



**AGENDA
CITY OF SHERIDAN
NOVEMBER 21, 2022
REGULAR COUNCIL MEETING START 7:00 P.M.**

1. Call to Order
2. Pledge of Allegiance
3. Invocation to be given by Chris Shutte, Sheridan Bible Church
4. Roll Call of Members
5. Consideration of Agenda
6. Community Update
 - A. WYO Winter Rodeo 2023 Update - Sheridan County Travel and Tourism Director Shawn Parker
7. Comments from the Public
8. Public Hearings
 - A. Public Hearing for the First Reading of Ordinance #2256 Regarding Emergency Powers - City Attorney Brendon Kerns
 - i. Consideration of the First Reading of Ordinance #2256 Regarding Emergency Powers - City Attorney Brendon Kerns
9. Consent Agenda
 - A. Minutes of Regular Council Meeting November 7, 2022
 - B. Claims
 - C. Re-appointment of Joe Crump to the Board of Adjustment for a Three-Year Term Ending 12/31/2025
10. Staff Update
 - A. Kendrick Golf Course Year-End Review - Parks Director Steve Gage
 - B. Discussion of Ordinance 2257 Regarding Contractor License Revocation - City Attorney Brendon Kerns

OLD BUSINESS

11. Consideration of Second Reading of Ordinance 2255, Revision of Sheridan Municipal Code Sections Regarding Open Space - Community Development Director Wade Sanner

NEW BUSINESS

12. Council Comments and Requests for Future Agenda Items
13. Adjournment



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: Consideration of the First Reading of Ordinance #2256 Regarding Emergency Powers - City Attorney Brendon Kerns
From: Brendon Kerns, City Attorney
To: Mayor and Council
CC:
Date:

Recommendation:

See attached Memo and Draft Ordinance.

Attachments

Memo
Ordinance REDLINED
Ordinance Clean

TARVER, KERNS & BUNTING, LLP

200 WEST LOUCKS STREET
SHERIDAN, WY 82801

TIMOTHY S. TARVER, LLC

P.O. Box 6284
Sheridan, WY 82801
(307) 672-8905 | (307) 674-5000 fax

KERNS & BUNTING, LLC

Brendon E. Kerns*
Sheryl S. Bunting
P.O. Box 6669
Sheridan, WY 82801
(307) 655-8600 | (307) 674-5000 fax
*LICENSED IN WY & MT

MEMORANDUM

Date: November 16, 2022
To: Mayor and Council
RE: Emergency Powers and Response Ordinance 2256

The City, County, and community partners have been working towards updating and completing a Sheridan County Emergency Operations Plan (SC-EOP). The purpose of SC-EOP is to establish a framework outlining a collaborative approach to emergency response activities within Sheridan County. In preparation for the finalization of this policy, the City Administrator requested an analysis of City Ordinances to ensure that the City can properly implement SC-EOP and respond to emergencies.

SC-EOP provides numerous examples of the types of emergencies which may require a quick and efficient response. Examples include flash floods, dam or levee structural failure, major roadway failure exceeding 72 hours, failure of critical infrastructure, tornado, and fire.

City Ordinance 2-68 through 71 allows for an Emergency Proclamation to be issued by the Mayor only for mob action or civil disobedience. There is no ability to take immediate action to respond to or mitigate any other emergency. Limiting an emergency response only to riots is insufficient to be able to implement SC-EOP.

Ordinance 2256 establishes the procedure for the declaration of an emergency. The Mayor may issue an emergency proclamation. That proclamation authorizes the City Administrator to take the necessary steps to respond the emergency which can include the expenditure of funds, closing of public facilities, hiring of employees and hiring contractors. However, the Mayor is required to call a council meeting which must be held within 48 hours. The Governing Body will then determine whether the emergency exists and what powers should be granted to the City Administrator if necessary. If no meeting is held, the Emergency Proclamation terminates.

After the presentation to Council on November 7th, changes were made in response the council's discussions. In your packet is a redlined version and a clean version of the ordinance. The redlined version shows the changes made since the last meeting. Specifically, a limit has been placed on what constitutes an emergency. Epidemics and pandemics are not eligible events. If the Governing Body does not find that an emergency exists, the Mayor cannot issue a new Emergency Proclamation for the same event. Lastly, the expenditure of funds must be reasonably related and necessary to the emergency response.

If you have any questions or concerns, please contact me at your convenience.

TARVER, KERNS & BUNTING, LLP

A handwritten signature in blue ink that reads "Brendon Kern". The signature is written in a cursive, flowing style.

Brendon E. Kerns

**CITY OF SHERIDAN
ORDINANCE 2256**

AN ORDINANCE CONCERNING SHERIDAN MUNICIPAL CODE, CHAPTER 2 ARTICLE IV;
EMERGENCY PROCLAMATION

WHEREAS, the City of Sheridan finds it necessary to establish and clarify the conditions in which an Emergency Proclamation may be issued.

BE IT ORDAINED BY THE CITY OF SHERIDAN GOVERNING BODY:

Chapter 2 Article IV shall be repealed and restated as follows:

2-68 Proclamation by Mayor

- (a) The Mayor, or in the event of his/her inability, the Mayor Pro Tem, may determine an emergency exists and issue an Emergency Proclamation.
 - i. An emergency shall not be declared unless an immediate response is required to mitigate significant harm to people, property or government facilities. Epidemics or pandemics are not eligible events for the purpose of this Article.
- (b) The Proclamation shall be effective immediately upon its issuance and the City Administrator shall be granted the authority described in Ordinance 2-69. The Proclamation shall be disseminated to the public and local news media immediately.
- (c) The Mayor shall call an Emergency or Special Meeting of the Governing Body as soon as reasonably possible and no later than 48 hours after the issuance of the Emergency Proclamation. The City Governing Body shall review the basis for the Emergency Proclamation and determine whether an emergency exists. If the Governing Body affirms the need for an Emergency Proclamation, it shall do so by resolution.
 - i. The Governing Body Emergency Proclamation shall set forth the duties, powers and authorities of the City Administrator and set forth any other requirements and responses the Governing Body deems necessary.
- (d) The Mayor issued Emergency Proclamation may be revoked by the Mayor at any time. The Emergency Proclamation shall terminate if not certified by the City Governing Body within 48 hours of its issuance.
 - i. If the Governing Body votes to deny or revoke the Mayor's Emergency Proclamation, the Mayor shall not issue an additional Emergency Proclamation for the originating event without approval of the Governing Body.

2-69 Emergency Proclamation Powers

- (a) Upon an Emergency Proclamation being made by the Mayor, the City Administrator may exercise all of the following powers unless otherwise limited by the Governing Body:
 - i. Take actions in accordance with the Sheridan County Emergency Operations Plan;
 - ii. Suspend any permits or licenses issued by the City;
 - iii. Appoint a Director of Emergency Services from City Staff;
 - iv. Employ people, enter into contracts, purchase materials and expend the funds necessary to respond to the emergency, provided that the expenditure is reasonably related to and necessary to response to the emergency;
 - v. Close or restrict access to or use of City facilities, streets, alleys, and infrastructure;
 - vi. Execute all other powers conferred by Federal, State or City Ordinance.
- (b) The City Administrator expenditure of funds shall not exceed the fiscal year's budgeted general fund. The Governing Body, per W.S. § 16-4-114, may authorize the use of City reserve funds if an emergency has been determined to exist.

