1. Printed informational, educational or promotional material. W.S. § 9-13-102(a)(vi)(A).

2. A gift which is not used and is returned within 30 days to the donor or delivered to a charitable organization and not claimed as an income tax charitable contribution. W.S. § 9-13-102(a)(vi)(B)

3. A gift or inheritance from:
   A. a spouse;
   B. an individual's child, parent, grandparent, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin;
   C. the spouse of any individual listed in subdivision B above;

D. any person (including an organization) which has a social or private business relationship with the local official where the motivation for the gift arises out of the relationship and not form the recipient's holding office;
E. any person (including an organization) where the gift results from the recipient's holding office, is of nominal value and is made in recognition of a special occasion such as marriage, illness or retirement. W.S. § 9-13-102(a)(vi)(C).

4. A certificate, plaque or commemorative token or item valued at less than $250.00. W.S. § 9-13-102(a)(vi)(D).

5. Food and beverage. W.S. § 9-13-102(a)(vi)(E).

6. Compensation, per diem, and other payments or benefits which the public official receives in the performance of services for the governmental entity. W.S. § 9-13-102(a)(vi)(F).

7. Any loan, gift, gratuity, special discount or hospitality with a value of $250.00 or less.

HOWEVER, please note that pursuant to W.S. § 6-5-102, bribery is committed if a public servant solicits, accepts, or agrees to accept any pecuniary benefit, (being property with a value $20.00 or more, or food, drink, or entertainment authorized as a proper deductible expense for income tax purposes which exceeds $100.00 per year), testimonial, or privilege, or personal advantage upon an agreement or understanding that his vote, exercise of discretion, or other action as a public servant will thereby be influenced. Violation of this section can result in imprisonment for not more than 10 years, and/or a fine of not more than $5,000.00.

8. Travel, registration and lodging for any conference or meeting while attending in his official capacity as a public official.

In addition, this legislation also includes the following prohibitions:

1. No public official may advocate for, employ, supervise, appoint, promote, transfer, discipline or advance a family member to an office or position of the state, a county, municipality, or school district. W.S. § 9-13-104

2. A public official shall not use public funds, time, personnel, facilities or equipment for his private benefit or that of another unless authorized by law. Nor shall he use public resources for a political campaign unless it is authorized by law or properly incidental to another activity required or authorized by law. In this event the local official is to allocate and reimburse the City for any additional costs incurred for the portion of the activity not required or authorized by law. No public official is to disseminate any official information which he obtains through or in connection with his position unless the information is available to the general public or the dissemination of the information is authorized by law. W.S. § 9-13-105.

3. A public official may not vote or take any action on a matter affecting someone with whom the public official is negotiating for prospective employment. W.S. § 9-13-107.

Any violation of this act is a misdemeanor punishable by a fine of not more than $1,000.00. W.S.

§ 9-13-109(a). Further, a violation of the act constitutes sufficient cause for removal of the public official from office.

Specific Situations

1. **Councilman receives a cup of coffee while visiting a business office as part of the duties of the office.** This is legal based on W.S. § 6-5-101(a)(iv) which exclude from the definition of gifts:

(A) Property with a value of less than $20.00; and

(B) Food, drink or entertainment authorized as a deductible income tax expense up to $100.00 per year;

2. **The editor of the local paper asks the Mayor to lunch to discuss City business. Editor pays for lunch**. My opinion is this is legal for the same reasons as #1.

3. **The City holds a retirement party for a Councilman with food and beverages provided by the City.** My opinion is this is legal W.S. § 9-13-102(a)(vi)(E) excludes food and beverage from the definition of "gift", and it clearly is not being given as a solicitation for a favorable vote on an issue.

4. **The City holds a retirement party for an employee with food and beverages provided by the City.** This is legal since municipal employees are not covered by this law.

5. **The City hosts an employee Christmas breakfast by providing the facilities, food and beverages**. My opinion is this is legal for the same reasons as stated in #4.

6. **Councilmen receive tee shirts with the logo of an event printed on it.** My opinion is this is legal under W.S. § 9-13-102(a)(vi)(A) which excludes printed informational, educational, or promotional material from the definitions of gift.

7. **The City Manager's office is contacted regarding providing personnel, training materials and recognition awards to promote the United Way.** Again, City employees are not covered by the new ethics law. Therefore, my opinion is this is legal.

8. **Candy is sent to the office of the Mayor for Christmas. This candy is set out for the general public to consume in the Manager's office.** If the gift is worth less than $20.00, my opinion is that it is clearly within the exceptions set forth in W.S. § 6-5-102(a)(iv)(A)(see #1). However, if this is worth more than $20.00 it is a closer call. There is a very good argument (and my opinion is) that this is an exception and is not a gift under W.S. § 9-13-102(a)(vi)(D)(E) as long as it is not worth over $250.00.

Summation

The new law does not address much which existing City codes do not. However, with respect to meals, etc., some gray areas may arise. If a question comes to your mind concerning any situation please do not hesitate to contact the City Attorney's office for further guidance.

FINANCIAL INTEREST DISCLOSURES

Effective July1,1997, Wyoming Statute 6-5-118 states: No public officer or public servant who invests public funds for a unit of government, or who has authority to decide how public funds are invested, shall transact any personal business with, receive any pecuniary benefits from, or have any financial interest in, any entity, other than a governmental entity, unless he has disclosed the benefit or interest in writing to the body which he is a member or entity for which he is working. Disclosures shall be made annually in a public meeting and shall be made part of the record of proceedings. The public officer or public servant shall make the written disclosure prior to investing any public funds in any entity, other than a government entity, which provides any service related to investment of funds by that same unit of government; or has a financial interest in any security or other investment made by that unit of government.

Following are some of the implications from such a Statute:

1. This Statute refers to all council members, city managers, finance directors, treasurers, judges, state legislators, and others. Any public official who has the authority to either advise or decide how public funds are invested, or who has the authority to appoint someone else to do so, is restricted by this statute.

2. A financial interest in any institution dealing with the City's funds can include, but is not limited to: an investment, a checking account, a savings account, ownership of land or building which the financial institution uses to conduct business.

3. The Statute requires disclosure of a financial interest, but does not indicate that specifics must be disclosed. This means that while a person must state they have an interest, they do not have to say what that interest is. Therefore, if you have a checking account in a bank the City does business with, you must only indicate you have an interest, but need not state whether such interest is a checking account and how much is in it.

4. The disclosure must be part of the public proceedings. It has been suggested by WAM, however, that simply indicating such forms have been received and listing the names of those who presented the disclosures is enough. They need not be read into the minutes, just kept on file. A point to remember, however, is that once they are on file, anyone may request to see them.

5. This Statute refers to all boards, councils, etc. Therefore, if a Council member is on other boards that have the authority to invest public funds, such as joint powers boards, this disclosure is needed for each board. One to the Council only will not do.

6. A "pecuniary benefit" is defined as a benefit in the form of property, but does not include: a) property with a value of less than twenty dollars; b) food or drink or entertainment authorized as a proper deductible expense for income tax purposes under the United States IRS Code up to an amount of one hundred dollars per year; and, c) contributions to a political campaign of a public servant as provided in W.S. 22-25-102.

FINANCIAL GLOSSARY

Capital Expenditures. Expenditures for large fixed assets or infrastructure, such as streets, vehicles, and buildings

Capitalized Interest. Interest incurred on amounts borrowed that finance capital investments.

Cost Center. An organizational unit of the budget, generally referring to one or several related programs or activities

Debt Service. The interest and principle paid on a debt during a certain period of time.

Depreciation Reserves. Reserves of fund equity established by the depreciation of assets.

Derivatives. Investments whose returns are dependent on other events or interest rates.

Enterprise Funds. Funds resulting from a government's business-type activities (*e.g.* activities that receive a significant portion of their funding through user charges, such as the Recreation Center and Public Utilities).

Fund Equity or Net Assets. The difference between fund assets and fund liabilities.

General Obligation Debt. Bonds backed by the full faith and credit of the government.

Line Item. A single line in the budget, used for one specific type of expenditure within a cost center (*e.g.*, the energy expenditure line item for a single building)

Long-Term Debt Financing. Financing that lasts for longer than a one-year period.

Operating Transfers. Transferring monies from one fund to another.

GOAL SETTING

Goals

Previous councils have found that they are most effective when they can agree on a concise set of long-term organizational goals. For that reason, the City Council traditionally goes through a formal goal setting process on a biennial basis. The goal setting is generally conducted over a two day period soon after the newly elected Council members are sworn in. A professional moderator will assist with the decision making.

The goals set by Council often generate new programs and projects. They are the basis for making resource allocation decisions for the coming two years. They are posted prominently in the Council meeting room, they are distributed to the media, and they are regularly referred to at meetings at all levels of the organization. The goals will be used as guiding principles for the development of the budget, and they will be referred to when allocating staff time among projects.

BUDGET PROCESS

Balanced Budgets

The City Manager presents to Council a proposed budget that balances operating expenditures with operating revenues. Operating revenues and expenditures include operating transfers between different accounts (e.g., transfers from the General Fund into the Balefill Enterprise Account).

Operating expenditures do not include capital acquisitions funded by depreciation reserves. One-time expenditures may be funded from fund reserves. Operating losses shall not be budgeted for enterprise funds.

Budget Process

The annual budget process begins with the development of a budget preparation calendar by the Administrative Services Director so that a proposed Summary Budget can be sent to Council by May 15th. The calendar also provides for the adoption of the budget, the required public hearing, and publishing it by the dates stipulated by law.

Once the budget preparation calendar is established, the City Manager and Administrative Services Director issue a budget preparation package to each city department. This packet provides instructions for the preparation of budgets.

The City Manager and staff develop valid and reasonable revenue estimates for all revenue sources and incorporate these estimates in the requested budget.

Department Heads submit requested budgets to the City Manager. Requested budgets should contain divisional or program goals and objectives that are consistent with organizational goals set by Council. The City Manager reviews and adjusts the requested budgets for resource allocations that achieve the organizational goals set by City Council.

The City Manager and staff incorporate capital expenditures into the proposed budget as proposed in the Capital Equipment and Project Plan.

Upon review of the requested budgets, the City Manager prepares and submits to Council a proposed Summary Budget. Council shall review the proposed Summary Budget during work sessions principally dedicated to budget review. Notification of the work sessions will be made to the news media. Upon completion of Council's review, the proposed budget will be finalized and prepared for adoption.

Upon adoption of the budget, the Administrative Services Director distributes copies of the budget as necessary.

Personnel Services

The City strives to pay prevailing market rates and provide competitive employee benefits to its employees.

Consideration shall be given annually to Cost of Living Adjustments (COLAs), depending upon resources being available.

Budget Documents

The City utilizes two documents to communicate its adopted budget: a Summary Budget and a Line Item Budget. The Line Item Budget is a comprehensive listing of each fund's individual revenue, expenditure, operating transfer, and capital acquisition line items by cost center. The Line Item Budget reports planned program allocations for all expense and expenditure line items.

The proposed Summary Budget is a comprehensive document intended to be clear and easy to use. It includes a narrative on key policies and plans, a financial overview of the City, economic and legislative influences upon the City's operations, organizational goals, revenues, and the functions, activity, goals, and objectives of each fund, department and division. The proposed Summary also contains summary budget statements by fund, department, and division as well as graphical representations for the numeric information. The budget is prepared in a manner that satisfies the criteria of the Government Finance Officers Association's Distinguished Budget Presentation Award Program.

Budget Compliance

The City Manager and staff are responsible for developing and implementing financial controls that ensure budgetary compliance as required by current law and prudent financial management.

Expenditures in excess of the original authorized budget are not allowed unless approved by the City Council.

In no circumstances shall a department's total budget be exceeded.

Monitoring, Evaluating and Reporting of Budgetary Performance, Financial Condition, and Goal Achievement

The City Manager and staff develop and utilize methods to monitor, evaluate, and report budgetary performance, financial condition, and goal achievement.

The City Manager's office, Department Heads, Division Managers, and other designated staff have access to the City's financial software. This access provides up-to-date information for the monitoring and evaluation of budgetary performance.

Summary and detailed monthly budgetary reports are issued to management. Quarterly summarized budgetary reports are issued to the City Council. These reports are utilized to monitor and evaluate budgetary performance.

Monthly balance sheets, cash and investment abstracts (issued monthly to Council), and accounts receivable reports are issued to management to monitor and evaluate the City's financial position.

Related Policies and Manuals

The provisions of the following related financial policies are reviewed and considered for the preparation of the annual budget:

Debt Management Policy
Fund Reserves Policy
Capital Asset Replacement Policy
Statements of Investment Policy – General and Police Pension Funds
Human Resources Manual
Other financial policies adopted subsequent to the adoption of this policy

Budget Adjustments

Throughout the fiscal year, Department Heads may request, and the City Manager may approve, budget adjustments that transfer dollar amounts between line items within a cost center. Budget adjustments cannot be made to transfer budget balances from non-personnel expenditure categories to personnel categories that result in increased staffing levels. Also, budget adjustments that transfer budget balances are not permissible.

Budget Amendments

A budget amendment increases the amount budgeted for a specific project. Unlike a budget adjustment, a budget amendment is not matched with a budget decrease elsewhere, but a funding source does need to be identified. Budget amendments cannot be approved by the City Manager; they can only be approved by an act of City Council.

Recommended Budget Practices

The City employs applicable Government Finance Officers Association's Recommended Budget Practices to enhance its budgeting function.

Public Records

Copies of the proposed and adopted Summary Budget and Line Item Budget will be made available for public inspection at City Hall and at the Natrona County Library. Copies of these budgets may also be purchased. The purchase price shall be determined annually and is dependent upon the production costs of the documents.

Debt Policy

Policy Mission Statement: To utilize debt financing which will provide needed capital equipment, infrastructure improvements, and certain operating funding while minimizing the impact of debt payments on current revenues. To enhance financial management, the City is committed to systematic capital planning, intergovernmental cooperation and coordination, and long-term financial planning.

Use of Debt Financing

Long-term debt financing, through any long-term obligations permitted to be issued or incurred under Wyoming law, shall only be used to purchase capital assets that cannot be acquired from either current revenues or fund equity and to fund infrastructure improvements and additions. The useful life of the asset or project acquired through long-term debt financing, in part or entirely, shall be at least 5 years.

Short-term debt, consisting of, but not limited to, inter-fund borrowing and lease/purchase agreements, may be used for the acquisition of capital assets with a useful life of less than 5 years or to finance emergency operations as approved by the City Council.

In no case shall the length of financing exceed the useful life of the asset acquired.

Assumption of Additional Debt

The City shall not assume more tax-supported general-purpose debt than it retires each year without conducting an objective analysis as to the community's ability to assume and support additional debt service payments. When appropriate, self-supporting revenue bonds shall be issued before general obligation bonds.

Affordability Targets

General Obligation Bonds

The City desires to avoid issuing general obligation bonds.

In the event it becomes necessary and or beneficial to issue general obligation bonds, the City shall use an objective analytical approach to determine whether it can afford to assume new general obligation debt. This process shall compare generally accepted standards of affordability to the current values for the City. These standards shall include debt per capita, debt as a percent of taxable value, debt service payments as a percent of current revenues and current expenditures, and the level of overlapping net debt of all local taxing jurisdictions. The process shall also examine the direct costs and benefits of the proposed expenditures. The decision on whether or not to assume new debt shall be based on these costs and benefits, the current conditions of the municipal bond market, and the City's ability to "afford" new debt as determined by the aforementioned standards. The City shall strive to achieve and/or maintain these standards at a low to moderate classification.

Revenue Bonds

For the City to issue new revenue bonds, annual revenues, as defined in the ordinance authorizing the revenue bonds in question, shall be:

Maintained at a minimum of 125% of the average annual debt service, and

At least 110% of the debt service for the year in which requirements are scheduled to be the greatest.

150% of the maximum annual debt service shall be used for financial planning purposes. Annual adjustments to the City's rate structures should be made as necessary to maintain a 150% coverage factor.

Debt Excluded From Analytical Examination

Landfill closure and post closure care cost. State and federal laws and regulations require the City to cover its landfill cells when filled and to monitor and maintain such cells for 30 years after closure. The City recognizes a portion of these costs in each operating period based on estimated landfill capacity used as of each balance sheet date. The cumulative liability is reported in the Balance Sheet of the Balefill Fund. The amount of accrued landfill closure costs is not included in measures used to evaluate the City's debt affordability until such costs are actually paid from proceeds of bonds.

Vested leave benefits. Leave benefits are earned by City employees based on time of service and the rights to certain leave benefits are vested at various rates. Any amount of vested leave benefits in any fund is not included in measures used to evaluate the City's debt affordability.

Debt Structure

The City shall normally issue bonds with an average life of 10 years or less for general obligation bonds and 15 years for revenue bonds. The structure should approximate level principal on general obligation bonds and level debt service for revenue bonds. There shall be no debt structures that include increasing debt service levels in subsequent years, with the first and second year of a bond pay out schedule the exception. There shall be no "balloon" bond repayment schedules that consist of low annual payments and one large payment of the balance due at the end of the term. There shall always be at least interest paid in the first fiscal year after a bond sale and principal starting no later than the second fiscal year after the bond issue. Normally, there shall be no capitalized interest included in the debt structure unless there are no historical reserves upon which to draw.

State loans shall be for a period that provides the lowest costs of funds.

Inter-fund Borrowing

Upon approval by the City Council, inter-fund borrowing may be utilized to finance acquisitions of capital assets and emergency operations. Inter-fund borrowing is limited to no more than 20% of the monetary assets of any lending fund. Inter-fund lending must be compatible to the cash flow and cash needs of the lending fund. Capital Project and Special Revenue funds shall not lend to other funds. The lending fund shall change, and the borrowing fund shall pay, market interest rates for debt securities of like maturities.

Inter-fund borrowing for up to three months may be implemented by staff to cover short-term cash needs of funds awaiting reimbursements from grants or other financing sources or that experience short-term disruptions in cash flow. Generally, the General Fund will be the lender of such borrowings. Interest will not be charged and paid between funds for such short-term inter-fund borrowings.

Derivatives

The use of derivatives in administering debt can be useful to minimize risk, reduce costs and provide flexibility. However, they may also add risk, restrict flexibility or add cost. The City recognizes the complexity and wide variety of derivatives available. Accordingly, if the use of derivatives is considered, the City, utilizing the services of a financial advisor and legal counsel, will complete a thorough analysis of all attributes of such use. The analysis shall consider factors outlined in Government Finance Officers Association Recommended Practice on Use of Derivatives by State and Local Governments. Further, each derivative use shall require separate approval of the City Council.

Use of Credit Enhancement

The City shall seek to use credit enhancement (letters of credit, bond insurance, surety bonds, etc.) when such credit enhancement proves cost-effective. Selection of credit enhancement providers shall be subject to a competitive bid process developed by the City. Credit enhancement may be used to improve or establish a credit rating on a City debt obligation, even if such credit enhancement is not cost effective if, in the opinion of the City as advised by its financial advisor, the use of such credit enhancement meets the City's debt financing goals and objectives.

Call Provisions

Call provisions for bond issues shall be made as short as possible consistent with the lowest interest cost to the City. When possible, all bonds shall be callable only at par.

Sale Process

The City shall use a competitive bidding process in the sale of debt unless the nature of the issue warrants and current law provides for a negotiated sale, a private placement, or a limited public offering. The City shall attempt to award the bonds based on a True Interest Cost (TIC) basis. However, the City may award bonds based on a Net Interest Cost (NIC) basis as long as the financial advisor agrees that the NIC basis can satisfactorily determine the lowest and best bid.

Rating Agencies Presentations

Full disclosure of operations and open lines of communication shall be made to the rating agencies. City staff, with assistance of financial advisors, shall prepare the necessary materials and presentation to the rating agencies. Credit rating will be sought from Moody's, Standard & Poor's, and Fitch as recommended by the City's financial advisor.

The City is committed to continuing disclosure of financial and pertinent credit information relevant to the City's outstanding securities that comply with the standards of the Government Finance Officers Association for financial reporting and budget presentation and the disclosure requirements of the Securities and Exchange Commission.

Debt Refunding/Open Market Purchase

City staff and the financial advisor shall monitor the municipal bond market for opportunities to obtain interest savings by refunding outstanding debt. As a general rule, the present value savings of a particular refunding should exceed either $50,000 or 3.5% of the refunded maturities.

The City may choose to decrease its outstanding indebtedness through purchases of its securities on the open market when market conditions make such an option financially feasible. Such

purchases may be made upon the Council's finding that the purchase is in the City's overall best financial interest.

Investment of Debt Proceeds/Interest Earnings

Debt proceeds may be temporarily invested until needed. Debt proceeds will be invested primarily to assure the safety and liquidity of such investments, and secondarily, to maximize investment yield. The primary liquidity goal is to assure that proceeds will be available to fulfill the purposes of the issue on a timely basis.

Interest earnings received on the investment of debt proceeds shall be used to assist in paying the interest due on bond issues, to the extent permitted by law.

Lease/Purchase Agreements

Over the lifetime of a lease, the total cost to the City will generally be higher than purchasing the asset outright. As a result, the use of lease/purchase agreements in the acquisition of vehicles, equipment and other capital assets shall generally be avoided, particularly if smaller quantities of the capital asset(s) can be purchased on a "pay-as-you-go" basis.

Financing Team

The City may employ outside financial specialists to assist it in developing a bond issuance strategy, preparing bond documents and marketing bonds to investors. The key players in the City's financing transactions comprise the Finance Team and include its financial advisor and bond counsel (if retained for specific financings), the underwriter (on a negotiated sale) and City representatives (City Manager, City Attorney, and Administrative Services Director, among others). Other outside firms, such as those providing paying agent/registrar, trustee, credit enhancement, auditing, or printing services, are retained as required.

The Finance Team meets as needed to consider specific financing projects and makes recommendations to the City Council.

In developing financing recommendations, the Finance Team shall consider:

The time proceeds of obligation are expected to remain on hand and the related carrying cost;
The options for interim financing, including short term and interfund borrowing, taking into consideration federal and state reimbursement regulations; the effect of proposed action on the tax rate and user charges; Trends in interest rates; Other factors as appropriate; and Professional financial and legal services, including bond counsel, involvement

Selection of Finance Consultants and Other Service Providers

The Finance Team shall be responsible for establishing a solicitation and selection process for securing professional services that are required to issue City debt. Goals of the solicitation and selection process shall include encouraging participation from qualified service providers, both local and national, and securing services at competitive prices.

Bond Counsel

As part of its responsibility to oversee and coordinate the marketing of all City indebtedness, the City Attorney shall make recommendations to the City Council regarding the selection of bond counsel to be employed and the duration of the employment for individual or a series of financings. The Council shall make such selection, taking into consideration these recommendations. The bond counsel will issue an opinion as to the legality and tax exempt status of any obligations. The City may also seek the advice of bond counsel on all other types of financing and on any other questions involving federal tax or arbitrage law. Bond counsel is also responsible for the preparation of the ordinance authorizing issuance of obligations and all of the closing documents to complete their sale and will perform other services as defined by contract approved by the City Council.

Underwriters

The Finance Team shall make recommendations to the City Council regarding the selection of underwriting services for all debt issued in a negotiated or private placement sale mode. The selection of underwriters may be for an individual or series of financings or for a specified time period.

Financial Advisor

As needed, the Finance Team shall make recommendations to the City Council regarding the selection of financial advisors to be employed and the duration of such employment. The time period for employment may relate to an individual or a series of financings, or for a specified period of time.

The Financial Advisor will advise on the structuring of obligations to be issued, inform the city of various options, advise the City as to how choices will impact the marketability of city obligations, and will provide other services as defined by contract approved by the City Council. To ensure independence, the Financial Advisor will not bid on nor underwrite any City debt issues. The Financial Advisor will inform the City Manager of significant issues.

Paying Agent

As needed, the Finance Team shall make recommendations to the City Council regarding the selection of paying agent services from qualified commercial and trustee banks

Other Service Providers

As needed the Finance Team shall make recommendations to the City Council or City Manager for selection of other service providers (escrow agents, verification agents, trustees, etc.).

Applicable Laws, Policies, and Solicitation Processes

The solicitation and selection process for such services will comply with Federal and State law and City policy requirements for professional services

The solicitation policy may include formation of a review committee to evaluate written proposals and, if deemed necessary, conduct oral interviews.

In all instances, the City shall promote competition in issuing debt. This will be implemented in the selection of professionals and other service providers, giving consideration to the experience and quality of service, as well as cost. In determining whether to "sell" the debt on a negotiated or competitive basis, the factors outlined in the Government Finance Officers Association recommended practice on "Selecting and Managing the Method of Sale" will be followed.

Conduit Financing

Conduit financing involves securities issued by a government agency to finance a project of a third party, such as a non-profit organization or other private entity. The City may sponsor conduit financing for those activities (e.g., economic development, housing, public health services) that have a general public purpose that comply with Federal and State law and that are consistent with the City's overall service and policy objectives. Unless a compelling public policy rationale exists and current law provides, such conduit financing will not in any way pledge the City's faith and credit.

Ethics/Gift Policy

In addition to any provisions of any applicable statutes and the City's Code pertaining to Ethics, City officials or staff shall not accept any gifts or benefits from any vendors associated with the issuance of any debt.

Capital Planning

To enhance creditworthiness and prudent financial management, the City is committed to systematic capital planning, intergovernmental cooperation and coordination, and long-term financial planning. Evidence of this commitment to systematic capital planning will be demonstrated through adoption and periodic adjustment of the Capital Project and Equipment Acquisition Plans.

Adopted: Resolution No. 00-95, June 20, 2000

FUND RESERVES POLICY

Policy Mission Statement: To provide adequate fund reserves to safe-guard the financial condition of the City.

General

Fund reserve balances will be maintained that:

Provide adequate financial resources to conduct the normal business of the City and ensure the continued delivery of services in the event of any disruption stemming from short-term interruptions in cash flow

Provide adequate financial resources to maintain the City's credit worthiness

Provide for the accumulation of financial resources for use in capital acquisitions or to comply with legal requirements

Provide adequate financial resources to respond, in a planned and decisive manner, to long-term or permanent decreases in revenues

Provide adequate financial resources to ensure continued delivery of public safety, utility, and essential infrastructure maintenance services in response to natural disasters and events

Are not excessive.

Applicable Funds

General Fund

Perpetual Care Fund

Weed and Pest Fund

Internal Services Funds

The reserve balances for all other funds will be determined by the City Council, with input received from the appropriate advisory boards or on an individual fund basis.

Use of Surplus Fund Equity Balances

Any amounts that exceed the total calculated or designated reserved fund equity balances are considered undesignated fund equity and available for appropriation.

Reserved Fund Equity Components and Specified Balances

To achieve and maintain the desired fund equity balances, the following applicable fund equity components will calculated or designated in each of the City's funds:

Operating Reserves

Operating reserves are needed to provide cash flows for daily operations. In the case of the General Fund, operating reserves also provide cash liquidity for certain projects and programs funded with reimbursable grants. Additionally, it provides emergency and stabilization reserves for the City's internal service funds.

The specified levels of operating reserves are:

General Fund – 25%, or ninety (90) days, of total operating and maintenance expenditures for the ensuing fiscal year.

Perpetual Care Fund – For the Operations Account, operating reserves shall be maintained that provide, through interest earnings, all supplemental funding for the operation of the following: Recreation Center, Casper Events Center, Ice Arena, Public Safety Communications Center, City Hall and Building and Grounds.

Operating Reserves shall be maintained for the Building Account that provide, through interest earnings, the funding for the capital maintenance and replacement of all buildings and facilities acquired through Optional 1% Sales Tax funding.

Weed and Pest Fund - 25%, or ninety (90) days, of total operating and maintenance expenditures for the ensuing fiscal year.

Internal Service Funds – Except for the Health Insurance Fund, 8.3%, or thirty (30) days, of operating and maintenance expenditures for the ensuing fiscal year.

Health Insurance Fund - 25%, or ninety (90), days of total operating and maintenance expenditures for the ensuing fiscal year plus an amount equal to 5% of the number of full time employees times the current individual stop-loss amount.

Emergency and Stabilization Reserves

Emergency and Stabilization Reserves are needed to provide adequate resources to address emergency events, such as natural disasters, and to manage the effects of any substantial long-term or permanent decreases in the City's general revenues.

The specified levels of Emergency and Stabilization Reserves are:

General Fund

25%, or ninety (90) days of total operating and maintenance expenditures for the ensuing fiscal year.

Debt Service Reserves

Minimum of the total budgeted debt service requirement for one (1) year times one hundred and fifty percent (150%) or legally required amount in relation to a debt issue.

Capital Asset Replacement Reserve

Reserves funded by depreciation or other sources may be accumulated for the planned acquisition of capital assets.

Specific Reserves

Any amount specifically identified as being necessary for financial reporting or legally required for a unique operating aspect of a particular fund, or as determined by the City Council.

Annual Review of Reserve Fund Equity

As part of the annual budget process, the Budget Officer will present for Council consideration the calculated and designated fund equity reserves. Adopted: Resolution No. 00-95, June 20, 2000.

COMPENSATION AND BENEFITS

Council Compensation

State Law and the Casper Municipal Code provide for compensation to members of the City Council. Council members receive a salary of one hundred and fifty dollars ($150) per public Council meeting. The Mayor will receive an additional fifty dollars ($50) per public Council meeting. A seated City Council may not increase its own salary; councils may only adopt an ordinance to raise the salary of an incoming City Council.

State Law limits Council salaries to a minimum of ten dollars ($10) and a maximum of one hundred and fifty dollars ($150) per public meeting. This law also provides that the salary for the Mayor shall not be more than twice the salary of the other Council members.

Health Benefit Plan

As provided by the Casper Municipal Code, Council members, during their term of office and upon their retirement, may elect to participate in the City's health benefit plan in the same fashion as City employees and retiring City employees; provided, however, that any such participation shall be at the exclusive expense of a participating Council member, and the same limitations shall apply as apply to City employees and former City employees. The monthly cost (as of July 2012) to the Council member for single coverage is $611.83; $1,223.67 for single plus spouse; $1,131.89 for single plus children; $1,604.15 for family (this rate is subject to change).

Travel Policy/Expenditure Guidelines

The annual City budget includes an expenditure line item for expenses necessary for Council members to undertake official City business. It is very important to note that any expense must be related to City affairs. Courts have ruled that this prohibition includes personal political purposes. Again, these requirements are more specifically detailed in Chapter 2.60 of the Casper Municipal Code, Public Service Code of Ethics (see page 127).

1. Out-of-State trips by members of the City Council shall be with the concurrence of the Council and/or Mayor. Such concurrence may be informal, or formal, with the availability of funds being a primary decision-making factor.

2. In-State travel for special seminars or meetings shall be governed by the out-of-State guidelines. Attendance at legislative meetings shall be approved by the Mayor. Attendance at Wyoming Association of Municipalities' annual meetings shall be given preference over other sessions, should funding availability become a problem.

3. City offices will arrange for, or reimburse the cost of:
   a. Lodging for the Council member; and,

   b. Coach air fare for the council member or, in the alternative, $.58½ per mile for the use of private vehicle, whichever is the least.

When traveling by air, staff requests Council members to be responsible for airline reservations, particularly when family members are accompanying a Council member. No expenses for anyone other than the Council member shall be reimbursed.

4. The City will pay the cost of meals for the Council member and individuals having a professional or political relationship with the City.
5. Ground transportation and miscellaneous costs directly related to the purpose of the trip will be reimbursed to a reasonable amount.
6. Cancellation costs, if incurred due to a Council member's cancellation of a trip, shall be borne by the Council member, unless excused by the entire Council.

7. The travel policy utilized by City employees is as follows:

Effective Date: June 5, 2008

Subject: Policy for Reimbursement of Travel/Moving /Business Expense

PURPOSE AND ADMINISTRATION

The purpose of this policy is to identify and provide guidelines regarding the City's travel policies and to further delineate those valid business expenses for which an employee may qualify for payment or reimbursement.

The policy applies to employees, public officials and others who incur authorized business expenses for travel, subsistence, registration, and related expenses while on City business, and provides a reasonable and timely mechanism for the reimbursement of expenditures.

It is recognized that expenditures for business-related food and beverage for both travel and meeting purposes will be incurred by City staff and will be reimbursed. This policy statement serves to establish guidelines to determine whether or not expenditures, by City employees, may be reimbursable and whether or not costs related to meetings involving volunteers and other non-employees are legitimate City expenditures.

Claimants have the responsibility for becoming knowledgeable about authorized expenditures and the documentation requirements. Care must be taken to avoid unnecessary or excessive expenditures and those not directly and reasonably related to the conduct of City business.

It shall be the responsibility of the Administrative Services Director to adopt, publish and enforce rules and procedures consistent with this Statement of Policy for the purpose of carrying out the provisions thereof; and to provide forms accompanied by instructions for their use. Exceptions to the rules set forth herein may be made by the City Manager.

No claim for reimbursement shall be paid unless it is accompanied by a bona fide vendor's receipt. Should a receipt be lost or not be obtainable, an employee certification memo, signed by his/her

Department Head (or City Manager if the employee is a Department Head), will serve as a substitute for a receipt. Such receipt or certification memo should show the date, vendor identification, itemization of goods and services, amount paid, and an explanation for the lack of a receipt, should that be the case.

CITY EMPLOYEES & CITY OFFICIALS Documentation

Requests for reimbursement, including receipts, shall be submitted on an expense report form signed by the employee and the Department Head (or City Manager should the Department Head be the individual submitting the expense report) and then submitted to the Finance Division within 5 days of returning from the trip.

Reimbursement Claims

- No claim for reimbursement shall be paid unless it is accompanied by a vendor's receipt or copy of vendor's receipt.
- No claim for reimbursement or expense on a City-issued credit card shall be paid unless it is accompanied by a vendor's receipt.
- The names of the employees whose purchases are also reflected on the vendor's receipt should also be included.
- A description of the meeting or event precipitating the expense must be noted on the request form.
- The receipt shall document a list of the goods or services purchased. **A receipt without a listing of what was purchased is not valid documentation of the purchase.**
- Where possible, receiving the sales tax exemption on purchases made by the City of Casper while traveling is appropriate.

Exceptions

Should a receipt be lost or not be obtainable, an employee certification memo, signed by his/her Department Head (or City Manager if the employee is a Department Head), will serve as a substitute for a receipt. Such receipt or certification memo should show the date, vendor identification, itemization of goods and services, amount paid, and an explanation for the lack of a receipt, should that be the case.

Meals

Per Diem Reimbursement

The preferred option for meal reimbursement is per diem. The daily total per diem is the rate paid for overnight trips (below). The daily per diem rate is for each documented complete 24 hour period of travel during which the employee is out of town. No receipts are required to be submitted to receive per diem payment. Any meal expenses in excess of daily per diem rate or any prorated per diem rates are the responsibility of the employee.

The need for prorating the per diem rate occurs when an employee has some meals provided by a conference or host, participates in a business group meal, or is on travel status for a part of the day,

which is frequently the case for first and last day of travel. Prorating the meal per diem is based on a 24 hour day, and the meal allocation corresponds to the hours of the day a person is traveling.

	Travel Period	Prorated Per Diem Rate
Breakfast	Traveling from 12:01 a.m. to 10:00 a.m.	$10.00
Lunch	Traveling from 10:01 a.m. to 4:00 p.m.	$13.00
Dinner	Traveling from 4:01 p.m. to 12:00 a.m.	$24.00

If meals are provided by a conference or host, then the meal per diem for that trip will be adjusted (reduced) to correspond with the meals that were provided. In the event that all meals for a day are provided by a conference, a business group meal or another source, no meal per diem can be claimed for that date.

Non Per Diem Reimbursement

Reimbursements for meals can be requested based on actual receipts up to the limits contained in this policy. Such reimbursements must be made in compliance with the provisions of this Policy.

Overnight

All City employees and officials claiming reimbursement for meals consumed while on overnight City business shall be entitled to reimbursement, which include tip, (not to exceed 15% of total bill) and is not to exceed the following scheduled, based on vendor receipt:

BREAKFAST $10.00
LUNCH $13.00 **or $47.00/day**
DINNER $24.00

(The above rates are adjusted periodically to the closest average of Meal Expenses for Wyoming, excluding Jackson, from the U.S. General Services Administration. (http://www.gsa.gov/mie))

Notwithstanding the foregoing schedule, actual meal costs incurred may be claimed when they are part of a regularly scheduled business event such as a training seminar, professional meeting or conference, or other business meeting. Should a business event (professional organization) luncheon, for example, have costs exceeding the lunch maximum, reimbursement will be for the actual luncheon costs.

The Department Head is authorized to approve requests for exceptions to the authorized meal allowance schedule when it is determined that either the region of the country is recognized as a high cost locale, or that the event's location requires a greater cost. All City employees and officials claiming reimbursement for meals consumed while on overnight City business shall be entitled to reimbursement, which include tip (not to exceed 15% of total bill), and is not to exceed the current IRS limit for high cost areas.

If costs of meals or any other expenses being included for reimbursement or payment are for persons other than the claimant, those persons must be City employees or recognized and identified as those who are participating in City business but are not on the City's payroll. The

reimbursement request must indicate why the person other than the claimant is justified in participating in a City-paid meal or other expense.

Allowing consultants or those who may be trying to sell the City a product or service to buy meals or other gratuities for employees is inappropriate and should be avoided.

Not Overnight

Meal reimbursements while traveling on business but **not** overnight are generally taxable as a wage to the employee because travel must be away from home overnight to be excludable.

Even though the employee is away from their home for substantially longer than a normal workday and even stops for rest, the employee is not considered to be away from home overnight. Any meal reimbursement money that the employee receives would be taxable as a wage per IRS regulations.

Travel

Reimbursement for reasonable costs of business travel is authorized. General guidelines are as follows:

City Vehicle

The use of a City vehicle rather than a personal car is encouraged. Motorcycles shall not be used in carrying out City of Casper business, including travel, except for police motorcycles as approved by Council. Traffic citations received while driving a City vehicle or otherwise are the responsibility of the driver. Multiple occurrences of traffic violations while on City business could result in disciplinary action.

Personal Vehicles

If an employee chooses to use their personal vehicle when a City vehicle is available, then they will be reimbursed for fuel only (or mileage at the going rate if less expensive).

When city vehicles are not available, expenses shall be reimbursement for travel at such rate as shall be established from time to time by the City Manager in his/her discretion, but not to exceed the then current maximum rate allowed by the IRS for deductions. City employees who receive an automobile allowance in lieu of City provided transportation shall be entitled to fuel reimbursement only for out-of-town travel. Incidental costs such as parking, are reimbursable as they would be if a City vehicle was provided.

Rental Vehicle

Vehicle rental authorization must be separately set out in a request for approval of travel expenses. The cost of vehicle rental when on out of town business is considered an exception to this policy and must be preapproved by the Department Head.

Air Travel

Arrangement for air travel on City related business shall be made by the Department whose employee is involved in the travel as outlined below:

1. The Individual will arrange for air travel based on the lowest available airfare for a regularly scheduled flight which reasonably accommodates the time of travel requested, and the destination as specified by the requesting department. Travel to another locale to take advantage of lower fares is permissible if the overall costs associated with that travel result in a substantial cost savings to the City and the Department Head approves such travel.

2. If personal travel is combined with business related travel, the traveling employee shall be responsible for paying the increase in airfare necessary to accommodate the personal part of the trip. The City shall only pay the lowest available airfare for the round trip between Natrona County International Airport and the business related destination. Such payment for personal travel shall accompany the City's payment to the vendor for the ticket. If changes in travel plans occur that are the result of City business requirements, any associated costs shall be paid by the City. However, any increases in the cost of travel due to changes for personal convenience will be borne by the employee.

3. Employees who obtain airline tickets on their own will be reimbursed based on the lowest airfare available for their time of travel, unless an exception is granted in writing by the City Manager. When purchased by the employee, he/she must pay the cost of the travel, provide documentation that the airfare purchased is indeed the lowest price available and seek reimbursement along with all other travel expenses. Direct billing of airfare to the City is allowed only if arranged for or approved by the Department Head or the City Manager.

Other Miscellaneous Travel Expenses

Miscellaneous travel costs related to the employee's official duties such as bus, taxi, bridge or other tolls, parking, ferry, tips and the like are authorized by listing of same on the reimbursement form. A vendor's receipt will be required only when the single item cost of this type of expense exceeds $10.00.

Accommodations

Reasonable hotel/motel accommodations for employees and officials are acceptable and will be reimbursed at the single room rate. Exceptions may be authorized by the Department Head or the City Manager should a single room rate not be available, but evidence of this should be received from the hotel/motel. A vendor's receipt for this category is required for all claims. Direct billing of hotel/motel charges are allowed if prior arrangements have been made with the facility.

Allowable Incidental Expenses

This category includes all reasonable and necessary incidental expenses. Those expenses allowed and specifically not allowed are identified, but not limited to:

Allowed expenditures Include

- Laundry expenses if away from home five or more calendar days on City business.
- Baggage checking and handling.
- Parking or shuttle fees.
- Business telephone and postage expenses.

- One phone call per day to the employee's home will be allowed for an amount of time not to exceed 10 minutes; however, the number of phone calls reimbursed by the City to the employee's home shall not exceed three per work week. Costs for longer calls than 10 minutes will be paid by the employee with the amount determined on a proportional basis.
- Telephone calls to make travel related arrangements are business expenses and will be reimbursed.
- It is expected that if a City-issued cell phone is available to the employee, it should be used instead of the hotel phone when making any calls while traveling.

Not Allowed Expenditures Include

- No alcoholic beverages will be paid for under any circumstances.
- Expenses of a spouse or other persons not authorized to receive reimbursement under this policy.
- Beauty parlor or barber services.
- Personal entertainment. (Movie rentals, etc.)
- Airline or other trip insurance.
- Personal postage, reading materials, or non-business related telephone calls.
- Personal toiletry articles.
- Food and beverage purchased outside of Breakfast/Lunch/Dinner will be considered a snack and therefore non-reimbursable.

Reimbursable Expenses for New Employees

As authorized by the City Manager, the reasonable moving expenses of a new employee, limited to Division Heads and above, are reimbursable. Moving expenses shall mean the cost of moving household goods, furniture, clothing and other personal effects of the new employee. Reimbursement for moving expenses is a negotiated item and authorized by the City Manager. Claims will be submitted on the standard personal expenditure reimbursement form.

Reimbursable NON-Travel Expenses

Meals consumed by the City employee during meetings and other functions which conduct official City business or serve to benefit the City of Casper are reimbursable to the employee.

Reasonable expenses, including food and beverage, associated with commemorating a dedication or an unveiling that is recognized as serving an official public purpose are legitimate City expenses.

Support of a local "event" or celebration may not take the form of a gratuitous contribution of public funds to a private person, committee or organization. Expenditure of public funds on a privately sponsored event requires (1) the existence of a recognizable public or municipal purpose that relates to the purpose for the City's existence, (2) proper authorization from the City Council for such public sponsorship, and (3) a reasonable relationship between the amount of the City's expenditure and the public nature of the event.

Expenditure of public funds reasonably necessary to attract potential business or events to the community will be reimbursed provided such expenditures are approved in advance by the Council or the City Manager and provided such reimbursement does not include reimbursement for the

purchase of alcohol and provided requests for reimbursement are accompanied by the documentation required.

Reimbursable Expenses for Potential Job "Candidates"

As authorized by the City Manager, reasonable expenses of candidates for City positions are reimbursable when such candidates are invited in writing to visit Casper for personal interviews. Such invitation shall specify the current pay amount and the requirement that other expenses be documented and turned over to the recruiting official who will prepare the reimbursement claim. The written invitation for interview and arrangements for transportation and lodging will be made at the direction of the City Manager, or as he/she may delegate. Claims will be submitted on a purchase order by the Department involved. A copy of the interview invitation and detailed vendor invoices for the expenses incurred will be used as the customary supporting documents. The travel expenditure guidelines will be applied to recruiting claims. Other incidental expenses are limited to transportation by shuttle vehicle to and from Natrona County International Airport and necessary telephone calls to City staff.

Reimbursable Expenses for "Non-Employees"

"Non-employees" or non-compensated volunteers, advisory committee members, and others who are participating in City business but are not on the City's payroll may be reimbursed for expenses as follows:

- Transportation, lodging, meals and Miscellaneous Travel Expenses
- Coffee utensils and other light refreshments at meetings involving volunteers and other non-employees are authorized City expenditures.
- Incidental consumption of refreshments by City employees at meetings involving non-employees is allowed.

Credit Cards

It is not the obligation of the City to provide City-issued credit cards for travel purposes or for business meeting expenses. It is expected that the expenses will be incurred by the employee and reimbursed based on the policies outlined in this section. The City will not extend cash advances for travel purposes. Those who sign out credit cards should understand that they will be personally liable for the expenses accrued on the cards to the extent that those expenses are not appropriate City expenses.

APPROVAL - - FAILURE TO ABIDE

Approval Process

All claims shall be submitted for reimbursement using the Travel Expense/Reimbursement form (See Exhibit N) along with a white voucher. This includes travel and subsistence expenses, except for incidental and minor costs authorized in this policy or in the petty cash policy.

Special approvals required by this policy shall be obtained by employees in advance from the City Manager or his/her designee; which approvals shall be in advance of the event and by separate memo, which identifies the policy exception being authorized and the reasons for the exception. Claims may include the reimbursable costs of other City officials or employees who would be entitled in their own right to claim business expenses.

All reimbursement claims must be authorized by the claimant's Department Head or by the City Manager, or the management employee authorized to act on his/her behalf. The Department Head claims, therefore, will be approved by the City Manager.

Failure to Abide

Any failure on the employee's part to abide by the directives issued in this policy may be subject to disciplinary action and/or personal obligation to pay the unapproved expenses.

Claims that are rejected by the Administrative Services Director shall be referred back to the appropriate Department Head for review and disposition. Should a dispute arise, the claim and related documentation shall be submitted to the City Manager for review and final disposition. Department Head claims shall be referred to the City Manager for review and disposition.

Approved _____ Date June 5, 2008

City Manager

Casper Events Center Ticket Policy

The following is the policy on "Special Ticket Arrangements for Council Members, Leisure Services Advisory Board, and Senior Management."

Ticket sale guidelines:

1. All tickets will be sold at regular prices. There will be no discounts or complimentary tickets.

2. Tickets are available only to current Leisure Services Advisory Board members, current City Council members, and current senior management.

3. The maximum limit of ten (10) tickets per individual will be made available, unless otherwise mandated by the promoter and/or the artist.

4. To assure the best availability to persons waiting in line at the Casper Events Center Box Office, tickets for the Council, Advisory Board members and senior management will be available as follows:
   a. Concert configuration: above-mentioned can purchase tickets starting from row 6 back on the main floor and side sections starting in C and T going back.

   b. In-the-round: above-mentioned can purchase tickets starting on the outside the area outlined on configuration.

5. Tickets must be ordered within 48 hours after tickets go on sale. If possible, you may place an order two (2) days prior to tickets going on sale, at the Box Office Manager's discretion. After the 48 hour period, the remaining tickets on hold will be placed back on sale to the general public.

6. Ticket orders must be placed with the Box Office Manager at the Casper Events Center (577-3030), with payment due at the time the order is placed. All orders are placed on a first come, first served basis.

Revised 1/25/16

OPERATING DEPARTMENTS

The City of Casper has ten (10) operating department, which perform the actual mechanics of our City Government. The following duties are performed by the various Departments:

City Council

The City Council is the policy-making branch of the City government. They also maintain the authority to appoint the City Manager, City Attorney, and the Municipal Court Judge.

City Manager

Liz Becher, Interim City Manager

The City Manager is responsible for carrying out the policies of the Council and overseeing the total operation of the organization.

City Attorney

William C. Luben, City Attorney

The City Attorney is responsible for providing legal assistance to the Council, as a governing body, and the City organization.

Support Services

Tracey Belser is an Assistant City Manager and Director of Support Services.

It consists of six divisions: Finance, Municipal Court, Buildings and Structures, Fleet Maintenance/Garage, Information Technology and Human Resources.

Finance's main duties are revenue collection and general administration of the City's financial affairs. Other duties include issuance of licenses as required by either State Statute or City Code. Licenses required of residents of the City of Casper include pet licenses, bicycle licenses, solicitors' licenses, and licenses for businesses which affect public health, such as restaurant and liquor licenses. This division also provides record management services.

Casper's Municipal Court is a court of limited jurisdiction. The Court presides over all misdemeanor cases that are violations of City Ordinances, and also has jurisdiction over juvenile cases. The Municipal Court Judge(s) is appointed annually by the City Council.

The Fleet Maintenance Division maintains all City-owned equipment and vehicles.

The Building and Structures Division is responsible for maintenance of all City-owned facilities.

The Information Technology Division, which handles the City's GIS system and provides support for the computer equipment and software for all of the various City operations.

Human Resources
The Human Resources Department's main duties include advertising for and screening job applicants, negotiating labor contracts, and providing expertise to the City Manager in personnel administration. This Department also oversees the activities conducted by the Risk Management Division.

Community Development

Liz Becher is Interim City Manager and Community Development Director.

This department is responsible for reviewing plats, subdivision plans as well as administering programs funded by the federal Housing and Urban Development Department. They provide summarized reports to the City Council and the Planning and Zoning Commission for their approval and concurrence. The Department also oversees the Building and Code Enforcement functions, Metropolitan Animal Control and Welfare, as well as the Metropolitan Planning Office, the Urban Renewal Office and the LifeSteps Campus.

Metropolitan Animal Control is discussed in the "Advisory Boards and Commissions" section of this manual.

Public Services

Andrew Beamer, Director

This Department is comprised of ten (10) divisions – Parks, Engineering, Streets, Solid Waste, Casper Public Utilities (CPU), the Recreation Center which includes the Aquatics Section, the Ice Arena, Fort Caspar Museum, Hogadon Ski Area, and the Municipal Golf Course.

The Parks Division is responsible for handling traditional parks-related activities, and is responsible for the operation and maintenance of Highland Park Cemetery.

The Engineering Division performs a wide range of functions which include, but are not limited to, oversight of all construction projects, design of storm sewers, or other means of storm water relief, and inspections of buildings and sidewalks to insure compliance with City standards.

The Streets/Traffic Division is responsible for maintenance of City streets, including snow removal. The Division also oversees the maintenance and operation of the traffic signal system and traffic control regulatory devices.

The Solid Waste Division, which includes the Refuse Collection and Balefill/Landfill Sections, is responsible for the collection and disposal of the community's refuse.

The Public Utilities Division (Casper Public Utilities, or CPU) controls, operates and maintains the water distribution and sanitary sewer systems.

The Recreation Center is a large recreation facility featuring meeting rooms, billiard tables, racquetball courts, basketball courts, horse-shoe pitching pits, exercise room, etc. The Center features classes in crafts, dance, sports and fitness, special interest and drop-in use of the facility.

The Aquatics Section oversees the five (5) outdoor swimming pools and the Casper Family Aquatics Center. The outdoor pools are located in various neighborhoods throughout Casper, and are open from June through August. The Casper Family Aquatic Center includes two indoor pools and other water related areas and facilities, and it is open year round.

The Ice Arena features public skating, figure skating, hockey, and it provides lessons and equipment rental.

Fort Caspar is a municipal museum and fort which preserves and displays artifacts from Casper's early pioneer history.

Hogadon Ski Area provides downhill skiing. It utilizes two (2) chair lifts and also provides lessons, equipment rental, and food service.

The Municipal Golf Course is a twenty-seven (27) hole facility that provides cart rental, lessons, a driving range, a Pro Shop and food services.

Fire-EMS

Chief Kenneth King

The Fire/EMS Department is a group of highly trained professionals who respond to all the following emergency situations: fire; emergency medical assistance; underwater search and recovery; chemical/flammable liquid spills; and, other hazardous conditions. In addition, they provide the following public services:

- CPR training
- Home inspections
- Fire prevention and life safety classes to elementary, junior high, and high school students
- Educational programs for the general public

Police

Interim Chief Steve Schulz

The Police Department consists of two Divisions: Police and Public Safety Communications.

The Police Division is responsible for the safety and well-being of the people of Casper. Their duties include, but are not limited to:

- Felony investigations
- Emergency response
- Traffic enforcement
- Crime prevention programs
- Misdemeanor investigations
- 24-hour patrol services
- Accident investigations
- Public speaking

The Public Safety Communications Division is responsible for the provision of dispatch and Enhanced 911 services to the residents of Natrona County.

Casper Events Center

The Casper Events Center is under contract management by Comcast Spectacor. It is a multi-purpose facility utilized for activities such as concerts, tournaments, conventions, trade shows and indoor rodeos.

ENTERPRISE OPERATIONS

An "enterprise" is a service operation that creates revenue by charging user fees for its service. Its dependence on user fees to support operations makes the service equitable. Generally, user charges insure that those citizens utilizing the service pay for the services they use. In order for a service to qualify as an enterprise operation it must meet two conditions. First, the service provider must be able to determine the users of the service. Second, the provider must also be able to identify the level of consumption of the users. The City of Casper operates the following enterprise operations:

Casper Events Center is under contract management by Comcast Spectacor. A multi-purpose facility with a seating capacity of 10,000. The Center can accommodate business meetings of all sizes, as well as cater meals for as many as 2,000 people. The Center is equipped with extensive audio and video capabilities, portable staging, a basketball floor, exhibit booths, and a theatrical package, among other things. It has a full schedule of concerts, tournaments, conventions, trade shows, indoor rodeos and more.

Hogadon Ski Area Hogadon is located nine (9) miles south of Casper on Casper Mountain. There are over twenty (20) trails spread over 60 acres. The area is served by two (2) chair lifts and one (1) pommel lift, and provides a ski school, equipment rentals, food service, and state of the art snow making.

Municipal Golf Course The Casper Municipal Golf Course is Wyoming's only twenty-Seven (27) hole course. The course offers a large practice range, putting and chipping greens, a full PGA staffed golf shop, cart rentals, lessons by the Pro, and a clubhouse with a restaurant and lounge.

Swimming Pools The City of Casper features five (5) neighborhood outdoor swimming pools and the Casper Family Aquatics Center. Classes are offered with a wide range of choices, and pool rentals are available.

Casper Ice Arena The arena features public skating, classes, hockey, figure skating and equipment rental.

Recreation The Recreation Division operates the Casper Recreation Center and features exercise facilities, classes, tournaments, year-round adult and youth sports activities.

Water Treatment Surface water from the North Platte River and from wells is treated and distributed to several wholesale water distribution systems, including the water distribution system of the City of Casper.

Water Distribution Water distribution is a part of the City's Public Utilities Division. Potable water is distributed to every home and business within the City of Casper. Each is equipped with a meter to measure the amount of water consumed.

Wastewater Collection Sewerage pipes originate at homes and businesses and connect to mains that return used water to the wastewater treatment plant. Sewerage usage is not metered, but bills are generated based on the amount of wintertime water usage, which services as an approximation of sewerage use.

Wastewater Treatment Wastewater treatment encompasses the City's wastewater treatment plant, which receives wastewater from several wastewater systems, including Casper's. All wastewater must be cleaned of toxins and biological hazards (per EPA standards) before it can be returned to the North Platte River.

Landfill/Balefill The Balefill is a regional solid waste disposal facility that accepts approximately 200 tons of waste every day from commercial and residential customers.

Refuse Collection The Refuse Collection Division maintains the refuse collection system.

City Parking Lots The City of Casper owns the downtown parking structure and the parking lot located at East 1st and Center Streets, and contracts with the Casper Area Chamber of Commerce for operation and maintenance.

TIPS FOR EFFECTIVE COUNCIL MEETINGS

*The following article is drawn from the **WAM News**, October 2006, the official newsletter of the Wyoming Association of Municipalities.*

WHAT IS AN EFFECTIVE MEETING?

A goal for all councils is to have an effective and productive meeting. The definition of an effective council meeting varies based on the particular point of view of an elected official, a staff person, an applicant or an interested citizen. For the most part, the meetings are successful when all the scheduled business has been addressed, all of the questions from council and citizens have been received, answered or assigned, and when individuals who wish to speak to the council have been heard.

AGENDA

The agenda provides a brief description of each item being addressed or considered by the Governing body during the meeting. Council meeting agendas are compiled by city staff with input from department heads, council leadership and miscellaneous requests from individuals and/or organizations. There needs to be a specific deadline for placing items on the agenda. This allows the council a maximum amount of time to prepare for the meeting by reviewing council packet materials. For example, some communities hand out their council agendas on Thursday for a meeting the following Tuesday. At this time the elected officials review the items on the agenda and if they need further information they can ask at that time, but no action can be taken at these meetings. This gives them a weekend to discuss items with constituents for input as needed. The press is also invited to attend this review. Members of the public wishing to place new items on the agenda, or wishing to speak on an item already on the agenda, should submit a formal request. The deadline for these requests should be predetermined by the governing body and be made public for the citizens. Some cities always allow public comment on agenda items, but others permit such comment only by written request. Members of the public with disabilities should contact the clerk or city administrator's office prior to the meeting if special assistance is required (i.e. additional handicap parking is required, accessibility to council chambers, assistance for hearing impaired). The order of the agenda will be followed unless changed by the governing body.

CONSENT AGENDA

Items on the council agenda, which are considered to be routine and of a non-controversial nature by the city administrator or governing body, are placed on the "consent agenda." These items shall be approved, adopted, accepted, etc. by one motion of the council. Council members may request that any item listed under consent agenda be removed from the consent agenda, and council will then take action separately on these items.

GENERAL MEETING INFORMATION

The mayor chairs and conducts the meeting. The council president, or designee, presides in the Mayor's absence. No smoking is allowed and all communication devices, including cell phones and pagers must be turned off during the meeting. All comments and questions must be addressed through the chair. Comments from the public must be brief and not repetitive. All remarks must be relevant to the motion on the floor.

The chair may impose reasonable time limits for comments and discussion if determined necessary. For example, for public hearings where there are a significant number of citizens to be heard, a three to five-minute time limit for comments from each person could be imposed. One city assigns a timer to monitor compliance with any time restriction.

Sometimes councils have a rule that no one may speak more than twice on any motion. This helps ensure that the council completes the business needed in a timely way. When a staff member is listed on the agenda, that person steps to the podium with the microphone and introduces themselves just as members of the public do. This is helpful for those in the audience as well as those watching the televised meeting, if available.

It is typical for a council agenda to include a section for public comment from citizens. Some cities schedule this time early in the meeting and others have it at the end. Citizens often wish to address concerns not included on the regular meeting agenda. For a member of the public to address the governing body, the person must come to the microphone at the dais, be recognized and state their name. The mayor provides instructions to citizens who rise to speak at this time to keep their comments focused on one topic so as to allow council members to understand what is being requested and how the city can respond.

No person may disturb meetings by engaging in disruptive actions. This includes whispering, applauding, yelling, speaking without obtaining the floor or similar behavior deemed improper by the chair. The mayor may call to order such person(s) demonstrating rude, boisterous, or profane behavior. If such conduct continues, the mayor will call a recess, request removal of such person(s) from the council chambers, adjourn the meeting, or take other appropriate action as permitted by law (W.S. 16-4-406). Proper decorum must be observed and courtesy given to members of the governing body, city staff and members of the public.

SPECIAL MEETINGS

Special meetings may be called by the mayor, acting mayor, or by a majority of the governing body.

Notice must be given to each member of the governing body and to the media 24 hours prior to the special meeting. The notice will specify the time and place of the meeting and the business to be transacted. Only business identified in the public notice may be considered at a special meeting.

EXECUTIVE SESSIONS (CLOSED TO THE PUBLIC)

The ability of the governing body to conduct sessions not open to the public is restricted by state law to ensure open proceedings. A council must meet in public first and then pass a motion to go into executive session. They should also resume the public meeting before adjourning for the day. Members of the governing body, employees of the city, or anyone else attending the executive session shall not disclose to any person the content or substance of any discussion taking place in a closed session unless authorized by the governing body. There are many more explicit requirements for executive sessions in the Wyoming Statutes 15-1-105 and 16-4-401 through 408. A full treatment of this subject is beyond the scope of this article.

LESSONS LEARNED

Stick to the published agenda, unless there is an emergency that requires immediate action. Ask council members to submit questions regarding items on the agenda ahead of the meeting. This allows staff to conduct some research and be prepared to provide answers at the meeting. Provide as much information as possible to council members before the meeting so that time in the meeting can be spent on the issues and options rather than spending time presenting background information. Make sure the appropriate staff members attend the meetings. Their expertise is often necessary to respond to questions on agenda items.

Council members appreciate the attendance of citizens. It is important for staff to remind citizens when the meetings are set to begin and what time they should plan to arrive.

Our sincere thanks go to the Cities of Casper, Cheyenne, Cody and Green River for their help gathering information for this article.

RESOLUTION NO. 00-9: RULES OF CITY COUNCIL

RESOLUTION NO. 00-9

A RESOLUTION RESCINDING RESOLUTION NOS. 92-142, 96-77 AND 96-213, AND ADOPTING RULES OF THE CITY COUNCIL FOR THE CITY OF CASPER, WYOMING.
NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF CASPER, WYOMING: That Resolution Nos. 92-142, 96-77 and 96-213 are hereby rescinded, and the Rules of the City Council are hereby adopted to read as follows:

1. MEETINGS OF COUNCIL.

1.1 Regular Meetings.

The Council shall hold regular stated meetings, which shall be not less than two (2) per month, falling on the first (1st) and third (3rd) Tuesdays at 6:00 p.m., beginning May 7, 1996. Other regular meetings shall be fixed by resolution of the Council, spread upon the minutes of the Council Proceedings, and be published in an official newspaper.

1.2 Special Meetings.

The Mayor, or any five (5) of the Councilmen, may call special meetings by notice filed with the Clerk and served upon each Member by delivering the same personally, or leaving the same at their place of residence. Such notice shall fix the hour, day, and place of such meeting.

A. A special meeting may be called by the Mayor at a regular meeting by giving notice thereof and noting the same upon the minutes of such meeting.

1.3 Continuance of Meetings.

In case the time for a meeting shall occur on Sunday or a legal holiday, then such meeting shall be deemed to be called and shall be held on a day so approved by the governing body.

1.4 Quorum

In case the attendance at any regular meeting or special meeting is less than a quorum, such meeting may be adjourned to a reasonable time and place within the corporate limits of the City that may be designated and entered in the minutes of the adjourned meeting. A majority of all Members of the Council shall constitute a quorum for the transaction of any business.

2. ORDER OF BUSINESS.

2.1 Agenda.

The following shall be the order of business.

A. Roll Call.
B. Pledge of Allegiance.
C. Consideration of Minutes.
D. Consideration of Bills and Claims.
E. Public Hearings.
F. Petitions and Memorials.
G. Unfinished Business.
    1. Ordinances on Second and Third Reading.
H. New Business.
    1. Ordinances on First Reading.
    2. Resolutions.
    3. Reports.
    4. Other.
I. Communications from Persons Present.
J. Introduction of Measures and Proposals by Members of the City Council.
K. Adjournment.

3. ABSENT MEMBERS AND OFFICERS

3.1 Attendance.
The Council shall have the power to compel the attendance of absent Members. A Council Member absent without reasonable cause may be compelled to attend by order of any two (2) Members of the Council.

A. Gross and persistent delinquency in being absent from regular meetings of the Council shall be cause for the removal of any Member from his office, and absence from three (3) consecutive meetings without being excused by Council shall be evidence of such delinquency.

3.2 Presiding Officer.
The Mayor, as President of the Council, shall preside at all meetings of the governing body. In the absence of the Mayor, the Vice-President shall perform the duties of the Mayor and, in the case of the absence or disability of both, the Council shall choose, from their number, a President Pro Tem who shall be authorized to perform the duties of the Mayor.

4. LEGISLATION.

4.1 Manner.
Except as otherwise provided by the Laws of the State of Wyoming, all legislation shall be by ordinance, save that licenses may be granted by resolution.

4.2 Form and Vote.
Every ordinance and resolution shall be in writing and, upon every vote taken thereon, the ayes and nays shall be taken and recorded.

4.3 Subject Matter.
The subject of every ordinance shall be set out clearly in the title. No ordinance, except one making appropriations, or one for the codification of ordinances, may contain more than one (1) subject and such shall be limited to those respective subjects.

4.4. Recording and Passage.
Every ordinance shall be publicly read on three (3) different days. Public reading may be by title only. At least ten (10) days shall elapse between the introduction and final passage of every ordinance, except emergency ordinances.

A. A majority vote of all elected members of the Council shall be required for the passage or amendment of any ordinance.

B. An emergency ordinance is one operating for the immediate preservation of the public peace, health or safety, in which the emergency is defined and declared in the title thereto, separately voted on, and receiving the affirmative vote of three-fourths (3/4) of the elected and qualified Members of the Council. For an emergency ordinance, the requirement that each ordinance shall be publicly read on three different days may be suspended by the affirmative vote of three-fourths (3/4) of the elected and qualified Members of the Council. No franchise may be granted by emergency.

4.5 Vote.
Except as otherwise provided, all resolutions shall be passed by an affirmative vote of not less than five (5) Members of the Council.

Resolutions granting licenses shall be passed by an affirmative vote of not less than a majority of the members of the Council voting on the issue, provided that in no event shall less than a quorum be qualified to consider any such resolution. No vote of the Council on any subject shall be reconsidered or rescinded at any meeting unless there be present as large a number of Councilmen as were present when such vote was originally taken.

4.6 Execution and Publication.

Every ordinance or resolution shall be signed by the Mayor and attested by the City Clerk, and shall be published at least once in an official newspaper as required by State law. Emergency ordinances become effective upon proclamation of the Mayor.

A. Every ordinance or resolution, after its enactment, shall be recorded in a book kept for that purpose, which record shall be attested by the City Clerk.

4.7 Amendments and Repeals.
Amendments and repeals of ordinances, or sections thereof, shall be by ordinance. An amending ordinance shall set forth the entire ordinance or section, as amended.

4.8 Charter Ordinances.
A charter ordinance, clearly titled as such, may be adopted by affirmative vote of two-thirds (2/3) of all Members elected to the Council.

Such ordinances shall take effect only after publishing once per week for two (2) consecutive weeks and finally certified by the City Clerk sixty (60) days following the last publication.

5. RULES OF PARLIAMENTARY PROCEDURE.

5.1 Manner.
Upon the introduction and reading of any ordinance, resolution, motion, or other matters during the meeting of the Council, the floor of the Council shall be open for discussion and debate of the proposal so presented to the Council.

5.2 Debate.
No Member shall speak more than once to the exclusion of other Members who have not spoken, nor more than twice to the same question on the same day, without leave of the Presiding Officer.

5.3 Motions.
All motions, except to adjourn, postpone, or commit, shall be reduced to writing, if desired by the Presiding Officer or any Member.

5.4 Withdrawal of Motion.
If no Member objects, any motion under consideration may be withdrawn by the mover at any time before a decision, amendment, or ordering of the ayes and nays, except a motion to reconsider which shall not be withdrawn without leave of the Council.

5.5. Precedence of Motions.
When a question is being debated, no motion shall be received except:

A. To adjourn;
B. To lay on the table;
C. For the previous question;
D. To limit debate.
E. To postpone to a certain date;
F. To commit or refer;
G. To amend; and,
H. To postpone indefinitely,
and these several motions shall have precedence in the above order.

5.6 Motion to Reconsider.
When a motion has been once made, and carried in the affirmative or negative, it shall be in order for any Member who votes with the prevailing side, or was absent during the vote, to move for the reconsideration of the vote thereof during the same session or at the next regular meeting of the Council; and such motion shall take precedence over all other questions, except a motion to adjourn. The motion, once made and disposed of, cannot be renewed. There shall be no reconsideration of the motion to adjourn, lay on the table, suspend the rules, indefinitely postpone, and to reconsider.

*** SUPPLEMENTAL NOTE OF CLARIFICATION:** This provision is subject to W.S. § 15-1-117, which provides that amendments and repeals of ordinances, or sections thereof, shall be by ordinance, and that no vote of a governing body to amend or repeal an ordinance

or any section thereof may be reconsidered or rescinded at any meeting unless there are as many members present as there were when the vote was originally taken.

5.7 Limit on Debate.
Any member may move the previous question, and if it be seconded by one (1) other member, the previous question shall be called for. The object of this motion is to bring the Council to a vote on the pending question without further discussion; and if the motion fails, the discussion may proceed the same as if the motion had not been made; if carried, all debate shall cease and the Presiding Officer shall immediately put the question to vote first on proposed amendments in their order, and then on the main question, without debate or further amendment: Provided, that a motion to adjourn shall be in order after the "previous question" has been sustained, and before the main question is put, but no other motion shall be in order.

5.8 Duty to Vote.
Every member shall vote who may be within the bar of the Council when the question is put unless, for special reasons, he be excused on motion duly made and carried. A motion to be excused shall be made before the call of the ayes and nays is commenced. When the ayes and nays are being taken, the call shall not be interrupted for any purpose whatsoever, except the right of each member to note his desire to explain his vote.

5.9 Explanation of Vote.
Immediately after the vote on any question has been announced, and at no other time, any member may explain his vote.

5.10 Protest.
It shall be in order for any member, or members, of the Council to protest against the action of the Council and have such protest entered briefly in the minutes.

5.11 Appeal.
A majority of all the votes of the members present shall be sufficient to sustain or reject appeal from the decision of the Presiding Officer of the Council.

5.12 Rule Source.
The rules of parliamentary practice as set forth in the most recent edition of Roberts Rules of Order shall govern the Council in all cases unless otherwise more specifically provided in the Rules and Orders of the Council.

5.13 Change of Rules.
No standing rule of the Council shall be rescinded, changed, or suspended, except by a vote of a majority of the members of the Council serving in office.
6. GENERAL POLICIES.

6.1 It shall be the General Policy of the Council that appointees to all advisory and quasi-legislative commissions shall be for no longer than two (2) terms.

6.2 Members of the public wishing to place a new item on the agenda must submit a written request to the City Manager no later than 11:00 a.m. on the Wednesday preceding the Council meeting.

A. Ordinances, resolutions, and minute action items may appear under "consent" in the agenda. Such items shall be removed from the consent agenda for one of the following reasons:

1. A member of the public wishes to speak to a specific item and follows the procedures as provided in 6.3.
2. A member of the Council wishes to have said item(s) removed for the purpose of debate, amendment, tabling, or postponing.

6.3 Members of the public wishing to speak to an item already on the agenda, other than a public hearing, must submit a written request to the City Manager by 12:00 Noon on the Monday immediately preceding the Council meeting.
Public comment is always invited by the City Council at the end of each meeting.

PASSED, APPROVED, AND ADOPTED this 1st day of February, 2000.

As amended by Resolution No. 06-291
Adopted November 7, 2006

RESOLUTION NO. 02-159: COUNCIL ETIQUETTE AND RESPONSIBILITIES

RESOLUTION NO. 02-159

A RESOLUTION ADOPTING A POLICY PERTAINING TO COUNCIL ETIQUETTE AND RESPONSIBILITIES

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF CASPER, WYOMING: That the following policy pertaining to Council Etiquette and Responsibilities shall be adopted.

COUNCIL ETIQUETTE AND RESPONSIBILITIES

I. City Council

The City Council is the community's legislative body. Council members are elected to provide leadership for the community by establishing City policies and priorities.

A. Accountability

1. Council members should represent unconflicted loyalty to the interests of the citizens of the entire City. This accountability supersedes any conflicting loyalty such as that to their or any ward, advocacy, interest group or membership on other councils or staffs. This accountability superseded the personal interest of any council member acting as an individual consumer of the City government's services.
2. Members of the Council should be careful not to become or appear to be a singular advocate of one City operation. The appearance of favoritism or undue focus on one City operation should be avoided.

B. Absences

1. Council members are expected to notify the City Manager's office of a meeting absence in advance of the meeting.
2. Council members are asked to provide contact information to the City Manager's office during out-of-town absences.

C. Travel Policy/Expenditure Guidelines

1. Out-of-State trips (trips funded by the City of Casper), by members of the City Council shall be with the concurrence of the Council and/or Mayor. Such concurrence may be informal, or formal, with the availability of funds being a primary decision-making factor.
2. In-State travel for special seminars or meetings shall be governed by the out-of-state guidelines. The Mayor shall approve attendance at legislative meetings. Attendance at Wyoming Association of Municipalities' annual meetings shall be given preference over other sessions, should funding availability become a problem.

3. City offices will arrange for, or reimburse the cost of:
    a. Lodging for the Council member; and,
    b. Coach airfare for the Council member or, in the alternative, the current IRS-approved rate per mile for the use of a private vehicle.
    c. When traveling by air, staff requests Council members to be responsible for airline reservations, particularly when family members are accompanying a Council member. No expenses for anyone other than the Council member shall be reimbursed.
    d. The City will pay the cost of meals for the Council member and individuals having a professional or political relationship with the City.
    e. Ground transportation and miscellaneous costs directly related to the purpose of the trip will be reimbursed to a reasonable amount.
    f. Cancellation costs, if incurred due to a Council member's cancellation of a trip, shall be borne by the Council member, unless excused by the entire Council.
    g. Requests by elected officials to attend and/or travel on City-related matters shall be denied from September 1st through December 31st of any election year in which that particular elected official is up for re-election and has not filed for re-election, unless the travel is required by WAM, NLC, or other official appointments and specifically approved by two-thirds of the sitting Council.
    h. The existing travel policy utilized by City employees shall also apply for Council travel.

D. Cell Phones/Pagers/Credit Cards
1. The City of Casper does not provide cellular phones or pagers for Council members.
2. Cell phones and pagers should be turned to "vibrate" or "off" during meetings.
3. Proper cell phone etiquette should be observed when attending meetings. In the case of an emergency, those needing to get in touch with individual Council members should contact the Communication Center/Police Dispatch at 9-1-1 who will then contact the Council member using the Council Meeting Room phone or by sending someone over to contact that individual Council member.
4. Credit cards are not issued for Council members' use except under an affirmative showing of extraordinary circumstances and an approval by Council majority.
5. Council Members may join a local service club, with payment of membership dues and any meal charges to be made by the City. Other expenses related to membership shall be the responsibility of the individual Council member. Council members will be encouraged to select membership in a service club that does not already have a representative of the City Council in its membership in order to promote the widest participation by City Council in these organizations. The Council member is required to notify the entire council of their choice of service club.

E. Dissemination of Information/Communicating as a Councilman/E-Mail/Media Policy
1. The City Manager shall determine if information requested by individual Council members or Council subcommittees, that requires a material amount of resources or is detrimental to other necessities, shall be granted. Any information or material that the City Manager or his/her staff gathers in response to a request by a single Council member or Council subcommittee should be made available to the Council as a whole.
2. The Mayor will prepare any written correspondence transmitting the City's position on policy matters to outside agencies on behalf of the City Council. Individual members of

Council who wish to respond to constituents concerning inquiries or to provide requested information can do so on City Council letterhead, and staff can assist in the preparation of such correspondence, should it be desired.

3. After the Council has taken an official position on an issue, all official correspondence should reflect this position. Council members who may disagree with this position are free to prepare correspondence on such issues identifying the information or opinions as solely their own. No staff support will be used. City letterhead and staff support cannot be used for personal or political purposes.
4. Whether in written correspondence or when requested to speak to individuals or groups about the official position on an issue, the response will reflect the position of the Council as a body. A member may clarify their vote on a matter and indicate the position of the Council.
5. When representing the City at meetings or under other circumstances, it is important that those in attendance gain an understanding of the City Council's position rather than that of an individual member.
6. Email capability is provided to each Council member. Council members need to be aware that anything written on e-mail is not confidential. E-mail records can be obtained either by attorneys bringing suit against the organization or the individual Council member, or by the media. It is recommended that e-mail not be used for confidential communication.
7. When speaking to the media, as with the above communications, Council members should remember that they are only one individual member and should use their discretion when speaking on issues.

F. Role of the Board/Commission Liaison

1. Each Council member will be assigned to serve as in a liaison capacity with one or more Boards/Commissions.
2. That Council member is there to facilitate communication between the two bodies, and should attend meetings periodically to observe the activities of the Board/Commission.
3. Council members should communicate back to the entire Council any information they deem important that is gathered at these meetings.
4. Council members should be sensitive to the fact that they are not participating members of the Board/Commission, but are there to create a link between the Council and Board/Commission. In interacting with Boards/Commissions, Council members should reflect the views of the Council as a body.

G. Conduct and order at meetings

1. Rules of Parliamentary Procedure and/or Robert's Rule of Order will be used at meetings.
2. Speaking in Council meetings is prohibited except when recognized by the Chair of the meeting. Speaking over others or interrupting while others have the floor is not permitted.
3. Executive sessions are held by the Council to discuss certain confidential topics, including the following:

H. Process to place an issue on the agenda.

A council member may call the City Manager's Office and ask for an issue to be placed on the agenda, or a Council member may bring up a new issue at the end of any formal Council meeting. Any issue will remain on the agenda until the Council has considered the matter and taken action on it.

II. Direct Council Employees

According to Wyoming law, the Council hires and supervises the City Manager, the City Attorney, and the Municipal Judge(s).

A. Council-City Manager Relationship

1. The City Manager is responsible to direct the daily operations of City government, to prepare and monitor the municipal budget, and to implement the policies and programs initiated by the City Council.
2. As the Council's single, official link to the operations of City government, the City Manager's performance will be considered to be synonymous with organizational performance as a whole.
3. The City Manager is responsible to the City Council rather than to individual Council members. No individual Council member or Council subcommittee has the authority to direct the City Manager without the consent of Council majority.
4. The City Manager, by direction of the City Council shall have the authority to handle, manage, and administer the day-to-day operations of the City. The final decision on situations that are over and above this daily operation will ultimately be the responsibility of the City Council. When individual Council members are approached by City of Casper employees concerning employment issues, these employees should be referred to the City Manager. Upon request of the Council member, information regarding any actions taken by the City Manager will be forwarded to the Council member.
5. The City Manager shall notify the Council in advance of any absences from the City and shall provide contact information.
6. The City Manager shall reflect the policies and position of the entire Council when representing the City.
7. The City Manager shall not act in a manner unethical or contrary to Wyoming law or city ordinances.
8. The Council shall review the performance of the City Manager on an annual basis.

B. Council – City Attorney Relationship

1. The purpose of the City Attorney is to provide adequate legal counsel and representation to the City, when requested, and to provide legal guidance to City Councilmembers in the performance of their duties.
2. The City Attorney is accountable to the City Council acting as a body, not to any individual member or group of members, nor the Mayor, City Manager, or Municipal Judge.
3. The City Attorney may respond to requests for legal research or other legal information or action by Council members, the City Manager, or Municipal Judge, but most requests should be made through the Mayor. The City Attorney has the right to refuse to respond to such requests in his or her best professional judgment so long as these individuals are not treated differently in this respect.
4. The City Attorney is responsible for all resources, including personnel, under his or her control.
5. The City Attorney shall not act in a manner unethical or contrary to Wyoming law or city ordinances.
6. The Council shall review the performance of the City Attorney on an annual basis.

C. Council – Municipal Judges Relationship

1. The purpose of the position of Municipal Judge is to fairly and efficiently administer justice in the City consistent with the Municipal Court's legal jurisdiction.
2. The Municipal Judges are accountable to the City Council acting as a body, never to any individual member or group of members, nor the Mayor, City Manager or City Attorney.
3. The Municipal Judges may respond to requests for information or actions by Councilmembers, City Manager or City Attorney, but remains accountable to the Council acting as a body. The Municipal Judge has the right to reasonable refuse to respond to any such requests if in his or her best professional judgment these requests are unreasonable.
4. The Municipal Judges are accountable for all City property and resources provided to him or to her.
5. The Municipal Judges shall not act in a manner unethical or contrary to Wyoming law or city ordinances.
6. The Council shall review the performance of the Municipal Judges on an annual basis.

PASSED, APPROVED AND ADOPTED this 16th day of July, 2002.

CITY OF CASPER, WYOMING
A Municipal Corporation

ATTEST:

s/
V. H. McDonald
City Clerk

s/
Kathleen B. Dixon
Mayor

As amended by Resolution No. 02-284
Adopted November 5, 2002

City Manager Code of Ethics with Guidelines

The International City Manager's Association (ICMA) Code of Ethics was adopted by the ICMA membership in 1924, and most recently amended by the membership in May 1998. The Guidelines for the Code were adopted by the ICMA Executive Board in 1972, and most recently revised in July 2004.

The mission of ICMA is to create excellence in local governance by developing and fostering professional local government management worldwide. To further this mission, certain principles, as enforced by the Rules of Procedure, shall govern the conduct of every member of ICMA, who shall:

1. Be dedicated to the concepts of effective and democratic local government by responsible elected officials and believe that professional general management is essential to the achievement of this objective.

2. Affirm the dignity and worth of the services rendered by government and maintain a constructive, creative, and practical attitude toward local government affairs and a deep sense of social responsibility as a trusted public servant.

Guideline

Advice to Officials of Other Local Governments. When members advise and respond to inquiries from elected or appointed officials of other local governments, they should inform the administrators of those communities.

3. Be dedicated to the highest ideals of honor and integrity in all public and personal relationships in order that the member may merit the respect and confidence of the elected officials, of other officials and employees, and of the public.

Guidelines

Public Confidence. Members should conduct themselves so as to maintain public confidence in their profession, their local government, and in their performance of the public trust.

Impression of Influence. Members should conduct their official and personal affairs in such a manner as to give the clear impression that they cannot be improperly influenced in the performance of their official duties.

Appointment Commitment. Members who accept an appointment to a position should not fail to report for that position. This does not preclude the possibility of a member considering several offers or seeking several positions at the same time, but once a *bona fide* offer of a position has been

accepted, that commitment should be honored. Oral acceptance of an employment offer I considered biding unless the employer makes fundamental changes in terms of employment.

Credentials. An application for employment or for ICMA's Voluntary Credentialing Program should be complete and accurate as to all pertinent details of education, experience, and personal history. Members should recognize that both omissions and inaccuracies must be avoided.

Professional Respect. Members seeking a management position should show professional respect for persons formerly holding the position or for others who might be applying for the same position. Professional respect does not preclude honest differences of opinion; it does preclude attacking a person's motives or integrity in order to be appointed to a position.

Reporting Ethics Violations. When becoming aware of a possible violation of the ICMA Code of Ethics, members are encouraged to report the matter to ICMA. In reporting the matter, members may choose to go on record as the complainant or report the matter on a confidential basis.

Confidentiality. Members should not discuss or divulge information with anyone about pending or completed ethics cases, except as specifically authorized by the Rules of Procedure for Enforcement of the Code of Ethics.

Seeking Employment. Members should not seek employment for a position having an incumbent administrator who has not resigned or been officially informed that his or her services are to be terminated.

4. Recognize that the chief function of local government at all times is to serve the best interests of all of the people.

Guideline

Length of Service. A minimum of two years generally is considered necessary in order to render a professional service to the local government. A short tenure should be the exception rather than a recurring experience. However, under special circumstances, it may be in the best interests of the local government and the member to separate in a shorter time. Examples of such circumstances would include refusal of the appointing authority to honor commitments concerning conditions of employment, a vote of no confidence in the member, or severe personal problems. It is the responsibility of an applicant for a position to ascertain conditions of employment. Inadequately determining terms of employment prior to arrival does not justify premature termination.

5. Submit policy proposals to elected officials, provide them with facts and advice on matters of polity as a basis for making decisions and setting community goals, and uphold and implement local government policies adopted by elected officials.

Guideline

Conflicting Roles. Members who serve multiple roles--working as both city attorney and city manager for the same community, for example--should avoid participating in matters that create

the appearance of a conflict of interest. They should disclose the potential conflict to the governing body so that other opinions may be solicited.

6. Recognize that elected representatives of the people are entitled to the credit for the establishment of local government policies; responsibility for policy execution rests with the members.

7. Refrain from all political activities which undermine public confidence in professional administrators. Refrain from participation in the election of the members of the employing legislative body.

Guidelines

Elections of the Governing Body. Members should maintain a reputation for serving equally and impartially all members of the governing body of the local government they serve, regardless of party. To this end, they should not engage in active participation in the election campaign on behalf of or in opposition to candidates for the governing body.

Elections of Elected Executives. Members should not engage in the election campaign of any candidate for mayor or elected county executive.

Running for Office. Members shall not run for elected office or become involved in political activities related to running for elected office. They shall not seek political endorsements, financial contributions or engage in other campaign activities.

Elections. Members share with their fellow citizens the right and responsibility to vote and to voice their opinion on public issues. However, in order not to impair their effectiveness on behalf of the local governments they serve, they shall not participate in political activities to support the candidacy of individuals running for any city, county, special district, school, state or federal offices. Specifically, they shall not endorse candidates, make financial contributions, sign or circulate petitions, or participate in fund-raising activities for individuals seeking or holding elected office.

Elections in the Council-Manager Plan. Members may assist in preparing and presenting materials that explain the council-manager form of government to the public prior to an election on the use of the plan. If assistance is required by another community, members may respond. All activities regarding ballot issues should be conducted within local regulations and in a professional manner.

Presentation of Issues. Members may assist the governing body in presenting issues involved in referenda such as bond issues, annexations, and similar matters.

8. Make it a duty continually to improve the member's professional ability and to develop the competence of associates in the use of management techniques.

Guidelines

Self-Assessment. Each member should assess his or her professional skills and abilities on a periodic basis.

Professional Development. Each member should commit at least 40 hours per year to professional development activities that are based on the practices identified by the members of ICMA.

9. Keep the community informed on local government affairs; encourage communication between the citizens and all local government officers; emphasize friendly and courteous service to the public; and seek to improve the quality and image of public service.

10. Resist any encroachment on professional responsibilities, believing the member should be free to carry out official policies without interference, and handle each problem without discrimination on the basis of principle and justice.

Guideline

Information Sharing. The member should openly share information with the governing body while diligently carrying out the member's responsibilities as set forth in the charter or enabling legislation.

11. Handle all matters of personnel on the basis of merit so that fairness and impartiality govern a member's decisions, pertaining to appointments, pay adjustments, promotions, and discipline.

Guideline

Equal Opportunity. All decisions pertaining to appointments, pay adjustments, promotions, and discipline should prohibit discrimination because of race, color, religion, sex, national origin, sexual orientation, political affiliation, disability, age, or marital status.

It should be the members' personal and professional responsibility to actively recruit and hire a diverse staff throughout their organizations.

12. Seek no favor; believe that personal aggrandizement or profit secured by confidential information or by misuse of public time is dishonest.

Guidelines

Gifts. Members should not directly or indirectly solicit any gift or accept or receive any gift--whether it be money, services, loan, travel, entertainment, hospitality, promise, or any other form--under the following circumstances: (1) it could be reasonably inferred or expected that the gift was intended to influence them in the performance of their official duties; or (2) the gift was intended to serve as a reward for any official action on their part.

It is important that the prohibition of unsolicited gifts be limited to circumstances related to improper influence. In *de minimus* situations, such as meal checks, some modest maximum dollar

value should be determined by the member as a guideline. The guideline is not intended to isolate members from normal social practices where gifts among friends, associates, and relatives are appropriate for certain occasions.

Investments in Conflict with Official Duties. Member should not invest or hold any investment, directly or indirectly, in any financial business, commercial, or other private transaction that creates a conflict with their official duties.

In the case of real estate, the potential use of confidential information and knowledge to further a member's personal interest requires special consideration. This guideline recognizes that members' official actions and decisions can be influenced if there is a conflict with personal investments. Purchases and sales which might be interpreted as speculation for quick profit ought to be avoided (see the guideline on "Confidential Information").

Because personal investments may prejudice or may appear to influence official actions and decisions, members may, in concert with their governing body, provide for disclosure of such investments prior to accepting their position as local government administrator or prior to any official action by the governing body that may affect such investments.

Personal Relationships. Member should disclose any personal relationship to the governing body in any instance where there could be the appearance of a conflict of interest. For example, if the manager's spouse works for a developer doing business with the local government, that fact should be disclosed.

Confidential Information. Members should not disclose to others, or use to further their personal interest, confidential information acquired by them in the course of their official duties.

Private Employment. Members should not engage in, solicit, negotiate for, or promise to accept private employment, nor should they render services for private interests or conduct a private business when such employment, service, or business creates a conflict with or impairs the proper discharge of their official duties.

Teaching, lecturing, writing, or consulting are typical activities that may not involve conflict of interest, or impair the proper discharge of their official duties. Prior notification of the appointing authority is appropriate in all cases of outside employment.

Representation. Members should not represent any outside interest before any agency, whether public or private, except with the authorization of or at the direction of the appointing authority they serve.

Endorsements. Members should not endorse commercial products or services by agreeing to use their photograph, endorsement, or quotation in paid or other commercial advertisements, whether or not for compensation. Members may, however, agree to endorse the following, provided they do not receive any compensation: (1) books or other publications; (2) professional development or educational services provided by nonprofit membership organizations or recognized educational

institutions; (3) products and/or services in which the local government has a direct economic interest.

Members' observations, opinions, and analyses of commercial products used or tested by their local governments are appropriate and useful to the profession when included as part of professional articles and reports.

City
of
CHEYENNE

HANDOUTS TO NEWLY ELECTED COUNCIL MEMBERS:

1. Oath of Office
2. Human Resource Information
3. Code of Conduct-Must Sign Receipt Form
4. Government Ethics-State Statutes
5. Governing Body Meeting Information
6. Committee Meeting Information
7. Annual Meeting Schedule
8. Council Committee Assignments & Dias Seating
9. Public & Internal Phone, Address, Email, Term Listings
10. Appointments to Boards, Commissions & Committees
11. KFBC Schedule
12. Chairing Procedures
13. Motion Cheat Sheet-Ordinance, Resolution, Contracts, Bids, Legal's, Reports, Motions.
14. Council Agenda Guidelines
15. Consent Agenda Guidelines
16. WAM Information/Council Roles & Responsibilities
17. Any Additional Department Information

I, _____, do solemnly swear (or affirm) that I will support,
obey and defend the constitution of the United States, and the constitution of the state of Wyoming; that I have not knowingly violated any law related to my election or appointment, or caused it to be done by others; and that I will discharge the duties of my office with fidelity.

