



Regular Council Meeting

Tuesday, April 5th, 2022 at 7:00 pm

At 6:45 P.M. on Tuesday, April 5, 2022, the Finance Committee will meet in the City Hall Council Chambers to consider bills to be paid. This meeting is open to the public.

- 1) Call to order.
 - 2) Pledge of Allegiance.
 - 3) Invocation.
 - 4) Roll call: Ward I: Kyle Larson, Dean Peranteaux
Ward II: Karla Borders, Kristy K. Salisbury
Ward III: Mike Bailey, Lindsey Cox
 - 5) Declaration of quorum.
 - 6) Approval of the Agenda.
 - 7) Communication from the Floor – Citizen’s Comments.
 - 8) Consent Agenda:
 - Approval of the Minutes – March 15, 2022 Regular Council Meeting.
 - Approval of the Minutes – April 5, 2022 Finance Committee Meeting.
 - Approval of the Finance Committee Recommendations – April 5, 2022.
 - Out-of-City Water Service Agreement – LeClair Irrigation District.
 - Out-of-City Water Service Agreement – Ron & Connie Hoffman.
 - Out-of-City Water Service Agreement – Darrell & Kristi Petersen.
 - Out-of-City Water Service Agreement – Petersen Rentals, LLC.
 - 9) Public Hearing & Consideration of Ordinance No. 22-004, 1st Reading: Allowed Use for C-H Zoning.
 - 10) Public Hearing & Consideration of a Restaurant Liquor License Transfer of Ownership: Chopstix Asian Bistro 2, LLC.
 - 11) Consideration of Ordinance No. 22-003, 3rd & Final Reading: Riverview Cove Annexation.
 - 12) Quarterly Police Department Statistics Presentation.
 - 13) Consideration of Ordinance No. 22-002, 3rd & Final Reading: ICC Code Adoption.
 - 14) Bipartisan Infrastructure Law: Airport Terminal Grant Application.
 - 15) Bipartisan Infrastructure Law: Airport Road Grant Application.
- Reports and Comments:
- 16) Council Committee Reports and Council Members’ Roundtable.
 - 17) City Administrator’s Report.
 - 18) Mayor’s Comments.
 - 19) Executive Session – If needed.
 - 20) Adjourn.

“Excellence in Service to the Rendezvous City”

RIVERTON CITY COUNCIL
Minutes of the
Regular Council Meeting
Held March 15, 2022
7:00 PM

The regular meeting of the Riverton City Council was held on the above date and time, duly convened by Mayor Richard P. Gard at 7:00 p.m. City Council Members present were Lindsey Cox, Mike Bailey, Dean Peranteaux, Kyle Larson, and Kristy K. Salisbury. Council Member Cox led the pledge of allegiance; and Council Member Larson conducted the invocation.

Roll call was conducted. Council Member Larson moved, seconded by Council Member Peranteaux to excuse Council Member Karla Borders from tonight's meeting. Motion passed unanimously. Mayor Gard declared a quorum of the Council.

City Staff present were: Deputy City Clerk Megan Sims, City Administrator Tony Tolstedt, Public Works Director Kyle Butterfield, Police Captain Wes Romero, Finance Director Mia Harris, Community Development Director Mike Miller, and Administrative Assistant Tisha Tuttle.

Approval of the Agenda – Council Member Cox moved, seconded by Council Member Bailey to approve the agenda as presented. Motion passed unanimously.

Communication from the Floor/Response to Citizen's Comments – None.

Consent Agenda – Deputy City Clerk Megan Sims read the consent agenda items by title only: Approval of the Minutes – March 1, 2022 Regular Council Meeting; Approval of the Minutes – March 1, 2022 Executive Session; Approval of the Minutes – March 15, 2022 Finance Committee Meeting; Approval of the Finance Committee Recommendations – March 15, 2022 claims to be paid in the amount of \$301,861.18, payroll & liabilities for 2/25/22 in the amount of \$478,914.67, for a total of \$780,775.85; and Approval of the Municipal Court Report for the month of February 2022. Council Member Peranteaux moved, seconded by Council Member Bailey to approve the consent agenda as presented. Motion passed unanimously with Council Member(s) Bailey and Peranteaux abstaining from the Bailey Enterprises Inc. and Traveling Computers Inc. claims on the claims approval list, respectively.

Public Hearing & Consideration of Resolution Nos. 1446, 1447, 1448: Utility Rate Increases – Finance Director Mia Harris Resolution Nos. 1446, 1447, and 1448 which addresses the utility rate increases for water, wastewater, and sanitation, respectively. Deputy City Clerk Megan Sims read each resolution by title only: Resolution No. 1446 which would increase the water rates by 3%, Resolution No. 1447 which would increase the wastewater rates by 3%, and Resolution No. 1448 which would increase the sanitation rates by 2%. Council Member Bailey moved, seconded by Council Member Peranteaux to open the public hearing. Motion passed unanimously. Community members Ray Barta and Kip Post approached the Council to discuss the increases. Mr. Barta stated his opposition while Mr. Post indicated he was in favor of the increases. With there being no others to address the Council regarding the utility rate increases, Council Member Bailey moved, seconded by Council Member Larson to close the public hearing. Motion passed unanimously.

Council Member Cox moved, seconded by Council Member Bailey to approve Resolution No. 1446. Motion passed unanimously.

Council Member Bailey moved, seconded by Council Member Cox to approve Resolution No. 1447. Motion passed unanimously.

Council Member Peranteaux moved, seconded by Council Member Larson to approve Resolution No. 1448. Motion passed unanimously.

Citizen Board Appointments: Riverton Rendezvous Committee – Deputy City Clerk Megan Sims reported on the re-appointment applications received for the appointment of Gerri Boesch and Cary Fike to serve another annual term on the Riverton Rendezvous Committee. Council Member Larson moved, seconded by Council Member Bailey to approve the Mayoral Citizen Committee appointments of Gerri Boesch and Cary Fike to the Rendezvous Committee. Motion passed unanimously.

Consideration of Ordinance No. 22-003, 2nd Reading: Riverview Cove Annexation – Deputy City Clerk Megan Sims read Ordinance No. 22-003 on second reading by title only. This ordinance would amend the zoning map, designating the annexation and zoning designations of the property. Council Member Bailey moved, seconded by Council Member Peranteaux to adopt Ordinance No. 22-003 on 2nd reading – annexation on Riverview Cove. Motion passed unanimously.

Airport Terminal Lease: Military Museum – Public Works Director Kyle Butterfield reported that the National Museum of Military Vehicles expressed interest in leasing space in the Central Wyoming Regional Airport terminal to promote and support tourism throughout Fremont County. Mr. Craig Blumenshine was in attendance to discuss the Museum’s proposal. Council Member Peranteaux moved, seconded by Council Member Larson to enter into a lease agreement with the National Museum of Military Vehicles for terminal lease space at Central Wyoming Regional Airport at the rate of \$1.00 per year. Motion passed unanimously.

Real Estate Listing Contract – City Administrator Tony Tolstedt presented a four year agreement with Home Source Realty for real estate services to the City of Riverton. Mr. Tolstedt noted this agreement would run for four years unless terminated pursuant to the terms of said agreement. The termination term is set for 45 days and does not require cause on the side of either party. Council Member Bailey moved, seconded by Council Member Larson to approve the real estate listing contract as proposed. Motion passed unanimously.

Out of City Water Service Agreements: Cowboy Lane Area – Public Works Director Kyle Butterfield reported on several county residents that live in the vicinity of the Cowboy Lane Waterline Project who have approached the city about the possibility of connecting to the city’s water utility once the water main is installed. Mr. Butterfield stated the requested properties do not need to be annexed to the corporate boundaries of the city in order to receive water from the city’s utility per the requirements outlined in the Riverton Municipal Code 13.08.230. Council Member Salisbury moved, seconded by Council Member Bailey to approve to form the agreement for providing a water service connection outside the corporate limits of the City of Riverton for unincorporated Fremont County properties in the vicinity of the Cowboy Lane Waterline Project. Motion passed unanimously.

Motion to Reconsider Ordinance No. 22-002 – Council Member Bailey moved, seconded by Council Member Larson to reconsider Ordinance No. 22-002 on second reading. Motion passed unanimously. At the March 1, 2022 Regular Council Meeting, Council Member Cox moved, seconded by Council Member Salisbury to adopt Ordinance No. 22-002 on second reading. This ordinance would adopt the 2021 ICC Building Code, with exceptions as approved through the Board of Adjustment. The motion failed with Council Members Salisbury and Cox voting aye; and Council Members Borders, Bailey, Larson, and Mayor Gard voting nay. After discussion surrounding the reconsideration, Council Member Bailey moved, seconded by Council Member Cox to adopt Ordinance No. 22-002 on second reading. Motion passed unanimously.

Council Committee Reports & Council Members' Roundtable – Council Member Cox reported on the FCSD #25 Recreation Board meeting she attended; Council Member Bailey reported on the FORCC meeting; Council Member Peranteaux also reported on the FCSD #25 Recreation Board meeting and their involvement in the possible softball field renovations; Council Member Larson reported on the Airport Board meeting he attended; and Council Member Salisbury reported on the Riverton Chamber of Commerce Board meeting she attended.

City Administrator's Report – City Administrator Tony Tolstedt reported on the upcoming public meeting for disorderly house on March 24, 2022, at 5:30 p.m. Mr. Tolstedt also expressed his gratitude and many thanks to the Public Works Department for their diligent work on clearing the streets in the most recent snow storm.

Mayor's Comments – Mayor Gard commented on the Riverton High School athletics and the speech & debate team noting each of their successes. Mayor Gard also commented on the snow removal efforts as well as the following meetings he attended: Frontier Ambulance, Cowboy Lane Waterline Project Meeting and the Riverton Ambassadors Group.

Adjourn – There being no further business to come before the Council, Mayor Gard adjourned the Regular Council Meeting at 9:17 p.m. There was no objection from the Council.

CITY OF RIVERTON, WYOMING

Richard P. Gard
Mayor


ATTEST:

Kristin S. Watson
City Clerk/Human Resource Director

Publication Date:

CITY COUNCIL STAFF REPORT

TO: His Honor the Mayor and Members of the City Council

FROM: Kyle J. Butterfield, Public Works Director 

THROUGH: Anthony Tolstedt, City Administrator

DATE: April 5, 2022

SUBJECT: Out-of-City Waterline Agreements – Cowboy Lane Waterline Project

Recommendation: The City Council approves via consent agenda the out-of-city water service connection agreements with the Petersen's, Hoffman's, Petersen Rental's, and LeClair Irrigation District.

Background: The City Riverton awarded the Cowboy Lane Waterline Project to Viper Underground, Inc. on February 1, 2022. The project includes the installation of approximately 4,000 linear feet of 8" waterline and seven fire hydrants along Cooper Road and on tribal ground adjacent to Cowboy Lane. It also allows for water service connections to tribal housing in the area. This is in accordance with an agreement between the city and the Bureau of Indian Affairs for easements associated with the Riverton Water Supply Project.

Discussion: The City Council approved the verbiage of the Agreement for Providing a Water Service Connection Outside the Corporate Limits of the City of Riverton during its March 15, 2022 business meeting. Since that meeting four out-of-city residents have expressed interest in connecting to the city's water system. These residents have agreed the verbiage and terms of the above referenced agreement.

Budget Impact: When the approved county residents connect to the utility, they will be required to pay applicable out-of-city plant investment fees and monthly out-of-city consumption fees. These revenues would be deposited to the Water Enterprise Fund.



AGREEMENT FOR PROVIDING A WATER SERVICE CONNECTION OUTSIDE THE
CORPORATE LIMITS OF THE CITY OF RIVERTON

This Agreement is made and entered into this ____ day of _____, 2022 by and between the City of Riverton, a Wyoming Municipal Corporation, hereinafter “Riverton” and Ronald D. and Connie J. Hoffman, of 1416 Cowboy Lane, Riverton WY 82501, hereinafter referred to as “Hoffman”.