2-70 Reports and Termination

- (a) The City Administrator shall report to the Mayor on a regular basis all actions taken in response to the emergency, money expended, changes to the emergency situation, and any other relevant information.
- (c) If the Emergency Proclamation is affirmed by the City Governing Body, the Proclamation shall be effective until such time as determined by the City Governing Body.

2-71 Penalty and Enforcement

- (a) Any person who refuses to comply with any City personnel responsible for enforcing the Emergency Proclamation shall be guilty of a misdemeanor and punished by a fine of up to \$750.00 and six (6) months in jail.

PASSED, APPROVED AND ADOPTED this ____ day of _____, 2022.

City of Sheridan

Richard Bridger, Mayor

ATTEST:

Cecilia Good, City Clerk

FIRST READING: _____
SECOND READING: _____
THIRD READING: _____

**CITY OF SHERIDAN
ORDINANCE 2256**

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 - ii. Suspend any permits or licenses issued by the City;
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- (c) If the Emergency Proclamation is affirmed by the City Governing Body, the Proclamation shall be effective until such time as determined by the City Governing Body.

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- (a) Any person who refuses to comply with any City personnel responsible for enforcing the Emergency Proclamation shall be guilty of a misdemeanor and punished by a fine of up to \$750.00 and six (6) months in jail.

PASSED, APPROVED AND ADOPTED this ____ day of _____, 2022.

City of Sheridan

Richard Bridger, Mayor

ATTEST:

Cecilia Good, City Clerk

FIRST READING: _____
SECOND READING: _____
THIRD READING: _____



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 Regular Council Meeting November 7, 2022
From: Candace Ainslie, Assistant Clerk
To: Mayor and Council
CC:
Date:

Attachments

Minutes

COUNCIL CHAMBERS **7:00 P.M.** **November 7, 2022**

Mayor Rich Bridger	Aye
Kristen Jennings	Aye
Shawn Day	Aye
Steven Brantz	Aye
Clint Beaver	Aye
Jacob Martin	Aye
Aaron Linden	Aye

7. Comments from the Public

A. There were no comments from the public.

Mayor Rich Bridger	Aye
Kristen Jennings	Aye
Shawn Day	Aye
Steven Brantz	Aye

Clint Beaver	Aye
Jacob Martin	Aye
Aaron Linden	Aye

Voice vote on the main motion: six ayes and one nay.

Mayor Rich Bridger	Aye
Kristen Jennings	Nay
Shawn Day	Aye
Steven Brantz	Aye
Clint Beaver	Aye
Jacob Martin	Aye
Aaron Linden	Aye

9. Public Hearings

A. Public Hearing for the First Reading of Ordinance 2255, Revision of Sheridan Municipal Code Sections Regarding Open Space. Mayor Bridger opened the Public Hearing at 7:35 P.M. Community Development Director Wade Sanner updated the Council. Mayor Bridger closed the Public Hearing at 7:53 P.M.

- i. Consideration of the First Reading of Ordinance 2255, Revision of Sheridan Municipal Code Sections Regarding Open Space. Councilmember Martin moved, seconded by Councilmember Day, to approve Ordinance 2255 on First Reading. Roll call vote: four ayes and three nays.

Mayor Rich Bridger	Aye
Kristen Jennings	Nay
Shawn Day	Aye
Steven Brantz	Nay
Clint Beaver	Nay
Jacob Martin	Aye
Aaron Linden	Aye

B. Public Hearing for PL-22-33, Resolution 56-22, Revision of Wrench Ranch Properties, Master Plan Phase I Mayor Bridger opened the Public Hearing at 8:03 P.M. Community Development Director Wade Sanner updated the Council. Mayor Bridger closed the Public Hearing at 8:07 P.M.

- i. Consideration of PL-22-33, Resolution 56-22, Revision of Wrench Ranch Properties, Master Plan Phase I. Councilmember Jennings moved, seconded by Councilmember Martin, to approve Resolution 56-22, Voice vote: unanimous.

Mayor Rich Bridger	Aye
Kristen Jennings	Aye

Shawn Day	Aye
Steven Brantz	Aye
Clint Beaver	Aye
Jacob Martin	Aye
Aaron Linden	Aye

C. Public Hearing for the Renewal of the Following Liquor Licenses for the 2023 Liquor License Term. Mayor Bridger opened the Public Hearing at 8:08 P.M. City Clerk Cecilia Good updated the Council. Mayor Bridger closed the Public Hearing at 8:11 P.M.

i. Consideration of the Renewal for the Listed Liquor Licenses for the 2023 Liquor License Term

1. 307 HORSE RACING INC dba 307 HORSE RACING located at 1140 COFFEEN AVE
2. AMERICAN PIZZA PARTNERS LP dba PIZZA HUT located at 2547 N MAIN ST
3. BIG HORN MTN EAGLES FOE AERIE #4169 dba BIG HORN MTN EAGLES FOE #4169 located at 1760 COMMERCIAL AVE
4. BIG HORN PUBLIC HOUSE LLC dba SMITH ALLEY BREWING COMPANY located at 150 N MAIN ST
5. BLACK TOOTH BREWING COMPANY LLC dba BLACK TOOTH BREWING COMPANY located at 312 BROADWAY ST
6. CHIASSON SHERIDAN INC dba WYOMINGS RIB & CHOP HOUSE located at 847 N MAIN ST
7. CLOUD PEAK HOSPITALITY LLC dba RAMADA PLAZA located at 1809 SUGARLAND DR
8. COWBOY CAFÉ 2 LLC dba COWBOY CAFÉ located at 138 N MAIN ST
9. D & B LIQUORS INC dba SHERIDAN LIQUOR located at 1842 SUGARLAND DR #113
10. DADDY'S GIRL LLC dba UPTOWN SHABBY SHACK EATERY & CATERING located at 330 & 334 N MAIN ST
11. FRESHLY MINTED DBA THE MINT BAR located at 151 N MAIN ST
12. EL TAPATIO DOS LLC dba EL TAPATIO DOS located at 1125 N MAIN ST
13. GENUINE HOSPITALITY MANAGEMENT LLC dba PO NEWS & FLAGSTAFF CAFÉ located at 1 N MAIN ST
14. GOLDEN CHINA RESTAURANT LLC dba GOLDEN CHINA RESTAURANT located at 2091 S SHERIDAN AVE
15. GRANTREE INC dba RAINBOW BAR located at 264 N MAIN ST
16. GREENLAND HOSPITALITIES LLC dba TRAILS END FIREWATER LOUNGE located at 2125 N MAIN ST
17. JOHN DONALD GARBUTT POST 7 AMERICAN LEGION dba AMERICAN LEGION POST 7 located at 137 N BROOKS
18. KALIF TEMPLE AAONMS dba KALIF SHRINE TEMPLE located at 145 W LOUCKS
19. KOLTISKA DISTILLERY INC dba KOLTISKA DISTILLERY SATELLITE located at 644 CROOK ST
20. LA HERRADURA LLC dba LA HERRADURA located at 437 N MAIN ST
21. LAS DELICIAS II LLC dba LAS DELICIAS located at 201 BROADWAY ST
22. LITTLE KITCHEN LLC dba LITTLE KITCHEN located at 2004 N MAIN ST
23. LUMINOUS BREWHOUSE LLC dba LUMINOUS BREWHOUSE located at 504 BROADWAY ST
24. MEADOWLARK LAKE LLC dba FRACKELTONS located at 55 N MAIN ST
25. MOYLE PETROLEUM COMPANY dba COMMON CENTS FOODSTORE located at 3601 N MAIN ST
26. MYDLAND MARKET LLC dba MYDLAND MARKET located at 549 MYDLAND RD
27. NEW DRAGON WALL INC dba DRAGON WALL located at 1842 SUGARLAND DR #110
28. OK CORRAL CITY LIQUOR INC dba OK CORRAL CITY LIQUOR located at 511 N MAIN ST
29. OLE'S PIZZA & SPAGHETTI HOUSE INC dba OLE'S PIZZA & SPAGHETTI HOUSE located at 927 COFFEEN AVE
30. PONY LOUNGE & FRONTIER LIQUOR INC dba PONY GRILL & BAR located at 3 S GOULD
31. POWDER RIVER PIZZA COMPANY INC dba POWDER RIVER PIZZA COMPANY located at 803 N MAIN ST