Human Resources

Please contact Denise Freeman, Human Resources Director at 637-6343

Please contact Denise for an appointment to get signed on.

You must bring your driver's license and social security card.

She will get you signed on for payroll and offer you the opportunity to participate in benefits you are qualified for.

Revised 11-2016

Handout 2

City of Cheyenne Governing Body Code of Conduct

Adopted April 28, 2008

Resolution No. 5028: "A resolution adopting the City of Cheyenne Governing Body Code of Conduct to more fully enable the members to understand the manner in which they should treat one another, City staff, constituents, and others with whom they may come in contact."

I acknowledge receipt of the City of Cheyenne Governing Body Code of Conduct.

Signature _____

Dicky Shanor, City Council Ward II

Date: _____

Handout 3

Approved as to form only:
Date: 4-30-08

RESOLUTION NO. 5028

ENTITLED: "A RESOLUTION ADOPTING THE CITY OF CHEYENNE GOVERNING BODY CODE OF CONDUCT TO MORE FULLY ENABLE THE MEMBERS TO UNDERSTAND THE MANNER IN WHICH THEY SHOULD TREAT ONE ANOTHER, CITY STAFF, CONSTITUENTS, AND OTHERS WITH WHOM THEY MAY COME IN CONTACT."

WHEREAS, City Councils throughout the country have found it appropriate to adopt a Code of Conduct for the members; and

WHEREAS, the Governing Body Code of Conduct will enhance the members' overall understanding of proper conduct as a Governing Body; and

WHEREAS, the attached City of Cheyenne Governing Body Code of Conduct has been presented to the Governing Body for review.

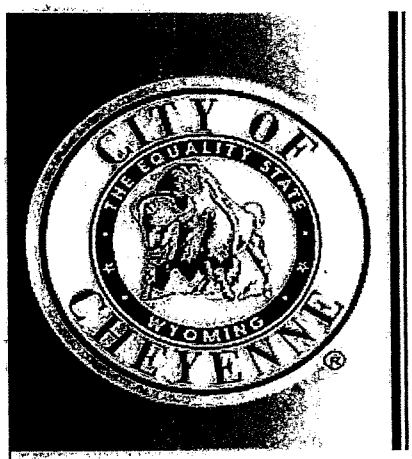
NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF CHEYENNE, that the members of the Governing Body adopt the City of Cheyenne Governing Body Code of Conduct, attached hereto and incorporated herein by reference.

PRESENTED, READ AND ADOPTED THIS 28th DAY OF April, 2008.

Jack R. Spiker, Mayor

(Seal)
Attest:

Carol A. Intlekofer, City Clerk



CITY OF CHEYENNE

GOVERNING BODY CODE OF CONDUCT

Adopted: April 28, 2008

Approved as to form only:

Date: 4-9-08

INTRODUCTION

This City of Cheyenne Governing Body Code of Conduct is designed to describe the manner in which the members should treat one another, City staff, constituents, and others they come into contact with in representing the City of Cheyenne. The Code of Conduct is intended to define the behavior, manners and courtesies that are suitable for various occasions.

The constant and consistent theme throughout this Code of Conduct is **"respect."** Elected officials are called upon to exhibit appropriate behavior at all times. Demonstrating respect for each individual, whether it be a member of the public, City staff or another Governing Body member, through words and actions is the touchstone that can help guide the Governing Body members to do the right thing in even the most difficult situations. The Council as a whole is a legislative body, and as such, it is not the duty of the Council to administer the day to day administrative operations of the City. Many official items come before the Governing Body for action, but there are many other informal issues that are more discretionary in nature. It is important that the Council, Mayor and City staff work together to differentiate between duties which are relevant to City staff and those which are decisions that should come before the Governing Body. All Council members have equal votes and no one member has more power than any other member, except when acting as chair. All should be treated with equal respect. It should be generally understood that the Governing Body exists to work in the interests of the public. The Governing Body should strive to work as a team in achieving the best outcome for the community. The Governing Body should conduct business in a civil, efficient and cooperative manner with other members of the Governing Body and City staff. It is incumbent upon all Governing Body members to listen to one another and give full opportunity for all viewpoints to be heard. All disagreements should be handled in a civil fashion.

1. Act in the Public Interest.

Recognizing that stewardship of the public's interest must be their primary concern, Governing Body members will work for the common good of the people of Cheyenne and not for any private or personal interest. The Governing Body will strive to assure fair and equal treatment of all persons and matters coming before it.

2. Comply with the Law.

Members of the Governing Body will comply with the oath taken when sworn into office. They will support and defend the constitution of the United States and the State of Wyoming. They will support the laws of the United States, the State of Wyoming and the City of Cheyenne including, but not limited to, United States Constitution; Wyoming Constitution; Wyoming Statutes, Cheyenne City Code; laws pertaining to open processes of government; and City ordinances, resolutions and policies.

3. Governing Body Conduct with City Staff.

Members will support the maintenance of a positive and constructive workplace environment for City employees and for citizens and businesses dealing with the City. Members will recognize their special role in dealing with City employees and not create the perception of inappropriate direction to staff.

It should be understood that at no time will a Governing Body member admonish, criticize, verbally abuse, chastise, harass, or verbally insult or attempt to embarrass a staff member. City employees are the foundation of City operations and their positions deserve to be treated with respect.

a. Requests for Projects. If a Council member wishes to ask the City staff to work on an issue, they must obtain the consent of the Mayor or applicable designee(s), pursuant to the Mayor's Council/Staff administrative communication policy.

b. Requests for information. City staff is hired to carry out the day to day business of operating the City. Council members should keep this in mind when requesting information or services from staff. Generally, all interactions should follow the Mayor's Council/Staff administrative communication policy. It is not appropriate for Governing Body members to admonish or attempt to embarrass City staff when disagreeing with the information they bring forth. These issues should be taken up with the Council President, Mayor or the respective Department Head. In any event, there shall be no personal attacks on City staff.

4. City Council Meetings.

The public's input on issues that come before the Governing Body is an important part of the democratic process. Recognizing that the actions of each Governing Body member impacts the

public's perception of the Governing Body, the members shall strive to treat the public and each other with respect. Before a public comment period, the Chair will inform those members of the public wishing to speak that their comments shall be addressed through the Chair. Care should be taken not to enter into a debate of the issues with members of the public. Members should listen courteously and attentively during Governing Body and City Council committee meetings. They shall refrain from interrupting other speakers, making personal comments not germane to the motion or business before the Governing Body, or otherwise interfering with the orderly conduct of meetings. Members recognize that within the public setting surprises are counterproductive. Therefore, the Governing Body members agree not to spring a surprise on each other or staff during a public meeting. If in doubt, members will meet with staff beforehand in accordance with the Mayor's Council/Staff administrative policy.

Governing Body members should recognize the importance of their attendance at meetings of their respective body and members shall make it a priority to be in attendance at all meetings, arrive on time and stay for the duration of the meeting. The professional and personal conduct of members must be above reproach and avoid the appearance of impropriety. Members shall refrain from abusive conduct, use of inappropriate language or profanity, personal charges or verbal attacks upon the character or motives of other members of the Governing Body, City staff or members of the public. Members shall exhibit respect for all persons and recognize that they act collectively as a governing body during Governing Body and City Council committee meetings. Council members recognize that they do not have authority to make decisions or take individual actions on behalf of the City Council unless expressly directed to do so by the City Council President or as approved by a majority of the Governing Body.

5. Conflict of Interest.

In accordance with Wyoming Statutes §§ 9-13-101 et seq., and 15-1-127, members will not use their official positions to influence government decisions in which they have a material financial interest, or where they have an organizational responsibility or personal relationship, which may give the appearance of a conflict of interest or impropriety.

6. Gifts and Favors.

Governing Body members shall not take any special advantage of services or opportunities for personal gain, by virtue of their public offices, that is not available to the public in general. They will refrain from accepting any gifts, favors or promises of future benefits which might compromise their independence of judgment or action or give the appearance of being compromised.

7. Use of Public Resources.

Governing Body members will not use public resources which are unavailable to the public in general, such as City staff time, equipment, supplies or facilities, for private gain or personal purposes.

8. Representation of Private Interests.

In keeping with their role as stewards of the public's interest, Governing Body members will not appear before the Council or Governing Body on behalf of the private interests of third parties.

9. Advocacy.

Governing Body members shall represent the official policies of the City Council to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions or positions, members shall explicitly state they do not represent the Governing Body or the City of Cheyenne nor will they allow the inference that they do.

10. Policy Role Matters.

Governing Body members shall respect and adhere to the Mayor-Council form of Cheyenne City government. In this structure, the City Council determines the policies of the City with the advice, information and analysis provided by the Mayor, public input, commissions, boards and City staff.

11. Independence of Commissions and Boards.

Because of the value of the independent advisory recommendations of the City's commissions and boards to the public decision-making process, members of the Governing Body shall refrain from using their position to unduly influence the deliberations or recommendations of the City's commissions and boards.

12. Implementation.

As an expression of the standard of conduct for members, the City of Cheyenne Governing Body Code of Conduct is intended to be self-enforcing. It therefore becomes most effective when members are thoroughly familiar with it and embrace its provisions.

For this reason, the City of Cheyenne Governing Body Code of Conduct will be included in the regular orientations for newly elected individuals to the Mayor and City Council. Governing Body members entering office will sign a statement affirming they read and understood the City of Cheyenne Governing Body Code of Conduct.

§ 9–13–105. Misuse of office

(a) A public official, public member or public employee shall not use public funds, time, personnel, facilities or equipment for his private benefit or that of another unless the use is authorized by law.

(b) A public official, public member or public employee shall not use public funds, time, personnel, facilities or equipment for political or campaign activity unless the use is:

(i) Authorized by law; or

(ii) Properly incidental to another activity required or authorized by law and the public official, public employee or public member allocates and reimburses the governmental entity for any additional costs incurred for that portion of the activity not required or authorized by law.

(c) A public official, public employee or public member shall not disseminate to another person official information which the public official, public employee or public member obtains through or in connection with his position, unless the information is available to the general public or unless the dissemination is authorized by law.

Laws 1998, Sp. Sess., ch. 116, § 1, eff. July 1, 1998.

Library References

Officers and Public Employees ⇐110.
Westlaw Key Number Search: 283k110.

C.J.S. Officers and Public Employees §§ 234 to 245.

§ 9–13–106. Official decisions and votes

(a) A public official, public member or public employee shall not make an official decision or vote on an official decision if the public official, public member or public employee has a personal or private interest in the matter. In determining whether he has a personal or private interest in a matter the public official shall recognize the importance of his right to represent his constituency and shall abstain from voting only in clear cases of a personal or private interest as defined in this subsection. A public official or public member shall not vote to give money or any direct financial benefit to himself except for tax reductions affecting the general public. For the purposes of this section, a personal or private interest:

(i) Is, with respect to the public official, public employee or public member, an interest which is direct and immediate as opposed to speculative and remote; and

(ii) Is an interest that provides the public official, public employee or public member, a greater benefit or a lesser detriment than it does for a large or substantial group or class of persons who are similarly situated.

(b) A public official, public member or public employee described by subsection (a) of this section shall abstain from voting on the decision and from making any official decision in the matter. The public official's, public member's or public employee's abstention from voting must be recorded in the governmental entity's official records.

Handout 4

Library References

Counties ⇐102.
Municipal Corporations ⇐174.
States ⇐81.
Westlaw Key Number Searches: 104k102; 268k174; 360k81.

C.J.S. Counties § 142.
C.J.S. Municipal Corporations §§ 411 to 415.
C.J.S. States §§ 238 to 239.

§ 6-5-106. Conflict of interest; penalties; disclosure of interest and withdrawal from participation

(a) Except as provided by subsection (b) of this section, a public servant commits an offense if he requests or receives any pecuniary benefit, other than lawful compensation, on any contract, or for the letting of any contract, or making any appointment where the government employing or subject to the discretion or decisions of the public servant is concerned.

(b) If any public servant discloses the nature and extent of his pecuniary interest to all parties concerned therewith and does not participate during the considerations and vote thereon and does not attempt to influence any of the parties and does not act for the governing body with respect to the contracts or appointments, then the acts are not unlawful under subsection (a) of this section. Subsection (a) of this section does not apply to the operation, administration, inspection or performance of banking and deposit contracts or relationships after the selection of a depository.

(c) Violation of subsection (a) of this section is a misdemeanor punishable by a fine of not more than five thousand dollars ($5,000.00).

Laws 1982, ch. 75, § 3.

Cross References

Fire protection districts, election of board of directors, see § 35-9-202.

Library References

Counties ⇐102.
Municipal Corporations ⇐174.
Public Contracts ⇐4.
States ⇐81.
Westlaw Key Number Searches: 104k102; 268k174; 316Ak4; 360k81.

C.J.S. Counties § 142.
C.J.S. Municipal Corporations §§ 411 to 415.
C.J.S. Public Contracts § 4.
C.J.S. States §§ 238 to 239.

Research References

Treatises and Practice Aids

Williston on Contracts § 16:11, Agreements Between Public Bodies and Their Officials.

Notes of Decisions

In general 1
Contract or appointment 2
Incompatible offices 3
Quo warranto 4

1. **In general**

Conflict of interest statutes do not disqualify person from holding office or position that conflicts with other interests of that person and, if

payment and retained by the state, county, city, town or school district authority or public corporation until the determination of the dispute, either by judicial action or consent of the parties, and then paid by the agent or agency to the persons found entitled thereto.

Laws 1933, ch. 94, § 1; Laws 1953, ch. 148, § 1; Laws 1982, ch. 62, § 3.

Codifications: C.S. 1945, § 22-506; W.S. 1957, § 9-679; W.S. 1977, § 9-8-317.

Administrative Code References

State purchasing rules, see WY ADC Dept. of Admin. and Inf., Purchasing Div. Ch 1 § 1 et seq.

Library References

Public Contracts ⇐26.
Westlaw Key Number Search: 316Ak26.
C.J.S. Public Contracts § 33.

Notes of Decisions

Claims and persons secured 1

1. Claims and persons secured

Contractor's bond on public works project is not limited to those in privity of contract with subcontractor or general contractor. W.S. 1977, § 16-6-112. D & L Bldg., Inc. v. State for Use and Benefit of Maltby Tank & Barge, Inc., 1987, 747 P.2d 517. Public Contracts ⇐ 47.1

Materialman who supplied goods to subcontractor on public works project, but who was not paid by subcontractor, could have recourse to general contractor's bond. W.S.1977, § 16-6-112. D & L Bldg., Inc. v. State for Use and Benefit of Maltby Tank & Barge, Inc., 1987, 747 P.2d 517. Public Contracts ⇐ 53

The rule, that there can be no recovery on contract entered into by city without observing mandatory legal requirements, applies only to enforcement of executory contracts, and not to rescinding executed contracts. Quackenbush v. City of Cheyenne, 1937, 52 Wyo. 146, 70 P.2d 577. Municipal Corporations ⇐ 255

§ 16-6-118. Unlawful interest of officeholders in public contracts or works; exception

(a) It is unlawful for any person, now or hereafter holding any office, either by election or appointment, under the constitution or laws of this state, to become in any manner interested, either directly or indirectly, in his own name or in the name of any other person or corporation, in any contract, or the performance of any work in the making or letting of which the officer may be called upon to act or vote. It is unlawful for any officer to represent, either as agent or otherwise, any person, company or corporation, in respect of any application or bid for any contract or work in regard to which the officer may be called upon to vote or to take or receive, or offer to take or receive, either directly or indirectly, any money or other thing of value, as a gift or bribe, or means of influencing his vote or action in his official character. Any contracts made and procured in violation of this subsection are null and void and the person violating this subsection may be removed from office.

(b) Notwithstanding subsection (a) of this section, if any person is interested in any public contract or shall represent any person, company or corporation, but shall disclose the nature and extent thereof to all the contracting parties concerned therewith and shall absent himself during the considerations and vote thereon and not attempt to influence any of the contracting parties and not

act directly or indirectly for the governing body in inspection, operation, administration or performance of any contract, then the acts are not unlawful under this section. This section does not apply as to the operation, administration, inspection or performance of banking and deposit contracts and relationships after the selection of a depository.

Laws 1890, ch. 25, § 1; Laws 1969, ch. 158, § 2; Laws 1982, ch. 62, § 3.

Codifications: R.S. 1899, § 2624; C.S. 1910, § 280; C.S. 1920, § 319; R.S. 1931, § 95-101; C.S. 1945, § 22-513; W.S. 1957, § 9-680; W.S. 1977, § 9-8-318.

Cross References

Fire protection districts, election of board of directors, see § 35-9-202.
Official decisions and votes, Ethics and Disclosure Act, see § 9-13-106.
School facilities commission, see § 21-15-113.
Wyoming business council, conflicts of interest, see § 9-12-113.

Law Review and Journal Commentaries

Conflict of interest—Legal interests vs. relational interests. Chris L. Dull, 15 Land & Water L. Rev. 349 (1980).

Library References

Public Contracts ⇐4.
Westlaw Key Number Search: 316Ak4.
C.J.S. Public Contracts § 4.

United States Code Annotated

Anti Kickback Act of 1986, see 41 U.S.C.A. § 51 et seq.

Notes of Decisions

Disqualification from office 2
Incompatible office or position 3
Legal representation 5
Purpose and policy 1
Remedies 6
Taxpayers' actions 4

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1. Purpose and policy

Qualifications imposed by conflict of interest statutes with respect to designated governmental officers are reasonable and designed to promote compelling state interest. W.S.1977, §§ 6-8-508, 9-8-318. Coyne v. State ex rel. Thomas, 1979, 595 P.2d 970. Officers And Public Employees ⇐ 27

The statute prohibiting public officer from becoming interested in any contract in the making of which officer may be called upon to act or vote is founded on public policy forbidding persons of fiduciary character from acting for themselves in a business in which their character binds them to act for others. Rev.St.1931, § 95-101. Board of Com'rs of Natrona County v. Casper Nat. Bank, 1940, 56 Wyo. 132, 105 P.2d 578, 130 A.L.R. 727. Counties ⇐ 122(2); Public Contracts ⇐ 4

2. Disqualification from office

Conflict of interest statutes do not disqualify person from holding office or position that conflicts with other interests of that person and, if conflict exists, one of two things must occur: either person complies with requirements of the provisos, or contract or other action is nullity and person is subject to criminal prosecution; thus conflict of interest alone does not ipso facto disqualify one from holding a governmental office or position. W.S.1977, §§ 6-8-508, 9-8-318. Coyne v. State ex rel. Thomas, 1979, 595 P.2d 970. Officers And Public Employees ⇐ 27

3. Incompatible office or position

"Incompatibility of office or position" involves conflict of duties between two offices or positions and requires involvement of two governmental offices or positions and it may be sufficient for vacation of office when conflict of interest is not. Coyne v. State ex rel. Thomas, 1979, 595 P.2d 970. Officers And Public Employees ⇐ 30.1

City Attorney's Office
Municipal Building
2101 O'Neil Avenue, Room 308
Cheyenne, Wyoming 82001

Telephone: (307) 637-
Facsimile: (307) 637-

Web site: www.cheyennecity.org E-mail: city.attorney@cheyennecity.org

June 29, 2000

To: Jimmy Valdez
Councilman, Ward I

From: Mary B. Guthrie
City Attorney

Mary B. Guthrie

You have recently become employed by Ionex Telecommunications, Inc. and have inquired whether it is proper for you to contact the City to see if it is interested in doing business with your company.

Your question raises some interesting legal and ethical concerns. Several Wyoming statutes address the issue of conflict of interest. They basically provide that if a governmental entity is considering a contract in which an official has a personal financial interest, the official must disclose the relationship, not participate in any discussion and not vote on the matter. See, e.g., Wyo. Stat. §16-6-118(b), Wyo. Stat. §6-5-106(b) and Wyo. Stat. §9-13-106.

In 1997, the Governing Body adopted "Standards for Conduct for Members of the Governing Body," City Contract #3624 which sets more stringent ethical standards. In that document members of the Governing Body promised that:

1. I will endeavor to avoid any appearances of conflict of interest or impropriety which would reflect upon the integrity of not only myself but my colleagues and the City of Cheyenne.

2. I will never use my position, my vote or my influence to affect any action of the Governing Body to improperly benefit members of my family, my friends or business associates.

(A copy of the Standards for Conduct is attached)

Certainly, any direct involvement which you might have in the solicitation of business for Ionex could be seen as violating the Governing Body's Standards for Conduct.

The appropriate course of action would be for a representative of Ionex to write Bob Bradshaw evidencing an interest to be informed when the City next bids its telecommunications services and that you have no contact with any City representative.

I hope this answers your question. Please contact me if you have additional concerns.

MEETINGS OF THE GOVERNING BODY
CITY OF CHEYENNE

The Cheyenne Governing Body holds its regularly scheduled business meetings on the 2nd and 4th Mondays of each month at 6:00 p.m., pursuant to Cheyenne City Code and Wyoming Statutes. Meetings are rebroadcast on Channel 19 by Optimum.

GOVERNING BODY: Marian Orr, Mayor

COUNCIL MEMBERS:

Pete Laybourn – Ward I	Bryan Cook – Ward II	Rocky Case – Ward III
Scott Roybal – Ward I	Dr. Mark Rinne – Ward II	Richard Johnson – Ward III
Jeff White – Ward I	Dicky Shanor – Ward II	Mike Luna – Ward III

AGENDA

The agenda provides a brief description of each item that will be considered by the Governing Body.

GENERAL MEETING INFORMATION

1. The order of the agenda will be followed, unless changed by the Governing Body.
2. The Mayor chairs and conducts the meeting. The Council President, or vice president, presides in the Mayor's absence.
3. In order for the public to address the Governing Body, persons must utilize a microphone at one of the podiums, be recognized, and state their name. All comments and questions must be addressed through the Chair.
4. No person may disturb meetings by engaging in disruptive action, such as whispering, applauding, speaking without obtaining the floor or similar behavior deemed improper by the Chair. Proper decorum must be observed and courtesy given to members of the Governing Body, City staff and members of the Public. Attendees are expected to dress appropriately and remove hats while in the Council Chambers.
5. There is typically no discussion on agenda items on first reading. On subsequent readings, the Chair may ask for comments.
6. Meetings are conducted in accordance with *Roberts Rule's of Order Newly Revised (10th Edition),* City Ordinances, and the Governing Body's usual and customary procedures.
7. The Chair may impose reasonable time limits for comments and discussion if determined necessary.
8. All personal communication devices, including cell phones and pagers, must be turned off during the meeting.
9. Comments from the public must be brief and not repetitive. All remarks must be relevant to the motion on the floor.
10. During *"Other City Business"*, which occurs after other agenda items have been considered, oral comments and written petitions relevant to City business may be presented.

Thank you for your cooperation and participation in City Government
Revised 12-2017

Handout 5

Meeting Schedule:

All meetings at held at 2101 O'Neil Ave. in the meeting rooms as indicated.

City Council meetings are held on the 2nd and 4th Monday's of the month in Council Chambers at 6:00 PM. If it falls on a Monday holiday, the meeting is moved to Tuesday, same time and place.

Finance Committee (FC) meeting are held on the 1st and 3rd Monday's of the month in Committee Room 122 at 11:00 AM. If it falls on a Monday holiday, the meeting is moved to Tuesday, same time and place. Includes Finance Committee members-4 Council members as selected by the Council President.

Public Services Committee (PSC) meetings are held on the 1st and 3rd Tuesday of the month in Committee Room 122 at 12:00 PM. If there is a Monday holiday, the meeting is moved to Wednesday, same time and place. Includes Public Services Committee members-4 Council members as selected by the Council President.

Committee of the Whole (COW) are held on the either on the 1st or 3rd Wednesday of the month in Council Chambers at 6:00 P M. If there is a Monday holiday, there still held on Wednesday as stated. The Committee of the Whole generally meets when there is an item of considerable controversy and/or it is requested by the Council President, for example the Cell Phone Ban or Smoking Ban ordinances. The Committee of the whole includes all 9 Council members.

5th Weeks: Anytime there is a 5th Monday in a month, no regular meetings will be held during that week with the exception of a special meeting called by either the Mayor or City Council President.

Revised 11-2016

Handout 6

MEETING SCHEDULE **2017 Regular Scheduled Meetings for the City Council**

Committee of the Whole is only held when an item is referred to that committee and is held on the 1st & 3rd Wednesday's of the month at 6:00 p.m. in Council Chambers

January 03, 2017	**Tuesday**	**"Sine Die"**	**@ 6:00 p.m. Cheyenne Civic Center**
January 04, 2017	Wednesday	FC	@ 11:00 a.m. Room 122
January 04, 2017	Wednesday	PSC	@ 12:00 p.m. Room 122
January 09, 2017	Monday	City Council Meeting @ 6:00 p.m.-Chambers	
January 17, 2017	**Tuesday**	**FC**	**@ 11:00 a.m. Room 122**
January 18, 2017	**Wednesday**	**PSC**	**@ 12:00 p.m. Room 122**
January 23, 2017	Monday	City Council Meeting @ 6:00 p.m.-Chambers	
January 30, 2017 - 5th week-no regularly scheduled meetings			
February 06, 2017	Monday	FC	@ 11:00 a.m. Room 122
February 07, 2017	Tuesday	PSC	@ 12:00 p.m. Room 122
February 13, 2017	Monday	City Council Meeting @ 6:00 p.m.-Chambers	
February 21, 2017	**Tuesday**	**FC**	**@ 11:00 a.m. Room 122**
February 22, 2017	**Wednesday**	**PSC**	**@ 12:00 p.m. Room 122**
February 27, 2017	Monday	City Council Meeting @ 6:00 p.m.-Chambers	
March 06, 2017	Monday	FC	@ 11:00 a.m. Room 122
March 07, 2017	Tuesday	PSC	@ 12:00 p.m. Room 122
March 13, 2017	Monday	City Council Meeting @ 6:00 p.m.-Chambers	
March 20, 2017	Monday	FC	@ 11:00 a.m. Room 122
March 21, 2017	Tuesday	PSC	@ 12:00 p.m. Room 122
March 27, 2017	Monday	City Council Meeting @ 6:00 p.m.-Chambers	
April 03, 2017	Monday	FC	@ 11:00 a.m. Room 122
April 04, 2017	Tuesday	PSC	@ 12:00 p.m. Room 122
April 10, 2017	Monday	City Council Meeting @ 6:00 p.m.-Chambers	
April 17, 2017	Monday	FC	@ 11:00 a.m. Room 122
April 18, 2017	Tuesday	PSC	@ 12:00 p.m. Room 122
April 24, 2017	Monday	City Council Meeting @ 6:00 p.m.-Chambers	
May 01, 2017	Monday	FC	@ 11:00 a.m. Room 122
May 02, 2017	Tuesday	PSC	@ 12:00 p.m. Room 122
May 08, 2017	Monday	City Council Meeting @ 6:00 p.m.-Chambers	
May 15, 2017	Monday	FC	@ 11:00 a.m. Room 122
May 16, 2017	Tuesday	PSC	@ 12:00 p.m. Room 122
May 22, 2017	**Monday**	**City Council Meeting @ 6:00 p.m.-Chambers**	
May 29, 2017 - 5th week-no regularly scheduled meetings			
June 05, 2017	Monday	FC	@ 11:00 a.m. Room 122
June 06, 2017	Tuesday	PSC	@ 12:00 p.m. Room 122
June 12, 2017	Monday	City Council Meeting @ 6:00 p.m.-Chambers	
June 19, 2017	Monday	FC	@ 11:00 a.m. Room 122
June 20, 2017	Tuesday	PSC	@ 12:00 p.m. Room 122
June 26, 2017	Monday	City Council Meeting @ 6:00 p.m.-Chambers	

Handout 7

July 03, 2017	**Monday**	**FC**	**@ 11:00 a.m. Room 122**
July 05, 2017	**Wednesday**	**PSC**	**@ 12:00 p.m. Room 122**
July 10, 2017	Monday	City Council Meeting @ 6:00 p.m.-Chambers	
July 17, 2017	Monday	FC	@ 11:00 a.m. Room 122
July 18, 2017	Tuesday	PSC	@ 12:00 p.m. Room 122
July 24, 2017	Monday	City Council Meeting @ 6:00 p.m.-Chambers	

July 31, 2017 - 5th week-no regularly scheduled meetings

August 07, 2017	Monday	FC	@ 11:00 a.m. Room 122
August 08, 2017	Tuesday	PSC	@ 12:00 p.m. Room 122
August 14, 2017	Monday	City Council Meeting @ 6:00 p.m.-Chambers	
August 21, 2017	Monday	FC	@ 11:00 a.m. Room 122
August 22, 2017	Tuesday	PSC	@ 12:00 p.m. Room 122
August 28, 2017	Monday	City Council Meeting @ 6:00 p.m.-Chambers	

September 05, 2017	**Tuesday**	**FC**	**@ 11:00 a.m. Room 122**
September 06, 2017	**Wednesday**	**PSC**	**@ 12:00 p.m. Room 122**
September 11, 2017	Monday	City Council Meeting @ 6:00 p.m.-Chambers	
September 18, 2017	Monday	FC	@ 11:00 a.m. Room 122
September 19, 2017	Tuesday	PSC	@ 12:00 p.m. Room 122
September 25, 2017	Monday	City Council Meeting @ 6:00 p.m.-Chambers	

October 02, 2017	Monday	FC	@ 11:00 a.m. Room 122
October 03, 2017	Tuesday	PSC	@ 12:00 p.m. Room 122
October 09, 2017	Monday	City Council Meeting @ 6:00 p.m.-Chambers	
October 16, 2017	Monday	FC	@ 11:00 a.m. Room 122
October 17, 2017	Tuesday	PSC	@ 12:00 p.m. Room 122
October 23, 2017	Monday	City Council Meeting @ 6:00 p.m.-Chambers	

October 30, 2016 - 5th week-no regularly scheduled meetings

November 06, 2017	Monday	FC	@ 11:00 a.m. Room 122
November 07, 2017	Tuesday	PSC	@ 12:00 p.m. Room 122
November 13, 2017	**Monday**	**City Council Meeting @ 6:00 p.m.-Chambers**	
November 20, 2017	Monday	FC	@ 11:00 a.m. Room 122
November 21, 2017	Tuesday	PSC	@ 12:00 p.m. Room 122
November 27, 2017	Monday	City Council Meeting @ 6:00 p.m.-Chambers	

December 04, 2017	Monday	FC	@ 11:00 a.m. Room 122
December 05, 2017	Tuesday	PSC	@ 12:00 p.m. Room 122
December 11, 2017	Monday	City Council Meeting @ 6:00 p.m.-Chambers	
December 18, 2017	Monday	FC	@ 11:00 a.m. Room 122
December 19, 2017	Tuesday	PSC	@ 12:00 p.m. Room 122
December 26, 2017	**Tuesday**	**City Council Meeting @ 6:00 p.m.-Chambers**	

CITY COUNCIL ASSIGNMENTS
FOR 2016

PRESIDENT:	Bryan Cook	2016
VICE PRESIDENT:	Dicky Shanor	2016

FINANCE COMMITTEE
(1st & 3rd Mondays 11:00 am)
Committee Room 122

Jim Brown-Chairman
Mike Luna
Jeff White
Annette Williams

PUBLIC SERVICES COMMITTEE
(1st & 3rd Tuesdays 12:00 pm)
Committee Room 122

Dr. Mark Rinne -Chairman
Richard Johnson
Scott Roybal
Dicky Shanor

COW
Generally1st & 3rd Wednesday 6:00 p.m. **(Scheduled on an as need basis)**
Council Chambers

GOVERNING BODY SEATING ARRANGEMENT

From the South to the North (Left to Right)

Jim Brown
Mike Luna
Dicky Shanor
Annette Williams
Bryan Cook
Mayor Kaysen
Carol Intlekofer
Dan White
Richard Johnson
Scott Roybal
Mark Rinne
Jeff White

Updated 01/12/16

Handout 8

CHEYENNE CITY COUNCIL

PUBLIC LIST

2101 O'Neil Avenue
Cheyenne WY 82001

Phone: (307) 637-6357
Fax: (307) 637-6356

MARIAN ORR MAYOR
Term: 2017-2020

WARD I
PETE LAYBOURN
515 E. 25th Street
Cheyenne WY 82001
631-2427 (C)
Term: 2005 thru 2008
2017 thru 2020
playbourn@cheyennecity.org

WARD II
BRYAN COOK (Margie)
805 Samuel Lane
Cheyenne WY 82009
214-0278 (C)
Term: 2013 thru 2016
2017 thru 2020
bcook@cheyennecity.org

WARD III
ROCKY CASE (?)
1703 Gettysburg Drive
Cheyenne WY 82001
220-1264(C)
Term: 2017 thru 2020
rcase@cheyennecity.org

WARD I
SCOTT ROYBAL
901 E. 20th Street
Cheyenne WY 82001
637-6358 (VM)
Term: 1997 thru 2000
2015 thru 2018

WARD II
DR. MARK RINNE (Roseann)
2847 Foothills Road
Cheyenne WY 82009
634-6275 (H)
Term: 1989 thru 1992
1993 thru 1996
2007 thru 2010
2011 thru 2014
2014 thru 2018
mrinne@cheyennecity.org

WARD III
RICHARD JOHNSON
612 Mc Govern Avenue
Cheyenne WY 82001
637-6360 Voice Mail
Term: 2015 thru 2018
rjohnson@cheyennecity.org

WARD I
JEFF WHITE (Christy)
1512 East 22nd Street
Cheyenne WY 82001
640-6338 (C)
Term: 2016 thru 2016
2017 thru 2020
jwhite@cheyennecity.org

WARD II
DICKY SHANOR (Marianne)
7411 Daniel Court
Cheyenne WY 82009
222-9559 (C)
Term: 2013 thru 2016
2017 thru 2020
dshanor@cheyennecity.org

WARD III
MIKE LUNA (Vickie)
3525 Birch Place
Cheyenne WY 82001
631-1656 (C)
Term: 2013 thru 2016
2017 thru 2020
mluna@cheyennecity.org

PRESIDENT: **?** **2017**
VICE PRESIDENT: **?** **2017**

FINANCE COMMITTEE (2016)
(1st & 3rd Mondays 11:00 am)

?-Chairman
?
?
?

PUBLIC SERVICES COMMITTEE (2016)
(1st & 3rd Tuesdays 12:00 pm)

?-Chairman
?
?
?

Rev. 11/16/16

Handout 9

City Council Appointments to Boards-Commissions-Committees

Airport Board **2016**	Airport Board **2017**
Cook-Ex-Officio	Roybal -Ex-Officio
Art In Public Places **2016**	Art In Public Places **2017**
Williams -Ex-Officio	~~Williams~~ -Ex-Officio
Board of Public Utilities **2016**	Board of Public Utilities **2017**
Council Rotates-each month-Williams	Council Rotates-each month- Williams
City County Health Board **2016**	City County Health Board **2017**
Brown- Ex-Officio	~~Brown~~ - Ex-Officio
Community Action of Laramie Co. **2016**	Community Action of Laramie Co. **2017**
Williams-Ex-Officio	~~Williams~~ -Ex-Officio
Downtown Development Authority **2016**	Downtown Development Authority **2017**
Rinne -Voting Member	Rinne -Voting Member
Economic Development JPB **2016**	Economic Development JPB **2017**
Brown-Ex-Officio	White -Ex-Officio
Fire & Police Civil Service Commiss. **2016**	Fire & Police Civil Service Commiss. **2017**
Appointed by Mayor for review and approval of amendments to the Rules and Regulations only-Shanor-Cook- & Roybal	Appointed by Mayor for review and approval of amendments to the Rules and Regulations only- Shanor-Cook- & Roybal
Friends of The Botanic Gardens **2016**	Friends of The Botanic Gardens **2017**
Rinne-Voting Member	Rinne -Voting Member
GIS Executive Committee **2016**	GIS Executive Committee **2017**
Brown-Voting Member	~~Brown~~ -Voting Member
Greenway Advisory Committee **2016**	Greenway Advisory Committee **2017**
Cook-Ex-Officio	Johnson -Ex-Officio
H&C Development Advisory Comm. **2016**	H&C Development Advisory Comm. **2017**
Williams-Ex-Officio	~~Williams~~ -Ex-Officio
Historic Preservation Board **2016**	Historic Preservation Board **2017**
Johnson-Ex-Officio	Luna -Ex-Officio
Human Services Advisory Comm. **2016**	Human Services Advisory Comm. **2017**
Williams &-Shanor Ex-Officio	Roybal &-Shanor Ex-Officio
Investment Fund Committee **2016**	Investment Fund Committee **2017**
Rinne-Brown-Voting Members	Cook-Brown -Voting Members
Mayor's Youth Council **2016**	Mayor's Youth Council **2017**
As needed by invitation from Youth Council.	As needed by invitation from Youth Council.
Mayor's Council for People W/Disabilities	Mayor's Council for People W/Disabilities
Williams -Ex-Officio	White -Ex-Officio
MPO Policy Committee **2016**	MPO Policy Committee **2017**
Luna -Ex-Officio	White -Ex-Officio
Personnel Commission **2016**	Personnel Commission **2017**
Roybal-Ex-Officio	Roybal -Ex-Officio

2017

Handout 10

KFBC Schedule 2017

All shows will be on the Monday's of the City Council Meetings

Start Time 8:30 A.M. Location: 1806 Capitol Ave.

January 09, 2017	Scott Roybal	**Fill-ins when possible ?**
January 23, 2017		
February 13, 2017	Dicky Shanor	
February 27, 2017	Jeff White	
March 13, 2017	Scott Roybal	
March 27, 2017	Dicky Shanor	
April 10, 2017		
April 24, 2017	Jeff White	
May 08 2017	Scott Roybal	
May 22, 2017	Dicky Shanor	
June 12, 2017	Jeff White	
June 26, 2017	Scott Roybal	
July 10, 2017		
July 24, 2017	Dicky Shanor	
August 14, 2017	Jeff White	
August 28, 2017	Scott Roybal	
September 11, 2017	Dicky Shanor	
September 25, 2017	Jeff White	
October 09, 2017	Scott Roybal	
October 23, 2017	Dicky Shanor	
November 13, 2017		
November 27, 2017	Jeff White	
December 11, 2017	Scott Roybal	
December 26, 2017?	Dicky Shanor	

Handout 11

Chairing Procedures for the Finance Committee Meetings of the City Council.

1. Call meeting to order – "Welcome to the January 04, 2017 Finance Committee". **Please make sure you say the full date.**

2. Ask the public to sign in and turn cell phones off or to vibrate.

3. Ask the public to come to the podium and identify themselves if they would like to comment during the public comment period.

4. Call on the clerk to read agenda item.

5. Call for Staff Report.

6. Following report, call for public comment.

7. Following public comment, call for a motion and second.

8. Once motion and second is taken, call for discussion from Committee Members.

9. Following Committee Members discussion, call for vote.

10. Report the recommendation "The recommendation from Finance Committee will be to approve, adopt, accept the bid, etc, at the next Governing Body meeting, next item…..

    or

    There will be no recommendation from Finance Committee on this item at the next Governing Body meeting, next item…..

****NOTES****

Main motion and second must ***always*** be made ***before*** any motion is made to postpone or amend.

If after a main motion and second has been made, a motion to postpone or amend is made and seconded, Chair will open discussion to public again, then open discussion for Committee members.

Revised 11-16-16

Handout 12

Chairing Procedures for Public Services Committee Meetings of the City Council.

1. Call meeting to order – "Welcome to the January 04, 2017 Public Services Committee". **Please make sure you say the full date and Committee name.**

2. Ask the public to sign in and turn cell phones off or to vibrate.

3. Ask the public to come to the podium and identify themselves if they would like to comment during public comment period.

4. Call on the clerk to read agenda item.

5. Call for Staff Report.

6. Following staff report call for a developer report (if necessary) when developer is done, call for public comment.

7. Following public comment, call for a motion and second.

8. Once motion and second is taken, call for any additional comments or questions from Committee Members.

9. Following Committee Members discussion, call for vote.

10. Following vote, report the recommendation "The recommendation from the Public Services Committee will be to approve, adopt, acknowledge receipt etc, at the next meeting of the Governing Body, next item…..

Or if the item failed or died…..

There will be no recommendation from the Public Services Committee on this item at the next meeting of the Governing Body, next item…..

****NOTES****

Main motion and second must ***always*** be made ***before*** any motion is made to postpone or amend.

If after a main motion and second has been made, a motion to postpone or amend is made and seconded, Chair will open discussion to public again, then open discussion for Committee Members.

Revised 11-16-16

Samples For Giving Motions and For Reporting From Committee.

Ordinances	Approve
Resolutions	Adopt
Bids	Accept
Contracts	Approve
Preliminary Plats & Final Plats	Acknowledge Receipt
Transfer of Ownership	Approve

Examples of motions in Committee

Public Services Committee

10. ORDINANCE – 3rd READING - Pursuant to Section 2.2.1 Zoning Map Amendment, Section 5.1.2 Zoning Districts Established, and Section 5.1.3 Official Zoning Map of the Unified Development Code, changing the zoning classification from MR-1 Medium-Density Residential Established District to MUB Mixed-Use Business Emphasis District for Block 16, Park Addition, Cheyenne, Wyoming (located between Richardson and Cosgriff Courts and between Ames Court and Dey Avenue). (SPONSOR - AMBER ASH)

Mr. Chairman, I move to approve on 2nd reading……. Or

Mr. Chairman, I move to approve on 2nd reading with staff recommendations #2 through 10…… Or

Mr. Chairman, I move to approve on 2nd reading…….Mr. Chairman, I move to amend by substitute…….

21. RESOLUTION - Accepting the North Industrial Road (also known as Campstool Way) from the Wyoming Department of Transportation. (SPONSOR-GEORGIA BROYLES)

Mr. Chairman, I move to adopt……. Or

Mr. Chairman, I move to adopt with staff recommendations #1, 2 &3…. Or

Mr. Chairman, I move to postpone for 2 weeks to 10-23-06…….

2013
2016

Handout 13

14. PRELIMINARY PLATS/PRELIMINARY ZONE CHANGES:

a) Preliminary Plat for Gateway South, 3rd Filing, a replat of Lots 1, 2, 4 and 5, Block One, Gateway South, 2nd Filing, Cheyenne, Wyoming (located at the southeast corner of the intersection of W. Fox Farm Road and Walterscheid Boulevard).

Mr. Chairman, I move to acknowledge receipt of the Preliminary Plat with staff recommendations #1 through 5, and I so move.... Or

Mr. Chairman, I move to acknowledge receipt of the Preliminary Plat with Planning Commission recommendations and compliance with PUD criteria requirements..... Or

15. RESOLUTION - Authorizing the Mayor and the City Clerk to sign a Final Plat for Chaplin Park Annex, a replat of Lots 1-6 and the 16-foot vacated alley, Block 16, Park Addition, Cheyenne, Wyoming (located between Richardson and Cosgriff Courts, and between Dey Avenue and Ames Court). (SPONSOR - AMBER ASH)

Mr. Chairman, I move to acknowledge receipt of the Final Plat with staff recommendations #1, 4 & 7....

Samples For Motions In Committee

Finance Committee

8. a)

Transfer of ownership and location for a retail liquor license application filed with the City Clerk's Office for Cheyenne OTB LLC d/b/a Wyoming OTB, 3307 Nationway, Cheyenne, WY. (License currently held by U.S. Motels Denver West, Inc. d/b/a Central Cafe, 5401 Walker Road, Cheyenne, WY.)

Mr. Chairman, I move to approve....

24. RESOLUTION - Expressing the Governing Body's support for an application by the Early Education Partnership to the Wyoming Business Council for a Business Committed Grant in the amount of one and one-half million dollars ($1,500,000) for the purpose of developing a facility to offer high-quality preschool education and child care services to the citizens of Cheyenne and Laramie County. (FINANCE COMMITTEE) (Postponed from 09-25-06)

Mr. Chairman, I move to adopt....

28. LEASES/CONTRACTS/LEGAL:

b) Agreement between Laramie County School District No. 1 and the City of Cheyenne, Office of Youth Alternatives, for counseling services to elementary and secondary age children who are suspended from school and are attending the PEP/TRC Center.

Mr. Chairman, I move to approve....

28. LEASES/CONTRACTS/LEGAL:

f) Agreement between the City of Cheyenne and BHA Design for design services on the David R. Romero South Cheyenne Community Park Master Plan. (1% Specific Purpose Sales & Use Tax)

Mr. Chairman, I move to approve the contract with BHA Design, INC. of Ft. Collins, CO, in an amount not to exceed $81,164.00.....

29. CHANGE ORDERS/CONTRACT MODIFICATIONS:

b) Revision of the Wyoming Association of Risk Management Joint Powers Agreement.

Mr. Chairman, I move to approve....

30. CONSIDERATION OF BIDS:

c) Consideration of Bid #R-5-07 for furnishing Bunker Coats and Pants to the City of Cheyenne Fire Department. (1% Specific Purpose Sales & Use Tax)

Mr. Chairman, I move to accept the bid from L.N. Curtis & Sons, Salt Lake City, UT, in the amount of $134,415.00....

31. ANNOUNCEMENTS/REPORTS/MOTIONS:

b) Authorization to purchase a used 2005 Rotochopper MC 266 horizontal grinder w/ colorizer for the Sanitation Department.

Mr. Chairman, I move to approve the purchase from Vermeer Sales & Service, Pella, Iowa, in the amount of $200,000.00.....

CITY COUNCIL AGENDA GUIDELINES

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- Appointment Application
- Reappointment Application

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Handout 14

CONSENT AGENDA ADMINISTRATIVE PROCEDURAL GUIDELINES

(Revised October 2008)

1. Prior to a motion to approve the consent agenda, the Mayor will inquire whether any member of the governing body wishes to remove any item from the consent agenda. Such item will be removed if the request is supported by at least two other members of the governing body. The supporting members may limit their support to one or more, or all of the items. Items removed will be acted upon in its usual sequence on the agenda. The remaining designated consent agenda items will be included in the consent agenda motion and vote.

2. Motion to approve the consent agenda must carry by an affirmative majority vote of members present.

3. If any member of the governing body intends to declare a conflict of interest or abstain from voting on any item included in the consent agenda, that member must request the item be removed from the consent agenda prior to the motion to approve but not later than the call for the vote.

4. Other than a request for procedural clarification, a motion to approve consent agenda items is not debatable.

5. Each item designated for inclusion on the consent agenda is listed by its usual title and in its usual agenda order in the minutes prepared by the city clerk with the vote from the consent agenda motion indicated for each item (Wyo. Stat. §15-1-106 "... manner in which each member of the governing body votes on any matter upon which a vote is taken shall be entered in the journal.").

6. Eligible consent agenda items on first reading or readings where a vote will not be taken (ex: resolution postponed for more than the next regular meeting resulting in the item being referred back to a City Council standing committee for review) may be included on the consent agenda. The regular agenda for the meeting will indicate referral back to the respective committee.

7. Public hearings/meetings, presentations (ex: recent presentation of check to the City from Chamber of Commerce for skateboard park) will not be included as a consent agenda item.

8. Announcements on the agenda are not voted upon and will be read by the city clerk as part of the usual agenda (ie: not included in the consent agenda).

9. Ordinances will not be included as consent agenda items (Wyo. Stat. §15-1-115 (c) " ... Every ordinance shall be publicly read on three (3) different days ... may be by title only ...").

2013
2017

Handout 15

10. If contracts (final approval) are included on consent agenda, the agenda for that item will list the successful bidder name and amount of bid approved through the consent agenda motion and vote. This information will also be included in city clerk's minutes of the meeting.

11. Items reviewed by City Council standing committees resulting in a recommendation to amend, postpone, or in any way change or alter the document to be voted upon as originally submitted for the agenda, will not be included in the consent agenda. Exception: A modification to a document that is an administrative clarification (ie: typographical or inadvertent clerical errors, etc.), with prior communication of same provided to governing body members, that is not considered a substantive change to the document.

12. Prior to issuance of the regular meeting agenda, the Mayor, City Attorney and City Clerk, or designated representatives if needed, will review proposed agenda items and determine which items will be included on the consent agenda.

13. The following terms contained in the ordinance implementing the consent agenda format are interpreted to mean:

"**sufficient information**" - information adequate to permit the council member to vote as he or she did, obviating any possibility of an arbitrary or capricious action on their part.

"non-controversial" - that which is not normally, reasonably considered to be subject to dispute.

"routine" - a set of customary and often mechanically performed procedures or activities.

Approved as to form only:
SCK
Date: 10-21-08

ORDINANCE NO. 3830

ENTITLED: "AN ORDINANCE AMENDING SUB-SECTIONS (B) AND (C) OF SECTION 2.04.142, CONSENT AGENDA, OF TITLE 2, ADMINISTRATION AND PERSONNEL, OF CHAPTER 2.04, MAYOR AND CITY COUNCIL, OF THE CHEYENNE CITY CODE, PERTAINING TO THE MEETING AGENDA FORMAT FOR REGULAR MEETINGS OF THE GOVERNING BODY OF THE CITY OF CHEYENNE."

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CHEYENNE, WYOMING:

Section 1. That sub-sections (B) and (C) of Section 2.04.142(C), entitled Consent agenda, of Title 2, Administration and Personnel, of Chapter 2.04, Mayor and City Council, of the Cheyenne City Code, pertaining to the meeting agenda format for regular meetings of the governing body of the City of Cheyenne, are hereby amended as follows:

2.04.142 Consent agenda.

B. The mayor, city clerk and city attorney will review and determine which agenda items should be included in the consent agenda. Similar to nonconsent agenda items, documentation pertaining to consent agenda items will be provided, in advance, to all members of the governing body and available for public inspection prior to the regular meeting.

1. Matters to be placed on the consent agenda will include referrals and those items that have been previously discussed by the governing body or reviewed at city council standing committees in which sufficient information has been obtained by governing body members that would not require further documentation or explanation, and those that are considered routine or self-explanatory in nature that passage without discussion is likely. Agenda items involving **ORDINANCES,** public meetings, hearings or public announcements will not be included in a consent agenda.

C. All items listed on a consent agenda are intended to be considered by the governing body as a single item enacted by one motion to approve with vote. The motion shall be nondebatable, unless a member of the governing body requests a procedural clarification, and will have the effect of moving to approve all items designated as being included on the consent agenda. ~~Since approval of consent agenda items implies unanimous consent by those members in attendance,~~ any member of the governing body present shall have the right to request, upon their own initiative or in response to an audience request, without vote or debate, that any item(s) be removed from the consent agenda. ~~Audience members may request any member of the governing body to remove one item from the consent agenda.~~ **SUCH ITEM(S) SHALL BE REMOVED FROM THE CONSENT AGENDA IF THE REQUEST IS SUPPORTED BY AT LEAST TWO OTHER MEMBERS OF THE GOVERNING BODY. THE SUPPORTING MEMBERS MAY LIMIT THEIR SUPPORT TO ONE OR MORE, OR ALL OF THE ITEMS. AUDIENCE MEMBERS MAY REQUEST ANY MEMBER OF THE GOVERNING BODY TO REMOVE ITEM(S) FROM THE CONSENT AGENDA.** Prior to calling for a motion to approve, the mayor will inquire whether a member of the governing body wishes to remove any item(s) from the consent agenda. If a request is made to remove an item(s) **AND REQUIRED SUPPORT OF TWO OTHER MEMBERS IS ALSO RECEIVED,** the mayor will announce the item(s) **FOR WHICH A REQUEST AND THE REQUIRED SUPPORT WAS RECEIVED** has been removed and the item(s) so removed will then be acted upon in the normal agenda sequence as for nonconsent agenda items. Items on the consent agenda for referral to committee are exempt from removal.

1. Approval of a motion to approve the consent agenda shall be fully equivalent to approval, adoption or enactment of each consent agenda item as if each item had been acted upon individually.

Section 2. That this ordinance shall be in full force and effect upon its approval and publication.

FIRST READING: September 22, 2008

SECOND READING: October 13, 2008

THIRD AND FINAL READING: October 27, 2008

(S E A L)

JACK R. SPIKER, MAYOR

ATTEST:

Carol Intlekofer

CAROL INTLEKOFER, CITY CLERK

Published: Wyoming Tribune-Eagle

City
of
CODY

Suggestions for Successful Public Service

Compliments of the Association of Washington Cities

1. Learn all you can about your city, its history, its operation, its financing. Do your homework. Know your city ordinances. Dust off your comprehensive plan.
2. Devote sufficient time to your office and to studying the present and future problems of your community.
3. Don't **burn yourself out on the little things, but recognize that they are often important to the** public. Save some energy - and time - for the important matters.
4. Don't **act as a committee of one; governing a city requires a team effort** - practically and legally.
5. Don't **let honest differences of opinion within the governing body degenerate into personality** conflicts.
6. Remember that you represent all the people of your community, not just neighbors and friends. Be wary of personal experiences coloring your public decisions.
7. Take your budget preparation job seriously for it determines what you city does or does not do for the coming year, and will influence what happens in future years as well.
8. Establish policy statements. Written policy statements let the public, and the city staff, know where they stand. They help the governing body govern, and writing them provides a process to develop consensus.
9. Make decisions on the basis of public policy, and be consistent. Treat similar situations similarly and avoid favoritism.
10. Focus your attention on ways to prevent problems rather than just trying to solve them as they occur. Filling potholes is one approach to governing - developing plans to prevent them is more important.
11. Don't **be misled by the strong demands of special interest groups who want it done now, their** way. Your job is to find the long-term public interest of the community as a whole, and you may be hearing from the wrong people.
12. Don't **be afraid of change. Don't be content to just follow the routine of your predecessors.** Charge you appointed officers and employees with being responsible for new ideas and better ways. Listen to what they have to say.
13. Don't **rush to judgment. Few final actions have to be taken at the first meeting they are** considered. Avoid crisis management.
14. Don't **give quick answers when you are not sure of the real answer. It may be embarrassing to** appear ignorant, but it can be more embarrassing and damaging, to tell a person that is wrong.
15. As an individual, even if you are the Mayor, don't **make promises you can't deliver! Most** decisions and actions require approval of the governing body, and this takes a majority vote.

Suggestions for Successful Public Service

16. Remember that you have legal authority as a governing body member only when the governing body is in legal session.
17. Don't spring surprise s on your fellow governing body members or your city staff, especially at formal meetings. If a matter is worth bringing up for discussion, it's worth being on the agenda. Surprises may get you some publicity, at the embarrassment of others, and tend to erode the team approach to governance.
18. Conduct your official public meetings with some formality, and follow rules of procedure. Have an agenda and follow it. Most governing body members agree that formal meetings expedite the process, and tend to promote better decision making.
19. Participate in official meetings with the dignity and decorum fitting those who hold a position of public trust. Personal dress and courteous behavior at meetings help create an environment for making sound public decisions.
20. Don't be afraid to ask questions. It is one of the ways we learn. But do your homework by studying agenda material before meetings.
21. Vote yes or no on motions. Don't cop out by abstaining, except when you have a conflict of interest. A pass does not relieve you of responsibility when some decision must be made.
22. Once a majority decision of the governing body has been made, respect that official position, and defend it if needed, even if you personally disagree.
23. Respect the letter and intent of the open meetings law. But also keep private and confidential matters to yourself – don't gossip.
24. Retain competent, key employees. Pay them well, trust their professional judgment and recognize their authority and responsibilities.
25. Don't bypass the system! If you have a manager or other administrative officer, stick to policymaking and avoid personal involvement in the day to day operations of the city. If you do not have an administrative officer, make sure you have some management system that officers, employees and the public understand.
26. Don't let others bypass the system. Insist that people such as equipment or service suppliers first work with your city staff. IF direct contact with governing body members is necessary, it should be with the governing body as a whole, or a committee, and not on a one-on-one basis.
27. Don't pass the buck to the staff or employees when they are only following your policies or decisions.
28. Don't always take no for an answer. The right question may be "How can we do this?" instead of "May we do this?" Be positive!
29. Learn to evaluate recommendations and alternative courses of action. Ask your staff to provide options. Encourage imaginative solutions.
30. Avoid taking short-term gains at the expense of long-term losses. Be concerned with the long-term future of the city.
31. Be friendly and deal effectively with the news media. Make sure what you say is what you mean. Lack of good communication, with the media and the public, is one of the big problems of cities.
32. Remember that what you say, privately and publicly, will often be news. You live in a glass house. Avoid over-publicizing minor problems.
33. In determining the public interest, balance personal rights and property interests, the possible harm to a few versus the good of the many. Recognize that in some situations, everyone can't be

Suggestions for Successful Public Service

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33. In determining the public interest, balance personal rights and property interests, the possible harm to a few versus the good of the many. Recognize that in some situations, everyone can't be a winner.
34. Remember that cities are for people! Be concerned with the total development – physical, economic and social – of your community.
35. Don't act as if the city operates in a vacuum. Cities must work within the intergovernmental system to be effective. Keep in contact and cooperate with your federal, state, county and school officials.
36. Know your neighbors. Get to know the officials of neighboring and similar size cities. Visit other cities, particularly those with a reputation of being well run.
37. Keep your constituents informed, and encourage citizen participation.
38. Learn to listen – really listen – to your fellow governing body members and the public. Hear what they are trying to say, not just the words spoken.
39. Expect and respect citizen complaints. Make sure that your governing body members, and your city, have a way to effectively deal with them. Have a follow-up system.
40. Be careful about rumors. Check them out. Help squelch them when you know they are false.
41. Appoint citizen advisory committees and task forces when you need them, but be prepared to follow their advice if you use them.
42. Take care in your appointments to boards and commissions. Make sure they are willing and capable as well as representative of the whole community.
43. Never allow conflicts of interest to arise between your public duties and your private interests. Be sensitive to actions you take that might even give the appearance impropriety.
44. Seek help. Use manuals, guides and other technical assistance and information available from the Wyoming Association of Municipalities and other agencies. Attend workshops and conferences put on for the benefit of you and your city.
45. Pace yourself. Limit the number of meetings you attend. Set some priorities, including the need to spend time with your family. Recognize that life – and the city – is dependent on a lot of things you have little control over.
46. Be a leader, as well as a part of the team of elected and appointed officials who were selected to make your city an even better place to live.
47. Establish some personal goals and objectives. What do you want to help accomplish this year? Next year?
48. Help develop some short-term and long-term goals and objectives for your city and check your progress at least every six months.
49. Help your city develop a vision of the future. Plan going from the future to the present and listen to different community voices along the way.
50. Focus on the future, and try to leave your city better than that which you inherited as a city officer.
51. At least once a year, schedule a governing body discussion about how you are governing. Review the processes and procedures. Sit back and ask, **"How are we doing? How can we do things better?"**
52. Be enthusiastic about your public service, and the privilege you have, and let the public know it. But maintain your sense of humor. Don't take yourself or the business of government so seriously that you don't enjoy it. It should be fun as well as a rewarding experience.
53. Celebrate! Always focusing on problems and issues may lead you and the public to believe that nothing positive ever happens. Good things do happen. Let the public share our successes.

City of Cody
2011 Orientation

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COUNCIL ETHICS AND CONDUCT

Applicable Laws:

- Wyoming Ethics and Disclosure Act (W.S. 9-13-101 through 109).
- Public Meetings Act (W.S. 16-4-401 through 408)
- W.S. 6-5-103 – 6-5-118

Hypothetical #1



Tad Pitt and Angie Jolina are members of the 7-person Absaroka City Council.

One afternoon, they get together at Tad's Hollywood Tavern to discuss their views on the health insurance for the city staff. This is a topic the council tabled after much discussion at their last council meeting.

Hypothetical #1 - continued

Tad and Angie are soon joined by Tom Shoes and Sadie Holmes, also council members. All four engage in a lively discussion of health insurance. Tad suggests that they should cut the city's contribution to the employees' health savings account. Angie, Tom and Sadie agree.



Hypothetical #1 – continued

A reporter from the Wyoming Enquirer sitting nearby overhears the discussion, and begins writing a story with the following headline: "City Council Cuts Employee Insurance Benefits During Illegal Meeting."



Did Tad, Angie, Tom and Sadie violate the Wyoming Public Meetings Act?

Review of Public Meetings Act

A "meeting" is "an assembly of at least a quorum of the governing body of an agency which has been called by proper authority of the agency for the purpose of discussion, deliberation, presentation of information or taking action regarding public business."



General Rule: "All meetings of the governing body of an agency are public meetings open to the public at all times . . ." W.S. 16-4-403(a).

A council can only take action at a public meeting following proper notice of the meeting.

Members of the public who attend meetings are not required to provide name, supply information or fulfill any condition precedent to attend. A person who would like to speak during the meeting may be required to give their name and affiliation. W.S. 16-4-403(b).

The council must keep minutes of its meetings, including executive sessions.



Notice of meetings: Notice of special meetings must be given to each newspaper of general circulation, radio or television station *requesting notice*. The notice must specify the time and place of the special meeting and the business to be transacted. No other business may be considered at the special meeting.

Executive Sessions:

A council can only conduct an executive session if it fits one of the specific reasons allowed by law:

- Threats to security of public or private property, or a threat to public's right of access.
- Consider appointment, employment, right to practice or dismissal of a public officer, professional person or employee, or to hear complaints or charges brought against an employee, professional person or officer.

(Executive Sessions, continued)

- To discuss litigation or proposed litigation.
- To consider selection of a site or purchase of real estate when the publicity would likely cause an increase in the price.
- To consider or receive any information classified as confidential by law (i.e., attorney-client privilege).

(Executive Sessions, continued)

- To consider accepting or tendering offers concerning wages, salaries, benefits and terms of employment during all negotiations.

Penalty



W.S. 16-4-408: Any member of an agency who knowingly and willfully violates the Public Meetings Act is guilty of a misdemeanor, punishable by a fine of not more than $750.

Hypothetical #2

The City of Wapiti sends out monthly electric bills to the residents of Wapiti. Absaroka County is promoting a 1-cent capital facilities tax to build a pool for the citizens of Absaroka County. A local supporter of the initiative approaches the Mayor about including a brochure in the envelope with the next bills.

Hypothetical #2 - continued

The brochure is produced and paid for by a political action committee which supports the capital facilities tax. The brochure is two 8-1/2 x 11 sheets folded into thirds. The brochure includes statements describing the purpose of the tax and the cost of the project. The brochure also explains why the county needs a new pool and how the pool will benefit the community.

Should the City of Wapiti include the brochure in its newsletter?

Misuse of Office (W.S. 9-13-105)

Public Officials shall not use public funds, time, personnel, facilities or equipment for political or campaign activity.





Hypothetical #3



Elvis Presley is discovered alive and well in Wyoming, and is also a member of the City Council of the City of Centennial. Before his election to the City Council, he was an employee in the electrical department. He is still acquainted with some of the staff members there.

Hypothetical #3 - continued

The Centennial City Council is considering a realignment of the city leadership, including the department heads and administrator. The topic has become quite controversial, and has divided the community. The Council has moved the next meeting from the Council Chambers to the High School Gymnasium to accommodate the anticipated crowd. When the topic comes up at the meeting, Elvis promptly declares that he has a conflict of interest, and that he will abstain from the decision on realignment.

Should Elvis abstain in the hearing?

W.S. 9-13-106:

A public official shall recognize the importance of his right to represent his constituency and shall abstain from voting only in clear cases of a personal or private interest as defined in this subsection.

Hypothetical #4

Augustus McCrae has represented the residents of Kerwin, Wyoming in the State Senate for several terms. He is now running for Congress. As a state legislator, he has been a strong advocate for local governments and cities. He contacts his long-time friend, Captain Call, who is a Mayor in Lonesome Dove, Wyoming, and asks for his help and support in the campaign.

Hypothetical #4 - Continued

Captain Call writes letters to several influential political leaders in Wyoming endorsing Augustus and encouraging them to vote for Augustus in the next election. The letter is written on letterhead of the Town of Lonesome Dove, and signed "Mayor Lonesome Dove".



Hypothetical #5

Todd Helton retires to Powder River City, Wyoming, after the Colorado Rockies beat the Baltimore Orioles in the 2009 World Series. He is promptly elected to the local city council. At the next meeting, the council will select someone to redesign and maintain the city's website.

Hypothetical #5 – Continued

Todd's nephew, Dante, is a 26 year-old self-employed web designer who has submitted a proposal to redesign and maintain the City's website. Dante was raised by Todd and his wife, although they never adopted Dante. Todd and Dante are very close, and Dante even served as a bat boy for the Rockies when he was younger.

Does Todd have a conflict of interest?



ETHICS AND DISCLOSURE

Important Definitions:



"Family Member": includes spouse, parent, sibling, child, grandparent, grandchild, or someone who is a member of the individual's household.

(Definitions, continued)

- "Public Official": an individual elected to a state or local office, or an individual appointed to fill a vacancy in a state or local office, whether or not the individual has assumed the office.
- "Local Office": includes the member of the city council.

Nepotism (W.S. 9-13-104)



No public official or employee shall advocate or cause the employment, appointment, promotion, transfer or advancement of a family member to an office or position of a municipality.

A public official or employee shall not supervise or manage a family member who is in an office or position of a municipality.

(Nepotism, continued)

A public official or employee shall not participate in his official capacity regarding a matter relating to the employment or discipline of a family member.

Official Decisions and Votes: W.S. 9-13-106

A public official shall not make an official decision or vote on an official decision if the public official has a personal or private interest in the matter.

A personal or private interest is an interest, with respect to the public official, which is direct and immediate; and

Is an interest that provides the public official a greater benefit or a lesser detriment than it does for a large or substantial group of similarly situated people.

What does this mean? Usually, a personal or private interest occurs when the outcome of a board action may provide an economic benefit to the board member or someone in the board member's household.

Hypothetical #6

Al Bore is elected to the Town Council in the Town of Cloud Peak. Al generally spends his mornings at the Rumor Mill Coffee Shop with a group of friends, drinking coffee and solving the world's problems.



Hypothetical #6 – Continued

During one conversation, one of Al's friends says Al ought to do something about the City Attorney, George W. Mush, who has been protecting the employees by changing their evaluations. In fact, he even heard that last year, one of the employees, Looter Fibby, was drinking beer at work and started a fight, and Mr. Mush covered it up. Several others at the table confirm this fact, and add their own facts to the story.

Hypothetical #6 – Continued



Al Bore is very concerned about these allegations. After finishing his coffee, he goes to city hall and asks to see the personnel file of Mr. Mush. He also asks to see the files and disciplinary records, of certain employees, including Looter Fibby.

Should the staff give Al Bore the files he has requested?

Hypothetical #7

Harry Potter was elected to the Ralston City Council. His close friend, Ron Weasley, has sued the City of Ralston because of a wicked mid-air collision with another wizard while riding his broom. He claims the City of Ralston negligently failed to post signs regulating the traffic over the City.





The Ralston City Council meets in executive session to discuss the lawsuit and a potential settlement. They direct the City Attorney to offer a brand new Nimbus 2009 broom to Ron to replace the one he lost in the crash. They also authorize the City Attorney to eventually offer Ron a small quantity of gold, but only if Ron rejects the broom as settlement.



Harry believes Ron will get so angry about the broom offer that he'll refuse to negotiate and force the City to go through a costly trial. Harry believes he can help both the City and the friend avoid the costs of litigation if Ron knows the City will offer the gold. He visits his friend Ron, and tells him the City is willing to offer and gold are a fair deal.

Did Harry act appropriately?

(Misuse of Office, continued)

Public officials shall not disseminate to another person official information which the public official obtains through or in connection with his position. (i.e., information obtained in executive sessions).



Penalty for Violating Government Ethics Act, W.S. 9-13-109:

Misdemeanor punishable by a fine of not more than $1,000. A violation constitutes sufficient cause for removal from public office.



W.S. 6-5-103. Compensation for past official behavior; penalties.

(a) A person commits an offense if he solicits, accepts or agrees to accept any pecuniary benefit as compensation for having, as a public servant, given a decision or vote favorable to another, or for having otherwise exercised a discretion in his favor, or for having violated his statutory duties. For purposes of this section, "compensation" does not include mere acceptance of an offer of employment.

W.S. 6-5-103 – Continued

(b) Compensation for past official behavior is a felony punishable by imprisonment for not more than ten (10) years, a fine of not more than five thousand dollars ($5,000.00), or both.





W.S. 6-5-104. Soliciting unlawful compensation; penalties.

(a) A public servant commits soliciting unlawful compensation if he solicits, accepts or agrees to accept a pecuniary benefit for the performance of an official action knowing that he was required to perform that action without compensation or at a level of compensation lower than that requested.

W.S. 6-5-104, continued.

(b) Soliciting unlawful compensation is a felony punishable by imprisonment for not more than ten (10) years, a fine of not more than five thousand dollars ($5,000.00), or both.

W.S. 6-5-105. Designation of supplier; penalties; affirmative defense.

(a) No public servant shall require or direct a bidder or contractor to deal with a particular person in procuring any goods or service required in submitting a bid to or fulfilling a contract with any government.

(b) A provision in an invitation to bid or a contract document which violates this section is against public policy and voidable.

W.S. 6-5-105, continued

(c) It is an affirmative defense that the defendant was a public servant acting within the scope of his authority exercising the right to reject any material, subcontractor, service, bond or contract tendered by a bidder or contactor because it did not meet bona fide specifications or requirements relating to quality, availability, experience or financial responsibility.

W.S. 6-5-105, continued.

(d) Designating a supplier is a misdemeanor punishable by imprisonment for not more than six (6) months, a fine of not more than seven hundred fifty dollars ($750.00), or both.

W.S. 6-5-106. Conflict of interest; penalties; disclosure of interest and withdrawal from participation.

(a) Except as provided by subsection (b) of this section, a public servant commits an offense if he requests or receives any pecuniary benefit, other than lawful compensation, on any contract, or for letting of any contract, or making any appointment where the government employing or subject to the discretion or decisions of the public servant is concerned.



W.S. 6-5-106, continued

(b) If any public servant discloses the nature and extent of his pecuniary interest to all parties concerned therewith and does not participate during the considerations and vote thereon and does not attempt to influence any of the parties and does not act for the governing body with respect to the contracts or appointments, then the acts are not unlawful under subsection (a) of this section. Subsection (a) of this section does not apply to the operation, administration, inspection or performance of banking and deposit contracts or relationships after the selection of a depository.

W.S. 6-5-106, continued

(c) Violation of subsection (a) of this section is a misdemeanor punishable by a fine of not more than five thousand dollars ($5,000.00).

W.S. 6-5-107. Official misconduct; penalties.

(a) A public servant or public officer commits a misdemeanor punishable by a fine of not more than five thousand dollars ($5,000.00), if, with intent to obtain a pecuniary benefit or maliciously to cause harm to another, he knowingly:

(i) Commits an unauthorized act relating to his official duties;
(ii) Refrains from performing a duty imposed upon him by law; or
(iii) Violates any statute relating to his official duties.

W.S. 6-5-107, continued.

(b) A public officer commits a misdemeanor punishable by a fine of not more than seven hundred fifty dollars ($750.00) if he intentionally fails to perform a duty in the manner and within the time prescribed by law.

W.S. 6-5-110. Wrongful appropriation of public property; penalties.

(a) A public servant who lawfully or unlawfully comes into possession of any property of any government and who, with intent temporarily to deprive the owner of its use and benefit, converts any of the public property to his own use or any use other than the public use authorized by law is guilty of wrongful appropriation of public property.

W.S. 6-5-110, continued.

(b) Wrongful appropriation is a misdemeanor punishable by imprisonment for not more than one (1) year, a fine of not more than one thousand dollars ($1,000.00), or both.

W.S. 6-5-111. Failure or refusal to account for, deliver or pay over property; penalties.

A public servant who fails or refuses to account for, deliver and pay over property received by virtue of the office, when legally required by the proper person or authority, is guilty of a felony punishable by imprisonment for not more than five (5) years, a fine of not more than five thousand dollars ($5,000.00), or both.

Questions?



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City
of
DOUGLAS

10 HABITS OF HIGHLY-EFFECTIVE GOVERNING BODIES

Carl H. Neu, Jr.
Lakewood, Colorado

Local government operations directly affect our daily existence and experiences and the quality of life we perceive we have within our communities. No local government deserves, nor should its citizens tolerate, governing bodies and elected and appointed public officials who don't exhibit extraordinary effectiveness, integrity and competence in leading their community's public institutions.

Thomas Cronin, a recognized authority on public policy, defines leadership as, "making things happen that might not otherwise happen, and preventing things from happening that ordinarily might happen. It is a process of getting people together to achieve common goals and aspirations. Leadership is a process that helps people transform intentions into positive action, visions into reality." The quality of leadership effectiveness demonstrated by a governing body and its ability to be highly-effective are not attributes bestowed upon it by a swearing-in ceremony. They are the result of disciplined adherence to a set of fundamental principles and skills that characterize highly-effective governing bodies. Listed below are 10 "habits" of highly effective governing bodies based upon the author's observations of hundreds of city, county, special service district and school district governing bodies over the last twenty years.

1. Think and Act Strategically

A governing body's primary responsibility is not just to make policy or do its "Roman Emperor" routine (thumbs up or thumbs down) on agenda items at public meetings. It is to determine and achieve citizens' desires for the community's future. Governing bodies and their administrative teams must accept responsibility for shaping the future of the community by expanding their mental horizons to identity and meet the challenges that must be addressed through decisive leadership and goals for the attainment of that future.

A strategic leader always comes at you from the future and takes you "back to the future" from the present. This leadership adventure starts with ***vision,*** and evolves to defining the strategic issues that must be mastered to achieve the vision. The next step is the development of long-range goals that address these strategic issues and which provide decision-making and budgetary focus for the successful implementation of these goals. Living from one annual budget to another, and from one meeting to the next, condemns your community and its future to happenstance and the type of thinking that befuddles national governance and policy. For this reason, polls show an overwhelming majority of citizens want important issues affecting their lives to be decided at the local, "home town" level. Here, they expect leadership, sound thinking, decisive action, and accountability for results.

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2. Respect "shared constituency": what do the *people* need?

No city, town, county, local government jurisdiction or non-governmental community entity is an island. The actions and decisions of any one affects all others. But, there is an even more profound reality: most governmental jurisdictions and non-governmental entities overlap in representing and providing service to the same people, i.e., shared constituencies. For example, any given citizen is represented and served simultaneously by the federal, state, county, and city governments plus the school district, special purpose districts, neighborhood associations, chambers of commerce, newspaper publishers, non-profits, etc.

These governments and community entities usually see themselves as separate institutions, often with conflicting and competing agendas rather than as components contributing in a coordinated and integrated manner to seamless service delivery meeting the citizens' needs. Frequently, local governments and community entities operate as special interests advocating their particular institutional needs and prerogatives They fail to define how a public service category meeting the needs of a community of shared constituents (public safety, transportation, community development, human services, health care, education, etc.) is defined and functions in a seamless manner with each jurisdiction and entity ensuring its appropriate contribution to the effective and efficient performance of the whole service system.

An example of a service category system is roads. A citizen expects to be able to get from point a to point b on good quality roads that make this possible. That citizen does not want to think, nor cares about, "whose road am I on now; a federal, state, community or city road?" To that citizen "roads are roads" and it is up to all the government entities to make the system work! The same for public safety, and all services. When a sheriff's deputy can not communicate with a city police officer due to different radio systems and frequencies, it is a service system breakdown which doesn't meet the citizen's need for seamless effective service.

Effective governing bodies recognize they must *horizontally* (local government with local government with community entities) and *vertically* (local government to federal and state government) coordinate and integrate to ensure citizens' needs are met. They also recognize that collaboration and integration work best if it originates at the local government, city and county, level. It is at this level where needs are best defined and responded to by service providers. In reality, all government, as it touches peoples daily lives and existence, is local.

3. Understand and Demonstrate the Elements of Teams and Teamwork

Governing bodies by law, exist and have authority only when their members convene as a "body" to do business. Each member is a component of a corporate being which must speak, act, and fulfill its commitments with one voice, in a mature, effective and reliable manner. Governing bodies are collections of diverse individuals who come together to constitute and act as an entity, and only when operating as that entity do they exercise authority and perform in fulfillment of their purpose. This is a classic definition of team. Carl Larson and Frank LaFasto, two preeminent authorities on teams and teamwork, define team as an entity comprised of two or more people working together to accomplish a specific purpose that can be attained only through coordinated activity among the team members. In short, a team is an entity that exists to fulfill a specific function, or purpose, made up of disparate, interdependent parts (individuals) who collectively achieve a capacity that none of its members could demonstrate individually.

Teams always have two components that one might call their "S" components: *systemicness* and *synergy.* All teams are systemic, by definition, being made up of interdependent parts (people) who affect each other's performance and that of the team. Synergy is the ability to achieve an effect, when working together as a team, that is more than the sum of the team members' individual efforts. While all teams are systemic, relatively few are synergistic unless their members understand, master and demonstrate the fundamentals of teamwork which are:

- a clear sense of purpose and goals;
- clearly define roles and relationships that unite individual talents and capacities into team performance;
- integration of members who have basic technical, interpersonal, and rational decision making competence;
- a commitment to team success and quality performance;
- a climate of trust, openness, and mutual respect;
- clear standards of success and performance excellence;
- the support, resources and recognition to achieve success; and
- principled and disciplined leadership.

Highly-effective governing bodies spend time building their sense of being a team and their skills for productive teamwork.

4. Master Small Group Decision Making

Most local government governing bodies are classic small groups, with fewer than a dozen people. Small groups demonstrate certain skills and behaviors that "link" their members together. They also have clearly defined processes for making decisions in fulfillment of that group's purpose. Figure 1 summarizes the "skill sets" essential to small group effectiveness.

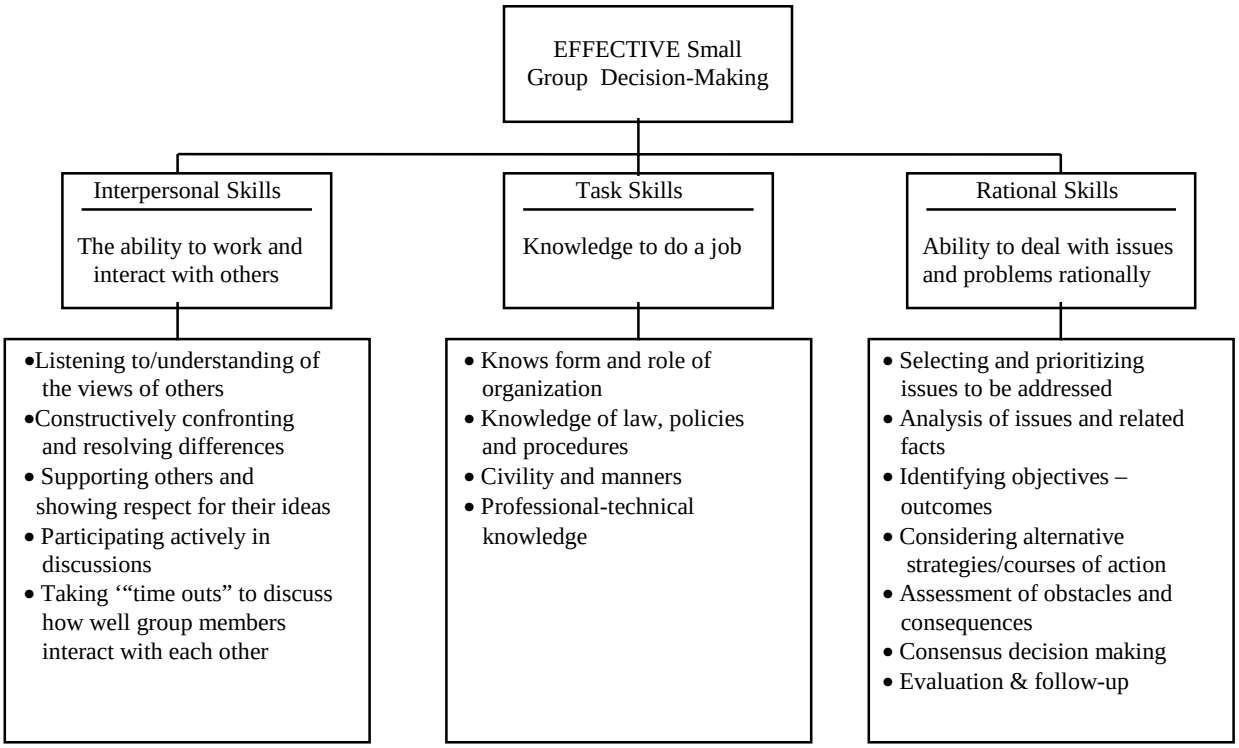


Figure 1: Effective Small Group Decision-Making

5. Have Clearly Defined Roles and Relationships

Each team member's contribution to the team's efforts and success must be defined in terms of roles to be assumed (functions) and how that role is to be carried out through one's behavior (performance).

Role has two elements: *function*, the specific responsibilities of that role irrespective of incumbency, and *performance,* how one occupying the role is expected to behave and fulfill his/her responsibilities. Most governing bodies, whether through charter, statute or ordinance, have clear definitions of their function. The performance component must be defined within the team through discussion and mutual definition of those behaviors and practices expected of the governing body's members in the conduct of their duties and interactions.

Vince Lombardi when asked, what makes a winning team, replied, “start with the fundamentals. A player’s got to know the basics of the game and how to play his (her) position. The players have to play as a team; not a bunch of individuals. The difference between mediocrity and greatness is the feeling the players have for each other,” (relationships). Teams talk about and define expected roles and relationships and give constructive feedback to their members on the degree to which they are fulfilling these expectations.

6. Honor the Board-Staff Partnership

We have all heard the popular phrase, “the governing body makes policy, staff implements policy”. This is a total misconception of reality. Policy making and policy implementation are not distinct and separate functions. Policy making-implementation is a continuum of thought and relationships that transforms ideas and abstractions (visions, policies, goals, and plans) into defined, observable ends or outcomes (results, programs, projects, deliverable services). Board members and staff share this continuum as partners ensuring each other’s success. Each person plays an important role in creating sound policies and ensuring their effective implementation through reliable administrative practices and performance. Figure 2 depicts this partnership and continuum.

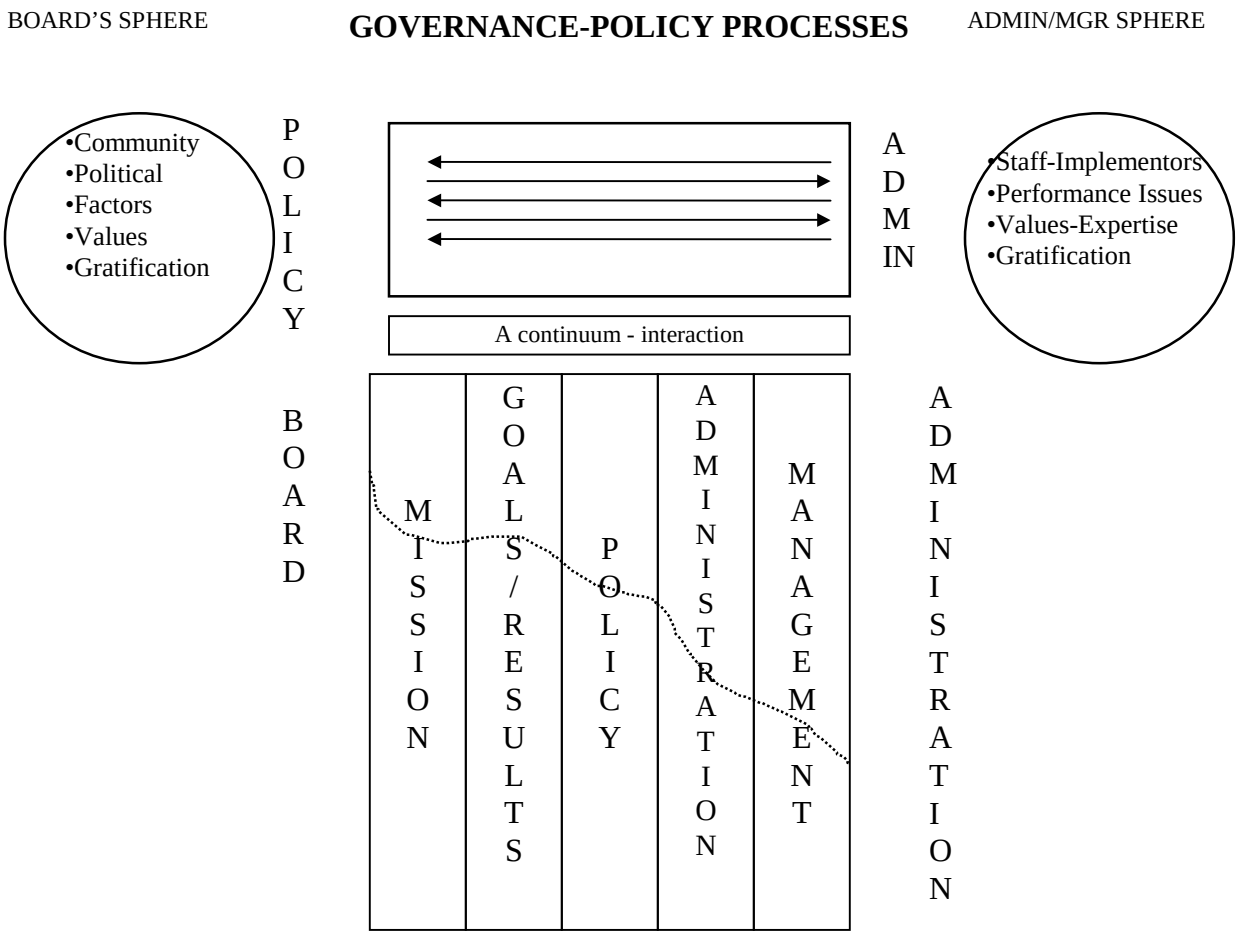


Figure 2: Board-Staff Partnership

To what degree is this partnership understood, discussed, and respected by board members?

John Carver, a widely acclaimed author who writes about boards that make a difference, describes this partnership as one in which boards define what needs are to be met and ends (outcomes) achieved. He believes that boards should allow staff, within board-established limits, to define the means for achieving these ends. He sees a board-staff linkage that empowers staff to do its tasks and be evaluated on the results produced.

The board-staff partnership functions best when it is vision-driven and goals based. Boards that accept and abide by this partnership focus their energy on establishing vision and goals, on good policy, and on empowering effective staff performance. Those that do not do this, frequently fall prey to micromanaging; that is, they will perceive a need to become involved in, or retain approval over, staff activity and plans.

A critical element and important board task in this partnership is the evaluation of the manager or administrator, based upon clearly defined goals, policies, and established guidelines on executive performance.

7. Allocating Governing Body Time and Energy Appropriately

Time, especially to elected officials, is a critically precious and limited, commodity. The typical board or council operates as a *governing body*, providing governance, for relatively few hours; usually less than 200 hours annually, as compared to the typical 2400+ hours per work year for senior administrators. How boards allocate and use their time is vital to their leadership effectiveness and performance.

Boards, like teams, "play" in a number of settings or "arenas" to achieve overall, peak performance. There are four board-staff arenas, and each must be appreciated for its purpose and contribution to a board's effectiveness.

- Goal-setting (retreats or "advances")
- Exploration and analysis (study sessions)
- Disposition/legislation (regular public meetings)
- Community relations (interactions with constituencies and other jurisdictions and agencies)

Figure 3 identifies the purpose, typical setting, focus, and key characteristics of each arena. All four arenas are essential to highly-effective governing body's fulfillment of its leadership, policy making, goal setting, and empowering responsibilities.

ARENA	GOAL-SETTING	EXPLORATION & ANALYSIS	DISPOSITION-LEGISLATION	COMMUNITY RELATIONS
Purpose	• Establish vision • Explore potentials • Set goals • Direction/Priorities -Community -Services -Staff action -Budgets	• Understanding the issue(s) • Problem identification • Selecting "best options" • Building commitment	• Official action • Vote on items -Resolutions -Ordinances • Public input • Mobilization of support	• Interaction with constituency-citizens • Building alliances • Outreach-liaison • Coordination with other entities
Typical Setting	Retreat/Advance - informal off-site workshop	Study Session - conference room	Public - formal board meeting in chambers	Numerous - diverse formats
Focus	• Future of county, city/community • Evaluation of -Needs -Trends -Strategic issues • Community desires & values • Leadership	• Developing knowledge for decision making • Sorting of options • Examine consequences • Set strategies • Ability to make competent & informed decisions	• Agenda - formality • "Show"' of authority • Ratification/ Adoption • Political pressures • Psychological needs	• Communication • Problem solving • Collaboration - coordination • Partnership • Acting as a community
Key Characteristics	• Informality • Sharing of options • Open dialogue • Creative thinking • Humor - adventure • Face-to-face/Group interaction	• Board-staff' dialogue • Questioning - testing of ideas • Information exchange • Negotiating - consensus building • No voting • Face-to-face/group interaction	• Formal meetings • Rules and procedures • Public input/involvement • High visibility • Pressure/advocacy from groups • Voting • Group interaction	• Being "outside" city hall/court house • Responding to requests • Joint ventures • Interagency activity • Multiple interaction modes and communication techniques

Figure 3: Arenas for Governing Body-Staff Performance

Highly-effective governing bodies will hold at least one goal-setting retreat or "advance" annually. They also will hold two study sessions monthly, usually between regularly scheduled public hearings. Here they confer with staff and other experts on significant items under consideration requiring eventual official actions. While these study sessions are open to the public, as observers, the public should not participate in the board-staff dialogue. Many boards short-change this arena, pushing the opportunity for learning into the formal public hearing, which is not designed to promote much in-depth analysis of complex issues. The arena of *disposition/legislation* is designed to get to a vote, not promote careful analysis of complex issues.