RECITALS

WHEREAS, Riverton operates a potable water utility within and without the corporate limits of the City of Riverton, Wyoming; and

WHEREAS, Riverton is extending an 8-inch water main to distribute potable water to properties lying outside the corporate boundary of the city near Cowboy Lane and Cooper Road; and

WHEREAS, Hoffman desires to connect to Riverton’s potable water utility for their personal use and need; and

WHEREAS, Riverton Municipal Code 13.08.220 states the City Council may, in its sole discretion, enter into agreements with persons whose land lies outside the corporate limits to extend the city’s water system and supply water for the use, needs, and requirements of such persons; and.

WHEREAS, Riverton Municipal Code 13.08.230 states that before the City Council shall enter into any agreement to allow the persons the use of, or extension of, city water supplies outside the corporate limits, the person requesting shall submit evidence to the council and the council shall find that:

- A. The extension of water service is economically feasible;
- B. The property to be served is readily adaptable to and can be made to conform, within a reasonable time to be fixed by the council, to the then existing ordinances which relate to subdivision, platting, zoning and construction of improvements;
- C. Adequate provision for the extension of sanitary sewer service or provision of on-site disposal of liquid wastes can be accomplished within a reasonable time to be fixed by the city council;
- D. The area within which the property to be served lies can be reasonably expected to be annexed to the city within the foreseeable future;
- E. Such extension or service would help promote the growth and development of the city;

F. Such extension or service would help promote the health, safety and welfare of the citizens of the city and is generally in the best interests of the citizens of the city.

NOW THEREFORE, for and in consideration of the parties' mutual promises as contained herein and the payment of monies as set forth herein, the parties agree as follows:

1. Riverton hereby agrees as follows:
 - a. It agrees to install an 8-inch distribution line in the vicinity of Cooper Road and Cowboy Lane in accordance with the Cowboy Lane Water Project awarded to Viper Underground, Incorporated on February 1, 2022.
 - b. It agrees the extension of water service to Hoffman is economically feasible.
 - c. It agrees the extension or service of water to Hoffman promotes the growth and development of the city.
 - d. It agrees the extension or service of water to Hoffman will promote the health, safety, and welfare of the citizens of the city and is generally in the best interest of the citizens of the city.
 - e. It agrees to allow Hoffman to connect to Riverton's potable water utility by tapping an 8-inch distribution line via a corporation stop and service line.
2. Hoffman hereby agrees as follows:
 - a. It shall be solely responsible for any and all costs associated with the physical connection and equipment required to receive water from Riverton's potable water utility.
 - b. It shall comply with the provisions of Title 13 Public Services, Chapter 4 Billing Procedure of Public Services of Riverton Municipal Code.
 - c. It shall comply with the provisions of Title 13 Public Services, Chapter 5 Water Service System of Riverton Municipal Code.
 - d. It agrees to conform, once the property associated to the requested water connection is annexed within the corporate boundary of the city, to the then existing ordinances which relate to subdivision, platting, zoning and construction of improvements.
 - e. It agrees to maintain an appropriate on-site system for the disposal of wastewater or sanitary sewer that complies with Department of Environmental Quality and Fremont County regulations.
 - f. It agrees to connect to Riverton's wastewater utility and comply with provisions of Riverton Municipal Code Title 13 Public Services, Chapter 20 Sewer Service System once a sanitary sewer main is installed and available for use in the vicinity of Cooper Road and Cowboy Lane.
 - g. It hereby irrevocably consents to the property associated with the requested water connection to be annexed into the corporate boundary of the city when

the City Council determines it reasonable to do so. It further irrevocably consents to have the land zoned upon annexation as established by the City Council and in accordance with the City of Riverton Master Plan.

3. Any changes, modifications, revision, or amendments to this agreement which are mutually agreed upon by Riverton and Hoffamn shall be incorporated by written instrument, executed by all parties to this agreement.

4. This Agreement shall be binding upon the parties hereto, their successors, heirs and assigns, shall run with the land and constitute an encumbrance on the Property. The parties agree that this Agreement shall be recorded in the Office of the Fremont County Clerk.

5. By entering into this Agreement, the City of Riverton does not waive its Governmental Immunity, as provided by any applicable law including W.S. Section 1-39-101 et seq. Further, the City fully retains all immunities and defenses provided by law with regard to any action, whether in tort, contract or any other theory of law based on this contract. This Agreement is entered into by the parties for their sole benefit, and is not intended to be for the benefit of any other third party or entity.

6. This Agreement represents the entire agreement of the parties and all prior discussions, negotiations and agreement are incorporated herein.

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7. Signatures.

The City of Riverton

Ronald & Connie Hoffman

By: _____
Richard P. Gard, Mayor

By: Ronald D Hoffman
Ronald D. Hoffman

Attest: _____
Kristin Watson, City Clerk

By: Connie J Hoffman
Connie J. Hoffman

STATE OF WYOMING)
) ss.
COUNTY OF FREMONT)

The foregoing instrument was signed and acknowledged before me by Ron and Connie Hoffman
known to me to be the person that executed the within instrument as the Lessee therein named,
this 25 day of March, 2022.

Witness my hand and official seal.



Tisha Tuttle
Notary Public

My Commission expires: November 23, 2022

AGREEMENT FOR PROVIDING A WATER SERVICE CONNECTION OUTSIDE THE
CORPORATE LIMITS OF THE CITY OF RIVERTON

This Agreement is made and entered into this ____ day of _____, 2022 by and between the City of Riverton, a Wyoming Municipal Corporation, hereinafter “Riverton” and Petersen Rentals, LLC, of 2881 Cooper Road, Riverton WY 82501, hereinafter referred to as “Petersen Rentals”.

RECITALS

WHEREAS, Riverton operates a potable water utility within and without the corporate limits of the City of Riverton, Wyoming; and

WHEREAS, Riverton is extending an 8-inch water main to distribute potable water to properties lying outside the corporate boundary of the city near Cowboy Lane and Cooper Road; and

WHEREAS, Petersen Rentals desires to connect to Riverton’s potable water utility for their personal use and need; and

WHEREAS, Riverton Municipal Code 13.08.220 states the City Council may, in its sole discretion, enter into agreements with persons whose land lies outside the corporate limits to extend the city’s water system and supply water for the use, needs, and requirements of such persons; and.

WHEREAS, Riverton Municipal Code 13.08.230 states that before the City Council shall enter into any agreement to allow the persons the use of, or extension of, city water supplies outside the corporate limits, the person requesting shall submit evidence to the council and the council shall find that:

- A. The extension of water service is economically feasible;
- B. The property to be served is readily adaptable to and can be made to conform, within a reasonable time to be fixed by the council, to the then existing ordinances which relate to subdivision, platting, zoning and construction of improvements;
- C. Adequate provision for the extension of sanitary sewer service or provision of on-site disposal of liquid wastes can be accomplished within a reasonable time to be fixed by the city council;
- D. The area within which the property to be served lies can be reasonably expected to be annexed to the city within the foreseeable future;
- E. Such extension or service would help promote the growth and development of the city;

F. Such extension or service would help promote the health, safety and welfare of the citizens of the city and is generally in the best interests of the citizens of the city.

NOW THEREFORE, for and in consideration of the parties' mutual promises as contained herein and the payment of monies as set forth herein, the parties agree as follows:

1. Riverton hereby agrees as follows:
 - a. It agrees to install an 8-inch distribution line in the vicinity of Cooper Road and Cowboy Lane in accordance with the Cowboy Lane Water Project awarded to Viper Underground, Incorporated on February 1, 2022.
 - b. It agrees the extension of water service to Petersen Rentals is economically feasible.
 - c. It agrees the extension or service of water to Petersen Rentals promotes the growth and development of the city.
 - d. It agrees the extension or service of water to Petersen Rentals will promote the health, safety, and welfare of the citizens of the city and is generally in the best interest of the citizens of the city.
 - e. It agrees to allow Petersen Rentals to connect to Riverton's potable water utility by tapping an 8-inch distribution line via a corporation stop and service line.
2. Petersen Rentals hereby agrees as follows:
 - a. It shall be solely responsible for any and all costs associated with the physical connection and equipment required to receive water from Riverton's potable water utility.
 - b. It shall comply with the provisions of Title 13 Public Services, Chapter 4 Billing Procedure of Public Services of Riverton Municipal Code.
 - c. It shall comply with the provisions of Title 13 Public Services, Chapter 5 Water Service System of Riverton Municipal Code.
 - d. It agrees to conform, once the property associated to the requested water connection is annexed within the corporate boundary of the city, to the then existing ordinances which relate to subdivision, platting, zoning and construction of improvements.
 - e. It agrees to maintain an appropriate on-site system for the disposal of wastewater or sanitary sewer that complies with Department of Environmental Quality and Fremont County regulations.
 - f. It agrees to connect to Riverton's wastewater utility and comply with provisions of Riverton Municipal Code Title 13 Public Services, Chapter 20 Sewer Service System once a sanitary sewer main is installed and available for use in the vicinity of Cooper Road and Cowboy Lane.

- g. It hereby irrevocably consents to the property associated with the requested water connection to be annexed into the corporate boundary of the city when the City Council determines it reasonable to do so. It further irrevocably consents to have the land zoned upon annexation as established by the City Council and in accordance with the City of Riverton Master Plan.

3. Any changes, modifications, revision, or amendments to this agreement which are mutually agreed upon by Riverton and Petersen Rentals shall be incorporated by written instrument, executed by all parties to this agreement.

4. This Agreement shall be binding upon the parties hereto, their successors, heirs and assigns, shall run with the land and constitute an encumbrance on the Property. The parties agree that this Agreement shall be recorded in the Office of the Fremont County Clerk.

5. By entering into this Agreement, the City of Riverton does not waive its Governmental Immunity, as provided by any applicable law including W.S. Section 1-39-101 et seq. Further, the City fully retains all immunities and defenses provided by law with regard to any action, whether in tort, contract or any other theory of law based on this contract. This Agreement is entered into by the parties for their sole benefit, and is not intended to be for the benefit of any other third party or entity.

6. This Agreement represents the entire agreement of the parties and all prior discussions, negotiations and agreement are incorporated herein.

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7. Signatures.

The City of Riverton

By: _____
Richard P. Gard, Mayor

Attest: _____
Kristin Watson, City Clerk

Petersen Rentals, LLC

By: _____
Larry W. Petersen

By: _____
Pam J. Petersen

STATE OF WYOMING)
) ss.
COUNTY OF FREMONT)

The foregoing instrument was signed and acknowledged before me by Larry & Pam Petersen
known to me to be the person that executed the within instrument as the Lessee therein named,
this 30 day of March, 2022.

Witness my hand and official seal.



Tisha Tuttle
Notary Public

My Commission expires: November 23, 2022

AGREEMENT FOR PROVIDING A WATER SERVICE CONNECTION OUTSIDE THE
CORPORATE LIMITS OF THE CITY OF RIVERTON

This Agreement is made and entered into this 30 day of March, 2022 by and between the City of Riverton, a Wyoming Municipal Corporation, hereinafter "Riverton" and Darrell L. and Kristi K. Petersen, of 2853 Cooper Road, Riverton WY 82501, hereinafter referred to as "Petersen".

RECITALS

WHEREAS, Riverton operates a potable water utility within and without the corporate limits of the City of Riverton, Wyoming; and

WHEREAS, Riverton is extending an 8-inch water main to distribute potable water to properties lying outside the corporate boundary of the city near Cowboy Lane and Cooper Road; and

WHEREAS, Petersen desires to connect to Riverton's potable water utility for their personal use and need; and

WHEREAS, Riverton Municipal Code 13.08.220 states the City Council may, in its sole discretion, enter into agreements with persons whose land lies outside the corporate limits to extend the city's water system and supply water for the use, needs, and requirements of such persons; and.

WHEREAS, Riverton Municipal Code 13.08.230 states that before the City Council shall enter into any agreement to allow the persons the use of, or extension of, city water supplies outside the corporate limits, the person requesting shall submit evidence to the council and the council shall find that:

- A. The extension of water service is economically feasible;
- B. The property to be served is readily adaptable to and can be made to conform, within a reasonable time to be fixed by the council, to the then existing ordinances which relate to subdivision, platting, zoning and construction of improvements;
- C. Adequate provision for the extension of sanitary sewer service or provision of on-site disposal of liquid wastes can be accomplished within a reasonable time to be fixed by the city council;
- D. The area within which the property to be served lies can be reasonably expected to be annexed to the city within the foreseeable future;
- E. Such extension or service would help promote the growth and development of the city;

F. Such extension or service would help promote the health, safety and welfare of the citizens of the city and is generally in the best interests of the citizens of the city.