- 32. RAILROAD GRILL LLC dba WELCOME MARKET HALL located at 841 N BROADWAY ST
- 33. SAPPORO WYOMING IV LLC dba SAPPORO JAPANESE STEAKHOUSE located at 1062 E BRUNDAGE LN STE 101
- 34. SHERIDAN AERIE #186 FOE dba FRATERNAL ORDER OF EAGLES located at 850 N MAIN ST
- 35. SHERIDAN HAWKS JUNIOR HOCKEY CLUB INC dba SHERIDAN HAWKS JUNIOR HOCKEY CLUB located at 475 E BRUNDAGE ST
- 36. SHERIDAN LAND COMPANY INC dba BEAVER CREEK SALOON located at 112 N MAIN ST
- 37. SHERIDAN LODGE #520 BPOE dba SHERIDAN ELKS LODGE #520 located at 45 W BRUNDAGE
- 38. SHERIDAN VENTURES LLC dba BEST WESTERN SHERIDAN CENTER located at 612 N MAIN ST
- 39. SPRUCE RESTAURANT LLC dba SPRUCE located at 3 E ALGER ST
- 40. SPRUCE RESTAURANT LLC dba SPRUCE located at 1 E ALGER
- 41. STAR LIQUOR LLC dba STAR LIQUOR TASTING LIBRARY located at 700 N MAIN ST
- 42. SUTTON LEGACY LLC dba SUTTON'S TAVERN located at 1402 N MAIN ST
- 43. T AND C LLC dba T AND C LIQUORS located at 727 E BRUNDAGE STE A
- 44. THE ABIDERS LLC dba CLOUD PEAK LANES located at 1520 COFFEEN AVE
- 45. THE FOUNDRY dba FOUNDRY located at 342 WHITNEY LN 2ND FL
- 46. THE HIDDEN BRIDGE GOLF CLUB LLC dba THE HIDDEN BRIDGE GOLF CLUB located at 550 MYDLAND RD
- 47. THE WAREHOUSE GASTROPUB LLC dba THE WAREHOUSE GASTROPUB located at 333 N BROOKS ST
- 48. VERDELLO LLC dba VERDELLO OLIVE OILS & FINE FOODS located at 23 & 25 GRINNELL PLAZA
- 49. VETERANS OF FOREIGN WARS POST 1560 dba VETERANS OF FOREIGN WARS POST 1560 located at 758 BROADWAY ST
- 50. WAREHOUSE MARKET INC dba KILLY'S SMOKEHOUSE DELI located at 1062 BRUNDAGE LN
- 51. WJK LLC dba NO NAME BAR located at 901 N MAIN ST
- 52. WYO THEATER INC dba WYO THEATER located at 42 N MAIN ST
- 53. WYOMING RESORTS LLC dba MAIN STREET TAVERN/BEST WESTERN SHERIDAN CTR located at 609 N MAIN ST
- 54. CITY OF SHERIDAN dba KENDRICK MUNICIPAL GOLF COURSE located at 65 GOLF COURSE RD

Councilmember Linden moved, seconded by Councilmember Day, to approve the renewal of the listed 2023 Liquor License Applications. Voice vote: unanimous.

Mayor Rich Bridger	Aye
Kristen Jennings	Aye
Shawn Day	Aye
Steven Brantz	Aye
Clint Beaver	Aye
Jacob Martin	Aye
Aaron Linden	Aye

10. Staff Update

A. City Attorney Brendon Kerns updated the Council on Ordinance #2256 Regarding Emergency Powers.

11. Consent Agenda

- A. Consideration of the Parking Lot Agreement for the Bede Property Between City Hall and Verdello
- B. Letter from the Governing Body Regarding the City Administrator Contract Negotiation

- C. Paving Lien Release for SID #76 in the Amount of \$3,166.47 for Dan & Bessie George Trust Properties at 216-217 Main Street
- D. Employment Contract for Brian Washko
- E. Minutes of Regular Council Meeting October 17, 2022
- F. Minutes of Special Council Meeting October 19, 2022.

Mayor Bridger recused himself from voting on Claims due to a payment to the Sheridan Recreation District. Councilmember Beaver moved, seconded by Councilmember Linden, to approve the consent agenda. Voice vote: unanimous.

Mayor Rich Bridger	Aye
Kristen Jennings	Aye
Shawn Day	Aye
Steven Brantz	Aye
Clint Beaver	Aye
Jacob Martin	Aye
Aaron Linden	Aye

OLD BUSINESS

No Old Business

NEW BUSINESS

12. Consideration of Resolution 59-22, Emergency Services Agreements and Funding MOU. City Attorney Brendon Kerns updated the Council. Councilmember Martin moved, seconded by Councilmember Linden, to approve Resolution 59-22. Voice vote: unanimous.

