



**AGENDA
CITY OF SHERIDAN
DECEMBER 5, 2022
REGULAR COUNCIL MEETING START 7:00 P.M.**

1. Call to Order
2. Pledge of Allegiance
3. Invocation to be given by Christie American Horse, Valley Shepard Nazarene
4. Roll Call of Members
5. Consideration of Agenda
6. Community Update
 - A. Sheridan Educational and Economic Development Association (SEEDA) Update - Robert Briggs, Executive Director
7. Comments from the Public
8. Consent Agenda
 - A. Final Acceptance of Public Infrastructure for Cloud Peak Ranch 21st Filing Phase II
 - B. Minutes of Regular Council Meeting November 21, 2022
 - C. Minutes of Special Council Meeting November 28, 2022
 - D. Reappointment of Al Cope to the Board of Adjustments for a 3-year term ending December 31, 2025.
 - E. Claims
9. Staff Update
 - A. Annual Fall Pumpkin Festival Staff Update - Utilities Director Dan Roberts

OLD BUSINESS

10. Consideration of the Second Reading of Ordinance #2257 Regarding Contractor License Revocation - City Attorney Brendon Kerns
11. Consideration of Third and Final Reading of Ordinance 2255, Revision of Sheridan Municipal Code Sections Regarding Open Space - Community Development Director Wade Sanner

NEW BUSINESS

12. Consideration of Resource Allocation for the 2023 WYO Winter Rodeo - Public Works Director Hanns Mercer
13. Consideration of a Bonus for Non-EMS Employees Using Unallocated One-Time ARPA (American Rescue Plan Act) Funds - Human Resources Director Heather Doke
14. Council Comments and Requests for Future Agenda Items
15. Adjournment



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 Public Infrastructure for Cloud Peak Ranch 21st Filing Phase II
From: Hanns Mercer, Public Works Director
To: Mayor and Council
CC:
Date: 09/02/2022

Recommendation:

Staff recommends that the Mayor and Council approve final acceptance of public infrastructure for Cloud Peak Ranch 21st Filing Phase II. Further, that the Utilities Director be authorized to sign the necessary Permit Transfer Request Form in compliance with Wyoming DEQ Rules and Regulations.

By signing the Permit Transfer Request Form, the City accepts ownership and future operation/maintenance of these public utilities associated with Cloud Peak Ranch 21st Filing Phase II.

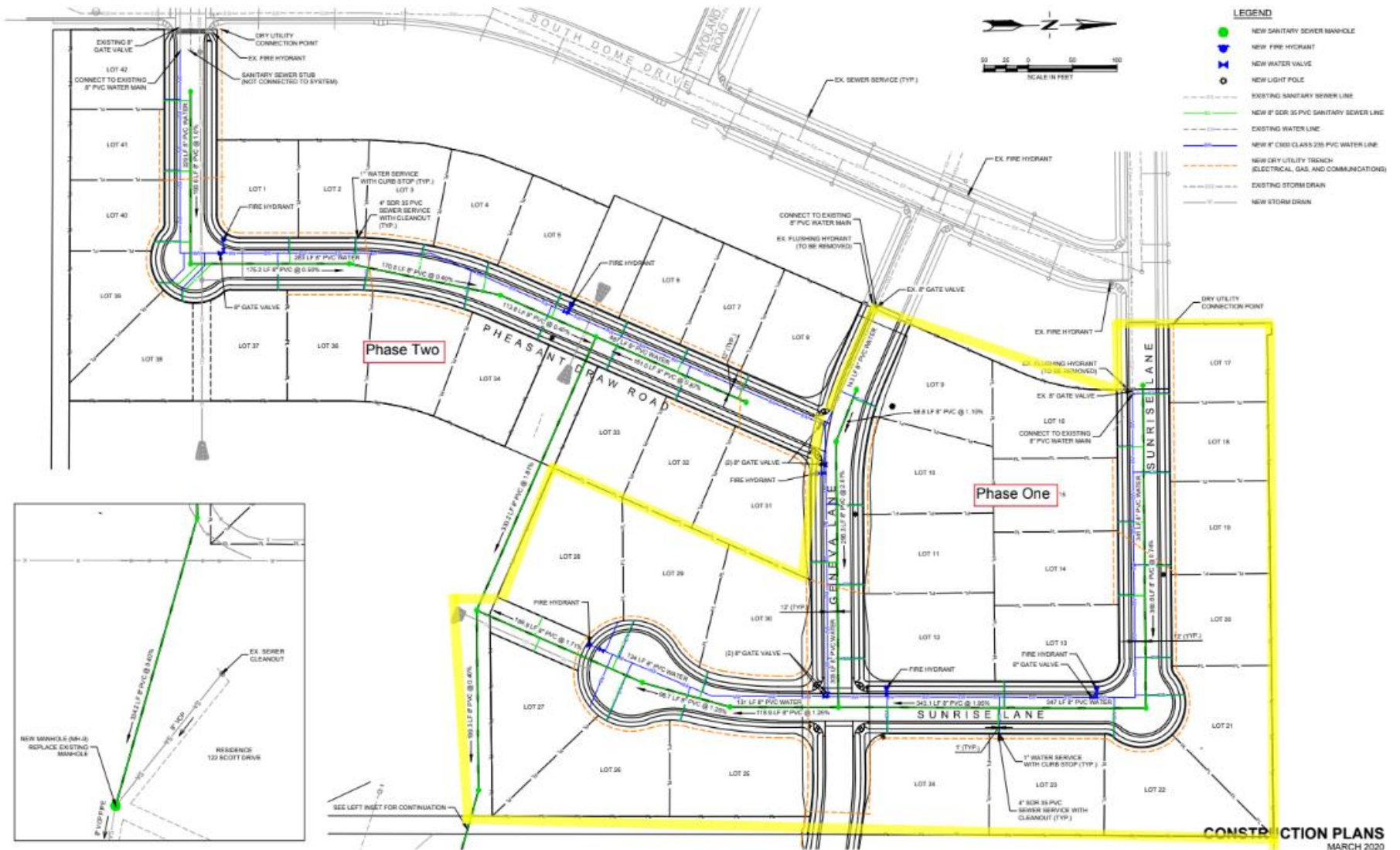
Background:

The infrastructure associated with this project was installed per City of Sheridan Standard Specifications and Details for Utility Construction. As part of the request for final acceptance, the City will receive all required information from the developer's consulting engineer to prepare to accept ownership of the infrastructure, and to ensure that all work has been completed satisfactorily.

Attachments

Subdivision
Infrastructure







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 21, 2022
From: Candace Ainslie, Assistant Clerk
To: Mayor and Council
CC:
Date:

Background:

See attached minutes from November 21, 2022.

Attachments

Minutes

COUNCIL CHAMBERS **7:00 P.M.** **November 21, 2022**

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

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

Clint Beaver	Aye
Jacob Martin	Aye
Aaron Linden	Aye

9. Consent Agenda

- A. Minutes of Regular Council Meeting November 7, 2022
- B. Claims
- C. Reappointment of Joe Crump to the Board of Adjustment for a three-year term ending December 31, 2025

Councilmember Brantz moved, seconded by Councilmember Martin, 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

10. Staff Update

- A. Parks Director Steve Gage provided a Year-End Review of the Kendrick Golf Course. Bob Sizemore, the president of the Kendrick Golf Association, spoke regarding the outstanding performance and management of the Golf Course.
- B. City Attorney Brendon Kerns presented Ordinance #2257 regarding revoking contractor licenses.

OLD BUSINESS

11. Consideration of the Second Reading of Ordinance 2255, Revision of Sheridan Municipal Code Sections Regarding Open Space. Community Development Director Wade Sanner updated the Council.
 Councilmember Day moved, seconded by Councilmember Martin, to approve Ordinance 2255 on Second Reading. Scott Garber asked Council and staff about the slope requirements of the Open Space Ordinance.

Councilmember Beaver moved, seconded by Councilmember Jennings, to amend Ordinance 2255 as follows:

Delete everything before, “WHEREUPON, a motion was passed and this Ordinance was declared adopted this ____ day of _____, 2022.”
 and
 Insert the following in place of the deleted text:
 AN ORDINANCE REPEALING OPEN SPACE REQUIREMENTS WITHIN CITY ORDINANCE

WHEREAS, the existing requirements, contained within Appendix B, Subdivision Regulations, for the dedication of parks, open space, or payments in lieu of such dedication, within lands to be subdivided, result in an undesired artificial increase in the cost of development of housing in the City of Sheridan; and
WHEREAS, the Governing Body of the City of Sheridan has for several years proclaimed that it will pursue the goal of increasing affordable/attainable housing within the city; and

WHEREAS, the repeal of the existing open space/park dedication requirements is consistent with the stated goals of the Governing Body.