NOW THEREFORE, for and in consideration of the parties' mutual promises as contained herein and the payment of monies as set forth herein, the parties agree as follows:

1. Riverton hereby agrees as follows:
 - a. It agrees to install an 8-inch distribution line in the vicinity of Cooper Road and Cowboy Lane in accordance with the Cowboy Lane Water Project awarded to Viper Underground, Incorporated on February 1, 2022.
 - b. It agrees the extension of water service to Petersen is economically feasible.
 - c. It agrees the extension or service of water to Petersen promotes the growth and development of the city.
 - d. It agrees the extension or service of water to Petersen will promote the health, safety, and welfare of the citizens of the city and is generally in the best interest of the citizens of the city.
 - e. It agrees to allow Petersen to connect to Riverton's potable water utility by tapping an 8-inch distribution line via a corporation stop and service line.
2. Petersen hereby agrees as follows:
 - a. It shall be solely responsible for any and all costs associated with the physical connection and equipment required to receive water from Riverton's potable water utility.
 - b. It shall comply with the provisions of Title 13 Public Services, Chapter 4 Billing Procedure of Public Services of Riverton Municipal Code.
 - c. It shall comply with the provisions of Title 13 Public Services, Chapter 5 Water Service System of Riverton Municipal Code.
 - d. It agrees to conform, once the property associated to the requested water connection is annexed within the corporate boundary of the city, to the then existing ordinances which relate to subdivision, platting, zoning and construction of improvements.
 - e. It agrees to maintain an appropriate on-site system for the disposal of wastewater or sanitary sewer that complies with Department of Environmental Quality and Fremont County regulations.
 - f. It agrees to connect to Riverton's wastewater utility and comply with provisions of Riverton Municipal Code Title 13 Public Services, Chapter 20 Sewer Service System once a sanitary sewer main is installed and available for use in the vicinity of Cooper Road and Cowboy Lane.
 - g. It hereby irrevocably consents to the property associated with the requested water connection to be annexed into the corporate boundary of the city when

the City Council determines it reasonable to do so. It further irrevocably consents to have the land zoned upon annexation as established by the City Council and in accordance with the City of Riverton Master Plan.

3. Any changes, modifications, revision, or amendments to this agreement which are mutually agreed upon by Riverton and Petersen shall be incorporated by written instrument, executed by all parties to this agreement.

4. This Agreement shall be binding upon the parties hereto, their successors, heirs and assigns, shall run with the land and constitute an encumbrance on the Property. The parties agree that this Agreement shall be recorded in the Office of the Fremont County Clerk.

5. By entering into this Agreement, the City of Riverton does not waive its Governmental Immunity, as provided by any applicable law including W.S. Section 1-39-101 et seq. Further, the City fully retains all immunities and defenses provided by law with regard to any action, whether in tort, contract or any other theory of law based on this contract. This Agreement is entered into by the parties for their sole benefit, and is not intended to be for the benefit of any other third party or entity.

6. This Agreement represents the entire agreement of the parties and all prior discussions, negotiations and agreement are incorporated herein.

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7. Signatures.

The City of Riverton

By: _____
Richard P. Gard, Mayor

Attest: _____
Kristin Watson, City Clerk

Darrell L. & Kristi K. Petersen

By: Darrell L. Petersen
Darrell L. Petersen

By: Kristi K. Petersen
Kristi K. Petersen

STATE OF WYOMING)
) ss.
COUNTY OF FREMONT)

The foregoing instrument was signed and acknowledged before me by Darrell & Kristi Petersen
known to me to be the person that executed the within instrument as the Lessee therein named,
this 30 day of March, 2022.

Witness my hand and official seal.



Tisha Tuttle
Notary Public

My Commission expires: November 23, 2022

AGREEMENT FOR PROVIDING A WATER SERVICE CONNECTION OUTSIDE THE
CORPORATE LIMITS OF THE CITY OF RIVERTON

This Agreement is made and entered into this 31 day of March, 2022 by and between the City of Riverton, a Wyoming Municipal Corporation, hereinafter "Riverton" and LeClair Irrigation District, a Wyoming Corporation, hereinafter referred to as "LeClair".

RECITALS

WHEREAS, Riverton operates a potable water utility within and without the corporate limits of the City of Riverton, Wyoming; and

WHEREAS, Riverton is extending an 8-inch water main to distribute potable water to properties lying outside the corporate boundary of the city near Cowboy Lane and Cooper Road; and

WHEREAS, LeClair desires to connect to Riverton's potable water utility for their personal use and need; and

WHEREAS, Riverton Municipal Code 13.08.220 states the City Council may, in its sole discretion, enter into agreements with persons whose land lies outside the corporate limits to extend the city's water system and supply water for the use, needs, and requirements of such persons; and.

WHEREAS, Riverton Municipal Code 13.08.230 states that before the City Council shall enter into any agreement to allow the persons the use of, or extension of, city water supplies outside the corporate limits, the person requesting shall submit evidence to the council and the council shall find that:

- A. The extension of water service is economically feasible;
- B. The property to be served is readily adaptable to and can be made to conform, within a reasonable time to be fixed by the council, to the then existing ordinances which relate to subdivision, platting, zoning and construction of improvements;
- C. Adequate provision for the extension of sanitary sewer service or provision of on-site disposal of liquid wastes can be accomplished within a reasonable time to be fixed by the city council;
- D. The area within which the property to be served lies can be reasonably expected to be annexed to the city within the foreseeable future;
- E. Such extension or service would help promote the growth and development of the city;

F. Such extension or service would help promote the health, safety and welfare of the citizens of the city and is generally in the best interests of the citizens of the city.

NOW THEREFORE, for and in consideration of the parties' mutual promises as contained herein and the payment of monies as set forth herein, the parties agree as follows:

1. Riverton hereby agrees as follows:
 - a. It agrees to install an 8-inch distribution line in the vicinity of Cooper Road and Cowboy Lane in accordance with the Cowboy Lane Water Project awarded to Viper Underground, Incorporated on February 1, 2022.
 - b. It agrees the extension of water service to LeClair is economically feasible.
 - c. It agrees the extension or service of water to LeClair promotes the growth and development of the city.
 - d. It agrees the extension or service of water to LeClair will promote the health, safety, and welfare of the citizens of the city and is generally in the best interest of the citizens of the city.
 - e. It agrees to allow LeClair to connect to Riverton's potable water utility by tapping an 8-inch distribution line via a corporation stop and service line.
2. LeClair hereby agrees as follows:
 - a. It shall be solely responsible for any and all costs associated with the physical connection and equipment required to receive water from Riverton's potable water utility.
 - b. It shall comply with the provisions of Title 13 Public Services, Chapter 4 Billing Procedure of Public Services of Riverton Municipal Code.
 - c. It shall comply with the provisions of Title 13 Public Services, Chapter 5 Water Service System of Riverton Municipal Code.
 - d. It agrees to conform, once the property associated to the requested water connection is annexed within the corporate boundary of the city, to the then existing ordinances which relate to subdivision, platting, zoning and construction of improvements.
 - e. It agrees to maintain an appropriate on-site system for the disposal of wastewater or sanitary sewer that complies with Department of Environmental Quality and Fremont County regulations.
 - f. It agrees to connect to Riverton's wastewater utility and comply with provisions of Riverton Municipal Code Title 13 Public Services, Chapter 20 Sewer Service System once a sanitary sewer main is installed and available for use in the vicinity of Cooper Road and Cowboy Lane.
 - g. It hereby irrevocably consents to the property associated with the requested water connection to be annexed into the corporate boundary of the city when

the City Council determines it reasonable to do so. It further irrevocably consents to have the land zoned upon annexation as established by the City Council and in accordance with the City of Riverton Master Plan.

3. Any changes, modifications, revision, or amendments to this agreement which are mutually agreed upon by Riverton and LeClair shall be incorporated by written instrument, executed by all parties to this agreement.

4. This Agreement shall be binding upon the parties hereto, their successors, heirs and assigns, shall run with the land and constitute an encumbrance on the Property. The parties agree that this Agreement shall be recorded in the Office of the Fremont County Clerk.

5. By entering into this Agreement, the City of Riverton does not waive its Governmental Immunity, as provided by any applicable law including W.S. Section 1-39-101 et seq. Further, the City fully retains all immunities and defenses provided by law with regard to any action, whether in tort, contract or any other theory of law based on this contract. This Agreement is entered into by the parties for their sole benefit, and is not intended to be for the benefit of any other third party or entity.

6. This Agreement represents the entire agreement of the parties and all prior discussions, negotiations and agreement are incorporated herein.

REMAINDER OF PAGE LEFT INTENTIONALLY BLANK

7. Signatures.

The City of Riverton

LeClair Irrigation District

By: _____
Richard P. Gard, Mayor

By: Mike McDonald
Mike McDonald, President

Attest: _____
Kristin Watson, City Clerk

STATE OF WYOMING)
) ss.
COUNTY OF FREMONT)

The foregoing instrument was signed and acknowledged before me by Mike McDonald
known to me to be the person that executed the within instrument as the Lessee therein named,
this 31 day of March, 2022.

Witness my hand and official seal.



Jessica L. Gadway
Notary Public

My Commission expires: 7.30.2022

CITY COUNCIL STAFF REPORT

TO: His Honor the Mayor and Members of the City Council

FROM: Michael Miller – Director of Community Development

THROUGH: Anthony Tolstedt – City Administrator

DATE: April 5th, 2022

SUBJECT: ORDINANCE 22-004 - ADDITIONAL USE ALLOWANCE TO COMMERCIAL HIGHWAY ZONE

PETITIONERS: Henry Hill Oil Services, LLC

Recommendation: The City Council adopt on First Reading Ordinance No. 22-004, Additional Use Allowance to Commercial Highway Zone

Background: Currently above ground Propane and Gas tanks are not allowed without variances on commercial highway (C-H) property. The city does have numerous distributors in C-H zoning that have obtained variances over the years for the sale and distribution of propane among other things. With another request coming in soon for another location that is zoned C-H, it was deemed prudent to look into proposing the allowance by ordinance instead of continued use of a variance.

Discussion: They are currently 4 establishments on C-H zoned property selling propane from above ground tanks distribution sites, with a fifth potentially proposed. Citizens have grown accustomed to looking for this service directly on Main Street or Federal for this service. Ordinance No. 22-004 adds the language to allow above ground Gas and Propane tank structures for intended sales and distribution.

Changes to RMC 17.64.040 Use Regulations

J. Above ground tank structures for Gas and or Propane (LPG) intended for sales and distribution

Alternatives: In considering Ordinance 22-004, the Planning Commission may explore the following alternative actions:

1. Amend Riverton Municipal Code to reflect new language on the allowance of above ground Propane and Gas tanks
2. Deny the request to change the Ordinance and continue to follow current practices and codes and continue to use variances for the allowed use.
3. Approve the changes with amendments and/or stipulations

Budget Impact: Adopting Ordinance No. 22-004 does not directly impact the current budget

PROPOSED ORDINANCE NO. 22-004

AN ORDINANCE AMENDING TITLE 17 “ZONING”; CHAPTER 17.64 “COMMERCIAL DISTRICT “C-H””; SECTION 17.64.040 “USE REGULATIONS” OF THE RIVERTON MUNICIPAL CODE, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF RIVERTON, FREMONT COUNTY, WYOMING:

Section 1.

Title 17. Chapter 17.64, Section 17.64.040, is hereby amended to include the following:

Section 17.56.040 Use regulations.

J. Above ground tank structures for Gas and/or Propane (LPG) intended for sales and distribution.

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 3. This ordinance shall take effect from its adoption and publication as required by law and the ordinances of the City of Riverton.

