



**AGENDA
CITY OF SHERIDAN
DECEMBER 12, 2022
STUDY SESSION COUNCIL MEETING START 5:30 P.M.**

1. School District #2 Career Development Vision Presentation - Scott Stults, Superintendent of SCSD2
2. Discussion of Award to DOWL for the Design of Terra Turner Water Main Replacement Project - Public Works Director Hanns Mercer
3. Discussion of Resolution 61-22, Authorizing DWSRF Loan Application for the Terra, Turner, and Riverside Water Main Replacement Project
4. Wyoming ARPA Grants Update - Public Works Director Hanns Mercer
5. Discussion of PL-22-31, Resolution 62-22, Bender Subdivision Amended Plat - Community Development Director Wade Sanner
6. Discussion of Ordinance 2255, Revision of Sheridan Municipal Code Sections Regarding Open Space - Community Development Director Wade Sanner



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: Discussion of Award to DOWL for the Design of Terra Turner Water Main Replacement Project - Public Works Director Hanns Mercer
From: Hanns Mercer, Public Works Director
To: Mayor and Council
CC:
Date: 09/02/2022

Recommendation:

Staff recommends that the Mayor and City Council award the design of Terra Turner Water Main Replacement Project to DOWL in the amount of \$52,270.

Staff requests that Mayor and City Council authorize the Public Works Director, Hanns Mercer, to act on behalf of the Council and Mayor on all matters related to this project.

Background:

The design of the Terra Turner Water Main Replacement Project includes the complete replacement of approximately 4,100 linear feet of 8" ductile iron pipe (DIP), valves, and fire hydrants in and along Turner Lane, Terra Avenue, Riverside Street, and South Sheridan Avenue between Riverside Street and East Brundage Lane, and to obtain a Permit to Construct from Wyoming DEQ. The Request for Proposals was advertised in the Sheridan Press on November 8 and 15, and proposals were due on November 23.

Six firms submitted proposals:

<u>Firm</u>	<u>Qualified</u>	<u>DEQ Permit</u>	<u>Design Completion</u>	<u>Design Cost</u>
DOWL	Yes	2/16/23	3/13/23	\$52,270
Engineering Associates	Yes	4/14/23	4/14/23	\$129,741
Interstate Engineering	Yes	4/14/23	6/30/23	\$142,637.50
MC2 Engineering	Yes	4/3/23	4/3/23	\$58,950
Nelson Engineering	Yes	4/14/23	5/5/23	\$46,750
WWC Engineering	Yes	4/14/23	4/14/23	\$112,000

A selection committee conducted evaluations on November 30, based upon the following criteria:

- Experience
- Approach
- Schedule
- Key-Staff

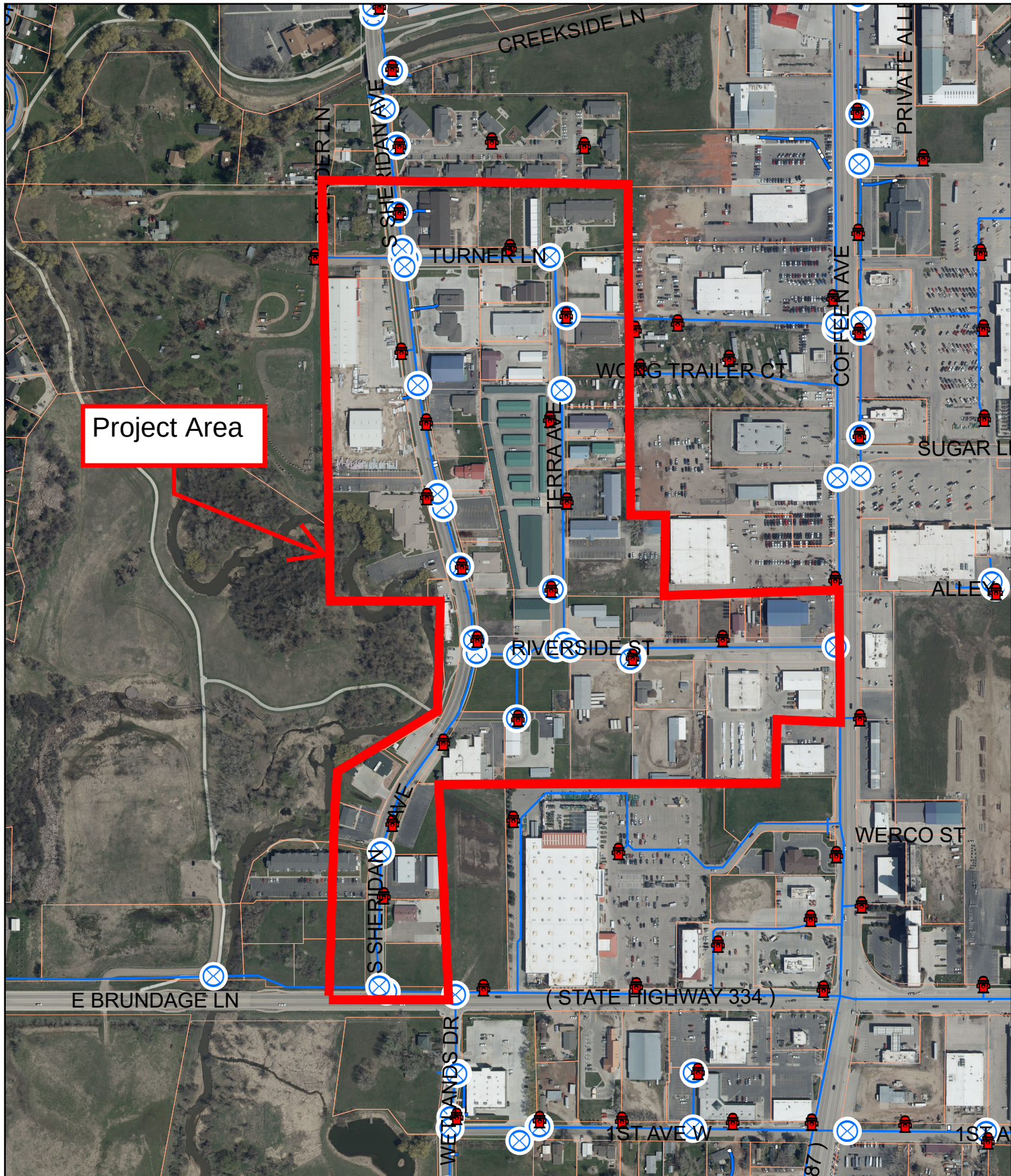
Funding:

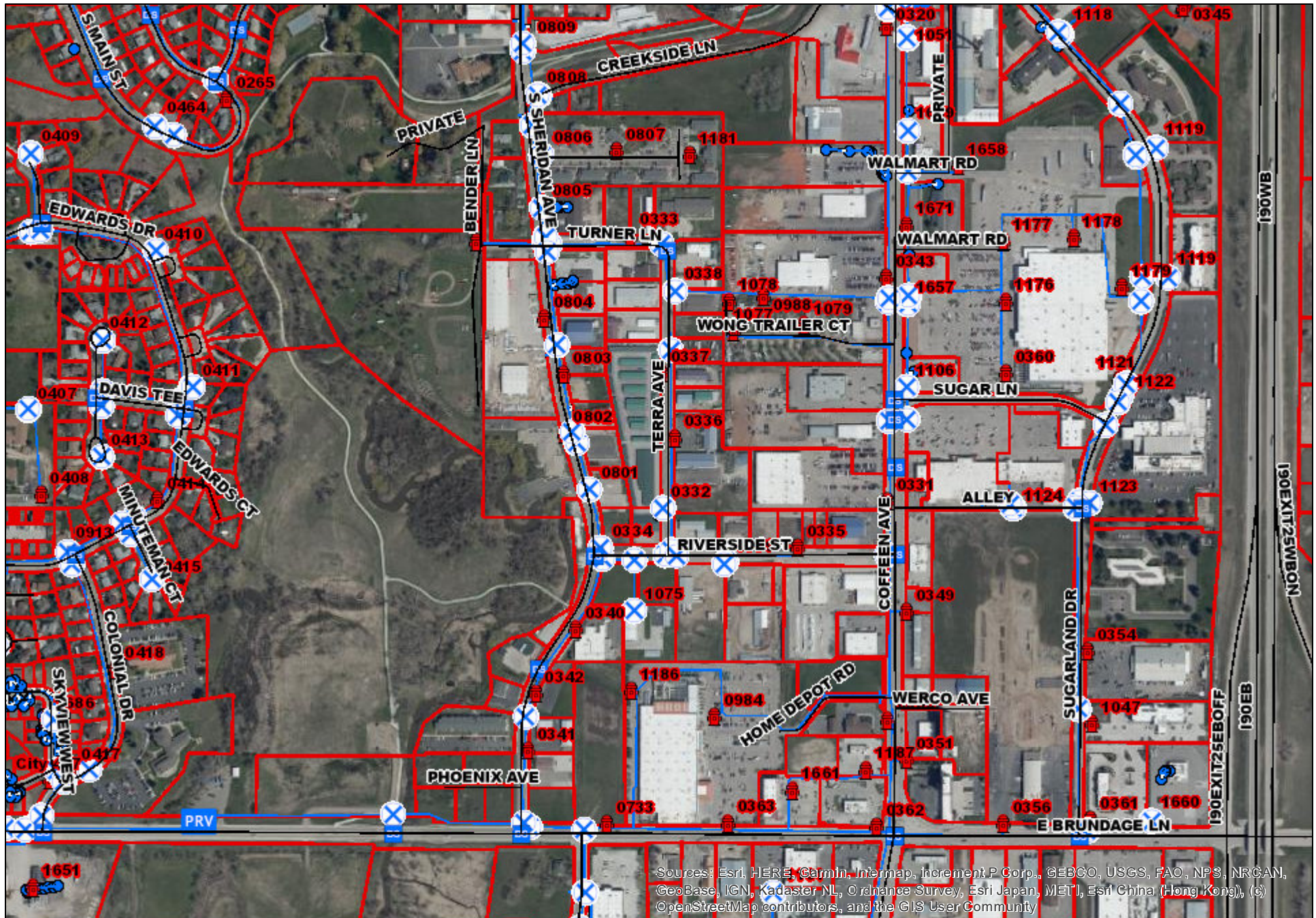
The project is funded by Water Enterprise Funds.

Attachments

Map 1

Map 2





TERRA-TURNER-RIVERSIDE- S. SHERIDAN WATER MAIN REPLACEMENT PROJECT EXHIBIT

0 625 1,250 2,500 ft



CITY OF SHERIDAN, WYOMING

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

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

Utilities

MEMORANDUM

Project Name: Discussion of Resolution 61-22, Authorizing DWSRF Loan Application for the Terra, Turner, and Riverside Water Main Replacement Project

From: Dan Roberts, Utilities Director

To: Mayor and Council

CC: City Administrator Stu McRae

Date: 12/12/2022

Recommendation:

Staff recommends that the Mayor and City Council approve Resolution 61-22 authorizing a Drinking Water State Revolving Fund (DWSRF) loan in the amount of two million dollars (\$2,000,000) to fund the Terra, Turner, and Riverside Water Main Replacement Project.

Background:

The water main located within Terra Avenue has the greatest leak history of any section of water main within the City. The water mains within the adjacent streets of Tara Lane and Riverside Street aren't far behind with an extensive leak history of their own. These are metal pipes within an area with highly corrosive soils where the only solution to eliminate regular service disruptions to our customers is full replacement with new, PVC water mains.

The replacement of the water mains in these streets has been in planning within the Water Enterprises' Capital Improvements Program (CIP) as a combined project. The Water Enterprise Fund's Financial Plan, which is used to establish our water rates, has made the assumption that this project will be funded through a low interest loan from the DWSRF program.

Discussion:

Presented for the Mayor and City Council's consideration is Resolution 61-22 authorizing the City to submit a loan application to the DWSRF program for the \$2,000,000 in funding needed to construct this project within the calendar year 2023.

Funding:

Funding for the Project has been planned to be obtained through the Drinking Water State Revolving Fund Loan Program (DWSRF) in the amount of \$2,000,000.00 which is reflected within the 5-year rate plan recently approved by City Council for the Water Enterprise Fund.

The City's DWSRF loan application for this project will request 25% principal forgiveness or 1.25% interest on the loan if principal forgiveness is not available. The Water Enterprise Fund revenues are prepared to repay the loan proceeds over the 20-year loan period.