Mayor Rich Bridger	Aye
Kristen Jennings	Aye
Shawn Day	Aye
Steven Brantz	Aye
Clint Beaver	Abstain
Jacob Martin	Aye
Aaron Linden	Aye

13. Consideration of Resolution #60-22 Establishing the Sheridan County Attainable Housing Council. City Attorney Brendon Kerns updated the Council. Marie Lowe discussed attainable housing and concerns regarding a lack of communication with the people knowledgeable about the best approach, such as builders, bankers, and realtors. Councilmember Day moved, seconded by Councilmember Martin, to approve Resolution 60-22, Establishing the Sheridan County Attainable Housing Council, Voice vote, five ayes and one nay.

Mayor Rich Bridger	Aye
Kristen Jennings	Nay

Shawn Day	Aye
Steven Brantz	Aye
Clint Beaver	Abstain
Jacob Martin	Aye
Aaron Linden	Aye

14. Consideration of One Cent/GPET Education Campaign Funding. City Administrator Stuart McRae updated the Council. Councilmember Linden moved, seconded by Councilmember Martin, to approve the One Cent/GPET Education Campaign Funding.Voice vote: four ayes and three nays.

Mayor Rich Bridger	Aye
Kristen Jennings	Nay
Shawn Day	Aye
Steven Brantz	Nay
Clint Beaver	Nay
Jacob Martin	Aye
Aaron Linden	Aye

15. Council Comments and Requests for Future Agenda Items.
A. Mayor Bridger provided updates on boards and commissions.

16. Mayor Bridger adjourned the meeting at 9:31 P.M.

APPROVED:

Richard Bridger, Mayor

ATTEST:

City Clerk, Cecilia Good



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: Karen Burtis, City Treasurer
To: Mayor and Council
CC: City Administrator Stuart McRae
Date: 11/19/2022

Recommendation:

Staff recommends the approval of the attached claims lists.

Attachments

Payroll
Claims
Prepays

City of Sheridan

Regular Payroll paid on 11/18/22

Sum of Amount		
Vendor Name	Description	Total
497-874-NCPERS Wyoming	Regular Payroll 11.18.22	368.00
Aflac	Regular Payroll 11.18.22	1,138.29
CITCO FCU	Regular Payroll 11.18.22	2,320.13
First Federal Savings Bank	Regular Payroll 11.18.22	9,603.10
First Northern Bank of Wyoming	Regular Payroll 11.18.22	1,402.92
HealthEquity, Inc.	Regular Payroll 11.18.22	2,385.46
IRS 941	Regular Payroll 11.18.22	79,538.89
LOCAL 276, IAFF	Regular Payroll 11.18.22	850.00
MissionSquare	Regular Payroll 11.18.22	4,300.34
Nationwide	Regular Payroll 11.18.22	21.37
Optum Bank, Inc.	Regular Payroll 11.18.22	461.59
Orchard Trust	Regular Payroll 11.18.22	3,792.28
Security State Bank	Regular Payroll 11.18.22	854.18
Sunlight Federal Credit Union	Regular Payroll 11.18.22	1,793.34
WEBT	Regular Payroll 11.18.22	95,038.53
Workers' Safety &	Regular Payroll 11.18.22	10,231.99
Wyoming Retirement System	Regular Payroll 11.18.22	81,150.53
Wyoming State Disbursement Unit	Regular Payroll 11.18.22	1,435.60
Grand Total		296,686.54

City of Sheridan
Claims paid on 11/22/2022

Sum of Amount		
Vendor Name	Description	Total
307 Auto Glass LLC	Installed Side Glass on Dozer 4-34A	150.00
A & M Service & Supply Inc.	Toner for Paul's Printer	100.25
ABC Signs & Specialties	verdello parking sign private road sign/equipment city logos	383.00
Ace Hardware-Newkirk	Parts and supplies	1,082.66
Ace Radiator LLC	complete radiator 3.63 rc	755.00
AlphaGraphics of Wyoming	Vehicle logos/Social Media October	1,762.42
Amazon Capital Services #A33MIR27FEZN42	Supplies	2,467.88
Amelia Ponce	Deposit Refund/730 1/2 Sumner St.	103.23
American Maid	Cleaning	3,800.00
American Welding & Gas, Inc.	cylinder rental for welding supplies	21.48
Apex Mechanical, LLC	troubleshoot parking lot lighting, install photo e	114.49
Arete Design Group	City Hall Window Replacement - Design #4760	807.50
Arlene Herrboldt	Deposit Refund/1295 pine Dr.	79.96
AT&T Mobility	Hotspots-aircards for E1 and E2 Inv 10202022	11.40
AutoZone Stores, Inc	taillight converter3.37 st	18.52
Babe's Flowers	Flowers - Godwin	73.00
Bearcom	upfit and stripping of units/power supplies for MDC docks	9,029.00
Big Horn Sanitation	Port-a-Potty for SWR - October 2022	253.00
Blake King	WWQPCA conference reimbursement	99.00
Bruce Martin	Deposit Refund/429 S Canby St	90.00
Buggy Bath Unlimited LLC	SWR Truck Washing for October 2022	56.44
Carquest Auto Parts	Parts and supplies	872.13
CH Diagnostics and Consulting	E Coli, Giardia & Crypto Analysis	8,671.00
Chance Helmer	Deposit Refund/493 Blue Sky Ct	44.99
Charles Abinante	Deposit Refund/1051 Crook St	93.46
Charter Communications, Inc.	Phone/Internet Weed and Pest and Park office	237.96
Chemtrade Chemicals US LLC	Aluminum Sulfate for SWTP	8,071.83
Cheryl Strauch	Fuel - TAC meeting in Cheyenne	86.88
Clifton N Franklin	Sewer Refund/2015 Skyview West Dr.	401.07
CMI-Teco	pressure sensor wiring harnes plug kit 7.8 wc	1,349.37
Collection Professionals Inc.	CPI Acct #1885 Collections 10.1.22-10.31.22	410.82
Comtronix	City hall alarm testing	145.00
Connie's Glass, Inc.	East Side Entrancne Door Repair - City Hall	85.00
Connor & Nicole Duggan	Deposit Refund/268 E College Ave	31.73
Country Bounty	Advertising	1,296.00
Courtney Feist	Deposit Refund/1419 Holloway Ave	47.98
Craftco Manufacturing Solutions	Art pedestal	4,694.47
Crescent Electric	Supplies	215.82
Dana Kepner Company	brass saddle	215.00
David & Saskia Grody	Deposit Refund/2260 Papago Dr.	37.17
David Stainbrook	Deposit Refund/577 Turner Ln #C	83.67
Deana Finch	Deposit Refund/731 N Gould St	82.59
Debbie Davis	Wellness Participation Reimbursement	150.00
Dennis & Amanda Lindberg	Deposit Refund/2011 Skyview West Dr.	125.00
Don Hauf	cdl license reimbursment	56.00
Dowl	Misc jobs	41,429.20
Duke's Root Control, Inc	8inch and 10inch sewer root control	69,399.62
Dustbusters Enterprises Inc.	64.93 tns ice kicker	10,336.85
Eagle Ridge Inc	Deposit Refund/1074 King Ct.	90.00
Earth Work Solutions	Landfill T678 #4713	114,698.96
Empathia, Inc	EAP Services 11/1/22-1/31/23	1,003.92
Employ, LLC	Temporary Labor	15,342.79
Enviro-Clean Intermountain, LLC	winch screen cable outer cable clamp cable guide	1,265.88
Farmers Co-op Oil Co.	Fuel for October 2022	60,004.00
Fastenal Company	Fasteners	79.10
FedEx	BG INTAKE/ #7-929-20196/10-28-22/CM	196.38
Ferguson Waterworks #1701	saddles,coupling, ball corp	5,953.30
First Interstate Bank - Mastercard	Credit card charges for October 2022	23,766.29
Fletcher Construction Co	Finance Office Walls	11,207.00
Floyd's Truck Center WY	Parts and services	4,285.91
Foot of the Bighorns	Running shoes for PJuergens Inv 140401	140.00
Greenfold Services LLC	Janitorial Oct 2022	1,960.00