PASSED ON FIRST READING _____

PASSED ON SECOND READING _____

PASSED ON THIRD READING _____

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

CITY OF RIVERTON, WYOMING

By: _____
Richard P. Gard
Mayor

ATTEST:

Kristin S. Watson
City Clerk/Human Resource Director

ATTESTATION

I, Kristin S. Watson, Clerk of the City of Riverton, attest that Ordinance No. 22-004 was passed, adopted, and approved by the Governing Body of the City of Riverton on the _____ day of _____, 2022. I further certify that the above proclamation ran at least once in the Riverton Ranger, a newspaper of general circulation within Riverton, Wyoming, the effective date of publication, and therefore the effective date of enactment being _____.

Kristin S. Watson
City Clerk/Human Resource Director

CITY COUNCIL STAFF REPORT

TO: His Honor the Mayor and Members of the City Council

FROM: Kristin S. Watson, City Clerk/Human Resource Director

THROUGH: Anthony L. Tolstedt, City Administrator

DATE: March 30, 2022

SUBJECT: Transfer of Ownership Application for a Restaurant Liquor License for Chopstix Asian Bistro 2, LLC d/b/a Chopstix Asian Bistro

Recommendation: That Council approves the Transfer of Ownership of a Restaurant Liquor License for Chopstix Asian Bistro 2, LLC for the remainder of the 4/1/22 – 3/31/23 liquor licensing term.

Background: Pursuant to statutory requirements, as well as the Riverton Municipal Code, any changes to the ownership and/or location of any liquor license must be approved by the local licensing authority.

Discussion: On March 7, 2022, staff received a transfer of ownership application for a restaurant liquor license submitted by Chopstix Asian Bistro 2, LLC as follows:

From:

465 Chopstix Asian Bistro Inc d/b/a Chopstix
Building located at 824 N Federal Blvd., Riverton, WY

To:

465 Chopstix Asian Bistro 2, LLC d/b/a Chopstix Asian Bistro
Building located at 824 N Federal Blvd., Riverton, WY

This application has been certified as complete by the Wyoming Liquor Division, the proper fees have been paid, and proper notice to the public has been advertised. Therefore, staff recommends Council's approval of the transfer of ownership application of a restaurant liquor license, as described above.

Alternative: Deny the application submitted for a Restaurant Liquor License Transfer of Ownership.

Budget Impact: The budget impact with the proposed recommendation is revenue of \$100 from the application fee, plus an indeterminate amount of sales tax revenue.

NEW OR TRANSFER LIQUOR LICENSE OR PERMIT APPLICATION

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

To be completed by City/County Clerk		Local License #: <u>465</u>	
License Fees	Annual Fee: \$	Date filed with clerk:	<u>03 / 07 / 2022</u>
	Prorated Fee: \$	Advertising Dates: (2 Weeks)	<u>03/13/2022 & 03/20/2022</u>
	Transfer Fee: \$ <u>100.00</u>	Hearing Date:	<u>4 / 5 / 2022</u>
	Publishing Fee: \$ <u>15.00</u>		
Publishing Fee Direct Billed to Applicant: <input type="checkbox"/>			
License Term: <u>04 / 06 / 2022</u> Through <u>03 / 31 / 2023</u>			
	Month Day Year	Month Day Year	
LICENSING AUTHORITY: Begin publishing promptly. As W.S. 12-4-104(d) specifies: NO LICENSING AUTHORITY SHALL APPROVE OR DENY THE APPLICATION UNTIL THE LIQUOR DIVISION HAS CERTIFIED THE APPLICATION IS COMPLETE.			
Applicant: <u>Chopstix Asian Bistro 2 LLC</u>			
Trade/Business Name (dba): <u>Chopstix Asian Bistro</u>			
Building to be licensed/Building Address: <u>824 N Federal Blvd</u>			
Number & Street			
<u>Riverton</u> <u>WY</u> <u>82501</u> <u>Fremont</u>			
City State Zip County			
Local Mailing Address: <u>"</u>			
Number & Street or P.O. Box			
<u>"</u> <u>WY</u> <u>"</u>			
City State Zip			
Local Business Telephone Number: <u>(307) 856 2828</u> Fax Number: <u>()</u>			
Business E-Mail Address: <u>jha711@gmail.com</u>			
FILING FOR		FILING IN (CHOOSE ONLY ONE)	
<input type="checkbox"/> NEW LICENSE		<input checked="" type="checkbox"/> CITY OF: <u>RIVERTON</u>	
<input type="checkbox"/> TRANSFER OF LOCATION		<input type="checkbox"/> COUNTY OF: _____	
<input checked="" type="checkbox"/> TRANSFER OWNERSHIP		<input type="checkbox"/> ASSIGNMENT LETTER ATTACHED	
FORMERLY HELD BY: <u>CHOPSTIX ASIAN BISTRO INC</u>			
TYPE OF LICENSE OR PERMIT (CHOOSE ONLY ONE)			
RETAIL LIQUOR LICENSE		<input checked="" type="checkbox"/> RESTAURANT LIQUOR LICENSE	
<input type="checkbox"/> ON-PREMISE ONLY (BAR)		<input type="checkbox"/> RESORT LIQUOR LICENSE	
<input type="checkbox"/> OFF-PREMISE ONLY (PACKAGE STORE)		<input type="checkbox"/> BAR AND GRILL	
<input type="checkbox"/> COMBINATION ON/OFF PREMISE (BOTH BAR & PACKAGE STORE)		LIMITED RETAIL (CLUB)	
		<input type="checkbox"/> VETERANS CLUB	
		<input type="checkbox"/> FRATERNAL CLUB	
		<input type="checkbox"/> GOLF CLUB	
		<input type="checkbox"/> SOCIAL CLUB	
		<input type="checkbox"/> MICROBREWERY	
		<input type="checkbox"/> WINERY	
		<input type="checkbox"/> DISTILLERY SATELLITE	
		<input type="checkbox"/> WINERY SATELLITE	
		<input type="checkbox"/> COUNTY RETAIL/SPECIAL MALT BEVERAGE PERMIT	
SPECIAL DESIGNATIONS			
<input type="checkbox"/> CONVENTION FACILITY		<input type="checkbox"/> GOLF CLUB	
<input type="checkbox"/> CIVIC CENTER/EVENT CENTER/ PUBLIC AUDITORIUM		<input type="checkbox"/> RESORT	
		<input type="checkbox"/> GUEST RANCH	
To Assist the Liquor Division with scheduling inspections: OPERATIONAL STATUS			
<input checked="" type="checkbox"/> FULL TIME (e.g. Jan through Dec)		(specify months of operation) from <u>JAN</u> to <u>DEC</u>	
<input type="checkbox"/> SEASONAL/PART-TIME		DAYS OF WEEK (e.g. Mon through Sat) from <u>MON</u> to <u>SAT.</u>	
<input type="checkbox"/> NON-OPERATIONAL/PARKED		HOURS OF OPERATION (e.g. 10a - 2a) from <u>11 AM</u> to <u>9 PM.</u>	

ALL APPLICANTS MUST COMPLETE QUESTIONS 1- 4

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

- (a) OWN the licensed building? ☒ YES (own)
- (b) LEASE the licensed building? (Lease must be through the term of the liquor license) ☐ YES (lease)

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

- (i) When the lease expires, located on page _____ paragraph _____ of lease.
- (ii) Where the Sales provision for alcoholic or malt beverages is located, on page _____ paragraph _____ of lease.
(MUST contain a provision for SALE OF ALCOHOLIC or MALT BEVERAGES.)

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

3. Does any manufacturer, brewer, rectifier, wholesaler, or through a subsidiary affiliate, officer, director or member of any such firm: W.S. 12-5-401, 12-5-402, 12-5-403
- (a) Hold any interest in the license applied for? ☐ YES ☒ NO
- (b) Furnish by way of loan or any other money or financial assistance for purposes hereof in your business? ☐ YES ☒ NO
- (c) Furnish, give, rent or loan any equipment, fixtures, interior decorations or signs other than standard brewery or manufacturer's signs? ☐ YES ☒ NO
- (d) If you answered YES to any of the above, explain fully and submit any documents in connection there within:

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

If "YES", explain: _____

5. BAR AND GRILL LICENSE OR RESTAURANT LICENSE:

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

6. RESORT LICENSE:

Does the resort complex:

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

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

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

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

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

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

7. MICROBREWERY LICENSE:

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

(a) If "YES", please specify type: ☐ RETAIL ☐ RESTAURANT ☐ RESORT

☐ BAR AND GRILL ☐ WINERY

(b) Do you self distribute your products? W.S. 12-2-201(a) ☐ YES ☐ NO

(Requires wholesale malt beverage license with the Liquor Division)

8. WINERY LICENSE:

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

(a) If "YES", please specify type: ☐ RETAIL ☐ RESTAURANT ☐ RESORT

☐ BAR AND GRILL ☐ MICROBREWERY

9. LIMITED RETAIL (CLUB) LICENSE:

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

- (a) Has the fraternal organization been actively operating in at least thirty-six (36) states? ☐ YES ☐ NO
- (b) Has the fraternal organization been actively in existence for at least twenty (20) years? ☐ YES ☐ NO

10. LIMITED RETAIL (CLUB) LICENSE:

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

- (a) Does the Veteran's organization hold a charter by the Congress of the United States? ☐ YES ☐ NO
- (b) Is the membership of the Veteran's organization comprised only of Veterans and its duly organized auxiliary? ☐ YES ☐ NO

11. LIMITED RETAIL (CLUB) LICENSE:

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

- (a) Do you have more than fifty (50) bona fide members? ☐ YES ☐ NO
- (b) Do you own, maintain, or operate a bona fide golf course together with clubhouse? ☐ YES ☐ NO
- (c) Are you a political subdivision of the state that owns, maintains, or operates a golf course? ☐ YES ☐ NO
1. Are you contracting/leasing the food and beverage services? W.S. 12-5-201(g) ☐ YES ☐ NO
2. If Yes, have you submitted a copy of the food and beverage contract/lease? ☐ YES ☐ NO

12. LIMITED RETAIL (CLUB) LICENSE:

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

- (a) Do you have more than one hundred (100) bona fide members who are residents of the county in which the club is located? ☐ YES ☐ NO
- (b) Is the club incorporated and operating solely as a nonprofit organization under the laws of this state? ☐ YES ☐ NO
- (c) Is the club qualified as a tax exempt organization under the Internal Revenue Service? ☐ YES ☐ NO
- (d) Has the club been in continuous operation for a period of not less than one (1) year? ☐ YES ☐ NO
- (e) Has the club received twenty-five dollars (\$25.00) from each bona fide member as Recorded by the secretary of the club and are club members at the time of this application in good standing by having paid at least one (1) full year in dues? ☐ YES ☐ NO
- (f) Does the club hold quarterly meetings and have an actively engaged membership carrying out the objectives of the club? ☐ YES ☐ NO
- (g) Have you filed a true copy of your bylaws with this application? ☐ YES ☐ NO
- (h) Has at least fifty one percent (51%) of the membership signed a petition indicating a desire to secure a Limited Retail Liquor License? (Petition Attached) ☐ YES ☐ NO

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

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

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

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

(2/21)
14. If the applicant is a Corporation, Limited Liability Company, Limited Liability Partnership or Limited Partnership: W.S. 12-4-102(a)(iv) & (v)

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

True and Correct Name	Date of Birth	Residence Address No. & Street City, State & Zip DO NOT LIST PO BOXES	Residence Phone Number	No. of Years in Corp or LLC	% of Corpora te Stock Held	Have you been Convicted of a Felony Violation?	Have you been Convicted of a Violation Relating to Alcoholic Liquor or Malt Beverages?
Johnson Ha	7/11/89	824 N Federal Blvd	307 856- 2828	1	100%	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
						YES <input type="checkbox"/> NO <input type="checkbox"/>	YES <input type="checkbox"/> NO <input type="checkbox"/>
						YES <input type="checkbox"/> NO <input type="checkbox"/>	YES <input type="checkbox"/> NO <input type="checkbox"/>
						YES <input type="checkbox"/> NO <input type="checkbox"/>	YES <input type="checkbox"/> NO <input type="checkbox"/>
						YES <input type="checkbox"/> NO <input type="checkbox"/>	YES <input type="checkbox"/> NO <input type="checkbox"/>
						YES <input type="checkbox"/> NO <input type="checkbox"/>	YES <input type="checkbox"/> NO <input type="checkbox"/>

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

REQUIRED ATTACHMENTS: Food Service Permit

- ☐ A statement indicating the financial condition and financial stability of the applicant W.S. 12-4-102(a)(vi). Drawing of bldg w/ dispensing area
- ☐ Attach any lease agreements (especially for resort/political subdivisions leasing out food & beverage services) W.S. 12-4-103 (a)(iii)/W.S. 12-4-403(b)/W.S. 12-4-301(e).
- ☐ If transferring a license from one ownership to another, a form of assignment from the current licensee to the new applicant authorizing the transfer W.S. 12-4-601(b). Cert. of Death

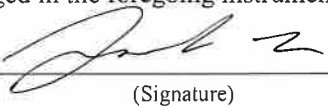
OATH OR VERIFICATION

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

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

STATE OF WYOMING)
COUNTY OF FREMONT) SS.