The fourth arena, *community and interjurisdictional relations*, is becoming more important. It is rapidly transforming the role of the governing body and how it and its members spends their time. Communities today are more dependent upon sophisticated alliances and partnerships among groups, public and private entities. All jurisdictions are subject to multiple, profound changes in how public officials operate as they deal with complex multijurisdictional and regional issues and the growing popularity of citizen democracy and community building/renewal. Today, the community arena requires more time spent in interactions outside of city hall/courthouse and puts greater time pressure on elected officials.

8. Have Clear Rules and Procedures for Board Meetings

Board meetings exist for the purpose of doing the board's business. Literature on how to conduct effective and productive meetings specifies the need for, and adherence to, clearly defined rules and procedures. Many boards, however, drift from these rules and procedures in pursuit of informality, collegiality, and "just being nice." They let their meetings drone on with lack of focus, redundant comments and endless discussions. Rules and procedures do not preclude citizen input, courtesy or sensitivity to public concerns and viewpoints. They respect all these elements and the necessity to conduct business in an orderly, disciplined and productive manner.

9. Conduct Systematic and Valid Assessments of Policy Implementation and the Public's Concerns and Evaluation of the Boards/Council's Performance.

Governing bodies, like most legislative bodies, frequently fall into the Jean Luc Picard syndrome (Star Trek II) and simply tell their staffs: "Make it so." They assume that board action equates to policy and program implementation. The next time board hears about the policy is when a problem or crisis arises. Highly effective governing bodies expect periodic feedback on policy results and on possible policy amendments that may be required. This feedback can be provided through progress reports, status memos or newsletters, and "policy reviews."

Elections are contests among individuals vying to become a member of an elected governing body. They are not valid, objective assessments of the public's feeling about the quality of board's performance as a governing body and about whether or not it is addressing issues effectively. Highly effective boards seek feedback through a number of proven market research tools such as focus groups, surveys and questionnaires. Typically, the phone calls a board member receives, or the comments make in public hearings, are not valid or accurate reflections of the entire community's sentiments about issues and the board's performance. "Market research feedback" should be ongoing and included in the annual goal setting retreat or advance.

10. Practice Continuous Personal Learning and Development as a Leader

Leaders read, attend workshops, and constantly seek information, understanding and

insight. Elizabeth Kautz, Mayor of Burnsville, Minnesota, giving advice to newly-elected municipal officials said: "Decide what your role is, identify the skills you need to be effective in that role, and GET THEM! Highly-effective governing bodies are comprised of members who honestly know they don't know it all. They take advantage of the myriad of opportunities to learn and perfect their skills by reading, going to workshops, and forums that can expand their skills to lead and govern well.

Highly-effective governing bodies also learn as a group. They assess objectively their performance relative to each of the ten habits. They also decide where gains can be made and set up the opportunity through board workshops to learn the skills to make these gains.

The last, and probably most important, point: Keep your sense of humor. Governance is a serious and sometimes messy business dealing with vital issues affecting our communities and the quality of life we experience daily within them. Humor reduces friction and stress, lets others know we and they are human, and is a pause that refreshes our insight and commitment. It is essential to creating and maintaining relationships. It also can open one's mind to new ideas.

Every community deserves nothing less than highly effective governing bodies that accept accountability for the community's performance in creating its future and in effectively addressing, in the present, those challenges vital to attaining that future. That is what is at stake: our communities' future. With few exceptions, every board can be highly effective and can provide strong leadership. But to become effective requires a good governance model and disciplined adherence to the principles (habits) of effectiveness.

Carl Neu, Jr., is executive vice president of Neu & Company, Lakewood, Colorado. *All rights reserved to Neu & Company and the Center for the Future of Local Governance, 1997.*

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City
of
GILLETTE



CITY VISION STATEMENT

Gillette is a growing City with a strong local economy, and serves as a major regional center.

Our Gillette community is friendly for families, supports an active lifestyle and is attractive and aesthetically pleasing.

CITY MISSION STATEMENT

Gillette City Government is financially responsible,
Provides quality customer-friendly services
And has 1st class infrastructure and facilities.

OUR MOTTO

“Working Together for Excellence”

City of Gillette

Core Values



Cutting Edge Service Powered by Innovation and Excellence



Productivity
Do It Right, Do It Efficiently

Responsibility
Own It, Solve It - Together



Integrity
Consistently Do the Right Thing
- For the Right Reason



Dedication
Supporting Continuous Improvement Through Teamwork and Loyalty

Enthusiasm
Enjoying Your Job and Going the Extra Mile



The Power of Service with P.R.I.D.E.

CITY COUNCIL PHILOSOPHY AND VALUES

Problem Solving and Issue Resolution

- Emphasis is on getting things done quickly and conveniently for the public.
- Processes are regularly evaluated and streamlined to decrease delays and remove barriers.
- Will evaluate the issues themselves and make a decision.
- Considers options before arriving at decisions.
- High concern over participation of all parties to the issue rather than just gaining majority support.
- Experimentation preferred rather than a lot of study.

Fiscal Matters

- Community needs are identified through a goal process.
- Strong emphasis on annual expenses not exceeding annual revenues.
- Minimal use of debt to finance public improvements, try to build projects on a pay as you go basis.
- Emphasis is on keeping the City's money turning over in the community.
- Retention of reserves for emergencies is important.
- Keep the majority of City Reserves invested locally.

Growth Orientation

- Action and policies are in place to foster and promote community expansion with emphasis on growth "paying its own way".
- Some incentives will be considered for in-fill or to diversify the economy.
- Emphasis is on expediting the development process.
- Regulations are placed to maintain community standards.
- Market forces dictate, for the most part, growth decisions.

Approach with Citizens

- Focus is on friendly, caring service.
- Use flexibility and adaptability in solving citizen problems.
- Rules and codes are looked upon as something that requires "common sense" when making interpretations.
- Extensive efforts are made to listen to and inform citizens of City operations.
- City operations are regularly evaluated by Citizens Survey.
- There is an effective response system in place for customer concerns.
- Shuttling citizens about to resolve problems is a "no-no".
- Mistakes with customers are admitted and corrected.

Approach with Employees

- The City treats the employees the way it wants them to treat the customers.
- Resources are allocated to assist in the training of employees.

- The reward and recognition system reinforces the core values of the organization through awards and recognition to many employees.
- Efforts are made to communicate with employees the mission, values, vision, goals and policies of the organization.
- There are ample opportunities to progress through career ladder to retirement.
- The City encourages community involvement of its employees.
- Opportunities exist for employees to participate in the governance of the organization.
- City Council will personally recognize the efforts of City employees.

Environmental Matters

- Environmental decisions are balanced with economic conditions.
- Recycled products are used to the extent that they are market competitive.
- City operations meet the basic environmental requirements of state and federal government.
- Will enact environmental regulations when there is a clear and present threat to the health, safety and welfare of citizens.

Intergovernmental Matters

- Initiates forums for community leaders to enunciate concerns.
- Very high emphasis on collaborative problem solving.
- Will address issues that go across jurisdictional boundaries if there is some direct linkage to the City.

Products and Services

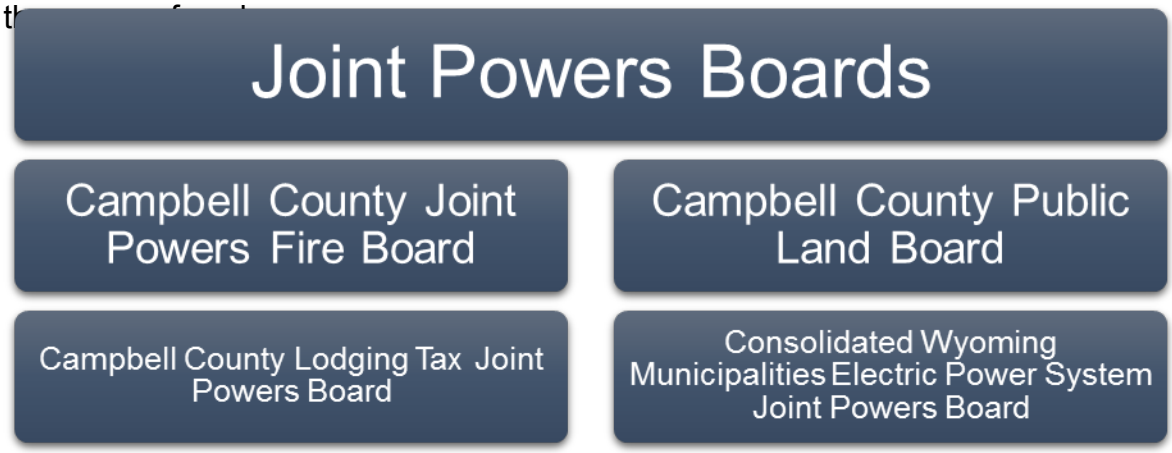
- The quality standards are: that products and services satisfy customer requirements without error and waste.
- There is a preference on private sector contractors to provide goods and services when the costs are comparable.
- Continuous improvement to products and services is the mainstay of this organization.
- Employees are empowered to achieve customer satisfaction.

MAYOR/COUNCIL/ADMINISTRATOR
FORM OF GOVERNMENT

The City of Gillette is a Home Rule City operating under the statutes of the State of Wyoming and Municipal Codes. The organizational structure for the City can be characterized as a Mayor-Council-Administrator form of local government which vests authority in an elected City Council, which, in turn, hires an appointed executive. The City Council is composed of six members elected from the three wards of the City on a non-partisan basis to serve overlapping four-year terms. The Mayor is elected at-large to serve a four-year term as presiding officer at City Council meetings and as the official head of the City for legislative and ceremonial purposes. The City Administrator is appointed by the City Council and serves at the pleasure of that body.

The City Council is the City's legislative and policy-making body. Acting as a whole, the City Council is responsible for passing ordinances and orders necessary for governing the City, as well as for setting the direction of City policy. The City Administrator is responsible for the overall administration of the City. This responsibility includes implementation of the general policies set by the City Council in addition to day-to-day oversight of all City operations. The City Administrator, with the help of City staff, provides the City Council with the information needed to fulfill its policy-making role.

The Mayor/Council/Administrator form of government separates legislative and executive responsibilities in a manner similar to both state and federal governments. This system provides "checks and balances" of both policy and administrative branches of government by limiting th



THE MAYOR

The Mayor is elected at-large within the City and serves a four-year term. The Mayor is the ceremonial head of government, with the authority to sign documents, ordinances, resolutions, and contracts on behalf of the City. In addition, the Mayor chairs Council meetings, has the authority to veto Council actions and recommends appointments to Council.

Formal Authority of the Mayor

- Presides at all meetings of the governing body.
- Administers oaths of office.
- Signs commissions, oaths, appointments and contracts.
- As one (1) vote on all matters voted on by the governing body, except override of veto and confirmation of Mayoral appointments.
- May veto any ordinance, order, bylaw, resolution, award, or vote to enter into any contract, or the allowance of any claim or any item of appropriation.
- Recommends policies to the governing body.
- Recommends appointments to Council.
- Countersigns all warrants.
- Enforces ordinances beyond City limits if provided for in ordinance—1/2 mile for all ordinances except taxes and five miles for health/quarantine.

Performance Expectations of the Mayor

- Ceremonial head of the City.
- Ambassador of goodwill and the City's representative at official functions.
- Provides leadership and marshals citizen participation in City activities and issues.

- Leads the governing body in addressing political matters, needs, goals, and a vision for the community.
- Represents the City at the state and federal levels in a variety of settings
- Meets regularly with the City Administrator to provide policy guidance relative to actions of the governing body, to prepare the agenda for matters coming before the governing body and to monitor the administrative implementation of Council policies.

THE CITY COUNCIL

The City Council is the legislative and policy making body of the City. It is the Council's responsibility to enact ordinances, resolutions and orders necessary for governing the affairs of the City as outlined in the City Charter, to approve or amend the annual budget, to authorize certain contracts on behalf of the City, to act as the final appeal body on rulings of boards and commissions, to appoint the City Administrator, City Attorney, Municipal Judges and all members of the various boards and commissions, and to submit propositions to the electors at any election.

The City of Gillette City Council is composed of six members elected on a non-partisan basis from three separate wards of the City to serve four-year overlapping terms. Municipal elections are held every even-numbered year, with three Council members selected at one election and three at the next. At the first regular Council meeting in January following the November general election, the newly elected and qualified Council members are sworn in and assume the duties of their office.

While the Mayor serves as the Council's presiding officer, the City Council selects a President from its own membership to serve in the absence of the Mayor. The President of the Council, a position that has historically rotated amongst Council members, is selected through a consensus of the Council and serves a one-year term.

Formal Authority of the City Council

- All general powers listed in W.S. 15-1-103 through 15-1-1100, those listed in W.S. 15-5 through 15-10 and the authority to act under home rule.
- Commits the City to a policy course of action including appropriation of funds.
- Exercises an oversight role over the conduct of City affairs.
- Confirms appointments to boards, commissions and certain appointed positions such as City Administrator, City Attorney and City Judges.
- Determines personnel policies and conditions of employment.
- Approves rules and regulations.
- Controls the finances of the City of Gillette.

Performance Expectations

- Focuses on long range planning and policy development for the community and the City organization.
- Establishes goals and objectives for the community and authorize programs that address the needs of the entire community.
- Provides oversight and assessment of the effectiveness of goals, policies, programs and services rendered to citizens.
- Receives citizen complaints and information requests and forward to the City Administrator for appropriate action.
- Appraises the performance of the City Administrator and the organization.

Council Meetings

The regular meeting of the City Council is a vital part of the democratic process in the conduct of the City's affairs. It is at Council meetings that laws, policies and basic decisions are made for the government of Gillette. All meetings of the City Council are open to the public except those exempted by law (referred to as executive sessions), and citizens are encouraged to attend to learn more about their City government at these meetings and at public workshops, which are scheduled for more intense discussion and review.

Regular City Council meetings are held in the Council Chambers on the first floor of City Hall, 201 E. 5th Street, at 7:00 p.m. on the first and third Mondays of each month, as set forth by resolution. If the Monday in question falls on a holiday, Council meetings are conducted the following Tuesday.

The City Council also meets regularly in two other types of session, both of which are also open to the public. The first of these meetings, known as the work session, is held in the 2nd Floor Community Conference Room of City Hall on Monday of the week preceding the regular meeting of the Council at 6:00 p.m. in the evening. The purpose of these meetings is twofold: to brief the Council on the anticipated agenda items for the coming regular meeting and to interact with a "guest." The review of the agenda items with the Council often results in staff following up on requests for additional information from the Council on a particular agenda item and providing that information either through General Information or at the City Council Pre-Meeting. The guests tend to be the advisory boards and commissions, which are appointed by the Council, representatives of the non-profit organizations supported by the City or other entities in the community which provide a program or service which might interest the Council. The attendance of these groups at breakfast meetings provides the Council an opportunity to learn more about a particular group or program and ask questions regarding the same.

The second of these meetings is referred to as the "pre-meeting". These meetings are conducted immediately prior to the Council's regular meeting (at 7:00 p.m.) on the same night as the regular meeting. The meetings are held in the 3rd Floor Conference Room of City Hall and serve the purpose of providing the Council any last minute information on a particular agenda item.

The City Council meeting agenda is the official order of business at Council meetings. Items for the agenda are prepared and submitted to the City Administrator by the department heads. The Mayor and City Administrator then discuss the proposed content of the regular meeting agenda as well as any possible "warm up" items that might need to be discussed with the Council.

Copies of the City Council meeting agendas are available from the City Clerk and at the entrance to the Council Chambers before each meeting. They are also posted on the City's web site (www.gillettewy.gov).

Wyoming Open Meetings Act

Effective July 1, 2012

Introduction

Since its adoption, the overriding principle of the Open Meetings Act (Act) is that government should conduct its business in a transparent manner. The Act's statement of purpose says: "The agencies of Wyoming exist to conduct public business. Certain deliberations and actions shall be taken openly as provided by this act." The Act expressly provides that "all meetings of the governing body of an agency are open to the public at all times, except as otherwise provided." Wyo. Stat. Ann. § 16-4-403. Governmental boards and commissions are essentially engaged in the public's business and holding public meetings insures that all affected people are permitted an opportunity to be heard.

Under the Act, all meetings of the governing body of an agency are public meetings, open to the public at all times, unless otherwise specified in the Act. Unless otherwise provided by the Act, the governing body of any agency may only take action at a properly noticed public meeting. The act contemplates fair and reasonable advance notice of meetings. The Act also contemplates that minutes will be taken at all meetings, regardless of whether official action is taken. The day-to-day administrative activities of an agency are not subject to the Act's notice and open meeting requirements. The Act also provides a list of issues an agency may consider in executive session and the proper procedure for convening and conducting such a session. The legislature amended the Act in 2012. The 2012 changes do not alter the general principles of open government. Instead, the changes clarify several items within the act.

2012 **Significant Changes:**

1. *What constitutes a meeting and when action may be taken*:

A "Meeting" is defined as "an assembly of at least a quorum of the governing body of an agency which has been called by proper authority of the agency for the expressed purpose of discussion, deliberation, presentation of information or taking action regarding public business [.]" Wyo. Stat. Ann. § 16-4-402(a)(iii) (2012).

The 2012 legislation defined the term "Assembly." Assembly "means communicating in person, by means of telephone or electronic communication, or in any other manner such that all participating members are able to communicate with each other contemporaneously." Wyo. Stat. Ann. § 16-4-402(a)(iv) (2012). The new definition makes it clear that a meeting can include telephonic and other electronic communications if the members are able to communicate with each other at the same time. Examples might include instant messaging, video conferencing, and conference calls. If a quorum of the members of a governing body are going to participate in such

communication for the purpose of discussion, deliberation, presentation of information, or taking action regarding public business, the agency must give proper notice of a meeting and allow for public attendance.

In addition to the definition of "assembly," the 2012 amendments further specify that, "[n]o meeting shall be conducted by electronic means or any other form of communication that does not permit the public to hear, read or otherwise discern meeting discussions contemporaneously. Communications outside a meeting, including but not limited to, sequential communications among members of an agency, shall not be used to circumvent the purpose of this act." Wyo. Stat. Ann. § 16-4-403(d) (2012). Thus, if the governing body of an agency wishes to conduct a meeting by electronic means, the agency must also assure that members of the public are able to attend the meeting and discern the meeting discussions in real time. This provision also clarifies that e-mail or other forms of sequential communications cannot be used to thwart the purposes of the Act.

2. *Notice:*

An agency is required to provide notice of its meetings to any person who requests notice. The request may be made for the dates and times of future meetings of the agency. In 2012, the legislature added that "[t]he request shall be in writing and renewed annually to the agency." Wyo. Stat. Ann. § 16-4-404 (2012). This change might aid agencies in keeping their lists of people requesting notice of meetings current.

The legislature also clarified the type of notice required for special meetings as well as the timeframe for giving such notice.

> Special meetings may be called by the presiding officer of a governing body by giving **verbal, electronic or written** notice of a meeting to each member of the governing body and to each newspaper of general circulation, radio or television station requesting the notice. The notice shall specify the time and place of the special meeting and the business to be transacted and **shall be issued at least eight (8) hours prior to the commencement of the meeting.** No other business shall be considered at the special meeting. Proof of delivery of verbal notice to the newspaper of general circulation, radio or television station may be made by affidavit of the clerk of other employee or officer of the agency charged or responsible for distribution of the notice of the meeting.

Wyo. Stat. Ann. § 16-4-404(b) (2012) (emphasis added).

Prior to these amendments it wasn't entirely clear the type or how much notice an agency was required to give in order to hold a special meeting. Our office had typically advised simply that "reasonable" notice was required and suggested that written two week notice would be considered reasonable. These changes clarify that the notice may be verbal, electronic, or written and that the notice must be made at least eight hours prior to the meeting.

3. *Executive Session:*

The Act allows an agency to hold an executive session for several reasons specified in the Act. The 2012 legislation added that "[a] motion to hold an executive session which specifies any of the reasons set forth in paragraphs (a)(i) through (xi) of this section shall be sufficient notice of the issue to be considered in executive session." Wyo. Stat. Ann. § 16-4-405 (2012). Prior to this addition, it was not clear that an agency had to offer any particular reason for going into executive session. This language may indicate some legislative intent to require agencies do so. Thus, when going into executive session, if an agency specifies one of the reasons for which an agency may hold executive session provided by the Act, the agency will have satisfied any such notice requirement.

4. *Emergency Meetings:*

The 2012 legislation clarified the procedures for emergency meetings. All action taken at an emergency meeting must be reconsidered and acted upon at an open public meeting within 48 hours, "excluding weekends and holidays, unless the event constituting the emergency continues to exist after forty-eight (48) hours. In such case the governing body may reconsider and act upon the temporary action at the next regularly scheduled meeting of the agency, but in no event later than thirty (30) days from the date of the emergency action." Wyo. Stat. Ann. § 16-4-404(d) (2012).

5. *Penalty:*

The 2012 legislation also amended the penalty provision. Prior to the 2012 amendments, a violation of the Act was a misdemeanor. The penalty provision now provides: "Any member or members of an agency who knowingly or intentionally violate the provisions of this act shall be liable for a civil penalty not to exceed seven hundred fifty dollars ($750.00) except as provided in this subsection. Any member of the governing body of an agency who attends or remains at a meeting knowing the meeting is in violation of this act shall be liable under this subsection unless minutes were taken during the meeting and the parts thereof recording the member's objections are made public or at the next regular public meeting the member objects to the meeting where the violation occurred and asks that the objection be recorded in the minutes."

Council Procedures

The procedures utilized by the City Council during their meetings originate in the State Constitution, Chapter 15 of the Wyoming Statutes and the Gillette City Code and are designed to promote uniformity, clarity and efficiency in the dispatch of public business. The Gillette City Code provides that meetings of the City Council shall generally follow Robert's Rules of Order and State Law, the municipal code, and City Council-adopted policy.

Robert's Rules is a general guide to parliamentary procedure that provides a context for Council action. The following summary of the City's treatment of some broad topics in Robert's Rules will provide a basic understanding of City Council meeting procedures.

Quorum

Four members of the governing body are required to constitute a quorum. The governing body is the Mayor and the members of the City Council. The Mayor is included in the determination of a quorum. No official action may be taken without a quorum of the governing body.

Mayor

The Mayor is the presiding officer of the governing body and the chair of the meeting referred to in Robert's Rules of Order. In the Mayor's absence, the President of the Council will preside at the Council meetings. In addition, the Mayor has a vote on all matters before the Council except to confirm an appointment and over-ride a veto.

It is the duty of the presiding officer to open the meeting or call the meeting to order, announce the business before the Council, recognize Council members entitled to speak, state and put to vote all questions before the Council and announce the vote, preserve order and decorum, decide all points of order subject to appeal to a vote of the entire Council and generally keep the meeting running smoothly. All comments and questions should be addressed to the Mayor. If a Council member has questions for a staff member or member of the public, those questions should be asked through the Mayor.

Debate

Discussion of matters (debate) can only take place after the Mayor has called that item on the agenda. A motion is generally required on the floor prior to any debate or discussion. Generally, the Mayor will recognize Council members desiring to speak.

Motions
After a matter has been called by the Mayor and before staff comments have been received, it is appropriate for a Council member to make a motion in order that it may be discussed or debated by the Council and action taken. A motion may be very simple, i.e. "I move that the ordinance be approved" or, "I move adoption of the Resolution presented by staff." Or, the motion can describe in exact detail the action to be taken. This motion is called the '*Main Motion*.'

Main Motion
The principal or main question or motion is a motion to bring a matter before the Council for action.

Subsidiary or Secondary Motion
This is a motion applied to the main motion for the purpose of disposing of the main motion. Examples of this type of motion include motions to table, to postpone, to amend or to call the question (an immediate vote on the matter at hand). These motions take precedence over the main motion and must be voted on and decided before a vote can be taken on the main motion.

After a Council member has made a motion and before the Mayor has stated the question, that Council member may amend or withdraw the motion without approval of the Council. However, after the Mayor has stated the question and opened it for discussion by the other Council members, an affirmative vote of the Council is needed to amend the motion.

A 'motion to amend' can be amended but an amendment to an amendment may result in confusion and may be better handled in other ways. In other words, a proposed resolution can be amended and then the amended portion of the resolution can then again be amended following action on the original amendment proposal.

Incidental and Privileged Motions
Incidental motions take precedence over main or subsidiary motions and are used to resolve questions about the motion, i.e., a question of order, motion to suspend the rules or a motion for leave to withdraw the pending main or subsidiary motion.

A privileged motion, i.e. to adjourn, takes precedence over all other motions, is not subject to debate or discussion and thus must be voted on before any other business.

The Previous Question

"A Motion to call the previous question" or as sometimes stated "to call the question", requires the Mayor to immediately ask the Council members to vote on whether debate (discussion) should be closed and the main motion should be voted on at that time.

Public Hearing
The Council holds public hearings according to relevant Wyoming statutes, which may determine the subject matter and relevant topics of the public hearing. Specific guides have been developed to assist the Council in various types of statutory hearings including annexation hearings and improvement district hearings.

Motions to Reconsider
A motion to reconsider may only be made by a member who voted in the affirmative on the motion and can only be made at the same session at which the original motion was adopted or no later than the next regular meeting, if the session lasts more than one meeting and if rights of third persons have not changed and intervened. A motion to reconsider and enter on the minutes is a procedure to schedule a motion to reconsider at the next meeting at which time the vote is taken on the motion to reconsider.

A member of the governing body may vote on a motion to reconsider even though that member was not present at the time the original vote was taken. However, if a member abstained from voting due to a conflict of interest then that member would also have a conflict of interest on the motion to reconsider.

Agenda Procedures
The City Council meeting is a public forum where the City Council conducts its business of governing the City and where the City Council receives input from the public and staff on items on the Council agenda. The City Council then makes decision on those items and City staff is directed to implement those decisions.

The Council agenda is the outline for business the City Council will address at a specific Council meeting. The Administrator prepares the Council agenda with input from department heads and the concurrence of the Mayor and Council. The content of the Council agenda cannot be changed without the affirmative vote of a majority of the quorum at the start of the meeting when the agenda is approved. No action or discussion may be undertaken on any item not on the posted agenda, except that Council members or staff may briefly respond to statements made or questions posed by members of the public during the public comment period.

The standard agenda for a City Council meeting includes the following items: call to order, an invocation, the Pledge of Allegiance, the approval of the general agenda (agenda content), the consent agenda (multiple items to be approved by a single vote and which generally includes meeting minutes, bills and claims and items unlikely to be controversial in nature), oral comments (an opportunity for citizens to address the Council), written comments (which might involve the submittal of additional documentation to the Council on a given agenda item), consideration of ordinances on 1st, 2nd and 3rd readings, new business, appointments and a report from the City Administrator. While this is the standard content of a City Council meeting

agenda, additional items are sometimes warranted and will, from time to time, appear on the agenda. As a general rule, any ordinance, which is approved by a unanimous vote on 1st reading, will be placed on the consent agenda for subsequent readings unless otherwise requested by a member of the City Council.

In addition to making the agenda available to the public, copies of the City Council agenda are also provided to all local news media before each regular and special meeting. In addition, City staff prepares a City Council meeting packet for each meeting, which includes ordinances, memos and other background materials. This packet is provided to each member of the governing body, City department heads and the news media on the Friday before each regular meeting.

Ordinances and Resolutions

An ordinance is a law enacted by a City Council under powers delegated to it by the state, prescribing a general and lasting rule for persons or things within the corporate City boundaries. It is the City's most authoritative act and is usually reserved for cases involving long-term policy (i.e. utility rates, zoning map amendments).

Ordinance making is a principal duty of the governing body. Ordinances must be in harmony with the state constitution, state statutes and decisions of the Wyoming Supreme Court. Also, they must not be contrary to the federal Constitution, acts of Congress or other federal regulations.

Creation of an ordinance requires legal skill in draftsmanship as well as technical knowledge of the subject. The City Attorney ordinarily performs this task, with assistance from the administrative or technical personnel in City departments, and in conformance with policies outlined by the Council. When the Council is considering an ordinance at a regular Council meeting or a work session, the City Attorney should be present for advice on its legal implications.

All ordinances must be in writing and must be passed in accordance with procedures specified in the Wyoming Statutes and the Gillette City Code. Ordinances must be read at least by title

and approved at three regular or special meetings of the governing body. The only exception to this process is an emergency ordinance, which can be enacted at one meeting with a ¾ vote of the total number of the members of the governing body. Ordinances are subject to public input and discussion at each reading and voting must be in public as well. Approval of a non-emergency ordinance requires four affirmative votes. Upon final approval, each ordinance will be signed by the Mayor and City Clerk, collected in the historical ordinance book and published verbatim in the official newspaper. If the ordinance repeals, enacts or amends a section of the Gillette City Code, the affected chapter will be revised to reflect the change, usually within ten days of publication. Emergency ordinances are effective immediately and other ordinances are effective upon publication unless a later date is set forth in the ordinance. Once an ordinance is adopted, it can only be amended by another ordinance.

Not all-legislative action taken by the Council is in the form of ordinances. Resolutions, which do not establish permanent local law, are commonly used for creating special improvement districts, ordering sidewalk construction, authorizing budget transfers and performing a number of other routine actions. The procedure governing resolutions is, in most cases, less formal than that provided for ordinances. Some governing bodies express public positions by the passage of simple motions. Resolutions are approved on one vote at a public meeting, they need not be in writing when enacted and they are effective on passage by a majority of votes of the quorum present at a meeting.

The Work of the City Council

The success or failure of the Mayor/Council/Administrator form of government rests largely on the shoulders of the people's representatives in the governing body. The City Council may remove an ineffective City Administrator at any time, but an ineffective Council continues in office until the next election. Conscientious Council members, as representatives of the community, can render better service if they know their duties, are aware of their responsibilities, and are ever mindful of the best methods of carrying out their trust.

The City Council selects and gives direction to the City Administrator and enjoys all the importance and responsibility of a board of directors. The City Council's chief responsibility is for policymaking, one of the most important aspects of local government, and the chief duty of the City Administrator is administration. The Council is also responsible for making certain that the City Administrator administers the affairs of the City in a capable manner. In turn, it is a responsibility of the Administrator to develop policy alternatives and make recommendations to the Mayor and Council on policy adoption. It is in this manner that the relationship between the Mayor, Council and Administrator is, in many ways, a partnership in terms of both policy development and administration.

Determination of Policy

The City Administrator can help the Council a great deal in studying and determining municipal policies. The best example of a major policy-making decision by the City Council is the adoption of the annual budget for the City. The City Administrator and staff gather the necessary information, prepare the proposed budget document and present the same to the Council. The Council then studies the budget proposal; requests additional information regarding items contained in the budget revises the budget as necessary and then adopts the document. Once the budget has been adopted by the Council, the document serves as an effective tool for the City Administrator in carrying out City policy.

What is meant by the determination of policy? Basically, it is the process of deciding what is to be done. The Council should not confuse this with how a program is to be administered, which is the job of the City Administrator. In its simplest terms, "what to do" is policy making; "how to do it" is administration.

In determining policy, the Council must make decisions, authorize their implementation and accept full responsibility for the results. Thus, the Council must hold the City Administrator responsible for administering policy decisions properly.

In any legislative body, the determination of policy takes the form of passing a law. City Council laws are ordinances or resolutions. An ordinance has the force of law and usually includes what remedies will be made if the law is not followed. A resolution reflects the intent of the Council.

How does the Council arrive at these policy decisions? Briefly, there are four steps in the process:

1. **Determining what is needed**
   Many sources of information are available – Council members' observations, requests of individual citizens or citizens' groups, recommendations from City staff and the City Administrator.

2. **Determining the will of the people**
   In some cases, the proposed program may have been a major issue in a recent election. In cases where it is not, the view of interest groups, testimony of individual citizens and the Council member's own assessment of an issue must be evaluated.

3. **Determining what can be done financially, practically and legally**
   Here the advice of technical experts – the City Administrator, the City Attorney and other City staff – should be considered carefully.

4. **Taking action – passing, modifying or defeating an ordinance or resolution**
   In the final analysis, after all thoughts and opinions have been shared, it is the responsibility of the City Council to determine what action is most appropriate on a given issue.

Once these steps are taken and a policy direction is determined, the City Administrator is then expected to implement and administer the direction established by the Council.

Supervision of Administration

The second major part of the City Council's job is general responsibility for requiring effective administrative action through the City Administrator. The City Administrator receives all questions or criticisms, which the Council may have, concerning the execution of ordinances or performance of duty.

If something goes wrong, the Administrator stands responsible to the Council. For example, if the Council (or a single member) has a complaint or question about the administration of a loading zone ordinance by the Police Department, it should not contact the police officer concerned, or even the Chief of Police, but should present the complaint to the City Administrator. Then, if the situation is not remedied, the City Administrator should be held accountable for a lack of action.

The Council must, therefore, develop an effective working relationship with the City Administrator.

1. The Council is responsible for selecting a capable City Administrator
2. Seeing that the City Administrator has a chance to administer policy properly
3. Evaluating administrative accomplishments
4. Supporting the City Administrator who is carrying out the will of the Council

City Administrator Selection

How does the Council go about selecting a City Administrator? It is a difficult task since the position of City Administrator is one with which the average Council member will have had no previous experience in filling. Before an intelligent selection can be made, Council members must know something about the job they are trying to fill. What is a City Administrator supposed to do? Where and how will an individual filling that position spend their time?

The City Administrator is the chief administrative officer of the City organization. It is the responsibility of the individual in that position to ensure that the work of government is carried out at a high level of competence, that the City Council receives adequate advice on the technical implications of its decisions, that the policies adopted by the City Council are

communicated to the employees of the City and the public and that adequate steps are taken to implement those policies.

It is not easy to specify qualifications for a competent City Administrator. Every community has different needs and priorities. The selection of an individual to serve in this important position has much to do with how successful the City will be in terms of meeting the goals and objectives set by the City Council. Although a list of basic qualifications and experience required for the position should already exist in the form of the charter establishing the position and a job description that corresponds with those requirements, the Council will also need to determine collectively what their priorities are in terms of hiring a new individual to serve in this capacity. In addition, the Council should reach an early agreement on the process to be utilized in selecting a new Administrator.
There are several resources available to a City Council in search of a new City Administrator. The International City/County Management Association (ICMA), the National League of Cities and the Wyoming Association of Municipalities may be able to provide some resources and support in such an effort. In addition, the Council should rely on the City's Human Resources Director to assist them in defining the minimum qualifications for the position, the process for soliciting interest and the process to be utilized in the screening of candidates. It is also possible for the City to retain a professional consultant to assist with this process.

Many City Councils rely on three standard procedures for rating candidates: an application form, a personal investigation and an oral interview. From the application, information is gained regarding education and experience. The personal investigation makes possible a check on the candidate's integrity and an appraisal of previous work. This may require only a check with references by letter or phone, or it may lead to a visit to the City where the applicant has served or is serving. The Council should be very thorough on this point. In the oral interview, opportunity is given for an appraisal of such traits as force, tact, personal appearance and sense of humor.

Since it is probably the one time before the actual appointment that the selected candidate and Council will see each other, they should reach agreement or understanding on a variety of topics of mutual interest – major local problems, the role of the Administrator, expectations that the Council has of their Administrator and expectations that an Administrator has of the Council, political conditions and other matters.

Councils generally select individuals who have served as managers or administrators in other cities or as assistants. During recent years, more than half of all newly appointed City Managers or Administrators have had such backgrounds. The next largest group of appointments has come from other public administrative positions such as; finance officers, city clerks, and other city department heads. Generally, less than 10 percent of the city managers or administrators appointed in any year, come from non-governmental positions. In addition, many universities offer graduate programs in public administration and cities have tended to require such educational backgrounds.

When the City Council makes a final decision regarding the selection of an individual for the position of City Administrator, it should, if at all possible, be unanimous. If this is not the case

and the Council offers the job on a split vote, the individual selected should be informed, as this may be a factor in the decision of that individual as to whether or not they will accept the appointment. Some individuals will not take a job offered on a split vote, while others are intrigued by the challenge it implies. In any case, honest differences openly aired lead to mutual confidence and respect.

More often than not, city managers/administrators serve on the basis of a written contract, which specifies the conditions of employment for that individual. Such a contract is likely to be for an indefinite term, as the Administrator will serve at the pleasure of the Council. All other senior management positions, with the exception of the City Attorney, are appointed by and are directly responsible to the Administrator.

The City of Gillette's Charter Ordinance establishing the position of the City Administrator, the current job description and the employment contract for that position have been included in this handbook as appendices.

City Attorney

The City Council also appoints a City Attorney, who is responsible for providing both the City Council and the City Administrator legal advice on City operations and policy decisions. In addition to providing legal advice, the City Attorney also represents the City of Gillette and the City Council in litigation against the City. A member of the Council may seek legal advice concerning the affairs of the City at any time from the City Attorney. The City Attorney's office can also advise a Council member on conflict of interest matters.

Other Council Appointments

The Mayor and Council appoint the administrator, attorney and municipal judges in January of each year. The Mayor with the consent of the City Council also appoints board, commission and committee members, with the only exceptions being the two Joint Powers boards in which the City is a participant. The Mayor and Council make City appointments to positions on these two boards jointly.

As a rule, appointments are made twice a year, unless there is a vacancy resulting from board member resignation. The following is a list of agencies, boards, committees and commissions for which the City Council has appointment authority:

- **Board of Adjustment**
  Quasi–judicial, statutorily established board with authority to grant variances from the City's Zoning Ordinance. This board meets as needed on the third Tuesday of the month at 7:00 p.m. in the Council Chambers. Board members serve a three-year term. Limited to City Residents.
- **Board of Examiners**
  The purpose of the Board of Examiners is to determine acceptable methods and materials in construction in the appeal process, review Contractor & Individual Trade License application packages (which include required documents, complaints received) and either approve or deny New and Renewal licensing as indicated by the guidelines in the City of Gillette, Chapter 5, Building Ordinances. This board meets the second

Tuesday of the month at noon in the City Hall – 2nd Floor Community Room. Board members serve a three-year term. No Residency Requirements.

- **Campbell County Joint Fire Board**
  Oversees the operation of the City/County Fire Department. This board is comprised of three (3) City appointees, four (4) County appointees and one (1) appointee from the Town of Wright, all of whom serve three-year terms. This board meets on the second Wednesday of the month at 7:00 p.m. at the Fire Station One, Community Room. Must be Electors of Campbell County and may not be employees of that Board.

- **Campbell County Joint Powers Lodging Tax Board**
  A Joint Powers Agreement to establish the Lodging Tax Joint Powers Board was prepared and approved by Campbell County, Gillette and Wright and then formally approved by the Wyoming Attorney General on December 5 of 2008. This board is comprised of three (3) City appointees, two (2) County appointees and one (2) appointee from the Town of Wright, 4 representatives from the travel and tourism industry. The board meets the first Wednesday of each month at 5:00 p.m. at the George Amos Memorial Building. No Residence Requirements.

- **Campbell County Public Land Board**
  Responsible for overseeing the orderly development and improvement, maintenance and operation of the CAM-PLEX property and facilities. This board is comprised of two (2) City appointees and five (5) County appointees, all of whom serve three-year terms. The board meets the second Thursday of the month at 7:00 p.m. in the Board Room at the CAM-PLEX. Must be Electors of Campbell County and may not be employees of that Board.

- **Investment Advisory Committee**

Advises the Finance Director and City Administrator on investment matters. Responsibilities will include periodic reviews of the investment policy, making recommendations for the development of an asset portfolio of the investments for the City of Gillette in compliance with Wyoming Statues that limits risk and provides adequate liquidity in an effort to maximize the rate of return. Other functions also include establishing benchmarks and periodic reviews of the investment portfolio, to include all investments managed directly by staff as well as those managed with the assistance of any investment advisory firms. This is a two-year term meeting on an as-needed basis.

- **Mayor's Art Council**

Advises the City Council on ways to create a more visually pleasing environment within the community and expand opportunities for residents and visitors to experience quality works of art in public places. Reviews artist submittals and selects appropriate works of art to improve the aesthetics of Gillette in hopes of purchasing art through allocated funds or private donations. The Council also works with various programs to enhance artistic talent such as Avenues of Art, Children's Memorial Walkway and the annual Christmas pin contest. Board meets the first Tuesday of the month in the 3rd floor conference room at City Hall. No Residence Requirements.

- **Parks and Beautification Board**

Advises the Mayor and Council on all park development matters, reviews landscape plans associated with the development process, and promotes beautification of the City. This board meets the second and fourth Thursday of the month at 5:30 p.m. in the Community Conference Room on the 2nd Floor of City Hall. All members serve a three-year term. Limited to City Residents.

- **Personnel Review Board**

The Personnel Review Board is the final review step for employee grievances and complaints. Two employees serve on the board along with three citizens. Citizens serve a three-year term and employees are elected for a three-year term. This board meets on an "as needed" basis. No Residence Requirements.

- **Planning Commission**

The Planning Commission is involved in the preparation, revision and oversight of development in the City limits and within the planning boundary in accordance with the Comprehensive Plan; Zoning and Subdivision regulations. The Commission is primarily advisory to the City Council on subdivisions, zoning map amendments, annexations, preliminary & final plats, vacate requests, and zoning and/or subdivision text amendments. Limited to City Residents.

- **Public Works/Utilities Advisory Committee**

Advises the Public Works Director, Utilities Director, Director of Engineering & Building and the City Council on utilities, engineering, and public works matters. Responsibilities include periodic review and recommendations of standard construction specifications and engineering design standards; building codes; water, sanitary sewer, and electrical utility policies. The committee meets the third Wednesday of each month at 5:30 p.m. (except June, July, and August) in the 2nd Floor Engineering Conference Room at City Hall. Limited to City Residence or Employment within the Planning District.

- **Regional Water Panel**

The Panel reviews system financing strategies, annual operations & maintenance budgets, annual capital budgets and accepts or reject rates and charges as proposed by the City prior to adoption by the City. In addition, the Panel provides recommendations to the Participating Agencies regarding requests for water from potential Wholesale Customers outside the Designated Service Area (DSA) and the corresponding expansion of the DSA. The Regional Water Panel is a group formed under the Gillette Regional Water Supply System Joint Powers Agreement. The Panel consists of seven (7) appointed persons (three appointed by the Campbell County, three appointed by the City of Gillette and one representative from Wyoming Water Development Commission (WWDC). The Panel meets no less frequently than semi-annually in the third floor conference room of City Hall Thursdays at 6 pm.

- **Urban Systems Advisory Committee**

Established under the Wyoming Department of Transportation Operating Policy 2-4 with the purpose to evaluate the transportation needs of the urban area, compile and prioritize a list of potential improvement projects constrained by available federal and local matching funds, and submit said list to the appropriate governing bodies for their approval. The Committee is mandated to meet annually during the month of November and at other times as necessary on the call of its Chairman.

Effective Council Working Relationships

The essence of an effective governing body is the ability of independently elected individuals to work together with each other. This effectiveness relies heavily on the ability of those individuals to communicate with each other and to learn to disagree on issues while at the same time maintaining effective working relationships.

The City Council looks to the Mayor for leadership in terms of both, laying the groundwork for the Council to develop into a working, cohesive group in public meetings. The ability of the Mayor to serve in these roles requires the assistance and cooperation of all members of the Council as much as the willingness of the Mayor to step into that role. In the end, the degree to which a local government enjoys success will depend substantially on how well the Council functions as a team.

In order for a City Council to operate as an effective unit, all members must be tolerant of each other's views. While there will be many opportunities for real differences of opinion in the conduct of the City's affairs, the extent to which the Council as a whole can facilitate an environment where these opinions can be voiced without open, personal conflict between the members of the governing body will determine the effectiveness of the democratic process in the City. To the degree that members, either in or out of the Council Chambers, impugn, attack, or challenge as false, the motives of a colleague with a different point of view, the effectiveness of the governing body will be limited. This is especially important to remember, as all members, at one time or another will find them in a minority position on an issue. In the interest of establishing positive working relationships amongst members of the Council, the Council as a whole may find the establishment of basic ground rules and mutual expectations beneficial.

Given that this system of local government is a democracy, most Council members have or soon develop a spirit of compromise. To achieve anything requires action by a majority of the governing body. It is not possible to "travel alone" and accomplish either individual goals or the development of policy that is beneficial for the citizens of the Gillette community. The able Council member learns to work with colleagues, with the Administrator and with the public. This is not to imply that service, as a member of the governing body requires a lack of principles for which to fight or the ability to speak out on an issue when the occasion arises. To be most effective, however, the Council member must learn to round off the sharp corners, to cool tempers and to be tolerant and understanding of colleagues. Furthermore, working well with others does not mean following colleagues blindly for the sake of harmony. A member in a minority position on a particular issue has as much responsibility to vote his or her beliefs as someone in the majority on a given issue. To do less is to shirk an important public duty.

Responsibilities of the Council for Public Leadership

Exercising responsible public leadership is a difficult and delicate task. Although it is the primary responsibility of the Mayor to provide public leadership on City issues, it is also a fundamental role of the Council. While the Mayor may be the "point person" in the City's efforts to generate and promote support for community-wide programs, the individual serving in that position cannot effectively do so without the support and active involvement of the members of the City Council. The presentation of policy decisions to the public in a consistent manner is a critical component of the Council's ability to function effectively as a team. The extent to which the community accepts a policy decision by the Council will be limited to the Council's ability to reconcile diverse interests in the context of its decision-making. Given that every policy decision the Council makes has the potential for conflict, the Council's success in this area is critical to its exhibiting successful public leadership.

Providing Leadership as a Member of the Council

To meet their leadership responsibility as a member of the City Council, individuals may utilize a variety or combination of approaches. The first approach to leadership on a given issue may be to obtain and react to constituent wishes and demands by expressing the same during the course of Council discussions and debate. A second approach to leadership may be to arbitrate conflicting interests (i.e. listen to all sides) and attempt to resolve issues to the satisfaction of all contending forces. A third approach may be to study the problems facing the City, determine alternative solutions for those problems, present this information to the general public and decide on a course of action believed to be the best course of action for the general welfare of the community. Many contend that this last alternative is public leadership.

Such a conclusion is based on the belief that the Council is in the best position to take a broad overview of community needs and to determine how resources can be allocated to meet those needs.

Methods of Public Leadership

There are many ways through which members of the governing body can exhibit leadership in carrying out their duties. Examples include critically examining traditional City policies and operations, assuming the role of community opinion leader and generating public support for community programs and services.

First, the fact that a City function has traditionally been performed in a certain way is not justification for exempting it from change. A newly elected member of the governing body, while encouraged to first establish a sense of existing operations, is in a good position to challenge traditional methods of operation. And, while it is the responsibility of members of the City Council to challenge traditional methods, they should exert some caution and consult the City Administrator and other City staff in doing so. While challenging the status quo can be important, there are often sound reasons behind certain methods and practices, thereby necessitating a slow, comprehensive approach to such change.

Second, some issues will require that the Mayor and Council attempt to change public opinion and convince citizens that a more difficult course of action may be better suited to long-range

objectives. For example, when public opinion may seem to be demanding lower taxes and decreased spending, the Mayor and Council may determine that community problems demand new services and increased expenditures. Under such conditions, the Mayor and Council have a responsibility to call to the attention of the public the necessity for providing new services.

The third, and in many ways the most important public responsibility, is to generate public support for City programs and policies. This means the Mayor and Council must assume a role of informing citizens about government problems, programs and activities and must do so in a continuous process of explaining, persuading, and, ultimately, obtaining broad-based community support. This can be a delicate process, one which involves a multiplicity of human relationships and a maze of selling techniques, including telephone calls, sidewalk meetings and appearances before citizen groups, clubs, luncheon groups and neighborhood organizations.

In all these circumstances, the Mayor and members of the City Council should rely on the City Administrator and other City staff to provide the information and documentation necessary to assist them in their public leadership role.

Gaining Citizen Support

Citizens, while not likely to band together spontaneously to define and support long-range programs for community improvement, tend to be open to being educated on important community issues and programs. Through leadership efforts designed to educate the public on critical issues facing the community, the Council can gain citizen support for proposed solutions to those issues. The following are examples of ways the Mayor and Council can gain citizen support for solutions to community issues:

1. Identify problems, both human and physical, whose solution is essential for community development. For this, the City Administrator and staff can be of great assistance. Enlist support of local business, labor, educational, professional, industrial and religious leaders to create a better understanding of the mutual and interrelated responsibilities of each group to promote progress on solving these problems.

2. Work in partnership with the media and use personal appearances to maintain good community relations with citizens' groups, clubs, neighborhood groups and voluntary organizations. Also, this can promote citizen understanding and discussion of community problems and programs.

3. Enlist the assistance of a cross section of citizens, specialists and community leaders on advisory boards and committees to broaden understanding of, and participation in, community problem solving.

4. Actively participate in organizations of public officials (Wyoming Association of Municipalities, National League of Cities) that are concerned with improving municipal government through cooperation with other local governmental units, exchange of

information and promotion of state and federal measures to help local governments serve their citizens better.

Exercising public leadership is a difficult responsibility. It requires critical examination of traditional methods of delivering services, receptiveness to new ideas and a willingness to face controversy and criticism. Public leadership, joined with the power of the Council to make policy decisions, must be exercised with intelligence, caution and self-restraint; but it must be exercised, for lack of leadership today will only bring greater problems for the City in the future.

Conflict of Interest

As defined by Wyoming statute, a conflict of interest may exist when the City considers contracts with members of the Council or the Mayor or their families. Wyoming Statutes § 15-1-127 prohibits those contracts unless full advance disclosure is made and the member of the governing body who has a monetary interest in the contract does not participate in the consideration or enforcement of the contract. The law requires that the person who would contract with the City must disclose fully his interest or that of a member of his family in the contract prior to its consideration, must not attempt to influence the other members of the governing body in any way relating to the contract, must not participate in nor be present during the consideration, discussion or vote on the contract, and must not act directly or indirectly for the governing body in inspection, operation, administration or securing performance under the contract. If all these provisions are followed the contract will be enforceable.

At a practical level, a conflict of interest may also exist when a member of the City Council has a financial interest in the resolution of a decision facing the governing board. Such a financial interest could be either direct in nature (mineral interests in a possible rezoning case that would ultimately allow drilling on the property in question) or indirect (as a silent partner in a rezoning case where the sale of the property in question is contingent upon the rezoning). In either case, it is important for the Council member in question to avoid not only impropriety, but the appearance of impropriety as well. While is may seem that as an individual property owner, an individual member of the governing body has a “right” to profit from ventures which have little, if anything, to do with the City, the fact that that member is a policy maker for a public venture results in a totally different set of rules.

There are a number of ways to determine if you, as a member of the Gillette City Council, have a conflict of interest in relation to a given policy decision before the City Council. If you believe that you might have conflict but are not sure, it is best to seek advice from either a confidant, the Mayor, another member of the City Council, the City Attorney or the City Administrator. Feedback from these sources on this issue may assist you in clarifying in your own mind the existence (or non-existence) of a conflict of interest on a given issue. While each of these potential sources can give you invaluable input in determining if you have a conflict, in the end, you must make the final determination. Remember, the safest route as a public official is to err on the side of caution; it’s not just the existence of a conflict that can hurt your credibility, it is also the perception that one exists.

If you determine that a conflict does exist on a given issue, there are practical steps that you can take to address the situation. These steps have everything to do with first, disclosing the conflict to the others involved in making the decision and second, removing any doubt that you were involved with making the final decision on the issue in question.

The first step is to disclose to the other members of the governing body that you have a conflict and will not be participating in either the discussion or the decision related to the issue in question. This is a critically important point. If you participate in the discussion of the topic, and then do not participate in the final vote on the matter, you have not completely removed yourself from your conflict.

The second step is to eliminate the perception that you are in any way involved in either the discussion preceding the decision or the decision itself. This can be done most effectively in the following manner: following the Mayor's announcement of the agenda item in question, seek recognition from the Mayor, announce that you have a conflict of interest on the item in question, then leave your seat at the Council meeting and either seat yourself in the audience or completely leave the room. It is important to note that leaving your seat with the rest of the governing body and then addressing them from the audience or from the podium reserved for the public will completely destroy any effort you may have made to separate yourself from your conflict. While this may seem unfair, the fact remains that leaving your seat at the Council cannot divorce you from your official role as a member of the Council and the conflict that you may have on a given issue.

Finally, while we may each have a difficulty in determining our own conflicts of interest, we often have much less difficulty in seeing conflicts that we believe others have on a given issue before the governing body. At a practical level, if you believe another member of the Council has a conflict of interest on a given issue, the best way to approach the issue is to discuss it with the Council member in question. In the event you are uncomfortable in doing so, it is also possible to discuss the matter with the Mayor, who in turn may discuss the issue with the Council member in question. In either case, however, it remains the decision of the Council member in question as to whether they feel a conflict exists or does not.

RESOLUTION NO. 2060

A RESOLUTION ADOPTING A POLICY PERTAINING TO
COUNCIL ETIQUETTE, ROLES AND RESPONSIBILITIES

WHEREAS, the City of Gillette seated a new City Council on January 3, 2005; and

WHEREAS, the ability and effectiveness of the City Council to work for the betterment of the citizens of Gillette is directly related to the ability of individual Council members to work together; and

WHEREAS, establishing a policy for City Council operations will assistance all members in developing a mutual understanding of those operations,

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF GILLETTE, WYOMING: That the following policy pertaining to Council Etiquette, Roles and Responsibilities shall be adopted.

COUNCIL ETIQUETTE, ROLES AND RESPONSIBILITIES

I. City Council

The City Council is the community's legislative body. Council members are elected to provide leadership for the community by establishing City policies and procedures.

A. Accountability

1. Council members should represent loyalty without conflict to the interests of the citizens of the entire City. This accountability supersedes any loyalty that might conflict such as loyalty to ward, advocacy, interest group or membership on other councils or staffs. This accountability supersedes the personal interest of any council member acting as an individual consumer of the City government's services.

2. Members of the Council should be careful not to become or appear to be a singular advocate of one City operation. The appearance of favoritism or undue focus on one City operation should be avoided.

3. Members of the City Council shall not act in a manner unethical or contrary to Wyoming law or City ordinances.

4. Members of the City Council shall disclose any potential conflicts of interest they believe they may have to the Mayor, the remaining members of the Council and to the public and shall remove themselves from consideration of any issue in which they determine they have such a conflict.

B. Absences

1. Council members are expected to notify the City Administrator's office of a meeting absence in advance of the meeting.

2. Council members are asked to provide contact information to the City Administrator's office during out-of-town absences.

C. Travel Policy/Expenditure Guidelines

1. Out of state trips by members of the City Council which are funded by the City shall be with the concurrence of the Council and/or the Mayor. Such concurrence may be informal, with the availability of funds being a primary decision-making factor.

2. Local expenses. Members of the City Council may be reimbursed for reasonable expenses associated with the conduct of official City business, including periodic business lunches, charges for community events and membership in no more than two (2) service clubs. Individual City Council members shall report to the full Council on each community event for which they desire reimbursement and each membership to be taken out at the City's expense and the Council shall have the authority to determine both which events and organization(s) for which the Council member shall be reimbursed.

D. Conduct and order at meetings

1. Rules of parliamentary procedure and/or Robert's Rule of Order will be used at meetings.

2. Speaking over others or interrupting while others have the floor is not permitted.

3. Executive sessions are held by the Council to discuss items related to personnel, the purchase or sale of real estate and/or litigation. Discussion during executive session is limited to these topics by state statute. Disclosure of discussion content in these sessions will be considered a serious breach by an individual Council member of their responsibility to the group as a whole.

II. Direct Council employees

According to Wyoming law, the Council hires and supervises the City Administrator, the City Attorney and the Municipal Judge(s).

A. City Council/City Administrator Relationship

1. The City Administrator is responsible for directing the daily operations of City government, to prepare and monitor the municipal budget and to implement the policies and programs initiated by the City Council.

2. As the Council's single, official link to the operations of City government, the City Administrator's performance will be considered synonymous with organizational performance as a whole.

3. The City Administrator is responsible to the City Council rather than individual Council members. No individual Council member has the authority to direct the City Administrator or other City staff without the consent of the Council majority.

4. The City Administrator, by direction of the City Council, shall have the authority to handle, manage and administer the day-to-day operations of the City. The final decision on situations that exceed this level of authority will ultimately be the responsibility of the City Council. When individual Council members are approached by City of Gillette employees concerning employment issues, these employees should be referred to the City Administrator. Upon the request of the Council member, information regarding any actions taken by the City Administrator will be forwarded to the Council member.

5. The City Administrator shall notify the Council in advance of any absences from the City and shall provide contact information.

6. The City Administrator shall reflect the policies and position of the entire Council when representing the City.

7. The City Administrator shall not act in a manner unethical or contrary to Wyoming law or City ordinances.

8. The Council shall review the performance of the City Administrator on an annual basis.

B. City Council/City Attorney Relationship

1. The City Attorney shall provide adequate legal counsel and representation to the City, when requested, and to individual City Council members in the performance of their official duties.

2. The City Attorney is accountable to the City Council acting as a body, not to any individual member or group of members, nor the Mayor, City Administrator or Municipal Judge.

3. The City Attorney is responsible for responding to requests for legal research or other legal information or action by the Mayor, Council members, the City Administrator, administrative department heads or Municipal Judges. Requests for legal information or opinions should be limited to City-related issues and a determination of appropriateness, if necessary, shall be made by the Mayor.

4. The City Council shall appoint the City Attorney on an annual basis.

III. Interaction with Other City Staff

A. City Council policy is implemented through professional staff. Therefore, it is critical that the relationship between Council and staff be well understood by all parties so policies and programs may be implemented successfully. The City of Gillette has a long tradition of positive relationships between members of the City Council and staff. To maintain these effective relationships, it is important that roles are clearly recognized.

B. As such, members of the City Council should avoid giving orders to, or making substantial requests for information from, City employees. Such requests for action or information should be made through the City Administrator, who will take steps to insure a timely response to the same. This advice does not preclude interaction with staff in the event of questions on a specific issue, minor requests for information or in a Council meeting or workshop setting.

IV. Dissemination of Information

A. In cases where a staff response to an individual Council member request involves written materials that may be of interest to other Council members, the City Administrator will provide copies of the material to all other Council members. In making this judgment, the City Administrator will consider whether the information is significant, new, otherwise not available to the Council or of interest to the Council.

PASSED, APPROVED AND ADOPTED this _____ day of _____, 2005.

CITY OF GILLETTE, WYOMING

_____
Duane Evenson, Mayor

ATTEST:

_____

Margo Rhoades, City Clerk

COUNCIL DUTIES IN GENERAL

In determining policies for the City, Council members will confront a wide array of issues: zoning issues, establishing utility rates, determining which water and sewer mains are due for replacement, building codes issues and updates, job classification plans and a host of other technical subjects. Obviously, no one can be expected to be an expert on all of these subjects; yet each member of the Council must know enough about such complex issues to act on them in such a manner as to benefit the City. As elected officials, Council members must look for the answers to these problems from their constituencies, their conscience and their common sense.

What Must the Council Member Know?

In order to properly carry out the responsibilities of their office, City Council members must be able to determine the following three things:

1. what needs to be done
2. what the people want done; and
3. what, in terms of board policy, is the best way to do it.

The answers to these three questions are not necessarily always in harmony. Some things may need to be done and can be accomplished easily (from a technical perspective), but the people may not want them done. An example might be assigning more traffic officers and radar equipment to catch speeders on Highway 59. Hiring more officers and purchasing additional radar equipment, while easily accomplished from a technical perspective, may also result in a politically unpopular program.

On the other hand, some things, which the citizens either want or need, may not be technically feasible or financially possible at the moment. An example of a citizen need might include the extension of the City's sanitary sewer system to subdivisions which might be experiencing failing septic tanks and which might require extensive engineering or questions of financing. Some citizens may be experiencing a real need, while others have no desire to be placed on the City's sewer system. And, all of the affected citizens may want the City to pay for the entire improvement, while this would not be fair to other citizens in the community who originally paid for similar improvements serving their property. Finally, some things which the people want and which can be attained, may be less urgent than other needs, such as a new

public facility. A project of this nature must be judged in relation to the community's other capital outlay needs. In all these cases, it is the Council's responsibility to make determinations between needs, wants and priorities and resolve the differences related to the same.

Where can the answers to these often-difficult questions be found? Where can the information necessary to making a sound decision be obtained? To determine the needs of the City, Council members rely on their own observations and knowledge of the community. Even before election, members will have their own ideas about City needs. Once in office, talking with groups and individuals and keeping in touch with the community will provide additional perspective regarding community needs and desires. Another source of input for Council decision-making is the City Administrator and other administrative staff. These individuals look at the City and the community through the eyes of professional administrators. As a result, the problems they see and the suggestions and solutions they offer may be far different from those presented by the layman.

A third source of information for the decision-making process is available in the form of complaints, suggestions and ideas submitted by interest groups and individual citizens. These deserve courteous and careful attention, as they are a valuable source for determining the needs of the City. These people are citizens and taxpayers, a fact that Council members frequently have called to their attention.

Regardless of a Council member's preference for the method of gathering information on a given issue, the Council will have plenty of opportunity to consider different points of view. Various interest groups purporting to represent the will of a majority of citizens will be present whenever any important issue is discussed. These groups often are determined minorities and they should be given consideration so far as they provide valuable clues to the state of public opinion. In addition, personal investigation – talking to individuals and with small groups, club members, church and civic organizations – is also very important when faced with a difficult issue or decision.

What is the best way to accomplish the desired end on a given issue? This question confronts the Council in determining the best course of action, whether on broad policy matters or on technical questions of zoning, utility rates, water lines and the like. The Council, in the final analysis, must rely heavily on the City Administrator and department heads for information. The City Administrator should, in turn, supply the Council with all of the pertinent facts together with staff's recommendations on a given issue.

The City Administrator and other City staff are an important source of information for the Council as it addresses the critical issues facing the community. Staff has access to a wide variety of information sources and is professionally trained to provide expertise to the Council in its decision-making process. While an individual Council member should rely on a variety of sources for developing their position on an issue, they should not take the recommendations of City staff lightly. This is not to say that there won't be times when an individual member of the Council or the Council as a whole might make a determination contrary to the advice given them by staff. However, this circumstance should be the exception, not the rule. Ultimately,

the level of trust between elected officials and their professional staff is critical to the ability of a local government to address its problems successfully.

In addition to City staff, the City will also retain consulting firms in a variety of areas. Consultants are typically hired to either bring expertise that does not exist within the organization or to supplement the expertise that exists within the organization. They can also be utilized to assist the Council in establishing very broad policies or they can be very focused on a particular issue the city faces. Regardless of the purpose, consultants can be a very important source of information for Council decision-making.

Once the individual Council member has assimilated the necessary information from various sources and considered issues on a citywide basis, the Council as a whole is prepared to discuss the subject at hand and make a determination as to the City's ultimate course of action.

Citizen Inquiries

Another responsibility of a member of the governing body is the constituent complaint or concern. Often a constituent will contact a Council member with a question or a complaint about a particular problem. Complaints are often related to not understanding why a particular action was taken and sometimes to how a service has been provided (or not provided).

When a member of the Council either has or is notified of a particular service issue or question, City staff is also concerned about addressing the problem and providing a quick and accurate response to both the Council member and the concerned citizen. The most effective way for the staff to ensure that issues are addressed in a prompt manner is for the Council member to contact the Administration office with his/her concern. Once Administration has been made aware of a particular issue, it is entered into the Action Request computer system program. The issue consists of the citizen's name, address, phone number and details of the issue. Once this information is entered into the system, the electronic form is sent to the appropriate department for a response within 72 hours.

Council Public Relations

For the City, public relations are not only a function of the City Administrator and senior management, but it is also a necessary and important activity of the Council in providing political leadership. The Mayor, as has been pointed out earlier, plays an important role as a political leader. But the Mayor cannot win popular support of the City's program without the assistance of the Council. The Council as a whole must assume this responsibility or the community will suffer.

What does political leadership mean? It means taking the responsibility for educating the citizens about the City's programs, especially given that information on important issues is more readily available to the individual Council member than the average citizen. This means that if a proposed policy is considered to be good for the community by a member of the Council, it is that Council member's duty to attempt to secure its adoption. Likewise, if an individual member of the Council determines that a particular policy proposal is not in the best interest of the community as a whole, it is the duty of that member to defeat that proposal. And

while it is true that a member may ensure re-election by constantly keeping an ear to the ground and supporting only those things that are popular, such a practice does not necessarily make a good representative of the people. A Council member should be responsive to, but not afraid of, the electorate.

A Council member will be wise not to make decisions or promises to those seeking resolution of a problem or the revision of a policy until the City Administrator has gathered the necessary information addressing the issue in question and recommended a policy addressing the same. This is especially true for the new Council member, who may be approached by some citizens to make commitments on matters, which former members have avoided for good reasons.

Finally, how long an individual Council member remains at City Hall and how effective they are during their tenure depends to a large degree on public relations – with the individual voters, the newspapers, radio and television covering the community and its activities and all kinds of clubs, civic and professional organizations.

Citizen Contacts

Contacts with constituents will come in many ways: by telephone, letter, e-mail and personal contacts of various kinds. Citizens want to see their Mayor and Council, to hear what they have to say. Many of the representative duties and responsibilities of an elected officer cannot be delegated, resulting in extra hours and much activity. Numerous contacts with citizens in a variety of settings will assist the individual Council member in their responsibility as a representative of the people.

While contact with citizens is important, the average citizen does not always understand why the person elected to the Council should not personally see that garbage is collected, streets paved or property rezoned. One of the most difficult tasks for a member of the Council is assisting the public in understanding that the true function of a Council member is to be a generalist in policy-making, while actual administration is carried forward by the City Administrator, principal subordinates and employees. While the individual Council member has a responsibility (and a desire) to assist individual constituents with their problems, the City Administrator and City staff in general have the responsibility to actually address those problems brought directly to members of the Council.

Other Duties between Meetings

While the majority of the Council member's policy-making responsibilities are addressed in the context of regular meetings, breakfast meetings, and workshops, a significant amount of work for the individual Council member falls outside of these settings. Some of these areas include:

- **Citizen Complaints** Every Council member can expect to receive an occasional complaint from citizens about some phase of City administration. Such complaints should be referred to the City Administrator in an effort to correct the situation in a manner consistent with City policies. In the event that the complaint can effectively be

addressed, the City Administrator will notify the citizen of the action taken and provide this same information to members of the Council. Under certain circumstances, the complaint will involve something that cannot be resolved or effectively addressed without a change in City ordinances. When this happens, the Council member should explain the situation to the citizen, and if warranted, ask the City Administrator to develop some recommendations for correcting the situation.

- **Homework –** The City currently forwards information to the Council in the weekly distribution of General Information packets and twice a month Council meeting packets, which are distributed in advance of regular Council meetings. The Mayor and Council receive a packet at their individual residences every Friday, which is usually delivered by a Community Service Officer from the Police Department. Council members are expected to prepare for upcoming meetings by reading the materials forwarded to them through this process.

- **Ceremonial Duties –** Every Council member should also devote as much time as possible to taking opportunities to educate the public on policies being considered by the Council or which have been submitted by the Council to a public referendum.

- **Media –** Handling the media is a major factor when the Council is facing decisions on significant community issues. When dealing with members of the press, a Council member should be aware that it is not the responsibility of the media to keep a Council member from making premature or erroneous statements. Individual members of the Council can, and should, expect to be contacted by the media, especially when contentious issues are being debated by the Council.

Representing the City

Representing the City at the state legislature and in matters of municipal interest that come before Congress are both important tasks. Most contacts with elected members of the state and national legislative bodies generally should be made by the Mayor or Council rather than by the Administrator. While the Administrator or other City staff can effectively address issues of a technical nature, those elected to state and national offices tend to be more favorably inclined to local elected officials on general legislative questions.

Comparative Study

Council members can acquire comparative ideas about municipal government by reading such publications as Public Management, American City and County, Nation's Cities Weekly and WAM News. These publications are available to all members of the Council due to the City's numerous memberships in state and national organizations.

Conferences

Individual Council members will, from time to time, receive invitations to attend state and national conferences dealing with municipal problems. These conferences afford the individual Council member opportunities to learn how other cities tackle and solve problems similar to those being faced by our community. As Gillette is considered a leader in the state, it is particularly important to attend the annual WAM Convention and other WAM events and, as

the community has significant interests in national issues related to energy development, it is also important to attend the annual National League of Cities Conference.

RELATIONSHIP OF COUNCIL TO CITY ADMINISTRATOR

Of all relationships existing throughout the Mayor/Council/Administrator form of local government, none is more important than that of the Mayor/Council - Administrator. The Administrator is responsible to the Council for the proper conduct of all City activities under the direction of his/her office and providing information and advice to the City Council for decision-making on those issues before the Council. The Administrator is the Council's technical advisor and consultant, but only the Council can make laws and establish policies. While the burden for political leadership falls squarely on the Council, the Administrator is responsible for assisting and supporting the Council in their role as political leaders.

Council Expectations for the City Administrator

The Council has a right to expect administrative leadership from the City Administrator, including knowledge regarding the status of City finances, personnel and projects. The Administrator is expected to appoint competent department heads, address organizational issues, and develop effective working relationships with City employees, local community organizations, citizens and the City Council itself.

The Council also has a right to expect that it will receive the information that it finds necessary to make a decision on any policy issue placed before it for consideration. It is the Administrator's responsibility to insure that this happens, that the information before the Council is as complete as possible and presented in such a manner as to be clear, concise and easily understandable. This means that the Administrator's role is to facilitate Council decision-making on policy issues; it is not to determine ahead of time what decision is to be made or to limit information based on a desired outcome. The Administrator who withholds information from the governing body or who does not understand his/her proper role in the process does a disservice to those for whom he/she works.

The Council, as policy-making body, has every reason to expect that it will be kept informed of both the City's financial condition and its future needs. To this end, the annual strategic/goal-setting process, the annual capital planning process and the annual budget process are critical to the success of both the City Council and the organization as a whole. In these processes, more than anywhere else, the Administrator's responsibility for facilitating Council decision-making and providing reliable and clear information is critically important.

In addition to these important annual processes, the Council must also look to the City Administrator for regular reports on such matters as estimated revenues compared with actual revenues, appropriated funds compared with actual expenditures, progress towards attainment of Council goals, progress on major construction projects sponsored/financed by the City and the results of special studies or programs designed to improve the City operations.

The Council also can reasonably expect the City Administrator will keep it informed of numerous situations which may create future demands on its time and resources. For example, if a demand is developing for a new type of service or expansion of existing service, the City Administrator should indicate the source and kind of pressure being brought to bear. As soon as possible, the Council should have information regarding probable cost in operating

expenditures and capital outlay. Ultimately, the City Administrator will make final recommendations and the Council must make the final decision related to these issues.

The Council will also expect the City Administrator to be capable of (1) formulating recommendations on a variety of issues, (2) extracting information and suggestions from employees, (3) administering the laws of the State and the City and (4) reviewing and improving individual department and division operations as well as the overall operation of the City's organization.

In addition, the Council will be well advised to ask for the City Administrator's recommendations on any legislative matters it is considering. The impact of citizen resentment often bears more heavily on administrative officers and City staff than it does on policy makers. The problems encountered by City Administrators and staff in carrying out restrictive ordinances and the difficulties in meeting situations where legislation is inadequate are, in many instances, better known to the City Administrator and City staff members than to members of the City Council. Where circumstances warrant, the City Administrator will submit alternative proposals on policy matters together with the advantages and disadvantages of each alternative.

The Council can, and should, expect the City Administrator to relieve it of all possible administrative detail. It is the City Administrator's duty to handle these details expeditiously, fairly and with proper record keeping, so any questions arising later may be answered readily. The City Administrator is responsible for follow-up on projects and problems, which might arise. The Council rightly expects the City Administrator to implement its decisions and to report on the disposition of problems brought to its attention.

By way of summary, the Council should expect the City Administrator to:

1. Serve as the chief administrative officer of the City, responsible to the City Council;
2. Appoint, and when necessary for the good of the service, suspend or remove officers and employees of the City under his/her direction and direct and supervise their work;
3. Prepare the budget annually and, together with a message describing its important features, submit the same to the Council; and be responsible for the budget's administration following its adoption by the Council;
4. Prepare and submit to the Council at the end of the fiscal year a complete report on the preceding year's finances and administrative activities;
5. Keep the Council advised of the financial condition and future needs of the City and make recommendations as may be desirable;
6. Recommend to the governing body a standard schedule of pay for each appointive office and position in the City service, including minimum, intermediate and maximum rates;
7. Recommend to the governing body (from time to time) adoption of such policies as may be necessary or expedient for the health, safety or welfare of the community or for the improvement of administrative services;
8. Create, consolidate or combine offices, positions, departments or units within the jurisdiction of the office, with the approval of the City Council;

9. Attend all meetings of the City Council, unless excused there from, and take part in the discussion of all matters coming before the Council;
10. Supervise the purchase of all materials, supplies and equipment for which funds are provided in the budget;
11. See that all laws and ordinances are fully enforced;
12. Investigate the affairs of the City, or of any department or division, investigate all complaints in relation to matters concerning administration and in regard to service maintained by public utilities, and see that all franchises, permits and privileges granted by the City are faithfully observed;
13. Devote all working time to the discharge of official duties; and
14. Perform such other duties as may be required by the Council not inconsistent with state law or ordinances.

While the Council members have every reason to expect these and other services from the City Administrator, they also have a responsibility to see that the City Administrator has adequate staff assistance and resources. Managerial functions cannot be performed adequately without skilled subordinates in fiscal procedures, personnel administration, law, planning and other staff services, nor can services effectively be delivered without sufficient resources appropriated for the same.

City Administrator's Contacts with Mayor and Council

While contacts between Council members and the City Administrator are generally limited to group meetings, a number of individualized contacts occur over the course of a regular business week. For the most part, these contacts with individual Council members are limited to periodic requests for information or assistance and informal meetings.

The City Administrator serves as the individual Council member's primary contact on all administrative inquiries and requests for information. While there are circumstances that might dictate that other City staff members assist the City Administrator in providing information to members of the City Council, most often this information will be provided through the Administrator or the Administrator will facilitate discussions involving the Council member in question and the appropriate staff. While a Council member is free to contact City staff other than the City Administrator, an overabundance of such contacts only serves to limit the Administrator in their responsibility to assist the individual member of the Council as well as the Council as a whole. In the event that a particular request from an individual Council member is likely to result in a substantial commitment of time and resources, it is best if that Council member consult with either the City Administrator or the Council as a whole.

The Council can also expect the City Administrator to provide the means for individual members to report complaints and issues from constituents. Any action taken by the City Administrator in response to these issues should be consistent with existing City policy or be approved by the Council as a whole. When an individual member requests a specific and appropriate action or report the action taken to address a previously-reported problem, it is realistic to expect that the City Administrator will effectively address the issue at hand and then inform the entire Council on any such matters that are of general interest. Once again, if a

significant amount of staff time or City resource is involved in addressing the concern, the Council as a whole should vote on whether the issue in question warrants the same.

Of necessity, the City Administrator will have a close working relationship with the Mayor. The Administrator is expected to meet with the Mayor on a regular basis to discuss the setting of agenda content for City Council meetings, the scheduling of City Council workshops and other Council-attended meetings and the discussion of a variety of City issues. The Administrator will advise the Mayor of those issues which will face the Council in the near future, discuss implementation difficulties related to Council-adopted policies and receive feedback from the Mayor on policy initiative development and Council desires and concerns.

City Administrator in Council Meetings

There is no exact formula for determining the role of the City Administrator in Council meetings, except that it usually conforms to what is expected by a particular Council.

The City Administrator and his/her principal staff attend Council meetings to provide information and to advise on Council consideration of policy development and adoption, resolution of community and organizational problems and progress on important projects. And, although staff is present at meetings to assist in answering questions and addressing concerns (when requested by the Council), basic factual information should already have been established through the inclusion of a thorough report sent out in advance.

As much as the Council usually has been given advance data on the scope of particular problems and recommendations for their solution, the City Administrator will do more at formal Council meetings than to provide brief reports for public awareness and answer specific questions addressed to them by the Mayor or other Council members. The City Administrator should not attempt to dominate Council meetings, but should instead be present with other City staff to address issues when requested to do so by the Council. It is broadly considered more appropriate for questions directed at staff be done through the City Administrator in all Council meetings.

Council's Contact with Administrative Personnel

In order to be effective, the Mayor/Council/Administrator form of government in Gillette requires that the City Council deal directly with the City Administrator on the general supervision and direction of the administrative operation of the City government. As the appointed administrative head of the City, the City Administrator offers the Council a great deal of professionalism in the execution of his/her duties, which the Council utilizes to direct overall City operations.

Because the City Administrator acts on Council's behalf, questions to staff by Council should be channeled through him/her so that appropriate lines of communication are open and effectively utilized. Where the information needed by an individual Council member involves more than a simple answer, which can be immediately supplied by an employee, the request should be made to the City Administrator. In addition, since administrative personnel are responsible to and perform work at the direction of the City Administrator, any attempt by individual Council members to short-circuit the City Administrator's authority by issuing direct

orders to officers or employees, or by requesting detailed reports from them, will not only cause friction in the administrative mechanism but also disrupt budgeted work. A conscientious Council member who receives complaints about garbage collection may be tempted to issue a direct order to the director of water and sanitation, or perhaps to a sanitation supervisor. However, such action places the City Administrator at a serious disadvantage because the inevitable result is usurpation of his/her administrative authority.

In summary, while there may be exceptions to the general rule of making specific requests to staff members other than the City Administrator (as discussed previously in this handbook), Council members are advised to proceed cautiously when consulting City staff other than the City Administrator and to especially abstain from giving direct orders to City officers or employees.

A related problem that is often experienced in City government occurs when employees seek to bypass the City Administrator or other proper channels and develop a "friend" on the Council. While many Council members feel that they have an obligation to hear anyone out on a given issue, including employees, there is a fine line between listening and taking action in such a situation. In addition, reacting to such comments can create a circumstance in which an individual Council member quickly finds themselves compromised. In any event, individual Council members who experience such contacts are advised to discuss the same with the City Administrator for two reasons: to hear the "other side of the story" and to give the City Administrator a chance to rectify or find a solution to the issue at hand. If the Council member in question has concerns about possible retribution by the Administrator towards an employee that feels compelled to approach them with an issue, the Council member should feel free to provide this information to the Administrator in such a manner as to retain confidentiality.

Finally, the City Administrator is directly responsible for obtaining information and taking action on Council concerns and for reporting back to the Council on a schedule that is satisfactory to the governing body, acting in accordance with City Council policy and developing recommendations on issues when necessary. When the City Administrator is effectively doing one's job, there is little incentive for the Council to bypass his/her office.

Standards for Evaluating Administration

Perhaps one of the most difficult tasks for the City Council is evaluating the City Administrator. There are, however, certain benchmarks that can be utilized by the Council in assessing Administrator effectiveness. The attitude of the community toward the City Administrator is one guide to effectiveness. Oral and written reports submitted to the Council by the Administrator can also provide some idea of the City Administrator's competence.

First and foremost, a City Administrator's effectiveness should be measured by the ability of the person in that position to assist the City Council in meeting its defined goals and objectives. If it is the Administrator's primary role to assist the Council in doing so, it would seem appropriate for the first measure of performance effectiveness to be determined through an assessment of goal accomplishment.

The Council can also obtain some estimate of capability from the City Administrator's handling of the budget. Is the document itself understandable? Can the needs of the City be visualized by reviewing the budget? Is there validity to the recommendations? Are explanations clear and sound? The presence or absence in the budget of standard summary tables, the City Administrator's awareness of what other cities are doing with their money, the comparison of estimates for the previous fiscal year with actual operations, the completeness of the budget message – all these factors indicate the Administrator's ability to explain the document and prepare the Council for the issues identified therein.

Complaints, which the Council receives from the public about the administration, may also furnish some index of managerial efficiency, as long as it is taken into account that there are other factors, which affect the tone, and number of complaints a City may receive. The Council must discriminate between complaints against the Administration itself and those against a policy being administered. A water shortage, for instance, which might be attributed either to the Council or the weather (or both), while greatly contributing to the number of complaints a City receives, is not necessarily a proper measure of administrative efficiency. On the other hand, the number and kind of criticisms brought against the City Administrator and employees may indicate to a degree the City Administrator's ability and awareness of his/her responsibilities.

The City Administrator's attitude toward Council questions on administrative matters may also be used as a yardstick for evaluation purposes. The City Administrator, who encourages discussion on basic administrative problems, relates the "what" and "who" of actions and whose statements are borne out by other evidence which comes before the Council, is probably well aware of what goes on in individual City departments. The quality of subordinates is another index by which the Administration may be judged. The ability to meet standards, to develop recommendations and to administer Council policies reflects the City Administrator's ability to explain, delegate, inspect and coordinate. The promptness with which problems reported by the Council are handled (judged in terms of problems being resolved) gives the Council a further clue as to the Administrator's effectiveness.

Other indications of the City Administrator's performance are available, such as: What kind of agenda is prepared for the Council meeting? How are current City problems reviewed and handled? A vigilant Council will note citizen reaction to the police department, the general appearance of the streets, the condition of the fiscal records as reported by the independent auditor, the existence of adequate controls over such operations as storerooms, purchasing under competitive conditions, use of municipal vehicles and equipment and the frequency with which the Administrator requests emergency appropriations or other emergency action by the Council. All of these findings should be considered in light of the recommendations being made by the Administrator to correct deficiencies.

Finally, the Administrator should make frequent reports to the Council on a variety of issues, beginning first with progress on Council-established goals. The completeness and readability of the report and the soundness of conclusions reached in terms of the facts presented are good indications of ability. The willingness of the Administrator to develop significant reports,

to consult with the Council on problems and to recognize that all wisdom is not encompassed in the Administrator's office is indicative of that official's qualities as an Administrator.

As a final element of control and evaluation, the City Council may conduct, on its own behalf, a formal investigation of the City Administrator. This power is ordinarily used only when the Council has reason to suspect failure and laxity in the performance of duties. When a Council works closely with the Administrator, as it should, such a drastic step is rarely necessary. Nevertheless, the power of investigation rests with the Council and can be brought into play in critical situations.

Certifying Council Action to City Administrator

The City Administrator is responsible for informing department heads and all other employees of what they must know in order to carry out both Council and administrative objectives.

It is seldom that any policy retains its integrity as it goes through channels unless a guiding hand watches over its movement. This is the Administrator's duty, normally being more acutely aware of Council decisions than other officials, and ultimately responsible to the Council for policy implementation.

The Council as an Employer

The City Council will realize best results in dealing with the Administrator by following sound practices of employer-employee relationships developed in all types of public and private employment. When the Administrator is not performing as well as expected, the first order of action for the Council should be to make clear what is expected. This should normally be done in a private conference in the hope that a proper understanding of the issues will result in improved performance. On the other hand, the Administrator who does a good job should be given appropriate recognition.

The following guidelines are suggested for Council members in their dealing with the City Administrator.

1. When assignments are given to the Administrator, make clear what is to be done and when the work is to be completed.
2. Give the Administrator the tools necessary for the jobs assigned.
3. Criticize the work of the City Administrator when it is deserved, but offer the criticism in private so that the issue can be analyzed objectively in an atmosphere of harmony and mutual understanding.
4. Assure the Administrator of a fair hearing in controversial situations and do not question the Administrator's motives until both sides of the story are told.

5. Act in an understanding and sympathetic manner.
6. Give the Administrator a respectful hearing on recommendations and proposals.
7. Keep public meetings on a high plane by avoiding ridicule and sarcasm in relations with fellow Council members or the City Administrator.
8. Outside of an investigation brought on by some significant suspicion, the evaluation of the Administrator should occur on a formal basis at least annually. It is recommended that this evaluation be facilitated by a non-interested third party to assure fairness and a thorough setting for both the Council and the Administrator.

A Checklist for Council Members

The information contained in this handbook is, in fact, a general guide. As such, it must be tested against experience. The success or failure of democracy in a Mayor/Council/Administrator form of local government depends on many things, but it is most dependent on the effectiveness of the elected Council. An Administrator can manage, but only a Council can govern. As at team, together they can lead.

The Council member may find help in reviewing the following checklist. The more questions that can be answered "yes", the more effective the member will be and the better the City government that member serves will be.

1. Do I understand the basic principles of this form of government?
2. Am I prepared to exert leadership in policy making and leave the execution of policy to the Administrator?
3. Do I use the City Administrator's office in getting facts and figures that lead to sound policy?
4. Am I working as a team with my colleagues on the Council and with the City Administrator?
5. Have I familiarized myself with the City ordinances and Council rules?
6. Do I make an effort to understand reports and recommendations prepared for Council's information and action?
7. Am I fair in presenting complaints directly to the Administrator rather than going to subordinates?
8. Do I give the Administrator reasonable time to explain a problem or to prepare a recommendation?
9. Do I make an effort to understand the objectives of a proposed ordinance or ordinance amendment?
10. Do I allow the Administrator to explain the probable effect of a proposed ordinance on administrative organization and operations before voting for or against it?
11. Do I seek advice from the Administrator on the enforceability of a proposed ordinance
12. Do I find out if similar ordinances have been used successfully in other cities?
13. Do I wait to get public reactions to a proposed ordinance before making a decision?
14. Am I open minded about proposed amendments designed to make an ordinance more acceptable to the citizens?
15. Am I familiar enough with the budget to know how well it fits the needs of the City for new services and capital improvements?

16. Do I think the proposed budget will provide adequate salaries and wages for City employees?
17. Does the budget, in my opinion, meet the basic needs of the City for new equipment in the next fiscal year?
18. Do I give time to selling needed policies, services and projects to the voters?
19. Do I carry my share of public relations in dealing with voters, press, radio and television?
20. Do I judge the work of the City Administrator by reasonable standards?
21. Do I deal with the Administrator through group action by the Council when it involves citywide policy and priorities?
22. Am I tolerant and fair minded toward my colleagues on the Council?

Leaving Office

During service on the City Council, members may have acquired items such as keys, ID cards, equipment such as; computers, printers, cell phones or other items, essential to them in their responsibilities as a member of the governing body, but entailing a significant expense on the part of the City. Upon the completion of a member's service on the Council, these items are to either be returned to the City or arrangements made for the purchase of these items should the outgoing Council member desire to do so.

Filling Council Vacancies

From time to time, a member of the City Council may find it necessary to resign their position on the Council. Generally, in the event a vacancy occurs on the City Council during a member's term (e.g., resignation), the Council will appoint an individual to serve until his/her successor is elected at the next general municipal election and qualified. The appointment of a new Council member is made by the Council as a whole and on the basis of a majority of those present (as long as a quorum first exists).

Historically, the City Council has elected to advertise for any open position, interview candidates for the position and then make the appointment of an individual to serve the remaining portion of the term.

A form utilized by the Council for this purpose has been included in the appendices of this handbook.

CITY ORGANIZATIONAL STRUCTURE

Currently, the City is separated into several different departments, which provide a wide range of services to citizens. These services range from street pothole repairs to wastewater and sanitation services to building code inspections to parks maintenance. These departments report to the City Administrator (with the exception of the City Attorney, who reports to the City Council) so that he/she can keep the City Council aware of operational issues of importance and citywide concern.

ADMINISTRATION

The City Administration Office is the work unit charged with providing direct support to the City Council in its efforts to address community issues. The personnel in this office serve as a central coordination point for all City Council activities and they are also charged with coordinating the activities of all other departments of the City as a means of facilitating the Council decision-making process and then insuring that the policies adopted by the Council are implemented. As this office is also the central and primary contact point for members of the governing body, they are also charged with responding promptly to all inquiries and requests that members of the Council might receive from citizens and disseminating information regarding City activities.

This office is central to the coordination of the annual strategic planning process; the annual capital improvements plan development process and the annual budget process. The City's annual strategic planning process, which consists of a senior management retreat, a citizens summit and the City Council retreat, serves as the major policy development and direction discussion for the organization and drives much of the content of the City's capital improvement planning and budgeting efforts that follow. In addition, this office also plays a major role in any significant efforts to address organizational policy issues, such as personnel policy revisions or changes in purchasing practices.

This office is also charged with the oversight and coordination of all organizational activity through weekly meetings with department heads and quarterly meetings with department heads and supervisors.

Additional activities undertaken by staff in this office include the coordination of Council travel arrangements, the annual City/volunteer appreciation picnic, the annual employee awards banquet, the board appointment process, making arrangements for joint City/County meetings, scheduling meetings with the Northeast Wyoming Municipal Leaders Regional meetings, monitoring of state level legislative issues of interest to the City, working with the Wyoming Association of Municipalities, the scheduling and conduct of employee communication meetings and support of the Mayor's Art Council and the Pearls of the Prairie effort.

The office is currently staffed by an Administrative Assistant, Community & Governmental Relations Manager, the Communications Manager and the City Administrator.

Gillette Public Access (GPA)

GPA is division of City Administration with a staff of three people that reports to the Public Information Officer. This division provides a communication outlet from the City of Gillette to its citizens via the three PEG (Public, Educational, and Governmental) channels on Optimum television. The GPA Studio also enables individuals within the community to communicate ideas on public, educational and governmental issues in a cable TV format. The main areas of service are: (1) provide training to the community on television production and video production equipment; (2) produce and encourage local production for GPA channels; (3) provide technical support on issues concerning video production/broadcasting; (4) provide public service announcements and update the City channels bulletin board; (5) provide low-cost independent video production to non-profit organization's needing promotional materials for their agencies. GPA also produces a voluminous amount of programming for local entities and agencies.

ADMINISTRATIVE SERVICES DEPARTMENT

The Administrative Services Department serves both internal and external customers and is vital to the day-to-day operations of the City. There are seven main divisions within the department which include City Clerk (includes Print Shop), Facilities Maintenance (includes custodial), Geographical Information Services (GIS), Information Technology (IT), Municipal Court, Sustainability and Vehicle Maintenance (Fleet). In addition, the department oversees the City's Risk Management and insurance functions.