Attachments

**CITY OF SHERIDAN
RESOLUTION 61-22**

A RESOLUTION AUTHORIZING THE SUBMISSION OF A LOAN APPLICATION TO THE STATE LOAN AND INVESTMENT BOARD FOR A LOAN THROUGH THE STATE REVOLVING FUND ON BEHALF OF THE GOVERNING BODY OF THE CITY OF SHERIDAN, WY FOR THE PURPOSE OF: ***Terra, Turner, and Riverside Water Main Replacement Project.***

WHEREAS, the Governing Body for the City of Sheridan, Wyoming desires to participate in the State Revolving Fund program to assist in financing this project; and

WHEREAS, the Governing Body for the City of Sheridan, Wyoming recognized the need for the project; and

WHEREAS, the State Revolving Fund program required that certain criteria be met, as described in the State Loan and Investment Board's Rules and Regulations governing the program, and to the best of our knowledge this application meets those criteria; and

WHEREAS, the Governing Body for the City of Sheridan, Wyoming plans to repay the requested State Revolving Fund Loan with funds from the following source(s): City of Sheridan's Water Enterprise Fund.

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

that a loan application in the amount of Two-Million and 00/100 Dollars (\$2,000,000) be submitted to the State Loan and Investment Board for consideration at the State Loan and Investment Board meeting to assist in funding of the Terra, Turner, and Riverside Water Main Replacement Project.

BE IT FURTHER RESOLVED, that Dan Roberts, Utilities Director, is hereby designated as the authorized representative of the City of Sheridan, Wyoming to act on behalf of the Governing Body on all matters relating to this loan application.

PASSED, APPROVED AND ADOPTED this 19th day of December, 2022.

City of Sheridan

Richard Bridger, Mayor

ATTEST:

Cecilia Good, City Clerk



CITY OF SHERIDAN, WYOMING

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

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

Planning

MEMORANDUM

Project Name: Discussion of PL-22-31, Resolution 62-22, Bender Subdivision Amended Plat - Community Development Director Wade Sanner

From: Wade Sanner, Community Development Director

To: Mayor and Council

CC:

Date: 12/12/2022

Recommendation:

Discussion of PL-22-31, Resolution 62-22, Bender Subdivision Amended Plat. The applicants, Hartland Enterprises, LLC and Scott Gerber and Ayme Aherns, are requesting to subdivide 1.71 acres of unplatted land into 7 lots and 3 outlets, zoned R-3 Residence District. Located at 1700 Bender Lane, (PIN 56843530001933).

Background:

The final plat for the Bender Subdivision was approved on October 3, 2022. After approval, the applicant had to revise the following items:

- Move Lot 1 and Lot 7 southern lot lines north 5' to include sidewalk in Outlot A
 - Removes previous 2' easement
 - Changes hydrant easement to 5' x 10'
- Redistribute the boundaries of Lots 1, 2, 3 and Lots 5, 6, 7
 - Change the inside widths to 50.83' each to even the lots out
 - Update the setbacks/square footage of the lots to show the changes

Discussion:

Prior to approving the final plat, the City Council will need to make the following findings per Sheridan City Code Appendix B §202. Staff offers the following comments on the required findings:

The City shall not approve any proposed subdivision of land which, by itself, or as a part of a larger tract, is contiguous to or completely surrounded by the boundaries of the City, unless the application is accompanied by a properly-acknowledged petition for annexation to the City.

This property falls completely within the city limits, so this condition does not apply.

The City shall not approve any proposed subdivision of land which is within one mile of the corporate limits of Sheridan but not, at the time of submittal, eligible for annexation, unless the application is accompanied by a properly-acknowledged agreement not to contest future annexation proceedings.

Again, not applicable in this case, the property is within the city limits.

Every plat shall conform to the Zoning Ordinance currently adopted at the time of final plat approval.

The proposed subdivision conforms to the Zoning Ordinance.

All new subdivision developments within the Airport Influence Area within the city limits of the City of Sheridan shall grant an Avigation Easement to the Sheridan County Airport.

This proposed subdivision is outside the Airport Influence Area.

No subdivision shall be approved within the corporate limits of the City of Sheridan, or one mile thereof, unless City Public Works staff concludes that an adequate long-term water supply exists to support the proposed use and density of the subdivision in accordance with City adopted policy. City elected officials acting as Council representatives on other boards or committees that review development shall likewise consider long-range water supply in making any determination.