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

The following provisions of Appendix B, are hereby repealed:

- ARTICLE 1 GENERAL PROVISIONS, 109 Definitions, (B) Open space.
- ARTICLE 5 REQUIREMENTS FOR IMPROVEMENTS, RESERVATIONS AND DESIGN, 507 Park Land and Open Space Dedication.
- ARTICLE 8, PLANED UNIT DEVELOPMENT, 805.7 Parks/Open Space.

Voice vote, 5 nays and 2 ayes.

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

Councilmember Linden stated that he will be bringing an amendment forward at the third reading of the Ordinance to reduce the percentage of open space required in an R-3 Zone.

Roll call vote on the main motion, two nays and five ayes.

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

NEW BUSINESS

No New Business

12. Council Comments and Requests for Future Agenda Items.

- A. The Mayor provided updates on boards and commissions.
- B. Councilmember Brantz reminded everyone about the upcoming Christmas Stroll.
- C. Councilmember Jennings requested that more information regarding the housing land trust be brought forward to a future study session.

13. Mayor Bridger adjourned the meeting at 8:41 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

Clerk

MEMORANDUM

Project Name: Minutes of Special Council Meeting November 28, 2022
From: Candace Ainslie, Assistant Clerk
To: Mayor and Council
CC:
Date:

Background:

See attached minutes from November 28, 2022.

Attachments

Minutes

CITY OF SHERIDAN, WYOMING
MINUTES OF SPECIAL COUNCIL MEETING

COUNCIL CHAMBERS

5:30 P.M.

November 28, 2022

1. Mayor Bridger called the meeting to order at 5:30 P.M.
2. The Pledge of Allegiance to the Flag was led by Councilmember Clint Beaver.
3. The meeting was called to order with a quorum as follows: Councilmember Clint Beaver presiding with Councilmembers Jacob Martin, Shawn Day, and Steve Brantz. Councilmembers Kristen Jennings and Aaron Linden were absent. Mayor Bridger attended via phone. Members of staff attending included City Administrator Stuart McRae, City Clerk Cecilia Good, Public Works Director Hanns Mercer, and Police Chief Travis Koltiska.
4. Councilmember Beaver opened the Public Hearing for the First Reading of Ordinance #2257 Regarding Contractor License Revocation at 5:32 P.M. City Attorney Brendon Kerns provided an update to Council. Jack Wood asked questions about doing background checks on contractors. The Public Hearing was closed at 5:45 P.M.

Councilmember Brantz moved, seconded by Councilmember Day, to approve the First Reading of Ordinance #2257 Regarding Contractor License Revocation. Roll Call Vote: unanimous.

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

18. Councilmember Beaver adjourned the meeting at 5:46 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

Executive

MEMORANDUM

Project Name: Reappointment of Al Cope to the Board of Adjustments for a 3-year term ending December 31, 2025.
From: Bev Leichtnam, Governmental Relations Admin. Specialist
To: Mayor and Council
CC:
Date:

Attachments

Al Cope Reappointment



DATE: November 23, 2022
FROM: Mayor Richard Bridger
TO: City Council
RE: Re-Appointment of Al Cope to the Board of Adjustments

Fellow Council Members:

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

[Quoted text hidden]

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

Fri, Nov 18, 2022 at 8:01 AM

Yes. Looks like he didn't include you in the email.

Sue Goodman
Planning Technician
City of Sheridan
307.675.4226



----- Forwarded message -----

From: **AL & DONNA COPE** <wyocope@fiberpipe.net>
Date: Fri, Oct 28, 2022 at 9:01 PM
Subject: Re: BOA terms
To: Sue Goodman <sgoodman@sheridanwy.gov>

Dear Sue, Thank you for reminding me my term is up. Yes, I indeed wish to stay on the Board of Adjustments. Please advise if anything further is needed. Thanks, Al Cope.