Signed and sworn to before me on this 7th day of March, 2022 that the facts alleged in the foregoing instrument are true by the following:

- | | | | |
|----|--|-------------------------------|---------------------|
| 1) | 
(Signature) | Johnson Ha.
(Printed Name) | President.
Title |
| 2) |
(Signature) |
(Printed Name) |
Title |
| 3) |
(Signature) |
(Printed Name) |
Title |
| 4) |
(Signature) |
(Printed Name) |
Title |
| 5) |
(Signature) |
(Printed Name) |
Title |
| 6) |
(Signature) |
(Printed Name) |
Title |

Witness my hand and official seal:


Signature of Notary Public



My commission expires: March 31, 2024

CITY COUNCIL STAFF REPORT

TO: His Honor the Mayor and Members of the City Council

FROM: Michael Miller – Director of Community Development

THROUGH: Anthony Tolstedt – City Administrator

DATE: April 5th, 2022

SUBJECT: RIVERVIEW COVE SUBDIVISION – AN ADDITION TO THE CITY OF RIVERTON

PETITIONERS: Henry Hill Oil Services, LLC

Recommendation: The City Council adopt on Third Reading Ordinance No. 22-003, Riverview Cove Subdivision Annexation.

Discussion: The petitioner, Henry Hill Oil Services, LLC is requesting plat and annexation of the Riverview Cove Subdivision. Landowners neighboring the Riverview Cove Subdivision will not be affected by the new city limit as all landowners are already within one half mile of Riverton City Limits. Utility reviews were sent to all utilities with no objections to easements as they are. A development agreement with the petitioner has been signed.

The City Planning Commission Recommended approval on February 17th, 2022.

City Council approved Ordinance No. 22-003 on first reading at the March 1st, 2022 regular meeting.

City Council approved Ordinance No. 22-003 on second reading at the March 15th, 2022 regular meeting.

Alternatives:

- Not adopt the plat and addition
- Certify with amendments or stipulations.

Budget Impact: There is no immediate budget impact resulting from the staff recommendation.

PROPOSED ORDINANCE NO. 22-003

AN ORDINANCE ANNEXING THE RIVERVIEW COVE SUBDIVISION, FREMONT COUNTY, WYOMING NOT PREVIOUSLY ANNEXED TO THE CITY OF RIVERTON; DESIGNATING THE ZONING CLASSIFICATION OF THE PARCEL AND AMENDING ZONING MAP TO REFLECT SAME; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Mayor and the City Council of the City of Riverton, Fremont County, Wyoming, received written request for annexation signed by the owner of the area proposed for annexation; and,

WHEREAS, the governing body of the City of Riverton, Wyoming, finds that:

A. Annexation of the area is for the protection of the health, safety and welfare of the persons residing in the area and in the City of Riverton;

B. The urban development of the area sought to be annexed would constitute a natural, geographical, economic and social part of the City of Riverton;

C. The area sought to be annexed is a logical and feasible addition to the City of Riverton and the extension of basic or other services customarily available to residents of the City of Riverton can reasonably be furnished to the area proposed to be annexed;

D. The area sought to be annexed is contiguous with or adjacent to the City of Riverton; and

E. The City of Riverton is prepared to designate a utility to serve the annexed area and to authorize the designated utility to serve the entire annexed area; and

WHEREAS, an annexation report in accordance with W.S. § 15-1-402(c) has been prepared and made available to the public: now therefore,

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF RIVERTON, WYOMING:

Section 1. The following described parcel of property is annexed to the corporate limits of the City of Riverton, Wyoming, and are declared to be part and parcel of the City of Riverton, Wyoming, and a territorial part of the municipality.

A parcel of land in the NW1/4, Section 32, T1N., R.4E., W.R.M., Fremont County, Wyoming bounded as follows:

Commencing at the northeast corner of said NW1/4, Sections 32 thence S00°28'43"E, along the east line of said NW1/4, 648.54 feet to a point on the southerly right-of-way of Riverview Road, a county road, and the point of beginning; thence continue S00°28'43"E, along said east line, 47.91 feet to an aluminum cap monument at the northeast corner of the Regal Estates Subdivision, as recorded in the office of the Fremont County Clerk and the Recorder as Document No. 2013-1362597; thence S88°43'37"W 2299.56 feet to an aluminum cap at the northwest corner of said Regal Estates Subdivision; thence N00°38'29"W 658.99 feet more or less to the south right-of-way line of Riverview Road, a county road; thence N88°49'04"E 1406.58 feet to a point on a curve; thence along a nontangent curve to the right, or concave southerly, 772.74 feet to a point of tangency; said curve having a radius of 850.00 feet, a central angle of 52°05'17", and a chord which bears S65°05'24"E 746.41 feet; thence S39°02'45" 353.55 feet to the point of beginning of this description.

Section 2. The parcel of land in the NW1/4, Section 32, T1N., R.4E., W.R.M., Fremont County, Wyoming will be zoned as follows:

- Lot 1 – Residential R-1
- Lot 2 – Residential R-1
- Lot 3 – Residential R-1
- Lot 4 – Residential R-1
- Lot 5 – Commercial C-1

That certain map, entitled "OFFICIAL ZONING MAP, CITY OF RIVERTON, WYOMING", as endorsed by the City Engineer of the City of Riverton, Wyoming, and approved by the City Council of the City of Riverton, Wyoming, on September 1, 1992, in nine pages, together with amendments and additions thereto as have been heretofore approved by the City Council, is amended to reflect the zoning designations respectively specified in subsection 1 of this section.

Section 3. All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

Section 4. This ordinance shall take effect from its adoption and publication as required by law and the ordinances of the City of Riverton.

PASSED ON FIRST READING March 1, 2022

PASSED ON SECOND READING March 15, 2022

PASSED ON THIRD READING _____

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

CITY OF RIVERTON, WYOMING

By: _____
Richard P. Gard
Mayor

ATTEST:

Kristin S. Watson
City Clerk/Human Resource Director

ATTESTATION

I, Kristin S. Watson, Clerk of the City of Riverton, attest that Ordinance No. 22-003 was passed, adopted, and approved by the Governing Body of the City of Riverton on the _____ day of _____, 2022. I further certify that the above proclamation ran at least once in the Riverton Ranger, a newspaper of general circulation within Riverton, Wyoming, the effective date of publication, and therefore the effective date of enactment being _____.

Kristin S. Watson
City Clerk/Human Resource Director

SUBDIVISION AGREEMENT

The City of Riverton, Wyoming, as Wyoming Municipal Corporation, (City), and Henry Hill Oil Services LLC, (Subdivider), with respect to Riverview Cove Subdivision a certain parcel of land located within Riverton, Fremont County, Wyoming, agree as follows:

1. This Agreement pertains to the exact same real property that is correctly described below.
2. Subdivider is the owner in fee simple of all that real property described on Warranty Deed Document No. 2021-1431834, a parcel of land located in part of the NW¼, Section 32, Township 1 North, Range 4 East, Wind River Meridian, Fremont County, Wyoming being more particularly described as follows:

Commencing at the northeast corner of said NW 1/4, said section 32, thence S00 28'43"E, along the east line of said NW 1/4 , 648.54 feet to a point on the southerly right of way of Riverview Road, a county road, and the point of the beginning; thence continue S00 28'43"E, along said east line, 47.91 feet to an aluminum cap monument at the northeast corner of Regal Estates Subdivision, as recorded in the office of the Fremont County Clerk and Recorder as Document No. 2013-1362597; thence S88 43'37"W 2299.56 feet to an aluminum cap at the northwest corner of said Regal Estates Subdivision; thence N00 38'29"W 658.99 feet more or less to the south Right of way of Riverview Road, a county road; thence N88 49'04"E 1406.58 feet to a point on a curve; thence along a non-tangent curve to the right, or concave southerly, 772.74 feet to a point of tangency; said curve having a radius of 850.00 feet, a central angle of 52 05'17", and a chord which bears S65 05'24"E 746.41 feet; thence S39 02'45"E 353.55 feet to the point of the beginning of this description.

This parcel is subdivided into Lots 1, 2, 3, 4, and, 5, as shown on the Plat of Riverview Cove Subdivision, Fremont County, Wyoming.

3. The City of Riverton will Annex Riverview Cove Subdivision in whole as part of this agreement and Plat submittal in accordance with Riverton Municipal Code.
4. Subdivider, in accordance with City of Riverton Rural roads Standards (RMC 16.16.020), will upgrade Thomas Drive in whole and the North half of Charity Court. Once completed the Developer must call the city to schedule a full inspection of the work performed.
5. Subdivider shall, at its expense, install street signs at any intersection, as approved by the City of Riverton. Once completed the Developer must call the city to schedule a full inspection of the work performed.
6. Subdivider will provide City with full and complete plans and drawings of the proposed water improvements. The plans will be prepared and signed by a professional engineer, duly licensed by the State of Wyoming. No work on any improvements shown upon any plan will

commence until City has approved such plan in writing and until all necessary permits have been obtained and Subdivider has complied with all requirements of the City and of the Wyoming Department of Environmental Quality. This water design is to encompass the feeding and service provided to lots 3, 4, and 5 from either Thomas Drive or Charity Court. Lots 1 and 2 have an existing water access point at the northern intersection of those two lots on Riverview Road.

7. Subdivider will construct, at their own expense, the designed water line as approved by the City of Riverton and DEQ. Once completed the Developer must call the city to schedule a full inspection of the work performed. At such time as water services are requested, plant investment fees will be assessed to the individual landowners.
8. Sewer main exists currently coming down from Riverview between lots 1 and 2 and Continuing down Charity Court from west to east. Landowners wishing to build on individual lots are required to tap into and use this main sewer as their sole source of septic. Septic tanks are not approved.
9. The Subdividers requirements of city based improvements such as Water main and road construction in this agreement will need to be met and approved by the City of Riverton prior to issuance of any building permits or Certificates of Occupancy.
10. Subdivider agrees to call for inspections upon completion of all public improvement installations. Developer shall enter into a one year guarantee period following completion of public improvements, in which developer agrees to maintain, repair, correct, and keep all public improvements in full operating order at its own expense. The City of Riverton, after the one year guarantee period by the developer, and following inspection and approval by the City, shall release the developer from all responsibilities and accept all public improvements and utilities. The City of Riverton will provide all maintenance on said streets, water mains, and already existing sewer mains built to City specifications following acceptance of the same. The City shall not obligated to further development or extension of any infrastructure.
11. The Subdivider shall offer surface water rights as it has, or may acquire, to City in the event the Subdivider elects to abandon surface water rights and has annexed into the City.
12. All construction performed within the confines of this subdivision shall be performed in direct compliance with RMC (Riverton Municipal Code) and ICC (International Code Council) as adopted by the City of Riverton.
13. No agreement, waiver, change, amendment, understanding or other alteration of these terms will be effective unless such alteration is in writing approved by the City Council of City, signed by the Mayor of City attested by the City Clerk of City and assigned by Subdivider.