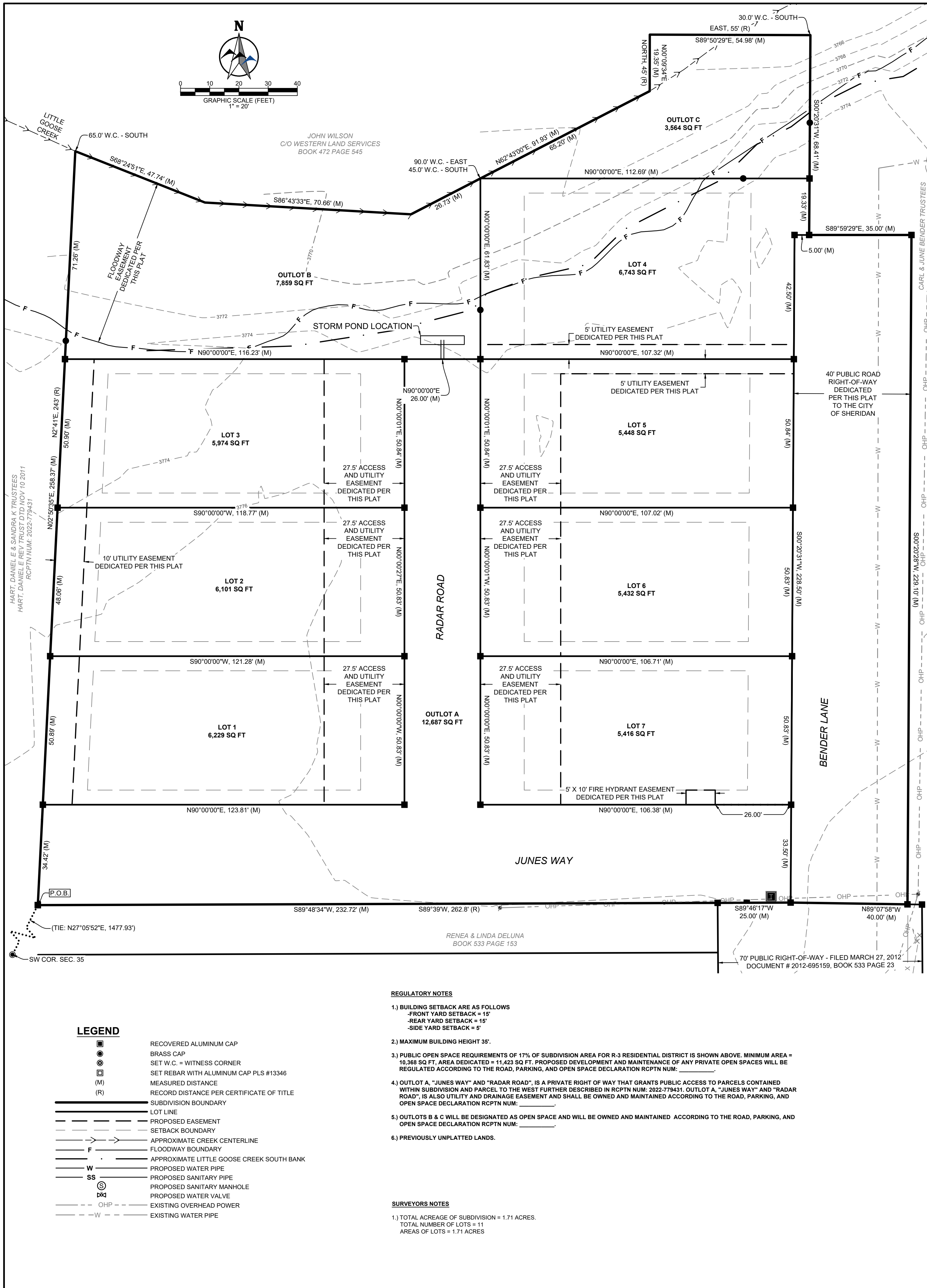
Water and sewer lines already exist in the Sheridan right-of-way. Future water and sewer lines will be extended along the Bender Lane right-of-way along the eastern side of the property. Water and sewer lines will also be installed along the private street on the south side of the property, and through the center of the property.