Vendor Name	Description	Total
Greensky Commercial Cleaning	cleaning services	1,240.00
Hando's Service Center	Labor and Drop off Fee for damaged Rhino 4-62	99.98
Hanns Mercer	Wellness Participation Reimbursement/mileage	414.15
Hardrives Construction, Inc.	Pavement Preservation #4711	35,860.00
Harris Computer Systems	Harris Annual Software Fees 1/1/2023 - 12/31/2023	21,181.94
Hawkins Inc	Chemicals	6,996.34
High Land Inc.	North Sheridan Interchange #4729	9,555.00
HUB International Limited	Public Official Bond- Kevin Kessner #106223016	100.00
Ian & Jazmin Feather	Deposit Refund/645 Lewis St.	64.31
InfoSend, Inc.	10.2022 Billing Distribution Services	5,704.06
James Riesen	WWQPCA conference reimbursement	99.00
Jeremy Ripple	Deposit Refund/911 W 10TH ST	45.19
John Deere Financial #1111308145	Supplies and parts	3,759.38
John Spain	WWQPCA conference reimbursement	99.00
Josh Sandvig	Balance Refund/469 Park St.	19.02
KCR Enterprises LLC	light ranger mutt - shop tool	307.04
Kerns & Bunting, LLC	Attorney fees October 2022	24,873.75
Knecht Home Center	Collar screw	1.99
Kois Brothers Equipment, Co.	switch bank 7-8 wc vb 2 sect vdm8 3.63 rec	2,062.41
Lee Heating Cooling & Refrigeration	HVAC Repair	344.34
Les Schwab Tire Centers of Montana, LLC	Tire Package - Towstar for Cardboard Trailer C-02	413.90
M&K Rentals	Rental charges	461.00
MC2 Engineering	Grant Writing Services/Projects	17,263.15
Michael & Shayna Nesson	Deposit Refund/305 E Works St	76.72
Midland Implement Co Inc	KGC equipment repair	140.40
Modern Machinery Co., Inc	Bolts Washers and Nut Crimp for Grinder 4-76	317.60
Montana Dakota Utilities	Elec. Svc. Agreement for Ag Bags	19,520.00
Morrison-Maierle, Inc.	North Sheridan Interchange #4729	2,328.75
Motorola Solutions, Inc.	Programming radio in unmarked car	147.14
Mullinax Concrete Service & Irrigation	Cemetery gravel, dirt and sand	1,766.93
N A Nelson Construction	Crane for pumphouse repair	560.00
Napa Auto Parts	Parts and supplies	2,852.57
Narwhal Met, LLC	weather services	550.00
Norco, Inc	Supplies	719.56
Office of the Attorney General	Crime Victim Surcharges - October 2022	308.00
Office Shop Leasing	3rd Floor 29-60 #390 Lease	102.71
OMP Engineering Inc.	Radio usage and Scada Maintanance	5,760.00
One-Call of Wyoming	City/SAWS One Call Locate Tickets Oct 22	288.75
Otto Environmental Systems	720 - 95 Gallon Trash Cans 400 - 95 Gallon Recycle	81,740.00
Pace Analytical Services, LLC	TOTAL COLIFORM TESTING	76.02
Pavement Markings LLC	Stripe Sparrowhawk Hill from Pheasant Draw-Loucks	650.00
Peterbilt of Wyoming	mirror door 3.20 wc	1,411.71
Phillip Hoffman	Deposit Refund/1462 Thomas Dr.	65.01
Powder River Heating & Air Conditioning, Inc	boiler maintenance and fluids	375.00
Powder River Power Co	Supplies	607.57
Ramkota Hotel & Conference Center-Casper, WY	wwpca conference hotel rooms	1,056.00
Range	Crime Stoppers Nov 2022	33.86
Ricoh USA, Inc.	Copier charges Nov 2022	424.15
Rocky Mountain Ambulance Service LLC	Ambulance Service thu Nov 18	5,999.99
Rocky Mountain Sign, Design & Print	Photo Op Pumpkin Festival Banner	240.00
Routeware, Inc	Recollect Text Messaging Fees 07-01-22 to 08-24-23	641.62
Salt Lake Wholesale Sports	ammunition	12,017.26
SCS Engineers	City/SAWS Scenario Analysis Oct 22	3,812.50
Secretary of State	Notary application fee - Mathews	60.00
Servall Uniform & Linen Supply	Rugs	363.56
Sheridan Artist Guild Et al	SPAC administration October 2022	1,000.00
Sheridan College	Sanitation Refund/1841 S Sheridan Ave	868.95
Sheridan Commercial Co.	Supplies	973.05
Sheridan County Chamber of Commerce	Chamber Luncheon Punch Pass	240.00
Sheridan County Public Health	Immunizations	270.00
Sheridan County Public Works	Plat PDFs	21.00
Sheridan County Weed &	Hydrant Deposit Refund #25	196.07
Sheridan Econ-O-Wash	uniform laundry	96.00
Sheridan Electric LLC	Troubleshoot Loose Wires in Baler	252.00
Sheridan Motor Inc	Services and parts	847.78
Sheridan Newspapers Inc	Ads for October 2022	2,667.33
Sheridan Saw Service LLC	Chains for saw	68.14
Sheridan Seed Co., Inc.	Straw bales for pumpkin festival	80.00