The Department manages the property and liability insurance program for the City of Gillette. Any issues relating to claims against the City should be referred to the Administrative Services Department Administration office.

The Administrative Services Director serves as the City's primary point of contact for insurance management and tracking of both property and liability claims. The City has their Property and Liability coverage through WARM (Wyoming Association of Risk Management), a self-funded pool. Both pools hold quarterly meetings and the Director serves as the authorized voting member for the City of Gillette.

City Clerk

The City Clerk's office is responsible for recording the proceedings of the City Council, maintaining custody of minutes, ordinances, resolutions, and issuing permits and licenses. The division staff includes City Clerk and Print Shop. The City Code Book is maintained by the City Clerk.

The Print Shop is also overseen by the City Clerk. The Print Shop provides layout and design work for City brochures, forms, booklets, etc., and handles mass printing and distribution services. In addition, the Print Shop is the centralized location for the receiving and distribution of mail.

Facilities Maintenance

The Facilities Maintenance Division manages the maintenance and upkeep of City Hall, City West, as well as other City facilities. The division also includes the custodial staff that is responsible for cleaning City Hall, City West, Animal Control, Purchasing/Warehouse as well as the Wastewater facility. During the winter months, snow removal for City Hall sidewalks is also provided by the Facilities Maintenance Manager.

Geographical Information Services (GIS)

The GIS Division has been given the responsibility to create, maintain, and ensure the integrity of all mapping products. They maintain more than 300 Gigabytes of maps and data pertaining to nearly every aspect of City operations. The GIS Division provides support and training in several mapping applications. In addition to City staff, GIS also provides information to the citizens including Engineers, Consultants, Developers, and Realtors. GIS also oversees all GPS (Global Positioning System) data collection and equipment maintenance.

Information Technology Services (IT)

The IT Division provides all encompassing technical support services to all City departments and divisions. Supported hardware includes everything from computers, printers, scanners, to palm pilots and more than 700 pieces of technology equipment. The software supported ranges from operating systems such as windows to applications including office products, security systems, and division specific programs. The staff also provides regular training session on a wide variety of software. One of their most critical functions is the management of the City's networks. They also oversee the City's fiber and mobile technology networks.

Municipal Court

The Clerk of Court/Judicial Manager handles the administrative duties for City Court. This office tracks officer's tickets from issuance to final disposition including arraignments, trials, and payments due. Contested cases are immediately forwarded to the City Attorney with a trial date. The two municipal judges are appointed annually by the City Council.

The Clerk of Court/Judicial Manager also oversees two Municipal Court Probations Officers and two Municipal Court Diversion Officers, who are currently housed at the Courthouse.

Vehicle Maintenance (Fleet)

The City's ASE-certified technicians maintain a fleet of 250 vehicles, including patrol cars, street sweepers, snow plows, front end loaders, backhoes, bucket trucks and more, as well as more than 281 pieces of small equipment.

The division is automated which allows for preventive maintenance scheduling, maintenance requests, work order history, vehicle and equipment costs, parts inventory and replacement analysis.

The Fleet Manager also manages the City's overall vehicle depreciation and replacement program. In addition, the Fire Department's replacement program is managed here as well.

BUDGET

The City of Gillette's fiscal year runs from July 1st through June 30th. The annual budget is typically approved by Council during the last regularly scheduled meeting in June. The budget process begins shortly after Jan. 1st with the preparation of the budget calendar. The budget calendar is a guideline used by the City to set dates for key events that must happen to meet the deadline for final approval by the Council.

The budget has two major components consisting of the operating budget and the capital budget. The operating budget includes expenses incurred by the City that are ongoing in nature while the capital budget includes expenditures for items that are more one-time with a cost typically exceeding $5,000. During each budget period, departments are required to submit a Capital Improvement Plan (CIP) detailing all their capital requests for the pending fiscal year as well as the four subsequent years. This provides the opportunity for the City to look to the outward years and financially prepare for any projected large capital purchases or projects. Both the operating budget and capital budget, as developed by Administration and the various departments, will be presented to Council during the budgetary process for further guidance and consideration. Personnel costs constitute a large portion of the operating budget. Council will be presented with recommendations for staffing levels and wage adjustments during the budget process as well.

Proceeds from the optional 1% sales tax are maintained in a separate fund and are used primarily for capital projects and community support. During the budget process, the appropriate use of these funds will be determined by Council guided by the results of the annual citizen survey.

Resolution 2380 sets forth the Financial Operating Policy for the City of Gillette. This Resolution is a critical component in preparation of the budget as it defines certain standards related to the use of revenues and the establishment of reserve levels within the various funds. Regarding the use of revenues, the basic concept of Resolution 2380 states that operating revenues must cover, at a minimum, operating costs. One-time revenues shall only be used for capital purchases and will not be used toward any on-going operation costs. The Resolution also specifies reserve levels to be maintained in each fund and that they are adjusted annually as part of the budget process.

GILLETTE MUNICIPAL CODE

The Gillette City Code collects the general ordinances of the City of Gillette into one volume. The Code consists of all the regulatory and penal ordinances and certain administrative ordinances of the City of Gillette.

The zoning subdivision and condominium codes are published separately. Annexation ordinances, budget ordinances and ordinances approving specific subdivisions and establishing the zoning for specific parcels of lands are not included in the code book.

As a working manual for City ordinances, the Gillette City Code is updated continuously within 10 days after new ordinances are effective. The Gillette City Code is also available on the City's Internet web page at www.gillettewy.gov. The Code is organized by subject matter into chapters to make the ordinances easy to locate.

Located in the back of your handbook is a copy of the Gillette City Code on a CD.

City of GREEN RIVER

CITY of GREEN RIVER

FISH IT. FLOAT IT. LIVE IT.

WYOMING

GOVERNING BODY HANDBOOK

ACCEPTED PRACTICES, PROCEDURES & REGULATIONS

MAY 2018

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CHAPTER 1

INTRODUCTION AND OVERVIEW

"When a man assumes a public trust, he should consider himself as public property."
~ Thomas Jefferson ~

Congratulations! You've chosen to seek election to a very important position. Your fellow citizens entrust you with the governance of their community. As a member of the Governing Body (Council Member or Mayor), you not only establish important and often critical policies for the community, but you are also a board member of a public corporation having an annual budget of almost $25 million.

Purpose of the Handbook

The City of Green River has prepared this manual to assist the Governing Body by explaining accepted practices, procedures, regulations, and by clarifying expectations. Government is a unique enterprise. What works in private business does not always work in government. This manual and other resource materials listed within it will help you, the elected official, with the complex task of governing.

Overview of Basic City Documents

This handbook provides a summary of important aspects of Governing Body activities. However, it cannot incorporate all material and information necessary for conducting the business of a local Governing Body. Many other laws, plans, and documents bind the Governing Body to certain courses of action and practices. A summary of the most notable resource documents is provided below.

Code of Ordinances The City Code of Ordinances contains local laws and regulations adopted by ordinances. The Code contains sections for General Administration, City Council, Committees, Advertising, Alcoholic Beverages, Amusements, Animal and Fowl, Building Regulations, Cemeteries, Civil Disaster and Defense, Courts, Elections, Fire Prevention and Protection, Flood Prevention and Protection, Garbage and Refuse, Health and Sanitation, Historic Preservation, Nuisances, Offenses, Miscellaneous Provisions, Parks and Recreation, Peddlers and Solicitors, Planning, Streets, Sidewalks and Other Public Places, Taxation, Traffic and Motor Vehicles, Utilities, Charter Ordinances, Zoning, Subdivisions, and Franchises.

Copies of the Code of Ordinances are available in all City offices, including the Mayor's office and the Council Members' office. The Code is also online and can be accessed from the City website at www.cityofgreenriver.org.



Wyoming State Statutes The Wyoming State Statutes contain many requirements pertaining to the operation of City government. Copies of the Wyoming State Statutes are available in the City Administrator's and City Attorney's offices.

As provided for within Wyoming Statutes, the City re-enacted Charter Ordinance No. 1 on June 4, 1985 which established the position of City Administrator. The Mayor and City Council Members' major functions and duties are legislative – they set policies and priorities. **The Mayor and City Council members cannot tell a City employee what to do or fire a City employee. It is the role of the City Administrator to handle the operations of the City.**

The ***Mayor-Council Handbook***, published by the Wyoming Association of Municipalities (WAM), provides a summary of many important State Statutes and addresses the following topics:

- Wyoming Municipal Corporations
- Incorporation, Corporate Powers, Annexation and Exclusion of Land, Annexation of Cities or Towns, and Dissolution
- The Office of Mayor
- The Office of Council Member
- Meetings of the Governing Body
- Ordinances and Charter Ordinances
- Alternative Forms of Government
- Nominations, Elections, Initiative and Referendum, and Recall
- City and Town Finance
- Financial Administration, Budgeting, Auditing, and Purchasing
- Local Improvements
- Public Improvements
- Planning, Subdivision Control, Zoning, Solar Access, Urban Renewal, Housing, Downtown Development, Railroad Line, and State Control of Industrial Developments
- Other Services Provided by City and Town Governments
- Cooperation with Other Units of Government:The Wyoming Administrative Procedure Act
- Optional Sales and Use Tax

A copy of the *Mayor-Council Handbook* is available in the Council Office in Administration at City Hall.



Annual Budget The City's annual budget book provides a description of City services and the resources used to provide services. The document contains a broad overview of the budget as well as descriptions of programs offered within each division of the organization.

The Mayor and each Council Member receives a copy of the annual budget.

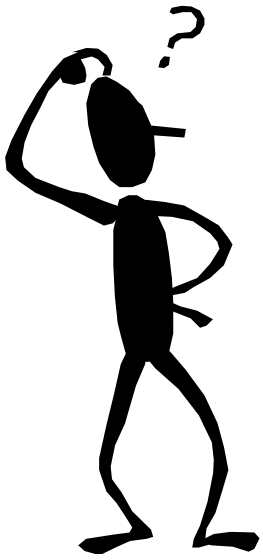
Emergency Operations Plan The City maintains an Emergency Operations Plan outlining actions to be taken in periods of emergency. Emergency responsibilities of the Governing Body and staff are delineated in the plan. Copies of the Emergency Operations Plan are located in the Mayor and Council offices.

Personnel Policies & Procedures Manual Copies are located in the Mayor and Council offices.



Classification Plan The Classification Plan describes all jobs contained in the City services – full-time and part-time. All City employees are assigned a job title and a corresponding job description. The Classification Plan and changes to it are adopted by resolution of the Governing Body. Copies of this document are located in all City offices.

Administrative Procedures Manual The Administrative Procedures Manual provides administrative procedures and processes that cover day-to-day activities. Typically, the City Administrator approves each procedure with concurrence of the Governing Body. The Mayor and Council offices have a copy of the Administrative Procedures Manual.



Orientation of New Members

It's important for all members of the Governing Body to gain an understanding of the full range of services and programs provided by the City.

As a new member of the Governing Body, you can receive preliminary briefings on this handbook and an overview of City operations. Department Heads are available to further discuss operations and provide you with tours of facilities.

CHAPTER 2

GOVERNING BODY: GENERAL POWERS & RESPONSIBILITIES

"Today, the eyes of all people are truly upon us, and our governments, in every branch, at every level, national, state, and local, must be as a city upon a hill, constructed and inhabited by men aware of their grave trust and their great responsibilities."

~ John F. Kennedy ~

Overview of the Governing Body

The Governing Body of Green River consists of one elected Mayor and six elected Council Members. The City is divided into three wards with two Council Members representing each ward. Council Members must live within their designated ward and must be properly registered as a Sweetwater County voter. A person must file an application with the City to run for a Governing Body position. Filing applications may be obtained from the City Clerk at City Hall. As set by State Statues, filing must be accomplished within the prescribed deadline.

Citizens elect Council Members to staggered four-year terms. There is no limit to the number of terms a Council Member may serve. Council Members may serve on standing committees appointed by the Mayor. (Article II of the Green River Code of Ordinances provides additional information on the City Council and the Governing Body.)

It is important to note that the Governing Body acts as a group. No member has any extraordinary powers beyond those of other members. While the Mayor and the President of the Council have some additional ceremonial and administrative responsibilities as described below, in the establishment of policies, voting, and in other significant areas, all members are equal.

Responsibilities



Mayor: The Mayor is elected at-large within the community. He appoints most Council committee members, their chairpersons, and members of City advisory boards and commissions with Council confirmation. The Mayor presides at meetings of the Governing Body. As presiding officer of the Governing Body, the Mayor is to faithfully communicate the will of the Council majority in matters of policy.

City Council: The Council's major function and duties are primarily legislative. Council directs City affairs by passing ordinances or adopting resolutions. Either may be introduced by a Council Member at a business meeting, but ideas for them also may originate from citizens or the City staff.

President of Council: The President of Council is chosen at the first Council meeting in January by and from members of the City Council to serve as Acting Mayor in the absence of the Mayor.

Appointment of Positions: The Mayor will appoint the following positions with the confirmation of the City Council: the City Administrator, the City Attorney, the City Prosecutor, and the Municipal Judge. It is up to the Governing Body to give performance evaluations to these employees annually, before July 1 of each year.

Appointment of Advisory Boards: The City has several standing commissions. In addition, special purpose citizen committees and task forces are often appointed to address issues of interest. The Mayor will establish committees and make appointments with City Council approval. *(*See the Green River Code of Ordinances, Chapter 2, Article V.)

Role of the Governing Body in a Disaster

The Mayor and Council may perform the following tasks related to emergencies:

- Declare emergencies/disasters
- Order activation of the Emergency Operations Center
- Authorize expenditures
- Authorize actions recommended by City services staff via City Emergency Coordinator
- Request outside assistance when local resources have been exhausted
- Be requested to report to the policy room adjacent to the Emergency Operations Center when it has been activated in a large-scale emergency/disaster.



For more information, refer to the City's Emergency Plan and the Green River Code of Ordinances, Chapter 9.

Knowledge Required of Members of the Governing Body



In determining policies for the City, members of the Governing Body will confront numerous issues: zoning, utility rates, water and sewer, building codes, job classification plans, and a host of other technical subjects. Obviously, no one can be expected to be an expert on all subjects; yet, each must know enough about them or know where to find information in order to act intelligently.

With information and knowledge, members of the Governing Body must be able to determine several things:

- What needs to be done? Always take into account the "will of the majority" or the "best interest of the majority".
- What do the people want done?
- What, in the broad sense, is the best way to do it?

The answers to these three questions are not necessarily always in harmony. Some things may need doing and technically can be accomplished easily, but the people may not want them. An example might be more traffic officers and radar equipment to catch speeders.

Some things the citizens want and need may not be technically feasible or financially possible at the time. An example might be a new freeway interchange that calls for extensive studies, inter-agency interaction, and lots of money. Some things the people want that can be attained may be less urgent than other needs. An example might be a demand for another park, which must be judged in relation to other capital outlay needs.



Where can answers be found? How can information be obtained? Actually, the problem is frequently not so much one of obtaining information as it is of arriving at the correct answers from the mass of material with which the Governing Body is deluged.

Sources of information may include the following:

- Media: Newspapers, radio, television, City website.
- Local individuals and groups: Formal or informal discussions of issues and concerns. (Groups may include service groups, Chamber of Commerce, SWEDA, etc.)
- Outside professional groups: Wyoming Association of Municipalities, National League of Cities, International City/County Management Association, etc.
- **City Administrator's office - key source of information and assistance.**
- Other government entities: Education institutions, cities, counties, state, and federal government.
- Consultants and Specialists: Engineers, Management Consultants, Attorneys, etc.
- Temporary Citizen Advisory Committees: Groups that the Governing Body set up to gain input on specific issues; example, the Home Occupation Committee.

Duties between Council Meetings

The Mayor and Council have numerous duties between meetings, which include the following:

Handle Citizen Concerns. Citizens are encouraged to approach their Council Members with questions, concerns, and complaints about City operations. These matters should be referred directly to the City Administrator for follow-up and resolution. The issues can be submitted on Council Action Request Forms or by the citizen on a Citizen Action Request Form. Forms are available in the Administration Department. Requests can also be submitted via our website.

Once submitted, the Action Request Form is processed by the City Administrator's office as follows: the City Administrator reviews the request and tasks the relevant department(s) to respond within a few days. The City Administrator reviews the department response, and his office verifies the requestor has been contacted regarding the action taken.



Do Homework. The current procedure is to provide the agenda, reports, and recommendations on Thursday of the week prior to the meeting of the Governing Body. Like any board of directors, the members of the Governing Body will have to prepare for the meeting by reading materials provided to them by the City Administrator. Asking questions of staff and gathering other information in advance of Council Meetings will provide for smoother meetings.

Interact with Citizens. The Governing Body comes in contact with citizens nearly every day. These interactions are important in both obtaining information and explaining policy decisions.



Interact with Media. The Governing Body will often come in contact with members of the media and should be prepared to discuss issues and actions.

Represent the City. Members of the Governing Body represent the City at the State Legislature in matters of municipal interest.

Study Issues. Members of the Governing Body can acquire ideas about municipal government from the various information sources previously listed.

Attend Conferences. Members of the Governing Body frequently attend conferences (WAM and National League of Cities) to network with other elected officials.

Work with the City Administrator. One of the most vital responsibilities of the Governing Body is working with the City Administrator.

The following guidelines are suggested for members of the Governing Body in their dealings with the City Administrator.



- When assignments are given to the City Administrator, make clear what is to be done and when the work is to be completed. Do not give the City Administrator assignments that are not supported by the majority of the Governing Body.
- Give the City Administrator the tools necessary for the jobs assigned.
- Constructively criticize the work of the City Administrator when needed, but offer the criticism privately so that the issue can be analyzed objectively in an atmosphere of harmony and mutual understanding.
- Grant the City Administrator a fair hearing in controversial situations and listen to both sides of the issue.
- Give the Administrator a respectful hearing on recommendations and proposals.
- Keep public meetings professional by avoiding ridicule and sarcasm.

CHAPTER 3

Support Provided to the Governing Body

"I'm just a country plow hand, but I've learned to get a team beating with one heart. If anything goes bad, I did it. If anything goes semi-good, we did it. If anything goes real good, they did it.

~ Paul "Bear" Bryant ~

Staff/Administrative Support

General staff and administrative support to members of the Governing Body is provided through the City Administrator's office. Scheduling of appointments, document preparation, and other assistance are available from the City Administrator's Administrative Assistant. Travel Arrangements are made by the Finance Department.



Office Equipment, Computers, E-mail, Phones

The Governing Body has access to in-office computers, fax machines, file cabinets, and other office equipment.

Each member of the Governing Body is will be issued their own cell phone that is used for only City related business, if requested.

Offices

The Mayor is assigned an office in the Administration area at City Hall. Council Members share an office similarly located.

CHAPTER 4

COMPENSATION AND EXPENSES

"The highest reward for man's toil is not what he gets for it but what he becomes by it."
~John Ruskin ~

Governing Body Compensation

Currently, the Mayor receives a monthly salary of $1,500. Council Members receive $1,000 monthly. A seated Governing Body may not increase its own salary. They may only pass an ordinance to raise the salary of an incoming Governing Body.

Expenditure Allowance

The annual budget includes allocations for Mayor and Council expenses associated with official City business. Eligible expenses include:

- Membership in professional associations
- Attendance at conferences, seminars, and meetings
- Purchase of publications and annual subscriptions
- Travel expenses including meals (City policy does not allow reimbursement for alcohol)
- Mileage reimbursement for City business.

Refer to the Administrative Procedure, "Business-Related Travel", for more information.

Expenditure Guidelines

It is very important to note that all expenses must be related to City business. Public property and funds may not be used for any private or personal purpose.

City budgetary practices and accounting controls apply to expenditures within the Legislative Budget. The Governing Body should plan expenditures that allow them to remain within their annual allocations.



CHAPTER 5

COMMUNICATIONS

"Speech is civilization itself. The word, even the most contradictory word, preserves contact – it is silence which isolates."
~ Thomas Mann ~

Overview

Perhaps the most fundamental role of a member of the Governing Body is communication; communication with the public to assess community opinions and needs, and communication with staff to provide policy direction and to gain an understanding of the implications of various policy alternatives.

Because the Governing Body performs as a unit (that is, acting based on the will of the majority as opposed to individuals), it is important that general guidelines be understood when speaking for the group. Equally important, when members are expressing personal views and not those of the Governing Body, the public should be so advised.



Correspondence from Members of the Governing Body

Members of the Governing Body will often be called upon to write letters to citizens, businesses, or other public agencies. Typically, the Mayor will be charged with transmitting the City's position on policy matters to outside agencies on behalf of the Governing Body. Individual Council Members will often prepare letters for constituents in response to inquiries or to provide requested information. Official City letterhead is available for this purpose, and staff can assist in the preparation of such correspondence.

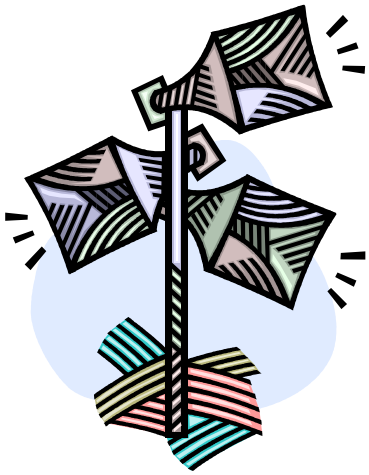
On occasion, members may wish to transmit correspondence on an issue that the Governing Body has yet to take a position, or about an issue for which the Governing Body has no position. In these circumstances, members should clearly indicate within the letters that they are not speaking for the Governing Body as a whole, but for themselves as one member of the Governing Body.

After the Governing Body has taken a position on an issue, official correspondence should reflect this position. While members who may disagree with a position are free to prepare correspondence on such issues as private citizens, City letterhead, official City title, and staff support should not be utilized. In addition, City letterhead and staff support cannot be utilized for personal or political purposes.

Members of the Governing Body may be asked to prepare letters of recommendation for students and others seeking employment or appointment. It is appropriate for individual members of the Governing Body to use City letterhead and their City titles for such letters. No review by the full Governing Body is required.

Speaking "for the City"

Similar to written correspondence, when members are requested to speak to groups or are asked the Governing Body's position on an issue, the response should reflect the position of the Governing Body as a whole. Of course, a member may clarify his/her vote on a matter by stating, "While I voted against X, the Governing Body voted in support of it." When representing the City at meetings or other venues, it is important that those in attendance gain an understanding of the Governing Body's position rather than that of an individual member.



Proclamations

Ceremonial proclamations are often requested of the City in recognition of an event or individual. Proclamations are not statements of policy but a manner in which the City can provide special recognition of an event or an individual. As part of his/her ceremonial responsibilities, the Mayor is charged with administration of proclamations. Individual Council Members do not issue proclamations.

CHAPTER 6

CONFLICTS AND LIABILITY

In thinking, keep to the simple.
In conflict, be fair and generous.
In governing, don't try to control.
In work, do what you enjoy.
In family, be completely present.
~ Tao-Te Ching ~

Conflict of Interest

The Governing Body is governed by the Ethics and Disclosure Act, Wyoming Statutes Sections 9-13-101 et seq. (excluding 9-13-108). The purpose of this Act is to ensure that all actions of the Governing Body are taken in the public interest. The Act includes the following topics:

- Use of title and prestige of public office
- Nepotism
- Misuse of office
- Official decisions and votes
- Actions taken while negotiating for employment
- Penalties for violating the Act

Liability

The City is a large organization, which offers a variety of services and may often find itself subject to claims and lawsuits. For example, if a wind-blown trash container damages a private vehicle, the vehicle owner may file a claim against the City for the damages. The City must always approach its responsibilities in a manner which reduces risk, as much as possible, to all involved.



The City's liability claims are handled through the Local Government Liability Pool (LGLP). Administrators of the pool review claims within the perimeters of the Governmental Claims Act. Essentially, a governmental entity will be liable for damages caused by the negligence of public employees while acting within the scope of their duties. If there is no negligence, LGLP will deny the claim. LGLP and our City Attorney have previously cautioned the City about paying claims where the City has immunity.

It is important to note that violations of certain laws and regulations by individual members of the Governing Body may result in that member being personally liable for damages which would not be covered by the City's insurance or liability pool. Examples may include discrimination, harassment, or fraud.

Discrimination and Harassment

Federal law, state law, and City policies prohibit discrimination (gender, age, race, etc.) and harassment. The City's Personnel Policies and Procedures Manual contains various discrimination and harassment policies. For applicable federal laws, contact the Human Resources Department or the City Attorney.

CHAPTER 7

INTERACTION WITH THE CITY ADMINISTRATOR

"I do not try to dance better than anyone else. I only try to dance better than myself."
~Mikhail Baryshnikov ~

Overview

The policies promulgated by the Governing Body are implemented through professional staff. Therefore, it is critical that the relationship between the Governing Body and staff be well understood by all parties so policies and programs may be implemented successfully.



Form of Government

The City of Green River operates under a modified City Manager form of government. Through the passage of Charter Ordinance No. 1 in 1985, the Governing Body modified its form of government to allow for the appointment of a City Administrator. Basically, this structure provides that the Governing Body's role is to establish City policy and priorities and the City Administrator's role is to implement the policies and provide on-going organizational administration.

This distinction between policy and administration is important and deserves some additional clarification. Definitions and examples follow below.

> Policy: "A definite course or method of action selected from among alternatives and, in light of given conditions, to guide and determine present and future decisions."
>
> Administration: "To perform executive duties; to execute public affairs."
>
> For example: A policy would be: "To develop the river corridor by doing A, B, and C." Administration would be: "To implement A, B, and C in support of the goal of developing the river corridor."

The Council-Manager/Administrator form of government became popular nationally at the turn of the 20th century. It was an attempt to reform government and lessen the impact of big city "bosses" and corresponding corruption. The model has matured in that city management is now considered a profession with many managers having graduate degrees in public administration and devoting careers to work with cities.

Governing Body/City Administrator Relationship

The employment relationship between the Governing Body and the City Administrator honors the fact that the City Administrator implements Governing Body policies and administers the daily operations of the City.



The Governing Body should avoid situations that can result in City staff being directed, intentionally or unintentionally, by one or more members of the Governing Body.

Regular communication between the Governing Body and the City Administrator is important in maintaining open communications.

The Governing Body is to evaluate the City Administrator on an annual basis to ensure that both the Governing Body and the City Administrator are in agreement about performance and goals based on mutual trust and common objectives.

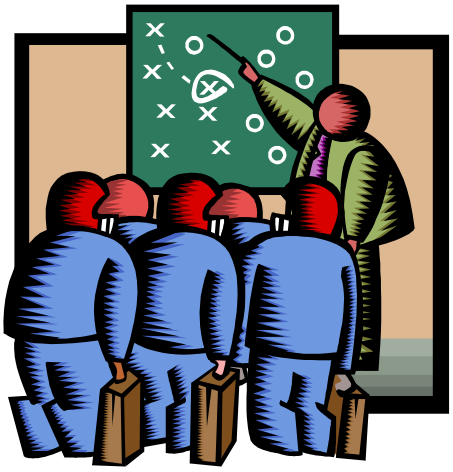
As in any professional relationship, it is important that the City Administrator keep the Governing Body informed. The City Administrator respects and is sensitive to the political responsibility of the Governing Body and acknowledges that the final responsibility for establishing the policy direction of the City is held by the Governing Body. The City Administrator communicates with the Governing Body in various ways (i.e. memos, e-mail, weekly meetings, etc).

CHAPTER 8

DEPARTMENT RESPONSIBILITIES

Administration

The Administration Department is comprised of the City Administrator, Communications Administrator and Administrative Assistant. The Administration Department's main functions are to manage the City's business and carry out Governing Body policies. The City Administrator coordinates the work of all City departments and employees, enforces laws and City ordinances, prepares the annual City budget for Governing Body adoption, and expends budget funds as authorized by the Governing Body. The City Administrator makes recommendations to the Governing Body on issues concerning legislation, financial programs, capital improvements, and City services.



Under the direction of the City Administrator, staff supervises and administers the programs and services provided by all departments within the City of Green River. Specifically, the City Administrator's office performs the following:

- Administers policies and programs approved by the Governing Body.
- Evaluates and monitors staff progress on established policies and programs and fosters greater employee awareness of City problems, programs, and priorities.
- Acts as liaison/coordinator between the Mayor-City Council and staff.
- Oversees the activities of all department heads and makes upper level management decisions involving departmental workloads.
- Coordinates overall planning and review of all City operations with the aid of department heads.
- Exercises authority to hire and remove department heads and City employees within the City.
- Fixes all salaries according to the classification plan and current salary plan for all City employees.
- Directs the annual submission of changes to the classification and salary plans.
- Provides timely information to the Governing Body concerning state, local, or federal legislation which may impact the City. Analyzes trends and programs for enhanced service delivery. Presents ideas, concepts, and potential options to enhance organizational and community vitality and viability.

- Responds to and follows up on citizen and/or Governing Body inquiries regarding City programs and services.
- Acts as liaison and works to resolve mutual local problems through various inter-governmental regional agencies.
- Makes necessary recommendations and expediently resolves issues that come before the Governing Body.
- Prepares, with the Mayor, the agendas of the City Council Meetings and Workshops.
- Prepares plans and programs for the Governing Body's consideration in anticipation of future needs and services.
- Oversees the annual preparation of the budget and submits it to the Governing Body for their review, amendment, and adoption. Supervises its administration after adoption.
- In emergencies, the City Administrator may authorize the expenditure of funds.
- Reviews and evaluates the City's organizational structure and operational functions, ensuring full utilization of manpower and resources in service to the public.



Police Department

The Green River Police Department is authorized 27 sworn full-time positions. The sworn positions cover a full range of law enforcement and public relations services. These numerous services are best illustrated in our annual reports. The Governing Body determines the Police Department's level of service through funding in the annual budget.

The sworn officers are deployed in the following manner:

1	Police Chief
1	Patrol Lieutenant
3	Patrol Sergeant
13	Patrol Officers
1	Investigation Lieutenant
1	Investigation Sergeant
7	Investigation Detective

The Department has full time non-sworn employees who are deployed as follows:

4	Administration
5	Dispatch
2	Animal Control

The Police Department also utilizes numerous part time non-sworn employees. Non-sworn and part time employees provide a critical service to the community in an efficient and effective manner. These part time positions are budgeted by the hour rather than by individuals and are deployed as follows: 5200 hours **–** Dispatch; 2060 hours - Animal Control; 3200 hours - Crossing Guards.

The Green River Police Department is a well equipped, modern law enforcement agency with adequate staff to meet the service levels required by the Governing Body. Officers are well trained in general issues as well as specialized areas such as tactical response, polygraph examination, ordnance disposal, communication, juvenile crime, arson investigation, sex crimes and forensic evidence collection, to name a few.

The Department works closely with other law enforcement agencies both locally and statewide for a common purpose. The community maintains a very low crime rate in comparison to other cities of our size in the Rocky Mountain West. Citizen surveys reveal a valid perception that our community is safe, which is the purpose of any police department. The City's very low violent crime rate contributes a great deal to this feeling of safety.

Finance



The Finance Department is comprised of the Director of Finance/City Clerk, Deputy Clerk, Comptroller, and (3) Accounting Technicians. The Finance Department consists of the following (3) divisions:

Accounting

- Maintain legal and historical documents for the City
- Manage records according to retention policies
- Prepare Council meeting and workshop agendas
- Record, transcribe and publish City Council meeting minutes
- Issue and maintain liquor licenses, malt beverage permits, catering permits
- Setup, monitor and maintain customer utility accounts
- Read City utility meters and prepare monthly utility customer bills
- Pay vendor invoices; receive payments for utility bills and majority of other City revenues
- Process City travel requests and employee travel advances
- Invest City funds; prepare monthly financial reporting
- Prepare annual audit and special financial reports
- Prepare annual budget
- Aid in grant compliance and reporting
- Backup and assist in payroll and timekeeping functions
- Assist departments with procurement of materials and supplies
- Maintain inventory of commonly-used office supplies
- Collection point for all City surplus items
- Dispose of surplus items through public auction or direct sale
- Process incoming and outbound freight

Payroll

- Utilize timekeeping system and provide training for employees
- Perform bi-weekly payroll functions
- Provide quarterly and annual payroll reports



Information Technology (IT)

The IT Department is comprised of (2) IT Specialist.

This division provides systems desktop support for all City departments. IT is also responsible for hardware and software upgrades and working with the network contractor to keep the network system operational and up-to-date. This division also reviews computer-related purchases to ensure user's needs are matched with hardware and software designs.

Community Development

Community Development is comprised of the Director, GIS Specialist and Administrative Assistant.



The Community Development Department helps facilitate the growth of the City by creating plans and procedures to ensure the City remains a vibrant and lively place to live, work and shop. This department ensures compliance with zoning and subdivision ordinances and building codes through involvement with enforcement of specific parts of the Green River City Code of Ordinances. Enforcement is necessary to protect the health and safety of all residents. This is accomplished through City Planning, Building Inspections, Community Revitalization and the Geographic Information System (GIS).

Building Inspection

The Building Inspection division is staffed by individuals certified in one or more disciplines including residential or commercial building inspection; plumbing, electrical or mechanical inspection or another specialty in order to inspect the construction or repair of buildings, sewer and wastewater systems and other building projects at different stages of completion. Our City inspectors are certified by the International Code Council (ICC).

Inspections are done to assure compliance with the minimum standards of performance as prescribed by the 2015 International Codes which have been adopted by the City. Inspections during construction are vital to insure public safety, health, and welfare and to protect life and property from all hazards incidental to the occupancy of building, structures, or premises.

Planning & Zoning

The Planning and Zoning division reviews designs and plans for compliance with the zoning ordinance, considers zone change and special use permit applications and makes appropriate recommendations to the Governing Body.

City Planning creates long and short terms plans to aid in managing City growth by working with elected officials and citizens to develop goals and policies in neighborhoods, commercial centers and other facilities for the benefit of the citizens.

The City is zoned into several districts—residential, commercial, industrial and open space. This is an effective way to maintain healthy, safe and livable neighborhoods and commercial areas, keep compatible uses together, and help maintain property values.

Geographic Information System

Community Development is also the primary department involved in the creation and maintenance of the City's Geographic Information System (GIS).

GIS provides City staff with a better understanding of existing conditions. This assists in planning, cost reduction, and informed decision making for our policy makers and ultimately improves our ability to deliver quality services to the citizens of Green River.

URA/Main Street Agency

URA/Main Street is comprised of the URA/Main Street Administrator and part time Administrative Assistant. URA/Main Street Agency works to revitalize areas of the City that have not had the type of investment necessary to maintain it to community standards. URA/Main Street Agency works to help maintain the traditional urban setting and promote the downtown area as an exciting place to live work and shop. URA/Main Street Agency also promotes economic development in the City as a whole and works to attract well-paying jobs and industries.



Human Resources

Human Resources Department is comprised of the Director and part time Administrative Assistant. The Human Resources Department has two different roles. The first is paper and procedure driven. There are laws, rules, and procedures to make, follow, interpret, and enforce. The second is the human element. It is the role of the Human Resources Department to have a strong connection with the employees – the City's "human resources".

The Human Resources department responsibilities include the following:

- Risk Management - Claims administration, safety program, insurance administration
- Employee recruitment, selection, orientation
- Planning and organizational development
- Employee outreach, recognition, and communication - Facilitate standing meetings of various employee committees, coordinate an annual employee appreciation event, general interaction with employees during day-to-day operations
- Classification and compensation - Maintain and monitor classification plan and pay plan
- Benefits administration - Coordinate employee health insurance, retirement, and other programs
- State/federal laws and regulations - Stay current on laws and regulations affecting employment
- Policies and procedures - Develop, maintain, interpret, and monitor City policies related to various employment issues

Parks and Recreation Department

Mission - *Creating Recreational Opportunities through People, Parks and Programs*

Vision - *Green River Parks and Recreation… Ahead Of the Curve*

The City of Green River Parks and Recreation Department is dedicated to providing excellent parks, recreation, leisure and community services to the citizens of Green River. It is one of only 79 agencies in the nation accredited by the Commission for Accreditation of Parks and Recreation Agencies (CAPRA) and the National Recreation and Parks Association (NRPA) for excellence in service delivery, management and operations of a public parks and recreation agency. The department is also a Playful City USA national award recipient for best practices in playgrounds, play spaces/areas and capital improvements on playground apparatus, designs, structures and projects.

Parks and Recreation Administration

Administration's purpose is to plan, direct, manage, supervise and evaluate department personnel. This Department consists of two full time employees: the Director of Parks and Recreation and a Administrative Assistant.

Leisure Programs

This Department's purpose is to provide a comprehensive offering of recreation and leisure service programs, special events and activities that meet the needs of all ages of residents. This Department provides needs assessment studies, public input forums, program evaluations, surveys and analysis of operations. More than 100 programs, classes and events are offered including swim lessons, fitness classes, adult and youth sports leagues and clinics, art and music classes, special events and community concerts and movies. The division has (4) full time Recreation Supervisors.





Pavilion Operations

This Department's purpose is to provide recreational and meeting places for both citizens and non-residents through private facility rentals and reservations of the Expedition Island Pavilion. The Pavilion is rented privately more than 40 times a year and is one of only three locations on the National Historical Sites Registry located in Green River. This Department has no full time employees. Approximately 1,800 hours of part time staffing are allocated each year.

Parks Operations and Maintenance



This Department provides citizens with safe and aesthetically pleasing parks, open spaces, and facilities where they can spend leisure time and participate in recreation programs, special events and other activities. The Department maintains 28 parks and amenities, three concession stands, 10 drinking fountains, Riverview cemetery, 150 garbage receptacles, seven baseball/athletic fields, two softball fields, 15 barbecue grills, six horseshoe courts/pits, two sand volleyball courts, six miles of paved pathways (i.e. greenbelt and City pathways/trails system), 19 playgrounds, 65 picnic tables, 24 park picnic shelters, seven restrooms, six lighted ball fields, one Splash Park, one Whitewater Park, five soccer fields, two tennis courts and several miscellaneous land parcels.

The Parks Department maintains over 800 acres of developed and undeveloped open space in the City and consists of (1) full time Parks Supervisor and (9) full time Parks Maintenance Operators. Weed Crew responsibilities were moved to the Parks & Recreation Department. Also allocated to the Department are part time and seasonal staff.

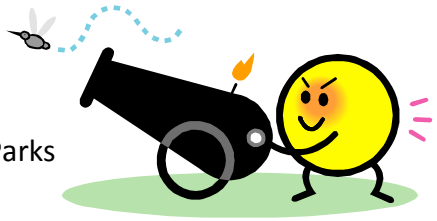
Buildings and Structures

This Department's purpose is to provide citizens and City employees with safe, operable, clean and sustainable buildings, structures, facilities, amenities and offices to conduct City business, hold meetings, and enjoy recreational opportunities. The Department has full time Parks Maintenance Operators, (1) full time Custodian with part time staffing assigned to this Department. The Department is managed by the Parks Supervisor.

Buildings and other structures maintained by this division:

- City Hall building
- Public Works building
- FMC Park Red Barn
- Scotts Bottom Nature Area pump house
- Old City Hall structure
- 4H Project Hope youth barn
- Rodeo Arena announcers booth
- Veterans Park announcers booth
- Pavilion on Expedition Island
- Centennial Park Martha Mable building
- Parks Maintenance building
- Gymnastics Center
- Fire Station #2 building
- Outdoor archery shooting range structures/apparatus in FMC Park
- Wastewater treatment plant buildings
- Animal Control building

Mosquito Control

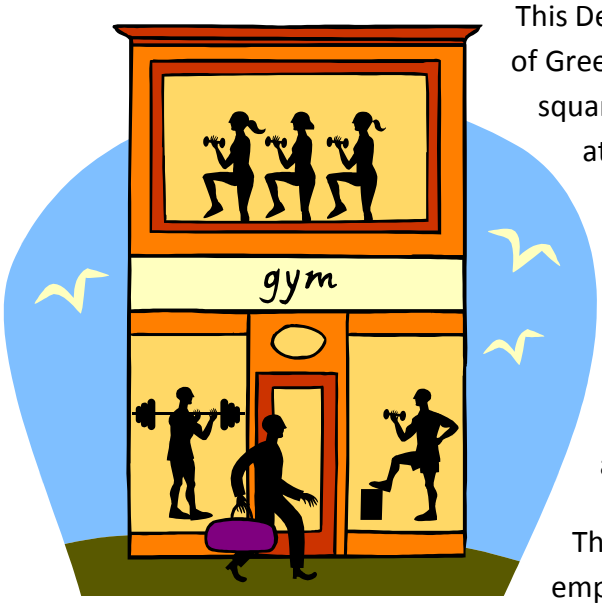


Mosquito control and abatement is provided from May through September for the citizens of Green River. There are no full time personnel allocated to this division seasonal personnel have been allocated. This division is supervised and managed by the Parks Supervisor.

Riverview Cemetery

The division's purpose is to provide and maintain a beautiful cemetery for the Citizens of Green River. Twenty-two acres are developed with an additional 70 acres currently undeveloped.

Green River Recreation Center



This Department's purpose is to provide the citizens of Green River the opportunity to use the 54,000 square foot indoor recreational, aquatic and athletic facility. Fitness and recreation opportunities are provided in a family oriented environment. The facility has two full basketball courts, weight room; Olympic-size swimming pool, locker rooms, four racquetball courts, aerobics room, multipurpose room, hot tub, nursery, sauna and steam rooms.

The Recreation Center has (8) full time employees: (4) Recreation Center Supervisor, a Recreation Facility Coordinator, (2) Building Maintenance Operators and a Head Lifeguard. The Department has many part time staff. The Green River Recreation Center opened its doors to citizens in December 1986 and was awarded the Athletic Business Facility of Merit Award in 1988 in its population category.

Parks and Recreation Department employees are proud to serve the community of Green River - a beautiful place to live, learn, work and play!

Public Works

The Public Works Department of the City of Green River is a service-oriented department. Specific areas of service include drainage maintenance, wastewater collection and treatment, recycling, water distribution, maintenance of streets and alleys, snow removal and maintenance of the entire City fleet. The dual focus of the Department is operations and maintenance.

Public Works has (5) divisions. About 36 employees total department. The divisions include Administration, Engineering, Fleet Maintenance, Streets and Utility (Transfer Station).

The Utility Division is located at 220 East Teton and the Landfill is located at the corner of Upland and Uinta. All other Public Works offices are located at 325 East Teton.

Public Works Administration provides professional planning, supervision and coordination of public works and emergency programs to ensure proper development, maintenance and service to the public consistent with City Council policies.

Engineering ensures safe and quality construction of public improvements by the City and private developers through competent engineering design, plan review and construction inspection of all construction projects in the community.

Street and Alley Maintenance does maintenance and repair of the City's street and alley system in accordance with the professional public works standards as well as installation and maintenance of permanent and painted traffic control signs.

Snow Removal services areperformed in accordance with the priority system established in the approved Snow Plan.

Recycling offers drop-off sites for voluntary recycling in the community.

Transfer Station site for disposal of residential in conformance with EPA and DEQ regulations.





Utility Division-Drainage Maintenance maintains and ensures the adequacy and safety of public drainage ditches, valley gutters, culverts and the City's storm drainage system.

Utility Division-Wastewater Plant provides treatment of liquid domestic waste in conformance with EPA and DEQ standards.

Utility Division-Wastewater Collection maintains the City's sanitary sewer system in such a manner as to minimize sewer backups and to maintain optimum flow capacity.

Utility Division-Water Distribution maintains the City's water distribution system to maximize efficient water delivery to the user with accountability of water use and fire fighting potential.

Fleet Maintenance provides a central resource for the preventative maintenance and routine repair and servicing of City-owned motor vehicles and equipment in such a manner as to reduce operating costs, ensure warranty compliance and vehicle safety, monitor fuel usage and keep vehicles presentable to ensure a suitable public image.





Fire Department

The Green River Fire Department was organized in 1893 and received $50 per quarter for operating costs. Mr. E.R.Horne was made Captain, and he organized a company of volunteers.

The Green River Fire Department was among the first 50 fire departments in the state to implement the NIFRS State Reporting System. The fire department currently has an ISO classification rating of 3.

The Department consists of (34) paid on-call volunteers, (1) Fire Chief and (2) Assistant Fire Chiefs. We store our equipment in two stations: one located at City Hall and the other at Station #2, located at the corner of Shoshone and Hitching Post. Our equipment is comprised of three pumper trucks, one heavy rescue pumper truck, one quick Attack/Brush Truck, one 93-foot mid mount aerial platform, one Haz Mat trailer, one antique 1946 Parade Fire Truck, and four Suburbans.

The Department's primary responsibility is the City of Green River. The City also has a contract with the Jamestown Fire District to provide fire protection. We assist ambulance personnel responding to vehicle crashes in Green River and the western half of Sweetwater County. In turn ambulance personnel respond with the Green River Fire Department.

Because fire is always a potential problem, the Department continues our Fire Prevention program in schools, churches, businesses, and service and civic organizations in an effort to lower the fire loss in the City.



The Green River Fire Department does hands-on training with the portable dry chemical extinguishers and also trained other entities on SCBA's. Participants include the employees of Castle Rock Ambulance Service, Castle Rock Medical Center, and child care facilities as well as our own City staff. In addition, we present fire prevention programs to Mansface Terrace residents and senior citizens.

Fire prevention programs are also presented at the local elementary schools, to the public during Kiwanis Day, and station tours are conducted for many Scout groups, pre-school students and day care students. Several Infant Car Seat Inspection sessions are held throughout the county. Through these programs the Green River Fire Department interacts with approximately 3000 people. The department also assists at Flaming Gorge Days events, Community events and High School activities.

Mission Statement of the GRFD

- To maintain pride in the Department and its members.
- To continue to serve the Community and its residents in a timely and professional manner.
- To earn support and respect from Community, Governments, Taxpayers, and Law Enforcement Agencies.
- To lead, not follow, other Volunteer Departments.
- To provide strong and fair internal leadership.
- To ensure complete communication between Firefighters and Administration in a professional and caring manner.
- To continue to train and educate its members.



Municipal Court



The Municipal Court is the Judicial Branch of local Government. The Municipal Judge is appointed by the Mayor with consent of the City Council and works directly for the Governing Body. Other court personnel such as the Clerk of Court are employees of the City.

The Municipal Judge has exclusive jurisdiction over all violations of City ordinances.

The Municipal Court office is open five days a week from 8am–5 pm. Arraignments are scheduled Mondays and Wednesdays for 9:00 am, and trials may be scheduled throughout the week.

In addition to traditional court responsibilities, the Municipal Judge is involved with the following programs:

Teen Court: The Green River Municipal Court is only one of three Municipal Courts in Wyoming to hold Teen Court. Teen Court is available to individuals between the ages of 13 to 17 years of age with first offender status. The teen is sentenced by a jury of their peers within guidelines given by the Judge. Upon completion of their sentence, the charge is dismissed and does not go on their record.

Street Rules: This is an online traffic course that, once completed, will result in the dismissal of a traffic ticket. The bond money is still taken for the ticket as part of a plea agreement for the privilege of having the ticket dismissed. The defendant has 30 days to complete the course. Upon course completion, the citation is dismissed.

Plea Agreement Regarding Speed: If a defendant's speed is less than 10 miles over the speed limit, a negotiated plea or plea agreement will be offered. The defendant signs a guilty plea, pays double the bond, the plea is sent to the prosecutor's office and the original charge is amended. It is then sent to the Judge for an Order. This is not an option for violations within a school zone, or superintendent speed zones.

Marijuana 101: This online education course is for teens and young adults, ages 15 and older, charged with marijuana or other drug misdemeanor violations.

Under the Influence: This is an online course for older teens and young adults, ages 18-25, charged with underage drinking violations, such as open container, and other non-DUI alcohol related offenses.

Alcohol Wise JV: This is an online course for teens, ages 14-17, charged with an underage drinking violation.

Parent-Wise: This online alcohol and drug education course is designed to be used in conjunction with the Alcohol and Marijuana courses for teens and young adults. This program helps parents have an informed conversation with their child. Guidelines are offered to help establish talking points, boundaries, and a stronger relationship with their teen.

CHAPTER 9

CITY COUNCIL MEETINGS

"No man is good enough to govern another man without the other's consent."
- Abraham Lincoln -

Meeting Schedule

Regular meetings are held in the Council Chambers at City Hall, 50 East 2nd North, on the first and third Tuesdays of each month at 7:00 p.m. If a meeting date falls on a holiday or special event (i.e. Election Day, National Night Out, etc.), the Governing Body may vote at a preceding meeting not to hold a meeting or to move the meeting to another date. Council Workshops are held the second Tuesday of each month as needed at 6:30 p.m. in Council Chambers.



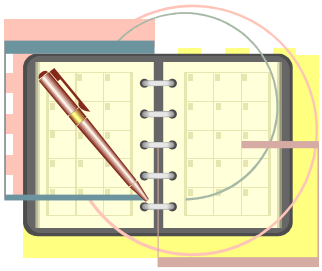
Special Meetings

Special meetings may be called by the Mayor, the Acting Mayor, or by a majority of the Governing Body. Notice must be given to each member of the Governing Body and the media 24 hours prior to a special meeting. The notice shall specify the time and place of the meeting and the business to be transacted. No other business shall be considered at a special meeting.

At all regular and special meetings, public comments must be permitted before or during consideration of any agenda item. Public comment is appropriate on any matter within the jurisdiction of the Governing Body.

Placing Items on the Agenda

The Mayor, a Council Member, Citizen, or staff member may request an item be considered on a future agenda. All requests for additions to the agenda are turned into the City Clerk's office no later than 5 p.m. on Wednesday the week before the meeting. The City Administrator and Mayor will review the agenda before it is distributed. Agendas are distributed by 5 p.m. on the Thursday before the Council meeting.



Emergency and non-agenda items may be added to an agenda only with the permission of the City Administrator and/or Mayor. Emergency items are only those matters affecting public health or safety such as work stoppages, disasters, and other severe emergencies. Emergency items are very rare.

Tips on the Dais

Regularly scheduled meetings are televised live on Channel 23.

The City Council Chambers is equipped with microphones at the dais and the public podium. There are several issues related to the sound system to keep in mind:

- Turn the microphone on when you want to talk, and speak directly into the microphone.
- Turn the microphone off when you are through talking, during recesses and after the meeting.
- Never say things near a microphone you do not want heard.
- Have all speakers come forward to the podium. Do not allow people to speak from the audience chairs.



Certain colors of clothing present difficulties to the television system, and thus can be distracting to viewers at home. White causes a glare and makes the picture around it appear dark, causing loss of detail. Bright red and orange reproduce poorly on television and can also cause glare problems. Clothing with fine patterns, such as stripes and grids, can cause a rainbow effect in the picture that is extremely distracting. Shiny objects that reflect light should be avoided. Good colors for television include blues, greens, browns, grays, and most pastels.

Order of Business

The City Council established the general order of meetings through the adoption of a resolution. This section summarizes each meeting component as listed on the Council agenda.

Meeting Called to Order: The Mayor will call the meeting to order and ask someone to lead the Pledge of Allegiance.

Approval of Agenda: Council votes to approve items on the agenda. Items can be removed from the agenda with a majority vote.

Citizen Requests & Other Communications: This is the time for citizens in the audience to be recognized and speak on items on the agenda and of general concern. There will be a limit of three (3) minutes for an individual and five (5) minutes for a group and spokesperson. No speaker shall speak more than twice on any issue.

Members of the public desiring to speak shall address the Council from the speaker podium.

Comments should focus on a specific matter within the Council's jurisdiction. Written comments are encouraged during the public comments section or during public hearings.

Public Hearings: When materials are presented during public hearings, they should be submitted before the public hearing is closed on the item.

Consent Agenda: Items on the Council agenda, which are considered to be of a routine and non-controversial nature by the City Administrator, are placed on the Consent Agenda. These items shall be approved, adopted, accepted, etc., by one motion of the Council. For example: approval of minutes, bill lists, contracts, renewing services, etc.

Council Members may request that any item listed under Consent Agenda be removed from the Consent Agenda, and Council will then take action separately on this item.

Council Action Items: Items under this section are addressed individually by the Governing Body.

Ordinances: An ordinance or amendment to an ordinance is a legislative act by the Governing Body and must be read at three regular business meetings before it can be adopted. It becomes effective when it is published in the newspaper or at a later designated date.

Emergency ordinances provide for the immediate preservation of public peace, property, health, safety, and welfare. It constitutes an affirmative vote of two-thirds Council majority and becomes effective upon its passing.

Resolutions: A resolution requires only one reading and covers matters of a specific or temporary nature.

City Administrator, City Attorney, Mayor and Council Reports: The City Administrator, City Attorney, Mayor, and members of the Council are provided time to give reports. The purpose is to allow staff and the Governing Body to provide updates or share

information regarding particular matters. Examples of appropriate communications would be information of general interest received from outside agencies, comments or inquiries received from individuals or from the public, requests to agenda future items, or announcements of interest to the public.

Executive Sessions: *(closed to the public)*: The ability of a Governing Body to conduct sessions not open to the public is restricted by state law to ensure open proceedings. Certain circumstances exist wherein a Governing Body may meet without the public in attendance. Such circumstances include:

- With attorneys and officers of the law on matters posing a threat to the security of public or private property, or a threat to the public's right of access.
- To consider personnel issues such as the appointment, employment, evaluation of performance, or dismissal of a public employee, or to hear a complaint against the employee unless the employee requests a public hearing.
- On matters concerning litigation to which Council Members are a party or proposed litigation to which Council Members are a party.
- On matters of City security.
- To consider the selection of a site or the purchase of real estate when the publicity regarding the consideration would cause a likelihood of an increase in price.
- To consider acceptance of gifts, donations, and bequests which the donor has requested in writing to be kept confidential.
- To consider or receive any information classified as confidential by law.
- To consider accepting or tendering offers concerning wages, salaries, benefits, and terms of employment during all negotiations.

Typically, executive sessions are held after the public portions of the Council Meeting.

Members of the Governing Body, employees of the City, or anyone else present shall not disclose to any person the content or substance of any discussion which takes place in a closed session unless authorized by the Governing Body.

General Meeting Procedures

By resolution, the Governing Body has adopted a modified version of Roberts Rules of Order.

Presiding Officer: The Mayor is the Presiding Officer and acts as Chair at Council Meetings. In the absence or incapacity of the Mayor, the President of the Council serves as the Presiding Officer.

Signing of documents: The Mayor shall sign all ordinances, resolutions, contracts, and other documents which have been adopted by the City Council, except when the City Administrator has been authorized by Council action to sign documents. In the event the Mayor is unavailable, the President of the Council will sign documents.

Quorum: Four (4) Council Members shall constitute a quorum to do business.

Discussion Rules

To assist the Governing Body in the development of a structure for orderly discussion of items, rules have been prepared which represent accepted practices for the management of Council meetings.

Obtaining the floor: A member of the City Council or staff shall first address the Mayor and gain recognition. Comments and questions should be limited to the issue before the Council. Cross-exchange between Council Members and public should be avoided.



Questions to staff: A Council Member shall, after recognition by the Mayor, address questions to the designated staff member.

Interruptions: Once recognized, a Council Member should not be interrupted while speaking except to make a point of order or personal privilege. If a Council Member is called to order while speaking, the individual shall cease speaking until the question order is determined. Upon being recognized by the Mayor, members of the staff shall hold the floor until completion of their remarks or until recognition is withdrawn by the Mayor.

Discussion limit: A Council Member should not speak more than once on a particular subject until every other Council Member has had the opportunity to speak. Council Members are encouraged to discuss items during the decision-making process.

Tabling procedure: A motion to table an item immediately stops discussion and causes a vote to postpone the matter indefinitely.

Right of protest: A Council Member is never required to state reasons for a dissenting vote.

Other Protocol

Other guidelines have also been adopted to ensure that meetings of the Governing Body emphasize the importance of the business being conducted in a professional manner. Members of the Governing Body and staff shall:

- Work to preserve appropriate order and decorum during all meetings.
- Focus discussion on policy matters.
- Discourage side conversations, disruption, interruptions, or delaying efforts.
- Inform the Mayor when departing from a meeting.
- Limit disruptive behavior. Persons demonstrating rude, boisterous, or profane behavior will be called to order by the Mayor. If such conduct continues, the Mayor may call a recess, request the removal of such person(s) from the Council Chambers, adjourn the meeting, or take other appropriate action as permitted by law.

Voting Procedures

When present, all Council Members are to vote. **Failure of a seated member to orally express a vote constitutes an affirmative vote**.

No ordinance, resolution, or motion shall be passed or become effective without affirmative vote of a majority of those members of the Governing Body present. A conflict of interest shall be declared whenever appropriate and in compliance with state law. The affected Council Member will not vote on the item at hand. It is left up to the Council Member's discretion whether or not they leave the room or take a seat in the audience during discussion and voting on the item of conflict.

Upon the request of any Council Member, a roll call vote will be taken and recorded.

A tie vote is equivalent to a vote which has failed. The Presiding Officer may publicly explain the effect of the tie vote for the audience or may direct a member of the staff to do so.

Reconsideration of an item shall be allowed in accordance with the following Council guidelines. Re-submittal of issues previously acted upon is discouraged; however, requests will be considered by a majority vote of the Governing Body. A member of the prevailing majority must make a motion for reconsideration when the previous vote was taken.

Open Meeting Laws

Operations and procedures of the City and Governing Body incorporate requirements of the State's open meeting law. Noting that governmental agencies exist for the purpose of conducting public business, this law provides that certain deliberations and actions must be taken openly. Except as otherwise provided in the act, all meetings of the Governing Body are to be open to the public at all times. Any action taken which is not in the conformity of this act is null and void.

Applicability: This law applies to the Governing Body and all commissions, boards, and task forces that advise the Governing Body. Staff cannot promote actions which would violate this act.

Emergency Meetings: Notice of all meetings must be given as provided in the act. However, an emergency meeting on matters of serious immediate concern can be held for the purpose of taking temporary action without notice. Emergency meetings may be called due to the disruption or threatened disruption of public facilities without notification. Reasonable efforts must be made to offer public notice. Only work stoppages or crippling disasters that impair the public health and/or safety qualify for an emergency meeting. If action taken at an emergency meeting is to be made permanent, it must be reconsidered and acted upon at an open public meeting within 48 hours.

Actions: No action can be taken on any item not appearing on the posted agenda.

Public Input: The public has an opportunity to address the Governing Body on any item of interest to the public that is within the jurisdiction of the Governing Body. The City has the right to establish time limits on speakers and the total time allocated for a particular issue.

Public Disruptions: A portion or all of the public may be removed if willful disruption makes conducting the meeting "unfeasible"; the press may remain unless they participate in the disruption.

Correspondence: All writings distributed for discussion or considerations at a public meeting are public record.

CHAPTER 10

CHECKLIST FOR THE GOVERNING BODY

"Far better it is to dare mighty things, to win glorious triumphs, even though checkered by failure, than to take rank with those poor spirits who neither enjoy much or suffer much, because they live in the gray twilight that knows not victory or defeat."

~ Theodore Roosevelt ~



Members of the Governing Body may find help in going over this checklist. The more questions that can be answered "yes," the more effective the member will be and the better the City government will be.

- Do I understand the basic principles of this form of government?
- Am I prepared to exert leadership in policy making and leave the execution of policy to the City Administrator?
- Do I use the City Administrator's office to get facts and figures which lead to sound policy?
- Am I working as a team with my colleagues on the Governing Body and with the City Administrator?
- Am I tolerant and fair minded toward other members of the Governing Body?
- Have I familiarized myself with the City ordinances and Governing Body rules?
- Do I make an effort to understand reports and recommendations prepared for the Governing Body's information and action?
- Am I fair in presenting complaints directly to the City Administrator rather than going to subordinates?
- Do I give the City Administrator reasonable time to explain a problem or to bring in a recommendation?
- Do I make an effort to understand the objective of a proposed ordinance or ordinance amendment? Do I seek advice from the City Administrator? Do I seek public input? Am I open-minded about the proposed changes?
- Am I familiar enough with the budget to know how well it fits the needs of the City for services, fixed assets, and capital improvements?
- Do I think the proposed budget will provide adequate wages and benefits for City employees?
- Do I give time to promoting needed policies, services, and projects to the citizens?
- Do I carry my share of public relations in dealing with citizens and the media?
- Do I judge the work of the City Administrator by reasonable standards?

This handbook is a general guide. As such, it must be tested against experience. The success or failure of democracy in a Council-Administrator form of local government depends on its Governing Body. An Administrator can administer policies, but only a Governing Body can govern. A Governing Body should not be afraid of politics in the best sense of the word – the art of governing. Someone has to make political decisions; that is the business of the Governing Body.

City
of
GREYBULL

Council Orientation/Handbook materials for this municipality provided by WAM



Wyoming Association of Municipalities

Building Strong Communities

City
of
JACKSON

Council Orientation/Handbook materials for this municipality provided by WAM



Wyoming Association of Municipalities

Building Strong Communities

City
of
KEMMERER

Council Orientation/Handbook materials for this municipality provided by WAM



Wyoming Association of Municipalities

Building Strong Communities

City
of
LARAMIE

Council Orientation Handbook

1868

LARAMIE

November 2016





Council Orientation Handbook

City of Laramie, Wyoming

November 2016

City Manager's Office
P.O. Box C
Laramie, WY 82073

(307) 721-5226
fax (307) 721-5211

Laramie City Council

November 21, 2016

City Hall, 406 Ivinson Avenue

P.O. Box C

Laramie, WY 82073

Dear Council Member,

Please accept my sincere appreciation for your willingness to serve our fine community.

Since 1868, the tremendous investment of time and energy by members of the governing body has always been one of the great strengths of the Gem City. Today, we find ourselves the fortunate heirs of the vision and foresight of prior council members who did things like secure the water supply, provide quality of life amenities in spite of limited financial resources, and build a community that, in many ways, is the very heart of the State. Often referred to fondly as "Wyoming's Hometown," Laramie is the top destination for residents and visitors alike as they pursue educational opportunities at UW, LCCC, or WyoTech, enjoy the Snowy Range, or cheer on the Pokes.

The process of becoming an effective local official is a series of never-ending opportunities and I look forward to working with you to continue the fine community legacy we've inherited. As an elected official you will work most frequently with the City Leadership Team, comprised of staff in the Manager's Office and department heads. It would be remiss, however, not to salute the hard work and service of every member of the municipal staff, some 260 persons strong. On behalf of the entire city work force, it is my pleasure to welcome you to the team and the important work of municipal government!

The next few years will be challenging and rewarding as you participate in guiding the progress of the community and, ultimately, shaping the future. I hope the enclosed material gives you a great start by familiarizing you with the municipal organizational structure, functions, and the duties of the City Council. In coming days, Executive Assistant Paula Wilson-Cazier will contact you to schedule an orientation meeting where staff will answer any questions you may have and provide additional information as you may require. I look forward to talking with you about Laramie's past and future.

Respectfully,

Janine Jordan

City Manager

City of Laramie

COUNCIL ORIENTATION HANDBOOK

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Welcome to City Government!

As you become acquainted with (or re-acquainted with) your role as a member of the City Council, here are some ideas about how to increase your knowledge of the operation of the City and the role of the Council:

1) **Meet with the City Manager to understand both the role this position fills, as well as how the Council and staff work together to best serve the citizens of Laramie.**

2) **Meet with Department Heads to understand the operations that they oversee.**

3) **Understand the concepts of Conflict of Interest, Open Meeting Law, and Code of Conduct and Guidelines for City Councilors in Laramie.**

4) **Read and familiarize yourself with the information that is provided by staff. Communicate with the community, including your constituents, and do additional research as needed. Network with elected officials in other cities.**

5) **All regular Council meetings are broadcast live through a local cable network, and streamed live through a link on the City's website. Your dress, actions, and comments will be seen and heard live.**

6) **All exterior doors, as well as a number of interior doors, are accessed using a personal code that will be provided to you.**

7) **City Council members generally have photographs of themselves, along with contact information on the City's website**

City Council Goals 2016

To provide a framework for public policy and program development efforts for the year, the City Council sets annual goals that guide its work. The City Manager develops the strategic plan for implementing legislative objectives and policies in partnership with the leadership team and involves the Council in work sessions for policy decisions. The City's adopted goals for 2016 are listed below:

- Adopt a strategy for increasing sales tax
- Establish financial strategy for long-term community stability
- Within two years, complete evaluation report and update of the Comprehensive Plan
- Adopt revision(s) to L.M.C. for general on-street parking, trailer/RV parking, city initiated towing, and Residential Permit Parking Districts, as Council determine necessary
- Prepare and present for Council consideration a Neighborhood Services Program concept
- Review zoning in relation to the Unified Development Code
- Adopt a Revitalization Plan for west Laramie
- Investigate creation of Urban Renewal Agency as authorized by State Law
- Develop standards for in-fill and growth area development
- Designate 3rd Street from I-80 to Curtis Street as a critical beautification and walkability corridor for the community and pursue enhancements
- Investigate all options for protecting groundwater, including cooperation with County and State
- Investigate Laramie becoming a Zero-Waste and / or STAR community
- Pursue economic development at Cirrus Sky Technology Park and throughout the community
- Construct and finance consolidated public works service center
- Preserve park land, open space, and public trails for future generations
- Implement a traffic safety strategy for access to and from the new high school, inclusive of Garfield Street, 30th Street, and Bill Nye Avenue
- Develop paving section criteria for currently unimproved streets in the community
- Support public transportation options, including paratransit
- Strengthen relationships with other community partners: Albany County School District, Wyoming Technical Institute, Laramie County Community College, University of Wyoming, Laramie Chamber Business Alliance, Wyoming Technology Business Center, Ivinson Memorial Hospital, etc…
- Continue public relations outreach to engage residents in municipal government

The City of Laramie

MISSION:

Building Our Community through Respect, Integrity, Teamwork and Stewardship.

VISION:

Community Excellence in the Gem City of the Plains

CORE VALUES:

- Respect… treat others with a high level of courtesy and dignity.
- Integrity… honest and ethical interactions with each other and the community.
- Teamwork… work together to meet common goals while considering the needs of others.
- Stewardship… careful and responsible management of all of our resources and environment.

City Council's Adopted Code of Conduct

CITY OF LARAMIE

RULES OF PROCEDURE AND CODE OF CONDUCT OF CITY COUNCIL

Revised May 2016

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ARTICLE 1: Rules of Procedure

Rule 1. Meetings

A. Regular Meeting. Regular meetings of the city council shall be held at 6:30 p.m. on the first and third Tuesday of every month in the city council chambers unless otherwise noticed. If the first or third Tuesday falls on a city holiday or Christmas Eve or New Year's Eve, the regular meeting shall be held at 6:30 p.m. on the next business day.

B. Work Session. Work sessions may be scheduled by the city council as needed.

C. Special Meetings. A special meeting, or any change in the time or location of a regular meeting, shall be called by the city clerk who shall notify each member of the council and notice the meeting pursuant to state and municipal law. Any person or entity requesting that a special meeting be called shall pay to the city an administrative fee in the amount of the city council salaries for council members in attendance at the meeting. This section shall not apply to requests for special meetings from city council members or staff members of the city council.

D. Quorum. Five council members shall be a quorum for the transaction of business, but in the absence of a quorum, the members present may adjourn the meeting to a later date. A member participating by telephone in accordance with Rule 1.E shall count towards a quorum.

E. Telephonic Attendance at Meetings. Any member of council may attend a meeting telephonically subject to the following conditions.

1. The telephonic attendance must be arranged in advance of the meeting by notifying the city clerk at least 24 hours in advance to insure that the necessary equipment is available for use.
2. The council member must provide the contact information to the city clerk's office so that contact can be made.
3. The council member must have equipment available for the contact to effect the communication, both for audio and the ability to receive documents in electronic format.
4. The council person must have the agenda packet available to read.
5. The council member must be able to participate effectively during the entire meeting, or for the entire discussion of the singular item for which attendance is required without interruption.
6. Each council member shall be limited to not more than five (5) times annually during which telephonic attendance may be utilized.

Rule 2. Presiding Officer

A. Conduct of Meeting**.** The presiding officer at all meetings of the council shall be the mayor, and, in the mayor's absence, the vice mayor, who shall conduct the business and deliberations of the council under these rules. Specifically the mayor shall:

1. Preserve order and decorum in the council chambers;
2. Observe and enforce all rules adopted by the council for its government;
3. Decide all questions on order, in accordance with these rules;

4. Recognize members of the council in the order in which they request the floor. No member shall be recognized and given the floor to speak on the same matter more than once until after all other members of the council have had an opportunity to be recognized and be heard.
5. Retain the authority during public comment to determine whether a speaker's remarks fail to comply with these rules or exceed the scope of the designated forum. The presiding officer shall have the authority to suspend such person's right to speak, subject to the council's right to overrule such decision.

B. Election of Mayor and Vice Mayor. The mayor shall be elected by the whole of the city council at its first meeting in January following a general election in the manner as outlined in Section 2.04.16 of the Laramie Municipal Code. The vice mayor is elected in the same manner as the mayor.
C. Duties of the Mayor and Vice Mayor. The mayor serves as the presiding officer of the city council and as the liaison to the city manager, city attorney and city judge. The mayor also regularly attends the agenda meeting to assist city staff in preparing for an upcoming meeting and generally handles the motions for changes to the consent and regular agenda, as well as the motion to approve the consent agenda. The vice mayor may also attend the council agenda meeting and is the presiding officer in the absence of the mayor, or at the mayor's request.
D. Absence of Mayor and Vice Mayor. In the absence of the mayor and vice mayor the council shall, by motion, appoint one of its members to serve as presiding officer of the council until the return of the mayor or vice mayor.

Rule 3. Remarks and Debate

A. Speaking to the Motion. No member of the council shall speak more than twice on the same motion except by consent of the majority of the council members present at the time the motion is before the council. Council member remarks are limited to four minutes each time the member speaks for a total of eight minutes. Council members may forfeit their time to speak to another council member, this can be done without a vote.
B. Interruption. No member of the council shall interrupt or argue with any other member while such member has the floor.
C. Courtesy. Members of the council, in the discussion, comments, or debate of any matter or issue, shall be courteous in their language and demeanor and shall not engage in disorderly behavior, or make personal comments, derogatory remarks or insinuations in respect to any other member of the council, staff or public.
D. Discipline. If a member of the council violates these rules, the presiding officer shall call such member to order, in which case such member shall be silent except to explain or continue in order. Any other member of the council may, under a point of order, call the presiding officer or other member to order. Additional discipline may include, but is not limited to, a verbal admonition, public reprimand, and expulsion from the meeting at which the conduct is occurring.

E. Challenge. Any member of the council shall have the right to challenge any action or ruling of the presiding officer, or member, in which case the decision of the majority of the members of the council present, including the presiding officer, shall govern.
F. City Staff. The city manager and city attorney or their designees shall have the right to enter into a discussion of any matter coming before the city council. Other city staff may enter into a discussion through the city manager or designee.
G. Work session courtesy. During a work session, it may be acceptable to address one another by name so long as the chair feels that the meeting is maintaining a civil tone. At the chair's discretion, council may be requested to use the more formal meeting format even when direct votes are not being taken.

Rule 4. Order of Business

A. Order of Business. The order of business shall be as follows:

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Order of Agenda
5. Proclamations/Notifications
6. Consent Agenda
7. Regular Agenda
8. Public Comment
9. Adjournment

B. Consent Agenda. All matters listed under consent agenda are considered to be routine by the city council and will be voted by one motion. There will not be separate discussion of these items. The following items may be placed on the consent agenda:

1. Approval of license applications and bonds;
2. Resolutions;
3. Approval of payments of contracts under $100,000;
4. Bid and contract awards under $100,000;
5. Third readings of ordinances;

Any council member may have any item removed from the consent agenda for separate consideration without a second or a vote before voting has finished on the consent agenda.

Rule 5. Motions

A. Making a Motion. For an item to be brought to the floor a councilor shall make a motion. Items shall be brought to the floor in the order of the agenda.
B. Seconding a Motion. All motions must receive a second for action, except for a call for nominations, withdrawing a motion, a request for a roll call vote, and a point of order. If a second is made, the

mayor will state the names of the respective council members making and seconding the motion. If a motion does not receive a second, it dies.

C. Amending a Motion. Any council member may move to amend a pending motion. No more than two amendments may be made to a pending motion. The last amendment made shall be voted on first.

D. Postpone to a Certain Date. This motion is used to delay consideration of an item until a specified date.

E. Postpone Indefinitely. This motion is used to delay consideration of an item until an unspecified date.

F. Point of Order. Any council member may raise a point of order at any time. A point of order means that the council member is asking for a ruling on whether the rules of procedure are being followed. The point of order shall first be made to the mayor for a ruling. The member may appeal the mayor's ruling to the council, which may affirm or overrule the mayor's ruling by a majority vote of the council members present. A point of order directed to the mayor or council does not require a second and is not subject to amendment.

G. Reconsideration. A council member who voted in the majority may move to reconsider an item that council has voted on during the same or next business meeting.

H. Discussion on the Motion. Council may discuss a pending motion only after the motion has been moved and seconded.

I. Voting on the Motion. After discussion, the mayor or any council member may call a vote on the motion (Calling the "Previous Question"). After voting concludes the mayor will announce the results.

J. Approval or Denial. If a motion is made to approve any application, and the council does not approve the motion, one of the councilors voting no shall make a motion to deny the application, citing at least one legal reason for the denial. A council member may ask the city attorney or other staff to assist them in stating the reasons for denial.

Precedence of Motions

A. Precedence of Motions. When a question is under consideration, no motion shall be entertained except as follows, such motions having precedence in order as stated:

1. To adjourn. (Not debatable.)
2. To remove an item from the agenda.
3. To lay on the table. (Not debatable).
4. To call the question. If a councilor calls the question, the chair shall allow the councilors that have not spoken to the motion one chance to speak.

The chair shall then allow the public to comment, after which a roll call vote shall take place. (Requires a two-thirds vote).

5. To postpone to a date certain.
6. To amend.
7. To substitute.
8. To postpone indefinitely.
9. Main motion.
10. Motion to reconsider. No motion to reconsider a vote shall be in order except by a councilor who voted on the prevailing side. Any member of the council shall have the right to change their vote at any time before final action is taken.

Rule 6. Suspension of Rules

No rule shall be suspended except by a two thirds vote of the council members present at the meeting. A motion to suspend a rule is not debatable. Vote on the motion to suspend may be by voice vote of the council, unless a member requests a roll call.

Rule 7. Ordinances and Resolutions

Reading of ordinances and resolutions shall be deemed sufficient by the reading of a brief synopsis of the title of the ordinance or purpose of the resolution. Reading the motion shall satisfy this requirement. A full reading shall not be required unless requested by any council member and a majority vote of the council members present.

Rule 8. Robert's Rules of Order

Any questions of practice or procedure not provided for by these rules shall be governed by Robert's Rules of Order (newest revision).

Rule 9. Amending these Rules

Amendments to these rules shall be made by a resolution and shall require a majority vote by the council members present.

ARTICLE 2: Code of Conduct

CHAPTER 1. Roles and Responsibilities

1.01. Whole Council

The council as a whole is a policy making board and as such, it is not the duty of the council to administer the day to day operations of the city. Many items will come before council as required by city ordinance, but many issues are more discretionary in nature. It is important that the council and the city staff work together to differentiate between administrative duties which are relevant to staff, and those decisions which are of a policy-making nature and should come before council. All council members, including those serving as mayor and vice mayor, have equal votes. No council member has more power than any other council member, and all should be treated with equal respect.

1.02. Mayor & Vice Mayor

1.02(A). The Mayor serves as the administrative head of the council, addressing a variety of issues that may arise including, but not limited to, conduct among council members, communicating with the media, emergencies, and authorizing by signature a number of documents for the city. Generally, the mayor should not make decisions other than administrative decisions on behalf of the whole council, and should instead work to differentiate which matters need comments from the council and which matters are purely administrative in nature. Matters which concern policy direction should be brought before the council as a whole.

1.03. Boards & Commissions Liaisons/Elections/Seating at Rostrum

1.03(A). The selection of liaison positions by council members to city boards and commissions and the selection of seating of council members at the rostrum are handled at the first meeting when a new council is seated. Council shall first, elect the mayor and the vice-mayor and select the seating of council members at the rostrum prior to the selection of liaison positions by council members to city boards and commissions.

1.03(B). The selection of council members to liaison positions to city boards and commissions shall be by rotation of council members beginning with those council members with the most consecutive years of service as a council member then reverse the order for the next rotation until all liaison positions to all city boards and commissions have been filled. The priority of those members with equal years of consecutive service shall be made by a game of chance selected by the mayor. Council members previously appointed to an ad hoc committee by resolution may continue to serve on the ad hoc committee.

1.03(C). The seating of council members at the rostrum shall be by rotation of council members beginning with those council members with the most years of consecutive service as a council member.

1.03(D). A council liaison to a city board or commission should serve in an advisory capacity and as a point person to keep the council informed of the activities of the board or commission. The liaison should not attempt to influence the votes of city board and commission members and should only vote if the liaison is an official voting member. The position of an official voting member shall be identified in the introductory documents provided to the council member in the orientation material.

1.03(E). Guidelines for interviewing and appointing board or commission members as outlined in Appendix A, shall be followed.

CHAPTER 2. Internal Council Conduct

It should be generally understood that the council exists to work in the interest of the public. The council should strive to work as a team in achieving the best outcome for the community. The council should conduct business in a civil, efficient and cooperative manner with other members of council and city staff. It is incumbent upon council members to listen to one another and give full opportunity for all viewpoints to be heard. All disagreements should be handled in a civil fashion.

2.02. Addressing One Another

2.02(A). During a regular meeting, council members shall address one another in a more formal manner as "Councilor _____ (last name)" or "Council Member _____ (last name)." Council members should also address all responses through the chair, for example: "Mr./Madame/Honorable Mayor, I disagree with the comment made by the previous Council Member or Councilor Smith…." Formality helps to maintain civility during contentious issues. In all instances, council members shall remember that as representatives of the community it is important to keep discussions civil, whether in or out of chambers. Personal attacks will not be tolerated and may subject the councilor to being called by another council member for a breach of order or potential penalty by a majority of the council, such as an apology or a withdrawal of objectionable statement(s) or remark(s).

2.02(B). During a work session, it may be acceptable to address one another by name so long as the chair feels that the meeting is maintaining a civil tone. At the chair's discretion, council may be requested to use the more formal meeting format even when direct votes are not being taken.

2.03. Recording and Broadcasting Meetings

2.03(A). All regular business meetings and special business meetings of the city council are public meetings under the provisions of the Wyoming Statutes. Executive sessions of those meetings may exclude the public from attendance, provided that the statutory mandates are met in announcing the meetings and conformance with the requirements during the meetings has occurred. Minutes of all meetings of the city council are required to be made and retained by the city clerk. Minutes of regular business meetings and special business meetings, excluding the executive sessions, will be made available to the public following approval of the minutes by the council. Each of the council meetings is to be recorded, and the minutes are created from those recordings.

2.03(B). In addition to the recordings of the regular business meetings, there is a broadcast of the meetings, and a recording of those broadcasts. The broadcasts are transmitted in real time on the Public Access Channel over the cable television network provided in the city, and beyond. In addition to the live broadcast on the cable channel, an audio recording of each meeting is made available to the public through the city's internet website at www.cityoflaramie.org. Each entire meeting is recorded as hereinafter specified.

2.03(B)(i). Regular Business Meetings and Special Business Meetings. Regular business meetings and special business meetings, including emergency meetings, shall be recorded from the opening of the meeting to adjournment. An interruption of the recording may occur during a recess to executive session. Further business may be conducted by the council following the executive session. The broadcast recording will follow the same time frame of recording.

2.03(B)(ii). Emergency Meetings. Audio recording of special meetings shall be made by the city staff unless such is not available due to emergency conditions. In the instance that recording is not available, written minutes of the meeting shall be made by the city clerk, or other available staff members.

2.03(B)(iii). Executive Sessions. Executive sessions of any council meeting shall be audio recorded by the city clerk, regardless of whether the clerk remains for the session or not. The recording shall be sealed by the city clerk and retained in the city clerk's records. Such recording shall be unsealed only upon receipt of a valid court order requiring the recordings to be unsealed. The order received shall be retained by the city clerk together with the recording.

2.03(B)(iv). Regular business meetings and work sessions will be available to the public via video streaming.

2.04. Council Updates

Each work session shall include time for council updates and council comments. Council updates shall be an opportunity for council members to report or discuss issues with the whole council that may have arisen from boards or commissions or other meetings. Council comments shall provide an opportunity to raise matters which are of concern to the council member or members of the public. It may also be a time for city staff to update the council on items council might find relevant, or to request direction on pressing issues.

2.07. Placing Items on the Business Meeting Agenda

2.07(A). Generally, the business agenda for each meeting will be generated by the city manager, with the items being suggested by staff or members of council. The proposed agenda will be reviewed with the mayor at the agenda meeting and subsequently submitted to the council for consideration at each meeting for adoption, with such amendments as may be determined by council.

2.07(B). A council member may request an item be considered on a future agenda by making a written request to the city manager. In order to allow sufficient time for council to review and city staff to research the matter, the request should be submitted at least ten (10) days prior to the meeting for which the item is requested to be placed on the agenda. The requesting council member shall submit to the clerk within the ten (10) day period all written material for submission to council.

2.07 (C). A member of the public may request a council member sponsor an item on a future agenda by submitting the request in writing to the council member, or to the city clerk's office. In order to allow sufficient time for council to review and city staff to research the matter, the request should be submitted at least ten (10) days prior to the meeting for which the item is requested to be placed on the agenda. The member of the public shall submit to the clerk within the ten (10) day period all written material for submission to council. Once the issue has been placed on the agenda, the city clerk will notify the requester so that he or she may plan to attend the meeting.

2.08. Requesting Work Session Topics

A council member may suggest an item or topic be presented in a regular work session to acquire information. Such item shall be scheduled for a regular work session, provided a second to the proposal is received from another council member.

2.09. Time Length of Regular Council Meetings

It is the intent of the city council that no additional agenda item will be introduced at a regular business meeting or special business meeting after the hour of 9:30 p.m. unless the city council members present vote to extend the meeting by suspending the rules with a 2/3 vote of the members present and continue the meeting until 10:00 p.m. If the item introduced at a regular city council meeting and being discussed by 9:30 p.m. is not concluded by 10:00 p.m., the council shall adjourn the regular city council meeting to another date to conclude discussing the agenda item or the next regular city council meeting. City council shall reserve time at the end of each regular meeting for public comments regardless of the hour. All items remaining on council's regular agenda would be moved to the next regular city council meeting and will be given priority over any additional items on the regular city council's agenda. The intent and purpose of this policy is to encourage a reasonable hour in which the city council business is discussed and to protect against fatigue in discussing and deciding important city issues.

2.10. Telephonic Attendance at Meetings

2.10(A). It is recognized that there may be circumstances when a council member intends to attend a meeting, but is prevented from attending in person and wishes to participate telephonically. In order for that attendance to occur telephonically, there are a number of conditions that must be fulfilled to achieve that attendance. Those conditions include the following, together with such unanticipated circumstances as may arise during the interim:

1. The telephonic attendance must be arranged in advance of the meeting by notifying the city clerk at least 24 hours in advance to insure that the necessary equipment is available for use.
2. The council member must provide the contact information to the city clerk's office so that contact can be made.
3. The council person must have equipment available for the contact to effect the communication, both for audio and the ability to receive documents in electronic format.

4. The council person must have the agenda packet available to read.
5. The council member must be able to participate effectively during the entire meeting, or for the entire discussion of the singular item for which attendance is required without interruption.
6. Each council member shall be limited to not more than five (5) times annually during which telephonic attendance may be utilized.

2.10(B). A council member who attends the entire meeting telephonically shall be paid for that meeting. Attendance at only a portion of the meeting, regardless of whether the council member participates in one or more votes, does not entitle the member to be paid for the meeting.

2.11. Travel Policy & Expenditure Guidelines

Council members shall be subject to the following travel policy and shall follow the expenditure guidelines where such are applicable.

2.11(A). All travel by council members for which reimbursement is sought from the city must be directly related to City business and, with the following exceptions, must be pre-approved by the council:

1. Travel to the National League of Cities annual conferences.
2. Travel to the National League of Cities committee meetings when the council member is an appointed member of the committee.
3. Travel to the Wyoming Association of Municipalities (WAM) annual meetings and the committee meetings of which the council member is a member, or other requested WAM activities.
4. Travel to attend the Wyoming legislature, or the committee meetings thereof, to promote the city's position.
5. Council retreats.

2.11(A)(i). In the event that a council member does not file for re-election, or is defeated in an election contest, all travel requested by that member after the date of the decision at any of the three (3) points in time, filing of the petition for candidacy, the primary election or the general election, shall be submitted to the council for approval prior to exercising such travel.

2.11(B). Requests for Pre-Travel Approval

1. Requests for pre-travel approval shall be made by council member on the travel request form located in the city clerk's office.
2. The completed travel request form shall be submitted to the city clerk for inclusion on the consent agenda of the following regular business meeting.
3. The following information must be submitted by the council member on the travel request form:

a. Estimated costs of travel, including airline tickets, mileage reimbursement, meals, lodging, taxi service and any associated costs.
b. The proposed dates of travel, the method of travel and the proposed destination.
c. The purpose of the trip.

4. The request will be placed on the consent agenda for concurrence of the majority of the council, if the request is for other than the approved travel of the council member.

2.11(C). Travel Reports and Reimbursement Procedure

1. Travel arrangements for council members shall be coordinated through the city clerk, who may make arrangements of the following for council members using the city issued credit card at the request of the council member:

   a. Airline tickets.
   b. Registration.
   c. Lodging reservations.

2. Following the approved travel, each council member shall follow the procedure set forth below to complete the travel procedure.

   a. Submit a completed travel and reimbursement form to the city clerk, together with the receipts for items that have been paid with the city credit card, such as:

      i. Airline tickets.
      ii. Lodging.
      iii. Rental vehicles.
      iv. Taxi or bus fare.
      v. Parking fees.
      vi. Baggage fees.
      vii. Registration, training and attendance costs.

   b. Sign the completed travel form certifying attendance at the scheduled event, incurring the expenses on behalf of the city and conforming to the provisions of this policy to the best of the knowledge of the council member.

3. Each council member shall follow the procedure set forth below to obtain reimbursement for the incurred expenses which have been paid by the council member not using the city credit card:

a. Submit a completed reimbursement request form to the city clerk, including the receipts for such items as:

   i. Meals.
   ii. Private vehicle mileage.
   iii. Other expenses incurred on behalf of the City business.

b. Sign the completed reimbursement request form certifying that such expenses were incurred on behalf of the city and such are conforming to the provisions of this policy to the best of the knowledge of the council member.
c. Submit the completed form to the city clerk, who will process the request with the finance department.

4. Council Travel Reports. Following travel to out-of-state conferences each Councilor may submit a written report of the significant activities of the conference to the council via the city clerk for inclusion in the agenda packet prepared for council.

2.11(D). City Issued Credit Card Procedures

1. Each council member may, at the option of the council person, be issued a city owned credit card for use by that council member while engaged in the furtherance of city business, but not otherwise.
2. The city issued credit card may be used for the following expenses incurred by that council member, but not otherwise:

   a. Airline tickets and baggage fees.
   b. Lodging at the lowest rate available to the council member, but excluding any and all upgrades in accommodations or service.
   c. Rental vehicles at the lowest rate available, but excluding any and all upgrades in vehicle or service.
   d. Parking fees.
   e. Fuel for city owned vehicles operated by the council member.
   f. Registration, training and attendance fees.

3. The following uses of the city issued credit card are prohibited:

   a. Meals.
   b. Alcoholic beverages.
   c. Upgrades in lodging accommodations or services or rental vehicles.
   d. Personal expenses.

2.11(E). Meal and Incidental Reimbursement

For any event, each council member may choose either of two methods of reimbursement for the meals and incidentals authorized during travel on city business, with the below described procedures applicable.

1. Per Diem Reimbursement.

    a. Meals will be reimbursed at the rate approved by the city manager for city employees, within the federal travel regulation guidelines.
    b. Partial days of travel are addressed within that policy.
    c. No receipts for meals are used in calculating the meal expense allowance under the per diem method, with the exception of meals consumed during a single day travel, when receipts must be submitted to the city clerk.

2. Actual Expense Reimbursement.

    a. The council member must submit the receipts for the meals actually eaten, excluding any and all charges for alcoholic beverages.
    b. Tips, not to exceed 20%, actually given are to be included and reimbursed.

3. No meals will be charged on the city issued credit card.

2.11(F). Lodging Expenses and Procedures

1. Lodging will be paid by city, either directly or as reimbursement, in either of the following cases:

    a. The federal per diem hotel guideline for the location actually used by the council member, without regard to the actual cost of the lodging.
    b. The lowest rate available to the council member, with an attempt to secure the lowest government rate available for the actual lodging utilized by the council member, excluding any and all upgrades which have additional expense for the accommodations or the service.

2. Other lodging policies:

    a. A council member may have the council member's spouse also stay in the room if there is no additional expense to the city, or if any additional expense is paid by the council member and not paid on the city issued credit card.

b. Lodging may be paid by the council member and the amount attributed to city business reimbursed by the city.
c. All receipts for lodging must be submitted to the city, regardless of the payment method.
d. Only lodging that is actually used by the council member may be paid on the city issued credit card, or reimbursed to the council member.
e. Council members shall review the receipts for travel to insure that additional charges have not been entered on the account to be charged to the city.
f. Council members shall make every reasonable attempt to arrange for travel and lodging at times which allow the council member to take advantage of the special lower rates for travel, lodging and registration, where available.