Staff has no further comments at this time.

Attachments

Revised Plat

Resolution



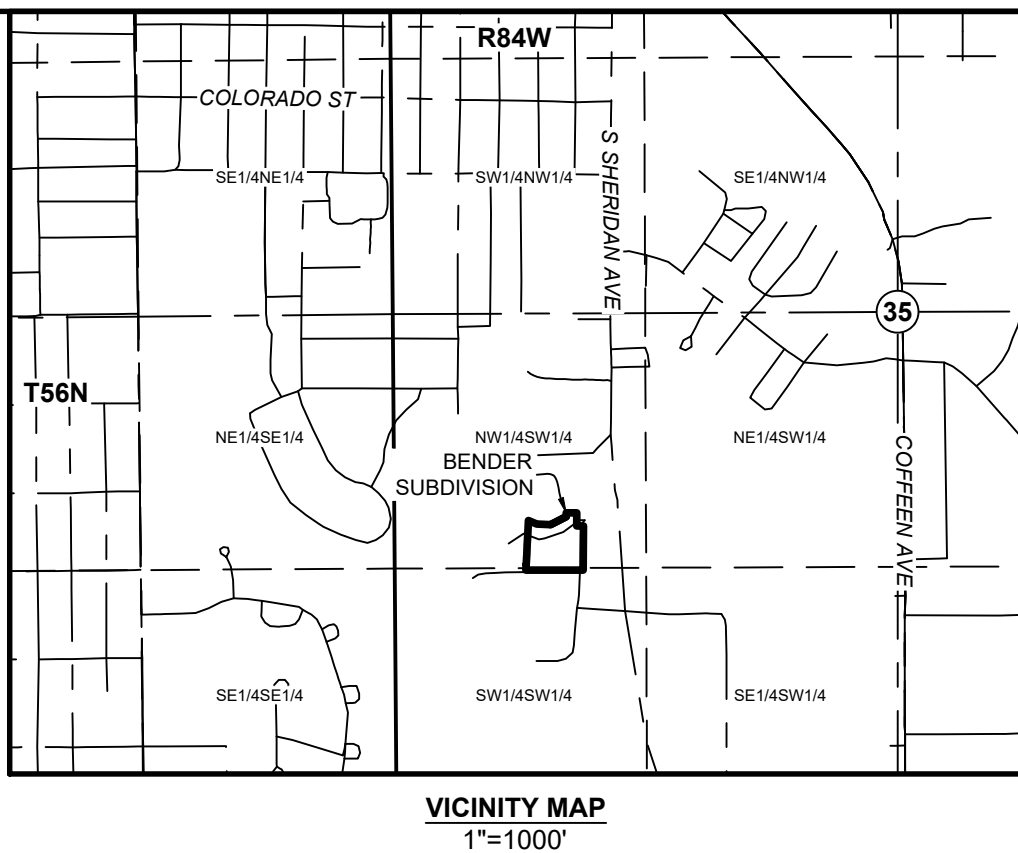
BENDER SUBDIVISION

WITHIN THE NW1/4SW1/4 OF SECTION 35, T56N, R84W, 6TH P.M.

COUNTY OF SHERIDAN, WYOMING

ZONE: R-3

PREPARED FOR OWNERS: HARTLAND ENTERPRISES, LLC,
SCOTT GERBER, AND Ayme AHRENS
DATE SURVEYED: MAY 2021
PREPARED BY: WWC ENGINEERING
DATE OF PREPARATION: JUNE 2022



Executed this _____ day of _____, 20____, by:

Hartland Enterprises, LLC, Owner

STATE OF WYOMING)

COUNTY OF SHERIDAN) SS

The foregoing instrument was acknowledged before me on this _____ day of _____, 20____, by _____
Witness my hand and official seal.

My commission expires: _____ Notary Public

Executed this _____ day of _____, 20____, by:

Scott Gerber, Owner

STATE OF WYOMING)

COUNTY OF SHERIDAN) SS

The foregoing instrument was acknowledged before me on this _____ day of _____, 20____, by _____
Witness my hand and official seal.

My commission expires: _____ Notary Public

Executed this _____ day of _____, 20____, by:

Ayme Ahrens, Owner

STATE OF WYOMING)

COUNTY OF SHERIDAN) SS

The foregoing instrument was acknowledged before me on this _____ day of _____, 20____, by _____
Witness my hand and official seal.