Vendor Name	Description	Total
Sheridan Transportation Taxi	Safe Rides Oct 2022	1,685.00
Sierra & Drew McWilson	Deposit Refund/2043 Skyview West Dr	95.54
Simon Contractors	R&O Construction #4701	837,280.51
Simplot Partners	Fungicide for KGC	4,240.00
Skyler Dillon Bennet	Deposit Refund/1987 Edwards Dr. #C	66.88
Smith Psychological Services LLC	pre-employment exam and protocols - Cox	400.00
Source Office & Technology	Supplies	727.07
Stantec Consulting Services Inc. (SCSI)	North Sheridan Interchange #4729	1,967.37
Star Playgrounds	Lyon's Park playground	17,377.00
Steady Stream Hydrology, Inc.	ACOE 1135 #5705	1,716.18
Steve Hyatt	USCC Annual Member Fee Reimbursement	142.00
Stuart J. McRae	2022 ICMA Annual Conference (per diem/uber)	406.41
Thomas J Klepperich	Judge hours October 2022	2,260.00
Tire Rama	KGC mower tire repair	61.75
Top Office Products Inc	2023 Calendar Books-3x3 Post Its-3x5 Post Its	74.78
Torgerson's, LLC	10.06-11.02 roller rental 9.08-10.05 roller rental	4,420.00
Toro NSN	KGC TORO software	155.00
Transaction Warehouse, Inc	10.2022 lweb Profile Payments	3,984.30
Troy Gilbert	WWQPCA conference reimbursement	99.00
TruGreen	Winter Fertilizer application	119.00
Vertical Door Solutions, Inc.	SWR Doors - put cables back on drums	135.00
VRM, Inc.	Repairs and labor	14,468.77
Water Products & Solutions	Water	18.75
Willa Springer	Sewer Refund/760 E Timberline Dr.	39.14
Winsupply of Sheridan Wy Co	Supplies	41.91
Wyoming Machinery Co	Lamp for Little Loader 4-79	33.14
Zachery Conlee	Fuel to WLEA for challenge course	40.59
Zivaro, Inc.	SINGLE PHASE ONLINE TOWER	1,159.96
Zowada Plumbing & Heating Inc	Kendrick Park bathroom plumbing repair	367.97
Grand Total		1,587,064.04

City of Sheridan
Prepays paid on 11/14/22

Sum of Amount		
Vendor Name	Description	Total
First Interstate Bank	E911 Phone System Loan #110070092	57,117.77
Laurie Lee	Postage Stamps and Certified mailings	255.36
Sheridan Economic & Educational	City Quarterly Support per SEEDA Funding Agreement	31,500.00
Simplifile, LC	Recording fees Sheridan County October 2022	179.50
Grand Total		89,052.63



CITY OF SHERIDAN, WYOMING

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

Executive

MEMORANDUM

Project Name: Re-appointment of Joe Crump to the Board of Adjustment for a Three-Year Term Ending 12/31/2025
From: Bev Leichtnam, Governmental Relations Admin. Specialist
To: Mayor and Council
CC: City Administrator Stuart McRae
Date: 11/21/2022

Attachments

Joe Crump Re-appointment



Office of the Mayor
55 Grinnell Plaza
Sheridan, WY 82801
307-675-4202



DATE: November 15, 2022
FROM: Mayor Richard Bridger
TO: City Council
RE: Re-Appointment of Joe Crump to the Board of Adjustments

Fellow Council Members:

I hereby recommend the re-appointment of Joe Crump to the Board of Adjustments for a 3-year term expiring 12/31/25.

BOA terms

2 messages

Sue Goodman <sgoodman@sheridanwy.gov>

Thu, Oct 27, 2022 at 11:53 AM

To: Al Cope <wyocope@fiberpipe.net>, Joe Crump <jcrump@wwcengineering.com>, Bev Leichtnam <bleichtnam@sheridanwy.gov>

Good morning,

I spoke to Bev, in the mayor's office and she is asking for written verification that you are interested in renewing your term on the BOA.

A reply email will do and I have included her in this email for you.

Hope you stick with us.

Sue Goodman
Planning Technician
City of Sheridan
307.675.4226



Joe Crump <jcrump@wwcengineering.com>

Mon, Oct 31, 2022 at 10:43 AM

To: Sue Goodman <sgoodman@sheridanwy.gov>, Bev Leichtnam <bleichtnam@sheridanwy.gov>

I am available to serve another term.



Joe Crump | Survey Team Leader

1849 Terra Avenue | Sheridan, WY 82801

Tel 307-672-0761 | Cell 307-751-4849 | Fax 307-674-4265

www.wwcengineering.com

From: Sue Goodman <sgoodman@sheridanwy.gov>

Sent: Thursday, October 27, 2022 11:53 AM

To: Al Cope <wyocope@fiberpipe.net>; Joe Crump <jcrump@wwcengineering.com>; Bev Leichtnam <bleichtnam@sheridanwy.gov>

Subject: BOA terms

WARNING: This email originated from an external sender. Please use caution when clicking links or opening attachments.



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: Discussion of Ordinance 2257 Regarding Contractor License Revocation - City Attorney
Name: Brendon Kerns
From: Brendon Kerns, City Attorney
To: Mayor and Council
CC:
Date:

Background:

See attached memo and draft Ordinance.

Attachments

Draft Ordinance
Memo
Current Ordinance

**CITY OF SHERIDAN
ORDINANCE 2257**

AN ORDINANCE CONCERNING SHERIDAN MUNICIPAL CODE, ORDINANCE 7-16
REVOCATION OF CONTRACTOR LICENSE

WHEREAS, the City of Sheridan has adopted Ordinance 7-11 requiring all people acting as a contractor defined by Ordinance 7-1.1 to obtain a contractor license to conduct business in Sheridan; and

WHEREAS, City of Sheridan Ordinance 7-16 allows for the revocation of a contractor license; and

WHEREAS, City of Sheridan Ordinance 7-16 requires updating to ensure legality and avoid contradictions within the City Code.

BE IT ORDAINED BY THE CITY OF SHERIDAN GOVERNING BODY:

Chapter 2, Article I, Section 16 is repealed and restated as follows:

- (a) Basis for Revocation. The Public Works Director, may, upon recommendation of the building official, revoke any license for the following reasons:
- i. A license is obtained through nondisclosure, misstatement or misrepresentation of a material fact.
 - ii. A Licensee is convicted of a misdemeanor or felony for violating the City Technical Codes adopted by City Ordinance 7-2, or violating Chapter 7 or 29 of City Code.
 - iii. A Licensee commits an act of nondisclosure, misstatement or misrepresentation of a material fact during the course of permitting, inspection or enforcement of City Technical Codes adopted by City Ordinance 7-2, or violating Chapter 7 or 29 of City Code.
- (b) Revocation Notice. A Revocation Notice shall be in writing and delivered to the Licensee in any manner allowed by Wyoming Rules of Civil Procedure. The notice shall include the name of the Licensee, date of revocation, basis for revocation, date of reinstatement if eligible, conditions for reinstatement, date of hearing and state the entirety of Ordinance 7-16(c).
- i. Effect of Revocation Notice. The Revocation Notice shall prohibit the Licensee from conducting their trade and business as defined by City Code until the scheduled hearing.

(c) Board of Appeals Hearing. Before a license may be revoked, the Licensee shall be entitled to a hearing by the Board of Appeals, established by City Ordinance 29-2. The hearing shall not be held sooner than 5 days from receipt of the notice nor later than 15 days after the receipt of notice. The Licensee shall be given an opportunity to present testimony, oral or written, and shall have the right to cross-examination. All testimony shall be given under oath. The Board of Appeals shall have power to administer oaths, issue subpoenas, and compel the attendance of the witnesses.