From: Sue Goodman
Sent: Thursday, October 27, 2022 11:53 AM
[Quoted text hidden]

[Quoted text hidden]



Virus-free. www.avast.com



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:

Claims

From:

To:

Mayor and Council

CC:

Date:

Attachments

Prepays

Payroll

Claims

City of Sheridan
Prepays paid on 11/21/22

Sum of Amount		
Vendor Name	Description	Total
CenturyLink Communications, LLC	Scada Lines and Extensions	2,308.01
Montana Dakota Utilities	Numerous Electric Bills	19,833.59
Pitney Bowes Inc	October Postage	1,200.00
The Huntington National Bank	Golf Equipment Lease Payment #4	36,367.72
Grand Total		59,709.32

City of Sheridan

Regular Payroll paid on 12/02/2022

Sum of Amount		
Vendor Name	Description	Total
497-874-NCPERS Wyoming	Regular Payroll 12.02.22	376.00
Aflac	Regular Payroll 12.02.22	1,138.29
CITCO FCU	Regular Payroll 12.02.22	2,320.13
First Federal Savings Bank	Regular Payroll 12.02.22	9,498.93
First Northern Bank of Wyoming	Regular Payroll 12.02.22	1,418.33
HealthEquity, Inc.	Regular Payroll 12.02.22	2,385.46
IRS 941	Regular Payroll 12.02.22	77,000.47
LegalShield	Regular Payroll 12.02.22	15.95
LOCAL 276, IAFF	Regular Payroll 12.02.22	850.00
MissionSquare	Regular Payroll 12.02.22	4,441.02
Nationwide	Regular Payroll 12.02.22	21.37
Optum Bank, Inc.	Regular Payroll 12.02.22	461.59
Orchard Trust	Regular Payroll 12.02.22	3,812.28
Police Protective Assoc.	Regular Payroll 12.02.22	40.00
Security State Bank	Regular Payroll 12.02.22	937.52
Sunlight Federal Credit Union	Regular Payroll 12.02.22	1,793.34
WEBT	Regular Payroll 12.02.22	109,873.43
Workers' Safety &	Regular Payroll 12.02.22	9,939.91
Wyoming Retirement System	Regular Payroll 12.02.22	79,535.32
Wyoming State Disbursement Unit	Regular Payroll 12.02.22	1,435.60
Grand Total		307,294.94