CHAPTER 3. Council Conduct with City Staff

3.01. Direction to Staff for Projects

Direction is given to the city staff to pursue items that generally impact the public policy of the city by determining that there is little or no opposition during a work session, or through a direct binding majority vote of the body at a special or regular business meeting. Once direction is given to the city manager in one of these ways, that individual shall determine who shall carry out the duty, or advise the council if the city needs additional city staffing to carry out the task. City staff, including the direct employees of the council (which are the manager, attorney, and judge), are under no obligation to pursue items for only one council person. If a council person wishes to ask the city staff to work on an issue, they must have either received the consent of the council by determining that there is little or no opposition during a meeting or have a second on a motion to introduce legislation.

3.02. Requests for Information on Non-Agenda Items

City staff is hired to carry out the day to day business of operating the city. Council should keep this in mind when requesting information or asking to perform these functions. Generally, all interactions with staff members should flow through the city manager. If a council member is asking for information from city staff that will require more than thirty (30) minutes of city staff time to collect or research a problem, or prepare a response the request will need to be approved by city council to ensure that city staff resources are allocated in accordance with overall council priorities.

3.02 (A). When a council member wishes to request staff to provide information, that request should be made in writing to the city manager. A response to the written request shall be made by staff in not more than five (5) business days.

3.03. Interaction with Staff

It is not appropriate for council members to admonish city staff when disagreeing with the information brought forth for presentation to the governing body. Concerns should be taken up with the city manager, and if there is deemed to be an issue that needs to be addressed by the whole council, it will be brought forth. In any event, there shall be no personal attacks on city staff.

CHAPTER 4. Council Conduct with the Public

4.01. Public Meetings

Making the public feel welcome is an important part of the democratic process. Handouts for the public on council meeting procedures, and guidelines for addressing city council, are outlined in Appendix B and C and shall be followed at all times. Recognizing that the actions of each council member impact the public perception of the whole council, council members shall strive to treat the public with respect.

4.02. Public Comments

There shall be public comments permitted when individuals are recognized by the mayor at the following times

- Following the opening of work sessions for items not found on the agenda.
- Following the agenda items of the work sessions for those items.
- Following council discussion of each agenda item during the regular meetings for comments concerning that agenda item.
- As a regular agenda item following the council agenda at regular meetings, but prior to any executive session which may be called at or near the end of the meeting.

The chair shall inform those wishing to speak that there is a five minute limit on comments regarding any item not on the agenda, and that the speakers shall address their comments to the chair. Council members shall not participate as members of the public in the public comment periods. Public comments shall be recorded as a portion of the work session and broadcast as a part of the regular meetings. Care should be taken not to enter into a debate of the issues with members of the public, but if items need to be addressed, direction can be given to the city manager to do so. In any event there shall be no personal attacks on the public, nor shall members of the public be permitted to personally insult members of council or staff, or other members of the public.

4.03. Disruption of Public Meetings

Any member of the public will be allowed to appear and speak before the city council, unless he or she disrupts or otherwise impedes the orderly conduct of any council meeting, hearing, or other proceeding of the council such as using threatening or obscene language, personal defamatory statements, indecent or threatening behavior, or violent actions. If, after receiving a warning from the mayor or the presiding officer, a person persists in such conduct or otherwise disrupting the meeting, the mayor or the presiding officer, pursuant to the rules adopted by council, may expel and direct the member of the public to leave the meeting. Any council member may appeal the order of the mayor or the presiding officer and upon a majority vote of the council such order of the mayor or the presiding officer may be set aside. Such vote is undebatable. Such person may be readmitted at a future meeting as long as there are not further disturbances or disruptions by such person at that public meeting. Nothing herein shall limit or

restrain negative, positive or neutral comment about the manner in which an individual employee, officer, official or council member carries out the council member's duties in public office or employment.

4.03(A). To observe the order and decorum of city council meetings, the volume on all electronic devices including but not limited to cellular telephones, pagers or computers should be turned off or set to vibrate.

4.04. Written Public Comment

Interested parties, or their authorized representatives, may address the council through written communication with regard to any matter concerning city business or over which the council has control, or by addressing the city clerk, who shall distribute the written communication to council members. Written communication may also be submitted to the city council through electronic correspondence at council@cityoflaramie.org.

4.05. Unofficial Settings

It is also appropriate that council members recognize that as elected officials their conversations when out in public will be overheard. Members of the council should take care to be aware of what they say in public, and to differentiate between personal opinion and the opinion of council as a whole, whether in private or public conversations.

These guidelines shall be modified and adopted by a majority of council as needed.

APPENDIX A

BOARDS AND COMMISSION
PROCEDURES FOR VACANCIES

1. City staff liaisons to particular city boards or commissions should notify the executive assistant (EA) in the city manager's office when positions on boards and commissions become vacant.

2. Vacant positions of city boards or commissions should be advertised by the EA for one (1) month unless otherwise specified by council as follows:

Website;
Public Access Channel;
Laramie Daily Boomerang;
Posted at City Hall; and
Other available electronic notification forms.

3. The EA will notify standing members of city boards or commissions regarding the expiration date of their term at least one (1) month in advance of the expiration of their appointment and inform them of the period during which they may reapply for their position.

4. Applications should be made available to interested applicants from the EA, or may be downloaded from the city's website, and should be submitted to the EA.

5. The EA will refer the names of the applicants to the city clerk to be placed on city council's agenda.

6. A minimum of three (3) members of council will interview applicants or incumbents for the planning commission or the parks, recreation and tree commission, and a minimum of two (2) members of council will interview applicants or incumbents for the remaining boards and commissions, who will make recommendations to the full council at the next regular meeting. Normally, the interviewing members of council will include the liaison to the board or commission. Incumbents who are reapplying to a city board or commission will not be interviewed unless there are additional applicants for such city board or commission or upon the request of a council member for an interview to re-appoint the incumbent applicant. In such case, all applicants and the incumbent will be interviewed. The entire council will then vote at the regular meeting to select members for city boards or commissions from the list of applicants who have been interviewed.

7. Following appointment by the council, a list of appointees will be forwarded to the EA who will contact new appointees notifying them of their appointment, meeting times and dates, and contact information for the board's/commission's staff liaison.

8. Positions of leadership on a given city board or commission will be decided within the city board or commission, unless otherwise specified by the city council.

9. During the formation of a city board or commission, council should give that body a written set of expectations and/or goals based upon requirements as outlined in the Laramie Municipal Code.

APPENDIX B

CITY OF LARAMIE, WYOMING
COUNCIL MEETING PROCEDURES

WELCOME TO A MEETING OF THE LARAMIE CITY COUNCIL

The city council welcomes you to this meeting and invites you to participate in matters before the council. When meeting in the Council Chamber, members of the council are seated at the rostrum and each has a nameplate for recognition. City staff members are seated on each side of the rostrum.

The council meets the first and third Tuesday of each month at 6:30 p.m. in the Council Chamber and holds public hearings or work sessions as needed, typically during the second and fourth Tuesday of each month at 6:00 p.m., as well as other meeting dates when required.

AGENDA FOR COUNCIL MEETINGS

Meeting agendas are available just prior to, or during the meeting, and are placed near the door to the Council Chamber. Copies may be picked up in the city clerk's office without charge or downloaded from the city's website at www.cityoflaramie.org.

COPIES OF AGENDA ITEMS

Agenda items may be downloaded from the city's website at www.cityoflaramie.org. Any writings distributed during a public meeting will also be available for public inspection at the meeting if prepared by city staff or a council member, or after the meeting if prepared by someone else.

PUBLIC PARTICIPATION

The council welcomes suggestions and comments which help meet the needs of the city and improve its operation, and also welcome questions which may clarify its responsibilities or its decisions. Set forth below are procedures for addressing the council. You may stand or raise your hand until recognized by the mayor or presiding officer. Please step to the lectern and microphone when addressing the council.

IDENTITY OF SPEAKERS

The chair will ask each speaker to write the speaker's name and address on a sign-up sheet so they are correctly recoded in the minutes. The chair will ask each speaker to state the speaker's name and whether the speaker resides in the city to introduce themselves prior to speaking.

SPECIAL PRESENTATIONS

Special presentations which include slides, films, etc., will be scheduled prior to the beginning of a council meeting. Arrangements must be made in advance with the city clerk at least one (1) week prior to a meeting in order that the presentation may be noted on the agenda and advance notice provided to members of the council, news media and other interested persons. Special presentations during the course of a meeting will only be allowed with the prior approval of the council.

WRITTEN MATERIAL

Any person providing written or other material to city council at a meeting shall provide the material to the city clerk, who will them disseminate the material to council members and staff as necessary and retain a copy for the official city records. If any person intends to appear before the council and provide it with written material, it should be delivered to the city clerk's office six (6) days in advance of the meeting (sooner if there are holidays prior to the meeting) in order that copies may be included with the agenda and to give the council an opportunity to review the material in advance of the appearance.

If written material is provided to the council at the meeting, it may affect the council's consideration of the matter. Therefore, the council will determine whether or not to continue the matter to a later date in order that it will have time to consider the written material.

DISABILITY ACCOMMODATION

City council meetings are open to the public. Requests for accommodations from persons with disabilities must be made to the city manager's office at least twenty-four (24) hours in advance of a meeting. The city manager's office may be reached at 721-5226. Anyone who has difficulty hearing the proceedings of a meeting may be provided with a portable listening device by requesting one from the city clerk. The device works directly from the public address system, and the listener can hear all speakers who are using a microphone. Anyone who is hearing impaired and requires the services of an interpreter to observe or participate in a meeting should contact the city clerk's office within seven (7) days prior to the date of the meeting.

MICROPHONES

City council meetings are recorded and/or televised when held in the council chamber. In order for the audience to receive a clear audio signal, it is essential that members of the audience use the lectern microphone when addressing the council.

TIME LIMIT

Each member of the audience speaking to the council shall limit their presentation to no more than five (5) minutes, unless the time is waived by the council on any specific item. A speaker may not defer the speaker's time to other speakers. Groups or organizations are encouraged to select a spokesperson to speak on their behalf. Speakers are also encouraged to not repeat comments made by prior speakers, but rather to only indicate their agreement with the comments.

ELECTRONIC DEVICES

To observe the order and decorum of city council meetings, the volume on all electronic devices including but not limited to cellular telephones, pagers or computers should be turned off or set to vibrate.

HEARINGS

Any member of the audience may speak on items scheduled for hearing at the time the mayor declares the hearing open to the audience. Council members will disclose any communications with any individual or party in which they were involved prior to any hearing that is quasi-judicial in nature.

REGULAR AGENDA

All items listed under the regular agenda are in the order which require council action at this meeting. The items will be considered in the order set during the meeting. Any person may speak on items listed on the regular agenda if recognized by the chair.

PUBLIC COMMENTS

A member of the general public may address the council at every meeting of the city council.

> When specific topics have been scheduled for work session discussion, the mayor or presiding officer may specifically request or invite members of the public who may have a special interest, involvement, information or expertise of the topic to address the council.
>
> At Business Meetings: Council reserves time for members of the public to address council on any matter under the agenda item denoted as "Public Comments" at the end of each regular business meeting held on first (1st) and third (3rd) Tuesdays of the month.
>
> Members of the public may also address council on specific topics scheduled for consideration. The chair will call for comments from the public at the appropriate time as per the established agenda for the meeting.

When a member of the general public seeks to address the council during public comments, the council may briefly respond to statements made or questions posed. However, council members should not engage in inter-council discussions. On its own initiative or in response to questions posed by such person, council members may ask questions for clarification, provide a reference to staff or other resources for factual information, or request staff to report back at a subsequent meeting.

REPORTS AND COMMUNICATIONS

Staff reports and communication items are being provided to the council primarily for information. Accordingly, these matters will not be discussed unless a member of the council or general public requests such discussion. However, no action shall be taken on these matters unless the matter is included as an action item at a subsequent meeting and included on the posted agenda as such.

EXECUTIVE SESSION

A description of the items, if any, to be discussed in executive session will be listed on the agenda.

TIME LIMIT OF MEETINGS

No additional agenda item will be introduced at a regular city council meeting after the hour of 9:30 p.m. unless the majority of the city council members present vote to extend the meeting. If the item introduced at a regular city council meeting and being discussed by 9:30 p.m. is not concluded by 10:00 p.m., the council may adjourn the regular city council meeting to another date to conclude discussing the agenda item or the next regular city council meeting. All items

remaining on council's regular agenda would be moved to the next regular city council meeting and will be given priority over any additional items on the regular city council's agenda.

MINUTES

Official minutes of council meetings are prepared and kept by the city clerk and are reviewed and approved by the city council (usually at the next regular meeting). Copies of approved minutes are available at the city clerk's office or on the city's website at www.cityoflaramie.org.

APPENDIX C

GUIDELINES FOR ADDRESSING THE COUNCIL

1. Persons attending a city council meeting may address the council during the period of time specified on the agenda.

2. Presentations concerning agenda items will be heard only upon approval by the chair.

3. An individual wishing to address the council should approach the lectern; wait to be acknowledged by the chair to speak, and clearly state the speaker's name and whether the speaker resides in the city before making general remarks.

4. All remarks should be directed to the chair. The chair may wish to refer any questions to the proper council member or to city staff.

5. Productive public comments should not include threatening or obscene language, personal defamatory statements, or any disorderly conduct that impedes, disrupts or disturbs the orderly conduct of any meeting, hearing or other proceeding.

6. Large groups are encouraged to express their views through a single spokesperson rather than individually. Individuals should observe the five (5) minute time limit when speaking The council may vote to suspend the rules and allow more time for a public comment upon a 2/3 vote.

7. Comment cards may be used for items when extensive public participation is anticipated. Individuals who wish to give comments should submit a completed card to the city clerk. The chair will call the person forward when it is the speaker's turn to speak. If a person does not want to speak, a written statement can be submitted on a comment card.

8. To maintain order, applause or other unnecessary disturbances are discouraged.

9. Petitions should be presented to the city clerk.

10. Members of the audience are encouraged to speak before the council but they cannot make motions or otherwise participate in the meeting

City Council Overview

The City Council of Laramie, Wyoming

The City of Laramie is a municipal corporation as authorized by Wyoming State Statutes and operates as a First Class City with the Council-Manager form of government. The attached statutes reference the various powers and authorities provided to the City by the State. Many of the statutes concern limitations on the powers which the City may exercise, and some have interpreted by the Courts.

The City Council is the legislative arm of the City, adopting such ordinances and resolutions as it deems appropriate for the orderly function of the City. The Council hires the City Manager, the City Attorney, and the Municipal Judge. Each of these positions is generally filled pursuant to a contract negotiated with the individual filling the respective position and termination is pursuant to those documents. The remaining employees are hired, managed, and terminated by the City Manager in accordance with established polices and the law. The Council deals directly only with the City Manager, rather than the various employees.

The City is governed by the various ordinances, resolutions, and policies that have been adopted. The ordinances are found in the Laramie Municipal Code. The Code can be found on the City's website on the left-hand sidebar, as well as under the **"Government"** tab. There are additional codes, adopted by ordinance, which have been incorporated in the Municipal Code by reference and are found elsewhere on the internet. Rules governing the activities of the Council, such as those regulating meetings, attendance, voting, and compensation can be found in the Code.

The City is also governed by State Law (also called Statutes) and some specific federal laws. Copies of these statues are found in books located in the City Attorney's Office and online at the State Supreme Court website.

Council Authority /Powers
State statues provide the general powers and authority of the City Council as the governing body of the City. The City is considered a municipal corporation which encompasses the responsibilities of public improvements and appropriations. City ordinances provide the specific regulation and procedures utilized to carry out the Council's powers and authority.

Administrative Procedures of City Council
The Laramie Municipal Code provides direction to City Council on meetings, attendance, voting, motions, compensation, and city property.

Ethics/Conflicts of Interest
The statutes on municipal government (Title 15) and government contracting (Title 16) generally forbid City Council Members (and their immediate families) from receiving any economic benefit from any contract to which the City is a party. Contracts made in violation of that rule are void. The law allows an exception if the Council Member discloses the conflict, takes no part in the consideration or vote, and does not attempt to influence the vote. The individual Council Member may be subject to prosecution if the disclosure and non-participation rules are not followed.

Current conflict of interest legislation is directed toward contracts and appointments which might benefit someone who is in a position to influence the outcome. They cover bribery, acting before taking office, soliciting favors, etc.

Council had the authority to decide what constitutes an excused absence. There is an ordinance that establishes a procedure on declaring vacancies.

If a Council Member knows that he/she will not be able to attend a meeting because of business, annual leave, for medical or other serious personal reasons, or if the member returns after an absence which he/she believes should be excused, Council can consider a simple motion to excuse the absence (majority vote to pass, no roll call).

Laramie Municipal Code 2.04.200:

> *Each councilman who is present when a question is to be voted upon shall vote thereon, unless excused there from by the city council. He may, before the vote is called for, give his reasons for not voting. If he is directly interested in the question he need not vote. When he is on trial he shall not vote.*

If there is a conflict between the ordinance and the statues, the statutes control. Council may ask staff to talk over the conflict of interest questions with the Council privately. As with many ethics questions, gray areas do exist. Legally, the City should not take an action which is voiced because someone who participates in the decision has a conflict of interest.

Open Meetings

A "meeting" is when a quorum of the Council assembles, called by the mayor or as provided in the Laramie Municipal Code, to discuss, deliberate, gather information, or to take action (vote, agree on a decision, etc.), the minutes do not have to be published. Work sessions are considered meetings.

All meetings are open to the public except with 2/3 of Council votes to have an executive session. Executive sessions are allowed by law for:

1. Matters concerning employment.
2. Litigation or proposed litigation involving the City.
3. Selecting/buying real estate when disclosure might drive up the price.
4. To receive information classified as confidential by law.
5. Other topics which rarely come up.

When an executive session involves legal advice or the City Attorney's discussions with the Council about legal matters, the attorney–client privilege protects the discussions from disclosure unless confidence is breached or the privilege is waived. Waiver of the privilege should be with consent of a majority of Council. Disclosure by even one Council Member could destroy the privilege.

Ordinances/Resolutions

All City legislation is by ordinance. Resolutions are for formal declaration of policy, memorials, or to list the reasons for a decision. Council may appoint people to boards and commissions,

award contracts, set meetings, acknowledge correspondence, etc. by simple motion. If Council wishes to pass a law, such as legislation changing utility rates, forbidding specified misconduct, changing zoning, or accepting an addition to the City, Council must introduce an ordinance.

At Council's direction, staff prepares ordinances for the Council to consider. Staff often prepares ordinances without the direction from Council, such as a zoning request from a citizen, a new subdivision, because of changes in state law, or if a current ordinance is not working. Council may ask the manager or attorney to prepare an ordinance at any time. The City Attorney reviews all ordinances before they are introduced to see if they conflict with state law, conflict with other ordinances, are constitutional, are enforceable, and are clear.

Ordinances are enacted this way:

1. A Council Member introduces an ordinance by asking the City Clerk to read it. Usually ordinances are ready by title only. The member moves that ordinance pass on first reading, and a second member "seconds" the motion. Only then does the Council discuss or debate the ordinance. Upon concludes of the discussion, the Mayor calls for a roll call vote. If the ordinance passes, it moves to second reading.

   Some ordinances (zoning changes for example) have required public hearings. Council may wish to hold public hearings on others because of impact or controversy. Council sets a hearing date and staff advertises the hearing. Usually, Council defers second reading until after the public hearing so that is can have enough time to consider amendments which come after public input. In the interest of accuracy and completeness, Council usually asks staff to prepare amendments in writing rather than offering oral amendments from the floor.

2. At the next meeting, the ordinance generally comes up for second reading. This is done the same way as the first reading, although a work session can be called by the Council prior to the second reading.

3. Third reading will occur generally at the next meeting. Five members of the Council must vote in favor of an ordinance for it to pass on third reading. Unless a later effective date is established in the ordinance, ordinances are effective when they are published.

Council can, by motion, combine second and thirds readings if ten days have passed since first reading. However, this procedure is sparingly used. An example of this method being utilized would be when there is a non-controversial subdivision to accept and the weather is a factor.

Council can pass emergency ordinances at one meeting. The law requires that there be a genuine emergency, with the rationale stated in the ordinance. Failure to plan and impatience to get going are not emergencies.

Some ordinances require two-thirds or three-fourths majority to pass on third reading. Staff will advise you when that is the case.

Purchasing/Bidding
Contracts for public improvements costing over $35,000, as well as all new vehicles, must be put out for public bid. "Public improvements" are improvements within the City for which general obligation bond money can be used.

Staff or a consultant will prepare a bid specification, advertise for bids, receive and qualify the bids, and tabulate the results. Staff will generally make a recommendation to Council, which then acts to accept a bid or reject all bids.

If a contract is awarded, it goes to the lowest bidder who is "responsible and qualified in the sole discretion" of the City Council. Wyoming resident bidders get a 5% preference over non-resident bidders by state law. Wyoming residency is determined by the state government.

If staff or Council wish to discuss disqualifying a bidder or waiving a discrepancy in the bid, Council should consider the individual facts at that time.

Professional service contracts do not have to be bid, nor must they go to the lowest proposal. Professionals are often selected on the basis of response to a request for proposals. The City uses outside professionals for construction design, water planning and engineering, etc. when the staff does not have the expertise to do the work involved in the proposed project.

Collective Bargaining for Firefighters
Firefighters are the only public employees in Wyoming who are entitled to collective bargaining. W.S. 27-10-101 ff. By law, bargaining happens every year or every other year.

City Council Authority/Powers

15-1-103. General powers of governing bodies.

(a) The governing bodies of all cities and towns may:

(i) Sue and be sued;

(ii) Have and use a common seal;

(iii) Purchase and hold real and personal property for their use including real estate sold for taxes;

(iv) Sell, convey and lease any estate owned and make any orders respecting it deemed to be in their best interest;

(v) Perform all acts in relation to the property and concerns of the city or town necessary to the exercise of its corporate powers;

(vi) Receive bequests, gifts and donations of all kinds of property in fee simple, or in trust for public, charitable or other purposes and do all things necessary to carry out their intended purpose;

(vii) Control the finances of the corporation, including providing by ordinance for:

(A) The preparation, maintenance and retention of required records and accounts;

(B) Any required reports to the director of the state department of audit's office; and

(C) If deemed necessary the preparation of independent audits of the financial condition of the city or town, which shall be conducted by a certified public accountant or a public accountant who has been in the practice of public accounting for a period of five (5) years as a principal.

(viii) Appropriate money by ordinance only and pay all necessary expenses, including supplies, salaries of employees and debts;

(ix) Levy and collect special assessments against persons or property to the extent allowed by the constitution and the law;

(x) Borrow money on the credit of the corporation for corporate purposes as allowed by the constitution and the laws and issue warrants and bonds therefore in such amounts and forms and on such conditions as they determine;

xi) Take all necessary action to plan, construct or otherwise improve, modify, repair, maintain and regulate the use of streets, including the regulation of any structures there under, alleys, any bridges, parks, public grounds, cemeteries and sidewalks;

(xii) In the manner provided in W.S. 15-7-301 through 15-7-305 vacate from public use any property acquired or held for park purposes, if

(A) Repealed by Laws 1984, ch. 15, 2.

(B) Repealed by Laws 1984, ch. 15, 2.

(C) Repealed by Laws 1984, ch. 15, 2.

(D) The city or town has held title to the property for more than ten (10) years and no substantial use has been made thereof for park purposes; or

(E) The property will be used for public school or public educational purposes after the vacation.

(xiii) License, tax and regulate any business whatsoever conducted or trafficked in within the limits of the city or town for the purpose of raising revenue, and any license taxes imposed shall be uniform in respect to the class of business upon which imposed;

(xiv) Regulate or prohibit the running at large within the city limits of any animals, impose a license fee for the keeping or harboring of dogs and establish and provide for the operation of a pound;

(xv) Regulate, license, tax or prohibit saloons and shooting galleries or places;

(xvi) Suppress or prohibit:

(A) All gambling games or devices except antique gambling devices as defined in W.S. 6-7-101(a)(x) and authorize the destruction thereof;

(B) Houses of prostitution and other disorderly houses and punish the keeper thereof and persons resorting thereto; and

(C) Other disorderly and vicious practices or conduct.

(xvii) Restrain and punish vagrants, mendicants and prostitutes;

(xviii) Regulate, prevent or suppress riots, disturbances, disorderly assemblies or parades, or any other conduct which disturbs or jeopardizes the public health, safety, peace or morality, in any public or private place;

(xix) Declare and abate nuisances and impose fines upon parties who create, continue or permit nuisances to exist;

(xx) Compel the attendance of witnesses for the investigation of matters before it and the presiding officer may administer the requisite oaths;

(xxi) Purchase, lease or rent land within or without the corporate limits for the deposit of refuse matter, govern the use of the land and make reasonable rules and requirements for hauling refuse;

(xxii) Establish and regulate parks, zoological gardens and recreation areas within the city limits and upon land owned, leased or controlled outside of the city limits provided:

(A) The municipal court of the city or town has jurisdiction to punish any violator of the ordinances of the city or town governing those areas;

(B) The state game and fish commission is authorized to furnish to any city or town any game or animals requested, and the city or town shall pay the necessary expenses.

(xxiii) Provide for the organization, support and equipping of a fire department and:

(A) Prescribe rules, regulations and penalties for governing the department;

(B) Establish regulations for the prevention of and extinguishing of fires;

(C) Make cooperative agreements or execute contracts for fire protection in accordance with W.S. 15-1-121.

(xxiv) Prevent the dangerous construction and condition of chimneys, fireplaces and any other heating appliance or apparatus used in and about dwellings, factories and other buildings, and cause any such dangerous condition or appliance to be removed or replaced in a safe condition, regulate and prevent the carrying on of manufacturing likely to cause fires and prevent the deposit of ashes in unsafe places;

(xxv) Prescribe the thickness, strength and manner of constructing any buildings and the construction of fire escapes therein, and provide for their inspection;

(xxvi) Provide for the repair, removal or destruction of any dangerous building or enclosure;

(xxvii) Define fire limits and prescribe limits within which no building may be constructed except of brick, stone, or other incombustible material, without permission and cause the destruction or removal of any building constructed or repaired in violation of any ordinance;

(xxviii) Regulate or prevent the storage, use and transportation of any combustible or explosive material within the corporate limits or within a given distance thereof;

(xxix) Appoint a board of health and prescribe its powers and duties and:

(A) Establish quarantine ordinances;

(B) Own and regulate convalescent homes, rest homes and hospitals;

(C) Contract for treatment and preventive services for the mentally ill, substance abuser and developmentally disabled as provided in W.S. 35-1-611 through 35-1-628.

(xxx) Divide the city or town into suitable districts for establishing a system of drainage including surface water drainage, sanitary sewers and water mains and:

(A) Provide and regulate the construction, repair and use of sewers and drains;

(B) Provide penalties for violations of regulations;

(C) Assess against the property concerned any penalty or costs and expenses in compliance with regulations.

(xxxi) Take any action to establish, alter and regulate as deemed necessary the channels of streams, water courses and any other public water sources or supplies within the city;

(xxxii) Establish, maintain and in a manner the governing body determines provide for the housing of public libraries and reading rooms and in connection therewith or separately public museums and:

(A) Purchase books and other appropriate material;

(B) Purchase and receive as gifts or on loan any books, pictures, articles or artifacts relating to the history, resources and development of the United States and its parts and lands;

(C) Place a museum temporarily in charge of donors; and

(D) Receive donations and bequests for the museum, in trust or otherwise, and make contracts and regulations for the care, protection and government thereof.

(xxxiii) Grant franchises for such terms as the governing body deems proper to any utility company, provided no franchise may be entered into with any person in which that person is given an exclusive right for any purpose whatsoever and:

(A) Grant to any franchisee utility company the privilege to install and maintain necessary installations under or over any streets, alleys or avenues;

(B) Contract for a specified time period with any franchisee electric light or gas company for the necessary energy and service for the lighting of streets, public buildings or other requirements of the city or town;

(C) Upon renewal or initial grant or renewal after condemnation of a franchise, may provide in the franchise that the franchisee shall furnish a gas distribution system through which any supplier, including the franchisee, may sell and distribute natural gas as provided by subsection (b) of this section, to any person served by the distribution system, provided that before any city or town implements this subparagraph, the question of whether or not to do so shall be submitted

to and approved by a majority of the electors of the city or town voting on the question at a one-time election called for that purpose.

Establish and regulate a police department, pass ordinances relating to the department and adopt job descriptions for all department personnel;

(xxxv) Exercise the power of eminent domain and take property for public use within and without the city limits for any necessary or authorized public purpose as defined by W.S. 1-26-801(c);

(xxxvi) Require all buildings to be numbered by the owners, lessees, occupants or agents and in case of failure to comply with such requirements, cause the numbering to be done and assess the costs against the property or premises numbered;

(xxxvii) In addition to the appointed officers and employees provided by law, establish other positions as are necessary for the efficient operation of the city or town and:

(A) Prescribe duties and rules of all appointees;

(B) Determine working conditions or pay scales and supplementary benefits, as long as those provisions are not in conflict with existing statutes;

(C) During an emergency or special conditions warranting, make additional temporary appointments;

(D) Specify by ordinance that if any person is removed from office for incompetency, neglect of duty or otherwise for cause, the charges against that person shall be specified and the person removed shall be provided an opportunity for a hearing on the charges under procedures established in the ordinance;

(E) Make the cause of removal a matter of record.

(xxxviii) Cause compilations, codifications and comprehensive revisions to be made of all ordinances in force and provide for their distribution, sale and exchange;

(xxxix) Lease lands owned or possessed outside the corporate limits which contain caves, caverns, or other natural formations to any person for the development and use of the natural formations on terms and conditions approved by the governing body;

(xl) With written permission of the landowner or governmental agency involved, reclaim for beneficial use substandard lands by filling excavations and other depressions with refuse from the cities and towns, provided the deposit of refuse and the reclamation of the lands shall be done in a manner approved by the landowner, adjoining landowners and in accordance with any applicable laws or ordinances;

(xli) Adopt ordinances, resolutions and regulations, including regulations not in conflict with this act and necessary for the health, safety and welfare of the city or town, necessary to give effect to the powers conferred by this act and, except as provided by paragraph (xlvi) of this subsection, enforce all ordinances by imposing fines not exceeding seven hundred fifty dollars ($750.00), or imprisonment not exceeding six (6) months, or both. The governing body of a city or town may by ordinance impose a term of probation for battery which may exceed the maximum term of imprisonment established for the offense provided the term of probation, together with any extension thereof, shall in no case exceed one (1) year;

(xlii) Subject to subsection (d) of this section, take any action necessary to acquire any needed or useful property, or to construct, maintain, repair or replace any lawful improvement, development, project or other activity of any kind, or to participate, join or cooperate with other governments or political subdivisions, or departments or agencies thereof, for which funds may be borrowed from, granted or made available in whole or in part, on a matching basis or otherwise, by the United States of America or the state of Wyoming, or any subdivision, department or agency of either;

(xliii) License and regulate pawnbrokers and junk or secondhand dealers and provide for the examination of premises and business property of such persons pursuant to law for the purpose of discovering stolen property;

(xliv) Take into custody abandoned, or junk motor vehicles and parts or remains thereof which are nuisances and are on public property or on public streets, alleys and ways and:

(A) Remove and store the vehicles or parts at the expense of the owner;

(B) Permit redemption of the vehicles or parts;

(C) If not redeemed after giving public notice sell the vehicles or parts without warranty;

(D) Pay expenses from the sale; and

(E) After lapse of a reasonable length of time, deposit unclaimed proceeds from the sale of vehicles or parts into the general fund of the municipality.

(xlv) Contract with nonprofit corporations, hospitals and clinics to provide human services for persons within its jurisdiction;

(xlvi) Adopt ordinances establishing pretreatment standards and requirements for municipal waste water collection systems and provide for enforcement of the standards and requirements through:

(A) Injunctive relief; and

(B) The assessment against industrial users of civil or criminal penalties for violations of, or noncompliance with, the pretreatment standards and requirements, provided the civil penalty

shall not be less than one thousand dollars ($1,000.00) and shall not exceed ten thousand dollars ($10,000.00) a day for each day of violation. The proceeds of any civil penalty imposed by a district court under any ordinance adopted pursuant to this paragraph shall be deposited in the general fund of the city or town.

(xlvii) By ordinance, prohibit or authorize and regulate the operation of golf carts as defined under W.S. 31-5-102(a)(lxi) on public streets and roadways within the corporate boundaries of the city or town;

(xlviii) Repealed By Laws 1999, ch. 22, 2.

(xlix) Unless specifically prohibited by statute, accept negotiable paper in payment of any tax, assessment, license, permit, fee, fine or other money owing to the city or town or collectible by the city or town on behalf of the state or other unit of government, or in payment of any bail deposit or other trust deposit. As used in this paragraph, negotiable paper means money orders, paper arising from the use of a lender credit card as defined in W.S. 40-14-140(a)(ix), checks and drafts, including, without limitation, sales drafts and checks and drafts signed by a holder of a lender credit card issued by a bank maintaining a revolving loan account as defined in W.S. 40-14-308, for lender credit card holders. The acceptance of negotiable paper by the governing body under this subsection shall be in accordance with and subject to the same terms and conditions provided by W.S. 18-3-505. Any fees assessed for processing a credit card payment may be borne by the governing body of the city or town or person tendering payment. Any fees assessed for processing a credit card payment collected on behalf of the state shall be borne by the governing body of the city or town or person tendering payment and not by the state;

(l) Appoint special municipal officers, who are not certified as peace officers, to issue citations to individuals for the limited purpose of enforcing ordinances, resolutions and regulations in the areas of animal control, parking and municipal code enforcement. Special municipal officers are not law enforcement officers:

(A) For purposes of employee benefits provided in title 9 of Wyoming statutes;

(B) Are not peace officers for purposes of title 6 or title 7 of Wyoming statutes;

(C) Are not peace officers for purposes of W.S. 1-39-112;

(D) Shall not be required to carry a firearm;

(E) Shall not have the power of arrest;

(F) Shall not be issued a peace officer's badge; and

(G) Shall not represent themselves to be peace officers.

(b) Any franchise granted pursuant to subparagraph (a)(xxxiii)(C) of this section is subject to the following:

(i) The franchise agreement shall specify who is responsible for deliverability;

(ii) The distribution system shall continue to be a public utility whose charges are regulated by the public service commission. The charges shall reflect the reasonable nongas costs subject to management audit as the public service commission deems necessary plus a reasonable return on investment;

(iii) Any city or town or its authorized representative shall act as an agent for any person served by the system in negotiating terms and conditions for the supply of natural gas to that person, and the franchisee distribution system shall accept for delivery to any person served by the system, natural gas from any supplier;

(iv) The public service commission shall designate a place or places in the vicinity of the distribution system for the acceptance of natural gas not supplied by franchisee;

(v) The public service commission shall adopt and enforce minimum quality standards for all gas delivered to the distribution system. These standards shall reflect the practices of the operators of the distribution system unless good cause is shown for different standards. The standards shall be designed to facilitate the commingling of gas from different suppliers;

(vi) As soon as there are at least two (2) suppliers offering natural gas to all customers served by the franchisee and as soon as the additional supplier or suppliers are capable of delivering gas in at least one-third (1/3) of the volume required by the entire distribution system provided that the public service commission finds that the suppliers own or control, and have committed to guaranteed delivery, reserves of natural gas sufficient to supply ten (10) years of demand at that level, then all persons supplying gas shall have the authority to set their own prices. The proposed supplier has the burden of proving adequate reserves and deliverability. The Wyoming oil and gas commission shall report to the public service commission on the adequacy and deliverability when a utility gas supply is proposed to be displaced under this act;

(vii) Subject to the availability of pipeline capacity and the requirements of federal law and regulations the public service commission may, after notice and hearing if necessary, designate any point in the state on a gas pipeline operated for the purpose of delivering gas to the distribution system or its parent or subsidiary company as a point for receipt of gas to the system and regulate the charges for shipping gas from that point to the system. If a pipeline has insufficient capacity the public service commission consistent with W.S. 30-5-125 may require it to accept gas that has a lower price to the consumer in preference to higher price gas. The public service commission may impose any conditions or requirements pursuant to this subsection that are necessary to protect the public health, safety and welfare, to ensure the efficient operation of the natural gas distribution and supply system and to ensure the lowest possible price to retail customers, including but not limited to proper assignment of costs of connecting suppliers to the system;

(viii) When a city renews or grants a franchise for the supply of natural gas under subparagraph (a)(xxxiii)(C) of this section, the public service commission may require that the distribution of gas in surrounding unincorporated areas also be made subject to the terms of the same franchise;

(ix) If a distribution system has only one (1) supplier of natural gas all prices charged in that franchise are subject to W.S. 37-2-121 and 37-2-122;

(x) All suppliers of gas to the distribution system shall annually report to the public service commission the annual consumption of natural gas by their customers of record at the date of the report and their natural gas reserves. If their natural gas reserves are less than a five (5) year supply, the public service commission may forbid any supplier from serving new customers until the reserves are equal to a five (5) year supply for all customers;

(xi) Any supplier entering the system under this subsection is liable for injuries, damages or other losses to the extent to which the injuries, damages or other losses are proximately caused by the supplier's operations within the system and are due to failure of the supplier to exercise that standard of care which a reasonable, prudent person would exercise under the same or similar circumstances to avoid an undue risk of harm or are due to the supplier's failure to deliver contracted amounts of natural gas.

(c) Any provision in a gas purchase contract which contains or creates an indefinite escalator clause, otherwise known as a "favored nation treaty" provision, is contrary to the public policy of the state and is void and unenforceable if:

(i) The contract is to sell gas to the holders of a municipality franchise which supplies retail customers in the state;

(ii) The contract provides for the sale in the state of gas produced within the state;

(iii) The contract gas price is in excess of the general market price which would otherwise exist in the absence of the indefinite escalator clause; and

(iv) The higher price resulting from the application of the escalator clause is not required by any enforceable provision of statutes or regulations enacted or adopted pursuant to the Natural Gas Policy Act of 1978 or other appropriate statutes and regulations of the United States.

(d) Before the governing body of a city or town enters into an agreement to borrow money from the United States of America or from the state of Wyoming, or from any subdivision, agency or department of either, to fund a public improvement project to be repaid solely from revenues generated by the enterprise with which the financed project is associated, the proposal to enter into the loan agreement shall be submitted to and approved by the electors of the city or town in the same manner and pursuant to the same procedures as provided for bond issues under the Political Subdivision Bond Election Law, if the total amount to be borrowed for the project exceeds the greater of:

(i) Five million dollars ($5,000,000.00); or

(ii) An amount calculated by multiplying the number of individuals to be served by the proposed public improvement project times one thousand two hundred dollars ($1,200.00).

15-1-111. Appropriations for advertisement of resources authorized; exception

(a) The governing body of any city or town may make appropriations from the city or town general fund for:

(i) Advertising the resources of the city or town;

(ii) Furthering its industrial development; or

(iii) Encouraging exhibits at fairs, expositions and conventions.

(b) No appropriation may be for the express aid of any private citizen, firm or corporation.

15-7-101. Purposes. (Public Improvements)

(a) In addition to all other powers provided by law, any city or town may make public improvements as follows for which bonds may be issued to the contractor or be sold as provided in this chapter to:

(i) Pave any street or streets in front of or adjacent to any public hospital or institution within the city or town;

(ii) Establish, construct, purchase, extend, maintain and regulate a system of water works, for the purpose of supplying water for extinguishing fires and for domestic, manufacturing and other purposes. To carry out this power, or to prevent pollution or injury to the streams, springs or source of supply of its water works, ditches or reservoirs, any city or town may go beyond its corporate limits and take, hold and acquire property by purchase or otherwise and may take and condemn all necessary land and property. Jurisdiction of a city or town shall extend up and along the stream or source of supply for the entire distance occupied by such water works, ditches or reservoirs. Cities or towns may enact ordinances and make all necessary rules and regulations for the government and protection of their water works, ditches and reservoirs, and fix water rates and provide for their collection. All water rent collected except the amount required to pay the expense of maintaining, extending and improving the water works, shall become a part of the water bond fund, and be applied only to the payment of the principal and interest of the bonds issued for the construction, purchase, maintaining or extension of the water works;

(iii) Take any action necessary to establish, purchase, extend, maintain and regulate a water system for supplying water to its inhabitants and for any other public purposes, including:

(A) Condemnation of property;

(B) Prescribing and regulating of rates for the use of water; and

(C) Enacting ordinances for their enforcement and collection.

(iv) Establish, construct, purchase, extend, maintain and regulate a system of sewerage;

(v) Establish, maintain and regulate electric light plants and electric power plants to supply the inhabitants with electric lights and power, to light the streets, highways and public buildings, and supply power for water works and other municipally owned works and utilities;

(vi) Establish, construct, purchase or extend electric transmission lines or electric power lines, to carry electric current to the city or town, from the place the current is obtained;

(vii) Establish, construct, purchase or extend propane, butane and natural gas distribution systems or lines and to carry propane, butane and natural gas to the city or town, from the place of origin or where the propane, butane or natural gas is obtained;

(viii) Erect, construct or purchase buildings for housing its fire extinguishing equipment and for the use of its fire department and officers in the transaction of their official business;

(ix) Contract for, purchase and hold lands and water rights and erect thereon amusement halls and buildings to be used for public parks and grounds for the use, benefit and enjoyment of the public, and:

(A) Enact ordinances, and make all necessary rules and regulations for the protection, maintenance and beautification of any park located within or without the limits of the city or town;

(B) Establish, purchase and hold parks on lands outside the corporate limits, if the lands are within thirty (30) miles of the city or town limits.

(x) Designate, establish, construct, purchase, extend, maintain and regulate arterial streets and highways, highway viaducts and subways within the corporate limits of the city or town;

(xi) Plan, create, construct and equip liquid and solid waste facilities. To carry out this power or to prevent pollution or injury to the environment, any city or town may go beyond its corporate limits and take, hold and acquire property by purchase or otherwise, or in joint effort with cities, towns, counties or special districts. Cities or towns may enact ordinances and make all necessary rules and regulations for the government and protection of liquid and solid waste disposal facilities, and fix rates and provide for collection and disposal;

xii) Establish and defray the cost of purchasing land for, and the erection of a city library or additions to existing city libraries, or to establish art galleries or museums;

(xiii) Establish and defray the cost of purchasing land for, and the construction of swimming pools, wading pools and other related recreational facilities;

(xiv) Take any action necessary to acquire any needed or useful property, or construct, maintain, repair or replace any lawful improvement, development, project or other activity of any kind or to participate, join or cooperate with other governments or political subdivisions, departments or agencies thereof, for which funds may be borrowed from the United States of America or the state of Wyoming, or any subdivision, department or agency of either;

(xv) Construct, extend, improve, furnish, equip or otherwise acquire a city or town hall complex, including buildings and other structures for the use of city or town officers or employees in the transaction of their official business, for community meeting rooms, and for all other municipal or other public purpose activities;

(xvi) Plan, create, construct and equip a fiber optic communications system.

Administrative

Procedures of City Council

15-1-108. Powers and duties of mayor; appointment of mayor pro tem.

(a) Unless otherwise provided by statute, the mayor shall:

(i) Preside at all meetings of the governing body, and in his absence a councilman shall be appointed to act as mayor pro tem;

(ii) Have superintending control of all officers and affairs of the city or town;

(iii) Take care that the ordinances and laws are complied with;

(iv) Administer oaths;

(v) Sign commissions and appointments and all bonds, contracts and other obligations required to be signed in the name of the city or town; and

(vi) Have one (1) vote on all matters coming before the governing body upon which a vote is taken, except a vote:

(A) To override a veto;

(B) To confirm an appointment other than a vote to break a tie vote of the governing body; and

(C) Pursuant to a hearing for removal or discharge as provided in W.S. 15-2-102(b)(iv)(C) or 15-3-204(b)(iv)(C).

(b) Repealed by Laws 1984, ch. 15, 2.

L.M.C. 2.04.016 Officers

See Enrolled Ordinance 1497

(Ord. 751 § 3, 1983).

L.M.C. 2.04.140 Presiding officer- When mayor is absent

In the absence of the mayor at any meeting, the vice-mayor of the city council shall preside and act as mayor until the appearance of the mayor. During the absence or disability of the mayor, the vice-mayor of the city council, the city clerk or, in his or her absence, any member may call the meeting to order and the councilmen then, if a quorum is present, shall proceed to elect a councilman president pro tem of the city council and he or she shall act as mayor until the appearance of the mayor or the vice-mayor.
(Ord. 740 § 1, 1983: prior code § 2-19).

W.S. § 15-1-07 Vacancies in offices; grounds; how filled.

(a) A vacancy exists in the office of mayor or councilman if during the term for which elected any mayor or councilman:

(i) Except as provided in W.S. 22-23-103, fails the residency requirements as defined by local ordinance for the city, town or ward;

(ii) Is convicted of a felony;

(iii) Fails to attend four (4) or more consecutive regularly scheduled meetings of the council without an excused absence as determined by a majority of the council according to procedures adopted pursuant to subsection (b) of this section; or

(iv) Meets any other condition specified in W.S. 22-18-101.

(b) The governing body, by ordinance, shall specify the procedure for determining whether a vacancy exists.

(c) If a vacancy is determined to exist, the governing body shall appoint an eligible person to the office who shall serve until his successor is elected at the next general municipal election and qualified. If the entire council is vacant, the district judge for the district in which the city or town is located shall appoint a person to fill each vacancy and serve until the next general municipal election at which time a successor shall be elected to fill the unexpired portion of each term.

(d) A vacancy in the office of mayor shall be filled only from the governing body.

(e) Vacancies in appointive offices shall be filled in the manner provided for initial appointments.

2.04.014 Members--Vacancies--Procedure for filling.

A. Any vacancy on the Laramie city council shall be filled by the city council by appointment of a temporary successor to serve until a successor for the remainder of the unexpired term is elected at the next general municipal election and is qualified and takes office on the first Monday of the following January unless a vacancy in a four-year term of office occurs less than forty days before a primary election, in which event the temporary successor appointed shall serve until the first Monday in January following the second general election thereafter.

B. A vacancy shall be deemed to have occurred when a majority of all elected council members determine that a councilmember:

1. Is no longer a resident of the city, if an at-large representative, or of the ward from which he or she was elected, if a ward representative;
2. Has been convicted of a felony;
3. Has been determined to be insane or mentally incompetent;
4. Has become disqualified from holding office for any reason specified by law;
5. Has had his or her term expire when no successor has been elected and qualified;
6. Has refused to take the oath of office or to give a bond as required by law;
7. Has his or her election voided;
8. Is convicted of a crime involving moral turpitude or constituting a breach of his or her oath of office;
9. Has died; or
10. Resigns.

C. The Laramie City Council shall determine by a majority vote of all Council members whether and when a vacancy occurs in the office. An abstention by any voting member of the governing body shall be considered a no vote. Upon the declaration by the city council that a vacancy exists or will exist, the council shall then publicly solicit applications from qualified electors to fill the vacancy.

D. Upon investigation by the council or its designated official, and the receipt of a certified copy of an order of a court of competent jurisdiction, a vacancy shall be deemed to exist with respect to subdivisions 3, 4 or 7 of subsection B of this section.

E. A councilmember shall be deemed a non-resident, and a vacancy therefore to exist, when he or she shall have failed to occupy a fixed, permanent and customary place of habitation, within the boundaries of the municipality, if elected at large, or within the ward from which he or she was elected, if a ward representative, for a period of at least three hundred days during each calendar year.

F. A councilmember shall be deemed to have been convicted of a felony, a crime involving moral turpitude, or a breach of his or her oath of office upon receipt of a certified copy of an order of a court of competent jurisdiction showing a conviction, plea of guilty or plea of nolo contendre.

G. The death of a councilmember shall be evidenced by the receipt of a certified copy of a death certificate.

H. A resignation shall be deemed effective and a vacancy to have occurred as follows:

1. A councilmember desiring to resign from his or her position on the governing body shall submit a resignation in writing to the municipal clerk specifying the date he or she desires the resignation to be effective, which date shall not be more than one hundred twenty days after the postmark date of the letter, if mailed, or after the date of delivery to the municipal clerk.
2. The municipal clerk shall place the question of resignation before the governing body for acceptance or rejection at the regular meeting next succeeding the postmark date of the letter of resignation or the delivery thereof to the municipal clerk.

3. The resignation may be withdrawn at any time prior to acceptance or rejection by the governing body; provided, that a request for withdrawal of a resignation must also be in writing and received by the municipal clerk prior to the regular meeting at which the resignation is to be considered. Upon acceptance by the governing body, the resignation is irrevocable.
4. The resignation, unless withdrawn as stated in subdivision 3 of this subsection, shall be deemed effective as of the date specified in the written resignation. The process of filling the vacancy shall commence upon the acceptance of the resignation by the governing body and the resigning councilmember may participate in the process of filling the vacancy; provided, however, that the formal vote on the selection of an appointee shall not take place until after the effective date of the resignation.

I. The refusal of the mayor or a council-member to take the oath of office, as required by law, at the time and place, and before the person designated, shall constitute a failure to take the oath as required by subdivision B6 of this section and a vacancy shall be deemed to exist at such time.

J. The term "qualified elector" includes every citizen of the United States who is a bona fide resident of the city, who has registered to vote and who is at least eighteen years of age. No person is a qualified elector who is a mentally incompetent person, or who has been convicted of a felony and whose civil rights have not been restored or who is otherwise barred from holding office by reason of state or federal law.

K. The city council shall cause public notice to be given of its intention to solicit applications to fill any vacancy on the city council. The notice shall be published in a local newspaper of general circulation on two consecutive weeks. The application shall be submitted on a form approved by the city council which form shall require that the applicant submit information establishing applicant's legal qualifications to hold office.

L. The council shall specify a time period for submitting applications and the council shall then review applications received and may conduct any further review of candidates deemed necessary and, by a majority vote of all Council members, shall appoint a temporary successor.

(Ord. 1381 § 12, 2002; Ord. 941 § 1, 1988; Ord. 910 §§ 1--5, 1987: Ord. 751 § 2, 1983).

2.04.100 Frequency of meetings. Also, see Resolution 2006-01

At the first regular meeting in January of each year the city council may adopt a resolution to establish the date and time of regular meetings. Until the first resolution is adopted, the regular meeting of the city council shall be held at the City Hall on the first and third Tuesdays of each month at seven-thirty p.m.; provided, that when any such meeting falls on a legal holiday, such meeting shall be held on the next succeeding business day. Until superseded, the most recently adopted resolution controls.
(Ord. 1289 § 1, 1999: Ord. 886 § 1, 1987: prior code § 2-15).

2.04.110 Special meetings.

A. Special meetings may be called by the mayor or by a majority of the council members by notice filed with the city clerk and served upon each of the members by delivering the same personally or leaving the same at their place of abode and by giving notice of the meeting to each newspaper of general circulation, radio or television station requesting the notice. The notice shall specify the time and place of the special meeting and the business to be transacted. No other business shall be considered at a special meeting.
B. Any person or entity requesting that a special meeting be called shall pay to the city an administrative fee in the amount of the city council salaries for council members in attendance at the meeting, at the time of making the request. This section shall not apply to requests for special meetings from city council members or staff members of the city council. The administrative fee shall be refunded if the special meeting is not held.

(Ord. 1409, § 1, 2003; Ord. 1291 § 1, 2000: Ord. 877 § 1, 1986: Ord. 860 § 1, 1986: Ord. 737 § 1, 1983: prior code § 2-16).

2.04.130 Adjourned meetings.

Recessed and continued meetings of the city council may be held at such time and place as the city council may determine, however notice of the time and place shall be posted on the main door of City Hall and the council meeting room door, and the city clerk shall make a reasonable effort to give notice of the continued or recessed meeting.

(Ord. 1293 § 1, 2000: prior code § 2-18).

2.04.070 Parliamentary procedure.

The rules of parliamentary practice comprised in "Robert's Rules of Order" shall govern the city council in all cases in which they are applicable and in which they are not inconsistent with the rules in this chapter.

(Prior code § 2-12).

15-1-106. Conduct and journal of governing body's proceedings.

The governing body shall determine the rules for the conduct of its proceedings, and shall keep a journal thereof which is a public record. The manner in which each member of the governing body votes on any matter upon which a vote is taken shall be entered in the journal.

2.04.180 Call to order.

At the hour appointed for the meeting, the city council shall be called to order. The city clerk or some competent person acting for him shall call the roll. If a quorum is present, the city council shall proceed to the business which may come before it.

(Prior code § 2-23).

2.04.200 Councilmen required to vote-Exceptions.

Each councilman who is present when a question is to be voted upon shall vote thereon, unless excused there from by the city council. He may, before the vote is called for, give his reasons for not voting. If he is directly interested in the question he need not vote. When he is on trial he shall not vote.

(Prior code § 2-25).

2.04.150 Presiding officer-Voting powers.

The mayor shall preside at all meetings of the city council and shall have a casting vote in all cases as the other councilmen. Any councilman presiding may vote as if he were not presiding.

(Prior code § 2-20).

2.04.170 Persons admitted within bar.

Persons may approach the council during meetings with permission of the mayor.

(Ord. 1295 § 1, 2000: prior code § 2-22).

2.04.190 Vote taking procedure.

The ayes and nays shall be taken and recorded in the journal, which shall show how each council member voted. Any council member can change his vote prior to the announcement of the vote.

(Ord. 1296 § 1, 2000: prior code § 2-24).

2.04.210 Motions to reconsider-Procedure.

A motion to reconsider shall be made by a councilmember who voted in the majority; the motion may be seconded by any councilmember without respect to the manner in which the seconding councilmember voted; provided, that where a motion is lost by reason of not receiving a two-thirds vote required for its passage, a motion to reconsider may be made by those voting in the minority.

(Ord. 917 § 1, 1988: prior code § 2-26 (part)).

2.04.220 Motions to reconsider--When permitted.

A vote or question may be reconsidered at any time during the same meeting or at the first meeting held thereafter. No vote of the council shall be reconsidered or rescinded at any meeting unless there is present as large a number of councilmen as were present when such vote was originally taken.
(Prior code § 2-26 (part)).

2.04.230 Motions to reconsider--Nonrenewable.

A motion for reconsideration being once made and decided in the negative, shall not be renewed, nor shall a vote to reconsider be reconsidered.

(Prior code § 2-26 (part)).

2.04.240 Council member salaries.

Council members, including the mayor, shall be paid one hundred twenty dollars for actual attendant at each regular meeting and special meeting and work session and public hearing of the Laramie City Council when held on separate days.
(Ord. No. 1536, § 1, 9-16-2008)

Editor's note: Charter Ord. No. 6, adopted on Sept. 16, 2008, repealed former § 2.04.020 which pertained to the salaries of positions fixed by city council and derived from Charter Ord. No. 1, adopted in 1978.

Charter Ord. No. 7, adopted on Sept. 16, 2008, repealed former § 2.04.250 which pertained to the salaries of council members and derived from Charter Ord. No. 4, §§ 1, 2, 2000; Charter Ord. No. 5, §§ 1, 2, 2001.

2.04.030 Appointment of committees, boards and commissions.

A. The city council may appoint boards and commissions from time to time as it desires or as may be required by the laws of the state. Council members, by appointment of the council, may serve as ex-officio members on any board or commission.

B. The city council may create standing committees by resolution at any regular or special meeting in the month of January. Council may create ad hoc committees to serve at its pleasure. Committee members shall be appointed and may be removed by the mayor with the consent of the city council.

(Ord. 1297 § 1, 2000: Ord. 739 § 1, 1983: prior code § 2-9).

2.08.060 Responsibility for city property.
All officers of the city having in their possession or care any property belonging to the city of whatever kind, character or description shall, upon the expiration of their term of office or upon their removal, prepare a list of the articles in their care and upon turning it over to their successor in office shall take a receipt from their successor for such property. Such receipt shall be filed with the city clerk and presented to the city council for their inspection at the next regular meeting after such change of officer and all city officers shall be responsible for the reasonable care of the property in their hands belonging to the city.

(Prior code § 2-6).

Enrolled Ordinance 1497:

Election of Officers of Council

ORIGINAL ORDINANCE NO. 1715 INTRODUCED BY: Armintrout

ENROLLED ORDINANCE NO. 1497

AN ORDINANCE TO AMEND THE LARAMIE MUNICIPAL CODE ON THE ELECTION OF OFFICERS OF COUNCIL FOR THE CITY OF LARAMIE, WYOMING

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LARAMIE, WYOMING:

Section 1. Section 2.04.255 of the Laramie Municipal Code is hereby amended to read as follows:

2.04.016 Election of Officers.

A. The City Council shall, at the first meeting in January following a general election, elect from its members a president of the City Council to be the Mayor and a Vice-President of the City Council to be the Vice-Mayor. The election for Mayor shall be conducted by the City Clerk. The City Clerk shall call for nominations from each member of the City Council who is present. Each member of the City Council shall be permitted to nominate one (1) person, and a nomination shall not require a second. A nominee who wishes to decline the nomination shall so state at this time. After the nomination, each member of the City Council may vote for any of the nominees. If any nominee receives a majority vote of the full City Council which is five (5) Council members, that Council member will be Mayor. If no nominee receives a majority vote of the full Council, then the full City Council will vote on the two (2) Council members, or more in the event of a tie, receiving the most votes. The Council member receiving the most votes of the full City Council will be Mayor. In the event of a tie, the Mayor will be selected in a contest by chance. The Mayor elect will conduct the election of Vice Mayor in the same manner described for the election of the Mayor herein.

B. If a vacancy occurs in the office of Mayor or Vice Mayor, the members of City Council at the next regular meeting shall select a Mayor from their number for the unexpired term and shall follow the election process as outlined in paragraph a herein. In the event of a vacancy, the replacement shall serve the remainder of the term vacated.

C. The Mayor or Vice Mayor can be changed anytime by a supermajority or three-fourths (3/4) vote of the entire City Council.

D. The Mayor shall preside over all meetings of the City Council and shall sign ordinances, resolutions, proclamations, bonds, contracts and other obligations to be signed in the name of the City

Section 2. This ordinance shall become effective immediately upon its publication.

PASSED AND APPROVED this 17th day of October, 2006.

Jodi C. Guerin,
Mayor and President
Laramie City Council, Laramie, Wyoming

ATTEST:

Sue Morris-Jones, CMC
City Clerk

Duly published in the Laramie Daily Boomerang on 27th day of October 2006.

1st Reading: September 19, 2006
Public Hearing: October 10, 2006
2nd Reading: October 3, 2006
3rd Reading: October 17, 2006

Enrolled Ordinance 1536:

Council Salaries

ORIGINAL ORDINANCE NO. 1757 INTRODUCED BY: Guerin

ENROLLED ORDINANCE NO. 1536

AN ORDINANCE CREATING SECTION 2.04.240, COUNCIL MEMBER SALARIES, AND SETTING THE SALARIES OF COUNCIL MEMEBERS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LARAMIE, WYOMING:

Section 1. Section 2.04.240 Council Member Salaries is hereby created and shall read as follows:

Section 2.04.240 Council Member Salaries.

Council members, including the Mayor, shall be paid One Hundred Twenty Dollars ($120.00) for actual attendant at each regular meeting and special meeting and work session and public hearing of the Laramie City Council when held on separate days.

Section 2. This ordinance shall become effective January 1, 2009 for all Council members after passage, approval and publication.

PASSED AND APPROVED THIS 16TH DAY OF September, 2008.

Klaus Hanson, Mayor and President
of the City Council of the City of
Laramie, Wyoming

ATTEST:

Sue Morris-Jones, CMC
City Clerk

Duly published in the *Laramie Daily Boomerang* this 26th day of September, 2008.

First Reading: 7/01/2008

Public Hearing: n/a

Second Reading: 8/05/2008

Third Reading: 9/16/2008

Council-Manager Form of Government

Form of Government

The City of Laramie is a Council-Manager form of government with home rule powers granted by the State of Wyoming. Council-Manager governance combines the political leadership of elected officials with the professional experience of an appointed local government manager. Laramie has used the Council-Manager form of government since 1943.

City Manager Government

Since many of the tasks involved in handling the affairs of a municipality call for special training and skills, demand has risen for a professionally trained expert to take over these duties. The city manager form of government specifically provides for this. Under this form of government, a single, chief administrator is employed by the governing body to handle the city's administrative and professional affairs.

The elective officers of a city or a town adopting the city manager form of government are council members elected as provided by law. The term of office of a council member is four years and until his/her successor is sworn in. Legislative authority is vested in the Council.

The powers of the governing body under this form of government are similar to that in the mayor-council form of government. In addition to its normal functions, the council employs the city manager who is directly responsible to council, and who serves at the pleasure of a majority of the council members.

The powers and duties of the mayor are substantially altered under this form of government. All administrative and executive powers held by the mayor under the mayor-councilor form are transferred to the city manager. The mayor is chosen from the council members for a term determined by the city. The mayor is recognized as the city head for the service of legal process and for ceremonial purposes. The mayor is elected as the President of the council and presides over all meetings of the governing body. He/she has a vote on all matters, but has no veto power.

City Council

The City Council serves as the governing body for the City of Laramie and has the authority to enact Municipal Code and formulate policy. The nine-member City Council consists of Laramie citizens who are elected for four-year terms through a ward system implemented in 2011. After each General Election, Council elects from its members a mayor and vice-mayor to lead meetings and conduct official city business. City Council holds different types of meetings, including:

Regular Meetings

Work Sessions and Public Hearings

Executive Sessions

Special Meetings

All meetings of council are conducted according to Robert's Rules of Order and the City of Laramie Code of Conduct and Guidelines for City Council. All official Council business is conducted during open, public meetings. Citizen input is an important component of City Council meetings and the public is encouraged to participate. To include Laramie residents in the governing process, regular meetings are televised and are streamed live on the City's website. Citizens wishing to speak to the Council must be recognized by the Mayor at the lectern, and state their name and whether or not they reside within the city. Citizens are typically limited to five minutes of speaking time. Council reserves the privilege of asking questions of any person who addresses the Council.

Regular meetings are held on the first and third Tuesdays of each month. Council is authorized to take official action (e.g. pass ordinances, adopt resolutions, issue licenses) at regular meetings and special sessions. Council passes ordinances by conducting three public meetings of the proposed municipal code, during which the public may express their views on the matter. It takes at least one month to pass an ordinance under normal circumstances. Council may pass emergency ordinances if three-fourths of its members vote to do so.

Council may hold executive sessions, which are closed to the public, to discuss personnel matters, negotiations, and litigation. No formal action may be taken during executive sessions.

Work sessions and public hearings are usually conducted on the second and fourth Tuesdays of each month. Work sessions allow City Council to review information about policy issues and to discuss community needs. Council cannot take official action during work sessions, but special sessions may be called if immediate action is required.

The City Manager, City Attorney and Municipal Judge are appointed by and serve at the pleasure of the City Council. All other municipal employees report to the City Manager. In addition, various boards and commissions, comprised of citizen volunteers, advise the council.

City Administration

In addition to the City Manager's Office and City Attorney's Office, there are six departments in the city organization. Department heads report to the City Manager and are responsible for their respective departmental functions. The following pages contain detailed descriptions for each department.

- Human Resources Department
- Police Department
- Fire Department
- Parks & Recreation Department
- Public Works Department
- Administrative Services Department

To maintain the integrity of the Council-Manager form of government, and for purposes of consistency and coordination, all inquiries and requests for service from Council members should be directed through the City Manager's office.

The Council-Manager Form of Government: Answers to Your Questions From the International City-County Management Association (ICMA)

Q: What is the council-manager form of government, which is used in so many cities, towns, and counties?
A: The council-manager form is the system of local government that combines the strong *political leadership* of elected officials in the form of a governing body, with the strong *managerial experience* of an appointed local government manager. The governing body, commonly known as the *council*, may also be referred to as the *commission* or the *board.* The council-manager form establishes a representative system where all power is concentrated in the elected council and where the council hires a professionally trained manager to oversee the delivery of public services.

Q: Is it a responsive form of government?
A: In council-manager government, the *mayor* or *chairperson of the governing body* and *council members* are the leaders and policy makers elected to represent the community and to concentrate on policy issues that are responsive to citizens' needs and wishes. The *manager* is appointed by the governing body to carry out policy and ensure that the entire community is being served. If the manager is not responsive to the governing body's wishes, the governing body has the authority to terminate the manager at any time. In that sense, a manager's responsiveness is tested daily.

Q: Are all council-manager governments structured the same way?
A: No. One of the most attractive features is that the council-manager form is adaptable to local conditions and preferences. For example, some communities have councils that are elected at large while other councils are elected by district or by a combination of an at-large and by-district structure. In some local governments the mayor or chairperson is elected at large by the voters; others are elected by their colleagues on the governing body.

Q: What is the council's function?
A: The council is the legislative body; its members are the community's decision makers. Power is centralized in the elected council, which approves the budget and determines the tax rate, for example. The council also focuses on the community's goals, major projects, and such long-term considerations as community growth, land use development, capital improvement plans, capital financing, and strategic planning. The council hires a professional manager to carry out the administrative responsibilities and supervises the manager's performance.

Q: Where does the mayor or chairperson of the governing body fit in?
A: Mayors or chairpersons in council-manager communities are key political leaders and policy developers and their duties, responsibilities, and authorities depend on the organization's charter. In council-manager communities, typically the mayor or chairperson presides at council meetings, serves as a spokesperson for the community, facilitates communication and understanding between elected and appointed officials, assists the council in setting goals and advocating policy decisions, and serves as a promoter and defender of the community. In addition, the mayor or chairperson serves as a key representative in intergovernmental relations.

The mayor or chairperson, council, and manager constitute a policy-development and management team.

Q: What is the manager's function?
A: The manager is hired to serve the council and the community and to bring to the local government the benefits of training and experience in administering local government projects and programs on behalf of the governing body. The manager prepares a budget for the council's consideration; recruits, hires, and supervises the government's staff; serves as the council's chief adviser; and carries out the council's policies. Council members and citizens count on the manager to provide complete and objective information, the pros and cons of alternatives, and long-term consequences.

Q: What is the cost to the local government of appointing a professional manager?
A: Local governments have found that overall costs actually have been reduced with competent management. Savings come in the form of reduced operating costs, increased efficiency and productivity, improved revenue collection, and effective use of technology.

Q: Does the manager participate in policy determination?
A: The manager makes policy recommendations to the council, but the council may or may not adopt them and may modify the recommendations. The manager is bound by whatever action the council takes.

Q: Is this form of government used only in certain kinds of cities?
A: No. In fact, it is not restricted to cities. It is used by towns and counties too. More than 3,400 cities operate under this form, and more than 371 counties operate under the council-administrator form. They vary greatly in size and characteristics.

Q: How many Americans live in communities that operate under council-manager government?
A: More than 89 million.

Q: Is the form popular in large communities?
A: Yes. Out of 237 cities with greater than 100,000 residents, 141 use this form of government.

Q: How much citizen participation is possible under council-manager government?
A: Successful examples of citizen participation in the local government service delivery decision-making process are widespread among professionally managed communities. Because professional local government management offers government of the people, by the people, and for the people, it sets the stage for citizen activism by encouraging open communication between citizens and their government. Examples range from visioning, in which citizens play a major role in determining the future of their community, to neighborhood service delivery, which involves residents through the development of citizen/government partnerships, to community-oriented local government services.

Because political power is concentrated in the entire governing body rather than one

elected official, more citizens have an opportunity to be elected to a position in which they have significant influence over the future of their community.

Q: What is the history of the council-manager form?
A: Born out of the progressive reform movement at the beginning of the 20th century, the council-manager system of local government is one of the few original American contributions to political theory. In 1908, Staunton, Virginia, instituted the first position legally defining, by ordinance, the broad authority and responsibility associated with today's professional local government manager. Sumter, South Carolina, was the first city to adopt a charter incorporating the basic principles of council-manager government in 1912. Westmount, Quebec, introduced the form to Canada in 1913. The first large city to adopt the plan was Dayton, Ohio, in 1914. The first counties to adopt it in the l930s were Arlington County, Virginia, and Durham County and Robeson County, North Carolina. Since its establishment, the council-manager form has become the most popular form of government in the United States in communities with populations of 5,000 or greater. The form also is popular in Canada, Australia, the Netherlands, New Zealand, the United Kingdom, Honduras, Chile, and Brazil. For more than 94 years, council-manager government has responded to the changing needs of citizens and their communities.

Q: Does the manager have to be a local resident at the time the appointment is made?
A: No. Local residence should not be required of applicants at the time the appointment is made. Managers are professionals who might serve several communities during their careers, bringing extensive experience coordinating public services and applying management techniques to a community.

Q: What salary does the manager receive?
A: Earnings of managers depend on their educational background and experience, the size and complexity of the local governments employing them, and the economic conditions of the regions where communities are located. The council sets the manager's salary. Detailed information on salaries is compiled annually by ICMA and is available on request.

Q: Can the manager be fired?
A: Managers serve at the pleasure of the council or governing body. They can be fired by a majority of the council, consistent with local laws, ordinances, or employment agreements they may have with the council. Control is always in the hands of the elected representatives of the people.

Q: Where do managers get their experience?
A: Nearly 73 percent of managers surveyed by ICMA have a master's or a professional degree. Respondents indicated that they had spent an average of 17 years in the local government management profession.

Q: Do managers participate in local politics?
A: All managers who belong to ICMA are bound by its Code of Ethics, which states that

every member of the Association shall refrain from all political activities that undermine public confidence in professional administrators and refrain from participation in the election of members of the employing legislative body.

Q: What else does ICMA's Code of Ethics cover?
A: The Code specifies 12 ethical principles of personal and professional conduct, including dedication to the cause of good government. ICMA members believe in the effectiveness of representative democracy and the value of government services provided equitably to residents within a community. ICMA members also are committed to standards of honesty and integrity more vigorous than those required by the law. Contact ICMA for a copy of the Code of Ethics or go to http://icma.org/ethics.

Q: What is ICMA?
A: In 1914, a group of appointed managers formed a professional association, eventually known as the International City/County Management Association (ICMA), to share their expertise and experiences in local government management. Since that time, ICMA has been the professional and educational organization for administrators and assistant administrators serving cities, towns, counties, other local governments, and regional entities around the world. ICMA's membership also includes directors of state associations of local governments, other local government employees, academics, and concerned citizens who share the goal of improving local government. The purpose of ICMA is to create excellence in local governance by developing and fostering professional local government management worldwide. To that end, the Association provides technical assistance and publications for local government professionals to help them improve their skills and increase their knowledge. ICMA also serves as a clearinghouse for the collection, analysis, and dissemination of information and data about local government.

Q: Is there another organization that supports council-manager government?
A: Yes, the National Civic League is a nonpartisan citizens organization founded in 1895. Its purpose is to serve as a clearinghouse for information on methods of improving state and local government; to encourage citizen participation in state and local government; and to provide guides, model charters, and laws on specific subjects. The League's *Model City Charter*, now in its seventh edition, has endorsed council-manager government since 1915.

For further information:

ICMA
777 North Capitol Street, NE
Suite 500
Washington, DC 20002-4201
Web site, http://icma.org/formofgovt

National Civic League
1889 York Street
Denver, Colorado 80206
303-571-4343
Web site, http://www.ncl.org

National League of Cities
1301 Pennsylvania Avenue NW Suite 500
Washington, D. C. 20004
202-626-3000
Web site, www.nlc.org

Definitions of Policy Makers and Administrators in Council-Manager Governments

Administration is...managing the day-to-day business of local-government. An appointed professional manager, accountable to the Council for organizational performance, is responsible.

Policy Making is...deciding what the government should do. A democratically elected council, accountable to the voters for carrying out their will, is responsible.

Local Government Manager

- Appointed by Council
- Administrators who implement Council policy through staffing and budget control
- Decides "how"-the manner, why, or means to accomplish it
- Trained professionals
- Selected for office based on expertise and experience
- Hired for indefinite time at will of Council majority
- Influence *formal* through organizational authority
- Influence is positional through organizational *authority*
- Community typically viewed as a whole-"systematically"
- Full-time, paid, public service
- Manager is *not* a member of the governing body
- Manager provides administrative/organizational leadership

Council

- Elected by voters
- Policy makers who define public purpose through Council action and budget approval
- Decides "what/why"-the intent, expectations, motive for government action
- Influence informal through a community network
- Influence is personal through individual *power*
- Community typically viewed as parts-"incrementally"
- Part-time, low, or non-paid public service
- Mayor is a member of the governing body
- Mayor provides political/community leadership

--Submitted by Walter Barry

Gainesville, Florida

ICMA
Leaders at the Core of Better Communities

City of Laramie Administration

Janine Jordan, City Manager
Robert Southard, City Attorney
Josh Merseal, Municipal Judge

City Manager's Office

David Derragon, Assistant City Manager
Angie Johnson, City Clerk
Jerry Hankin, Code Administration Manager
Darrin Parkin, Water Resources Administrator
Derek Teini, Planning Manager
Jonathan Rhoades, Information Technology Manager

Human Resources

Lori Curry, Director

Fire Department

Dan Johnson, Fire Chief
Mark Doyle, Fire Marshal

Police Department

Dale Stalder, Police Chief
Robert Terry, Assistant Chief
Mark Augustin, Lieutenant
Ryan Thompson, Lieutenant

Administrative Services Department

Malea Brown, Director
Jennifer Wade, Accounting Operations Manager
Shawn Garcia, Business Operations Manager
Heather Wilson, Court Supervisor

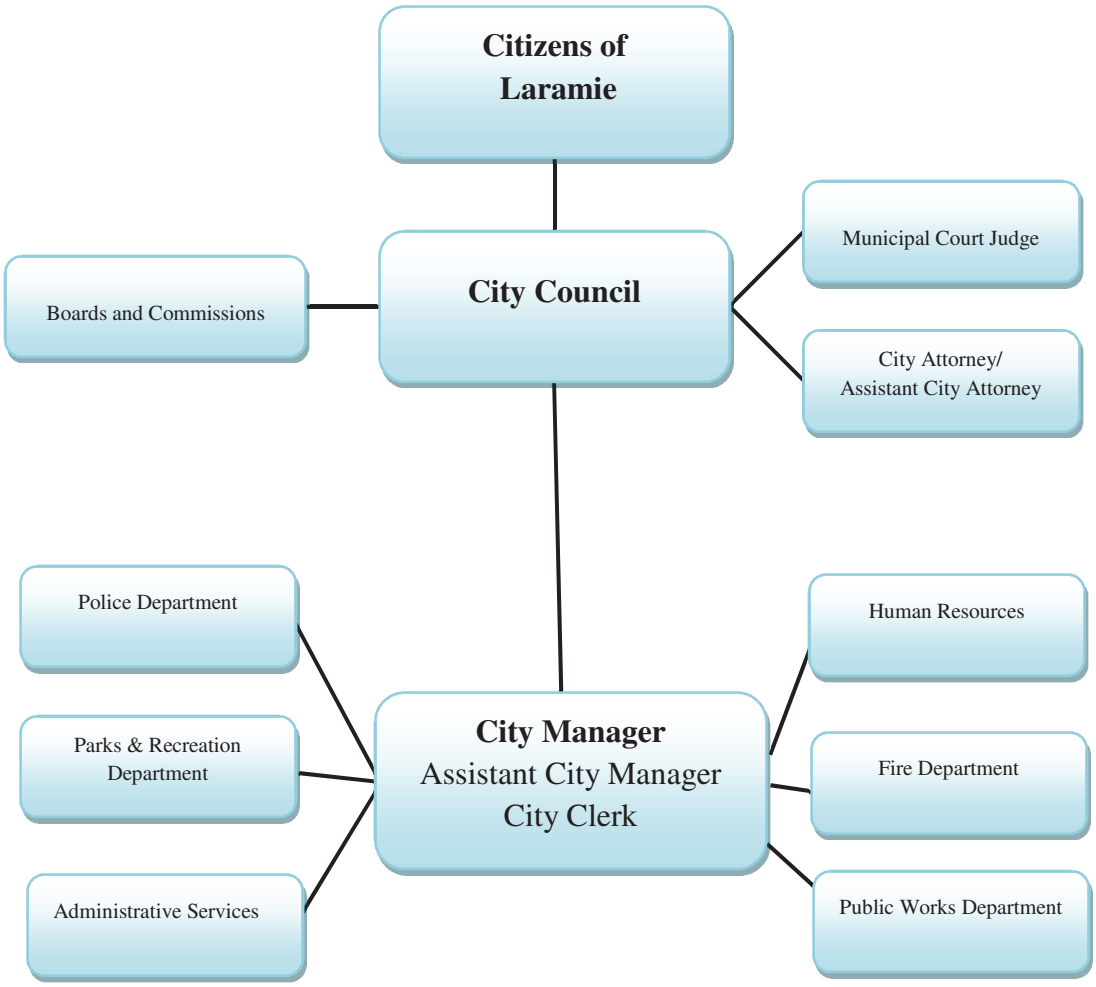
Public Works

Earl Smith, Director
Shane Johnson, Street Manager
Cal Van Zee, Utility Manager
Brooks Webb, Solid Waste Manager
Eric Jaap, City Engineer

Parks & Recreation Department

Todd Feezer, Director
Scott Hunter, Parks Supervisor
Jodi Guerin, Recreation Manager
Scott Stevenson, Facilities Maintenance Manager

Organizational Structure



Budget

The Budget

The City of Laramie, like all governmental agencies in Wyoming, operates on a fiscal year of July 1 through June 30. The budget is adopted between the second and third Tuesday in June, as required by statute (W.S. §16-4-109).

The City adopts a biennium budget authority which includes a six-year capital and equipment expenditure plan for governmental funds and a ten-year capital and equipment expenditure plan for enterprise funds. In the second year of the biennium the City prepares an amendment to the budget for additional spending authority requirements. The budget serves two purposes: 1) to outline the City's approved expenditures for that fiscal year, and 2) to act as a long-term strategic planning document.

Fund Overview

Governmental Funds:

A government's main operating fund, like the City of Laramie's General Fund, is always considered a major fund for financial reporting purposes, which means that it is classified and presented separately. Major funds are further defined as having a proportional share of a financial statement element that is at least ten percent (10%) of the total for governmental funds and at least five percent (5%) of the combined total for governmental and enterprise funds.

For the City of Laramie governmental funds include: the General Fund, the E-911 Fund, the Economic Development Fund, the Recreation Center Fund, Capital Project Funds, and Debt Service Funds.

General Fund:

The "General Fund" of the City of Laramie is used to account for financial resources that are not restricted to specific purposes. This fund accounts for "basic" City services such as public safety, public works, community services, and general governmental services.

Examples of City Services that are accounted for in the General Fund Include:

Police Patrol
Police Investigations
Animal Control/ Shelter
Police Special Operations
Cemetery Maintenance
Parks Maintenance
Engineering
Code Administration
Fire Suppression
Street Maintenance
Ice and Events Center
Planning
Financial Administration
Information Technology
Legal Services
City Council
Municipal Court
Human Resources
Fleet Maintenance
Recreation Programs
City Council
Employee Safety
Community Partners Funding
City Clerk Services
Ambulance/EMS Services
Community Planning
City Administration
Facilities Maintenance
Mosquito Control

Special Revenue Funds:

Special revenue funds are used to account for proceeds from specific revenue sources. These funds are legally restricted to expenditure for specified purposes.

The City of Laramie has three special revenue funds:

1) City of Laramie E911 Fund – *used to account for the costs of major construction or capital improvements that are directly related to emergency management 911. Revenues for this fund come from grants, as well as 911 surcharges on telephone bills.*

2) City of Laramie Economic Development Fund – *used to account for grant revenues which are utilized to administer low-interest loan programs to stimulate economic development. Economic programs have expanded to include recapture agreements with the Wyoming Business Council.*

3) Recreation Center Fund – *used to account for revenues and expenditures for the operation of the City of Laramie Recreation Center. Revenues come from memberships and user fees, grants, merchandise sales, interest from the recreation endowment, donations, and the recreation mill levy. If a revenue shortfall occurs, this fund is subsidized by the General Fund.*

Enterprise Funds:

Enterprise funds are used to account for goods and services for which user fees and charges are paid in exchange transactions, similar to a private business. The City of Laramie provides water, wastewater, and solid waste services that are accounted for in enterprise funds.

The Two Enterprise Funds Used by the City are:

1) Utility Fund – *A fund used to account for the operation of the water and wastewater services provided by the City.*

City Services accounted for in the Utility Fund:

Potable Water Generation
Pumps and Wells
Water Distribution Lines
Water Meters
Monolith Ranch
Water Rights
Waste Collection
Lift Station
Wastewater Treatment Plant
Wastewater & Water Education
Industrial Pretreatment

2) Solid Waste Fund – *A fund used to account for refuse collection, refuse disposal, landfill, and diversion/recycling services provided by the City.*

City Services accounted for in the Solid Waste Fund:

Residential Refuse Collection
Commercial Refuse Collection
Recycling
Disposal of Solid Waste
Landfill

Debt Service Funds:

Debt service funds account for resources used to pay annual principal and interest payments on general long-term debt.

The City of Laramie has one debt service fund:

City of Laramie General Debt Service Fund – *used to account for the periodic payment of principal and interest on notes or contracts such as the Wyoming Territorial Park loan.*

Internal Service Funds:

Internal service funds are used to report any activity which provides goods or services to other funds or departments on a cost-reimbursement basis.

The City of Laramie has one internal service fund:

City of Laramie Health Self-Insurance Fund – *used to account for the cost of providing a defined health and dental insurance plan that covers all regular, full-time employees, as well as some retirees, of the City.*

Trust and Agency Funds:

Trust and agency funds are used to account for assets that are held by a governmental trustee capacity, private organization, or as an agent for other governmental units and/or funds.

The City of Laramie has one trust & agency fund:

City of Laramie Cemetery Endowment Fund – *used to account for all funds granted and bequeathed to the city for the preservation of lots for the Laramie Cemetery.*

Capital Project Funds:

Capital project funds are used to account for financial resources to be used in acquisition or construction of major capital projects, other than those financed by enterprise (proprietary) funds or trust funds.

The City of Laramie has three capital project funds:

1) City of Laramie Major Capital Construction Fund – *used to account for the costs of major construction or capital improvements relating to General Fund activities. Revenues for this fund come from grants, capital leases, and General Fund operating transfers.*

2) City of Laramie Parks and Recreation Fund – *used to account for the costs of capital improvements or equipment for the Parks and Recreation department. Revenues for this fund come from grants, the recreational mill levy (1 mill), and donations.*

3) City of Laramie Specific Purpose Tax Fund – *used to account for the costs of specific capital improvements, as well as repair and maintenance projects. Revenues for this fund come from the additional one cent sales tax (the "6th cent) in which voters approved both bonded and unbonded projects.*

City Manager's Office

City Manager's Office: Summary

The City Manager's Office is responsible for the professional oversight and leadership of all City departments and operations. The City Manager is hired by the City Council. All personnel report to the City Manager, except for the City Attorney and the Municipal Judge, both of whom are hired by the City Council.

The Office of the City Manager is responsible for implementing City Council policies and overseeing administrative functions to meet the Council's goals. In addition to general administrative responsibilities, the City Manager's Office is responsible for budget development, the provision of public information, franchise and labor negotiations, policy analysis and research, grants administration, and economic development.

The Assistant City Manager oversees community development, functions of planning and code administration / enforcement, water resources, and information technology.

Through reorganization on July 1, 2016, community development became a section of the City Manager's Office. The oversight of the engineering division now falls under the Public Works Director. Direct oversight of community development is assigned to the Assistant City Manager. The community development section is responsible for the physical and economic development of the city as well as providing support to the City Council and other stakeholder groups and committees, including seven of the City's Boards and Commissions. The community development section encompasses planning, code administration, and code enforcement.

The Planning section consists of 3 full-time planner positions: One Planning Manager, one Principal Planner and one Associate Planner. The Division has two major functions: development review and long range planning. Planning staff serve as staff to the City's Planning Commission and the Zoning Board of Adjustment.

Code administration has a staff of 5 full-time equivalent employees. The division is responsible for promoting public health and safety by ensuring that new structures and renovations of existing structures are designed and built in compliance with current construction and environmental health codes. This is achieved through two major functions: permitting and inspections, environmental health inspections, and code enforcement. Permitting and inspection entails review and approval of construction drawings, issuance of permits and performing in-the-field inspections. Code administration staff support the Building and Fire Code Board of Appeals.

The environmental health function involves licensing and inspection of restaurants and temporary food vendors, tattoo and body art facilities, mobile home parks, and swimming pools and spas. This function offers public-services classes and assistance to the local food-service industry, and serves as staff to the City's Board of Health. Pool and restaurant inspection services mandated by State Statute are performed locally under a delegation agreement with the State Department of Agriculture.

Code Enforcement functions are performed by 1 full-time staff member. This function primarily entails investigation and enforcement of nuisance and zoning ordinances pertaining to weeds, trash, junk and abandoned vehicles, illegal dumping and signs. Code enforcement staff support the City's Board of Nuisance Appeals and serve in an advisory role on the Beautification Committee.

The water resources section is responsible for the implementation of the management strategies recommended by the Casper Aquifer Protection Plan. This includes, but is not limited to, the administration of the Site Specific Investigation Program and the development of a comprehensive groundwater monitoring network. In addition, the Water Resources Administrator oversees the operation of the Monolith Ranch and the water rights management plan to secure these rights for future municipal use.

Information technology (IT) provides overall management of the City's information technology resources. Staff manages the network program to determine the hardware and software necessary to maintain the City's local area network, wireless systems, and internet access. Information Technology also manages the telephone systems, including local and long-distance phone services, telephone equipment, upgrades, and maintenance contracts.

AT-WILL EMPLOYMENT CONTRACT BETWEEN CITY OF LARAMIE, WYOMING AND JANINE JORDAN AS CITY MANAGER

1. **Parties**. This Contract is made and entered into this 02nd day of January, 2008, by and between City of Laramie, Wyoming, a Wyoming municipal corporation (hereinafter referred to as "City"), whose address is City Hall, 406 Ivinson Street, Laramie, Wyoming 82070 and Janine Jordan (hereinafter referred to as "City Manager"), whose address is 1016 S. 11th St., Laramie, Wyoming 82070. For and in consideration of the mutual promises and covenants set forth below, City and City Manager agree to the following:

2. **Purpose of Contract**. The purpose of this Contract is to create an at-will employer-contract employee relationship under Wyo. Stat. §9-2-1022(a)(xi)(F) for Janine Jordan to perform the services of City Manager pursuant to the terms, conditions and provisions of this Contract. The parties understand and agree that nothing in this Contract, nor any actions or understandings of the parties shall be interpreted or deemed to create an expectation of continued employment. The parties also understand and agree that the Employee shall be deemed an at-will employee. In consideration of Employee accepting employment with City as the City Manager and other good and valuable consideration including the mutual covenants herein contained, City and Employee hereby contract, covenant and agree as follows:

3. **Terms of Contract**. Performance under the terms and conditions of this Contract shall commence on January 3, 2008, and shall continue unless this Contract is otherwise terminated pursuant to the termination provision contained in Paragraph 6.13 of this Contract.

4. **Payment**.

4.01. Salary. In consideration of the services provided by City Manager as set forth in Paragraph 5 of this Contract herein, City shall pay City Manager a total annual salary of one hundred four thousand dollars ($104,000) payable in installments at the same time that the other employees of City are paid and additional benefits as outlined in this Contract. As provided in Laws 1992, Chapter 71, Section 2(a)(v), City shall withhold applicable state and federal taxes from City Manager's salary.

4.02. Vehicle Allowance. In consideration of the services provided by City Manager the City agrees to pay, during the term of this Contract and in addition to other salary and benefits herein provided, the sum of four hundred seventy-five dollars ($475.00) per month as a vehicle allowance. City Manager shall acquire and maintain a vehicle during the term of this Contract and shall be responsible for paying liability, property damage, and comprehensive insurance coverage upon such vehicle and all other expenses attendant to his vehicle. City shall also reimburse the City Manager the standard mileage rate that other City employees receive for any business uses of the vehicle.

4.03. Hours of Week. It is recognized that the City Manager must devote a great deal of time outside the normal office hours on business for the City, and to that end City shall be allowed to establish an appropriate work schedule. City Manager agrees to devote her working hours to the performance of this Agreement. City Manager agrees to devote sufficient time, both during normal working hours and otherwise, to perform her duties. City Manager agrees that she is an executive employee, exempt from overtime compensation provisions of the Fair Labor Standards Act.

4.04. Travel Expenses. Any required travel for City Manager in the performance of this Contract shall be reimbursed at the standard employee rate.

4.05. Other Benefits. Except as otherwise provided in this Contract, City Manager shall be entitled to the same level of benefits that are enjoyed by City Department Directors as provided in the Employee Handbook or practice.

4.06. Professional and Civic Development. City agrees to budget and pay for the civic and professional membership dues and subscriptions of City Manager necessary for City Manager's continuation and participation in national, regional, state and local associations necessary and desirable for City Manager's continued professional participation, growth and advancement, and for the good of City. Developing and maintaining professional association contacts and standing provide City access to valuable resources, and the reasonable participation and related travel by City Manager as provided for in the annual budget will be part of the City Manager's duties.

4.07. Severance Pay. In the event City Manager is terminated by City Council without cause during the term of this Contract, City agrees to pay City Manager the monthly salary and employment benefits of City Manager for twelve (12) months unless City Manager accepts full time employment in City Administration during the twelve (12) months. In the event City Manager accepts full-time employment outside of City Administration during the twelve (12) months, City will pay City Manager the difference between salary and benefits received by City Manager at the new full-time position and that which City Manager would have received in the position of City Manager throughout the twelve (12) months. The value of all vacation leave, holidays and other benefits accrued by, or credited to City Manager shall be paid regardless of City Manager accepting employment. If City Manager is terminated because of a conviction for a misdemeanor or felony, then, in that event, City shall have no obligation to pay the severance payments designated in this paragraph. This severance pay shall be paid in monthly installments and such severance pay is in lieu of any unemployment compensation benefits to which City Manager may be entitled. No severance payment is due from City if City Manager resigns pursuant to Paragraph 6.13 in the Contract.