14. This Agreement shall run with the land described herein and shall additionally be binding upon the heirs, assigns and successors in interest of Subdivider, except for any existing agreements between City and Subdivider.
15. RETENTION OF GOVERNMENTAL IMMUNITY. By entering into this contract the City of Riverton does not waive its Governmental Immunity, as provided by any applicable law including W.S. Section 1-39-101 et seq. Further, the City fully retains all immunities and defenses provided by law with regard to any action, whether in tort, contract or any other theory of law based on this contract. This contract is entered into by the parties for their sole benefit, and is not intended to be for the benefit of any other third party or entity.
16. Notices shall be deemed delivered when deposited in the United States mail, first class postage prepaid and addressed as follows:

City of Riverton
816 North Federal Blvd.
Riverton, WY 82501

Henry Hill Oil Services, LLC
12026th St East Suite 200
Williston, ND 58801

Or such other address as is provided in writing to the other party.

(REMAINDER OF THIS PAGE LEFT BLANK INTENTIONALLY)

Dated _____

City of Riverton, Wyoming:

By: _____

Print name

Title: _____

ATTEST:

By: _____

Print name

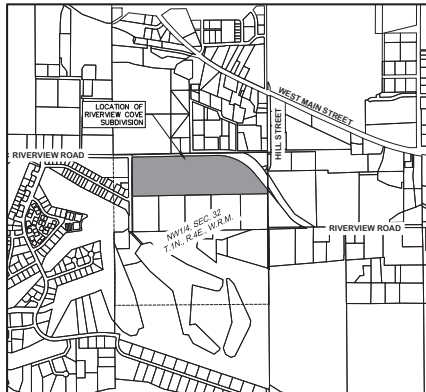
Title: _____

State of _____)
) ss
 County of _____)

On _____, 2022, before me, the undersigned Notary Public in and for said County, personally appeared _____, that executed the within and foregoing instrument.

Notary Public

My commission expires: _____



CITY OF RIVERTON PLANNING COMMISSION CERTIFICATE

This Plat of Riverview Cove Subdivision, City of Riverton, Fremont County, Wyoming, approved by the City of Riverton Planning Commission this _____ day of _____, 2022.

Robert Scheidemantel, Chairperson

APPROVED City Council of Riverton

Date: _____
By: Richard P. Gard, Mayor
By: Kristen S. Watson, City Clerk

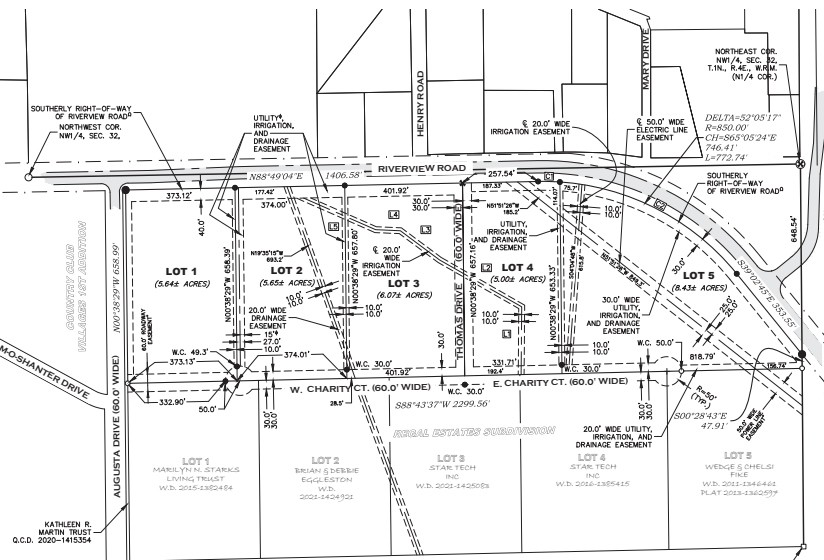
CLERK OR RECORDER'S CERTIFICATE

This plat of Riverview Cove Subdivision was filed in the office of Clerk and Recorder of Fremont County at _____ o'clock _____ M., on the _____ day of _____, 2022, and is duly recorded in Plat Cabinet _____ page _____ Document No. _____

Julie Freese
County Clerk and Recorder

Signature
Deputy County Clerk and Recorder

Printed Name



LEGEND

- 2" DIA. ALUMINUM CAP ON 5/8"x24" REBAR SET, INSCRIBED PLS 8972
- 1-1/2" DIA. ALUMINUM CAP ON 5/8"x24" REBAR SET, INSCRIBED PLS 8972
- ✱ COTTON GIN SPIKE SET IN ASPHALT ROADWAY
- ⊗ EXISTING NAIL AND SHINER SET IN ASPHALT PATHWAY
- EXISTING 2" DIA. ALUMINUM CAP
- EXISTING 1-1/2" DIA. ALUMINUM CAP
- EXISTING REBAR

* AS SHOWN ON THE RECORDED PLAT OF REGAL ESTATES SUBDIVISION, IN PLAT CABINET 8, P. 84, DOC. No. 2013-1362597, DATED MAY 16, 2013
° RIGHT-OF-WAY LINES DETERMINED USING SURVEY BY SAGE CIVIL ENGINEERING DATED 2010 AND PLANS FROM WYOMING DEPARTMENT OF TRANSPORTATION DATED MAY 10, 2013.
† REFERENCE UTILITY EASEMENT OF RECORD, DOC. No. 2014-1370058, EASEMENT ACROSS LOT 2, WIDENED TO ACCOMMODATE SAID EASEMENT. THE REMAINDER OF SAID EASEMENT IS WITHIN THE PLATTED BOUNDARY OF REGAL ESTATES AND THE EASEMENT FOR CHARITY COURT.

SCALE: 1"=200'

EASEMENT TABLE		
SEGMENT	BEARING	DISTANCE
L1	N00°27'17"E	230.9'
L2	N60°15'02"W	322.7'
L3	N53°21'45"W	166.4'
L4	N87°29'52"W	84.5'
L5	N68°18'07"W	267.8'

LOT 4 & 5 CURVE TABLE				
SEGMENT	BEARING	DISTANCE	DELTA	CURVE LENGTH
C1	CH=S88°37'57"E	CH=74.20'	S'00°12'	850.00'
C2	CH=S62°35'18"E	CH=679.03'	4°05'09"	850.00'

IRRIGATION:

IRRIGATION WATER IS DELIVERED TO THIS LAND THROUGH THE LEGAL IRRIGATION DISTRICT ADJACENT WATER RIGHTS PERMIT NO. 7300, STATE OF WYOMING, THROUGH THE LEGAL-RIVERTON No. 2 CANAL, DIVERTING FROM THE BIG WIND RIVER

ACCORDING TO THE RECORDS OF THE LEGAL IRRIGATION DISTRICT⁴, THERE ARE 30.79 ACRES OF RECORD WATER RIGHTS WITHIN THIS PLATTED PARCEL BETWEEN THE FIVE LOTS. THE WATER RIGHTS ARE DIVIDED AS FOLLOWS:

5.64 ACRES IN LOT 1
2.65 ACRES IN LOT 2
6.07 ACRES IN LOT 3
5.00 ACRES IN LOT 4
8.43 ACRES IN LOT 5

IRRIGATION WATER IS AVAILABLE TO THIS PROPERTY THROUGH HEADGATES LOCATED ON THE PROPERTY. THROUGH IRRIGATION EASEMENTS PROVIDED. THE DITCH SYSTEM ON THE PROPERTY APPEARS TO HAVE NOT BEEN PUT TO USE FOR SEVERAL YEARS AND MAY REQUIRE REHABILITATION.

AVAILABLE DELIVERY OF WATER IS DETERMINED BY THE LEGAL IRRIGATION DISTRICT. FOR MORE INFORMATION VISIT THEIR MAIN OFFICE IN RIVERTON, WYOMING OR CALL 307-856-4018.

⁴ PHONE CONVERSATION WITH DISTRICT MANAGER AND OFFICE PERSONNEL ON NOVEMBER 16, 2021.

CERTIFICATE AND DEDICATION OF TITLE

Know all men by these presents that Henry Hill Oil Services LLC, a Delaware limited liability company is the owner in fee simple of all that real property described on Warranty Deed Document No. 2021-1431834, recorded in the office of the Fremont County Clerk and Recorder. After careful research and a survey, this land is properly described below:

A parcel of land located in the NW1/4, Section 32, T.1N., R.4E., W.R.M., Fremont County, Wyoming more particularly described as follows:

Commencing at the northeast corner of said NW1/4, said Section 32, thence S00°28'43"E, along the east line of said NW1/4, 648.54 feet to a point on the southern right-of-way of Riverview Road, a county road, and the point of beginning; thence continue S00°28'43"E, along said east line, 47.91 feet to an aluminum cap monument at the northeast corner of the Regal Estates Subdivision, as recorded in the office of the Fremont County Clerk and Recorder as Document No. 2013-1362597; thence S88°43'37"W 2299.56 feet to an aluminum cap at the northwest corner of said Regal Estates Subdivision; thence N00°38'29"W 658.99 feet more or less to the south right-of-way line of Riverview Road, a county road; thence N88°49'04"E 1406.58 feet to a point on a curve; thence along a non-tangent curve to the right, or concave southerly, 772.74 feet to a point of tangency; said curve having a radius of 850.00 feet, a central angle of 52°05'17", and a chord which bears S65°05'24"E 746.41 feet; thence S39°02'45"E 353.55 feet to the point of beginning of this description.

Be it further known that Henry Hill Oil Services, LLC has caused this property to be platted into lots, roads and easements, as shown hereon and designated the same to be henceforth known as Riverview Cove Subdivision, City of Riverton, County of Fremont, State of Wyoming; and does hereby dedicate to the public, for their indicated use, the access, utility, drainage and irrigation easements as shown on this plat.

Witness my hand this _____ day of _____, 2022.

Matthew Lowe, President of Henry Hill Oil Services, LLC

STATE OF UTAH
COUNTY OF WEBER } S.S.

On this _____ day of _____, in the year 2022, personally appeared Matthew Lowe, whose identity was proved to me on the basis of satisfactory evidence, and who by me duly sworn or affirmed, did say he is the President of Henry Hill Oil Services, LLC and said document was signed by him on behalf of said LLC, by Authority of its Bylaws or Resolution of its Board of Directors, and said Matthew Lowe acknowledged to me said LLC executed the same.

Notary Public

My commission expires _____

SURVEYOR'S CERTIFICATION

STATE OF WYOMING } S.S.
COUNTY OF FREMONT

I, Thomas A. Johnson, do hereby state that I am a registered Land Surveyor licensed under the laws of the State of Wyoming, that this plat is a true, correct and complete plat of the Riverview Cove Subdivision, containing 30.79 acres more or less, as laid out, platted, dedicated and shown hereon, that such plat was made from an accurate survey of said property made by me and under my supervision and correctly shows the location and dimensions of the lots and easements of said subdivision as the same are staked upon the ground in compliance with Fremont County Subdivision regulations governing the subdivision of land.

In witness whereof I have set my hand and seal this _____ day of _____, 2022.

Thomas A. Johnson, PLS No. 8972

PLAT OF
RIVERTON COVE
SUBDIVISION
AN ADDITION TO THE
CITY OF RIVERTON

LOCATED IN
NW1/4, SECTION 32,
T.1N., R.4E., W.R.M.,
FREMONT COUNTY, WYOMING

APEX SURVEYING, INC.
ENGINEERING AND LAND SURVEYING

407 West Adams Avenue, Box 175
Riverton, Wyoming 82501
307-856-1647

Job: 21177
Bk: 281&PS
Pg: 54

CITY COUNCIL STAFF REPORT

TO: His Honor the Mayor and Members of the City Council

FROM: Michael Miller, Community Development Director

THROUGH: Tony Tolstedt, City Administrator

DATE: April 5, 2022

SUBJECT: 2021 International Building Code Adoption

Recommendation: The City Council adopt on Third reading Ordinance No. 22-02, adopting the 2021 International Building Code.

Background: The State of Wyoming adopted the 2021 International Building Codes Later last year. The state's adoption included:

- 2021 International Building Code;
- 2021 International Fire Code;
- 2021 International Fuel & Gas Code;
- 2021 International Mechanical Code, and;
- 2021 International Existing Building Code.

The International Code Council (ICC) releases new versions of the building code on a 3 year cycle, i.e. 2012, 2015, 2018, 2021 etc. Wyoming statute 35-9-121 allows municipalities, such as Riverton, with local enforcement authority, six months to adopt the new building codes after the state does so every 3 years.