City of Sheridan
Claims paid on 12/06/2022

Sum of Amount		
Vendor Name	Description	Total
A & B Buildings & Supplies	Landfill Building #4713	52,233.82
Aaron Hartman	Clothing reimbursement	391.48
ABC Signs & Specialties	city logo signs for equipment	384.34
Ace Hardware-Newkirk	Keys and locks for KGC	58.90
AlphaGraphics of Wyoming	Utility Truck City of Sheridan Decal (x1 truck)	107.52
Amazon Capital Services #A33MIR27FEZN42	Supplies	5,162.68
American Maid	Monthly cleaning	750.00
American Welding & Gas, Inc.	welding gas, safety glasses	170.27
Apryl Schroeder	Deposit Refund/1387 Cove Ct.	54.54
Association of State Floodplain Managers	2023 membership	175.00
Automationdirect.com	Interface Relays	37.50
Barker Brothers Inc	Balance Refund/775 E 8th St.	34.09
Bear's Paw Embroidery	Embroidery for Employee Uniforms	230.00
Big Horn Logistics, LLC	Safe Rides Oct 2022	1,237.00
Big Horn Sanitation	Port A Potty Rentals for Pumpkin Festival	95.00
Bloedorn Lumber	truss screws	23.58
Brenna Kerr & Erasmo Fisher	Deposit Refund/810 E Loucks St #A	83.67
Brian's Boot & Shoe	Boots	759.90
Burns & Mc Donnell	Landfill Cell 10 #4737/Landfill Remediation Cell	47,834.42
C & K Equipment	Weed and Pest and Cemetery vehicle repair	490.78
Calli Bangs	Deposit Refund/1360 Highland Ave.	64.70
Candace Ainslie	Wellness Participation Reimbursement	100.00
Carquest Auto Parts	Parts and supplies	375.82
Carroll Realty	Balance Refund/2308 Coffeen Ave.	58.93
CDG Engineers, Inc.	Gateway Park Pathway #5701	9,919.92
Cedars Health LLC	Occupational Health Testing	270.00
Cloud Peak Ranch HOA	Water Refund/HOA Summer Tap	39.72
CMI-Teco	belt 3.32 rec	62.91
Cobra Crete, LLC	Sidewalk repair papago	4,220.00
Confirm BioSciences, Inc.	100 - 14 panel oral fluid tests	432.00
Connie's Glass, Inc.	repair to paddle handle on entrance to city hall	370.00
County Trash, LLC	Bi-weekly dumpster pickup	230.00
Cynthia Gray	Balance Refund/69 Turnberry Dr	400.23
Dana Kepner Company	repair clamps/brass saddles	3,441.90
Darcy Mitchell	Deposit Refund/461 W 5th St.	74.10
Eagle & Myslik Inc	ac unit for trackless	7,418.50
Ed Hammer Inc	sensor 2.81 wwtp	222.60
Emily Thompson	Deposit Refund/424 S Sheridan Ave	50.72
Employ, LLC	Temporary Labor	5,734.63
Engineering Associates	Sewer Rehabilitation CIPP 2022 #4758	11,815.19
Ferguson Waterworks #1701	3/4inch iperl meters/R&O Design	4,514.00
Floyd's Truck Center WY	cushion seat 3.33 st	136.72
Force America Distributing LLC	air and road temp sensors for plows	2,135.84
Forge Physio & Performance LLC	Exercise equipment for Blacktooth Park	15,000.00
Fremont Motor Sheridan Inc	housing 2.12 wwtp/Battery	176.87
Galls, LLC	uniform shirts and pants, cuff holder, mag holder	1,243.61
Gary Atkins	Balance Refund/2020 Quail Ct.	58.25
Go Fast Don't Die	Deposit refund/Balance refund	175.71
Grainger, Inc.	1 gallon of detergent	103.24
Granite Peak Pump Service	KGC irrigation valve and pump install	1,611.57
Hach Company	turb&control,vials,dessicant,bacT tests,CL2 reagnt	7,186.40
Hawkins Inc	Sodium Hex, Hypochlorite, Soda Ash	1,948.64
Heather Doke	SHRM VLBM Reimbursement	511.82
Heather Sutherland	Balance Refund/1595 N Gould St.	213.75
Home Depot Credit Services	Supplies	2,530.73
Hunter Wohlers	Deposit Refund/577 Turner Ln #D	81.72
Ideal Mfg. Inc.	gate replacement at csc stanchion and paint	414.60
Imperial Pump Solutions LLC	Yearly lift station pumps services	6,845.18
Intermountain Sales, Inc	Locator	3,538.00
Intrado Interactive Services Corporation	Website support and maint	3,500.00
J&B Medical Supply, Inc.	EMS Supplies for ambulances QN 29603-0	814.00
Jack Stanley	Deposit Refund/1349 N Main St #203	81.72