5. Responsibility of City Manager.

5.01. City Manager will plan, organize, control the direct operation of the City providing support for the City Council, vision for the organization and representing the City as the Chief Executive for the overall leadership and direction of the entire City government and the

policies of the City Council. City Manager shall perform the following duties and responsibilities:

5.01.01. Assume full management responsibility for all City services including community resources and public information, public works, parks and recreation, police, fire, finance and administration and human resources policy and procedures.

5.01.02. Ensure that all laws and ordinances are observed and enforced within the City including but not limited to public health, comfort and safety.

5.01.03. Attend all meetings of the City Council and may recommend necessary and expedient measures.

5.01.04. Control, manage and implement the rates set by City Council for water and wastewater utility which is owned and operated by City.

5.01.05. Perform all duties imposed by City Council as determined by a majority vote of the Council and in accordance with the City Council Code of Conduct. All members of Council will be advised by the City Manager in a timely manner of actions taken and directions given to staff.

5.01.06. Keep City Council fully advised of City's financial condition and future needs.

5.01.07. Serve as City's purchasing agent.

5.01.08. Authority to appoint and remove any employee of the City including but not limited to the chief of the fire and police department and city clerk.

5.01.09. Implement rules and regulations for the efficient economic conduct of the business of the City.

5.01.10. Negotiate contracts and solutions on a variety of administrative and special projects; analyze and prepare recommendations for contract requests and monitor contract budgets.

5.01.11. Participate on a variety of boards and commissions; and attend and participate in professional groups and committees.

5.01.12. Respond to and resolve difficult and sensitive citizen inquires and complaints including citizen complaints or inquires forwarded by City Council to City Manager and update City Council on those complaints or inquiries forwarded to City Manager to resolve including providing to City Council a copy of any correspondence in response to the complaints or inquiries.

5.01.13. Meet with citizens to review and resolve service and other issues.

5.01.14. Plan, organize, control and direct the overall City Department Directors by providing overall priorities and objectives; monitor activities of the entire City organization and assure City Council directives are properly implemented and monitored.

5.01.15. Supervise all City staff through City Department Directors; oversee personnel actions of the City including interview and selection, transfers, reassignment, termination and discipline of employees.

5.01.16. Coordinate preparation of City budget for City Council approval and provide proper monitoring of the budget on an on-going basis.

5.01.17. Provide direct support to the members of City Council with a variety of activities such as providing leadership information as requested; assist City Council members in drafting and facilitating the development of City policy including plans and regulations.

5.01.18. Maintain close contact with community groups and organizations; develop community relations programs; and represent City to news media.

5.01.19. Represent City to Federal, State and local governmental entities and agencies; communicate with State and Federal officials and legislatures regarding the City's viewpoint on pending City administration or legislation and meet with representatives of agencies and outside entities to develop formal and informal agreements between City, State and local governments and private interests as issues arise.

5.01.20. Assure the financial soundness and integrity of City to capably meet commitments and to maximize the delivery of services to citizens.

5.01.21. Provide leadership and directions in such areas as major long range capital programs.

5.02. Outside Activities. City Manager may accept temporary, outside employment, including but not limited to, teaching, writing or consulting performed on City Manager's time off as long as it will not in anyway limit the performance of or create a conflict of interest, or City Manager's availability for the performance of, City Manager's duties hereunder.

5.03. Evaluation of Performance and Compensation. City Council shall evaluate the performance of City Manager and review the compensation of City Manager at least once annually prior to April 15 of each year. In the first year of employment of the City Manager, City Council will conduct a mid-year evaluation of City Manager prior to July 15, 2008 and an

annual performance and compensation evaluation of City Manager will occur prior to April 15, 2009. City Manager shall receive cost-of-living salary increases as approved by City Council for all other employees of City. The performance and compensation evaluation of City Manager shall be in accordance with specific criteria developed by City Manager within six (6) weeks of her employment as City Manager and approved by City Council. The criteria may be added to or deleted from as City Council may from time to time determine, in consultation with City Manager. The criteria shall include an assessment of City Manager achieving the annual goals and objectives of the City Manager as determined in Paragraph 5.04 herein. All City Council members shall complete annually the agreed upon form/criteria for the performance and compensation evaluation of the City Manager and forward to the Mayor. The Mayor shall provide City Manager and City Council members with a summary written statement of the findings of City Council and provide an adequate opportunity for City Manager to discuss the performance and compensation evaluation with City Council.

5.04. Goals and Objectives. City Manager within six (6) weeks of her employment and annually prior to April 15 of each year thereafter shall define goals and performance objectives necessary for the proper operation of the City and in attainment of City Council's policy objectives and shall prioritize those various goals and objectives. The goals and objectives shall be attainable within the time limitations as specified within the work plan encapsulated within the annual budget of the City and shall be memorialized in writing and approved by City Council upon the approval of the annual budget.

5.05. Other terms and conditions of Employment. City shall fix any such other terms and conditions of employment, as it may determine from time to time, relating to the performance of City Manager provided such terms and conditions are not inconsistent with or in conflict with the provisions of this Contract or any other law.

6. General Provisions.

6.01. Amendments. Any changes, modifications, revisions or amendments to this Contract which are mutually agreed upon and between the parties to this Contract shall be incorporated by written instrument, executed and signed by all parties to this Contract.

6.02. Applicable Law/Venue. The construction, interpretation and enforcement of this Contract shall be governed by the laws of the State of Wyoming. The Courts of the State of Wyoming shall have jurisdiction over this Contract and the parties, and the venue shall by the Second Judicial District, Albany County, Wyoming.

6.03. Assignment/Contract Not Used as Collateral. Neither party shall assign or otherwise transfer any of the rights or delegate any of the duties set forth in this Contract without the prior written consent of the other party. The City Manager shall not use this Contract, nor any portion thereof, for collateral for any financial obligation.

6.04. Compliance with Laws. The City Manager shall keep informed of and comply with all applicable Federal, State and local laws and regulations in the performance of this Contract.

6.05. Entirety of Contract. This Contract, consisting of eight (8) pages, represents the entire and integrated Contract between the parties and supersedes all prior negotiations, representations, and agreements, whether written or oral.

6.06. Ethics. City Manager shall keep informed of and comply with all applicable federal, state and local laws and regulations in performance of this Contract, the Wyoming Ethics and Disclosure Act (Wyo. Stat 9-13-101, et seq.), and any and all ethical standards governing City Manager's profession.

6.07. Kickbacks. The City Manager certifies and warrants that no gratuities, kickbacks or contingency fees were paid in connection with this Contract, nor were any fees, commissions, gifts, or other considerations made contingent upon the award of this Contract. If the City Manager breaches or violates this warranty, City may, at its discretion, terminate this Contract without liability to City, or deduct from the contract price or consideration or otherwise recover, the full amount of any commission, percentage, brokerage, or contingent fee.

6.08. Notices. All notices arising out of, or from, the provisions of this Contract shall be in writing and given to the parties at the address provided under this Contract, either by regular mail, facsimile, e-mail or delivery in person.

6.09. Ownership of documents/Work Product. All documents, reports, records, field notes, materials, and data of any kind resulting from performance of this Contract are at all times the property of City.

6.10. Sovereign Immunity. City does not waive sovereign immunity by entering into this Contract, and specifically retain immunity and all defenses available to them as sovereigns pursuant to Wyo. Stat. §1-39-104(a) and all other state law.

6.11. Termination of Contract. This Contract may be terminated, without cause, by City upon thirty (30) days written notice or payment of salary for thirty (30) days in lieu of notice. This Contract may be terminated immediately for cause if City Manager fails to perform in accordance with the terms of this Contract. The City must have a majority of the membership of the City Council votes to terminate the contract of City Manager. If City Manager is terminated, without cause, City agrees to pay City Manager a severance pay in accordance with the terms and conditions outlined in Paragraph 4.07 herein of this Contract. The City Manager may terminate this Contract upon thirty (30) days notice in advance to City Council, unless the parties agree otherwise.

6.12. Third Party Beneficiary Rights. The parties do not intend to create in any other individual or entity the status of third party beneficiary, and this Contract shall not be construed so as to create such status. The rights, duties and obligations contained in this

Contract shall operate only between the parties to this Contract, and shall inure solely to the benefit of the parties to this Contract. The provisions of this Contract are intended only to assist the parties in determining and performing their obligations under this Contract. The parties to this Contract intend and expressly agree that only parties signatory to this Contract shall have any legal or equitable right to seek to enforce this Contract, to seek any remedy arising out of party's performance or failure to perform any term or condition of this Contract, or to bring an action for the breach of this Contract.

6.13. Nondiscrimination. City Manager shall comply with Presidential Executive Order 11246 entitled, "Equal Employment Opportunity," as amended by Presidential Executive Order 11375, and as supplemented in the Department of Labor Regulations (41 CFR Part 60), the Civil Rights Act of 1964, the Wyoming Fair Employment Practices Act (Wyo. Stat. § 27-9-105 et seq.), and the Americans With Disabilities Act (ADA), 42 U.S.C. 12101, et seq. City Manager shall assure that no person is discriminated against based on the grounds of sex, race, religion, national origin or disability in connection with the performance of this Contract.

6.14. Titles Not Controlling. Titles of paragraphs are for reference only, and shall not be used to construe the language in this contract.

6.15. Waiver. The waiver of any breach of any term or condition in this Contract shall not be deemed a waiver of any prior or subsequent breach.

6.16. Time is of the Essence. Time is of the essence in all provisions of this Contract.

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IN WITNESS WHEREOF, the Laramie City Council has caused this Contract to be signed and executed in its behalf by its Mayor, and duly attested by its City Clerk, and City Manager through their duly authorized representatives has signed and executed this Contract, the day and year first written above.

CITY OF LARAMIE, WYOMING:

By: _____
Klaus Hanson, Mayor and President of the City Council

Attest: _____
Sue Morris-Jones, CMC
City Clerk

City Attorney's Office approval as to form:
_____
Date: 01-02-08

CITY MANAGER:

By: _____
Janine Jordan

1-7-08
Date

AMENDMENT TO AT-WILL EMPLOYMENT CONTRACT BETWEEN CITY OF LARAMIE, WYOMING AND JANINE JORDAN AS CITY MANAGER

COMES NOW the parties, the City of Laramie, a Wyoming municipal corporation located in Albany County, hereinafter referred to as the "City", and Janine Jordan, an individual currently serving as the City Manager of the City under the provisions of that certain employment contract between the parties herein dated the 2nd day of January, 2008, hereinafter referred to "City Manager."

WHEREAS, the City is a municipal corporation in the State of Wyoming operating with the City Manager form of government pursuant to the provisions of Wyoming Statutes 15-4.201, et seq.; and,

WHEREAS, the parties are presently contracted between themselves for the employment of the City Manager according to the provisions of the above mentioned employment contract and the statutory authority; and,

WHEREAS, the parties wish to amend portions of that existing contract, and adding certain provisions, to reflect changes in the agreement between the parties given the changes in circumstances;

NOW, THEREFORE, in consideration of the mutual promises contained in the existing employment contract and those contained herein as consideration, the parties agree as follows:

1. **CONTINUATION OF THE PROVISIONS OF EXISTING CONTRACT.** Each and every provision of the employment contract between the parties dated the 2nd day of January, 2008 are hereby acknowledged and ratified by the parties and shall have full force and effect from the date of this agreement, unless specifically amended herein. This agreement is without waiver of rights by either party under the employment contract between the parties dated the 2nd day of January, 2008 or as available by this agreement herein.

2. **AMENDMENTS TO EXISTING PROVISIONS.** The following provisions of the existing employment contract shall be amended as specified herein:

4.01 Salary. The amount of the salary specified in the original contract has been increased through cost of living adjustments to One Hundred Eight Thousand Seven

Hundred Twenty Two dollars ($108,722.00) annually shall be increased based upon merit an amount equal to five percent (5%) of the existing salary beginning July 1, 2011 to an annual salary of One Hundred Fourteen Thousand One Hundred Fifty Eight and 10/100ths Dollars ($114,158.10).The rest and remainder of the paragraph shall be unchanged.

4.02 Vehicle Allowance. The amount of monthly vehicle allowance provided for the City Manager shall be Five Hundred Dollars ($500.00) effective July 1, 2011, and the rest and remainder of the paragraph shall remain unchanged.

6.11 Termination of Contract. The third sentence shall be amended to read, "A majority vote of the full membership of the Governing Body of nine persons is required to terminate the Contract of City Manager." The rest and remainder of paragraph 6.11 shall remain unchanged.

3. **AMENDMENTS BY ADDITION OF PROVISIONS.** The following provisions are hereby added to the employment contract and effective upon execution of this amendment, but retroactive to any date specified therein:

4.08 CONTRIBUTION TO 457 PLAN. Following execution of this amendment to the above mentioned employment contract the City shall contribute the sum of Five Thousand Dollars, payable in a single installment, as "catch-up" into the City Manager's IRS §457 personal retirement account, which must be established by the City Manager. No further contribution shall be made by the City to the account under the terms of this agreement.

4.09 RETENTION BENEFIT.

a. The City shall make available a retention benefit to the City Manager in the annual amount of Ten Thousand Dollars ($10,000.00) per year beginning July 1, 2009 and then annually thereafter for a period of five (5) years. That annual payment benefit amount shall be paid into a separate interest bearing bank account in the name of the City at the beginning of each fiscal year, beginning July 1, 2011 with the initial benefit contribution for the years of July 1, 2009, July 1, 2010 and July 1, 2011 made following execution of this agreement. Those funds shall remain the property of the City until such time as each annual benefit has been earned by the City Manager as hereinafter specified.

b. The City Manager can earn the initial benefit contribution of the years of July 1, 2009, July 1, 2010 and July 1, 2011 by maintaining her employment with the City as City Manager until July 1, 2012. The City Manager can earn each additional annual retention benefit by maintaining her employment with the City as City Manager for a period of one (1) year beyond the previous benefit payment date.

c. Payment of the first annual benefit contribution shall be made on July 1, 2012, and annually thereafter on the 1st day of July so long as the City Manager remains employed with the City as City Manager on the anniversary date of July 1 of each applicable year.

d. In the event that the City Manager terminates her employment, she shall forfeit any claim to any and all future payments not received by her as of the date of notice of termination of her employment, except severance pay as defined by paragraph 4.07

e. In the event the City Manager is terminated from her employment with the City by the City Council with or without cause she shall be entitled to the balance in the account on the date of the notice of termination, including accrued interest, to be paid on the effective date of termination, or within five (5) days thereafter in addition to any other salary, benefits or severance pay entitled to her.

f. Additional annual benefit contributions may be available to the City Manager at the discretion of the Council, or pursuant to further negotiations between the parties.

4. **NO FURTHER AMENDMENTS.** There are no further amendments to the above mentioned employment contract contained in this agreement.

DATED this 19th day of July, 2011.

Scott A. Mullner, Mayor and President of
Laramie City Council

ATTEST:

Sue Morris-Jones, MMC City Clerk

Janine Jordan, City Manager of Laramie

SECOND AMENDMENT TO AT-WILL EMPLOYMENT CONTRACT BETWEEN CITY OF LARAMIE, WYOMING AND JANINE JORDAN AS CITY MANAGER

COMES NOW the parties, the City of Laramie, a Wyoming municipal corporation located in Albany County, hereinafter referred to as the "City", and Janine Jordan, an individual currently serving as the City Manager of the City under the provisions of that certain employment contract between the parties herein dated the 2nd day of January, 2008, hereinafter referred to "City Manager."

WHEREAS, the City is a municipal corporation in the State of Wyoming operating with the City Manager form of government pursuant to the provisions of Wyoming Statutes 15-4.201, et seq.; and,

WHEREAS, the parties are presently contracted between themselves for the employment of the City Manager according to the provisions of the above mentioned employment contract and the statutory authority; and,

WHEREAS, the parties wish to amend portions of that existing contract, and adding certain provisions, to reflect changes in the agreement between the parties given the changes in circumstances;

NOW, THEREFORE, in consideration of the mutual promises contained in the existing employment contract and those contained herein as consideration, the parties agree as follows:

1. **CONTINUATION OF THE PROVISIONS OF EXISTING CONTRACT**. Each and every provision of the employment contract between the parties dated the 2nd day of January, 2008, including the amendment thereto dated July __, 2011, are hereby acknowledged and ratified by the parties and shall have full force and effect from the date of this agreement, unless specifically amended herein. This agreement is without waiver of rights by either party under the employment contract between the parties dated the 2nd day of January, 2008 or as available by this agreement herein.

2. **AMENDMENTS TO EXISTING PROVISIONS**. The following provisions of the existing employment contract and the amendment thereto shall be amended as specified herein:

4.08 CONTRIBUTION TO 457 PLAN. Following execution of this

amendment to the above mentioned employment contract the City shall contribute up to the sum of Ten Thousand Dollars, payable in a monthly installment as a match of the City Manager's contribution into the City Manager's IRS §457 personal retirement account on a continuing basis. The account must be established by the City Manager and retained during her employment for receipt of this benefit.

4.09 RETENTION BENEFIT.

a. The City shall make available a retention benefit to the City Manager in the annual amount of Ten Thousand Dollars ($10,000.00) per year beginning July 1, 2013 and then annually thereafter for a period of five (5) years. That annual payment benefit amount shall be paid into a separate interest bearing bank account in the name of the City at the beginning of each fiscal year, beginning July 1, 2014, July 1, 2015, July 1, 2016 and July 1, 2017 made following execution of this agreement. Those funds shall remain the property of the City until such time as each annual benefit has been earned by the City Manager as hereinafter specified.

b. The City Manager can earn the each additional annual retention benefit by maintaining her employment with the City as City Manager for a period of one (1) year beyond the previous benefit payment date.

c. Payment of the first annual benefit contribution shall be made on October 1, 2013, and annually thereafter on the 1st day of July so long as the City Manager remains employed with the City as City Manager on the anniversary date of July 1 of each applicable year.

d. In the event that the City Manager terminates her employment, she shall forfeit any claim to any and all future payments not received by her as of the date of notice of termination of her employment, except severance pay as defined by paragraph 4.07

e. Additional annual benefit contributions may be available to the City Manager at the discretion of the Council, or pursuant to further negotiations between the parties.

4. **NO FURTHER AMENDMENTS.** There are no further amendments to the above mentioned employment contract contained in this agreement.

DATED this 15th day of November, 2013.

David A. Paulekas, Mayor and President of

Laramie City Council

ATTEST:



Sue Morris-Jones, MMC City Clerk



Janine Jordan, City Manager of Laramie

THIRD AMENDMENT TO AT-WILL EMPLOYMENT CONTRACT BETWEEN CITY OF LARAMIE, WYOMING AND JANINE JORDAN AS CITY MANAGER

COMES NOW the parties, the City of Laramie, a Wyoming municipal corporation located in Albany County, hereinafter referred to as the "City", and Janine Jordan, an individual currently serving as the City Manager of the City under the provisions of an employment contract between the parties herein dated January 2, 2008 with amendments dated July 8, 2011 and November 15, 2013, hereinafter referred to as "City Manager."

WHEREAS, the City is a municipal corporation in the State of Wyoming operating as a City Manager form of government pursuant to the provisions of Wyoming Statutes 15-4.201, et seq.; and,

WHEREAS, the parties wish to amend portions of the existing contract, dated January 2, 2008 with amendments dated July 8, 2011 and November 15, 2013, and adding certain provisions, to reflect changes in the agreement between the parties given the changes in circumstances;

NOW, THEREFORE, in consideration of the mutual promises contained in the existing employment contract and those contained herein as consideration, the parties agree as follows:

1. **CONTINUATION OF THE PROVISIONS OF EXISTING CONTRACT**. Each and every provision of the employment contract between the parties dated January 2, 2008 with amendments dated July 8, 2011 and November 15, 2013are hereby acknowledged and ratified by the parties and shall have full force and effect from the date of this agreement, unless specifically amended herein.

2. **AMENDMENTS TO EXISTING PROVISIONS**. The following provisions of the existing employment contract and the amendments shall be amended to read as follows:

4.01 Salary. In consideration of the services provided by City Manager as set forth in Paragraph 5 of this Contract herein, City shall pay City Manager a total annual salary of One Hundred Thirty One Thousand Nine Hundred Forty Two Dollars ($131,942) payable in installments at the same time that the other employees of City are paid and additional benefits as outlined in this Contract. As provided in Laws 1992, Chapter 71, Section 2(a)(v), City shall withhold applicable state and federal taxes from City Manager's salary.

4.08 CONTRIBUTION TO 457 PLAN. Following execution of this amendment to the above mentioned employment contract the City shall contribute up to the sum of Nine Thousand Dollars, payable in a monthly installment as a match of the City Manager's contribution into the City Manager's IRS §457 personal retirement account on a continuing basis. The account must be established by the City Manager and retained during her employment for receipt of this benefit.

4. **NO FURTHER AMENDMENTS.** There are no further amendments to the above mentioned employment contract contained in this agreement.

DATED this 15th day of December, 2015.

David A. Paulekas, Mayor and President of
Laramie City Council

ATTEST:

Angie Johnson, City Clerk

City Manager:

Janine Jordan, City Manager of Laramie

Contract is effective on January 1, 2016.

Police Department

Police Department: Summary

Mission Statement

It is the mission of the Laramie Police Department to protect and serve the citizens of Laramie with dignity and respect.

Police Department Profile

The Laramie Police Department is a professional municipal police department that includes:

- uniformed patrol operations
- criminal investigations
- drug enforcement
- Specialized Response Team (SRT)
- crime prevention
- School Resource Officer (SRO) program
- animal control
- parking enforcement
- records maintenance
- public information
- recruitment & training
- county-wide police, fire, and medical 9-1-1 emergency communications (LARC)

Laramie Police Department

The Police Department operates under a problem oriented policing philosophy that engages both the community and staff in strategic problem solving to reduce crime, disorder, public nuisance and traffic safety problems. To accomplish its mission, the Police Department also maintains an extensive network of internal and external partnerships that leverage community and public resources.

The Police Department is comprised of three divisions: Operations, Police and Community Services, and LARC.

Current Service Staffing Levels

The Laramie Police Department provides a full range of services to the community. The following is the 2015-2016 Laramie Police Department General Fund budgeted positions:

- 47 Authorized Sworn Officers (49 allocated, 2 grant funded)
- 28.25 Non-Sworn Employees (including part time)

Service Descriptions

OPERATIONS DIVISION

Patrol Unit: The Patrol Unit is the most visible unit of the PD and utilizes a geographically deployed patrol strategy. Directed patrol is designed to mitigate neighborhood crime and disorder and citizens are encouraged to assist the Police Department by reporting criminal and nuisance activities.

Fine Summary:

	2013	2014	2015
Parking Citations	4893	5881	4857
Parking revenue	$104,308	$114,340	$105,227
Misdemeanor	$322,426	$102,905	$76,022
Traffic	$557,872	$558,814	$506,573
Revenue	$984,606	$776,059	$687,822

Animal Control Unit: Animal Control and Welfare services are provided by Community Service Officers assigned to Animal Control under the direction of the Police & Community Services Division. The Animal Control officer's primary responsibilities include handling all animal-related calls for service. Activities include animal abuse and cruelty investigations, neighborhood animal disputes, animal bites, and the enforcement of the City's Animal Control Ordinances. They also manage the operation of the Animal Shelter.

Criminal Investigations Unit Criminal incidents that require more advanced, complicated investigation are assigned to the Investigation Unit (Detectives) of the Operation Division. Most violent, serial or serious crime investigations are assigned to this division to increase the likelihood of case resolution and successful prosecution. Detective personnel participate in interagency investigation teams to address major crimes (homicides, sexual assaults, and child abuse cases) and to maximize resources.

School Resource Officer (SRO) Program Three SROs provide uniformed police presence, crime prevention and intervention services to K-12 students in the Albany School District #1. SROs provide pre-arrest intervention designed to resolve a majority of potentially criminal situations without involving the youth in the juvenile justice system, if appropriate.

Evidence and Property Management Program This program is staffed by one full-time civilian employee who provides evidence intake and management services for the Laramie Police Department. The Unit maintains the integrity of chain of evidence and processes new evidence annually by ensuring appropriate handling, packaging, tracking and storage according to law and contemporary principles of police work.

POLICE AND COMMUNITY SERVICES DIVISION

Services provided by the Professional Standards Unit include: personnel recruitment and selection, training coordination and delivery, pre-employment background investigation, risk management, supervision of light-duty employees, internal affairs investigation, complaint and use of force tracking, and reporting and policy development.

Crime Prevention Program This program includes: public safety education for businesses, community organizations, citizen groups and governmental agencies; security surveys for businesses and residents; and crime prevention presentations at public events. Crime Prevention staff also serve as point of contact for citizens. The Crime Prevention Unit coordinates the Department's underage drinking enforcement initiatives.

LARC DIVISION

Dispatch Unit: The Dispatch Unit of LARC provides public safety communications for the LPD, the Laramie Fire Department, Albany County Sheriff's Office and rural volunteer fire departments. Functions include 911-emergency services, non-emergency law enforcement services, informational and phone transfer services, tactical communications, and emergency medical dispatch services.

Dispatch Unit Summary calendar year 2015			
Laramie Police (All calls for service)	25,498		
Albany County Sheriff (All calls for service)	3,153	911 Calls	10,997
Laramie Fire/Ambulance	3854	PBX Non-Emergency Calls	151,191
TOTAL	32,505	TOTAL	162,188

Records Unit: The Records Unit of LARC is responsible for processing, maintaining, disseminating, and retaining all public safety records for the Laramie Police Department, Albany County Sheriff's Office, and the Laramie Fire Department. Records management services include: report transcription, data entry of citations; entry of all pawn shop transactions; dissemination of reports and background investigation requests by the public, maintenance and billing of false alarms responded to by the Laramie Police Department; and completion and submission of reports required by state and federal agencies (such as Uniform Crime Reports (UCR), Report Every Drunk Driver Immediately (REDDI), state accident reports, and concealed carry handgun checks.

Grant Funding Resources

1. Homeland Security Grants
2. Speed Enforcement and DUI Enforcement Grant.
3. Alcohol and Tobacco Compliance Check Grants
4. Ballistic Vest Replacement (BVP) grants
5. COPS (opted out of grant in June 2016)

Partnerships

The Police Department has established an extensive network of public, community, and internal partnerships to leverage resources.

With Albany County and Surrounding Law Enforcement Agencies:

- Law Enforcement Mutual Aid with Cheyenne PD, Laramie County Sheriff's Office, Casper PD, Rawlins PD, University of Wyoming PD, Albany County Sheriff's Office
- Southeast Drug Enforcement Team / Wyoming Division of Criminal Investigation
- Emergency/Disaster Preparedness and Planning through Local Emergency Planning Committee (LEPC)

With the University of Wyoming:

- Law Enforcement Mutual Aid/SRT
- Traffic control services for major UW events
- UW Job Fair

With the State of Wyoming:

- Law Enforcement Mutual Aid
- Wyoming Law Enforcement Academy (WLEA)
- Wyoming Office of Homeland Security
- Wyoming Associations of Sheriff's & Chiefs of Police (WASCOP)
- Governor's Council on Impaired Driving

With Federal Agencies:

- Federal Bureau of Investigation Bomb Squad services
- Drug Enforcement Agency - narcotics investigative assistance
- Alcohol Tobacco and Firearms - weapons and destructive devices investigations
- US Postal Service - mail fraud and other investigative assistance
- United States Secret Service - dignitary protection assistance

With Other City of Laramie Departments:

- Regional Emergency Response Team (RERT)
- Neighborhood traffic and parking mitigation strategies with Public Works
- Traffic Commission
- Jubilee Days Committee

City
of
LOVELL

Council Orientation/Handbook materials for this municipality provided by WAM



Wyoming Association of Municipalities

Building Strong Communities

City
of
POWELL

CHARTER ORDINANCE NO. 1, 1989

A CHARTER ORDINANCE ESTABLISHING THE POSITION OF CITY ADMINISTRATOR, AND EXEMPTING THE CITY FROM THE APPLICATION OF CERTAIN SECTIONS OF THE WYOMING STATUTES.

WHEREAS, the City of Powell has been established and is currently operating as a first class city pursuant to constitutional and statutory provisions of Wyoming State Law; and

WHEREAS, Article 13, Section 1, Wyoming Constitution, provides in part that a Wyoming City may elect to exempt itself from the application of the whole or any part of any statute other than those statutes which are uniformly applicable to all municipalities, and

WHEREAS, the governing body desires to provide for the position of city administrator and to exempt the city from those provisions of the Wyoming Statutes relating only to first class cities and as would prohibit the establishment of such position.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF POWELL, WYOMING AS FOLLOWS:

Section 1. The City of Powell shall not be governed by the provisions of Sections 15-1-125, 15-1-127, 15-3-204, 15-3-205, 15-3-205, 15-3-210, and 15-3-212.

Section 2. Officers – Appointment.

The mayor, by and with the consent of the council, shall employ a city administrator, municipal judge and city attorney and fix their salaries. The mayor shall also, with the advice and consent of the city council, make all appointments to boards and commissions of the city. The city administrator may also be referred to as administrator. The position of general commissioner is abolished.

Section 3. Employee Status of City Administrator.

The city administrator shall not receive any compensation for the performance of his duties other than the compensation fixed by the governing body. The city administrator is an employee and serves at the pleasure of the governing body. The salary may be changed from year to year and the city administrator may be discharged at any time by a majority vote of the governing body. The administrator shall give at least thirty (30) days notice in writing to the governing body before resigning the position.

Section 4. Vacancy in Office.

If the position of the city administrator becomes vacant for any reason, the governing body shall immediately proceed to employ another person. During the term of any vacancy in the office, the governing body may, in its discretion, either designate the mayor to act as city administrator at no additional compensation, or appoint any other person to serve as interim city administrator, and in either event, the person selected as interim city administrator shall be vested with the authority and charged with the duties and responsibilities of the city administrator until a city administrator is hired and qualified.

Section 5. Contracting for Professional Services.

The governing body may employ experts, specialists or persons to perform unusual or special services.

Section 6. Powers of the City Administrator – Other City Personnel.

Except for the positions required in Section 2 to be filled by the governing body, all employees shall be employed by the city administrator and shall serve at the administrator's pleasure. The administrator shall direct and supervise their activity and shall make recommendations concerning salaries according to the employee's classification and any adopted wage and salary schedule. The administrator shall appoint all the department head positions that the governing body approves for appointment. The administrator shall have managerial control over all such departments and may hire and remove all necessary subordinate employees whatsoever. Except as otherwise provided, the administrator shall prescribe the powers and duties of all employees, including department heads and subordinates and may require any employees to perform duties in two or more departments. The administrator shall file with the clerk a list of the names of all employees together with a statement of the salary compensation each is to receive. The administrator shall annually have a review prepared on recommendations to the governing body on the compensation plan and fringe benefit package for all classified city positions as prescribed by the personnel manual, and shall also make recommendations to the governing body concerning the personnel manual position descriptions and position classification changes. The city administrator shall be subject to the superintending control of the mayor.

Section 7. Additional Duties of the City Administrator.

In addition to other duties provided in the ordinance, the city administrator shall have the following additional specific duties.

1. See that all laws and ordinances are observed and enforced.
2. Attend all meetings of the governing body unless excused.
3. Recommend necessary and expedient measures.
4. Prepare and submit to the governing body reports required by it, or that the administrator considers advisable.

5. Keep the governing body fully advised as to the city's financial condition and future needs.
6. Prepare the budget annually, submit it to the governing body and be responsible for its administration after its adoption.
7. Perform all other duties, legally imposed on said position.

Section 8. Municipal Utilities.

The city administrator shall manage any utility owned and operated by the city. The governing body shall fix all rates and compensation to be paid by consumers of water, sewer, sanitation, electric current or any service furnished by any other public utility owned or operated by the city. The city administrator shall enforce all rules, regulations and penalties adopted by the governing body to enforce their collection, or for the protection of the property and rights pertaining to public utilities.

Section 9. Relationship between Governing Body and City Personnel.

Except for the purpose of inquiry, the governing body shall deal with city personnel and with the delivery of administrative services through the city administrator or representative of the city administrator, however, nothing in this section shall prohibit direct contact should efforts to deal through the city administrator fail.

Section 10. Delegation of Duties.

The city administrator shall have the authority to delegate duties assigned to that office to other municipal employees, but shall not have the authority to delegate responsibility for seeing to the proper fulfillment of all such duties and obligations.

Section 11. Interest of Officers and Employees in Municipal Contracts.

A. Any person interested in any contract with the city, except contracts for current supplies for which no competitive bid is required, either individually or as a member of a firm, or as a director of other managing officer of a corporation, except the contract for the lawful compensation or salary of such officer or employees, is ineligible to hold any office or employment except as provided under this section. This subsection shall not be construed to prohibit the leasing of equipment by the city from officers and employees of the city upon approval by the governing body.

B. An exception to the prohibition herein contained shall exist in the case of any member of the governing body in any situation involving a contract, whether submitted by sealed bids or otherwise by the governing body wherein the member may have an interest, directly or indirectly, provided that the following are complied with:

1. The interested member shall reveal the nature and extent of the interest of such member to the other members of the governing body prior to consideration of said contract; and
2. The interested member shall not attempt to influence the other members of the governing body in any way relating to said contract; and
3. The interested member shall leave the council chambers during the consideration, discussion and vote on said contract; and
4. The interested member shall not participate in the consideration or discussion of the said contract nor of a vote thereon; and
5. The interested member shall not act, directly or indirectly, for the city in inspection, operation, administration or performance under the contract in which he has an interest.

Section 12. Acceptance of Benefits.

Except as otherwise provided in sub-paragraph A of the preceding section, no officer or employee of the city may solicit or receive any pay, commission, money or thing of value, or derive any benefit, profit or advantage directly or indirectly from or by reason of any improvement, alteration or repair required by authority of the city, or any contract which is in a party, except the lawful compensation of such officer or employee. NO officer or employee may solicit, accept or receive directly or indirectly from any public service corporation, or the owner of any public utility or franchise of the city, any pass, frank, free ticket, free service, or any other favor, upon terms more favorable than those granted the public generally, except that members of the governing body, who are regularly employed by such public service corporation or owner of public utility or franchise may receive free service or favor as is given to all other similar employees. A violation of any of the provisions of this section disqualifies the offender to continue in the employment of the city, and such offenders shall thereupon be terminated by the city.

Section 13. Fiscal Measures.

A. Duties of Treasurer.

In addition to other duties, the treasurer is the custodian of all money belonging to the city and shall give bond in double the sum of money estimated by the governing body to be at any time in his hands. The treasurer shall keep a separate account of each fund or appropriation, and the debits and credits belonging thereto; give every person paying money into the treasury a receipt specifying date of payment, and on what account paid; and shall file copies of all receipts, except tax receipts, with reports of the office. The treasurer shall keep all monies belonging to the city separate and distinct from monies belonging to the treasurer, and shall not, either directly or indirectly use the city money or warrants for the use and benefit of the treasurer or any other person.

B. Quarterly Report.

The city administrator shall report to the governing body quarterly, a full detailed

account of all receipts and expenditures during the preceding quarter, and the state of the treasury, showing the indebtedness of the city. The administrator shall keep a register of all warrants redeemed and paid during the quarter, describing such warrants, their date, amount, number, the fund from which paid, and person to whom paid, and specifying the time of payment.

C. Disbursements.

Except as otherwise provided, all disbursements shall be made by warrants signed by the city administrator or the city clerk under the administrator's direction and countersigned by the mayor, and no warrant may be drawn in payment of a claim of more than $50.00 until the claim certified by the city administrator has been allowed by resolution of the governing body. Every warrant shall specify its purpose, the fund against which it is drawn, and shall be made payable to the order of the person whose favor it is drawn.

D. Payment of Warrants and Audits.

When any warrant is paid, it shall be immediately cancelled and filed in the office of the city treasurer. They orders drawn upon each fund shall be kept separate. The governing body shall provide the examination during each audit of all cancelled warrants, bonds, and other obligations in the hands of the city administrator.

E. Payment of Bonded Indebtedness.

Principal and interest upon bonds and certificates of indebtedness, when due, may be paid by the city administrator out of the proper funds, upon presentation and surrender to the administrator of the bond, certificate of interest coupon. When paid, they shall be cancelled immediately and filed in the office of the city administrator, in the same manner as warrants.

F. Execution of City Checks.

Every check drawn upon a city depository in payment of a warrant shall be signed by the city administrator or the city clerk under the administrator's direction and countersigned by the mayor, and state clearly thereon the purpose for which it is drawn.

Section 14. Vacation of Streets.

The governing body has the exclusive power and may, by ordinance, vacate any highway, street, lane or alley, or portion thereof. The city may demand and receive the value of the land vacated as consideration of the vacation.

Section 15. Repealer.

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such inconsistency.

Section 16. Saving Clause.

If any section, clause or phrase shall be held unconstitutional or invalid, it shall not affect the balance of this ordinance, which shall remain in full force and effect.

Section 17. Procedure.

This Charter Ordinance shall be passed by a two-thirds vote of all members of the governing body and shall be published one each week for two consecutive weeks in a newspaper of general circulation in the city. This Ordinance shall not take effect until the sixtieth date after its final publication. If prior thereto, a petition signed by a number of qualified electors of Powell, equaling at least ten percent (10%) of the number of votes cast at the last general municipal election, shall be filed in the office of the Powell City Clerk, demanding that this ordinance be submitted to referendum,. Then this ordinance shall not take effect unless approved by a majority of the electors voting thereon. Such referendum election shall be called within thirty days and held within ninety days after the petition is filed.

City
of
RAWLINS

Council Orientation/Handbook materials for this municipality provided by WAM



Wyoming Association of Municipalities

Building Strong Communities

City
of
RIVERTON

Riverton Municipal Code

Riverton, Wyoming

Current through Ordinance 17-029 and the March 2018 code supplement. For more recent amendments to this code, please contact the city.

This document is provided for informational purposes only. Please read the full disclaimer.

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Contact:

City Hall: (307) 856-2227

2.04.010 Authority to adopt personnel policies, rules and regulations.

The mayor and designated representatives, with the approval of the council, are authorized to adopt and establish uniform personnel policies and procedures in the recruitment, promotion, working hours, compensation, retirement, sick leave, vacations and other employee benefits and to adopt and establish uniform rules and regulations applicable to all city employees. (Prior code § 2-1)

View the mobile version.

Riverton Municipal Code

Title 2 ADMINISTRATION AND PERSONNEL

Chapter 2.04 MAYOR AND CITY COUNCIL

Article I. Administration Generally

2.04.020 Mayor's jurisdiction.

The mayor of the city is vested with jurisdiction in those matters specified in this section within one-half mile of the corporate limits of the city, pursuant to the authority provided in Section 15-3-202(b)(ii), Wyoming Statutes 1977, as amended. Specifically, the mayor of the city is vested with jurisdiction over:

A. All matters related to water, wastewater and sewer, except for the provisions of Sections 13.20.550 through 13.20.580, inclusive;

B. All provisions of Titles 17 and 18 of this code, in the half-mile area surrounding the perimeter of the corporate city limits of the Riverton Regional Airport, the legal description of such corporate city limits of the airport being more fully described and illustrated on that certain map and attachment, designated in Ordinance 99-07 as Exhibit A and made a part of this section by reference; and

C. Police power to enforce provisions of state criminal statutes, and to enforce all provisions of city ordinances set forth in subsections A and B of this section. (Prior code § 2-2)

Riverton Municipal Code

Title 2 ADMINISTRATION AND PERSONNEL

Chapter 2.04 MAYOR AND CITY COUNCIL

Article I. Administration Generally

2.04.025 Salaries.

A. The salary for the mayor is six hundred ninety-two dollars and thirty-one cents ($692.31) each employee pay period (twenty-six (26) payments each year). Payment shall be made to the mayor in accordance with the distribution of paychecks being distributed to the employees at the same prescribed times of the month. Nothing contained in this section shall operate to increase or diminish the salary of the mayor whose term of office commenced prior to the effective date of the ordinance codified in this chapter.

B. The salary for each council person regularly attending public council meetings is five hundred dollars ($500.00) each month. Payment shall be made to each council person on a monthly basis in accordance with the distribution of paychecks being distributed to the employees at the same prescribed time of the month. Nothing contained in this section shall operate to increase or diminish the salary of councilmembers whose term of office commenced prior to the effective date of the ordinance codified in this chapter. (Ord. 10-005 § 1, 2010; Ord. 06-019 § 1, 2006; Ord. 05-011, 2005)

Riverton Municipal Code

Title 2 ADMINISTRATION AND PERSONNEL

Chapter 2.04 MAYOR AND CITY COUNCIL

Article IV. Rules of Procedure

2.04.140 Applicability of Robert's Rules of Order.

The governing body shall adopt Robert's Rules of Order in its entirety as the established parliamentary authority to govern the mayor and council in all cases. Such rules of procedure shall apply to all future revisions and editions of Robert's Rules of Order made hereto. (Ord. 15-001 § 2, 2015; Ord. 99-014 § 10, 1999; prior code § 2-19)

City
of
STAR
VALLEY
RANCH

TOWN OF STAR VALLEY RANCH
JOB DESCRIPTION
March 2013

JOB DESCRIPTION – TOWN ADMINISTRATOR

The duties listed below are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the classification if the work is similar, related or a logical assignment.

OVERALL FUNCTIONS – Responsible for ensuring the effective and efficient operation of Town Government and that rules, regulations and policies are adhered to. Directs and coordinates administration of Town Government in accordance with policies determined by the Mayor and Town Council by performing the following duties personally or through subordinate supervisors.

NATURE AND SCOPE OF JOB – A single incumbent position reporting to the Mayor and Town Council. Responsible for supervising, directing and organizing all departments in the Town of Star Valley Ranch except for Municipal Court and Attorney.

SUPERVISORY RESPONSIBILITIES – Manages three subordinate supervisors, the Town Clerk, Public Works Director and Special Municipal Officer who supervise several employees. Is responsible for the overall direction, coordination, and evaluation of these departments. Carries out supervisory responsibilities in accordance with the Town's policies and applicable laws. Responsibilities include interviewing, hiring, and training employees; planning, assigning, and directing work; appraising performance; rewarding and disciplining employees; addressing complaints and resolving problems.

SPECIFIC RESPONSIBILITIES AND DUTIES –

I. Managing People

1. Administer evaluations for supervisors and staff.

    a. Ensures training of supervisors in their management and operational duties and responsibilities

    b. Conducts yearly performance evaluations on supervisors and oversees evaluations on all Town employees.

2. Serve as liaison between employees and Mayor and Town Council.

    a. Makes decisions on disciplinary matters.

b. Approves work shifts, vacations, leaves, and training schedules.

c. Submits pay raise proposals to Mayor and Town Council.

3. Responsible for all complaints registered by the public, involving Town services and/or employees.

II. Managing Resource/Administration

1. Oversees day-to-day management of all Town departments, excluding the Town Attorney and Municipal Court.

2. Prepares Town budget annually; coordinates department budget requests with Council priorities in producing overall Town budget; oversees administration of entire Town Budget.

3. Attends all meetings as directed by the Mayor and Town Council and recommends necessary and expedient measures.

4. Performs all duties as directed by the Mayor and Town Council consistent with State law and Town ordinances.

5. Implements policies and procedures established by the Mayor and Town Council.

6. Develops policy recommendations for Mayor and Town Council approval.

7. Shall manage any utility owned and operated by the Town of Star Valley Ranch. Shall make and enforce the collection, or for the protection of the property and rights pertaining to such public utilities.

III. LEADERSHIP

1. Effectively manages and directs both the staff and operations of the Town.

2. Exercises leadership role in public matters concerning the Town.

3. Participates as requested in public meetings regarding Town business taking leadership as necessary.

IV. DECISION MAKING

1. Makes management level decisions affecting administration of the Town using extensive judgment and discretion.

2. Directs work toward achieving annual goals, which are developed with the Mayor and Town Council; addresses emerging issues; exercises ultimate decision making authority on operating matters.

V. COMMUNICATION

1. Effectively communicates with staff.

2. Effectively communicates with the public in a helpful, friendly and efficient manner

3. Uses both verbal and written communication in an effective manner.

VI. PLANNING

1. Prepares, plans and administers a Town-wide annual budget.

2. Makes a yearly plan for the Town considering efficient use of budget, resources, and personnel.

VII. HUMAN RELATIONS

1. Receives the public and answers questions; responds to inquiries from employees, citizens and others and refers, when necessary, to appropriate persons.

2. Greets citizens in a friendly and timely manner.

3. Maintains strict confidentiality.

4. Works closely with department supervisors, and officials of other government agencies, in a friendly, cooperative manner.

5. Performs public relations activities to private groups, industry, business groups, civic clubs, press, etc.

VIII. ECONOMIC DEVELOPMENT DIRECTOR

1. Administer all grant applications, grant reporting, grand draw requests and final close out procedures.

2. Attend grant hearings representing the Town of Star Valley Ranch and the Town's interest as defined by the Mayor and Town Council.

IX. PREPARATION OF MONTHLY FINANCIAL REPORTS FOR THE TOWN COUNCIL MEETINGS

1. Review all revenue and expenditure categories within the Town's financial system for accuracy and consistency with the Town Treasurer.

2. Prepares and reports on monthly bases the annual budget for the Town.

X. DESIRED MINIMUM QUALIFICATIONS

1. Education and Experience:

   a. Bachelor's degree from a four-year college or university in business, public or business administration or two to three years related experience and/or training or equivalent combination of education and experience.

   b. Five years progressive local government management experience.

   c. Masters degree in Public Administration Preferred.

   d. Must hold or be able to obtain Wyoming Class "C" Drivers License.

2. Necessary Knowledge, Skills and Abilities:

   a. Ability to communicate tactfully and positively with public and associates.

   b. Good writing and public speaking skills.

   c. Ability to travel.

   d. Ability to work variable hours including mornings, evenings and weekends on a routine basis.

PHYSICAL DEMANDS – The physical demands described here are representative of those required by an employee to successfully perform the essential functions of this job.

1. While performing the duties of this job the employee is constantly required to sit, stand, talk, hear, write and read. The employee is frequently required to reach with hands and arms. Occasionally the employee must walk, climb up and down stairs, use a computer keyboard and drive a vehicle. The employee may be required to stand.

2. Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision, depth perception and the ability to adjust focus.

ANALYTICAL – Synthesizes complex or diverse information, collects and researches data, uses intuition and experience to complement data, and designs work flows and procedures.

DESIGN – Generates creative solutions, translates concepts and information into images, uses feedback to modify designs, applies design principles, and demonstrates attention to detail.

PROBLEM SOLVING – Identifies and resolves problems in a timely manner, gathers and analyzes information skillfully, develops alternative solutions, works well in group problem solving situations, and uses reason even when dealing with emotional topics.

PROJECT MANAGEMENT – Develops project plans, coordinates projects, communicates changes and progress, completes projects on time and budget and manages project team activities.

TECHNICAL SKILLS – Assesses own strengths and weaknesses, pursues training and development opportunities, strives to continuously build knowledge and skills, and shares expertise with others.

CITIZEN SERVICE – Manages difficult or emotional citizen situations, responds promptly to citizen needs, solicits public feedback to improve service, responds to requests for service and assistance, and meets commitments.

INTERPERSONAL SKILLS – Focuses on solving conflict, not blaming, maintains confidentiality, listens to others without interrupting, keeps emotions under control, and remains open to other's ideas and tries new things.

ORAL COMMUNICATION – Speaks clearly in English; and persuasively in positive or negative situations, listens and gets clarification, responds well to questions, demonstrates group presentation skills, and participates in meetings.

WRITTEN COMMUNICATION – Writes clearly and informatively in English, edits work for spelling and grammar, varies writing style to meet needs, presents numerical data effectively, and able to read and understand written information.

TEAMWORK – Balances team and individual responsibilities, exhibits objectivity and openness to other' views, gives and welcomes feedback, contributes to building a positive team spirit, puts success of team above own interests, able to build morale and group commitments to goals and objectives, and supports everyone's efforts to succeed.

VISIONARY LEADERSHIP – Displays passion and optimism, inspires respect and trust, mobilizes others to fulfill the vision, and provides vision and inspiration to peers and subordinates.

CHANGE MANAGEMENT – Develops workable implementation plans, communicates changes effectively, builds commitment and overcomes resistance, prepares and supports those affected by change, and monitors transition and evaluates results.

DELEGATION – Delegates work assignment, matches the responsibility to the person, gives authority to work independently, sets expectations and monitors delegated activities, and provides recognition for results.

LEADERSHIP – Exhibits confidence in self and others, inspires and motivates others to perform well, effectively influences actions and opinions of others, accepts feedback from others, and gives appropriate recognition to others.

MANAGING PEOPLE – Includes staff in planning, decision-making, facilitating and process improvement, takes responsibility for subordinates' activities, makes self available to staff, provides regular performance feedback, develops sub-ordinates' skills and encourages growth, solicits and applies citizen's feedback (internal and external), fosters quality focus in others, improves processes, products and services, and continually works to improve supervisory skills.

QUALITY MANAGEMENT – Looks for ways to improve and promote quality and demonstrates accuracy and thoroughness.

BUSINESS ACUMEN – Understands business implications of decisions, and aligns work with strategic goals.

COST CONSCIOUSNESS – Works within approved budget, develops and implements cost saving measures, and conserves organizational resources.

DIVERSITY – Demonstrates knowledge of EEO (equal employment opportunity) policy shows respect and sensitivity for cultural differences, educates others on the value of diversity, promotes a harassment-free environment, and builds a diverse workforce.

ETHICS – Treats people with respect, keeps commitments, inspires the trust of others, works with integrity and ethically and upholds Town values.

ORGANIZATIONAL SUPPORT – Follows policies and procedures, completes administrative tasks correctly and on time, supports organization's goals and values, and benefits organization through outside activities.

STRATEGIC THINKING – Develops strategies to achieve organizational goals, understands organization's strengths and weaknesses, identifies external threats and opportunities, and adapts strategy to changing conditions.

JUDGMENT – Displays willingness to make decisions, exhibits sound and accurate judgment, supports and explains reasoning for decisions, includes appropriate people in decision-making process, and makes timely decisions.

MOTIVATION – Sets and achieves challenging goals, demonstrates persistence and overcomes obstacles, measures self against standard of excellence, and takes calculated risks to accomplish goals.

PLANNING/ORGANIZING – Prioritizes and plans work activities, uses time efficiently, plans for additional resources, sets goals and objectives, organizes and schedules other people and their tasks and develops realistic action plans.

PROFESSIONALISM – Approaches others in a tactful manner, reacts well under pressure, treats others with respect and consideration, accepts responsibility for own actions, and follows through on commitments.

QUALITY – Demonstrates accuracy and thoroughness, looks for ways to improve and promote quality, applies feedback to improve performance, and monitors own work to ensure quality.

QUANTITY – Meets productivity standards, completes work in timely manner, strives to increase productivity, and works quickly.

SAFETY AND SECURITY – Observes safety and security procedures, determines appropriate action beyond guidelines, reports potentially unsafe conditions, and uses equipment and material properly.

ADAPTABILITY – Adapts to changes in the work environment, manages competing demands, changes approach or method to best fit the situation, able to deal with frequent change, delays, or unexpected events.

ATTENDANCE/PUNCTUALITY – Is consistently at work and on time, ensures work responsibilities are covered when absent, and arrives at meetings and appointments on time in a neat and orderly fashion.

DEPENDABILITY – Follows instructions, responds to Mayor and Council direction, takes responsibility for own actions, keep commitments, commits to long hours or work when necessary to reach goals, and competes tasks on time or notifies appropriate person with an alternate plan.

INITIATIVE – Volunteers readily, undertakes self-development activities, seeks increased responsibilities, takes independent actions and calculated risks, looks for and takes advantage of opportunities, and asks for and offers help when needed.

INNOVATION – Displays original thinking and creativity, meets challenges with resourcefulness, generates suggestions for improving work, develops innovative approaches and ideas, and presents ideas and information in a manner that gets others' attention.

QUALIFICATIONS

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required.

LANGUAGE SKILLS

Ability to read, analyze and understand common scientific and technical journals, financial reports, and legal documents. Ability to respond to common inquiries or complaints from citizens, residents, regulatory agencies, or members of the community. Ability to write speeches and articles for publication that conform to prescribed style and format. Ability to effectively present information to Mayor and Town Council, public groups and boards. Have the ability to speak, communicate and understand in English.

MATHEMATICAL SKILLS

Ability to calculate figures and amounts such as discounts, interest, commissions, proportions, percentages, area, circumference, and volume. Ability to apply concepts of basic algebra and geometry.

REASONING ABILITY

Ability to define problems, collects data, establish facts, and draw valid conclusions. Ability to understand instructions in mathematical or diagram form.

TOWN ADMINISTRATOR – POWERS AND DUTIES

(a) The Mayor and Town Council may employ a Town Administrator, and fix compensation by contract or otherwise. The Town Administrator shall receive no other or additional salary for the performance of any of the duties required of the Town Administrator. The Town Administrator is an at-will employee or contractor and serves at the pleasure of the Mayor of the Town of Star Valley Ranch, WY. (The employee is an at-will employee unless there is a written employee contract between the Town and the employee) Salary may be changed from time to time or as deemed necessary, and may be discharged and employment terminated at any time by the Mayor.

(b) The Town Administrator shall give at least thirty (30) days notice in writing to the Mayor and Town Council before resigning his position.

(c) The Mayor and Town Council may employ experts to perform special services upon the recommendation of the Town Administrator or otherwise needed.

The job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.

CITY OF SHERIDAN, WYOMING

55 Grinnell Street, P.O. Box 848, Sheridan Wyoming 82801
Ph (307) 674-6483 Fax (307) 674-2195

Public Works

MEMORANDUM

Project Name:	Approval of Resolution #20-18, Lincoln Drive Minor Subdivision - Community Development Director Brian Craig
From:	Brian Craig, Community Development Director
To:	Mayor and Council
CC:	Mark Collins, City Administrator
Date:	06/21/2018

Recommendation:

Staff recommends the City Council approve Resolution #20-18, the Lincoln Drive Subdivision, a minor subdivision, dividing one lot into 3 lots, zoned B-1 Business District.

The Planning Commission recommended approval at their May 14, 2018 meeting.

Potential Findings of Fact:

Prior to approving the final plat, the City Council will need to make the following findings per Sheridan City Code Appendix B §202:

The City shall not approve any proposed subdivision of land which, by itself, or as a part of a larger tract, is contiguous to or completely surrounded by the boundaries of the City, unless the application is accompanied by a properly-acknowledged petition for annexation to the City.

The City shall not approve any proposed subdivision of land which is within one mile of the corporate limits of Sheridan but not, at the time of submittal, eligible for annexation, unless the application is accompanied by a properly acknowledged agreement not to contest future annexation proceedings.

Every plat shall conform to the Zoning Ordinance currently adopted at the time of final plat approval.

All new subdivision developments within the Airport Influence Area within the city limits of the City of Sheridan shall grant an Avigation Easement to the Sheridan County Airport.

No subdivision shall be approved within the corporate limits of the City of Sheridan, or one mile thereof, unless City Public Works staff concludes that an adequate long-term water supply exists to support the proposed use and density of the subdivision In accordance with City adopted policy. City elected officials acting as Council representatives on other boards or committees that review development shall likewise consider long-range water supply in making any determination.

Background:

Originally platted as the Shining Mountain Subdivision in 2005, the new owner seeks to subdivide a 0.39 acre lot into 3 new lots. The new layout will meet minimum lot area per family of 4000 square feet, if the applicant elects to construct single-family homes on the new lots. No variances are requested. The preexisting twenty foot (20') drainage easement on Lot 1 will remain. Additionally, Lot 1 is significantly larger than the other two lots, but due to the shape of the lot and the existing drainage easement the buildable area is consistent with those of Lots 2 and 3.

Staff has received input from adjacent neighbors on this proposal. Mr. Kim who owns and resides at 825 Lincoln Drive expressed concern regarding the proposed subdivision. He is against the smaller lots, which will only allow for smaller houses or businesses. Mr. Gordon Peterson who owns lots 3 and 4 of Shining Mountain Subdivision across the street from this proposal has also expressed concern that the lots are too small, street parking is a problem and the small houses and limited parking would be an issue. A letter was provided, signed by Mr. Peterson, Mr. Kim and four other property owners opposing this request; the letter is attached to this packet. Direct notification was sent to 17 property owners, in addition to newspaper notification.

Discussion:

Staff offers the following comments on final plat required findings:

1. *The City shall not approve any proposed subdivision of land which, by itself, or as a part of a larger tract, is contiguous to or completely surrounded by the boundaries of the City, unless the application is accompanied by a properly-acknowledged petition for annexation to the City.*

This property falls completely within the City limits, so this condition does not apply.

2. *The City shall not approve any proposed subdivision of land which is within one mile of the corporate limits of Sheridan but not, at the time of submittal, eligible for annexation, unless the application is accompanied by a properly acknowledged agreement not to contest future annexation proceedings.*

Again, not applicable in this case, the property is within the city limits.

3. *Every plat shall conform to the Zoning Ordinance currently adopted at the time of final plat approval.*

The propsoed lots will allow for adeqaute setbacks and development on the lot for single-family residential or modest business uses. The property is zoned B-1 Business District and falls into the Entryway Corridor. Any future improvement will be reviewed and approved through the building permit process as required.

4. *All new subdivision developments within the Airport Influence Area within the city limits of the City of Sheridan shall grant an Avigation Easement to the Sheridan County Airport.*

This subdivision is outside of the Airport influence area.

5. *No subdivision shall be approved within the corporate limits of the City of Sheridan, or one mile thereof, unless City Public Works staff concludes that an adequate long-term water supply exists to support the proposed use and density of the subdivision In accordance with City adopted policy. City elected officials acting as Council representatives on other boards or committees that review development shall likewise consider long-range water supply in making any determination.*

The existing water and sewer service will go to Lot 1. The Utilities Department has determined there is adequate water and sewer capacity to serve Lots 2 and 3; new taps will need to be constructed to those lots and associated

fees paid.

Attachments

Resolution 20-18
Lincoln Drive Subdivision plat
Aerial map

CITY OF SHERIDAN
RESOLUTION 20-18

A RESOLUTION approving PL 18-17, the final plat of the Lincoln Drive Minor Subdivision, platting a parcel of land into three lots, being in total 0.39acres, located at 855 Lincoln Drive.

WHEREAS, the final plat of the Lincoln Drive Minor Subdivision has been reviewed for consistency with Appendix B (Subdivision Regulations) and other applicable City code; and

WHEREAS, all applicable requirements for a final plat, have been met and all documents meet the applicable requirements in Appendix B (Subdivision Regulations) with the exception of the variance from Sheridan City Code Appendix B §502(C)(1) below; and

Now, therefore, be it resolved by the City Council of the City of Sheridan:

That the final plat of the Lincoln Drive Minor Subdivision, platting a parcel of land into three lots, being in total 0.39 acres, located at 855 Lincoln Drive,

Is hereby approved by vote of the City of Sheridan's City Council.

In approving the Lincoln Drive Minor Subdivision, the City Council finds the following as required by Sheridan City Code Appendix B §202:

A. The property is already within the corporate limits of the City and requires no further action as pertains to annexation.

B. The lots as platted conform to the requirements of the City Zoning Ordinance with the exception of the variance granted.

C. The subdivision falls outside of the Airport Influence Area.

D. As concluded by City Public Works staff, there is adequate long-term water supply to serve this subdivision as of the time of this resolution.

PASSED, APPROVED, AND ADOPTED this 16st day of July 2018.

_____
Roger Miller, Mayor

Attest:

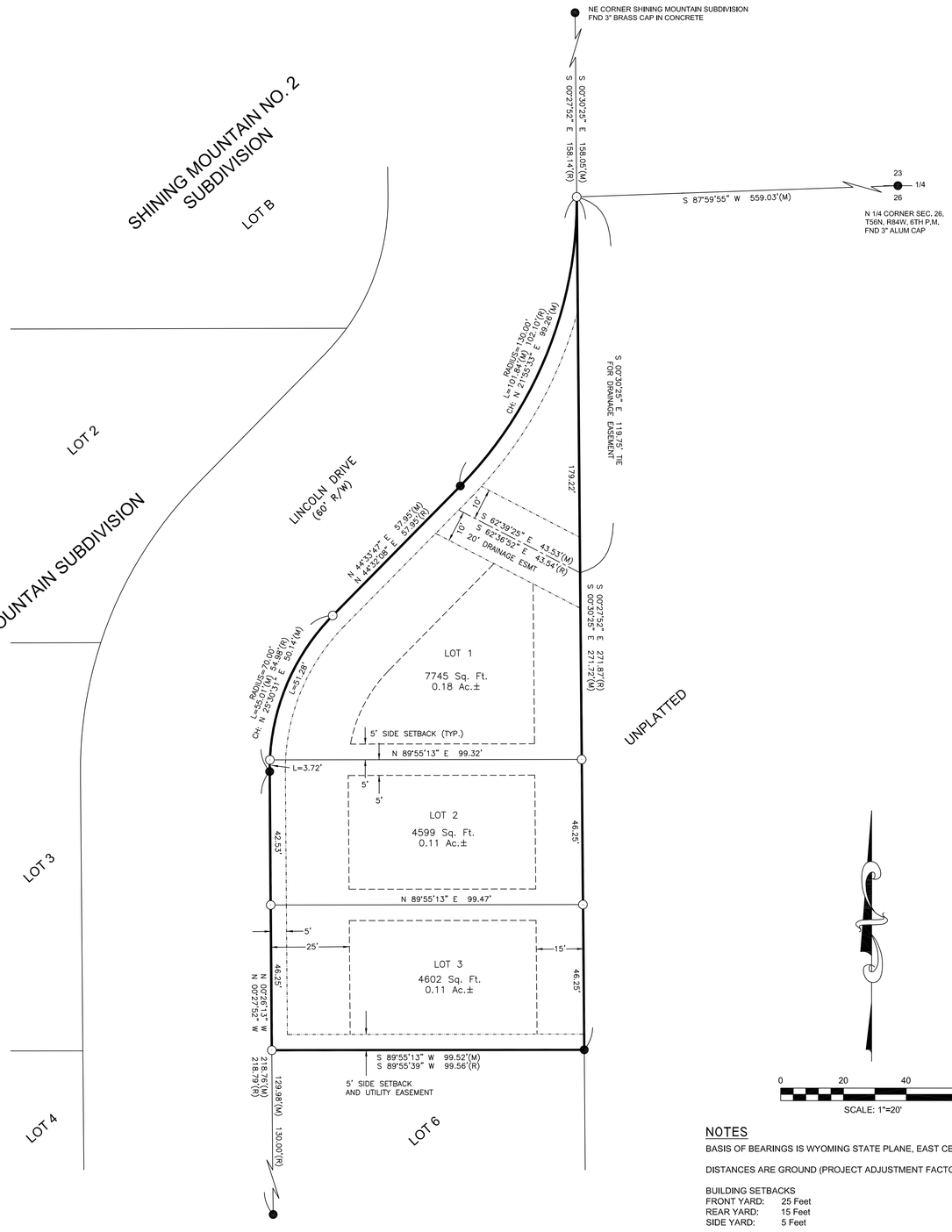
_____
Cecilia Good, City Clerk

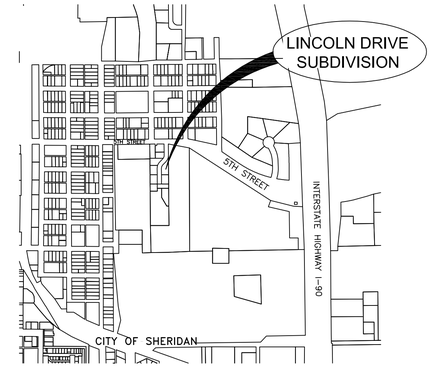
PLAT OF

LINCOLN DRIVE SUBDIVISION

A REPLAT OF LOT 5 OF THE SHINING MOUNTAIN SUBDIVISION,

BEING PART OF THE SE1/4 OF THE SW1/4 OF SECTION 23, AND PART OF THE NE1/4 OF THE NW1/4 OF SECTION 26,
TOWNSHIP 56 NORTH, RANGE 84 WEST, OF THE 6TH PRINCIPAL MERIDIAN, SHERIDAN COUNTY, WYOMING
TOTAL ACREAGE = 0.39 ACRES±





LOCATION MAP
SCALE: 1"=1000'

DECLARATION VACATING PREVIOUS PLATTING

This plat is a replat of Lot 5 of the Shining Mountain Subdivision,being part of the SE¼ of the SW¼ of Section 23, and part of the NE¼ of the NW¼ of Section 26, Township 56 North, Range 84 West of the 6th Principal Meridian, Sheridan County, Wyoming, as recorded in Drawer "5", Plat No. 111, Instrument No. 519076 of the Records of the Sheridan County Clerk. All earlier plats or portions thereof encompassed by the boundaries of this plat are hereby vacated.

CERTIFICATE OF OWNER

Know all men by these presents that the undersigned, SMC,LLC., being the owner, proprietor, or party of interest in the land shown on this plat, does hereby certify:

That the foregoing plat is designated as Lincoln Drive Subdivision, being a Replat of Lot 5 of the Shining Mountain Subdivision, being a part of the SE ¼ of the SW¼ of Section 23, and part of the NE¼ of the NW¼ of Section 26, Township 56 North, Range 84 West of the 6th Principal Meridian, Sheridan County, Wyoming.

That this subdivision, as it is described and as it appears on this plat, is made with the free consent and in accordance with the desires of the undersigned owners and proprietors, and that this is a correct plat of the area as it is divided into lots, blocks, streets and easements; and

That the undersigned owners of the land shown and described on this plat do hereby dedicate to the City of Sheridan and its licensees for public use for the indicated purposes all streets, alleys, easements and other public lands within the boundary lines of the plat, as indicated, and not already otherwise dedicated for public use.

Utility easements, as designated on this plat, are hereby dedicated to the City of Sheridan and its licensees for public use for the purpose of installing, repairing, reinstalling, replacing and maintaining sewers, water lines, gas lines, electric lines, telephone lines, cable television lines, and other forms and types of public utilities now or hereafter generally utilized by the public.

All rights under and by virtue of the Homestead Exemption Laws of the State of Wyoming are hereby waived and released.

Executed this _____ day of _____, 2018 by:

Steve Miller
Jason Miller

_____

STATE OF WYOMING)
) SS:
COUNTY OF SHERIDAN)

On this, the _____ day of _____, 2018, before me, the undersigned officer, personally appeared SMC,LLC., known to me or satisfactorily proven to be the person whose name is subscribed to the foregoing instrument, and acknowledged that he executed the same for the purpose described herein.

In witness hereof, I set my hand and official seal.

_____
Notary Public

CITY OF SHERIDAN CITY COUNCIL CERTIFICATE OF APPROVAL

Approved by the City Council of the City of Sheridan this ____ day of _____, 2018.

_____ _____
Attest: City Clerk Mayor

CITY OF SHERIDAN PLANNING COMMISSION CERTIFICATE OF APPROVAL

Reviewed by the City of Sheridan Planning Commission this ____ day of _____, 2018.

_____ _____
Attest: Vice-Chairman Chairman

DIRECTOR OF PUBLIC WORKS CERTIFICATE OF APPROVAL

This plat has been prepared in accordance with the requirements and procedures outlined in the Subdivision Regulations of the City of Sheridan, Wyoming, and certified this ____ day of _____, 2018, by the Director of Public Works of Sheridan, Wyoming.

_____
Director of Public Works

CERTIFICATE OF RECORDER

STATE OF WYOMING

COUNTY OF SHERIDAN

This plat was filed for record in the Office of the Clerk and Recorder at _____o'clock this ____ day of _____, 2018, and is duly recorded in Book _____ Page _____.

_____
County Clerk

LEGEND:

- ○ - *SET 1.5" ALUM CAP PER PLS#10287*
- ● - *FOUND 2" ALUM CAP PER PELS#3864 UNLESS NOTED*
- *(M) - MEASURED*
- *(R) - RECORD*
- *- - - - UTILITY EASEMENT*
- *— — — SETBACK LINE*

NOTES

BASIS OF BEARINGS IS WYOMING STATE PLANE, EAST CENTRAL ZONE, NAD 83

DISTANCES ARE GROUND (PROJECT ADJUSTMENT FACTOR: 1.000235)

BUILDING SETBACKS
FRONT YARD: 25 Feet
REAR YARD: 15 Feet
SIDE YARD: 5 Feet

SURVEYOR'S CERTIFICATE

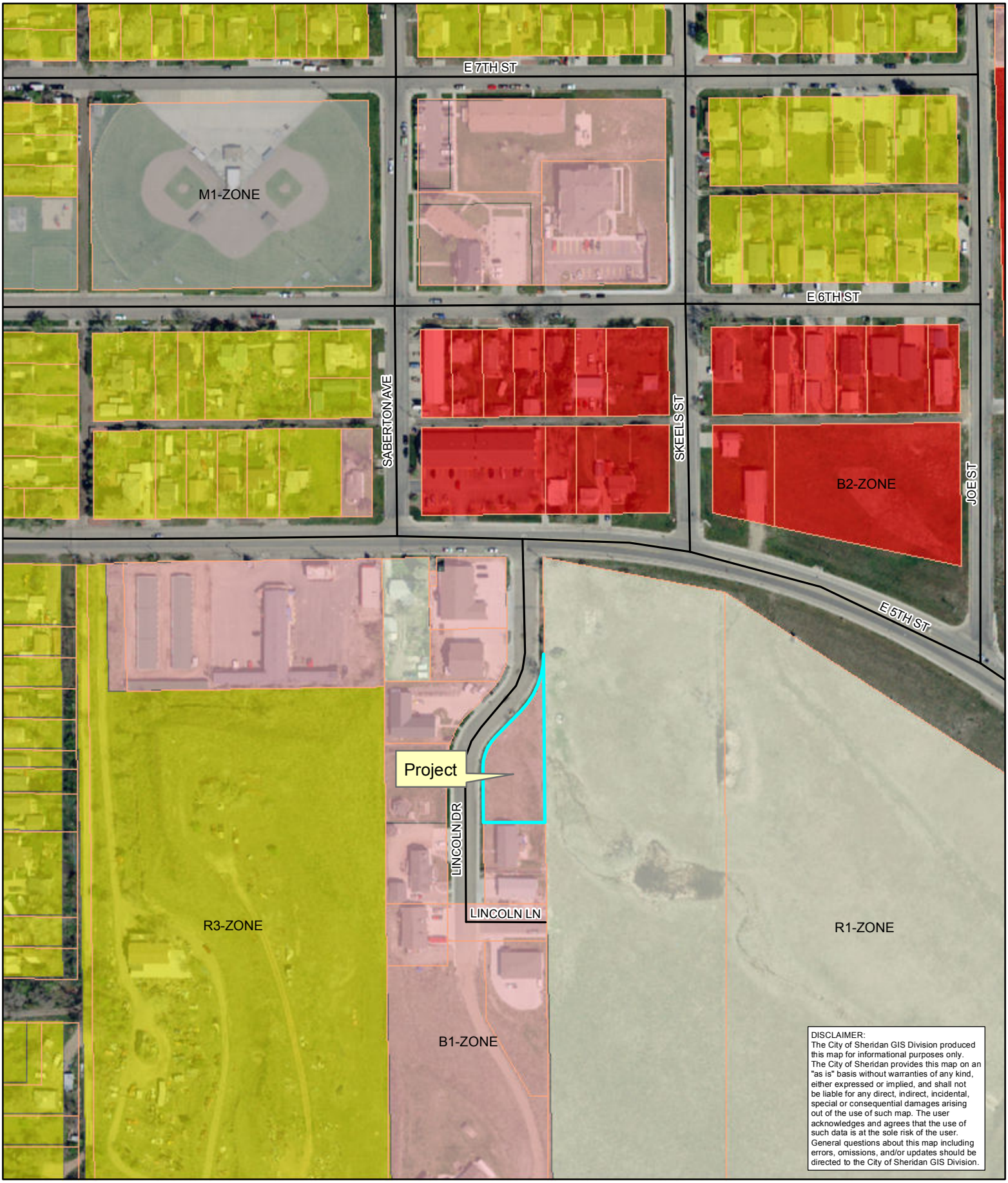
I, Jason D. Levanen, a duly registered Land Surveyor in the State of Wyoming, do hereby certify that this plat of the Lincoln Drive Subdivision truly and correctly represents the results of a survey made by me or under my direct supervision.

Professional Land Surveyor
JASON D. LEVANEN
LS 10287
Date
WYOMING

Prepared for:
SMC, LLC.
P.O. BOX 6112
SHERIDAN, WY 82801

Prepared by:
Arrow Survey Group, Inc.
Sheridan, WY 82801 (307)751-7543

DP: C:\ARROW\...\18-039 Replat | Date: 3/22/2018
Rev: 3/30/2018, 4/13/2018, 5/01/2018 | Sheet 1 of 1



CITY OF Sheridan WYOMING

Lincoln Dr. Subdivision

N

0 50 100 200 Feet

Name: sgoodman Date: 05/04/2018

CITY OF SHERIDAN, WYOMING

55 Grinnell Street, P.O. Box 848, Sheridan Wyoming 82801
Ph (307) 674-6483 Fax (307) 674-2195

Clerk

MEMORANDUM

Project Name:	Appoint City Council President and City Council Vice President.
From:	Cecilia Good, City Clerk
To:	Mayor and Council
CC:	Mark Collins, City Administrator
Date:	07/12/2018

Attachments

Appointment City Council President & Vice President

CITY OF SHERIDAN
55 Grinnell Plaza
P.O. Box 848
Sheridan, Wyoming 82801

phone: 307.674.6483
fax: 307.674.7289
www.sheridanwy.us

DATE: July 12, 2018

FROM: Mayor Roger Miller

TO: City Council; Mark Collins, Sheridan City Administrator

RE: Sheridan City Council Leadership Appointments

I hereby appoint Councilman Rich Bridger as President of Sheridan City Council and Councilman Thayer Shafer as Vice President of Sheridan City Council.

Both appointments are effective immediately.

CITY OF SHERIDAN, WYOMING

55 Grinnell Street, P.O. Box 848, Sheridan Wyoming 82801
Ph (307) 674-6483 Fax (307) 674-2195

Clerk

MEMORANDUM

Project Name:	Appoint a City Council Representative to Sheridan Economic and Educational Development Authority (SEEDA).
From:	Cecilia Good, City Clerk
To:	Mayor and Council
CC:	Mark Collins, City Administrator
Date:	07/12/2018

Attachments

Appt. of Richard Bridger to SEEDA 2018

CITY OF SHERIDAN
55 Grinnell Plaza
P.O. Box 848
Sheridan, Wyoming 82801

phone: 307.674.6483
fax: 307.674.7289
www.sheridanwy.us

DATE: July 12, 2018

FROM: Mayor Roger Miller

TO: City Council; Sheridan Economic and Education Development Authority Board;

RE: Sheridan City Council Representative to SEEDA Board

I hereby appoint Councilman Rich Bridger as a City Council Representative to the SEEDA Board effective immediately.

CITY OF SHERIDAN, WYOMING

55 Grinnell Street, P.O. Box 848, Sheridan Wyoming 82801
Ph (307) 674-6483 Fax (307) 674-2195

Clerk

MEMORANDUM

Project Name:	Approval of Sanford's Grub and Pub Application for a Bar & Grill Liquor License #5 - City Clerk Cecilia Good
From:	Cecilia Good, City Clerk
To:	Mayor and Council
CC:	
Date:	

Attachments

Sanford's Bar & Grill License Application

WLD-31 (4/17)

NEW OR TRANSFER LIQUOR LICENSE OR PERMIT APPLICATION

FOR LIQUOR DIVISION USE ONLY		
Customer #:		
Trf from:		
Reviewer:	Initials	Date
Agent:		/ /
Chief:		/ /

To be completed by City/County Clerk

Local License #: 5

License Fees
Annual Fee: $.
Prorated Fee: $ 5,250.00
Transfer Fee: $.
Publishing Fee: $ 90.00

Date filed with clerk: 6 / 22 / 2018

Advertising Dates: (2 Weeks) 7/05/2018 & 7/12/2018

Hearing Date: 7 / 16 / 2018

Publishing Fee Direct Billed to Applicant: ☐

License Term: 7 (Month) / 16 (Day) / 2018 (Year) Through 12 (Month) / 31 (Day) / 2018 (Year)

LICENSING AUTHORITY: Begin publishing promptly. As W.S. 12-4-104(d) specifies: **NO LICENSING AUTHORITY SHALL APPROVE OR DENY THE APPLICATION UNTIL THE LIQUOR DIVISION HAS CERTIFIED THE APPLICATION IS COMPLETE.**

Applicant: Sanford's Grub & Pub Inc.

Trade/Business Name (dba): Sanford's Grub & Pub

Building to be licensed/Building Address: 1 East Alger St. (Number & Street)
Sheridan (City) WY (State) 82801 (Zip) Sheridan (County)

Mailing Address: 625 Par Dr. (Number & Street or P.O. Box)
Gillette (City) WY (State) 82718 (Zip)

Business Telephone Number: (307) 674-1722 Fax Number: (307) 689-9116

E-Mail Address: Loren@sanfords.biz

Brief legal description and the zoning of the licensed building or site for licensed building: W.S. 12-4-102 (a) (vi)
North 85' of Lot 15 & Lots 16, 18, 20 & 22, Grinnell Block 3

FILING FOR
- ☒ NEW LICENSE
- ☐ TRANSFER OF LOCATION
- ☐ TRANSFER OWNERSHIP
- ☐ ASSIGNMENT LETTER ATTACHED

FORMERLY HELD BY:

FILING IN (CHOOSE ONLY ONE)
- ☒ CITY OF: Sheridan
- ☐ COUNTY OF:

FILING AS (CHOOSE ONLY ONE)
- ☐ INDIVIDUAL
- ☐ PARTNERSHIP
- ☐ LP/LLP
- ☐ LLC
- ☐ CORPORATION
- ☐ LTD PARTNERSHIP
- ☐ ORGANIZATION
- ☐ OTHER

TYPE OF LICENSE OR PERMIT (CHOOSE ONLY ONE)

RETAIL LIQUOR LICENSE
- ☐ ON-PREMISE ONLY (BAR)
- ☐ OFF-PREMISE ONLY (PACKAGE STORE)
- ☐ COMBINATION ON/OFF PREMISE (BOTH BAR & PACKAGE STORE)

- ☐ RESTAURANT LIQUOR LICENSE
- ☐ RESORT LIQUOR LICENSE
- ☒ BAR AND GRILL

LIMITED RETAIL (CLUB)
- ☐ VETERANS CLUB
- ☐ FRATERNAL CLUB
- ☐ GOLF CLUB
- ☐ SOCIAL CLUB

- ☐ MICROBREWERY
- ☐ WINERY
- ☐ DISTILLERY SATELLITE
- ☐ WINERY SATELLITE
- ☐ COUNTY RETAIL or SPECIAL MALT BEVERAGE PERMIT

SPECIAL DESIGNATIONS
- ☐ CONVENTION FACILITY
- ☐ CIVIC CENTER/EVENT CENTER/ PUBLIC AUDITORIUM
- ☐ GOLF CLUB
- ☐ GUEST RANCH
- ☐ RESORT

To Assist the Liquor Division with scheduling inspections: **WHEN DO YOU OPERATE?**

- ☒ FULL TIME (e.g. Jan through Dec) (specify months of operation) from Jan. to Dec.
- ☐ SEASONAL/PART-TIME DAYS OF WEEK (e.g. Mon through Sat) from Mon to Sun
- ☐ NON-OPERATIONAL/PARKED HOURS OF OPERATION (e.g. 10a - 2a) from 11am to 10 pm

ALL APPLICANTS MUST COMPLETE QUESTIONS 1- 6

1. BUILDING OWNERSHIP: Does the applicant? W.S. 12-4-103 (a) (iii)

(1) **OWN** the licensed building? ☐ YES (own)

(2) **LEASE** the licensed building? (Lease must be through the term of the liquor license) ☒ YES (lease)

If Yes, please submit a copy of the lease and indicate:

(A) When the lease expires, located on page 1 paragraph 2 of lease.

(B) Where the **Sales** provision for alcoholic or malt beverages is located, on page 9 paragraph 4 of lease. (MUST contain a provision for SALE OF ALCOHOLIC or MALT BEVERAGES.)

2. To operate your liquor business, have you assigned, leased, transferred or contracted with any other person (entity) to operate and assert total or partial control of the license and the licensed building? W.S. 12-4-601 (b) ☐ YES ☒ NO

3. Does any manufacturer, brewer, rectifier, wholesaler, or through a subsidiary affiliate, officer, director or member of any such firm: W.S. 12-5-401, 12-5-402, 12-5-403

   (a) Hold any interest in the license applied for? ☐ YES ☒ NO

   (b) Furnish by way of loan or any other money or financial assistance for purposes hereof in your business? ☐ YES ☒ NO

   (c) Furnish, give, rent or loan any equipment, fixtures, interior decorations or signs other than standard brewery or manufacturer's signs? ☐ YES ☒ NO

   (d) If you answered **YES** to any of the above, explain fully and submit any documents in connection there within:

   _____

4. Does the applicant have any interest or intent to acquire an interest in any other liquor license issued by **this** licensing authority? W.S. 12-4-103 (b) ☐ YES ☒ NO

   If "YES", explain: _____

5. **If applicant is filing as an Individual, Partnership or Club:** W.S. 12-4-102 (a) (ii) & (iii)

   Each individual, partner or club officer must complete the box below.

True and Correct Name	Date of Birth	Residence Address No. & Street City, State & Zip ***DO NOT LIST PO BOXES***	Residence Phone Number	Have you been a DOMICILED resident for at least 1 year and not claimed residence in any other state in the last year?	Have you been Convicted of a Felony Violation?	Have you been Convicted of a Violation Relating to Alcoholic Liquor or Malt Beverages?
				YES ☐ NO ☐	YES ☐ NO ☐	YES ☐ NO ☐
				YES ☐ NO ☐	YES ☐ NO ☐	YES ☐ NO ☐
				YES ☐ NO ☐	YES ☐ NO ☐	YES ☐ NO ☐
				YES ☐ NO ☐	YES ☐ NO ☐	YES ☐ NO ☐
				YES ☐ NO ☐	YES ☐ NO ☐	YES ☐ NO ☐
				YES ☐ NO ☐	YES ☐ NO ☐	YES ☐ NO ☐

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

6. **If the applicant is a Corporation, Limited Liability Company, Limited Liability Partnership or Limited Partnership:** W.S. 12-4-102 (a) (iv) & (v)

   Each stockholder holding, either jointly or severally, ten percent (10%) or more of the outstanding and issued capital stock of the corporation, limited liability company, limited liability partnership, or limited partnership, **and every officer, and every director** must complete the box below.

True and Correct Name	Date of Birth	Residence Address No. & Street City, State & Zip ***DO NOT LIST PO BOXES***	Residence Phone Number	No. of Years in Corp or LLC	% of Corporate Stock Held	Have you been Convicted of a Felony Violation?	Have you been Convicted of a Violation Relating to Alcoholic Liquor or Malt Beverages?
William Yates	6/8 1964	241 S. Center Casper WY 82601	307-315-2073	23	50%	YES ☐ NO ☒	YES ☐ NO ☒
James Yates	6/26 1966	2605 Summit Dr. Cheyenne, WY 82009	307-432-0029	23	50%	YES ☐ NO ☒	YES ☐ NO ☒
						YES ☐ NO ☐	YES ☐ NO ☐
						YES ☐ NO ☐	YES ☐ NO ☐
						YES ☐ NO ☐	YES ☐ NO ☐
						YES ☐ NO ☐	YES ☐ NO ☐
						YES ☐ NO ☐	YES ☐ NO ☐

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

7. BAR AND GRILL LICENSE:

Have you submitted a valid food service permit or application? W.S. 12-4-413 (a) ☒ YES ☐ NO

8. RESTAURANT LICENSE:

(a) Give a description of the dispensing room(s) and state where it is located in the building. W.S. 12-4-408 (b)
(e.g. 10 x 12 room in SE corner of building):_____

(b) Have you submitted a valid food service permit or application? W.S. 12-4-407 (a) ☐ YES ☐ NO

(c) Have you attached a drawing of the establishment that includes the restaurant dispensing room(s)? W.S. 12-4-410 (f) ☐ YES ☐ NO

9. RESORT LICENSE:

Does the resort complex:

(a) Have an actual valuation of at least one million dollars, or have you committed or expended at least one million dollars ($1,000,000.00) on the complex, excluding the value of the land? W.S. 12-4-401(b)(i) ☐ YES ☐ NO

(b) Include a restaurant and a convention facility which will seat at least one hundred (100) persons? W.S. 12-4-401(b)(ii) ☐ YES ☐ NO

(c) Include motel, hotel or privately owned condominium, town house or home accommodations approved for short term occupancy with at least one hundred (100) sleeping rooms? W.S. 12-4-401(b)(iii) ☐ YES ☐ NO

(d) If no on question (c), have a ski resort facility open to the general public in which you have committed or expended not less than 10 million dollars ($10,000,000.00)? W.S. 12-4-401(b)(iv) ☐ YES ☐ NO

(e) Are you contracting/leasing the food and beverage services? W.S. 12-4-403(b)

1. If Yes, have you submitted a copy of the food and beverage contract/lease? ☐ YES ☐ NO

10. MICROBREWERY LICENSE:

Will the license be held in conjunction with another liquor license? W.S. 12-4-412(b)(iii) ☐ YES ☐ NO

(a) If "YES", please specify type: ☐ RETAIL ☐ RESTAURANT ☐ RESORT ☐ BAR AND GRILL ☐ WINERY

(b) Do you self distribute your products? W.S. 12-2-201(a) (Requires wholesaler license with the Liquor Division) ☐ YES ☐ NO

(c) Do you distribute your products through an existing malt beverage wholesaler? W.S. 12-2-201(g)(i) (Requires authorization to sell license with the Liquor Division) ☐ YES ☐ NO

11. WINERY LICENSE:

Will the license be held in conjunction with another liquor license? W.S. 12-4-412(b)(iii) ☐ YES ☐ NO

(a) If "YES", please specify type: ☐ RETAIL ☐ RESTAURANT ☐ RESORT ☐ BAR AND GRILL ☐ MICROBREWERY

12. LIMITED RETAIL (CLUB) LICENSE:

FRATERNAL CLUBS W.S. 12-1-101(a)(iii)(B)

(a) Has the fraternal organization been actively operating in at least thirty-six (36) states? ☐ YES ☐ NO

(b) Has the fraternal organization been actively in existence for at least twenty (20) years? ☐ YES ☐ NO

13. LIMITED RETAIL (CLUB) LICENSE:

VETERANS CLUBS W.S. 12-1-101(a)(iii)(A):

(a) Does the Veteran's organization hold a charter by the Congress of the United States? ☐ YES ☐ NO

(b) Is the membership of the Veteran's organization comprised only of Veterans and its duly organized auxiliary? ☐ YES ☐ NO

14. LIMITED RETAIL (CLUB) LICENSE:

GOLF CLUBS W.S. 12-1-101(a)(iii)(D)/W.S. 12-4-301(e):

(a) Do you have more than fifty (50) bona fide members? ☐ YES ☐ NO

(b) Do you own, maintain, or operate a bona fide golf course together with clubhouse? ☐ YES ☐ NO

(c) Are you a political subdivision of the state that owns, maintains, or operates a golf course? ☐ YES ☐ NO

1. Are you contracting/leasing the food and beverage services? W.S. 12-5-201(g) ☐ YES ☐ NO
2. If Yes, have you submitted a copy of the food and beverage contract/lease? ☐ YES ☐ NO

WLD-31 (4/17)

15. LIMITED RETAIL (CLUB) LICENSE:

SOCIAL CLUBS W.S. 12-1-101(a)(iii)(E)W.S. 12-4-301(b):

(a) Do you have more than one hundred (100) bona fide members who are residents of the county in which the club is located? ☐ YES ☐ NO

(b) Is the club incorporated and operating solely as a nonprofit organization under the laws of this state? ☐ YES ☐ NO

(c) Is the club qualified as a tax exempt organization under the Internal Revenue Service? ☐ YES ☐ NO

(d) Has the club been in continuous operation for a period of not less than one (1) year? ☐ YES ☐ NO

(e) Has the club received twenty-five dollars ($25.00) from each bona fide member as recorded by the secretary of the club and are club members at the time of this application in good standing by having paid at least one (1) full year in dues? ☐ YES ☐ NO

(f) Does the club hold quarterly meetings and have an actively engaged membership carrying out the objectives of the club? ☐ YES ☐ NO

(g) Have you filed a true copy of your bylaws with this application? ☐ YES ☐ NO

(h) Has at least fifty one percent (51%) of the membership signed a petition indicating a desire to secure a Limited Retail Liquor License? (Petition Attached) ☐ YES ☐ NO

REQUIRED ATTACHMENTS:

☒ A statement indicating the financial condition and financial stability of the applicant W.S. 12-4-102 (a) (vi).

☐ Restaurants: include a drawing of the establishment that includes the dispensing room(s) W.S. 12-4-410 (f).

☒ Attach any lease agreements (especially for resort/political subdivisions leasing out food & beverage services) W.S. 12-4-103 (a) (iii)/ W.S. 12-4-403(b)/W.S. 12-4-301(e).

☐ If transferring a license from one ownership to another, a form of assignment from the current licensee to the new applicant authorizing the transfer W.S. 12-4-601 (b).