My commission expires: _____ Notary Public

Executed this _____ day of _____, 20____, by:

Daniel E. Hart and Sandra K. Hart, Trustees of the Daniel E. Hart Revocable Trust dated November 10, 2001

STATE OF WYOMING)

COUNTY OF SHERIDAN) SS

The foregoing instrument was acknowledged before me on this _____ day of _____, 20____, by _____
Witness my hand and official seal.

My commission expires: _____ Notary Public

Executed this _____ day of _____, 20____, by:

Carl R. Bender as trustee of Bender Living Trust Dated October 25, 2004

STATE OF WYOMING)

COUNTY OF SHERIDAN) SS

The foregoing instrument was acknowledged before me on this _____ day of _____, 20____, by _____
Witness my hand and official seal.

My commission expires: _____ Notary Public

BASIS OF BEARING
WYOMING STATE PLANE COORDINATE SYSTEM
EAST CENTRAL ZONE
DISTANCES ARE U.S. SURVEY FEET, GRID

VERTICAL DATUM
NAVD83 GEOID 18

BENDER SUBDIVISION

PREPARED FOR:
HARTLAND ENTERPRISES, LLC
PO BOX 95
UPTON, WY 82730

SCOTT GERBER AND Ayme AHRENS
820 SOUTH THURMOND ST
SHERIDAN, WY 82801

PREPARED BY:
WWC ENGINEERING
1849 TERRA AVENUE
SHERIDAN, WY 82801
(307) 672-0761
www.wwcengineering.com

NO.	REVISION	BY	DATE	DESIGNED BY: <i>SER</i>
				DRAWN BY: <i>SER</i>
				CHECKED BY: <i>CDR</i>
				DATE: <i>11/10/2022</i>
				SHEET
				1 of 1

**CITY OF SHERIDAN
RESOLUTION 62-22**

A RESOLUTION approving PL-22-31, the final plat of the Bender Subdivision, dividing $\pm$ 1.71 acres into 7 lots and 3 outlots. The property is Zoned R-3, located at 1700 Bender Lane (PIN 56843530001933).

WHEREAS, the final plat of the Bender Subdivision has been reviewed for consistency with Appendix B (Subdivision Regulations) and other applicable City code; and

WHEREAS, all applicable requirements for a final plat, have been met and all documents meet the applicable requirements in Appendix B (Subdivision Regulations).

Now, therefore, be it resolved by the City Council of the City of Sheridan:

That the final plat of the Bender Subdivision, dividing $\pm$ 1.71 acres into 7 lots and 3 outlots, on the property located at 1700 Bender Lane (PIN 56843530001933).

Is hereby approved by vote of the City of Sheridan's City Council. In approving the Bender Subdivision, the City Council finds the following as required by Sheridan City Code Appendix B §202:

- A. The property is already within the corporate limits of the City and requires no further action as pertains to annexation.
- B. The lots as platted conform to the requirements of the City Zoning Ordinance with the exception of the variances granted.
- C. The subdivision falls outside of the Airport Influence Area.
- D. As concluded by City Public Works staff, there is adequate long-term water supply to serve this subdivision as of the time of this resolution.

PASSED, APPROVED, AND ADOPTED this 19th day of December 2022.

Richard Bridger, Mayor

ATTEST:

Cecilia Good, City Clerk



CITY OF SHERIDAN, WYOMING

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

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

Attorney

MEMORANDUM

Project Name: Discussion of Ordinance 2255, Revision of Sheridan Municipal Code Sections Regarding Open Space - Community Development Director Wade Sanner
From: Brendon Kerns, City Attorney
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

Ordinance
Amendment

ORDINANCE NO. 2255

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 – 3rd Reading Ordinance 2255

Appendix B, 507(C) shall be amended to read as follows:

(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	10%*
R-4	10%

* Additional open space may be required by the City should the City find the designated open space insufficient to accommodate snow removal storage. Insufficient open space shall be determined to exist if it is necessary to use parking spaces for snow storage which would result in a violation of Appendix A, 6D “*Parking Regulations*”. The City may not request more open space than 15% of the gross area of the subdivision.

(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.