Vendor Name	Description	Total
Jason & Michele Jenkins	Deposit Refund/1418 Ridgeway Ave	69.74
Jason Etchechoury	Reimburse additional fee for WY CDL License	58.25
Jon & Janell Wilcox	Deposit Refund/2036 Skyview West Dr.	103.23
Jonathan Snoozy	Wellness Participation Reimbursement	300.00
Kilpatrick Creations Inc.	Work shirts and sweatshirts	350.25
Knecht Home Center	Chains, gaskets and diaphragms for saws	115.94
Les Schwab Tire Centers of Montana, LLC	tires 01.33 pd	2,037.56
Life Steps of Wyoming, LLC	Deposit Refund/363 Pheasant Pl.	125.00
Lila M Woodrow	Deposit Refund/827 Gladstone St #A	90.00
Lindsey Ennis	Deposit Refund/426 W 11th St.	15.88
LN Curtis & Sons	Calibration Gases for station AFried	706.26
Luke A Goddard	Medical Doctor Coverage for December 2022	500.00
Mac's Moving Acquisition, Inc	Remove desks/files	495.00
Memorial Hospital of Sheridan County	Occupational Testing	301.00
Midland Implement Co Inc	Toro 1	299.40
Mountain View Building, Inc	Gateway Park Pathway #5701	434,301.38
Mueller Systems	Wall brackets/antennea kit	2,631.65
	4g upgrade, RDM meters, 1 inch meters, DC repeater	24,885.29
Mullinax Concrete Service & Irrigation	pea gravel	1,116.49
Napa Auto Parts	Parts and supplies	350.52
Nelson Excavating, LLC	11.11 snow haul	1,260.00
Norco, Inc	Supplies	634.89
Northern Lights Electric Company	R&O 2022 Misc #4701	999.04
Northern Underground LLC	Blacktooth Park Project Retainage #5709	16,154.50
Office Shop Inc	Copy Charges 11-02-22 to 12-01-22	683.56
Office Shop Leasing	29 of 60 copier lease	244.17
OMP Engineering Inc.	SCADA repairs, Girls School PRV	5,085.42
Otis Elevator Company	Logistics and fuel impact fee	125.00
Pace Analytical Services, LLC	BacT testing- Nov. x9 samples	1,259.76
Paul M Juergens	Reimb meals per diem 10-30-22-baggage fees-parking	405.00
Paula & Thomas Stephan	Deposit Refund/553 Brookie Path	31.07
Pavement Markings LLC	Main St. Dow to Burkitt Misc. #5319	520.00
Peterbilt of Wyoming	light led clr mrkr wc	170.76
Polydyne Inc.	Polymer	3,150.00
Powder River Heating & Air Conditioning, Inc	Water heater troubleshoot	187.50
Powder River Power Co	Parts and supplies	450.91
Randall Engineering Surveys	Consulting & Surveying Services	16,630.50
Randy Sawyer	Balance Refund/1 Country Estates Dr.	549.75
Rapid Fire Protection, Inc.	Annual Sprinkler-Backflow Inspection Inv	650.00
RapidAir	inline hand valve air compressor	184.26
Rochelle Plocek	Refund/19 N Sheridan Ave.	166.77
Roy Aron	Balance Refund/347 E 2nd St.	84.45
SAFEbuilt, LLC	Hiring Fee for Plan Reviewer	34,202.50
Sam Burgess	CDL renewal	47.25
Schoeny Inc	11.11 11.12 11.18 snow haul	1,859.75
Schuster Construction	Balance Refund/2167 Skyview West Dr.	34.09
Scott Haring	Deposit Refund/858 Illinois St	102.90
Secure Shred	document shredding 10/24/2022	192.92
Security State Bank	Gateway Park Pathway #5701-498599	22,857.97
Servall Uniform & Linen Supply	Rug cleaning	1,470.93
Seth Mullinax	Deposit Refund/158 W 8th St.	125.00
Shannon Sackaney	Deposit Refund/418 S Sheridan Ave.	105.00
Shaunessey Reeves	Park office janitorial services	2,850.00
Sheridan College	Balance Refund/1841 S Sheridan Ave.	180.32
Sheridan Commercial Co.	Supplies	635.75
Sheridan County Public Health	Aspen T Hep B Booster - Landfill	75.00
Sheridan Econ-O-Wash	uniform laundry	142.00
Sheridan Newspapers Inc	Ads	1,342.00
Source Office & Technology	Dispatch printer toner cartridge	132.40
Stansteel Corporation	asphalt silo install and service	19,812.00
Steve's Truck Service Inc	software update turbo actuator 3.63 rec	144.87
SWANA	SWANA Membership Renewal - Kirwin Ostler	580.00
Tanayah Cloud	Deposit Refund/1440 Omarr Ave #B	35.59
Tea Fleenor	Deposit Refund/1245 S Sheridan Ave	23.61
Ted Evanoff	Deposit Refund/1480 Hillpond Dr.	74.23
Teresa Wright	Deposit Refund/1150 Illinois St.	68.34
Terri Walton	Deposit Refund/218 W Burkitt St.	38.69
Thomas J Klepperich	Judge's hours November 2022	2,440.00