OATH OR VERIFICATION

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

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

STATE OF WYOMING)
) *SS.*
COUNTY OF Natrona)

Signed and sworn to before me on this 21st day of June, 2018 that the facts alleged in the foregoing instrument are true by the following:

	(Signature)	(Printed Name)	Title
1)	[signature]	WILLIAM E YATES	VP SEE TITLES
2)	[signature]	James Yates	Pres
3)			
4)			
5)			
6)			

My Commission Expires
March 14, 2024

James Vande Hey
for James Yates
[signature] (SEAL)

JAMES VANDE HEY
NOTARY PUBLIC
State of South Dakota

Witness my hand and official seal:

[signature]
Signature of Notary Public

My commission expires: 6-24-2020

WINDY TAYLOR
Notary Public - Wyoming
Natrona County
My Commission Expires Jun 24, 2020

Sanford's Grub & Pub, Inc. - WY
Sheridan
Balance Sheet
December 30, 2017

	2017	2016
ASSETS		
Current Assets		
Cash	$611.10	$392.07
Accounts Receivable	261.06	129.73
Inventories	22,423.24	19,593.92
Prepaid Expenses	1,296.03	4,392.98
Total Current Assets	**24,591.43**	**24,508.70**
Fixed Assets		
Equipment	183,173.88	183,173.88
Leasehold Improvements	147,997.67	147,997.67
Accumulated Depreciation	(265,888.85)	(259,420.85)
Total Fixed Assets	**65,282.70**	**71,750.70**
Other Assets		
Deposits	5,000.00	5,000.00
Total Other Assets	**5,000.00**	**5,000.00**
TOTAL ASSETS	***94,874.13***	***101,259.40***
LIABILITIES & STOCKHOLDERS' EQUITY		
Current Liabilities		
Accounts Payable	89,132.64	78,444.32
Accrued Property Taxes	(0.00)	(0.00)
Sales Tax Payable	16,673.70	6,792.26
Accrued Expenses Payable	130.10	614.97
Total Current Liabilities	**105,936.44**	**85,851.55**
Long-Term Liabilities		
Intercompany Accounts	(1,367,745.55)	(1,414,065.31)
Total Long-Term Liabilities	**(1,367,745.55)**	**(1,414,065.31)**
Stockholders' Equity		
Accumulated Earnings	1,429,473.16	1,361,646.91
Current Profit (Loss)	(72,789.92)	67,826.25
Total Stockholders' Equity	**1,356,683.24**	**1,429,473.16**
TOTAL LIABILITIES & STOCKHOLDERS' EQUITY	***94,874.13***	***101,259.40***

CITY OF SHERIDAN, WYOMING

55 Grinnell Street, P.O. Box 848,
Sheridan Wyoming 82801
Ph (307)674-6483 Fax (307)674-2195

Mayor Roger Miller City Administrator Mark Collins

LIQUOR LICENSE OPERATION PLAN

Name as it appears on license: Sanford's Grub & Pub Inc.

Common Name (doing business as): Sanford's Grub & Pub

Street Address: 1 East Alger St.

Phone #: 307-674-1722

Type of License (circle): Retail Limited Restaurant (Bar & Grill)

Hours of Operation

Our planned hours of operation are: Sunday through Saturday from 11:00 am to 10:00 pm

Last call will be 30 **minutes before closing and last service will be** 30 **minutes before closing.**

Format

The premises will be operated as: Bar and Grill full service restaurant (Family)

Include:

Nature of business	Regular Events	Special Events
Bar	(Happy Hour)	Competitions of Strength
Package Liquor	~~Live Entertainment~~	Other Special Events
(Restaurant)		

(All outside events require and Malt Beverage or Catering Permit)

Security/ Crowd Control/ Capacity Limits

The Official Capacity limit for our business is:

CITY OF SHERIDAN, WYOMING

55 Grinnell Street, P.O. Box 848,
Sheridan Wyoming 82801
Ph (307)674-6483 Fax (307)674-2195

Mayor Roger Miller City Administrator Mark Collins

Maximum Occupancy 106

In order to comply with our capacity limits we shall:
Only Seat our available seats in the restaurant and manage any Customers waiting for Seats.

We shall maintain peace and order in and around our business by:
Maintaining a family atmosphere in our family restaurant. Manage serving of alcohol to guests.

Rules of the establishment shall be enforced by:
All members of our our leadership and managerial team members. Training of all team members will also help.

Alcohol Management

To comply with laws regarding alcoholic and malt beverages, including the use of eighteen (18) to twenty (20) year old servers in restaurants if applicable, our establishment will:
Have all team members, including 18-20 year olds that deal w/ alcohol get TIPS Certified training.

[signature] 6-20-18

Signature of License Holder **Date**

WILLIAM E. YATES

Printed Name

Issued by:

WYOMING DEPARTMENT OF AGRICULTURE
CONSUMER HEALTH SERVICES
2219 CAREY AVE
CHEYENNE, WY 82002

EQUAL OPPORTUNITY IN EMPLOYMENT AND SERVICES

Retail Food

ACCOUNT # 5641

Whereas this party has made application for the licenses listed below in the State of Wyoming according to the law and agrees to comply with all laws, rules and regulations thereto, including the payment of all required fees, there is hereby issued to the applicant this license. This license is not transferable and, unless revoked, shall expire on the date indicated below.

Issued to:
SANFORD'S GRUB & PUB
1 E ALGER ST
SHERIDAN, WY 82801

EXPIRATION DATE:
6/30/2019

SANFORD'S GRUB & PUB, INC.
SANFORD'S GRUB & PUB, INC.
625 PAR DR
GILLETTE, WY 82718

Director of Dept. of Ag

THIS LICENSE MUST BE CURRENT AND POSTED CONSPICUOUSLY AT THE PHYSICAL LOCATION

COPY

LEASE AGREEMENT

This lease is entered into the first day of January 2014 between Summit Gas Resources, Inc., a Delaware corporation ("Landlord") and Sanford's Grub & Pub, Inc., a Wyoming Corporation, (Tenant").

THE PARTIES AGREE AS FOLLOWS:

1. **Premises:** In consideration of the rents, covenants and agreements contained herein, Landlord leases to Tenant, and Tenant leases from Landlord the space outlined in pink on attached Exhibit A, which comprises a part of the Cady Building located at 5 East Alger Street, Sheridan, WY 82801.

2. **Term:**

   (a) Length of Initial Term. The initial term of this lease shall be for a period of sixty (60) consecutive months, beginning on the commencement date as set forth below. The lease shall terminate on December 31, 2018.
   (b) Length of Additional Terms. Tenant shall have the option, as described in paragraph 5, to extend the initial term for one additional term, with the term consisting of a period of sixty (60) consecutive full months. The additional term shall commence on January 1, 2019 and shall terminate on December 31, 2023.
   (c) Commencement Date and Obligation to Pay Rent. The commencement date for this Lease Agreement and of Tenant's obligation to pay rent hereunder is January 1, 2014.

3. **Monthly Rent:** Tenant agrees to pay Landlord at such places as Landlord may designate, without prior demand therefore and without setoff, as fixed rent, the sum of three thousand dollars ($3,000.00) per month for each calendar month during the sixty (60) months of this lease. If Tenant exercises its option to extend the lease, Tenant shall pay to Landlord the sum of three thousand, five hundred dollars ($3,500.00) per month for each calendar month during the sixty (60) months of the additional term. The rent shall be paid in advance, on the first day of each calendar month during the term of this lease. In the event the commencement date occurs on a day other than the first day of the month, the rent shall be paid on the commencement date for the initial fractional month prorated on a per-diem basis. The same shall be true of the last month of the term. Tenant shall have a ten-day grace period within which to make any rent payment. If the rent is not paid within the grace period (but without notice or demand), Landlord may, in addition to any other rights and remedies, terminate this lease. Tenant shall also pay to Landlord with such

delinquent amount a late charge in an amount equal to 5% of the delinquent amount for the purposes of defraying administrative costs and expenses incident to handling and delinquency. The late charge shall be deemed Additional Rent, and the right to require it shall be in addition to all of Landlord's other rights and remedies hereunder or at law and shall not be construed a liquidated damages or as limiting Landlord's remedies in any manner.

4. **Renewal:** Tenant shall have the option to extend this lease for one additional term, with the term consisting of a period of sixty (60) consecutive full months so long as: (a) Tenant has not been in default under any of its obligations under this lease and (b) Tenant notifies Landlord in writing of its intent to exercise its option for the additional term at least 90 days before the expiration of the initial lease term or the prior additional term. The rental for the additional term shall be as specified in paragraph 4 above.

5. **Use of Premises:** Tenant shall not use the premises for any purpose other than the operation of a restaurant, bar, bakery and related facilities. Tenant shall comply with all governmental regulations concerning the use of the premises. In the event that any state, county or city regulation or statute prohibits the use of the premises for the purpose intended, either party may forthwith cancel this lease.

6. **Parking:** Landlord shall provide Tenant with the use of the 4 parking spaces directly north of the rear access door for Tenant's employee parking.

7. **Taxes:** Landlord shall pay all real property taxes levied or assessed by lawful taxing authorities against the land, buildings and improvements comprising the leased facilities. Tenant shall be assessed 50 percent (50%) of the yearly property tax statement. Tenant is expected to divide amount by 12 and include that amount with monthly rent payment on a calendar year basis beginning January of each year. Tenant's total current portion of property taxes is $2,333.65.

8. **Utilities:** Tenant shall pay for all electricity, gas, garbage removal, water, sewer, and sewer charges for the leased premises. The parties acknowledge that all of the utilities for the kitchen, shared by Tenant and a third-party tenant of Landlord, are on one meter and are being billed to Tenant. The utilities are fairly prorated between Tenant and the third-party tenant of Landlord. In the event of a dispute between the parties over the percentage of the utilities which Tenant should be required to pay, the dispute shall be submitted to a mutually-agreed-upon arbitrator for final determination of the fair percentages. If the parties are unable to agree upon an arbitrator, either party may apply to a court of appropriate jurisdiction for appointment of an arbitrator. When those percentages are determined, the percentages shall be inserted in attached Exhibit C and initialed by the parties. Tenant shall have

the option of installing its own meter at any time with consent of Landlord, which consent will not be unreasonably withheld. Landlord is currently paying for all of the utilities on a second meter for the remainder of the Tenant's leased premises. Landlord charges 50% of the total utilities from this meter back to Tenant. The monthly amount currently charged to Tenant is $563.65. A copy of the monthly bill will be mailed to Tenant to confirm the amount Tenant will pay Landlord.

10. Maintenance:

(a) Tenant Maintenance: Tenant at Tenant's sole cost and expense shall keep the leased premises and equipment and leased items described on Exhibit B in good order, condition and repair. Repairs of mechanical, plumbing, heating, electrical, air conditioning, and swamp cooling systems servicing both the area leased by Tenant and areas leased by third parties from Landlord shall be prorated between Tenant and the third parties in the same manner and percentage as utilities are to be prorated under paragraph 9 above.

(b) Replacement Items: As to the items described on Exhibit B, Tenant shall repair and replace all such items at Tenant's expense. Tenant may also trade any such property for property with a value at least equal to the value of the traded property as is necessary to acquire different equipment which meets the needs of Tenant's operation. Tenant will give written notice to Landlord before making such a trade. Any replacements or trades acquired by Tenant for such items shall become Landlord's property and shall be surrendered by Tenant to Landlord at the termination of this lease free and clear of all liens and encumbrances and claims of third parties.

11. Mechanic's Lien: Should any mechanic's or other lien be filed against the premises or any part thereof by reason of Tenant's acts or omissions or because of a claim against Tenant, Tenant shall cause the same to be canceled and discharged of record by bond or otherwise within ten (10) days after notice from Landlord.

12. Access to Premises: Landlord shall have the right to enter the premises for the purpose of maintenance and repair of any portion of the leased premises or other portions of the building in which the leased premises are located. Landlord shall also have the right to enter the premises to inspect the same or to exhibit the same to prospective purchasers, mortgagees, tenants, and lessees, and to make such repairs, additions, alterations, or improvement as Landlord may deem desirable or as are required by the terms hereof, provided, however, that such activities shall not unreasonably interfere with the business activities of Tenant.

13. **Quiet Enjoyment:** Tenant, upon paying the rents and observing and performing all of the terms, covenants, and conditions on its part to be performed hereunder, shall peaceably and quietly enjoy the premises for the term hereof.

14. **Surrender of Premises:** At the expiration of this lease, Tenant shall surrender the premises as well as the equipment and personal property described on the inventory or its specific replacement which is to be attached hereto in the same condition as they were in upon delivery of possession thereto under this lease, reasonable depreciation, wear and tear excepted, and shall deliver all keys to Landlord. Missing inventory items will be replaced or paid for by Tenant. Before surrendering the premises, Tenant shall remove all of Tenant's personal property and trade fixtures and shall repair any damage caused by such property or the removal thereof. If Tenant fails to remove its personal property and fixtures upon expiration of this lease, the same shall be deemed abandoned and shall, at the option of Landlord, become the property of the Landlord.

15. **Signs:** Subject to Landlord's approval, which Landlord agrees not to unreasonably withhold, Tenant may install a suitable sign or signage pertaining to its business upon the exterior of the Cady Building.

16. **Holding Over:** Any holding over after the expiration of the term hereof or of any renewal term shall be construed to be a tenancy from month to month at the rents herein specified (prorated on a monthly basis) and shall otherwise be on the terms herein specified as far as possible.

17. **Attorney's Fees:** If either Landlord or Tenant institutes any action or proceeding against the other relation to the provisions of this lease or any default hereunder then the unsuccessful party in such action or proceeding agrees to reimburse the successful party for the reasonable expense of such action including reasonable attorney's fees, incurred therein by the successful party.

18. **Condition of Premises:** Tenant has examined the leased premises as well as the buildings and improvements located thereon and the leased equipment. **TENANT ACCEPTS THE LEASED PREMISES AND ALL PROPERTY LOCATED THEREON "AS IS."**

19. **Assignment:** Tenant shall not assign this lease or sublet the leased premises or any interest therein without the written consent of Landlord. A consent by Landlord to one assignment or subletting shall not be deemed to be consent to any subsequent assignment or subletting. An assignment or subletting without the written consent of Landlord, or an assignment or subletting by operation of law, shall be void and, at the option of the Landlord, terminate this lease.

20. **Release and Indemnity:** To the maximum extent permitted by law, Tenant releases, waives and discharges Landlord, its officers, directors, shareholders, employees and successors from all liability to Tenant, its successors and assigns, for any and all loss or damage and any claims or damages resulting therefrom on account of injury to Tenant's person or property while Tenant or Tenant's property is on the leased premises.

To the maximum extent permitted by law, Tenant shall indemnify and hold Landlord, its officers, directors, shareholders, employees and successors harmless from any and all claims and costs arising from Tenant's use or occupancy of the leased property.

21. **Remedies and Termination:** Tenant may terminate this lease at any time after the first twelve (12) months by (a) giving six (6) months' prior written notice of intent to terminate to Landlord and (b) surrendering possession of the premises on the termination date and (c) paying to Landlord the sum of Fifty Thousand Dollars ($50,000.00) payable Four Thousand Dollars ($4,000.00) on the first day of each month until paid, or for the number of month left in the lease term on the termination date, whichever is less, beginning with the first day of the sixth month following the month in which the notice of termination is received by Landlord.

If Landlord leases all of the leased premises to a third party during the termination period Tenant is obligated to pay the Four Thousand Dollars ($4,000.00) per month payment hereunder, Tenant's obligation to continue to make the Four Thousand Dollar ($4,000.00) per month payment shall terminate. If Landlord leases only a portion of the leased premises to a third party during the period Tenant is obligated to pay the Four Thousand Dollar ($4,000.00) per month payment hereunder, Tenant's obligation to make the Four Thousand per month payment shall be reduced by the ratio that the proportion which the area of the premises leased to the third party bears to the total area of the leased premises.

In the event of default, Landlord and Tenant shall each have all of the rights and remedies available to them at law or inequity, and Landlord shall also have the right to remove all property and persons from the leased premises and the right to store in any public warehouse at Tenant's expense all property so removed.

22. **Time:** Time is of the essence in this agreement.

23. **Insurance:** Tenant will, at Tenant's own expense, during the term of this lease, maintain in force a policy of property and liability insurance written by a responsible insurance carrier providing coverage for (1) property, furniture and fixtures, equipment, restaurant facilities, and loss of income and (2) liability (minimum of $1,000,000). Also, Tenant will reimburse Landlord for

any and all increases in insurance premiums on Landlord's master insurance policy for the Cady Building due to the addition of a restaurant facility.

24. **Casualty:** If the leased premises are damaged and such damage is not caused by Tenant or any person on the leased premises with the express or implied consent of the Tenant, then this lease agreement (a) may be terminated at the election of either party if the damage is so extensive as to make it impractical for the Tenant to use the leased premises for the purposes for which the premises were leased or (b) if the damage does not make it impractical for the Tenant to use the property for the purposes for which the premises were leased, then the rent due for the period during which the damage remains unrepaired shall be abated to the amount of that proportion of the rent which the fair rental value of the lease premises after the damage bears to its fair rental value before the damage.

25. **Nonwaiver:** The waiver by Landlord of any breach of any provision of this lease shall not constitute a continuing waiver or waiver of any subsequent breach of the same or different provisions of this lease.

26. **Entire Agreement:** This instrument contains the sole and only agreement between the parties concerning the leased premises and correctly sets forth their rights and obligations as to each other concerning the leased premises as of its date. There are no other agreements or representations respecting the leased premises or the duties of the parties in relation thereto not expressly set forth in this instrument.

27. **Security Deposit:** Tenant shall pay to Landlord a security deposit in the amount of Five Thousand Dollars ($5,000.00) (currently being held by Landlord) to be held by Landlord as follows:

(a) The security deposit shall be held as security for the full and faithful performance by Tenant of the terms, conditions and covenants of this agreement.

(b) The security deposit is not to be deducted by Tenant from rent payments of other charges due hereunder, and Landlord's right to possession of the premises for nonpayment of rent or for any other reason shall not be affected by the reason of the fact that Landlord holds the deposit.

(c) Landlord reserves the right to deduct from the security deposit at any time prior to refund, amounts reasonably necessary to remedy Tenants' defaults under this agreement including, without limitation, payment of rent, to repair damage to the premises and equipment caused by Tenant, or to clean the premises upon termination of the tenancy.

(d) Tenant shall restore the security deposit to its original amount should the use of such funds be required by Landlord during the period of this agreements. Refusal to restore such amount shall be cause for termination of the agreement. Landlord shall provide a written itemization of all deductions made by Landlord.

(e) The security deposit shall be refunded to Tenant within thirty (30) days after Tenant vacates, less any charges made pursuant to this agreement are necessary to compensate Landlord for any loss or damages sustained by Landlord due to breach by Tenant, including, but not limited to, expensed, fees and costs incurred by Landlord in securing full possession of the premises.

28. **Jurisdiction:** Any question of law or fact shall be determined pursuant to Wyoming law. Jurisdiction of any dispute between the parties shall be in the state of Wyoming.

DATED this 23rd day of Sept. 2013

SUMMIT GAS RESOURCES, INC.

By: _____
Peter G. Schoonmaker, President and CEO

ATTEST:

SANFORD'S GRUB & PUB, INC.

By: _____
Bruce J. Kelley, Secretary Treasurer

ATTEST:

Amendment #1 to Lease Agreement entered into on the 1st day of January 2014, between Summit Gas Resources, Inc. ("Landlord") and Sanford's Grub & Pub, Inc.,("Tenant").

WHEREAS, the Lease Agreement states, "In consideration of the rents, covenants and agreements contained herein, Landlord leases to Tenant, and Tenant leases from Landlord the space outlined in pink on attached Exhibit A, which comprises a part of the Cady Building located at 5 East Alger Street, Sheridan WY 82801.

NOW THEREFORE, the Lease Agreement shall be amended to state, " In consideration of the rents, covenants and agreements contained herein, Landlord leases to Tenant, and Tenant leases from Landlord the space outlined in pink on attached Exhibit A, which comprises a part of the Cady Building located at 1 East Alger Street, Sheridan WY 82801."

ALSO

WHEREAS, the Lease Agreement states, "Tenant shall not use the premises for any other purpose other than the operation of a restaurant, bar, bakery and related facilities."

NOW THEREFORE, the Lease Agreement shall be amended to state, "Tenant shall not use the premises for any other purpose other than the operation of a restaurant, bar, bakery and related facilities. Tenant has specific permission of Landlord to sell alcoholic or malt beverages(or alcoholic beverages) which is certainly necessary in the operation of a bar."

LANDLORD:

SUMMIT GAS RESOURCES, INC.

By: _____ **Date:** 12/14/17

Peter G. Schoonmaker, President & CEO

State of Wyoming)
) SS.
County of Sheridan)

The foregoing instrument was acknowledged before me by Peter G. Schoonmaker **this** 14 **day of** December **, 20** 17**.**

Witness my hand and official seal.

_____
Notary Public
My Commission Expires 8/14/2021

ZANE H. DURHAM NOTARY PUBLIC
COUNTY OF SHERIDAN STATE OF WYOMING
MY COMMISSION EXPIRES AUGUST 14, 2021

TENANT:

Sanford's Grub & Pub, Inc.

By: _____ **Date:** 12-8-17

By: _____ **Date:** _____

State of Wyoming)
) SS.
County of Sheridan)

The foregoing instrument was acknowledged before me by William Yates **and** N/A **this** 8th **day of** December **, 20**17**.**

Witness my hand and official seal.

WINDY TAYLOR
Notary Public - Wyoming
Natrona County
My Commission Expires Jun 24, 2020

Notary Public

My Commission Expires 6/24/2020

CITY OF SHERIDAN, WYOMING

55 Grinnell Street, P.O. Box 848, Sheridan Wyoming 82801
Ph (307) 674-6483 Fax (307) 674-2195

Public Works

MEMORANDUM

Project Name:	Approval of Resolution #30-18, Rocky Mountain Electronic Message Center Sign - Community Development Director Brian Craig
From:	Brian Craig, Community Development Director
To:	Mayor and Council
CC:	Mark Collins, City Administrator
Date:	07/11/2018

Recommendation:

Staff recommends the City Council approve Resolution 30-18, a request to approve an Electronic Message Center at Rocky Mountain Sign, Design and Print, located at 611 Coffeen Ave., zoned B1 Business District, with the following condition:

1. Any information displayed on the Electronic Message Center (EMC) shall be static, and messages displayed shall not change their message or copy more than once per ten seconds. Transitions between messages shall occur in two seconds or less.
2. No animation, video, or non-static display or audio shall be allowed.

Sheridan City Code Chapter 3-11A allows for a recommendation of approval of an EMC sign within 300 feet of a single family residence may only be made upon finding that the proposed EMC meets the following criteria:

1. An EMC, or sign incorporating an EMC, installed as freestanding sign shall have a decorative base of masonry or stone.
2. Any information displayed on the Electronic Message Center (EMC) shall be static, and messages displayed shall not change more frequently than once per hour.
3. Messages displayed must be monochromatic (a single color, value and hue) and the background of the EMC must likewise be of a single color, value or hue.
4. The maximum pixel spacing (pixel pitch) shall not exceed 10 mm for a EMC-RGB or 20 mm EMC-Mono.
5. The minimum legal lot or parcel size for which an EMC, or sign incorporating an EMC, can be installed in a residential district is one acre.
6. The EMC will conform in all other ways with the provisions of this section and applicable city code.

Background:

The applicant, Rocky Mountain Sign, Design and Print has submitted a request to install an EMC display, mounted in an existing freestanding sign, on the southwest side of the building 611 Coffeen Ave.

As part of the application process, staff contacted 27 nearest neighbors. Staff has heard neither positive nor negative comments in response to the mailings or press publication.

Discussion:

EMC signs that are within 300 feet of a single family dwelling require Planning Commission and City Council approval. This sign will be perpendicular to both Coffeen Avenue, and the nearest single family residence. Coffeen Ave. is a primary commercial corridor for the community and the orientation of the sign should be the least obtrusive to nearby residences, yet most efficient for traffic on Coffeen Ave.

Staff offers the following comments on the criteria requirement for EMC's:

1. *An EMC, or sign incorporating an EMC, installed as a freestanding sign shall have a decorative base of masonry or stone.*

The proposed signage will be on an existing concrete base.

2. *Any information displayed on the Electronic Message Center (EMC) shall be static, and messages displayed shall not change more frequently than once per hour.*

In a business district the copy may change no more than once per ten seconds, and transitions between messages shall occur in two seconds or less.

3. *Messages displayed must be monochromatic (a single color, value and hue) and the background of the EMC must likewise be of a single color, value or hue.*

Monochromatic is not a requirement in a Business District.

4. *The maximum pixel spacing (pixel pitch) shall not exceed 10 mm for a EMC-RGB or 20 mm EMC-Mono.*

The proposed sign meets this requirement.

5. *The minimum legal lot or parcel size for which an EMC, or sign incorporating an EMC, can be installed in a residential district is one acre.*

Again, this is not in a residential district.

6. *The EMC will conform in all other ways with the provisions of this section and applicable city code.*

At the time of the building permit, Building Department staff will ensure all applicable electrical and building codes are met.

Staff has no further comments at this time.

Attachments

Resolution 30-18
Submittals
aerial

CITY OF SHERIDAN
RESOLUTION 30-18

A RESOLUTION approving PL 18-25, an electronic message center (EMC) sign Rocky Mountain Sign, Design and Print, located at 611 Coffeen Ave., zoned B-1 Business Disrict.

WHEREAS, the electronic sign has been reviewed for consistency with Chapter 3 (Advertising) and other applicable City Code; and

WHEREAS, all applicable requirements for an electronic sign have been approved and the procedure described in Chapter 3 (Advertising) §3-11A (a) have been met, and

WHEREAS, the Planning Commission recommended approval of the electronic message center (EMC) at their July 9, 2018 meeting, NOW THEREFORE

Be it resolved by the City Council of the City of Sheridan, Wyoming, that the electronic message center (EMC) sign for Rocky Mountain Sign, Design and Print, located at 611 Coffeen Ave. is hereby approved by vote of the City of Sheridan's City Council, with the following conditions:

1. An EMC, or sign incorporating an EMC, installed as freestanding sign shall have a decorative base of masonry or stone.
2. Any information displayed on the Electronic Message Center (EMC) shall be static, and messages displayed shall not change more frequently than once per hour.
3. Messages displayed must be monochromatic (a single color, value and hue) and the background of the EMC must likewise be of a single color, value or hue.
4. The maximum pixel spacing (pixel pitch) shall not exceed 10 mm for an EMC-RGB or 20 mm EMC-Mono.
5. The EMC will conform in all other ways with the provisions of this section and applicable city code.

In approving the Electronic message center (EMC) sign for Rocky Mountain Sign, Design and Print, the City Council finds:

The sign has met the requirements of Chapter 3 (Advertising)

PASSED, APPROVED, AND ADOPTED this 16th day of July, 2018.

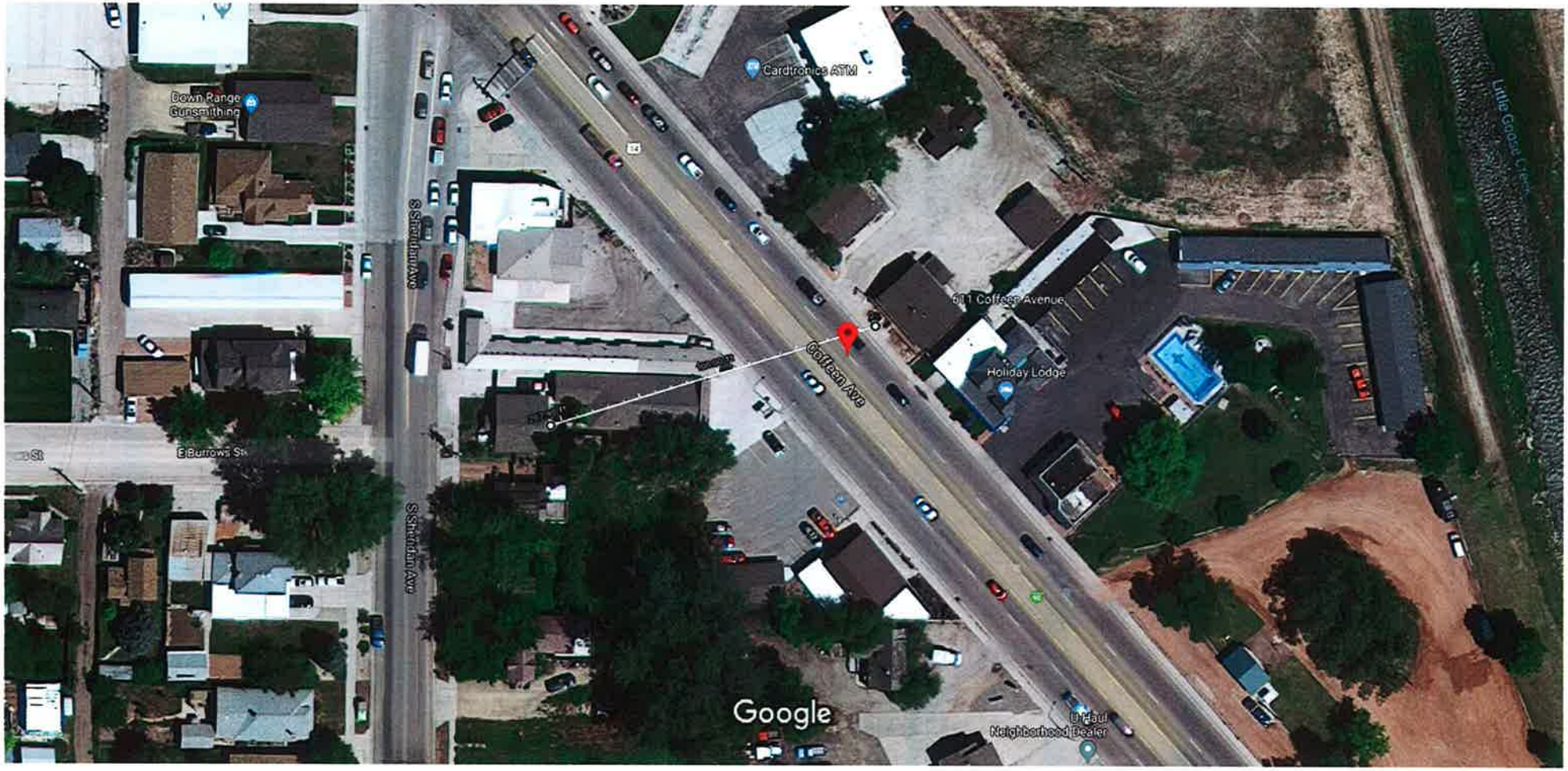
_____
Roger Miller, Mayor

Attest:

_____
Cecilia Good, City Clerk



Google Maps 611 Coffeen Ave



Imagery ©2018 Google, Map data ©2018 Google 50 ft

Measure distance

Total distance: 207.90 ft (63.37 m)


96″
Arcylic Lighted Face
19″
7″
60″
Rocky Mountain
sign, design & print
SANTA
RIDE
& PARTY
41″
106″
16mm RGB EMC


Rocky Mountain
sign, design & print
SANTA
RIDE
& PARTY
10mm RGB EMC
same dimentions as other side


48″
13″

MEGA
LED TECHNOLOGY

6500 Flotilla St.
Commerce, CA, 90040

QUOTE

2707169000012085125

Project Name	Demo Signs
Sales Person	Victor Fernandez
Amount	$ 14,277.00
Valid Till	09/06/2018

Ship To
Neil Fancher
Sheridan
WY

Product Details	Quantity
MP16-37-RFC Premier Full Color LED Display 16mm 3' 5-1/4" x 7' 7-3/4"	1

Premier Series outdoor LED displays feature rugged Line-X coated all aluminum cabinets made right here in the USA. Toll Free Lifetime Diagnostics Support and 5 Year Parts & Factory Labor Warranty, 160 degree viewing angle LEDs on our IP65 Rated front and back water proof modules, Front Serviceable cabinets, Universally Sized Modules to allow easy future upgradability, Conformal Coated Delta Power Supplies, Oversized 12" Deep Cooling Fan Hoods to keep water out of displays, operating temperature -22F to 122F. MET Labs Certified and tested compliant with UL48, UL8750, UL1433

Display Specification
Series: Premier
Total Dimension (ft): 3' 5-1/4" x 7' 7-3/4"
Active Viewing Area (ft): 3' 1-3/4" x 7' 4-1/4"
Pixel Pitch: 16mm
Color Capability: Full Color
Pixel Matrix: 60 x 140
Pixel Configuration: Real Pixel - 1 Red / 1 Green / 1 Blue
Brightness: 11,000 NITS
Viewing Angle: 160 Degree Horizontal / 120V Degree Vertical
Minumum Character Height: 4 3/8 inch
Maximum Character Height: 37 inch
Maximum Lines: 7
Estimated Weight: 215.04 lbs
Maintenance: Front Maintenance

Electrical Requirement Per Face
Regular Operating Watts: 323
Maximum Boot-up Watts: 1075
Max Amps @120V: 9
Max Amps @240V: 4.5
Estimated Monthly Electricity Cost: $17
***Estimated @ Operating 18hrs / Day @ $.10/kWH**

Product Details	Quantity
MP10-37-RFC Premier Full Color LED Display 10mm 3' 5-1/4" x 7' 7-3/4"	1

Premier Series outdoor LED displays feature rugged Line-X coated all aluminum cabinets made right here in the USA. Toll Free Lifetime Diagnostics Support and 5 Year Parts & Factory Labor Warranty, 160 degree viewing angle LEDs on our IP65 Rated front and back water proof modules, Front Serviceable cabinets, Universally Sized Modules to allow easy future upgradability, Conformal Coated Delta Power Supplies, Oversized 12" Deep Cooling Fan Hoods to keep water out of displays, operating temperature -22F to 122F. MET Labs Certified and tested compliant with UL48, UL8750, UL1433

Display Specification
Series: Premier
Total Dimension (ft): 3' 5-1/4" x 7' 7-3/4"
Active Viewing Area (ft): 3' 1-3/4" x 7' 4-1/4"
Pixel Pitch: 10mm
Color Capability: Full Color
Pixel Matrix: 90 x 210
Pixel Configuration: Real Pixel - 1 Red / 1 Green / 1 Blue
Brightness: 9,000 NITS
Viewing Angle: 160 Degree Horizontal / 120V Degree Vertical
Minumum Character Height: 2 3/4 inch
Maximum Character Height: 37 inch
Maximum Lines: 11
Estimated Weight: 215.04 lbs
Maintenance: Front Maintenance

Electrical Requirement Per Face
Regular Operating Watts: 258
Maximum Boot-up Watts: 860
Max Amps @120V: 7.2
Max Amps @240V: 3.6
Estimated Monthly Electricity Cost: $14
***Estimated @ Operating 18hrs / Day @ $.10/kWH**

Wifi - Extended Range 2

Advanced 5 GHz Wireless Communication System designed and built for severe weather conditions. Enables fast, wireless transmission of data files and content seamlessly to your LED display at distances up to 1500 feet apart with line of sight. Protects your important files and LED display messages from outside interference or tampering. Communication is done via tried and tested TCPIP communication with WPA/PSK Security Encryption. - Outdoor access point antenna included - Outdoor sign antenna included - Mounting hardware included.

Auto Dimming Sensor 2

Auto dimming sensor will automatically adjust the LED Display brightness based on ambient light.

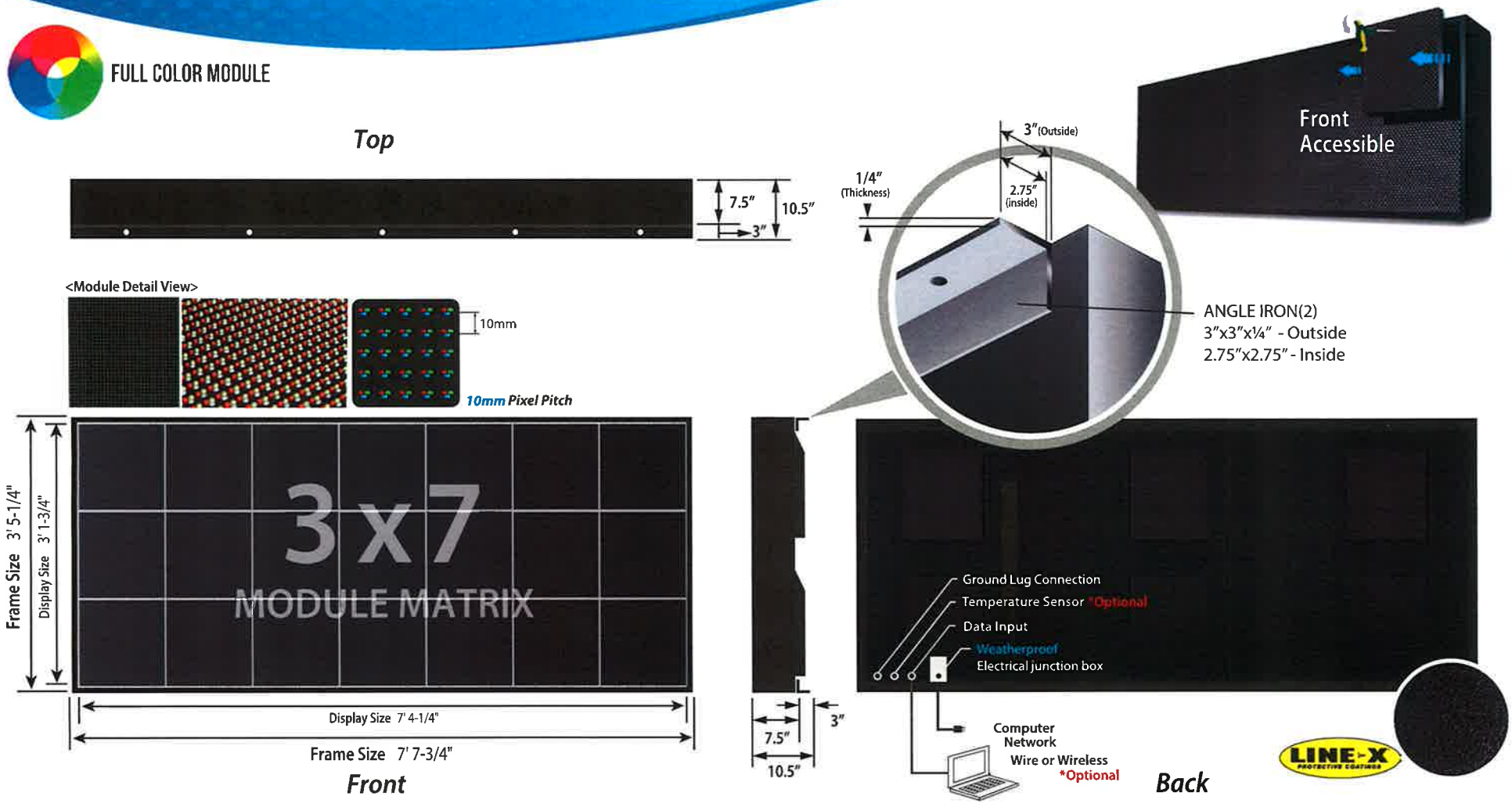
Shipping - Freight 1

Freight Charge - Only covers basic delivery with no extra services.
Carrier will call to schedule time frame for delivery. Extra fees will be billed if any of these services are requested, or conditions exist before or during delivery: Residential, Limited Access, Inside Delivery (carrying product into building), Lift Gate, or Re-Delivery (2nd attempt)

S4 | Premier HD FULL COLOR SERIES
MODEL#MP10-37RFC

Est. Weight	Pixel Matrix	Module Matrix	Frame Size
215.04 lbs	90 x 210 px	3 x 7	3' 5-1/4"(h) x 7' 7-3/4"(w) x 10.5"(d)

FULL COLOR MODULE



In this age of technology, digital LED signs are becoming more and more paramount to the success of business advertising. With our MEGA LED DISPLAY, you have the ability to display ultra sharp text, images, and videos to engage and capture the attention of onlookers. Designed and engineered in our California facilities, you can expect the highest quality out of the MEGA LED DISPLAY : weather proof structure, aluminum body, energy efficiency, conformal coated power supplies, and only the top quality LEDs for vibrant colors and extended lifeline.

* Picture may be different than actual product! This is a reference guide only!

MEGA SIGN, INC.
MEGA LED TECHNOLOGY
6500 Flotilla st. Los Angeles CA 90040
TOLL FREE : 888.315.7446
TEL : 213.746.7445 FAX : 213.764.7442
info@megasigninc.com

Title	Electrical
Premier - S4 - MP10-37RFC	Max Watts: 860 / Max Amps: 7.2 at 120 volts

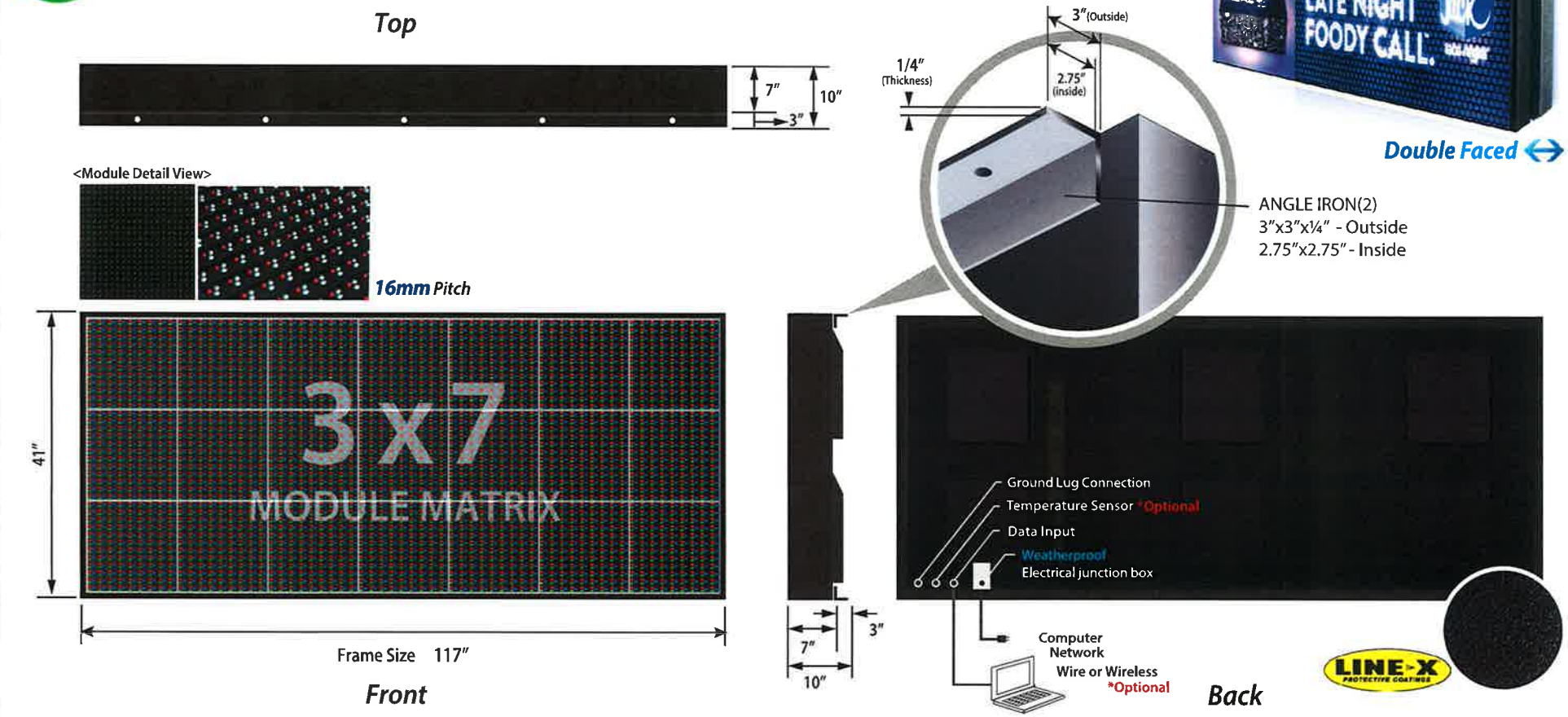
Date	Drawn by	Unit	Sheet
2 / 22 / 2018	Philip K.	Inch	1 of 1

MEGA LED TECHNOLOGY

S4 | Premier HD FULL COLOR SERIES
MODEL#MP16-37RFC

Model #	Pixel Matrix	Module Matrix	Frame Size
MP16-37RFC	60 x 140 px	3 x 7	41"(h) x 117"(w) x 10"(d)

FULL COLOR MODULE



In this age of technology, digital LED signs are becoming more and more paramount to the success of business advertising. With our MEGA LED DISPLAY, you have the ability to display ultra sharp text, images, and videos to engage and capture the attention of onlookers. Designed and engineered in our California facilities, you can expect the highest quality out of the MEGA LED DISPLAY : weather proof structure, aluminum body, energy efficiency, conformal coated power supplies, and only the top quality LEDs for vibrant colors and extended lifeline.

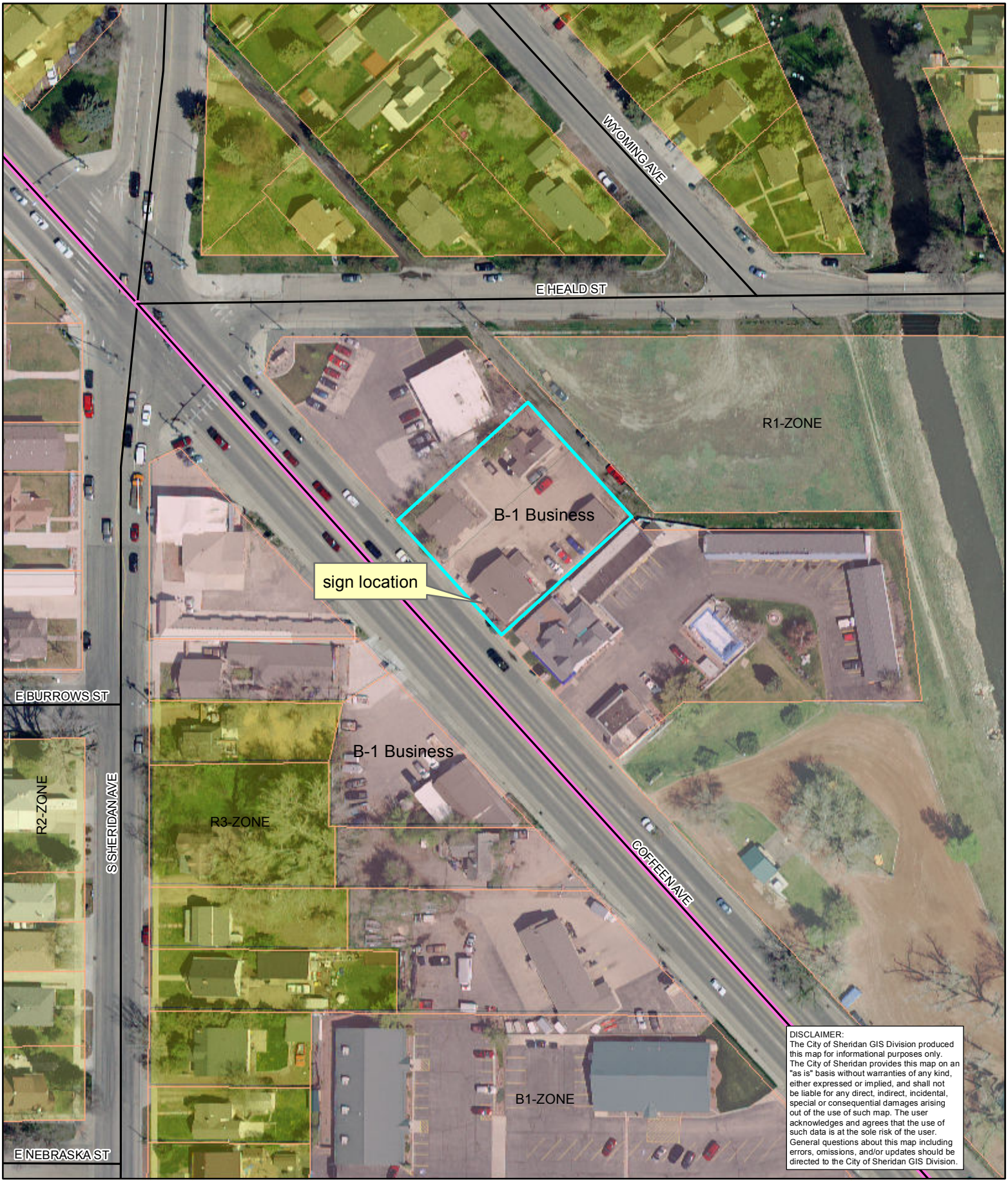
* Picture may be different than actual product! This is a reference guide only!

MEGA SIGN, INC.
MEGA LED TECHNOLOGY
6500 Flotilla st. Los Angeles CA 90040
TOLL FREE : 888.315.7446
TEL : 213.746.7445 FAX : 213.764.7442
info@megasigninc.com

Title	Electrical
Premier - S4 - MP16-37RFC	Each Side: Max Watts: 1075 / Max Amps: 9 at 120 volts

Date	Drawn by	Unit	Sheet
02 / 27 / 2018	Philip K.	Inch	1 of 1

MEGA LED TECHNOLOGY



CITY OF Sheridan WYOMING

EMC sign

N

0 25 50 100 Feet

Name: sgoodman Date: 06/27/2018

CITY OF SHERIDAN, WYOMING

55 Grinnell Street, P.O. Box 848, Sheridan Wyoming 82801
Ph (307) 674-6483 Fax (307) 674-2195

Public Works

MEMORANDUM

Project Name:	Approval of Resolution#31-18 Morrison Ranch PUD Amendment - Community Development Director Brian Craig
From:	Brian Craig, Community Development Director
To:	Mayor and Council
CC:	Mark Collins, City Administrator
Date:	06/21/2018

Recommendation:

Staff recommends the City Council approved for Resolution #31-18, the Morrison Ranch Planned Unit Development (PUD) Amendments regarding building setbacks and lot coverages.

Potential Findings of Fact:

Sheridan City Code Appendix B §806.8 C requires amendments considered substantial changes to the existing Planned Unit Development (PUD) Master Plan to be considered by the City Council for approval. The administrative approval authority given to the Public Works Director is limited to specified required findings, but the Major Amendment as considered by City Council has no required findings. In general the City Council should consider the proposed amendment's conformance to the original intent of the Master Plan.

Background:

In February 2018 a front yard setback change was administratively approved for Lots 25 – 34 of Morrison Ranch PUD to allow a fifteen foot (15') setback for the front setback so long as a twenty foot (20') parking area was accommodated on the lot that does not encroach upon the sidewalk. Additionally, an administrative amendment to reduce side yard setbacks from ten feet (10') to five feet (5') for Lots 9 through 43 of Morrison Ranch PUD was granted in April 2018. The Morrison Ranch developer requested additional modifications to the required setbacks and lot coverage requirements outlined in the Master Plan and staff determined it was best to consider these modifications through the Major Amendment process, which requires Planning Commission consideration and City Council approval.

The Major Amendment request seeks to reduce front yard setbacks to fifteen feet (15') for the entire subdivision provided twenty feet (20') is maintained in front of front loading garage doors. Additionally, the proposal seeks to reduce the rear yard setback for Low Density Residential areas to fifteen feet (15') and side yards to five feet (5'). The proposal seeks to increase the allowable lot coverages for Low and Medium Residential areas to 65%, and 75% respectively.

To date, staff has not received any feedback, positive or negative, regarding this proposal.

Discussion:

Staff believes that these requests are compliant with the spirit and intent of the Sheridan Zoning Ordinance and will not substantially impact the community outside of this neighborhood. Staff was met with the developer and their agents on this project. The applicant has encountered several scenarios where desired floorplans and footprints of potential buyers and builders will not fit within the existing lot setbacks. The proposed reductions other than the front yard setback are in line with what is allowed in R-3 Residence Zoning in our community and are thus consistent with many established neighborhoods in Sheridan. The front yard setback of fifteen feet (15') will allow for some architectural variation and the condition of the twenty foot (20') parking area maintains the intent of the R-3 setback requirement. At this time only one lot within Morrison Ranch is owned separately from the applicant; that owner is in agreement and supportive of this amendment request.

Staff has no further comments at this time.

Attachments

Submittals

aerial

Morrison Ranch, Lots 25-34

RE: Front Building Setback

The topography of these lots demonstrate a 25% to 30% downward slope beyond an average front setback of 35 feet. We recommend reducing the typical front setback from 20 feet to 15 feet in order to provide a minimum grade differential from the main access arterial to the driveway and garage. By minimizing these transitional slopes, we will provide for safer driving conditions and also reduce grading impacts at street level.

Please refer to the following attached Exhibits for reference:

Exhibit A - Side Loading Garage
Exhibit B - Front Loading Garage

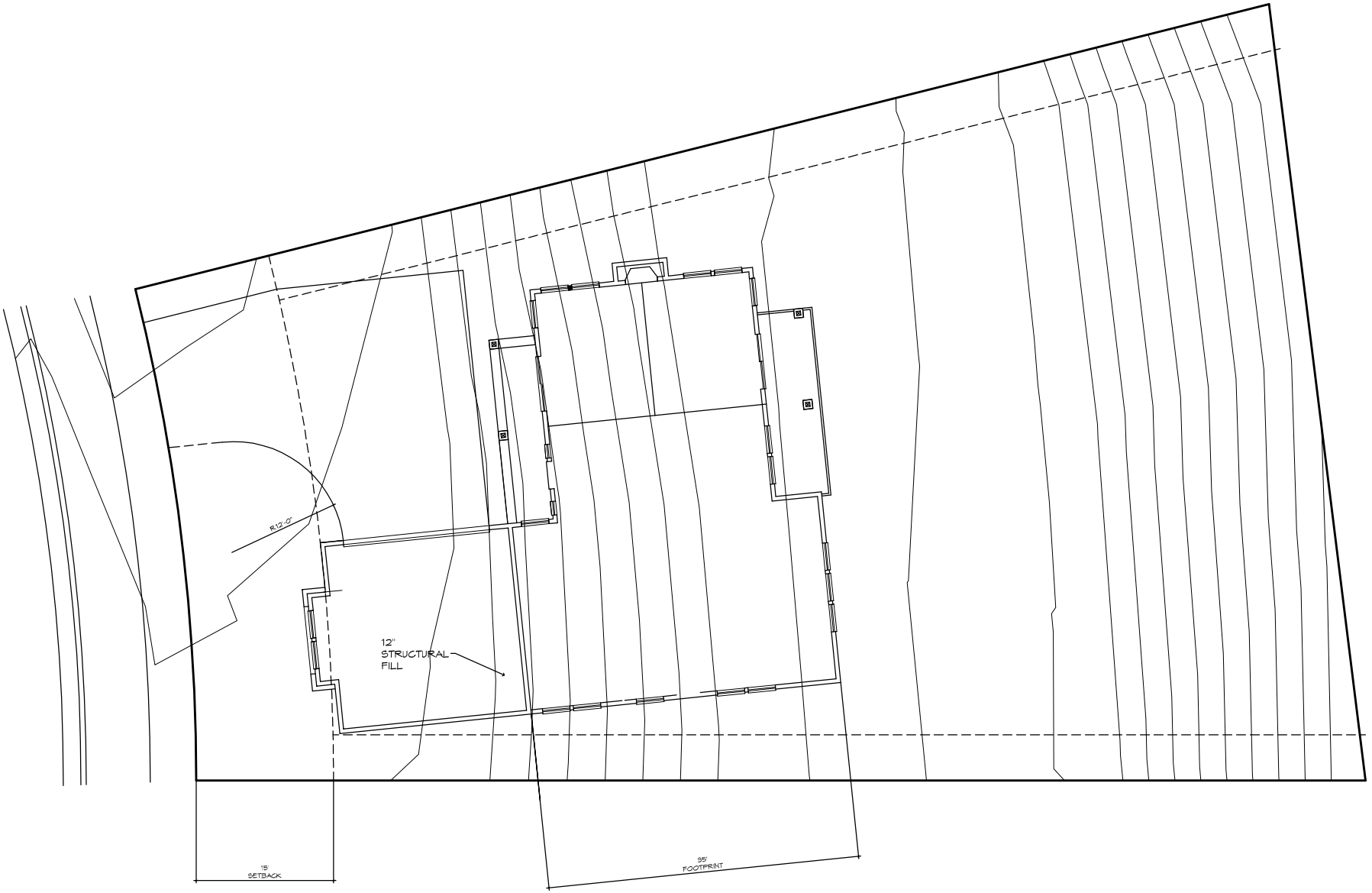


EXHIBIT A

15' FRONT SETBACK - SIDE LOADING GARAGE

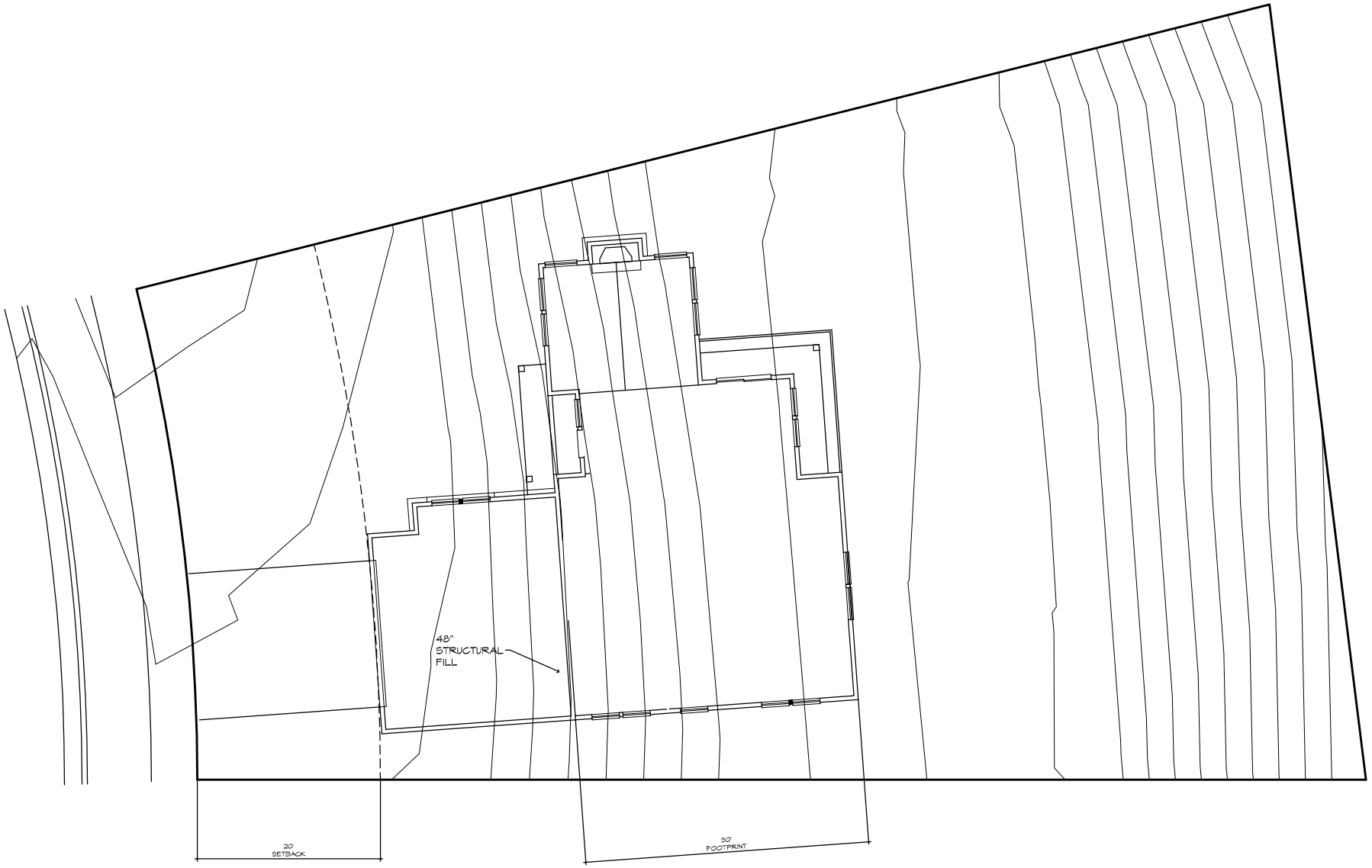


EXHIBIT B

20' FRONT SETBACK - FRONT LOADING GARAGE

FINAL PLAT OF THE
MORRISON RANCH FILING No. 1
TO THE CITY OF SHERIDAN, WYOMING

SITUATED IN THE SE1/4NW1/4, SW1/4NE1/4, E1/2NE1/4SW1/4, AND THE W1/2SE1/4 OF SECTION 3, TOWNSHIP 55 NORTH, RANGE 84 WEST, 6TH PRINCIPAL MERIDIAN, SHERIDAN COUNTY, WYOMING

OWNERS NOTES:

1) OUTLOT 1 THRU OUTLOT 7 SHALL BE (OWNED AND MAINTAINED) BY MORRISON RANCH HOME OWNER'S ASSOCIATION.

2) NO NEW PHASE OF DEVELOPMENT OF THE MORRISON RANCH PLANNED UNIT DEVELOPMENT, PHASE 1 SHALL BE COMMENCED UNTIL THE PUBLIC INFRASTRUCTURE FOR THE PREVIOUS PHASE HAS BEEN COMPLETED, AND ACCEPTED BY THE CITY COUNCIL OF THE CITY OF SHERIDAN. PLEASE REFER TO THE MORRISON RANCH SUBDIVISION AGREEMENT.

SCALE: 1"=60'

BEARINGS ARE BASED ON THE WYOMING COORDINATE SYSTEM NAD 1983, EAST CENTRAL ZONE
DISTANCES ARE SURFACE

GRAPHIC SCALE

-60 0 30 60 120

(U.S. SURVEY FEET)
1 inch = 60 ft.

DATUM:

NAD 83(1993), NAVD 88 (U.S. SURVEY FEET)
DATUM ADJUSTMENT FACTOR (DAF): 1.0002335
DIVIDE SURFACE COORDINATES BY DAF TO CALCULATE THE WYOMING COORDINATE SYSTEM NAD 1983, EAST CENTRAL ZONE, COORDINATES

LEGEND:

- SET 2" ALUMINUM CAP PER PLS 6812
- FOUND 3" BRASS CAP PER PLS 102
- FOUND 2" ALUMINUM CAP PER PLS 6812
- FOUND 1-1/2" ALUMINUM CAP PER PLS 2615
- FOUND 3-1/4" BRASS CAP PER PLS 529
- FOUND 3-1/4" ALUMINUM CAP PER PLS 2615
- FOUND 3-1/4" ALUMINUM CAP PER PLS 6812
- FOUND 1" PLASTIC CAP PER PLS 520
- FOUND HIGHWAY RIGHT-OF-WAY MONUMENT
- FOUND 1-1/2" ALUMINUM CAP UNMARKED
- FOUND 2" ALUMINUM CAP PER PE&LS 3864
- CALCULATED: NOTHING FOUND/NOTHING SET
- (R) RECORD
- (M) MEASURED
- (C) CALCULATED
- WC WITNESS CORNER
- BOUNDARY LINE
- PROPERTY LINE
- SECTION LINE
- INTERIOR SECTION LINE
- HIGHWAY RIGHT-OF-WAY LINE
- CENTERLINE OF 30' WIDE RIGHT-OF-WAY AND UTILITY EASEMENT
- RIGHT-OF-WAY & UTILITY EASEMENT LINE
- SETBACK LINE (LOTS 1-8)
- SETBACK LINE (LOT 9-43)
- CUL-DE-SAC RIGHT-OF-WAY EASEMENT AS NOTED
- UTILITY EASEMENT (10' ADJACENT TO ROADS & 5' ADJACENT TO SIDE LOT LINES)
- 15' OR 20' OR 30' UTILITY EASEMENT LINE (AS NOTED)

NW CORNER FALCON RIDGE DEVELOPMENT

(ZONED R-1)
FALCON RIDGE DEVELOPMENT
OUTLOT B

(R)S80°46'12"E (M)S80°46'29"E (R)425.39' (M)425.33'

SE1/4NW1/4 SW1/4NE1/4 NE1/4SW1/4 NW1/4SE1/4

OUTLOT 3
±5.26 ACRES
OPEN LANDS

(R)N01°43'09"W (M)N01°44'06"W 399.23' (R)399.16'

SHERIDAN COUNTY AIRPORT BUSINESS PARK PHASE 1 (R)N01°32'28"W (M)N01°31'43"W 131.23'

SHERIDAN COUNTY (SHERIDAN COUNTY AIRPORT) (AIRPORT ZONED) 372.87' 241.64'

(R)N78°03'51"E (M)N78°02'24"E (P)250.64' (M)250.56'

(R)N37°11'30"E (M)N37°11'13"E (R)151.39' (M)151.37'

(R)S64°20'42"E (M)S64°21'15"E (R)353.83' (M)353.92' 343.92'

(ZONED R-1)

SW CORNER ASPEN GROVE PUD

(R)S62°15'31"E (M)S62°11'41"E (R)272.97' (M)263.79'

S62°11'41"E 9.33'

(M)N00°51'24"W (R)112.15'

(M)S00°51'24"E (R)334.5' (R)SOUTH (M)334.83' (M)222.78'

(ZONED UR)

(R)S59°30'E (M)S60°24'58"E (M)693.32' 346.72'

149.17' 192.97'

129.49' 192.00'

TRACT 2
±3.00 ACRES
MEDIUM DENSITY RESIDENTIAL

30' RIGHT-OF-WAY AND UTILITY EASEMENT

RIGHT-OF-WAY AND UTILITY EASEMENT

RIGHT-OF-WAY AND UTILITY EASEMENT

15' 121.12'

TO BE VACATED BY THIS PLAT - 80' NONEXCLUSIVE EASEMENT FOR INGRESS & EGRESS (BOOK 435, PAGE 256)

OUTLOT 7
±2.09 ACRES
OPEN LANDS

STA.134+00

STA.135+99.71

WYOMING STATE HIGHWAY No. 332 (AKA BIG HORN AVENUE)

CURVE
Δ=01°59'21"
R=2794.79'
L=97.02'
CB=S00°08'27"W
CL=97.02'

CURVE
Δ=06°49'35"
R=2794.79'
L=332.98'
CB=N04°32'55"E
CL=332.78'

(R)S59°30'00"E (C)S59°56'40"E (C)508.05' 507.25'

S89°55'38"W 4.74'

S00°49'36"E 98.91' 100.73'

N00°49'36"W

10' UTILITY EASEMENT (TYPICAL)

(M)S89°57'57"W (R)N89°30'00"W (M)344.59' 344.59'

314.59' 214.80'

(M)349.80' (R)350.00'

(M)S00°52'26"E (R)S00°00'00"W

TRACT 2
±3.00 ACRES
MEDIUM DENSITY RESIDENTIAL

211.92' S62°53'30"E

140.00' N89°07'34"E

OUTLOT 2
±1.49 ACRES
OPEN LANDS

10' UTILITY EASEMENT (TYPICAL)

(ZONED R-1)

TRACT 1
±5.87 ACRES
MIXED-USE

90.90' S81°52'18"E

138.59' N57°46'42"E

44.57' N36°36'52"E

340.30' 555.39'

135.00'

60.47'

(C)S59°56'40"E 507.25'

JN: 2013-063 & 2008-004
PF: T2008004
DN: 2008_(2008004DF1
OCTOBER 01, 2013

SHEET 2 OF 2

OUTLOT 4
±0.78 ACRES
OPEN LANDS

OUTLOT 5
±1.00 ACRE
OPEN LANDS

OUTLOT 6
±0.17 ACRES
OPEN LANDS

LEGACY ROAD

MORRISON RANCH ROAD

BLOCK 1

BLOCK 2

BLOCK 3

LOT	AREA
1	±8,125 S.F.
2	±6,300 S.F.
3	±6,300 S.F.
4	±6,300 S.F.
5	±6,300 S.F.
6	±7,193 S.F.
7	±9,730 S.F.
8	±7,536 S.F.
9	±9,806 S.F.
10	±11,211 S.F.
11	±9,871 S.F.
12	±9,380 S.F.
13	±9,004 S.F.
14	±10,169 S.F.
15	±12,129 S.F.
16	±10,688 S.F.
17	±13,270 S.F.
18	±11,022 S.F.
19	±10,702 S.F.
20	±13,280 S.F.
21	±10,775 S.F.
22	±9,208 S.F.
23	±8,451 S.F.
24	±12,787 S.F.
25	±8,677 S.F.
26	±8,736 S.F.
27	±8,768 S.F.
28	±8,767 S.F.
29	±8,768 S.F.
30	±8,767 S.F.
31	±8,768 S.F.
32	±8,767 S.F.
33	±8,491 S.F.
34	±8,000 S.F.
35	±8,481 S.F.
36	±8,587 S.F.
37	±8,535 S.F.
38	±8,876 S.F.
39	±8,765 S.F.
40	±8,748 S.F.
41	±8,754 S.F.
42	±8,751 S.F.
43	±8,401 S.F.

20' UTILITY EASEMENT

30' UTILITY EASEMENT

10' UTILITY EASEMENT (TYPICAL)

5' UTILITY EASEMENT (TYPICAL)

NOTE:
60' RADIUS CUL-DE-SAC (PUBLIC RIGHT-OF-WAY EASEMENT FOR INGRESS AND EGRESS). THIS EASEMENT WILL BE VACATED UPON SUBDIVISION OF THIS PROPERTY FOR FUTURE EXTENSION OF THE ROAD. ("NOT A UTILITY EASEMENT")

NOTE:
(20' PUBLIC RIGHT-OF-WAY EASEMENT FOR INGRESS AND EGRESS). THIS EASEMENT WILL BE VACATED UPON SUBDIVISION OF THIS PROPERTY. ("NOT A UTILITY EASEMENT")

NOTE:
70' RADIUS CUL-DE-SAC (PUBLIC RIGHT-OF-WAY EASEMENT FOR INGRESS AND EGRESS). THIS EASEMENT WILL BE VACATED UPON SUBDIVISION OF THIS PROPERTY FOR FUTURE EXTENSION OF THE ROAD. ("NOT A UTILITY EASEMENT")

FUTURE DEVELOPMENT
"NOT PART OF THIS SUBDIVISION"

MINIMUM SETBACK REQUIREMENTS		
LOTS	1-8	9-43
FRONT YARD	20'	25'
SIDE YARD TO STREET	10'	20'
SIDE YARD	5'	10'
REAR YARD	15'	20'

CURVE TABLE

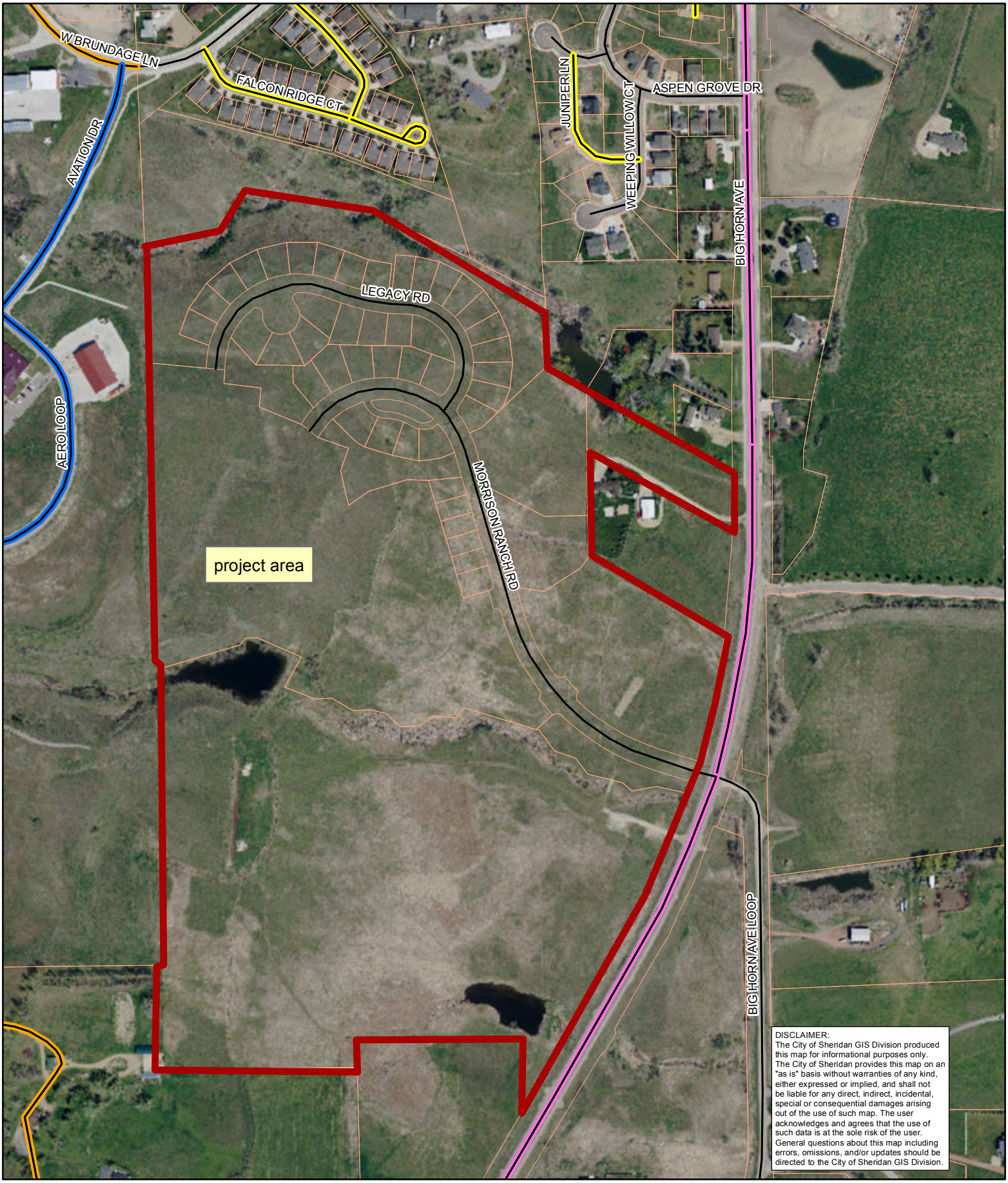
CURVE	RADIUS	DELTA	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	2794.79'	01°26'06"	70.00'	S17°09'26"W	70.00'
C2	2794.79'	00°47'35"	38.68'	S18°16'17"W	38.68'
C3	735.00'	26°59'00"	346.15'	N59°07'25"W	342.96'
C4	665.00'	26°16'09"	304.89'	N59°28'50"W	302.23'
C5	20.00'	85°49'21"	29.96'	N88°32'36"W	27.23'
C6	20.00'	94°53'30"	33.12'	N01°05'59"E	29.47'
C7	20.00'	94°53'30"	33.12'	N84°00'31"W	29.47'
C8	20.00'	85°49'21"	29.96'	N05°38'04"E	27.23'
C9	735.00'	20°44'23"	266.05'	N26°54'25"W	264.60'
C10	665.00'	20°01'32"	232.43'	N26°33'00"W	231.24'
C11	20.00'	90°00'00"	31.42'	N61°32'14"W	28.28'
C12	20.00'	90°00'00"	31.42'	N28°27'46"E	28.28'
C13	240.00'	25°34'07"	107.10'	N29°19'18"W	106.22'
C14	310.00'	21°47'08"	117.87'	N27°25'48"W	117.16'
C14A	310.00'	13°12'12"	71.44'	N31°43'15"W	71.28'
C14B	310.00'	08°34'55"	46.43'	N20°49'42"W	46.39'
C15	70.50'	73°44'21"	90.73'	N84°38'42"E	84.60'
C15A	70.50'	19°27'11"	23.94'	S68°12'44"E	23.82'
C15B	70.50'	54°17'09"	66.80'	N74°55'06"E	64.33'
C16	49.50'	56°58'29"	49.22'	S86°58'22"E	47.22'
C17	200.50'	30°05'34"	105.31'	N73°31'55"W	104.10'
C18	179.50'	30°05'34"	94.28'	N73°31'55"W	93.20'
C18A	179.50'	20°25'57"	64.01'	N78°21'44"W	63.67'
C18B	179.50'	09°39'38"	30.26'	N63°18'57"W	30.23'
C19	49.50'	56°58'31"	49.22'	S60°05'27"E	47.22'
C20	70.50'	73°44'22"	90.73'	S51°42'31"E	84.60'
C20A	70.50'	56°21'53"	69.35'	S43°01'17"E	66.59'
C20B	70.50'	17°22'29"	21.38'	S79°53'28"E	21.30'
C21	20.00'	38°26'36"	13.42'	S12°22'53"E	13.17'
C22	20.00'	38°26'37"	13.42'	N45°19'04"E	13.17'
C23	240.00'	51°32'02"	215.86'	N73°31'55"W	208.66'
C24	240.00'	46°04'50"	193.02'	S52°00'06"W	187.86'
C24A	240.00'	27°34'17"	115.49'	S61°15'23"W	114.38'
C24B	240.00'	18°30'33"	77.53'	S38°12'58"W	77.19'
C25	310.00'	93°12'14"	504.28'	S77°34'03"W	450.49'
C25A	310.00'	12°22'41"	66.97'	N37°09'17"E	66.84'
C25B	310.00'	14°14'38"	77.07'	N50°27'56"E	76.87'
C25C	310.00'	13°39'37"	73.91'	N64°25'04"E	73.73'
C25D	310.00'	13°39'37"	73.91'	N78°04'41"E	73.73'
C25E	310.00'	13°39'37"	73.91'	S88°15'41"E	73.73'
C25F	310.00'	13°39'37"	73.91'	S74°36'04"E	73.73'
C25G	310.00'	11°56'25"	64.60'	S61°48'03"E	64.49'
C26	20.00'	88°19'32"	30.83'	N80°00'24"E	27.87'
C27	20.00'	77°07'33"	26.92'	N00°14'21"E	24.93'
C28	160.00'	124°52'38"	348.72'	N26°35'41"W	283.69'
C28A	160.00'	37°08'25"	103.72'	N17°16'26"E	101.91'
C28B	160.00'	80°42'14"	225.37'	N41°38'53"W	207.19'
C28C	160.00'	07°02'00"	19.64'	N85°31'00"W	19.63'
C29	700.00'	21°21'42"	260.98'	N78°21'09"W	259.47'
C29A	700.00'	04°48'50"	58.81'	N86°37'35"W	58.80'
C29B	700.00'	06°18'20"	77.04'	N81°04'00"W	77.00'
C29C	700.00'	06°19'12"	77.21'	N74°45'14"W	77.18'
C29D	700.00'	03°55'20"	47.92'	N69°37'58"W	47.91'
C30	240.00'	22°38'29"	94.70'	N78°58'32"W	94.09'
C31	20.00'	133°30'15"	46.60'	S22°58'06"W	36.75'
C32	60.00'	228°14'31"	239.01'	S70°20'14"W	109.52'
C32A	60.00'	40°16'56"	42.18'	S23°38'34"E	41.32'
C32B	60.00'	68°09'16"	71.37'	S30°34'32"W	67.24'
C32C	60.00'	52°41'17"	55.17'	N89°00'11"W	53.25'
C32D	60.00'	67°07'02"	70.29'	N29°06'02"W	66.33'
C33	20.00'	133°30'15"	46.60'	N62°17'38"W	36.75'
C34	240.00'	48°01'13"	201.15'	S26°56'38"W	195.31'

CURVE TABLE

CURVE	RADIUS	DELTA	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C34A	240.00'	27°46'21"	116.33'	S37°04'04"W	115.20'
C34B	240.00'	20°14'51"	84.81'	S13°03'27"W	84.37'
C35	1732.45'	00°45'04"	22.72'	S03°18'34"W	22.72'
C36	1672.45'	00°41'31"	20.19'	N03°16'47"E	20.19'
C37	300.00'	109°23'41"	572.79'	N57°37'52"E	489.87'
C37A	300.00'	10°08'07"	53.07'	N08°00'05"E	53.00'
C37B	300.00'	14°42'07"	76.98'	N20°25'12"E	76.77'
C37C	300.00'	14°06'34"	73.88'	N34°49'32"E	73.69'
C37D	300.00'	14°06'34"	73.88'	N48°56'05"E	73.69'
C37E	300.00'	14°05'40"	73.80'	N63°02'12"E	73.61'
C37F	300.00'	14°05'40"	73.80'	N77°07'51"E	73.61'
C37G	300.00'	14°04'45"	73.72'	S88°46'56"E	73.53'
C37H	300.00'	14°04'16"	73.68'	S74°42'26"E	73.49'
C38	640.00'	21°21'42"	238.61'	S78°21'09"E	237.23'
C38A	640.00'	07°53'36"	88.17'	S71°37'06"E	88.10'
C38B	640.00'	08°11'28"	91.50'	S79°39'38"E	91.42'
C38C	640.00'	00°59'05"	11.00'	S84°14'54"E	11.00'
C38D	640.00'	04°17'33"	47.95'	S86°53'14"E	47.94'
C39	220.00'	127°50'02"	490.85'	S25°06'59"E	395.19'
C39A	220.00'	02°57'33"	11.36'	N87°33'14"W	11.36'
C39B	220.00'	14°35'30"	56.03'	N78°46'42"W	55.88'
C39C	220.00'	14°06'27"	54.17'	N64°25'43"W	54.03'
C39D	220.00'	14°06'29"	54.17'	N50°19'15"W	54.03'
C39E	220.00'	14°06'27"	54.17'	N36°12'47"W	54.03'
C39F	220.00'	14°06'29"	54.17'	N22°06'20"W	54.03'
C39G	220.00'	14°06'27"	54.17'	N07°59'52"W	54.03'
C39H	220.00'	14°06'29"	54.17'	N06°06'36"E	54.03'
C39I	220.00'	14°11'42"	54.50'	N20°15'42"E	54.37'
C39J	220.00'	11°26'30"	43.93'	N33°04'47"E	43.86'

CURVE TABLE

CURVE	RADIUS	DELTA	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C40	1732.45'	01°27'04"	43.88'	N04°24'38"E	43.88'
C41	2794.79'	01°03'11"	51.36'	S00°19'38"E	51.36'
C42	2794.79'	00°56'10"	45.66'	S00°40'02"W	45.66'
C43	100.00'	31°05'30"	54.27'	N74°31'37"W	53.60'
C44	950.00'	07°05'40"	117.63'	N55°26'01"W	117.56'
C45	95.00'	18°22'23"	30.46'	N61°04'23"W	30.33'
C46	95.00'	61°13'05"	101.50'	S79°07'53"W	96.74'
C47	400.00'	25°00'37"	174.61'	S61°01'40"W	173.22'
CA	240.00'	05°39'33"	23.70'	N44°56'08"W	23.69'
CB	240.00'	05°39'33"	23.70'	S77°52'18"W	23.69'



CITY OF Sheridan WYOMING

Morrison Ranch
Planned Unit Development

N

0 0.025 0.05 0.1 Miles

Name: sgoodman Date: 06/25/2018

CITY OF SHERIDAN, WYOMING

55 Grinnell Street, P.O. Box 848, Sheridan Wyoming 82801
Ph (307) 674-6483 Fax (307) 674-2195

Utilities

MEMORANDUM

Project Name:	Approval of 10-Year Water Agreement Between Whitney Benefits and the City of Sheridan
From:	Dan Roberts, Utilities Director
To:	Mayor and Council
CC:	Mark Collins, City Administrator
Date:	06/28/2018

Recommendation:

Staff recommends approval of a 10-Year Water Agreement between Whitney Benefits and the City of Sheridan (enclosed).

Background:

Since 2004, the City of Sheridan and Whitney Benefits (Whitney) have entered into a Water Agreement for the purpose of allowing the City of Sheridan to utilize/lease, at no cost to the City, up to 143 shares of Whitney Benefits water in Park Reservoir. In exchange for the lease rights, the water was to be used for irrigation of community recreational properties, good and charitable purposes, and for serving Whitney owned properties at no cost to Whitney or the recipient of the water.

The amount of water Whitney has owned and the amount of that water they have committed to the Agreement has changed slightly over the years. In addition, the City and Recreation District properties, as well as the Whitney properties in which the water is to be utilized, has grown/changed over time as well. The Agreement clearly defines all these factors and establishes terms in which the water is to be utilized and administered.

Whitney currently owns 143 shares of water in Park Reservoir which has not changed over several years. Under the past and proposed Agreement, the City must make 30 shares of that water available to Whitney and the remaining 113 shares may be used for irrigation of City and Recreation District lands. This provides the City with the ability to utilize, at a minimum, 79% of Whitney's water annually. The City's and Recreation District's properties to be irrigated are specifically designated in the Agreement and have been limited to Parks, athletic facilities, and public open spaces that support recreation and education of our community with a focus on benefiting our youth. The Agreement further designates Whitney owned properties, and others where Whitney would like to apply its charitable donations of water.

The Agreement is administered very well by the City as all properties identified in the Agreement are metered for water usage. At the end of each calendar year, the City performs an audit of how Whitney's Park Reservoir water was used and compares it to what's allowed within the Agreement. The findings of the audit are tabulated and formulated into an annual report that is delivered to Whitney Benefits. If the audit determines that Whitney used more than 30 shares of water on their own and designated charitable properties, then they must pay for the excess used. The same would go for the City. The City's and Recreation District's usage is limited to the 79% allowed in the Agreement, beyond which we would have to dip into our own water supplies for irrigation. Historically, the City has annually released 100% of Whitney's water in Park Reservoir and neither the City nor Whitney have used

more than what's allotted under the Agreement. A typical year would show Whitney utilizing no more than 50% of its allocation and the City utilizing between 50 - 75% of its water allocated under the Agreement.

In an average precipitation year, we will start releasing/utilizing the Whitney water mid July and release at a constant rate through the end of September - this is the date when we can no longer release reservoir water by State Engineer rules. In a drought year, this release would begin sooner, in conjunction with releasing the City's water in Park and Twin Lakes, to provide critical supplementation to creek flows that is so valuable to help keep our direct flow right from being called out of priority. If that were to ever happen, we would lose use of that entire direct flow right until streamflows are restored. This has never happened, but it has been because of our ability to supplement with stored water, including this water from Whitney provided under the Agreement. In addition, the Whitney water helps us to irrigate our designated lands during times where we may otherwise need to place restrictions on irrigating.

The past Agreements have traditionally been 2 to 3 year terms. The proposed Agreement is presented as a 10- year term which will allow us to consider the Whitney water as a much more reliable long term source of water.

The previous Water Agreement executed on May 6, 2013, which was amended in a Memorandum of Understanding on April 4, 2015 was structured to do the following:

- Allow Whitney Benefits, as a public service and charitable activity within the City of Sheridan, lease to the City, and without payment, use of 143 shares or 171.6 acre-feet of Whitney water available in Park Reservoir for irrigation and consumptive purposes.
- Each year, provide Whitney properties, as listed in the agreement, with up to 30 shares (equivalent to 36 acre-feet) of water from the City's water distribution system, at no cost.
- Direct the use of water available to the City to irrigate and keep green community recreational properties as listed in the agreement.

The new Water Agreement proposed herein is structured similarly with the following primary changes:

- Agreement has been extended to a 10-year term; which would terminate on July 1, 2028
- Remove Morrill Street area between Whitney Commons and Kendrick Park; and, East 5th Street from City Operated Lands.
- Remove Double Day Baseball Fields from Other Operated Lands.
- Add Gateway Park and Poplar Grove Park to City Operated Lands.

The Water Agreements with Whitney Benefits have historically had term limits requiring periodic renewal. The term of the Water Agreement presented herein with be through July 1, 2028. Staff has worked with Whitney Benefits, and the City's Attorney to develop the desired changes and updates to this new Water Agreement and it is presented tonight in its final form for City Council's consideration.

Thank you for your consideration.

Attachments

Water Agreement

Whitney Water Areas Map

WATER AGREEMENT

This agreement is entered into between Whitney Benefits, a Wyoming nonprofit corporation ("Whitney") whose address is P.O. Box 5085, Sheridan, Wyoming 82801 and the City of Sheridan ("City") whose address is P.O. Box 848, Sheridan, WY 82801.

RECITALS

A. Whitney owns 143.0 shares of stock in Park Reservoir Company which represents 171.60 acre feet of storage in Park Reservoir.

B. The City and Whitney have previously entered into a "Water Agreement" dated May 6, 2013, which was amended on April 4, 2015.

C. The City was entitled to utilize 143.0 shares of stock in Park Reservoir as per the 2015 Amendment to the Agreement.

D. Whitney and the City desire the lease to the City be set at 143.0 shares of Whitney's water in Park Reservoir or 171.60 acre feet of storage water to be used by the City for irrigation of certain lands operated by the City and Recreation District in Sheridan, Wyoming and that the storage represented by 30.0 shares of the stock in Park Reservoir Company owned by Whitney (36.0 acre feet of storage) is available for use on certain areas within the City of Sheridan on which Whitney conducts its charitable activities and its other business activities, such as Whitney Plaza PUD, Whitney Commons, Jefferson Street Properties, Adam's Ranch, Brundage Lane and Connor Street Properties, various pathway extensions and for use on certain areas where activities supported by Whitney are conducted.

E. The parties agree and acknowledge that, as future needs and uses change, allocation and use of the 143.0 shares of Whitney water may be changed through an amendment to this Agreement.

F. The parties acknowledge that as a public and charitable service, Whitney is willing to allow the City to use water without any payment from the City.

It is, therefore, revised and agreed to as follows:

1. **Lease.** Whitney leases to the City the right to take on an annual basis 143.0 of Whitney's share of water available in Park Reservoir. The parties expect that this share will be 171.60 acre feet of water, but may vary according to the water available to be stored in Park Reservoir.

2. **Term.** This revised agreement shall be effective for calendar years 2018 through 2027 and will terminate on July 1, 2028.

3. **No Payment Required.** City shall not be required to pay Whitney any money for the use of this water.