- i. The Public Work's Director shall have the burden of proof by a preponderance of the evidence that the Licensee committed the acts described in the Revocation Notice.
- ii. Should the Licensee fail to appear at the hearing, the Public Works Director revocation shall be certified.
- iii. Within 5 days of the hearing, the Board of Appeals decision shall be issued in writing with findings of fact and conclusions of law. Additionally, the Board of Appeals may set the conditions and parameters of the revocation, term of revocation which includes the ability to permanently prohibit the Licensee from reobtaining a license in the City of Sheridan, conditions of reinstatement, and assess all costs and expenses of the City, including the cost for City staff time, reasonably related to the revocation.

(d) City Governing Body Appeal. A Licensee may appeal the Board of Appeals decision by providing written notice to the City Clerk within 30 days from the date of the Board of Appeals decision.

- i. The appeal shall be heard at a special meeting called by the Mayor. The special hearing must be held within 15 days of the Clerk receiving the written notice of appeal.
- ii. The City Governing Body shall review the record of the hearing by the Board of Appeals and affirm, deny, modify or remand the determination. The City Governing Body's decision shall be binding upon all agencies and administrative personnel of the City of Sheridan and appellant, as an exhaustion of administrative remedies on the issue.

PASSED, APPROVED AND ADOPTED this ____ day of _____, 2022.

City of Sheridan

Richard Bridger, Mayor

ATTEST:

Cecilia Good, City Clerk

FIRST READING: _____

SECOND READING: _____

THIRD READING: _____

TARVER, KERNS & BUNTING, LLP

200 WEST LOUCKS STREET
SHERIDAN, WY 82801

TIMOTHY S. TARVER, LLC

P.O. Box 6284
Sheridan, WY 82801
(307) 672-8905 | (307) 674-5000 fax

KERNS & BUNTING, LLC

Brendon E. Kerns*
Sheryl S. Bunting
P.O. Box 6669
Sheridan, WY 82801
(307) 655-8600 | (307) 674-5000 fax
*LICENSED IN WY & MT

MEMORANDUM

Date: November 17, 2022
To: Mayor and Council
RE: License Revocation Ordinance #2257

Mayor and Council,

Any person who wants to be a building or construction contractor is required by City ordinance to obtain a license (see Chapter 7). A contractor license requires a person to have received training, pass a test and post a bond. The contractor is then responsible for the projects which he/she oversees, obtaining the appropriate permits and inspections.

The City Building Official and the building inspectors are responsible for ensuring that the adopted building codes are followed by the contractors. If a contractor makes a mistake, the inspector notifies the contractor, and the issue is corrected. The goal of the code and inspections are to ensure that buildings are safe to be occupied.

Recently, I reviewed Chapter 7, and a significant illegality was found in Ordinance 7-16. This Ordinance allows for the revocation of a contractor's license as a penalty for violating City building codes. A revocation is a drastic action which has only occurred one time that staff is aware of. That incident occurred in 2006/2007. A revocation recommendation is made by the Building Official and then an evidentiary hearing is heard by the City Board of Appeals. If the Board of Appeals substantiates the revocation, the licensee has a right of appeal. The issue is that the appeal under the current ordinance is to go to the City Municipal Court. This is highly problematic because Wyoming Statute does not grant the City Municipal Court the jurisdiction to hear administrative appeals. Thus, if the City were to ever revoke a license, the appeal process is invalid.

The proposed ordinance is a redraft to provide a better explanation of the revocation process, protect the due process of the license holder, and provide a clear appeal process.

TARVER, KERNS & BUNTING, LLP


Brendon E. Kerns

7-16 Same—Revocation.

The building official may revoke any license if obtained through nondisclosure, misstatement or misrepresentation of a material fact, or if a penalty has been imposed on the licensee under this chapter. Before a license may be revoked, the licensee shall have notice in writing, enumerating the charges against him, and be entitled to a hearing by the board of appeals not sooner than five days from receipt of the notice. The licensee shall be given an opportunity to present testimony, oral or written, and shall have the right to cross-examination. All testimony shall be given under oath. The board of appeals shall have power to administer oaths, issue subpoenas, and compel the attendance of the witnesses. The decision of the committee shall be based on the evidence produced at the hearing and made part of the record thereof. If the licensee chooses to appeal again, it shall be conducted in Municipal Court. A person whose license has been revoked shall not be permitted to reapply within one year from date of revocation. (Ord. No. 963, § 7g, 4-3-56; Ord. No. 1717, § 13, 6-21-93; Ord. No. 1839, § 1, 9-9-99; Ord. No. 2105, § 1, 6-20-11; Ord. No. 2169, § 1, 8-1-16.)



CITY OF SHERIDAN, WYOMING

55 Grinnell Street, P.O. Box 848, Sheridan Wyoming 82801

Ph (307) 674-6483 Fax (307) 674-2195

Planning

MEMORANDUM

Project Name: Consideration of Second Reading of Ordinance 2255, Revision of Sheridan Municipal Code Sections Regarding Open Space - Community Development Director Wade Sanner

From: Wade Sanner, Community Development Director

To: Mayor and Council

CC:

Date: 11/21/2022

Recommendation:

Consideration of Second Reading of Ordinance 2255, Revision of the following Sheridan Municipal Code section regarding Open Space: Appendix A, 2 Definitions; Appendix A. 9C Gateway District; Appendix B, Article 507 Park Land and Open Space Dedication; and Appendix B, Article 805 PUD Development Standards.

Attachments

Code Revision
Ordinance Amendment

ORDINANCE NO. _____

**AN ORDINANCE AMENDING OPEN SPACE
DEFINITIONS WITHIN CITY ORDINANCE**

WHEREAS, the City of Sheridan Governing Body created a committee to review the open space definitions and application in the City Code; and

WHEREAS, the City of Sheridan Governing Body finds the following amendments to be in the best interests of the City.

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

The following Section of Appendix B Article 5 Section 507 pertaining to open space and park land is repealed and restated to read:

Appendix B, 507 Park Land and Open Space Dedication.

(A) Purpose. In order to provide for the orderly development of public facilities in accordance with the Master Plan, due consideration shall be given by the subdivider to the dedication or reservation of suitable sites for schools, parks, playgrounds, public recreational areas or open spaces.

(B) Definitions.

Payment Lieu – Cash payments that may be required of the owner or developer as a substitute for the dedication of land or physical improvements.

Open Space – Land that is preserved or undeveloped, in order to protect and conserve resources and provide passive or active recreation. Open space can be owned or managed by private or public entities, which may or may not have public access. Open space could include detention ponds, sensitive slopes, healthy forested lands, habitat conservation areas, and open grasslands. Open space is preserved in order to:

- Conserve and enhance natural or scenic resources.
- Protect and preserve stream corridors and floodplains.
- Protect and stabilize hillside slopes.
- Promote conservation of soils and wetlands.
- Enhance the impact of the natural environment to the abutting neighboring parks, forests, and wildlife preserves.
- Serve as trail corridors.
- Provide buffers from adjacent land uses.