Discussion: The City of Riverton's recommending body for building codes is the Board of Appeals. The Board of Appeals is a seven-member board comprised of local builders and tradesmen. The 2021 building codes were provided to the Board of Appeals members on January 15th, 2022 for their review and comment. On February 8, 2021, the Board of Appeals met and recommended Council adoption of the 2021 codes with the same exemptions and omissions as the 2018 building codes; with the following additions:

- Omission of Section P2904 Dwelling unit fire sprinkler systems was deleted in its entirety
- Table 301.2 has been amended to reflect changes in the wind loading zone the City is in as well as the seismic category the city is under as well.

This ordinance, amending Chapter 15 – Building and Construction of the Riverton Municipal Code will update our current code from the 2018 IBC to the 2021 IBC (with the same amendments and exemptions as were put in place in 2021).

Alternatives: 1. Do not adopt the ordinance recommendation; 2. Revise the ordinance presented.

Budget Impact: Beyond publication costs, the proposed ordinance will not impact the budget.

Council Goals: Adoption of the 2021 International Building Code is statutorily required by the City of Riverton.

PROPOSED ORDINANCE NO. 22-002

AN ORDINANCE AMENDING TITLE 15 “BUILDINGS AND CONSTRUCTION CODES” TO REVISE CHAPTER 15.04 “BUILDING CONSTRUCTION AND MAINTENANCE CODES”, SECTION(S) 15.04.010 “ADOPTION – APPLICABILITY – FILING” AND 15.04.040 “LOCAL DESIGN CRITERIA AND LOADINGS”, OF THE RIVERTON MUNICIPAL CODE, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF RIVERTON, FREMONT COUNTY, WYOMING:

Section 1. Title 15, Chapter 15.04, Section 15.04.010 is hereby amended to read as follows:

Chapter 15.04.010 Adoption—Applicability—Filing.

A. There are adopted by the city for the purpose of establishing rules and regulations and standards for the construction and maintenance of buildings and premises and other regulatory measures to safeguard life, health, property and welfare of the citizens of the city, the following technical codes and standards:

1. International Building Code (IBC), including appendices A, C, F, H, I, J, and K, ~~2018~~ *2021* edition, by International Code Council (ICC).
 - A. The following amendments to the International Building Code, and appendices as adopted by the preceding paragraph of this section, are hereby made and incorporated in such International Building Code.
 - (1) Section 101.1 Title of the International Building Code is amended to read as follows:
101.1 Title. These regulations shall be known as the Building Code of the City of Riverton, hereinafter referred to as “this code.”
 - (2) *Section 103.1 Creation of enforcement agency. The Community Development Department is created and the official in charge thereof shall be known as the building official. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.*
 - (3) Section 105.2 Work exempt from permit. Building: Item 6. Platforms, decks, sidewalks and driveways on private property not more than 30 inches (762 mm) above adjacent grade, *freestanding*, and not over any basement or story below and are not part of an accessible route.
 - (4) Section 105.3 – Add new paragraph 8 to read as follows:
8. Include a letter from the Director of Public Works of the City certifying to the building official the availability of water and sewer service for said land.
 - (5) Section 903.2.8 entitled “Group R” is amended to read: An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area.
Exceptions: 1. detached one- and two-family dwellings, multiple single family dwellings (townhouses), and Residential Group R-4 occupancies constructed in accordance with the International Residential Code for One- and Two-Family Dwellings.
 - (6) *Section 16.12 Flood Loads – Deleted in its entirety.*
2. International Residential Code (IRC), including appendices ~~A, B, C, D, E, G, and H~~, *AA, AB, AC, AD, AE, AF, AG, AH, AM, AQ, AR, AS, and AT* ~~2012~~ *2021* edition, excluding Chapter 11, by International Code Council.
 - A. The following amendments to the International Residential Code, and appendices as adopted by the preceding paragraph of this section, are hereby made and incorporated in such International Residential Code.
 - (1) Section R101.1 Title of the International Residential Code is amended to read as follows:

R101.1 Title. These provisions shall be known as the Residential Code for One- and Two-Family Dwellings of the City of Riverton, and shall be cited as such and will be referred to herein as “this code.”

(2) Table R301.2(1) of the International Residential Code is amended to read as follows:

TABLE 301.2(1)
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

Ground Snow Load		30 psf
<i>Ultimate Wind Speed (MPH)</i>		<i>107 MPH</i>
<i>Seismic Design Category</i>		<i>C</i>
SUBJECT TO DAMAGE FROM		
	Weathering	Severe
	Frost Line Depth	30 inches
	Termite	None to slight
Winter Design Temp	Source: IPC Table D-101	-8
Ice Barrier Underlayment Required		Yes
Flood Hazard	Source: IRC Table R-301.2(1) Note – G	Ord. #99-006 Adopted 3/16/1999 Reso.#1236 Passed 8/30/2011 FIS: 9/16/2011 FIRM: #560021 Panel 2669 E 9/16/2011
Air Freezing Index	Source: IRC Table R-403.3(2)	3500
Mean Annual Temp	Source: NOAA as referenced by the IBC	45 degrees

(3) Section R303.4 Mechanical Ventilation is amended to read as follows: Where the air infiltration rate of a dwelling unit is limited due to the installation of spray polyurethane foam insulation or similar material/product it is recommended that the dwelling unit be provided with whole-house mechanical ventilation in accordance with Section *M1505.4*.

(4) Section R309.5 Fire Sprinklers – Deleted in its entirety.

(5) Section R313 Automatic Fire Sprinkler Systems – Deleted in its entirety.

(6) *Section R326.3 Story Above Grade Plane – Deleted in its entirety.*

(7) Section M1411.9 Locking access port caps – Deleted in its entirety.

(8) Section P2503.4 Building sewer testing – Deleted in its entirety.

(9) Section P2503.5 DWV systems testing – Amended to read as follows: Rough plumbing installations shall be tested in accordance with Sections P2503.5.1.

- (10) Section P2503.5.1 Rough plumbing – Amended to read as follows:
DWV systems, underslab only, shall be tested on completion of the rough piping installation by water or by air with no evidence of leakage. Either test shall be applied to the drainage system in its entirety or in sections after rough piping has been installed, as follows:
1. Water test. Each section shall be filled with water to a point not less than 10 feet (3048 mm) above the highest fitting connection in that section, or to the highest point in the completed system. Water shall be held in the section under test for a period of 15 minutes. The system shall prove leak free by visual inspection.
 2. Air test. The portion under test shall be maintained at a gauge pressure of 5 pounds per square inch (psi)(34kPa) or 10 inches of mercury

column (34 kPa). This pressure shall be held without introduction of additional air for a period of 15 minutes.
Exception: Schedule 40 PVC allowed to be tested with air.

- (11) Section P2503.5.2 Finished plumbing – Deleted in its entirety.
 - (12) Section P2503.6 Shower liner test – Deleted in its entirety.
 - (13) Section P2503.7 Water-supply system testing – Deleted in its entirety.
 - (14) Section P2503.8 Inspection and testing of backflow prevention devices – Deleted in its entirety.
 - (15) Section P2503.8.1 Inspections – Deleted in its entirety.
 - (16) Section P2503.8.2 Testing – Deleted in its entirety.
 - (17) Section P2503.9 Test gauges – Deleted in its entirety.
 - (18) *Section P2904 Dwelling Unit Fire Sprinkler Systems – Deleted in its entirety.*
3. International Mechanical Code (IMC), including appendix A, ~~2012~~ *2021* edition, by International Code Council; section(s) amended to read as follows:
- A. The following amendments to the International Mechanical Code, and appendices as adopted by the preceding paragraph of this section, are hereby made and incorporated in such International Mechanical Code.
 - (1) Section 101.1 Title of the International Mechanical Code is amended to read as follows:
101.1 Title. These regulations shall be known as the International Mechanical Code of the City of Riverton, hereinafter referred to as “this code.”
4. International Plumbing Code (IPC), including appendices C, D, and E, ~~F~~, ~~2012~~ *2021* edition, by International Code Council; section(s) amended to read as follows:
- A. The following amendments to the International Plumbing Code, and appendices as adopted by the preceding paragraph of this section, are hereby made and incorporated in such International Plumbing Code.
 - (1) Section 101.1 Title of the International Plumbing Code is amended to read as follows:
101.1 Title. These regulations shall be known as the International Plumbing Code of the City of Riverton, hereinafter referred to as “this code.”
 - (2) Section 312.1 Required tests. Amended to read as follows:
Exception: Schedule 40 PVC allowed to be tested with air.
 - (3) Section 312.3 Drainage and vent air test. Amended to read as follows:
Exception: Schedule 40 PVC allowed to be tested with air.
5. International Fuel Gas Code (IFGC), including appendices *A, B, C, and D*, ~~2012~~ *2021* edition, by International Code Council; section(s) amended to read as follows:
- A. The following amendments to the International Fuel Gas Code, and appendices as adopted by the preceding paragraph of this section, are hereby made and incorporated in such International Fuel Gas Code.
 - (1) Section 101.1 Title of the International Fuel Gas Code is amended to read as follows:
101.1 Title. These regulations shall be known as the International Fuel Gas Code of the City of Riverton, hereinafter referred to as “this code.”
 - (2) Section 301.2 Energy Utilization – Deleted in its entirety.
6. International Fire Code (IFC), including appendices B, C, D, E, F, and G, ~~2012~~ *2021* edition, International Code Council (ICC); section(s) amended to read as follows:

- A. The following amendments to the International Fire Code, and appendices as adopted by the preceding paragraph of this section, are hereby made and incorporated in such International Fire Code.
 - (1) Section 101.1 Title of the International Fire Code is amended to read as follows:
101.1 Title. These regulations shall be known as the International Fire Code of the City of Riverton, hereinafter referred to as “this code.”
 - (2) *Section 103.1 Creation of agency. The Community Development Department is hereby created and the official in charge thereof shall be known as the fire code official. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.*
 - (3) Section 105 Permits – Deleted in its entirety.
 - (4) Section 107 Fees – Deleted in its entirety.
 - (5) Section 109 Maintenance – Deleted in its entirety.
 - (6) Section 112.4 Violation Penalties – Deleted in its entirety.
7. International Code Council Performance Code (ICCP), including appendices, ~~2012~~ *2021* edition, by International Code Council (ICC); section(s) amended to read as follows:
 - A. The following amendments to the International Code Council Performance Code, and appendices as adopted by the preceding paragraph of this section, are hereby made and incorporated in such International Code Council Performance Code.
 - (1) Section 101.1 Title of the International Code Council Performance Code is amended to read as follows:
101.1 Title. These regulations shall be known as the International Code Council Performance Code of the City of Riverton, hereinafter referred to as “this code.”
8. International Property Maintenance Code (IPMC), ~~2012~~ *2021* edition, by International Code Council (ICC);
 - A. The following amendments to the International Property Maintenance Code, and appendices as adopted by the preceding paragraph of this section, are hereby made and incorporated in such International Property Maintenance Code.
 - (1) Section 101.1 Title of the International Property Maintenance Code is amended to read as follows:
101.1 Title. These regulations shall be known as the International Property Maintenance Code of the City of Riverton, hereinafter referred to as “this code.”
9. International Existing Building Code (IEBC), including appendices, ~~2012~~ *2021* edition, by International Code Council (ICC);
 - A. The following amendments to the International Existing Building Code, and appendices as adopted by the preceding paragraph of this section, are hereby made and incorporated in such International Existing Building Code.
 - (1) Section 101.1 Title of the International Existing Building Code is amended to read as follows:
101.1 Title. These regulations shall be known as the International Existing Building Code of the City of Riverton, hereinafter referred to as “this code.”
10. National Electrical Code (NEC) - NFPA 70, 2020 edition, by National Fire Protection Association;
11. National Fire Codes (NFC), current editions, by National Fire Protection Association (NFPA);
12. National Housing Construction and Safety Standards Act of 1974, and as amended as of May 30, 2006 by Housing and Urban Development (HUD).
13. ICC/ANSI A117.1 ~~2009~~ *2017* by American National Standards Institute, Inc.