Vendor Name	Description	Total
Tire Rama	Tires for 2-6	2,654.78
Top Office Products Inc	Supplies	343.38
Tree Mechanics LLC	Crane Service	1,070.50
Trihydro Corporation	Environmental Monitoring and Reporting - Oct 2022	851.25
TWS Trucking Services, LLC	11.11-11.12 snow haul	2,730.00
Tyler Bauer	ERF Payment	300.00
Tyler Ryan	Balance Refund/304 S Main St.	11.55
Tyler Technologies, Inc	MobileEyes - 1/1/23-6/30/23	2,681.50
Utility & Handyman Services, LLC	CH - tape & paint 2 coats on basement wall	128.00
Vertical Door Solutions, Inc.	Replaced Roll Pin in SWR Door	238.28
VRM, Inc.	Repairs	10,257.52
Wagner Ranch Services, LLC	11.12 snow haul	2,520.00
Warren E & Geraldine H Crowe Family Trust	Balance Refund/1421 Dana Ave.	64.27
Water Products & Solutions	Water	17.50
Winsupply of Sheridan Wy Co	PVC adapter, brass elbow and nipple	95.63
WY Dept of Transportation	E. 5th St. Corridor- WYDOT Design #4759	33,594.88
Wyoming Audiology & Hearing	Annual Hearing Exams Firefighters	544.00
Wyoming First Aid & Safety Supply	First aid kit restock	324.65
Wyoming Law Enforcement Academy	Conlee -Criminal Law and Procedures	675.00
Wyoming Machinery Co	Parts	3,004.92
Wyoming Rents	Hydraulic oil for loader	283.78
Yonkee & Toner, LLP	Judge Kessner fees October 2022	600.00
YourMembership.com	Ad for Recruiting WTP Operator	299.00
Zowada Recycling & Steel, LLC	expanded metal	467.65
Grand Total		880,250.03



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

Recommendation:

See attached memo and draft Ordinance.

Attachments

Memo
current license code
Draft Ordinance with changes

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 30, 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.

Changes made after November 28, 2022

- (1) Additional language has been added to clarify the records the City Clerk is to keep for an appeal.

TARVER, KERNS & BUNTING, LLP

A handwritten signature in blue ink, appearing to read "Brendon Kerns".

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
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 7, 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.

- ii. Disclosure of Administrative Record. Upon the revocation notice being delivered, the Licensee shall immediately be entitled to all discoverable information and records.

(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. If the notice is required to be published to perfect service, the date of services shall be the last day of publication. The Licensee and City Public Works Director shall be given an opportunity to present testimony, oral or written, and 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 Works 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. The Public Works Director and Licensee may resolve the matter by agreement which shall be submitted to the Board of Appeals for approval.

- iv. The City shall ensure that the hearing is recorded and a record of the proceedings and evidence is preserved. The record shall include:
 - (A) All testimony reported verbatim stenographical or other appropriate means;
 - (B) All formal or informal notices, pleadings, motions and intermediate rulings;
 - (B) Evidence received or considered including matters officially noticed;
 - (C) Questions and offers of proof, objections and rulings thereon;
 - (D) Any proposed findings and exceptions thereto;
 - (E) Any opinion, findings, decision or order of the agency and any report by the officer presiding at the hearing.

- v. 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. The Licensee shall pay a docketing fee set by the City Governing Body.

- i. Upon receiving the notice of appeal, the City Clerk shall provide the Governing Body, appellee and appellant with a certified record of the proceeding..
- ii. 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.
- iii. The Governing Body shall review the record of the hearing by the Board of Appeals and affirm, deny, modify or remand the determination. The 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: _____



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 Third and Final 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: 12/05/2022

Recommendation:

Consideration of Third and Final 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 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.



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: Consideration of Resource Allocation for the 2023 WYO Winter Rodeo - Public Works
Director Hanns Mercer
From: Hanns Mercer, Public Works Director
To: Mayor and Council
CC:
Date: 11/30/2022

Recommendation:

Staff requests that the Mayor and Council approve City staff and resources to participate in the operations and aid for the 2023 Winter Rodeo in an amount not to exceed \$5,000 in personnel, fuel, and equipment.



CITY OF SHERIDAN, WYOMING

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

Human Resources

MEMORANDUM

Project Name: Consideration of a Bonus for Non-EMS Employees Using Unallocated One-Time ARPA (American Rescue Plan Act) Funds - Human Resources Director Heather Doke
From: Heather Doke, Human Resources Director
To: Mayor and Council
CC:
Date: 11/29/2022

Recommendation:

Staff recommends that Council approve payment of a bonus to all non-EMS employees of the City of Sheridan using unallocated ARPA (American Rescue Plan Act) funds.

Background:

The American Rescue Plan Act of 2021 provided funding for the City of Sheridan. One of the eligible expenditure categories of ARPA monies is to provide premium pay for workers who perform essential work. According to the Final Rule, all local government employees are among the categories of eligible workers. In accordance with the rule, the City of Sheridan would like to provide a \$550.00 bonus to all non-EMS employees. The bonus will be paid on the 12/16/22 paycheck.

Funding:

Funding will come from unallocated ARPA funds that were previously provided to the City of Sheridan.