4. **Use on Whitney Properties.** Because the amount of water which City is entitled to take and use under this agreement greatly exceeds the quantity of water that would be necessary for the irrigation or use on certain properties where Whitney conducts it charitable activities within the City of Sheridan, the City will supply, at no cost to Whitney Property, through the City's water distribution system, up to 36.0 acre feet of water each year. This water may be used by Whitney on properties within the City of Sheridan on which Whitney conducts its charitable activities, including, without limitation of use, water for the following locations:

   - Whitney Commons for irrigation, including the water feature and the water fountain, and public restrooms;
   - Whitney Plaza PUD for irrigation, including water for irrigation of the Whitney pathway between Sheridan Ice LLC and Alger Street, among other Whitney pathway extensions;
   - Whitney Jefferson Street Properties (260 & 300 N. Jefferson Street), for irrigation;
   - Adam's Ranch for agricultural educational purposes not to exceed 13 shares or 15.6 acre feet annually; and
   - Whitney Owned Properties (321 E. Brundage St. and 145 N. Connor Suite 1)

The aforementioned properties are hereafter referred to as the "Whitney Properties."

The use of this water shall be generally applied as identified in Table 1; however, for annual report and billing purposes, Whitney and the City agree that these shares will be evaluated and adjusted on an annual basis as usage may change from location to location in the future.

TABLE 1: WHITNEY PROPERTIES

Location	Meter ID	Annual Metered Quantity to be applied for Irrigation (Proposed Annual Water Bill Adjustment)			
		Park Res. Shares	acre-feet	cubic-feet	gallons
Whitney Plaza Outlot A - Summer Tap	63780947	4.0	4.8	209,088.0	1,564,082.8
Whitney Plaza Outlot G - 350 Park Lane	65102582	2.0	2.4	104,540.0	782,011.5
Whitney Plaza Outlot M - 382 Whitney Lane	10249626	2.0	2.4	104,540.0	782,011.5
Whitney Commons	14249858	15.0	18.0	784,080.0	5,865,310.4
260 & 300 North Jefferson Street Properties	68775002	3.0	3.6	156816.0	1,173,062.1
Adam's Ranch	71375666	3.0	3.6	156816.0	1,173062.1
Whitney-321 E. Brundage St. and 145 N. Connor Suite 1 Properties	66266111 - 66266418	1.0	1.2	52,272.0	391,020.7
	TOTAL =	**30.000**	**36.000**	**1,568,152.0**	**11,730,561.1**

So long as the quantity of water consumed on the Whitney Properties does not exceed 36.0 acre feet on an annual basis, Whitney shall not be subject to water use restrictions imposed by the City of Sheridan on other water users and shall not be required to pay for any water used on any Whitney Properties.

5. **Use of Water.** The City will use this water prudently and will not waste the water. The City will use this water to irrigate and keep green the following community recreational properties:

- City Operated Lands:
  - Kendrick Park
  - Kendrick Park Elk Pasture
  - Henry Burgess Bridge location
  - Washington Park
  - Emerson Park (Sheltered Acres)
  - Lions Club Park (Dog Park)
  - Marshall Park
  - Mill Park
  - Crooks Campaign Park
  - Rotary Park
  - North Heights Park
  - Dow Street Greenway
  - Sheridan Avenue/Coffeen Avenue Greenway
  - Gould Street/Coffeen Avenue Greenway
  - 121 S. Main Street
  - Brooks Street Parking Lot
  - Gateway Park
  - Poplar Grove Park

RGG

- Recreation District Operated Lands:
  - Thorne-Rider Park
  - Oatts Field
  - Dan Madia Soccer Field

- Sheridan County Operated Lands:
  - Sheridan County Fairgrounds

The City shall take and use this water according to all applicable rules and regulations of Park Reservoir Company and according to all applicable laws and regulations of the State of Wyoming and will withdraw from storage and use in each year all of the water leased by Whitney to the City under this agreement. If required for the delivery of the water, Whitney and City shall notify the water commissioner that Whitney has authorized the City to use the 143.0 acre feet of water and shall authorize the water commissioner to deliver the water upon City order. It shall be the City's responsibility and obligation to transport the water from Park Reservoir to City's point of diversion. Whitney is not guaranteeing or warranting that any particular quantity of water will be available for use by the City.

6. **Other Charitable Needs for Water.** Because the annual water usage of charitable community lands supported by Whitney water shares in Park Reservoir is considerably less than the 143.0 acre feet of water available for use, additional Whitney water is available for utilization. Whitney and the City agree that through mutual consent, not requiring amendment to this agreement, the unused Whitney water remaining from charitable properties outlined in Section G of this agreement may be allocated toward other charitable uses that are not known at the time of this agreement. The total amount available for allocation under the terms of this agreement will be limited to 140.40 acre feet being the amount of water actually available upon applying a 10% conveyance loss, at the point of diversion.

7. **Public Benefit**. Because Whitney is allowing City to use this water at no cost to City as a charitable and public service, City's sole and exclusive remedy for any breach of this agreement by Whitney shall be to terminate this agreement, and Whitney shall not be liable to City for monetary damages in any event.

8. **Termination of Right to Use Water.** After the date set for termination of this agreement in paragraph 2, City shall have no right to use any of the water which is the subject of this agreement, and City waives any right to use this water in later years without the express written consent of Lessor.

9. **Time**. Time is of the essence in this agreement.

10. **Report**. In January of each year, City shall provide Whitney with a written report describing the quantity of water used by the City each year from Whitney's share of water in Park Reservoir. The report shall describe the quantity of water used to irrigate each of the City Operated Lands and Recreation Department Operated Land described in paragraph 4 and the quantity of water used to irrigate Whitney Properties.

11. **Signs**. At each park irrigated with water from Whitney's shares in Park Reservoir, the City shall place or caused to be placed a sign in a prominent location stating that irrigation water to keep the park green is provided by Whitney. The City will provide and install the signs at its expense. Whitney may request that additional signs be placed as warranted.

12. **Previous Agreements**. This agreement replaces previous water agreements executed between the City and Whitney dated May 3, 2004, August 22, 2006, April 21, 2008, May 6, 2013, and Amending Memorandum of Understanding dated April 4, 2015.

RGG

Dated this 16th day of July, 2018.

Whitney Benefits

By: _____
Roy Garber, Vice President

City of Sheridan, Wyoming

By: _____
Roger Miller, Mayor

Passed and Approved by the City of Sheridan City Council on _____, 2018.

Attest: _____
Cecilia Good, Deputy City Clerk

STATE OF WYOMING)
) ss.
COUNTY OF SHERIDAN)

The foregoing instrument was acknowledged before me this _____ day of _____, 2018, by _____, the Mayor of the City of Sheridan.

Witness my hand and official seal.

_____
Notary Public

My Commission Expires:_____

STATE OF WYOMING)
) ss.
COUNTY OF SHERIDAN)

The foregoing instrument was acknowledged before me this 3rd day of July, 2018, by Roy Garber, the Vice President of Whitney Benefits.

Witness my hand and official seal.

Janet C Barnes
Notary Public

JANET C BARNES NOTARY PUBLIC
COUNTY OF SHERIDAN STATE OF WYOMING
MY COMMISSION EXPIRES JULY 30, 2020

My Commission Expires: 7-30-2020

Whitney Water Areas

N

Water Available

Whitney: Up to 36 Acre ft

City: Up to 171.60 Acre ft

DISCLAIMER:
The City of Sheridan GIS Division produced this map for informational purposes only. The City of Sheridan provides this map on an "as is" basis without warranties of any kind, either expressed or implied, and shall not be liable for any direct, indirect, incidental, special or consequential damages arising out of the use of such map. The user acknowledges and agrees that the use of such data is at the sole risk of the user. General questions about this map including errors, omissions, and/or updates should be directed to the City of Sheridan GIS Division.

Legend

- County Road
- Private Road
- Public Road
- City of Sheridan Road
- Sheridan County Airport
- State of Wyoming Road
- VA Road
- Railroad
- Sheridan College
- Stream
- Corporate Limits

Whitney Water Areas

Type

- CITY OPERATED LANDS
- OTHER
- WHITNEY PROPERTIES

7/3/2018

R:\GISTHEMES\CityOfSheridanData\MXDs\WhitneyWaterAreas.mxd

CITY OF SHERIDAN, WYOMING

55 Grinnell Street, P.O. Box 848, Sheridan Wyoming 82801
Ph (307) 674-6483 Fax (307) 674-2195

Clerk

MEMORANDUM

Project Name:	Approval of First Reading of Ordinance #2192, Prohibiting Engine Brakes Within Sheridan City Limits - Public Works Director Lane Thompson
From:	
To:	Mayor and Council
CC:	Mark Collins, City Administrator
Date:	06/13/2018

Attachments

Ordinance 2192 Engine Brakes

ORDINANCE NO.2192

AN ORDINANCE adopting provisions concerning prohibiting engine compression brakes within City of Sheridan city limits for Chapter 16 SPECIFICALLY:

WHEREAS, The City of Sheridan recognizes that this ordinance is to prohibit engine compression brakes within city limits;

WHEREAS, The purpose of this ordinance is to prohibit the excessive, loud, unusual or explosive use of engine and compressed air-braking within designated areas in the City of Sheridan;

WHEREAS, this Ordinance shall be located and Titled as Chapter 16 Article I Section 10.6 more commonly known as 16-10.6 of the City of Sheridan Ordinances.

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

That the following Sections shall be adopted as follows:

Title: Engine Brakes Prohibited

1. Definitions

Compression brakes: Any motor vehicle brakes which are activated or worked by the compression of the engine of the motor vehicle.

2. Engine Brakes Prohibited

a. No person shall operate or use any vehicle engine compression brake within the corporate limits of the City of Sheridan

3. Enforcement

a. This ordinance is deemed to be a city infraction. It shall be enforced pursuant to Chapter 16 and Chapter 9 of City of Sheridan City Code.

CITY OF SHERIDAN, WYOMING

55 Grinnell Street, P.O. Box 848, Sheridan Wyoming 82801
Ph (307) 674-6483 Fax (307) 674-2195

Attorney

MEMORANDUM

Project Name:	Approval of First Reading of Ordinance #2191 - Change to Municipal Court Costs - City Attorney Brendon Kerns
From:	Brendon Kerns, City Attorney
To:	Mayor and Council
CC:	Mark Collins, City Administrator
Date:	06/06/2017

Attachments

Memo

Ordinance 2191 - Change in Municipal Court Costs

KERNS LAW OFFICE, LLC
30 GRINNELL PLAZA
P.O. BOX 6669
SHERIDAN, WYOMING 82801

BRENDON E. KERNS *

TELEPHONE (307) 655-8600
FACSIMILE (307) 655-8602

**Also admitted in Montana*

July 5, 2018

City of Sheridan
City Council
55 E. Grinnell Plaza
Sheridan, WY 82801

RE: Memorandum- Ordinance 2191

Dear Council,

Ordinance 2191 is an ordinance which amends City of Sheridan Ordinance 9-1. This section of the City Ordinance regards sentencing of Defendants. The proposed amendment only alters and adjusts a small portion of Ordinance 9-1; specifically, the section concerning Court costs.

Upon the sentencing of a Defendant, a person pays a judgment consisting of Court costs and an assessed fine amount. Court costs are set by Ordinance and State Statute. The fine portion generally follows the Wyoming Supreme Court Bond Schedule.

Ordinance 9-1 currently requires the Municipal Court to assess a Court cost for the "judicial systems automation account" per W.S. § 5-2-120. This cost is used to pay for the Wyoming sponsored computer system which processes and tracks citations and fines for the Courts. There is no requirement to keep this system.

The City of Sheridan staff, and as approved by Council per the FY 2019 budget, have allocated funds to purchase new and better software for the Municipal Court. The new software will be better supported and work more efficiently that the State program. Once the new software has been purchased, the State software will be deleted and no longer used. The City will no longer be required under State Statute to assess the "judicial systems automation account" Court cost. Further, the change to the Ordinance will not increase the amount assessed by the Municipal Court to Defendants for violations of City Ordinances.

Amending Ordinance 9-1 will allow the City of Sheridan to retain the Court cost paid by Defendants and apply that money towards the purchase and maintenance of the new software system.

Best Regards,

Sincerely,
KERNS LAW OFFICE, LLC

Brendon E. Kerns

Ordinance 2191

AN ORDINANCE AMENDING CHAPTER 9 OF THE CITY OF SHERIDAN MUNICIPAL ORDINANCES CONCERNING COURT COSTS, SPECIFICALLY;

WHEREAS, the City of Sheridan Ordinances contain provisions requiring the assessment of Court Costs for the "judicial systems automation account";

WHEREAS, the City of Sheridan is not required to have Ordinances which require contribution to the "judicial systems automation account";

WHEREAS, the City of Sheridan desires to retain those Court Costs so they can be applied against the cost of operating the Municipal Court.

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

9-1 Shall be amended to read as follows:

(1) Generally. Any violation of this ordinance or rule or regulation promulgated by any officer or agency of the City under authority granted by statute or ordinance is declared unlawful and when no specific penalty is provided therefore, the violation shall constitute a misdemeanor and shall be punishable by a fine of no more than what is allowed by Wyoming Statute. In addition to any fine ordered, the court shall assess court costs in the amount of Ten Dollars ($10.00) and as required by Wyoming State Statute ~~an administration fee is required by W.S. § 5-2-120 to be assessed~~. In addition to any fine, community service may be ordered to be performed and credited towards any fine at the prevailing Federal minimum wage. Each day of any violation of this Ordinance, rule, or regulation, shall constitute a separate offense.

WHEREUPON, a motion was passed and the Ordinance declared adopted this _____ day of _____, 2018.

CITY OF SHERIDAN, WYOMING

_____
Mayor

ATTEST:

_____
City Clerk

FIRST READING:

SECOND READING:

PUBLISHED:

EFFECTIVE THE _____ DAY OF _____, 2018.

CITY OF SHERIDAN, WYOMING

55 Grinnell Street, P.O. Box 848, Sheridan Wyoming 82801
Ph (307) 674-6483 Fax (307) 674-2195

Clerk

MEMORANDUM

Project Name:	Approval of Peaks to Plains Design (In Association with PROS Consulting) as the Consultants for Parks, Recreation Facility and Open Space Master Plan Update 2018 - Public Works Director Lane Thompson
From:	
To:	Mayor and Council
CC:	Mark Collins, City Administrator
Date:	06/13/2018

Recommendation:

Staff recommends that the Mayor and City Council authorize the Public Works Director to negotiate a professional services agreement with the selected Consultant firm of Peaks to Plains Design (In Association with PROS Consulting) from Billings, Montana for the City of Sheridan Parks, Recreation Facilities, and Open Space Master Plan Update for 2018.

Staff further requests the Mayor and City Council designate Lane Thompson, P.E., Public Works Director as the authorized representative of the City of Sheridan to act on behalf of the Governing Body on all matters relating to this project.

Background:

The City of Sheridan Parks, Recreation Facility, and Open Space Master Plan Update for 2018 is intended to provide renewed direction for Sheridan's parks, facilities and recreation system. The City's original Master Plan was adopted in 2009, and was last updated in 2015. The intention of the 2018 update is to build upon the objectives identified in previous plans as well as assess the City's current parks and recreation facilities inventory, incorporate recent acquisitions and improvements, determine present necessities, and identify unrealized opportunities. The updated Master Plan would represent a long-term, 15 to 20 year vision for the City's parks, facilities and recreation system. As with the 2009 and 2015 Plans, interested and engaged members of the community shall be directly involved with the development of the updated Master Plan(s).
A Request for Proposal (RFP) was advertised to solicit services from consultant firms specializing in Parks, Recreation Facility, and Open Space Master Planning. The RFP was originally advertised in February, and just one proposal was received. The RFP was advertised again in April, with the submission deadline for proposals extended through May 4, 2018.
The current schedule is as follows:

- Request for Proposal Re-advertised: April 4 - 24, 2018 - 4:00 pm MST
- Proposals due to the City: May 4, 2018 by 4:00 pm MST
- City Staff Committee Evaluation: May 7 - 18, 2018
- Selected Consultant Interviews: June 14, 2018
- City Council Study Session to Present Recommended Consultant: July 9, 2018
- Council Approval of Consultant/Fee, Contract Executed: July 16, 2018
- Updated Master Plan Presented to City Council at Study Session: July 9, 2018
- City Council Meeting, tentative adoption of updated Master Plan: July 17, 2018

Six (6) proposals were submitted and received for the Parks, Recreation Facility, and Open Space Master Plan 2018 Update. The firms are as follows below:
Ayres Associates- Cheyenne, WY
Eppley Institute for Parks and Public Land, Indiana University- Bloomington, IN
GreenPlay, LLC- Louisville, CO
MIG- Portland, OR
Peaks to Plains Design (in Association with PROS Consulting)- Billings, MT
Russell+Mills- Fort Collins, CO

The selection committee has selected Peaks to Plains Design of Billings, Montana as the most responsive and responsible proposal selected from the evaluation process of the RFP.

Funding:

This project is fully funded from the Parks Public Benefit Fund and Optional One Cent Fund.

Attachments

Peaks to Plains Design RFP

CITY OF SHERIDAN



PARKS, RECREATION FACILITY & OPEN SPACE MASTER PLAN UPDATE FOR 2018

Submitted by:

Peaks to Plains Design PC

LANDSCAPE ARCHITECTURE / PLANNING / CIVIL ENGINEERING

In association with:

pros consulting INC.

Peaks to Plains Design PC

LANDSCAPE ARCHITECTURE / PLANNING / CIVIL ENGINEERING

May 4, 2018

Tom O'Leary, Project Manager
City of Sheridan Engineering Department
55 Grinnell Plaza
Sheridan, Wyoming 82801

Dear Mr. O'Leary:

Communities are competing against each other for economic development, workforce recruitment and are seeking ways to improve overall community health. A shift has occurred from leisure services being an aspirational goal to becoming an essential component of a thriving community. As a result, communities have become more focused on their parks and recreation assets and offerings.

Peaks to Plains Design is recognized as a leader in applying trends at a local and regional level. For a national perspective, we are teaming again with our trusted partner, PROS Consulting. Together, we have collaborated on three projects in the past year, and we feel our approach will result in the most successful interpretation of your vision. Select our team for the following reasons:

- **Parks and recreation facilities are key indicators to a community's economic vitality.** Our team can calculate the economic impact of new sports complex to a community.
- **Effective community engagement leads to better projects, policy and strategy outcomes.** Citizens are increasingly expecting to be involved in decisions affecting them, and they want to be engaged. Our approach results in multi-generational feedback that identifies recreation needs for those from age 8 to 80.
- **Agencies are prioritizing strategic investments for both capital and operations.** Our proven methodology will result in defensible priorities based on community-driven needs.
- **Planning for capital investments must be accompanied with a solid staffing and maintenance plan.** Our team will tell you how many full-time employees, how much equipment and identify the operational efficiencies that reflect best practices.

Hire a multi-faceted team with capital, operations and maintenance, community engagement and strategy strengths. In doing so, you will feel comfortable and confident in the decision-making process. The recommendations will incorporate regional and national best practices, but it will be customized for Sheridan. Our team is committed to you beyond the term of this contract for advice and consultation so that this plan is useful and achievable.

Select the Peaks to Plains Design and PROS Consulting team. We are ready to start this endeavor with you.

Sincerely,

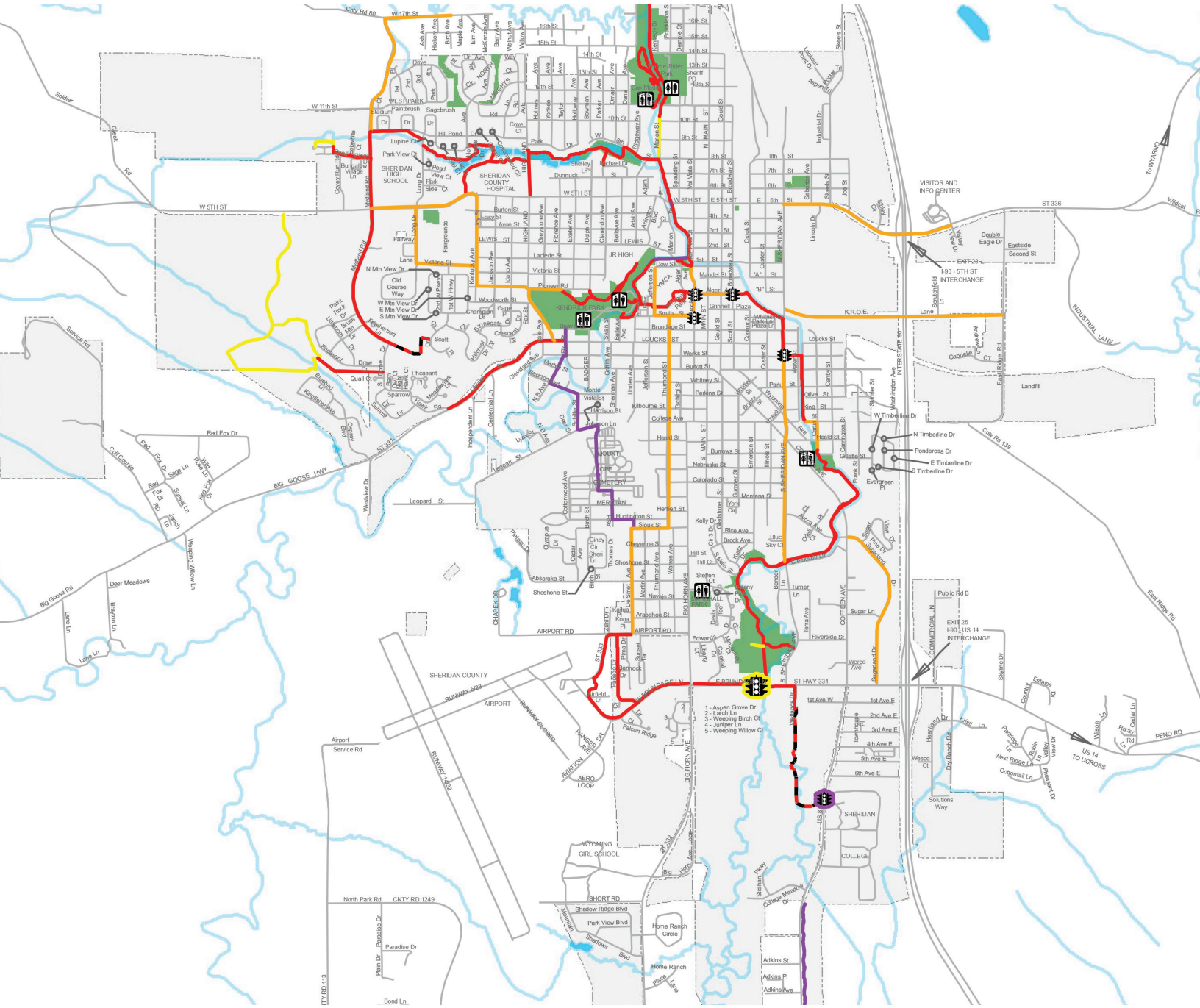
Jolene Rieck

Jolene Rieck, PLA
Principal Landscape Architect

404 North 31 Street, Suite 405 Billings, Montana 59101 Phone: 406.294.9499
www.peakstoplains.com

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STATEMENT OF PROJECT REQUIREMENTS



Why Update the Plan?

The Sheridan community encompasses citizens that utilize recreational opportunities who do not necessarily live within city limits. The ebb and flow of people from surrounding towns such as Big Horn and Ranchester encompass your daily recreation demand.

Continued community growth to the north of Sheridan includes opportunities for business expansion with the expectation of retaining a qualified work force. The completion of the North Sheridan Interchange and decommissioning of the old interchange has added to the inventory of trails, parks and conservation lands.

Since the completion of the last Parks and Recreation Master Plan in 2015, the community has acquired additional park land and developed new facilities that may or may not have fulfilled the community need. This plan will identify the current and future community need.

Be Proactive

The acquisition of land is followed by the installation of capital improvements, and then the implications of operations and maintenance are realized in a reactive manner. This plan will provide the city with the tools to evaluate new opportunities in a proactive and defensible approach.

Part of being proactive is the tracking of costs through a work order management system. Peaks to Plains Design and PROS Consulting will help you set up CityWorks with the right work order task items that maps the actual costs that your elected officials can rely upon at budget time.

Multi-Generational Community Engagement

Planning for parks and recreation no longer focuses solely on the needs of elementary and middle school children. Traditional community outreach only reaches a small cross section of the population, and usually the same profile of the person. Therefore, you need a community engagement process that allows for input from 8 to 80 year olds. When every voice is heard, you can rely on a true identification of community need for now and in the future.

Parks are Infrastructure

Parks and recreation facilities are critical infrastructure components. Similar to streets, water and sewer lines and buildings, there are ways to maximize the lifespan of the capital investment and streamline maintenance requirements.

Peaks to Plains Design and PROS Consulting can provide the highest level of service to help identify your community's blind spots that results in a systematic and intentional way to maximize your parks and recreation investments.

02

SCOPE OF WORK





Red Lodge Active Transportation Plan Advisory Team Group Exercise

TASK 1: UNDERSTANDING THE CONTEXT

1.1 Create a project advisory team

A project advisory team consists of representation from the city public works and parks staff, Sheridan Recreation District and possibly key individuals from non-profit organizations who will help execute the results of this plan.

The purpose of the advisory team is to guide the planning process through a series of focused meetings. Advisory team members may be responsible for logistics, public announcements, collecting technical data and creating a series of goals and objectives to be achieved from the plan in the next five years.

WHY AN ADVISORY TEAM?

The public generally does not have any ideas on how an agency could run more efficiently. They just want to have programs available to them in adequate facilities. The reality is that your users only see the end product of your staff's efforts.

Elected officials focus heavily on the constituent's expectations, and rightly so, but in reality most of the plan's success relies on the department's ability to operate under favorable policies, with adequate facilities and with a staffing plan that is right for you.

The public engagement component informs the staff of expectations, but ultimately the staff is responsible for deploying the activities to implement the goals. Focusing on strategies that are within the control of staff, makes this a useful document and not one that sits on a shelf.

1.2 Project Advisory Team Meetings

At project advisory team meetings, we will focus on one to three topic areas at a time. Sometimes the advisory team will have "homework"assigned to them prior to the next meeting that will frame the context of the agenda.

Outcomes from the meetings:

- Identify the physical inventory to be collected, if any, and who is responsible for collecting the data.
- Identify the level of maintenance that the department is are responsible for and how your recreational partners play a part in that role.
- Agree upon an approach to community engagement.
- Guide the outcomes of the planning tasks and how it applies to every day needs.

1.3 Demographic Trends & Analysis

Census Data

Sourcing the current census data for purposes of a comprehensive report is a standard activity most consultants include. However, as you approach the end of a decade, you rely mostly upon American

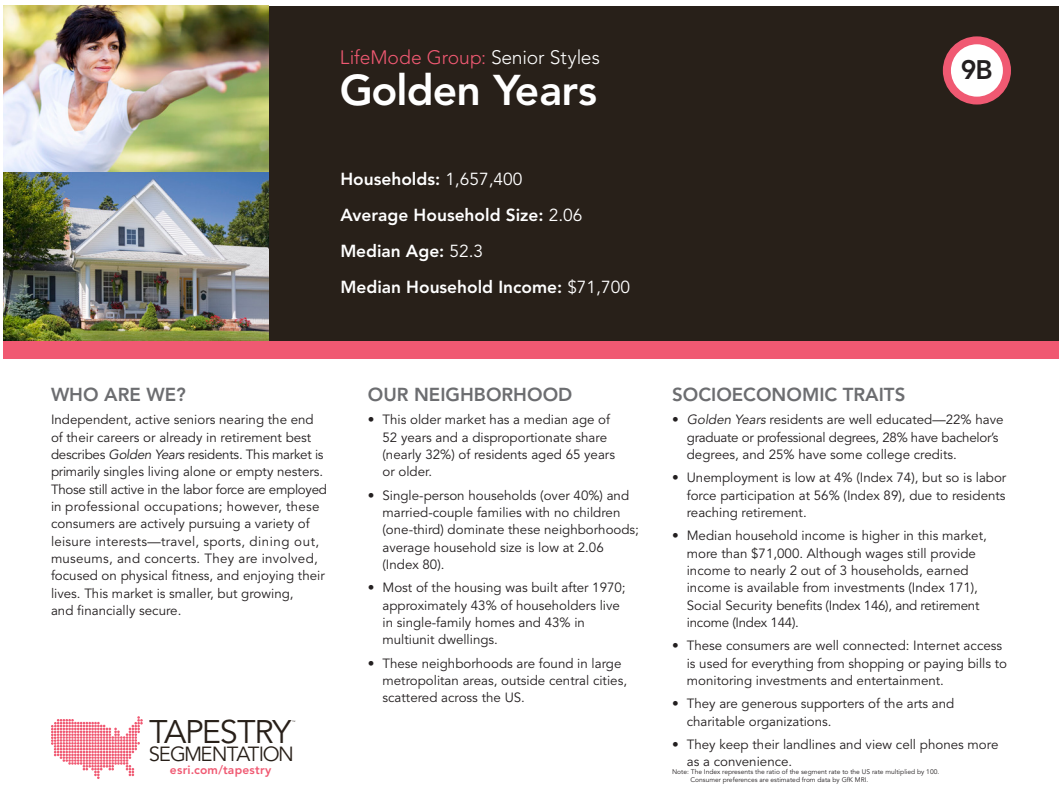
Community Survey estimates. The output is point-in-time data that results in a "well, that's nice" response and most people don't understand how this ties back into a community's needs for parks and recreation.

Tapestry Segmentation

We utilize a comprehensive approach that also include an analysis of the "tapestry segmentation." The tapestry segmentation provides a detailed description of America's neighborhoods, which are divided into sixty-seven distinctive segments based on their socioeconomic and demographic composition.

It further classifies the segments into LifeMode and Urbanization groups. LifeMode groups represent markets that share a common experience - born in the same generation or a significant demographic trait, like affluence. Our team has access to this data because of our ArcGIS capabilities.

This is a method based upon US Census data to further enhance basic demographic information into a customer profile. Agencies who understand their customer profile can better target a community's needs and be more apt to provide community infrastructure or programs targeted for the best potential outcome.



Example of one of 67 different types of America's demographics

Market Potential Index

The Market Potential Index (MPI) report measures the probable demand for a product or service within a geographic area. The MPI shows the likelihood that an adult resident of the area will participate in certain activities when compared to the US national average.

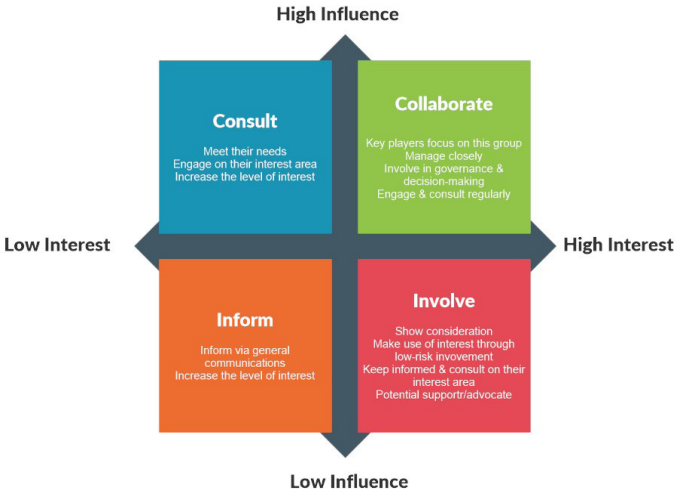
Evaluating the MPI will gain valuable insight into the life cycle stages of outdoor recreation (emerging, stable and declining), which allows you to anticipate potential changes in need and demand for amenities, services and events provided to locals and visitors.

TASK 2: ASSESSING COMMUNITY NEED

Not all stakeholders are equal

Developing a comprehensive plan involves a series of steps that include external and internal assessments. Not all stakeholders are considered equal. There are four ways to treat stakeholders: inform, consult, collaborate and involve. We will work with the advisory team to determine the right participants for focus groups and other engagement opportunities.

An internal assessment will include field staff as well as leadership. The inquiry will include questions about programs and systems, and what opportunities the staff may identify as ways to achieve in daily operations or the long-term mission and vision. The referenced graphic applies to internal stakeholders as well.



Stakeholder mapping approach that was used successfully in the North Dakota State Parks Strategic Plan

2.1 Focus Groups

Focus groups are comprise of 10-20 people maximum who have something in common between them. Several different meetings are conducted that all have the same questions asked. The intention is to identify the key themes among all of the different meetings. These themes are your department's hot button issues.

Potential Focus Group Participants

- People under the age of 18
- People over the age of 55
- People with disabilities
- People who do not use parks or programs
- People who use park facilities as an essential part of their organization's mission
- People interested in conservation issues

2.2 Participatory Community Meetings

The purpose of community meetings is generally to provide an informational feedback loop. Our approach is to make them participatory public meetings, where respondents provide feedback in small groups and respond to a set of structured questions. This helps people to feel like their feedback is valuable and demonstrates transparency that elected officials embrace.

2.3 Household Survey

We have had tremendous success with household surveys, far above the national average for return rates. Our household survey for the Laurel, Montana Comprehensive Parks Plan had a return rate of over 45 percent!

In order to accomplish this, randomly selected households first receive a letter from the governing official. Then, they are mailed a survey with a postage-paid envelope. If it is not immediately returned, they will receive up to three additional "touches" to complete the survey.

The survey can be conducted as a needs or as a priority-based assessment. The results have at least a 95 percent confidence rate and this is something that elected officials rely upon in key decision-making scenarios. We utilize professional research companies who administer the survey process.

2.4 Online Crowd Sourcing Engagement

Our team deploys several methodologies to allow people to enter data from a mobile or desktop device. Our GIS personnel are ESRI certified GeoApp developers. We will create a customized platform in which people can provide comments about their favorite park and have them respond to a series of questions.

We also utilize platforms such as "socialpinpoint" (www.socialpinpoint.com) to provide opportunities such as an idea wall, interactive mapping and stakeholder management. These platforms have strong social media integration, which is key to attracting engagement from those individuals in the 14 to 25 age range.

We recommend implementing both a qualitative and quantitative engagement component in the development of your parks and recreation plans. The qualitative component comes first, followed by the quantitative survey.

TASK 3: UPDATING THE MASTER PLAN

3.1 Level of Service by Park Classification

Parks and open spaces are classified for purposes of defining use and associated size requirements. Use of the land is usually the primary factor in determining the classification. We will update the 2015 analysis adding the inventory from your newly acquired lands.

3.2 Level of Service by Park Asset

Many communities in the west are land-rich in parks, but asset poor. You may have undeveloped land in the right parts of the community, but those lands contain many of the same recreational amenities or none at all. The goal is to provide diverse offerings of recreational assets (playgrounds, basketball courts, performance stages, etc.).

Any missing inventory can easily be collected through the use of aerial photography, volunteers or agency staff. Similar to park class, there are national standard benchmark ratios, but ultimately the community needs assessment will reveal what ratio is appropriate for Sheridan.

Billings Service Level Standards

SERVICE LEVEL STANDARDS								2017 Facility Standards			2032 Facility Standards		
PARK TYPE	Billings Inventory	Other Inventory	Total Inventory	Recommended Service Levels; Revised for Local Service Area				Meet Standard/ Need Exists	Additional Facilities/ Amenities Needed		Meet Standard/ Need Exists	Additional Facilities/ Amenities Needed	
Pocket Parks	26.69	-	26.69	0.20	acres per	1,000		Meets Standard	-	Acre(s)	Meets Standard	-	Acre(s)
Neighborhood/School Parks	150.44	485.56	636.00	5.00	acres per	1,000		Meets Standard	-	Acre(s)	Need Exists	24	Acre(s)
Community Parks	311.89	-	311.89	3.50	acres per	1,000		Need Exists	80	Acre(s)	Need Exists	150	Acre(s)
Greenways/Linear Park	67.41	-	67.41	0.00	acres per	1,000		Meets Standard	-	Acre(s)	Meets Standard	-	Acre(s)
Special Use Parks	447.58	-	447.58	3.00	acres per	1,000		Meets Standard	-	Acre(s)	Meets Standard	-	Acre(s)
Sports Complex Parks	139.46	-	139.46	2.00	acres per	1,000		Meets Standard	-	Acre(s)	Need Exists	125	Acre(s)
Cemeteries	66.41	-	66.41	0.50	acres per	1,000		Meets Standard	-	Acre(s)	Meets Standard	-	Acre(s)
Natural Resource/Conservation Parks	1,023.12	220.85	1,243.97	9.25	acres per	1,000		Meets Standard	-	Acre(s)	Meets Standard	-	Acre(s)
Undeveloped Parks	122.58	-	122.58	0.00	acres per	1,000		Meets Standard	-	Acre(s)	Meets Standard	-	Acre(s)
OUTDOOR AMENITIES:													
Reservable Large Picnic Shelters	17.00		17.00	1.00	site per	4,500		Need Exists	8	Sites(s)	Need Exists	12	Sites(s)
Ball Diamond (60-foot bases)	27.00	19.00	46.00	1.00	site per	5,000		Meets Standard	-	Field(s)	Meets Standard	-	Field(s)
Ball Diamond (90-foot bases)	8.00	3.00	11.00	1.00	field per	9,000		Need Exists	1	Field(s)	Need Exists	4	Field(s)
Regulation Sports Field (Game Field, not School Sports Fields)	17.00	-	17.00	1.00	field per	4,500		Need Exists	8	Field(s)	Need Exists	12	Field(s)
Multi-Purpose Fields (Practice Field)	17.00	19.00	36.00	1.00	field per	4,500		Meets Standard	-	Field(s)	Meets Standard	-	Field(s)
Outdoor Sport Courts (basketball)	22.00	43.50	65.50	1.00	court per	5,000		Meets Standard	-	Court(s)	Meets Standard	-	Court(s)
Tennis Courts	25.00	10.00	35.00	1.00	court per	5,000		Meets Standard	-	Court(s)	Meets Standard	-	Court(s)

3.3 Community or Sports Tourism Needs?

Attracting sports tournaments is a key economic driver for many communities. According to a recent report, the impact of local park and recreation agency spending in the state of Wyoming amounts to over $465 billion dollars annually.

As a part of our LOS analysis, we will determine the difference between community and tourism need. This affects many facilities are needed, the financial model for operating them and the operations and maintenance implications. In general, the differences in the facilities are the following:

Community Need:

- General availability to the community for most hours;
- Use is leisure in nature, i.e. adult recreation league, learn to play activities;
- Programming can be done on a daily basis and walk-up use occurs; and
- Multi-generational use.

Sports Tourism Need:

- Pre-scheduled use, often weeks in advance or for a season;
- Use is primarily for competition, i.e. travel or club teams; pay to play organizations;
- Performance fields or courts, with dedicated maintenance equipment and staff;
- Usually focused demographic use (regulation size, etc.);
- Economic impacts are associated with the facility, and the facility is expected to produce revenue.

3.4 Staffing and Maintenance Analysis

Maintenance Strategies and Performance Measures

The first step in determining adequate staffing levels is to identify the performance measures for maintenance through a maintenance team workshop. This will affect how much equipment and man power is necessary to achieve the desired levels of maintenance service.

Then, the organizational structure and implementation plan will support the outcomes desired to meet the requirements in the maintenance management plan. This will provide support for the future management structure to implement the maintenance needs as outlined and ensures that the assets invested in the parks and recreation facilities are well maintained.

The organizational structure and staffing requirements will be developed around best practices that focuses on operational efficiencies, policy development, process improvements, system and technology, marketing and communication capabilities and how to program the parks to maximize their use and value to the community.

TASK 4: PLAN ADOPTION

The intent is to provide staff with several tools that you can utilize beyond the term of this contract to make better decisions about your parks and recreation systems.

While the deliverable will be a typical planning document, it is our commitment to you that any elected official or board presentations will be engaging and streamlined to an infographic presentation system.

During the adoption phase, we stress the transparency that was within the process, our success rate in community engagement and a list of recommendations that are SMART-oriented: strategic, measurable, achievable, realistic and time bound.

ADDITIONAL SERVICES

Additional services are available beyond the initial scope of work and schedule. This includes the development of a life cycle cost replacement schedule that helps to forecast future capital improvement program items.

The best practices by staff in the field must be supported by sound policies defined in statutory codes and ordinances. We can evaluate your subdivision regulations and park land dedication requirements in order to maximize your return on investment.

Our in-house ESRI Certified GeoApp developer can integrate on-line technologies for wayfinding, maintenance reporting and integration into your city's GIS capabilities.

PROPOSED PROJECT SCHEDULE

The project schedule acknowledges the "busy season" of parks and recreation professionals, and strives to maximize public participation throughout the summer vacation. It includes time to synthesize and collect data, but also accounts for holidays and a realistic schedule that allows for advisory team members to invest in the project.

Week of:

May 7 through May 28	Consultant selection and contract preparation.
	Project advisory team member invitations.
June 4	Initial advisory team meeting: expectations, logistics, facility visits
June 11 through June 25	Demographics: census data, tapestry segmentation, MPI
	Additional mapping by the City and mapping output by PPD
	Commence focus group participant invitations, logistics
July 9	First community meeting: introduction to the project
	Conduct focus group meetings
July 16 through July 30	On-line crowd sourcing
	Level of service analysis & sports complex analysis
	Development of key themes from community & focus group meetings
	Development of household survey questions
August 6	Advisory team meeting: key theme reports, LOS results
	Finalize household survey and present public relations plan
	Sports complex analysis results
August 13 through Sept. 3	Household survey distribution and returns
September 17	Advisory team meeting: Household survey results, pivot to goal setting
	Staffing and maintenance workshop (3/4 day) with staff
	Community meeting: presentation of the results of need
October 1	Advisory team meeting: Goal setting and implementation strategies
October 15	Draft plan deliverable to staff for review
	Community meeting: presentation of the final plan
October 29	Final plan deliverable
	Commence the formal plan adoption process

03

PERSONNEL & PRIOR EXPERIENCE



JOLENE RIECK, PLA | PRINCIPAL LANDSCAPE ARCHITECT



Jolene has 19 years of experience practicing landscape architecture and park and recreation planning in Wyoming and the surrounding region. She has been recognized by her peers as a leader in parks and recreation planning and design, and is a confident presenter at parks and recreation conferences throughout the region. This is because of her belief that parks are infrastructure that should be managed similar to public streets and utilities.

Jolene combines her planning expertise with a genuine desire to understand the operations of agencies. She understands that to move initiatives around parks and recreation forward, it is important to use a multi-faceted approach to planning. This includes determining the appropriate levels of service, which considers assets and is tailored to the community rather than national benchmarks. Jolene strives to paint the "total cost of ownership" picture for agencies through detailed asset inventories, life cycle cost analysis, programming, staffing and operations and maintenance.

With community based values, Jolene is an expert in public facilitation. Jolene utilizes an appreciative planning method versus the problem-solving approach to parks and recreation planning. This method allows stakeholders to build upon the positive aspects of any situation, resulting in solutions embraced by all. Her public involvement experience includes facilitating large and small groups, focus groups, statistically valid surveys and more.

MICHAEL SVETZ, VICE PRESIDENT, PROS CONSULTING



Michael Svetz has served 24 years in the field of parks and recreation for local governments, the last 15 of which at the executive management level. He has held Director-level positions in Strongsville, Ohio (Cleveland vicinity), Charlottesville, Virginia and most recently for the City of Goodyear, Arizona.

He has vast experience in developing and applying cutting edge business processes to create self-sustaining operations of multi-million dollar community centers, golf courses, and a Major League Baseball Player Development and Spring Training complex.

Throughout his career, Mike has successfully developed and implemented strategic master plans for the parks and recreation departments that he led and the city and state associations that he served.

Since joining PROS Consulting, he has participated in numerous parks and recreation planning projects that include master plans, strategic plans, business planning, and strategic implementation. His project management skills and organization have assisted in the creation of innovative and fiscally sustainable projects across the United States.

PROS Consulting and Peaks to Plains Design have collaborated on three projects in the past year, exchanging team lead roles between the two firms. Mike will be leading the staffing and sports complex analysis tasks.

GORDON LEMMEL, PLA | LANDSCAPE ARCHITECT/GIS TECHNICIAN



Gordon has professional experience in the public, private and non-profit sectors, including: working for a county parks district in the Midwest as a parks planner, conserving and managing land as an executive director of a land trust in Oregon, and now as a designer and consultant with Peaks to Plains Design. These experiences allow him to view projects through many different "lenses." His experience help him provide a holistic approach to park planning - helping him to understand the needs of both park and recreation entities and land managers.

Gordon provides has multiple roles on parks and recreation planning projects. As a field investigator, Gordon uses GPS technology to geolocate physical park asset. He uses ArcGIS, as a geospatial specialist, to create asset databases that he enriches with information that he collects in the field, specific to each asset. The information he generates from the inventory database is used to develop level-of-serivce (LOS) analyses and life-cycle cost analyses.

Gordon is also a proficient public facilitator. He uses his interpersonal skill set to build quality relationships with other, which help him gain an understanding of needs, as well as to help diffuse difficult situations. Gordon is also proficient at relaying complex ideas and concepts in a manner that stakeholders and the public understand and appreciate. He utilizes his organizational dynamics background and inclusive participation techniques to effectively facilitate discussions to realize highly successful outcomes.

KALSEY STULTS, PUBLIC RELATIONS SPECIALIST



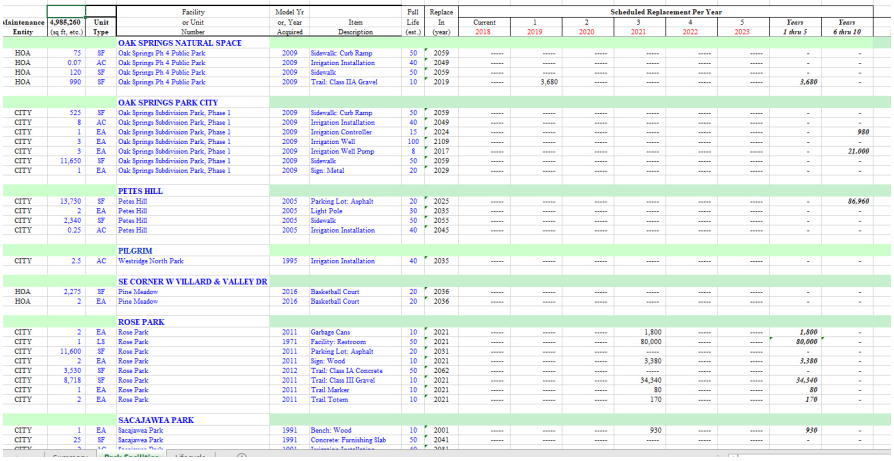
Kalsey Stults is a marketing, public relations and design professional with over five years of experience in her field.

Ms. Stults is a confident writer and copy editor who is able to effectively communicate through the written word and design. Her work has been published on local and state levels from content she has written to materials she has produced. Her experience in a previous non-profit setting has led to knowledge in grassroots marketing efforts, public speaking, time management and effective communication.

Kalsey will contribute to the project team in assisting with the public engagement needs. She will prepare any press releases or other communication needs for the project. Ms. Stults can prepare illustrative materials and presentations. If a project website and social media platform is desired, she will create these and provide content.

As a former newspaper reporter, she can work closely with the local media to generate stories and interest in your project. This will result in more participation from the community when you need their input the most.

Ms. Stults is a multi-faceted individual who is experienced and knowledgeable in all things communication.



Maintenance Entity	4,988,260 (sq ft, etc.)	Unit Type	Facility or Unit Number	Model Yr or, Year Acquired	Item Description	Full Life (est.)	Replace In (year)	Scheduled Replacement Per Year: Current 2018	1 2019	2 2020	3 2021	4 2022	5 2023	Years 1 thru 5	Years 6 thru 10
			OAK SPRINGS NATURAL SPACE												
HOA	75	SF	Oak Springs Ph 4 Public Park	2009	Sidewalk: Curb Ramp	50	2059	-----	-----	-----	-----	-----	-----	-	-
HOA	0.07	AC	Oak Springs Ph 4 Public Park	2009	Irrigation Installation	40	2049	-----	-----	-----	-----	-----	-----	-	-
HOA	120	SF	Oak Springs Ph 4 Public Park	2009	Sidewalk	50	2059	-----	-----	-----	-----	-----	-----	-	-
HOA	990	SF	Oak Springs Ph 4 Public Park	2009	Trail: Class IIA Gravel	10	2019	-----	3,680	-----	-----	-----	-----	*3,680*	-
			OAK SPRINGS PARK CITY												
CITY	525	SF	Oak Springs Subdivision Park, Phase 1	2009	Sidewalk: Curb Ramp	50	2059	-----	-----	-----	-----	-----	-----	-	-
CITY	8	AC	Oak Springs Subdivision Park, Phase 1	2009	Irrigation Installation	40	2049	-----	-----	-----	-----	-----	-----	-	-
CITY	1	EA	Oak Springs Subdivision Park, Phase 1	2009	Irrigation Controller	15	2024	-----	-----	-----	-----	-----	-----	-	*980*
CITY	3	EA	Oak Springs Subdivision Park, Phase 1	2009	Irrigation Well	100	2109	-----	-----	-----	-----	-----	-----	-	-
CITY	3	EA	Oak Springs Subdivision Park, Phase 1	2009	Irrigation Well Pump	8	2017	-----	-----	-----	-----	-----	-----	-	*21,000*
CITY	11,650	SF	Oak Springs Subdivision Park, Phase 1	2009	Sidewalk	50	2059	-----	-----	-----	-----	-----	-----	-	-
CITY	1	EA	Oak Springs Subdivision Park, Phase 1	2009	Sign: Metal	20	2029	-----	-----	-----	-----	-----	-----	-	-
			PETES HILL												
CITY	13,750	SF	Petes Hill	2005	Parking Lot: Asphalt	20	2025	-----	-----	-----	-----	-----	-----	-	*86,960*
CITY	2	EA	Petes Hill	2005	Light Pole	30	2035	-----	-----	-----	-----	-----	-----	-	-
CITY	2,340	SF	Petes Hill	2005	Sidewalk	50	2055	-----	-----	-----	-----	-----	-----	-	-
CITY	0.25	AC	Petes Hill	2005	Irrigation Installation	40	2045	-----	-----	-----	-----	-----	-----	-	-
			PILGRIM												
CITY	2.5	AC	Westridge North Park	1995	Irrigation Installation	40	2035	-----	-----	-----	-----	-----	-----	-	-
			SE CORNER W VILLARD & VALLEY DR												
HOA	2,275	SF	Pine Meadow	2016	Basketball Court	20	2036	-----	-----	-----	-----	-----	-----	-	-
HOA	2	EA	Pine Meadow	2016	Basketball Court	20	2036	-----	-----	-----	-----	-----	-----	-	-
			ROSE PARK												
CITY	2	EA	Rose Park	2011	Garbage Cans	10	2021	-----	-----	-----	1,800	-----	-----	*1,800*	-
CITY	1	LS	Rose Park	1971	Facility: Restroom	50	2021	-----	-----	-----	80,000	-----	-----	*80,000*	-
CITY	11,600	SF	Rose Park	2011	Parking Lot: Asphalt	20	2031	-----	-----	-----	-----	-----	-----	-	-
CITY	2	EA	Rose Park	2011	Sign: Wood	10	2021	-----	-----	-----	3,580	-----	-----	*3,580*	-
CITY	3,530	SF	Rose Park	2012	Trail: Class IA Concrete	50	2062	-----	-----	-----	-----	-----	-----	-	-
CITY	8,718	SF	Rose Park	2011	Trail: Class III Gravel	10	2021	-----	-----	-----	34,340	-----	-----	*34,340*	-
CITY	1	EA	Rose Park	2011	Trail Marker	10	2021	-----	-----	-----	80	-----	-----	*80*	-
CITY	2	EA	Rose Park	2011	Trail Totem	10	2021	-----	-----	-----	170	-----	-----	*170*	-
			SACAJAWEA PARK												
CITY	1	EA	Sacajawea Park	1991	Bench: Wood	10	2001	-----	-----	-----	930	-----	-----	*930*	-
CITY	25	SF	Sacajawea Park	1991	Concrete: Furnishing Slab	50	2041	-----	-----	-----	-----	-----	-----	-	-

Project Owner: City of Bozeman
Project Contact: Mitchell Overton, Parks & Recreation Director
Phone: (406) 582-3222
Completed: 2018

PARKS AND TRAILS SPECIAL TAX DISTRICT FEASIBILITY STUDY BOZEMAN, MONTANA

Bozeman has had tremendous household growth in the past twenty years that added significant acreage to the city's park system. Fortunately, Bozeman not only received land, but subdividers also installed park improvements, known as assets, at the time of dedication. While the city has been involved in the review of developer-built park plans, the city mainly relies on private entities (property owner associations) for maintenance of park facilities in newer subdivisions.

The cost of replacing assets has significantly increased in the past twenty years. When purchased and installed by a developer, the costs are distributed to all the lots, and property owners effectively pay for the asset, which is hidden in the sale price and amortized over several years. Life cycle replacement costs for major assets are generally prohibitive to private associations who may not have the appetite to incur substantial dues increase to cover those costs.

The city is ultimately responsible for the land and assets in city-owned parks and open spaces. The Parks and Recreation Department has the staff who are specialists in operating, managing and developing park lands. The purpose of this study is to evaluate the alternatives in which the city is responsible for management and maintenance of all city-owned parks.

Peaks to Plains Design and PROS Consulting completed a field inventory utilizing GPS technology and developed a complete asset listing of all park land assets. This data was entered into a life cycle cost replacement spreadsheet that identified the value of the assets ($65 million), the amount of deferred maintenance (~$7 million) and upcoming asset replacements for the next 10 years (~$2 million/year). We worked with the staff to develop performance measures for maintenance and conducted a high level staffing analysis to determine an annual operations budget.

The data was integrated with Bozeman's robust CityWorks and GIS databases that provided data-driven analysis to purse a special tax district dedicated to Bozeman's quality parks system.



Project Owner: Big Sky Community Development Organization & Big Sky Park District
Project Contact: Ciarra Wolfe, Executive Director
Phone: (406) 993-2112
Completed: 2017

BIG SKY PARKS & OPEN SPACE MASTER PLAN
BIG SKY, MONTANA

Big Sky is an unincorporated resort community in Montana. At the heart of Lone Peak, arguably some of the best skiing in the country occurs here. Big Sky's proximity to Yellowstone National Park has trended additional tourism opportunities that extend beyond the winter season.

Additionally, Big Sky is a growing community that now has community-like businesses such as a hospital, school district and box stores. People are moving to Big Sky and are establishing primary residents versus vacation homes.

The parks and open spaces at Big Sky are all privately owned by either a non-profit organization, developer or home owner's association. In fact, over 70 HOA's exist in Big Sky and manage publicly available lands on individual basis. Local community advocates have recognized the challenges in managing such as system for a community that is becoming more established.

The parks and open space plan for Big Sky is a strategic planning effort to set out a preferred 10-year vision for the acquisition, management and operations of publicly accessible lands designated to function as municipal parks.

Peaks to Plains Design facilitated the public engagement process including focus groups, a statistically valid survey and community meetings. The plan addressed policy needs, defined alternatives for organizational management structures, funding strategies and identified community park and recreational program needs. The resulting infrastructure recommendations will be based upon the citizen-advised facility needs assessment.

The planning area encompasses two Montana counties: Madison and Gallatin and is the gateway to Forest Service land access. Multi-agency coordination and plan adoption is necessary to make the outcomes of the plan a reality.



Project Owner: City of Billings
Project Contact: Michael Whitaker, Parks, Recreation & Public Lands Director
Phone: (406) 657-8371
Location: Billings, Montana
Completed: 2017

COMPREHENSIVE PARKS AND RECREATION MASTER PLAN BILLINGS, MONTANA

PROS Consulting and Peaks to Plains Design led the first update to the city of Billings' parks and recreation master plan since the 1990s. The plan was developed to provide the agency a road map for the future using knowledge gained from an excellent legacy of history and current day practices. The planning process incorporated a comprehensive series of discovery and analysis strategies to understand the workings of the organization and included a strong community engagement process.

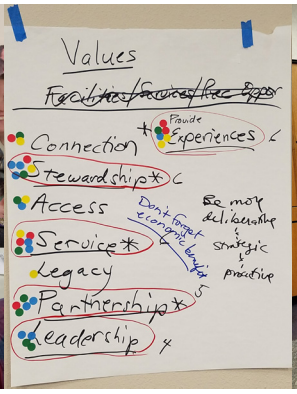
The endeavor including preparing a community-wide needs assessment that consisted of a random household survey, several focus group and stakeholder interview and several community meetings. The plan included a system-wide approach for accomplishing short and long-term goals, initiatives, tactics and measurements to ensure that as the city grows in population that the Department, effectively, efficiently and sustainable services, programs, parks and facilities.

The planning process for the master plan was completed with the city of Billings inter-departmental staff and included:

- Community Involvement and Research
- Site, Facilities and Programs Inventory and Assessments
- Technical Needs Assessment & Standards Analysis
- Action Plan: Recommendations, Priorities and Implementation Strategies

The foundation of the master plan was to "mine" local knowledge through the use of a creative and comprehensive public participation process. The data generated from these critical community interactions is being used to aid the consulting team when accurately articulating the true unmet needs, addressing key operational issues, providing recommendations for business-related changes, and strategizing to move the department forward with optimum results.







Project Owner: North Dakota Department of Parks & Recreation
Project Contact: Melissa Baker, Director
Phone: (701) 328-5357
Location: Bismarck, North Dakota
Completed: 2018

NORTH DAKOTA DEPARTMENT OF PARKS AND RECREATION STRATEGIC PLAN

Under new leadership, the Parks and Recreation Department for the State of North Dakota wanted to update the Department's strategic plan for the next five years. Peaks to Plains Design and Clancy Consultants collaborated on a discover, dream, design and destiny process to create a plan that was based on significant state-wide input from citizens, allied professionals and cabinet agencies.

At an all-staff meeting, we engaged leadership and field staff through small group breakouts that empowered and provided feedback on a strategic vision for the organization. Additionally, all staff participated in an on-line survey where the results were used in the citizen engagement phase of data collection.

Four regional listening sessions engaged citizens and partner organizations to gain a perspective from the user. Three focus groups included municipal park directors, non-profit executive directors and state government cabinet members. Stakeholder interviews were conducted with past North Dakota directors and regional state park directors on trends, lessons and best practices.

The data was utilized in a two-day Department Leadership Team workshop. Utilizing Clifton's Strengths Finder, the leadership team acknowledged each other's strengths and evaluated how they, together, can use their strengths to accomplish their goals. The remaining workshop agenda defined the Department's core values, set five-year initiatives and developed strategic objectives to fulfill those initiatives.

The final deliverable is a one-page graphic that clearly defines the plan, along with a supporting companion document.





Project Owner: City of Red Lodge
Project Contact: James Caniglia, City Planner
Phone: (406) 446-1606 x117
Location: Red Lodge Montana
Completed: 2016

RED LODGE ACTIVE TRANSPORTATION PLAN
RED LODGE, MONTANA

The city of Red Lodge completed comprehensive parks plan in 2015 that indicated that linear park land corridors for trails was a high priority, the City decided to update their 2006 Trails Plan. Community advocates had been proactive in gaining an understanding of what creates a vibrant, healthy community through attending the Building Active Communities Initiative (BACI) workshops and collaborating with the Beartooth Recreational Trails Association.

Peaks to Plains Design worked with an advisory committee and Red Lodge citizens to create a vision statement: "Red Lodge is a dynamic community with well-connected neighborhoods and an attractive core are where non-motorized travel is safe, accessible and encouraged for people of all ages and abilities. Red Lodge is a community that promotes social interaction, sustainability and economic viability that evokes civic pride from residents and appreciation from visitors."

Inventory of existing sidewalks and trails was completed using GIS technology. A project-specific online "GeoApp" was launched to allow people to identify problem areas and desired connections. A connectivity analysis identified missing sidewalks in the community.

The recommendations from the plan include way finding for both vehicles to get to trailheads, pedestrian, bicycle and trail way finding. The solutions include road signage, kiosks and digital/mobile applications. Policy recommendations included new policies, codes and ordinances and suggestions for revisions of existing sections of the Red Lodge Municipal Code.

Infrastructure recommendations include the construction of civic gathering areas, easily accessible by foot and bike, sidewalk infill projects and multi-use paths. A priority-based capital improvements plan was prepared with budgetary cost estimates and examined the combining of projects with road, water or sewer main replacements. The plan addressed on-street bicycle facilities for a community where roadways rarely exceed 3,000 vehicles per day. The plan indicates a robust set of programs that target encouragement, education, maintenance, enforcement and evaluation activities to be implemented through community organizations.

Since the plan's adoption in December 2016, community advocates have been using the plan to continue the efforts to achieve the vision set forth in the document.

New Braunfels, TX Sports Complex Economic Feasibility Study (2016)

NEW BRAUNFELS, TEXAS



In 2016, PROS Consulting was hired by the City of New Braunfels to evaluate the concept of developing a sports complex to attract large, regional and multi-state events. The direction set by New Braunfels was to identify opportunities and demand generators that could positively impact the region economically from sports related activities and the type of facilities that provide the greatest economic impact.

Market characteristics were evaluated that included demographic/economic data, accessibility, income levels of targeted groups, other tourism related reports, competition assessment of other sport related facilities in the region (100 mile radius) and the type of programs and events they provide. It was recognized that there will be some teams and participants who will travel more than 100 miles for events especially when an event is a national tournament. Additionally, the project has engaged the hotel and retail industry, the economic development community and local and regional sports providers throughout the process.

Sports Complex Attractions	Baseball/Softball Diamond	Soccer Field	Football Field	Basketball Court	Volleyball Court	Tennis Court	Swimming/Wave Pool	Golf Course	Playground	Picnic Area	Pavilion/Gazebo	Concession	Restrooms	Water Fountain	Skate Park	Dog Park	Batting Cage	Bullpens	Indoor Training Facility	Walking Trail	Hiking Trail	Biking Trail	Fitness Equipment	Free WiFi
Weston Soccer Fields		x										x	x											
Huber Ranch	x											x	x											x
NCFD Farm Club	x											x	x				x	x	x					
Schertz Soccer Complex		x											x											
Peyton Fields			x						x	x		x	x											
Seguin Little League Complex	x			x	x	x	x	x	x	x	x	x	x	x		x				x				
Gary Sports Complex	x								x			x												
South Texas Area Regional (STAR) Soccer Complex		x							x			x	x											
Fischer Softball Complex	x	x		x			x			x	x		x	x	x	x				x				
Jumbo Evans Sports Park	x	x	x			x			x	x		x	x											
Five Mile Dam Soccer Complex		x							x		x	x	x							x				
Koger Stokes Softball Complex	x					x	x		x	x	x	x	x	x	x					x		x		
Buda Sportsplex	x	x							x		x	x	x								x	x		
Kennedy Softball Complex	x			x		x	x				x		x										x	

The final results of the study determined if a large indoor sports facility and/or an outdoor sports complex, located within New Braunfels, will provide the best opportunity for economic development within the sports tourism market.

Project Reference: Ms. Stacey Laird-Dicke, Director of Parks and Recreation, City of New Braunfels, Texas 110 Golf Course Road, New Braunfels, TX 78130; 830.221.4350; slaird@nbtexas.org

2015 Inventory - Facilities				2015 Facility Standards			2025 Facility Standards		
	Recommended Service Levels			Meet Standard/ Need Exists	Additional Facilities/ Amenities Needed		Meet Standard/ Need Exists	Additional Facilities/ Amenities Needed	
OUTDOOR AMENITIES:									
Diamond, Baseball(Teen/Adult)	1.00	field per	15,000	Need Exists	4	Sites(s)	Need Exists	6	Sites(s)
Diamond, /Softball/Baseball(Youth)	1.00	field per	4,000	Need Exists	2	Sites(s)	Need Exists	7	Sites(s)
Diamond, Softball (Adult)	1.00	field per	15,000	Need Exists	2	Field(s)	Need Exists	4	Field(s)
Rectangle Fields (Soccer, Lacrosse, Rugby)	1.00	field per	5,000	Need Exists	5	Field(s)	Need Exists	10	Field(s)
Rectangle Fields Football (Youth)	1.00	field per	40,000	Meets Standard	-	Field(s)	Need Exists	0	Field(s)

HELL CREEK STATE PARK MANAGEMENT PLAN GARFIELD COUNTY, MONTANA

Project Owner: Montana State Parks
Project Contact: Doug Habermann, Regional Director
Phone: (406) 247-2954
Location: Jordan, Montana
Completed: 2016

Hell Creek State Park is comprised of over 330 acres of federal land as a part of the Fort Peck Reservoir on the Missouri River. Located within the CMR Wildlife Refuge, the park provides significant public access to Fort Peck Lake via a 26-mile unimproved gravel road. Recent high lake levels resulted in significant fishing opportunities and as a result, visitation has increased significantly in the last ten years. Currently, peak weekends attract more than 2500 people to the park where the entire county population is less than 2300 people. Montana State Parks recognized the impacts of increased visitation and sought to formally address visitor services through a policy document and site infrastructure planning effort.

Park amenities include 71 camp sites, three boat ramps, a fish cleaning station, picnic shelters, playground, a small visitor contact center, trail head, RV dump station and comfort station. Auxiliary features include employee housing, solid waste receptacle, shade and wind shelters and established vegetation. A third-party concessionaire operates motel units, a marina, fuel sales and provides repair services in addition to search and rescue.

Peaks to Plains Design led the planning process and prepared a range of solutions to address resulting infrastructure needs. The State utilizes the land under a no-cost least agreement with the Army Corps of Engineers (ACOE), significant coordination with the ACOE and the Fort Peck Recreation Management Plan was required. Montana State Parks provides enhanced visitor services through the use of a third-party concessionaire, who has invested significant personal finances into their infrastructure and faces an expiring lease in 2018. Public involvement included the facilitation of two public meetings, with over 50 people at each meeting. Small group break outs provided the opportunity for multiple perspectives to provide input.

Eight areas of concern were identified:

- Management & Operations
- Visitor Services
- Campground
- Sanitary Sewer
- Water System
- Electrical and Telecommunications
- Solid Waste
- Roads and Boat Ramps



Gordon Lemmel conducted a GPS inventory in sub-zero temperatures to get an accurate asset inventory for assessment.

Solutions include policy changes, enforcement programs, compliance with existing codes and regulations and alignment with the strategic vision for Montana State Parks. Infrastructure solutions include increased monitoring, additional tent camp sites, additional electrical service, and replacement of water and sewer infrastructure and redistribution of concentrated uses. The results from the plan will allocate the priorities of a $1.5 million legislative appropriation for construction.

04

COST & PRICE ANALYSIS



PROPOSED FEE ESTIMATE

As your most qualified respondent, we believe that our comprehensive team is adaptable and flexible for your dynamic needs. We welcome the opportunity to refine or modify the scope of work as you continue the journey through this process.

Task 1 - Understanding the Context		
1.1 & 1.2	Project advisory team facilitation (4)	$10,800
1.3	Demographic Trends & Analysis	$ 2,000
Task 2 - Assessing Community Need		
2.1	Focus Group Interviews (3-4)	$ 5,500
2.2	Community Meetings (3)	$10,500
2.3	Household Survey (Sheridan Area)	$19,800
2.4	Online Crowd Sourcing Engagement	$ 4,500
Task 3 - Updating the Master Plan		
3.1 & 3.2	Level of Service Analysis	$ 6,300
3.3	Community & Sports Tourism Complex	$ 2,500*
3.4	Staffing & Maintenance Review	$15,500
Task 4 - Plan Adoption		
4.1	Report Editing & Deliverable:	$ 7,100
4.2	Presentations to Boards & Elected Officials (2)	$ 2,500

Additional Services:

Negotiated upon agreement of scope of work.

*Sports Complex Economic Feasibility Study and ProForma is an additional expense.

05
APPENDIX



Peaks to Plains Design P.C.

LANDSCAPE ARCHITECTURE / PLANNING / CIVIL ENGINEERING

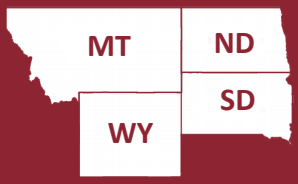
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INCLUSIVE

Vetted solutions that are supported by the people you serve.

ABOUT US

For 15 years, Peaks to Plains Design has served private and public clients with a collaborative spirit to design and planning. We approach projects with a holistic perspective that includes engineering, economics, marketing, strategic planning, construction, design and the creation of social entrepreneurs to carry out your vision.

OUR SERVICES

We provide very diverse services: traditional design-bid-build; public facilitation and strategic planning; master plans; feasibility studies; wetland determinations; design-build; needs assessments; statistically valid surveys; graphic illustrations and simulations; and public relations. Simple projects are great, but our team also enjoys complex projects with multiple solutions!



Jolene J. Rieck

Principal Landscape Architect

Montana #184LAR | Wyoming #LA-0073C | North Dakota #8 | South Dakota #10075 | CLARB Certified #6980

The thoughtful planning, design and execution of the development and management of public lands has always been an area of expertise for Ms. Rieck throughout her 18 year career. Past clients include land management agencies from municipal to federal throughout many states in this region. She has been recognized by her peers as a leader in landscape architecture and as a speaker of interest at parks and recreation conferences. Ms. Rieck's design expertise is award-winning due to the creation of quality community spaces. Most recently, she has positioned her firm as a leader in the planning and implementation of bicycle and pedestrian plans. She understands the roles of infrastructure, operations, asset management, programming and public engagement in an agency's quest to be good stewards of public lands.

Education

Bachelor of Landscape Architecture
Concentration Area: Natural Resource Management
North Dakota State University

Bachelor of Science in Environmental Design
Minor: Earth Science
North Dakota State University

Professional Affiliations

Association of Pedestrian and Bicycle Professionals, Member

BikeWalk Montana, Member
American Society of Landscape Architects (ASLA), Member

Idaho/Montana Chapter ASLA, Past Trustee & Past President
ASLA, Past Licensure Committee Chair

Irrigation Association, Member

Yellowstone County Historic Preservation Board, Past Chair

National Recreation and Parks Association, Member

Montana, North Dakota & Wyoming Recreation and Parks Associations, Member
American Planning Association, Member

Zonta Club of Billings, Past President

Awards|Recognitions

- Guest Speaker, North Dakota Recreation and Parks Association Conference, "Safe Routes to Parks" (2016)
- Top 12 Women in Landscape Architecture, by *Landscape Architecture & Specifier News*
- "National Accessibility Award" for West Rosebud Fishing Access Improvement by the U.S. Forest Service
- Guest Speaker, Midwest Regional Parks Conference (2014) "Parks as Business Assets"
- First Place, Best of Montana Landscapes for Legion Park by the Montana Nursery & Landscape Association
- ID/MT ASLA Merit Award in Resource Conservation for Russian olive Removal Planning in Hill County, Montana
- ID/MT ASLA Merit Award in Resource Conservation for the Rosebud Battlefield State Park, Big Horn County, Montana
- 2009 Beautification Award for "Inviting Entryway" at The Bozeman Gateway, Bozeman, Montana
- 2007 Award for Excellence for "Community Park Design" at Valley West Subdivision, Bozeman, Montana
- Gallatin Valley Land Trust recognition for efforts to design and plan quality community parks and trails in the Cattail Creek Development in Bozeman, Montana
- Guest Speaker, Montana Downtown Conference (2013) "Elements of Great Public Spaces"
- Guest Speaker, Billings West & Bozeman Rotary Clubs, Billings Association of Realtors, "Quality Public Spaces" (2015-2016)

Relevant Continuing Education

- Park Rx America: Doctors Prescribing Parks to Prevent & Treat Chronic Disease
- Trails as Economic Drivers
- Implementing Park Design & Programs that Encourage Community Involvement
- Bicycle Standards for On and Off-Street Facilities
- Community-Based Open Space Stewardship: The Benefits District Model
- Making Artful, Innovative Playgrounds that Meet Standards
- Put Value to Parks: Economic and Health Benefits
- Integrating Natural Systems and Outdoor Learning Environments
- Risk Management at Nature Play & Learning Areas: A Risk Analysis
- Trails Management and Maintenance
- Creating Safer Parks Through Careful Design, Maintenance & CPTED Principles
- Park Land Performance
- Designing Sustainable Splash Pads
- Planning for Financial & Operational Success for Park Agencies
- What is it Worth? The True Value of Open Space

Selected Project Experience

Parks-Master Planning, Design & Implementation

- Comprehensive Parks and Recreation Plan, Billings, Montana
- Comprehensive Parks and Open Space Plan, Big Sky, Montana
- Spearfish Canyon State Park & Bismarck Lake Master Plan, South Dakota
- New Aquatic Center, Gillette, Wyoming
- Hell Creek State Park Master Site and Management Plan, Jordan, Montana
- Comprehensive Park Plan, Sidney, Montana
- Parks Needs Assessment & Community Survey, Laurel, Montana
- 2013 Parks Planning & Design (6 Parks), Williston, North Dakota
- Valley West Parks Master Plan and Implementation, Bozeman, Montana
- Roundhouse Park, Deer Lodge, Montana
- Wild Horse Park Master Plan and Implementation, Colstrip, Montana
- Legion Park Master Plan and Implementation, Hamilton, Montana
- West Rosebud Lake Trails, Fishing Access & Boat Launch, Stillwater County, Montana
- Crestview Estates Irrigation Plan, Gillette, Wyoming
- River Park Master Plan Update, Hamilton, Montana
- Lewis & Clark Caverns State Park, Jefferson County, Montana
- Pictograph Caves State Park, Yellowstone County, Montana
- Trails and Beaver Dam Park, Anaconda/Deer Lodge County, Montana
- Centennial Park Master Plan, Powell, Wyoming
- Skyview Ridge Park Master Plan, Billings, Montana
- Briarwood Park Master Plan, Billings, Montana
- Riverfront Park Master Plan Update, Billings, Montana
- Rosebud Battlefield State Park Management Plan, Big Horn County, Montana
- Howard Heights Park Master Plan & Irrigation Plan, Billings, Montana
- Cattail Lake Park Master Plan & Implementation, Bozeman, Montana
- Castle Rock Park Sprayground, Billings, Montana
- Legends II Park Master Plan, Bozeman, Montana
- Pompey's Pillar Site Entry, Yellowstone County, Montana
- Baxter Meadows Park, Phases 2-6, Bozeman, Montana
- Bitterroot Heights Park Master Plan, Billings, Montana
- Flander's Creek Park Master Plan, Bozeman, Montana
- Pow Wow Park Master Plan, Billings, Montana
- Spring Meadow State Park Nature Center Master Plan, Helena, Montana
- Red Mountain Campground, Madison County, Montana
- Sandan Park Master Plan & Implementation, Bozeman, Montana
- Highland Park Sprayground and Playground, Billings, Montana
- Ironwood Parks Master Plan, Billings, Montana
- Meadowlark Park Master Plan, Billings, Montana
- Cattail Creek Park Master Plan and Implementation, Bozeman, Montana
- Descro Park Master Plan, Billings, Montana
- Sacrifice Cliff Park Master Plan, Billings, Montana

Non-Motorized Transportation

- Active Transportation Plan, Red Lodge, Montana
- New Sidewalks, Lighting and RRFB, Baker & Plevna, Montana
- Billings Area Bikeway and Trails Plan, Billings, Montana
- City of Hamilton Non-Motorized Transportation Plan, Hamilton, Montana
- Lockwood SRTS Infrastructure Sidewalks, Lockwood, Montana
- Safe Routes to School Plan, Lockwood, Montana
- Safe Routes to School Master Travel Plan, Riverton, Wyoming
- 17th Avenue Sidewalks, Forsyth, Montana
- MetraPark Sidewalks - Billings, Yellowstone County, Montana
- West Rosebud Lake, Fishing Access /Boat Launch, Stillwater County, Montana















Gordon Lemmel

Licensed Landscape Architect

Montana #LAR-12493 | CLARB #40700

As part of the Peaks to Plains Design team, Gordon Lemmel is the firm's "go-to-guy," known for his ability to fuse creativity and functionality. Gordon is sought after to not only conceive imaginative designs, but also to use his strong technical background to bring the designs to life. While he is able to develop quick freehand sketches to convey initial design ideas, Gordon is highly skilled at using the latest computer-aided design programs to aid in the visualization of a project and improve the overall understanding of the work.

Gordon's professional experience in public, private and non-profit industries, in addition to his experience as a landscape construction foreman, has provided him with the ability to view projects through many different "lenses." He is able to approach a project from not only the viewpoint the client, but also from the viewpoint of the contractor. His application of this background further provides the team with a deep understanding of project feasibility and cost.

Most importantly, Gordon possesses the skills and know-how to make the design process easy. His strong communication, design and technical skills will help formulate and implement your vision to a high level of success.

Education

Master of Landscape Architecture
University of Idaho

Graduate Certificate: Organizational Dynamics
University of Idaho

Bachelor of Arts, Landscape Architecture
University of Idaho

Professional Affiliations

American Society of Landscape Architects
Member

Kiwanis International
Member

Land Trust Alliance
Member

Montana Audubon Center
Advisory Board

Design Skills

AutoCAD
Microstation
SketchUp 3D
Maxwell Rendering
Adobe Creative Suite
ESRI ArcGIS
Magix Video Editor Pro
GeoApp/Form Design
SmartMap
Hand Graphics
Adobe Spark

Continuing Education

- Ecologically Sensitive Lighting Design
- Design for Equity: Shifting the Paradigm of Diversity & Inclusion
- Crowdfunding for Walkable Communities
- ESRI GeoApps: Creation and Use
- Best Management Practices for Working in Waterways
- Informed Decision-Making for Capital Improvement Plans
- Public Sector Compliance and Consultation Overview
- Compliance with the Clean Water Act and WOTUS
- Fundamentals of Erosion and Sediment Control
- Wetland Plants Identification
- SmartLink Network: Irrigate from Anywhere
- Hunter 2-Wire Decoder Design and Installation
- People and Pedestrians by Design: The Benefit of Walkable Environments

Project Experience

- Indian Health Service Water Conservation - Hospital Xeriscape, Crow Agency, Montana
- Mountain Lodge - Douglas Care Center, Douglas, Wyoming
- Diesel Technology Center at Montana State University-Northern, Havre, Montana
- Southwest Montana Veterans Columbarium Plaza, Bozeman, Montana
- Roosevelt County Detention Center, Wolf Point, Montana
- Salisbury National Cemetery, Salisbury, North Carolina
- Alabama National Cemetery, Montevallo, Alabama
- Gateway Signage, Big Sky, Montana
- National Minerals Laboratory, Greybull, Wyoming
- Alkali Creek Storm Drain Outfall Wetland Delineation, Billings, Montana
- Canyon Creek Battlefield Site Improvement, Laurel, Montana
- Ponderosa School Path, Billings, Montana
- Veterans Memorial Plaza, Fort Peck, Montana
- 4th Avenue and 20th Street Plaza, Billings, Montana
- Missoula College, Missoula, Montana



Kalsey Stults

Public Relations Specialist

Kalsey Stults is a marketing, public relations and design professional with over five years of experience in her field. Ms. Stults is a confident writer and copy editor who is able to effectively communicate through the written word and design. Her work has been published on local and state levels from content she has written to materials she has produced. Her experience in a previous non-profit setting has led to knowledge in grassroots marketing efforts, public speaking, time management and effective communication.
Ms. Stults is a multi-faceted individual who is experienced and knowledgeable in all things communication.

Education
Bachelor of Arts
Communications
Concentration: Media Design
Minor: English
University of Tennessee at Martin

Professional Experience

Marketing and Public Relations Specialist
Peaks to Plains Design, Billings, Montana

- Explores new marketing strategies to implement for firm and clients
- Builds relationships with media journalists
- Prepares press releases, newsletters, articles and social media posts for release
- Reports on market analysis
- Updates Search Engine Optimization to the firm website
- Built updated website using WordPress

Assistant Editor/Journalist
The Dickinson Press, Dickinson, North Dakota

- Designed layout for news section daily which would range from 8-12 pages
- Webbed all news content and posted to social media daily
- Copy edited stories from press staff and Forum News Service staff
- Wrote content for a daily newspaper in the heart of oil country with a circulation size of 7,000
- Focused on agriculture, business, higher education, outdoors, environment, energy and the Theodore Roosevelt National Park
- Designed informational graphic to accompany stories
- Photographed center-piece worthy photos daily
- Received recognition for being a top five reporter and having a top five story across Forum Communications, on Aug. 23, 2016, with a total engagement of 10,000

District Executive
Boy Scouts of America, Nashville, Tennessee

- Promoted Scouting in the areas of fundraising, volunteer and membership growth
- Recruited over 600 youth in four counties in southern Tennessee
- Increased fundraising dollars by 104%
- Provided training to over 75 adult volunteers
- Networked and built relationships with community leaders
- Marketed through social media, flyers, newsletters, radio
- Successfully created a grassroots marketing effort for the first time in the region for the organization

Michael Svetz



PROS Consulting
Senior Project Manager

Education

B.S., Miami University, 1990
M.S., Miami University, 1991

Employment History

Consultant, PROS Consulting; 2012 to present
Director of Parks and Recreation, City of Goodyear, AZ; 2009 to 2012
Director of Parks and Recreation, City of Charlottesville, VA; 2004 to 2009
Director of Parks and Recreation, City of Strongsville, OH 2000 to 2004
Assistant Director of Parks and Recreation, City of Strongsville, OH 1997 to 2000
Recreation Supervisor, City of Brunswick, OH 1991 to 1997)

Professional Experience

- Michael Svetz has served 24 years in the field of parks and recreation for local governments, the last 15 of which at the executive management level. He has held Director-level positions in Strongsville, Ohio (Cleveland vicinity), Charlottesville, Virginia and most recently for the City of Goodyear, Arizona.
- He has vast experience in developing and applying cutting edge business processes to create self-sustaining operations of multi-million dollar community centers, golf courses, and a Major League Baseball Player Development and Spring Training complex.
- Throughout his career, Mike has successfully developed and implemented strategic master plans for the parks and recreation departments that he led and the city and state associations that he served.
- As a dedicated public servant, Mike developed a deep knowledge of, and sincere appreciation for, organizational development, citizen engagement, board involvement and political acumen, all of which are critical elements in the successful creation and implementation of any parks and recreation plan.
- Since joining PROS Consulting, he has participated in numerous parks and recreation planning projects that include master plans, strategic plans, business planning, and strategic implementation. His project management skills and organization have assisted in the creation of innovative and fiscally sustainable projects across the United States.

Certification

Certified Public Manager

Similar Project Experience

- Great Falls, MT Parks and Recreation Master Plan
- Billings, MT Parks and Recreation Master Plan
- City of Aspen, CO Recreation Division Business Plan
- City of Boulder, CO Aquatic Division Business Plan
- City of Calgary, Alberta, Canada, Park Zero Based Budget Review
- City of American Canyon, CA Parks and Recreation Master Plan
- City of Scottsdale, AZ Parks and Recreation Master Plan
- City of Provo, UT Parks and Recreation Master Plan
- Muskingum Watershed District (New Philadelphia, OH) Lakefront Business Planning Analysis
- Fairfax County, VA Park Authority Needs Assessment
- City of Charlottesville, VA Parks and Recreation Master Plan
- Santa Clara County, CA Cost Recovery and Pricing Plan
- City of Pasadena, CA Sports Field Strategic Plan and Parks Maintenance Management Plan

Who is PROS Consulting?



PROS Consulting is a small firm with a big presence in the field of management consulting for public entities and non-profit organizations. With a small team of highly professional and experienced consultants, PROS is a flexible firm that is agile to the evolving dynamics of the social, economic, and political environments our clients operate in. PROS is among only a small handful of firms that have tremendous experience in the field as practitioners and have become nationally recognized for helping to shape and further transform the industry of parks and recreation. The full name and location of the office that will be working on this project are:

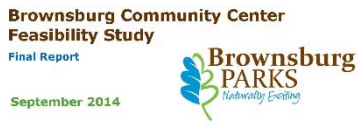
Company Name: PROS Consulting, Inc. **Years in Business**: 22
Main Office: 201 S. Capitol Ave., Suite 505; Indianapolis, IN 46225
Office Phone: 877.242.7760; Office Fax: 877.242.7761
President: Leon Younger; 317.679.5615; leon.younger@prosconsulting.com

PROS Quick Facts



- Since the firm was established in 1995 to uniquely serve the park, recreation and tourism services industry, PROS has completed more than 1,000 projects in over 47 states and numerous projects internationally in seven countries.
- The **PROS Team has worked in highly diverse environments** from the inner cities of Los Angeles, Houston, Atlanta, and Dallas, to remote areas in Appalachia, Montana, and the American West. Our experience includes working with the best-of-the-best, the worst-of-the-worst, and a lot in between.
- Our planning team has great depth of operational experience with **over 100 combined years as former parks and recreation managers**. This perspective of being trained "in the industry" and not just "on the industry" allows us to relate to communities and their residents, recreationalists of all types, and to understand the unique relevance of needs that can be most appropriately served by our clients. In other words, great recreational and park planning is not just collecting surveys and reporting results – it is about **achieving a sustainable balance of services, meeting community needs, and resource protection with community fulfillment.**







- Our approach to planning projects are that we become the **extension of the client's team** and carry the same accountability as they do in serving their communities.
- This project is not about the PROS Team or what we think is best for your organization and stakeholders, nor do we believe that what works on some parts of the country will work here. This project is about producing **reliable, sustainable, relevant, and innovative outcomes for Sheridan, and the people that live, work and play in the region.**



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Utilities

MEMORANDUM

Project Name:	Resolution 37-18 Authorizing a Public Opinion Survey Regarding the Continuation of Adding Fluoride to Sheridan's Drinking Water - Dan Roberts, P.E., Utilities Director
From:	Dan Roberts, Utilities Director
To:	Mayor and Council
CC:	Mark Collins, City Administrator
Date:	07/12/2018

Recommendation:

Staff recommends City Council approval of Resolution 37-18 authorizing the implementation of a public opinion survey regarding the continuation of fluoridation in the City of Sheridan's drinking water.

Background:

During the July 9, 2018 City Council Study Session, staff proposed to City Council a method to obtain public opinion regarding the continuation of fluoridation in the City of Sheridan's drinking water. The method proposed was to conduct a public opinion survey utilizing the following process:

- Mail an opinion survey to approximately 8,700 residences consisting of approximately 7,400 Sheridan residential water account holders and approximately 1,300 residences within apartments, multi-family, and trailer parks that do not have an individual water account.
- The survey would include a cover letter explaining the survey, a detachable survey questionnaire authenticated by a watermark, and a postage page return envelope addressed to a third party accounting firm that will validate, tabuluate, and report the survey result.
- The survey would consist of one question: "Shall the City of Sheridan Continue to Fluoridate the City's Drinking Water?" Y/N

During Study Session discussion, an interest in expanding the survey to include the Sheridan Area Water Supply Joint Powers Board (SAWSJPB) customers was shared. Staff affirmed to City Council that this can easily be accomplished. Subsequent to the Study Session, a request for their participation in the survey was presented to the SAWSJPB during the Public Comment section of their July 11th meeting. No formal action was able to be taken, but interest in participating in paying for the costs to include SAWS customers in the survey was expressed.

If City Council approves attached Resolution 37-18, a formal action item could be presented to the SAWSJPB for approval or disapproval of their participation. All this could happen within the schedule proposed which was to mail the survey out on July 30th, tabulate it on August 27th, and report the result to City Council on September 4th.

Resolution 37-18 affirms that the City would include the SAWSJPB customer in the survey if the SAWSJPB approves participation in the costs of the survey. The estimated costs to conduct the survey are as follows:

City of Sheridan

- Survey Production: $1,000
- Postage: $5,000
- 3rd Party Accounting Services: $1,500

Total: $7,500

SAWSJPB

- Survey Production: $250
- Postage: $1,150
- 3rd Party Accounting Services: $400

Total: $1,800

Thank you for your consideration.

Attachments

Resolution 37-18

RESOLUTION 37-18

A Resolution authorizing the implementation of a public opinion survey regarding the continuation of fluoridation in the City of Sheridan's drinking water.

WHEREAS, the City of Sheridan places Fluoride into the City of Sheridan potable water supply at a concentration of .7 ppm (parts per million); and

WHEREAS, Fluoride is not required by Ordinance, Statute or Federal Rule, Law, or Order to be added to the City of Sheridan drinking water supply; and

WHEREAS, the City Council believes that it is in the best interest of the residents of the City of Sheridan for the decision to place fluoride into the City of Sheridan drinking water supply be voted on by its residents and the Sheridan Area Water Supply Joint Powers Board (SAWSJPB) customers if survey costs and participation are approved by the SAWSJPB; and

WHEREAS, the City Council intends to accept the result of the ballot.

THEREFORE, the City of Sheridan City Council hereby declares that the following question shall be presented to its residences, and the water customer account holders of the SAWSJPB if approved, by mail ballot and the results shall have the effect as follows:

1. “Shall the City of Sheridan continue to fluoridate the City of Sheridan’s drinking water? Y/N”.

2. The City of Sheridan shall enter into a contract with an independent third party firm which:

    a. Shall directly receive the ballot responses via a prepaid return envelope provided to each residence, or water account holder in the case of SAWS, in the survey packet;
    b. Shall tabulate the final survey results;
    c. Shall publicly report the result to City Council .

3. Should a majority of the respondents respond “Yes”, the City shall continue adding Fluoride to the City of Sheridan’s drinking water.

4. Should a majority of the residents respond “No”, the City shall cease adding Fluoride to the City of Sheridan’s drinking water within forty-five (45) days of certification of the votes.

PASSED, APPROVED and ADOPTED this _____ day of _____, 2018.

_____
Roger Miller, Mayor

ATTEST:

_____
City Clerk