Park or Park Land – Land that has been designated as a park pursuant to W.S. § 15-7-301 et. al. Parks shall be dedicated for public use with access available for active recreational, educational, cultural, or aesthetic uses. Parks contains natural vegetation and landscaping materials constructed facilities designed to serve the active recreational needs of the residents of the community. Parks could include the following: community parks, athletic fields, swimming pools, amphitheaters, multi-use courts, playground equipment, and gazebos.

(C) Open Space Designation

(1) Subject to the provisions herein, any subdivision of lands within the City which are zoned for residential purposes, when such subdivision is classified as a Major Subdivision as defined in Section 111(E), shall provide for development of parks or open spaces by one of the methods listed below.

(a) A tract(s) of suitable park land or open space shall be dedicated in accordance with the following table and computed as a percentage of the gross area of the subdivision:

Zone	Percentage Area
R-1	8%
R-2	10%
R-3	17%
R-4	10%

(2) Except as otherwise provided herein, the plats of all commercial (B) or industrial (M) zoned subdivisions are exempted from parkland or open space dedication. Provided, if 50% or more of the use is residential, the corresponding pertinent residential district parkland or open space requirements shall apply.

(a) Proposed open space or parkland shall be reviewed by the City Public Work's Director or delegated official. The City Public Work's Director or delegated official shall recommend to the Planning Commission and City Governing Body, respectively, whether the proposed open space meets the intent of this Article.

(D) Payment in lieu. Payment in lieu of dedication shall be made to a fund to be known as the Park Land Dedication Fund, which shall be used only for acquisition of park land or open space facilities, and/or park land or open space facilities improvements.

(1) A certified payment must be made prior to recording of the subdivision plat. The payment in lieu is computed at the fair market value of the property at the time of final plat approval reflecting the proposed lots and infrastructure and not the value

of undeveloped land, or the value established by the City Governing Body which cannot exceed the fair market value.

(E) Park or Open Space Dedication. No open space shall be deemed a Park as defined by W.S. § 15-7-301 unless specifically designated as such by Resolution or adopted Final Plat of the Governing Body. Open space shall be maintained by the Developer or future Home Owners Association unless the Governing Body has specifically accepted the dedication of open space to the City by Resolution or per the Final Plat.

(1) Parks or Open Space shall be shown adequately on a sketch plat as part of the preliminary plat application. Sufficient information shall be given to allow the Planning Commission to make an informed decision as to whether the acceptance of such lands is in the best interest of the City and whether the potential value of such lands as an integrated part of the City's Master Plan is of equal value to the park land which would otherwise be required.

(2) The Planning Commission's recommendation regarding the final plat shall be forwarded to the City Governing Body. The Governing Body may reject the proposed open space or parkland designation for failing meet the goals described in this Article.

(F) Park Size. Minimum park size shall be twenty thousand square feet with no dimension less than one hundred feet, unless approved by the Public Work's Director, and the average dimension not less than one hundred forty feet. Area calculated shall begin at a point twenty feet from any building wall on adjoining property. Park areas shall be accessible from a public street meeting current improvement standards. Utilities in the above street or streets will be installed by the subdivider in the same manner as other streets in the subdivision and as approved by the City.

(1) Areas occupied by drainage channels, draws, cliffs, easements and land areas with grades in excess of six percent (6%) shall not be suitable for park land dedication. Provided, such areas may be included within the park in combination with suitable adjacent land. The suitable adjacent land must have a grade of six percent (6%) or less and a width of at least one hundred feet in its least dimension, and in all other respects complies with this article. In no case shall the unsuitable portion of the dedicated lands comprise more than fifty percent (50%) of the required park area.

(G) Additional Dedications. Where it is determined that a greater amount of land is required for parks or open spaces, or where it is determined that land is required for any other type of public facilities, the subdivider at the time of filing the final plat must offer to sell such additional lands to the City at fair market value within one year immediately following the recording of the final plat. If any of such additional lands have not been purchased by the City within one year after the recording of the final plat, such lands may be subdivided by the subdivider in accordance with the requirements of this Ordinance, and the City shall waive any and all application and review fees for the subdivision.

- (1) The square footage of the land area set aside for City infrastructure or facilities may be applied towards the open space requirement or payment in lieu.

(H) Payment and Filing. When final plat is filed it shall clearly show the amount and location of any park lands or open space. The amount of any certified payments due shall be included in the subdivider agreement.

Appendix B Article 805.7 is repealed and restated to read as follows:

805.7 Parks/Open Space.

- (A) Required. Each PUD Master Plan shall provide for a minimum amount of parks/open space. A minimum of 20% of the gross area of the PUD shall be open space. At its discretion, City Governing Body may approve a decrease in the amount of required *parks/open space* when the PUD Master Plan addresses specific infill needs or includes unique design features or amenities that achieve an especially attractive and desirable development such as, but not limited to, terraces, sculptures, water features, or preservation and enhancement of unusual natural features. Public rights-of-way, except that provided solely for pedestrian pathways or trails, shall not count towards required open space.
- (B) Access. *Park* and open space areas shall have direct access from public streets and shall be well buffered from moving vehicles.
- (C) Park Dedication. No open space shall be deemed a Park as defined by W.S. § 15-7-301 unless specifically designated as such by Resolution or adopted PUD Master Plan by the Governing Body. Open space shall be maintained by the Developer or future Home Owners Association unless the Governing Body has specifically accepted the dedication of open space to the City by Resolution or per the PUD Master Plan.

Appendix A. Article 9(C)(A) shall be repealed and restated to read:

A. Purpose. To create a mixed use district that constitutes a natural social and economic part of the community and encourages development that preserves community character, natural space, and scenic vistas of gateway areas by requiring adequate *open space*, context sensitive design, and appropriate land use. The Gateway District may be applied to any land located along or near a major entrance into the City of Sheridan, primarily I-90, Main Street, 5th Street, Brundage Lane, Big Horn or Coffeen Avenue.

1. Park Dedication. No open space shall be deemed a Park as defined by W.S. § 15-7-301 unless specifically designated as such by Resolution or adopted Final Plat by the Governing Body. Open space shall be maintained by the Developer or future Home

Owners Association unless the Governing Body has specifically accepted the dedication of open space to the City by Resolution or per the Final Plat.

WHEREUPON, a motion was passed and this Ordinance and was declared adopted this _____ day of _____, 2022.

CITY OF SHERIDAN, WYOMING

Mayor

ATTEST:

City Clerk

FIRST READING: _____

SECOND READING: _____

THIRD READING: _____

PUBLISHED: _____

EFFECTIVE THE DAY OF , 2022.

Amendment 1

Zone	Percentage Area
R-1	8%
R-2	10%
R-3	10%
R-4	10%

*Open Space dedication in the R-3 zone district does not include detention ponds and sensitive slope areas.