B. The whole of each of the above-named codes and standards, as modified or amended where such modification or amendment has been done in this title, and save and except such portions as are amended or deleted in this chapter, are adopted and incorporated fully as if set out at length in this chapter, shall be controlling in the construction, alteration, maintenance and repair of all buildings, building systems, and other structures, except as herein provided, within the city.

C. Not less than one copy of each of the above-named codes and standards shall at all times be on file in the office of the city clerk and shall be open to inspection by the public at such times as the office is open.

Section 2. Chapter 15.04.040 Local design criteria and loadings *is hereby amended as referenced in Table 301.2(1).*

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 4. This ordinance shall take effect from its adoption and publication as required by law and the ordinances of the City of Riverton.

PASSED ON FIRST READING February 15, 2022

PASSED ON SECOND READING March 15, 2022

PASSED ON THIRD READING _____

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

CITY OF RIVERTON, WYOMING

By: _____
Richard P. Gard
Mayor

ATTEST:

Kristin S. Watson
City Clerk/Human Resource Director


ATTESTATION

I, Kristin S. Watson, Clerk of the City of Riverton, attest that Ordinance No. 22-002 was passed, adopted, and approved by the Governing Body of the City of Riverton on the _____ day of _____, 2022. I further certify that the above proclamation ran at least once in the Riverton Ranger, a newspaper of general circulation within Riverton, Wyoming, the effective date of publication, and therefore the effective date of enactment being _____.

Kristin S. Watson
City Clerk/Human Resource Director

CITY COUNCIL STAFF REPORT

TO: His Honor the Mayor and Members of the City Council

FROM: Kyle J. Butterfield, Public Works Director 

THROUGH: Anthony Tolstedt, City Administrator

DATE: April 5, 2022

SUBJECT: Bipartisan Infrastructure Law - Airport Terminal Grant Application

Recommendation: The City Council authorizes the Public Works Director to submit a grant application to the Federal Aviation Administration's Airport Terminal Program to expand and improve the commercial passenger terminal at Central Wyoming Regional Airport.

Background: Congress passed the Bipartisan Infrastructure Law (BIL), also known as the Infrastructure Investment and Jobs Act, on November 15, 2021. BIL provides \$550 billion in new investments for transportation, water, power and energy, environmental remediation, public lands, broadband and other public works improvements over five a five year period from FY22 through FY26. The \$550 billion is broken into two categories: \$284 billion to improve transportation networks and \$266 billion to enhance core infrastructure. Specifically, funding categories related to BIL are referenced below. These dollars are being made available across dozens of new and existing programs.

Roads & Bridges: \$110 billion	Reconnecting Communities: \$1 billion
Transit: \$39 billion	Water: \$55 billion
Rail: \$66 billion	Broadband: \$65 billion
Safety: \$11 billion	Energy & Power: \$73 billion
Airports: \$25 billion	Environmental Remediation: \$21 billion
Ports & Waterways: \$17 billion	Western Water Infrastructure: \$8.3 billion
Electric Vehicle Charging: \$7.5 billion	Resiliency: \$46 billion
Electric Buses: \$7.5 billion	

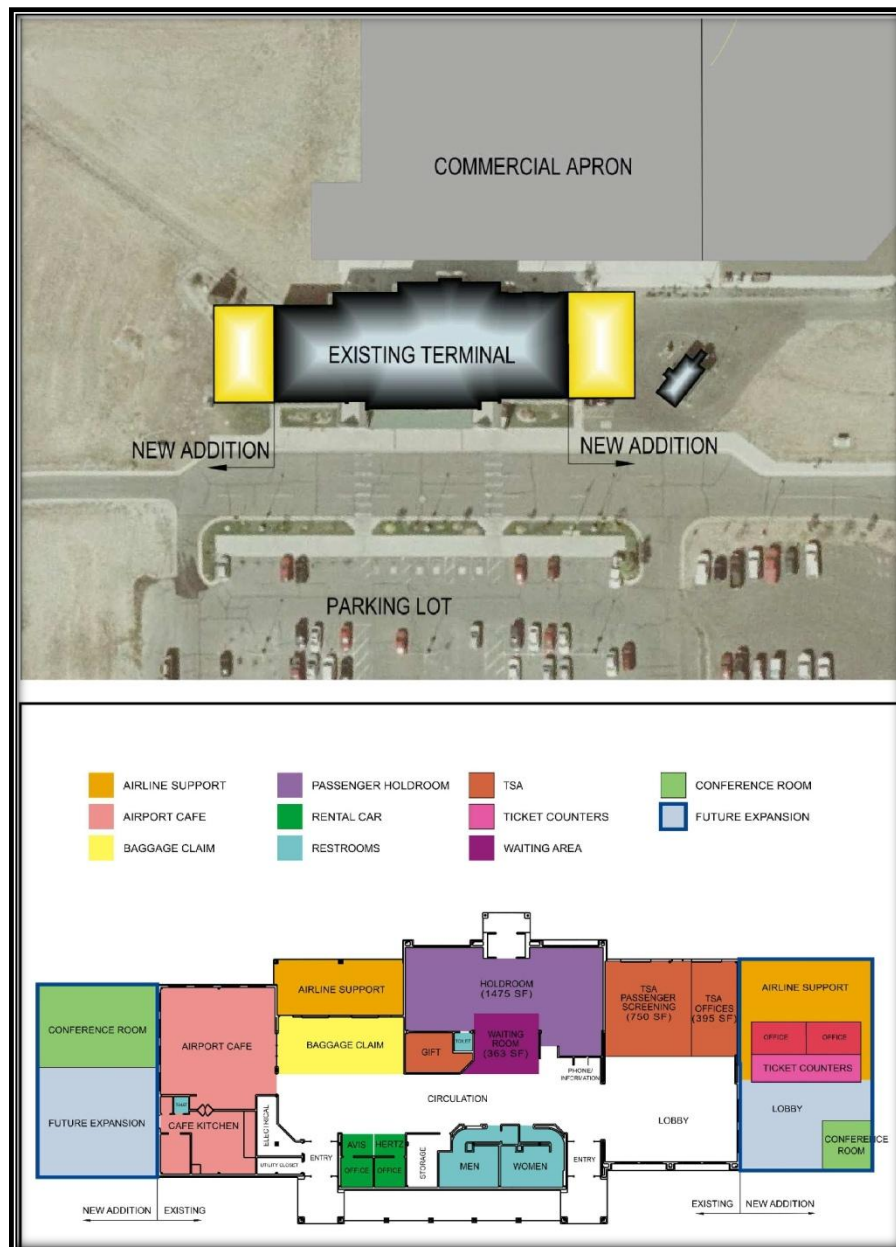
Discussion: The Federal Aviation Administration issued a Notice of Funding Opportunity for a new \$5 billion program to address the aging infrastructure of the country's airports. Grants associated with the funding opportunity are competitive across the nation and will fund safe, sustainable and accessible airport terminal improvements, on-airport rail access projects, and airport-owned airport traffic control towers. Not more than 55% of the allocated funds from the program shall be for large hub airports, not more than 15% shall be for medium hub airports, not more than 20% shall be for small hub airports, and not less than 10% shall be for nonhub and nonprimary airports. This means Central Wyoming Regional Airport will be able to compete for a minimum total of \$500 million in the new Airport Terminal Program.

Passenger accommodations at the commercial passenger terminal are inefficient and deficient. Having been built three prior to the advent of the Transportation Security Administration (TSA), the designed layout of the terminal is not optimized for modern security requirements and does not promote efficient passenger circulation. Furthermore, the passenger holdroom is not adequately sized to meet current enplanement trends, nor the anticipated load factors from larger airframes forecasted to serve regional markets.

In light of the issues outlined above, the airport's master plan and existing capital improvement plan propose a 2,600 addition to the east of the terminal to relocate airline support spaces and ticket counters. Doing so provides TSA ample space to move their operations into the area currently occupied by the airline. The airport could then more easily explore an expansion to the secure area of the terminal. Funds made available from the Airport Terminal Program would serve to accomplish and expedite planned improvements to the terminal.

Budget Impact: BIL monies made available through the Airport Terminal Program require a five percent match from awarded communities. The anticipated cost for the above referenced alternations and expansion total \$5,250,000. The airport would be responsible to provide \$262,500 of that total if the grant was awarded.


FIGURE 5-6 - TERMINAL EXPANSION



Source: Jviation, Inc.

CITY COUNCIL STAFF REPORT

TO: His Honor the Mayor and Members of the City Council

FROM: Kyle J. Butterfield, Public Works Director 

THROUGH: Anthony Tolstedt, City Administrator

DATE: April 5, 2022

SUBJECT: Bipartisan Infrastructure Law - Airport Road Grant Application

Recommendation: The City Council authorizes the Public Works Director to submit a grant application to the U.S. Department of Transportation's Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Program to improve Airport Road.

Background: Congress passed the Bipartisan Infrastructure Law (BIL), also known as the Infrastructure Investment and Jobs Act, on November 15, 2021. BIL provides \$550 billion in new investments for transportation, water, power and energy, environmental remediation, public lands, broadband and other public works improvements over five a five year period from FY22 through FY26. The \$550 billion is broken into two categories: \$284 billion to improve transportation networks and \$266 billion to enhance core infrastructure. Specifically, funding categories related to BIL are referenced below. These dollars are being made available across dozens of new and existing programs.

Roads & Bridges: \$110 billion
Transit: \$39 billion
Rail: \$66 billion
Safety: \$11 billion
Airports: \$25 billion
Ports & Waterways: \$17 billion
Electric Vehicle Charging: \$7.5 billion
Electric Buses: \$7.5 billion

Reconnecting Communities: \$1 billion
Water: \$55 billion
Broadband: \$65 billion
Energy & Power: \$73 billion
Environmental Remediation: \$21 billion
Western Water Infrastructure: \$8.3 billion
Resiliency: \$46 billion

Discussion: The U.S. Department of Transportation has published a Notice of Funding Opportunity (NOFO) for \$1.5 billion in grant funding through the RAISE discretionary grant program. RAISE discretionary grants, which were originally created under the American Recovery and Reinvestment Act as TIGER grants, are intended to assist communities around the country carry out projects with significant local or regional impacts. The advertised NOFO is the first Department of Transportation discretionary funding program associated with BIL. The \$1.5 billion in available funding represents a 50 percent increase in available funds compared to last year, when applicants requested \$10 in funding for every \$1 available. RAISE funded 90 projects across 47 states in 2021.vvSince its inception, RAISE has awarded \$9.9 billion to more than 700 projects.

RAISE projects are rigorously reviewed and selected based on merit. Projects will be evaluated on statutory criteria of safety, environmental sustainability, quality of life, economic competitiveness and opportunity. Under the BIL, 2022 RAISE applications will also be evaluated on the criteria of mobility and community connectivity. The Department of Transportation will further assess projects for universal design and accessibility for travelers and also consider how proposals increase mobility for freight and supply chain efficiency. At least \$15 million in funding from the NOFO is guaranteed to go towards projects located in areas of persistent poverty or historically disadvantaged communities.

Airport Road previously served as the state highway moving west of town and is currently one of the oldest existing roads in Riverton's network. Its pavement is aged, distressed, and requires reinvestment. Moreover, its alignment would benefit from a wider profile. For these reasons, the Urban System Committee and the Fix Our Roads Citizen Committee have discussed on multiple occasions the need to reconstruct Airport Road. The Urban Systems Committee has specifically listed it as one of its top three prioritized projects for future funding.

RAISE projects are broken into two categories: Urban and Rural. Urban projects are for populations greater than 200,000 and have minimum project award of \$5 million. Rural projects are for smaller populations and have a minimum project award of \$1 million. BIL dictates that no more than 15 percent of funds (\$225 million) be made available for projects in a single state. Furthermore, BIL directs that 50 percent of funds shall be equally made available to rural and urban projects (\$750 million each). FY22 grant funds are available for obligation through FY 26.

Applications related to the current NOFO are due April 14, 2022

Budget Impact: RAISE projects are typically made available at a matching ratio of 80:20. However, project associated with tribal areas may not require a matching component. Should an application be approved from the RAISE program, staff would propose the match come from 1% monies, Urban System monies, or a combination of the two. Estimates related to the project and application are being finalized. However, staff estimates a maximum budget of approximately \$5 million.