



City Council Special Meeting Agenda

Date: 4/2/2015
Time: 4:15 p.m.
Location: City Hall Council Chambers

- Mayor Nancy Tia Brown
- Donny Anderson
- Karen Ballinger
- Jerry Fritz
- Landon Greer
- Steve Miller
- Stan Wolz
- City Administrator, Barry Cook
- Administrative Services Officer, Cindy Baker
- City Attorney, Scott Kolpitcke

- Update on Shoshone Recreation District's proposal for a Swim Beach at Beck Lake
 - Staff Reference: Rick Manchester, Parks, Recreation and Facilities Director
 - Spokesperson: Shoshone Recreation District Representatives

- Discuss Request for sponsorship for Field of Honor Event.
 - Staff Reference: Rick Manchester, Parks, Recreation and Facilities Director
 - Spokesperson: Lynn Houze

- Discuss Cooper Subdivision Request for Water and Street Maintenance
 - Staff Reference: Steve Payne, Public Works Director

- Review Agenda for Tuesday, April 7th Meeting.

- Meeting Reminders:
 - Tuesday, April 7, 2015 – Regular Council Meeting 7:00 p.m. City Council Chambers

Time Adjourned: _____

City of Cody Agenda Request Form

In order to fully prepare the Council for their meetings, individuals wishing to appear before the Council are asked to complete the following information prior to placement on the agenda. You may be notified by mail, telephone or e-mail of the date you have been scheduled to appear. You may also be contacted by City staff prior to the meeting to see if your concerns can be addressed without appearing before the Council.

Please provide the following detailed information relating to your concern or request. This form (and any relevant attachments) is due no later than seven days prior to a Council meeting to allow sufficient time for internal review. Council packets are prepared the Wednesday prior to the Tuesday meetings. Meetings are held the first and third Tuesday of each month. Please complete the following information in full and return to City of Cody PO Box 2200 Cody, WY 82414 (Fax 307-527-6532)

Name of person to appear before the Council Lynn Houze

Organization Represented FIELD OF HONOR

Date you wish to appear before the Council March 17 or April

Mailing Address 40 1113 Ramsey Avenue Telephone (307) 578-8775

E-Mail Address knny2@wyoming.com

Preferred form of contact: Telephone E-Mail

Names of all individuals who will speak on this topic Lynn Houze

Event Title (if applicable) Flag Day Event - Field of Honor

Date(s) of Event (if applicable) June 14, 2015

Full description of topic to be discussed (include all relevant information, attach additional sheet if necessary) Need a permit for including a drink with a BBQ meal at the Kick Off to the Field of Honor week opening ceremonies Tanager Beverages will supply a BBQ meal & if a person wants to drink a beer they will have it available

Which City employee(s) have you spoken to about this issue? Mayor Brown
Rick Manchester

Signature [Signature] Date March 10th 2015

MEETING DATE:	APRIL 2, 2105
DEPARTMENT:	PUBLIC WORKS
PREPARED BY:	STEVE PAYNE
CITY ADM. APPROVAL:	_____
PRESENTED BY:	STEVE PAYNE

AGENDA ITEM SUMMARY REPORT

Cooper Subdivision Request for Water and Street Maintenance

ACTION:

Reata Properties, LLC, the applicant and majority owner of the lots within the Cooper Subdivision, requests that the City of Cody provide water and street maintenance to the Cooper Subdivision Area. Reata Properties, LLC will be represented at the Council meeting by Matt Wagner and Bill Voerding. The applicant feels that a letter dated August 20, 1984 represents that the City will provide City services to and take over the streets to the subdivision upon annexation.

BACKGROUND:

The Cooper Subdivision was annexed as a part of the Northeast Cody Annexation that was officially completed/recognized on June 20, 1986. The Cooper Subdivision was originally approved by Park County as a standard subdivision. Historically the subdivision has operated has a Mobile Home Park. With the exception of approximately six (6) lots, all lots within the subdivision have been owned by a single party, albeit different parties, since 1995.

At the time of annexation and continuing today, water is provided to lot owners within the subdivision from well(s) and a private water system. The water system is operated by a private Water Operator previously hired by the various entities that have owned the majority of the lots within the City of Cody. The City has informed the present owners and previous owners that the City is more than willing to have the subdivision connected to City water, but the water will need to be master metered, the City will need to receive hook-up fees for every lot connected (as is required for all connections to City water) and the Master Meter connection will need to be engineered and paid for by an entity other than the City. There are currently two locations where the subdivision could connect to City water.

At the time of annexation, the subdivision wastewater system was connected to a private sewer main that then discharged to a private septic system. During the 1989-1990 time frame the City of Cody completed Sewer Improvement District 56. A portion of SID 56 went through the Cooper Subdivision. Cooper Subdivision tied into the City sewer system approximately ten years after the availability of sewer. The connection to the City main was made following receipt by the City of Cody of payment for Sewer Plant Investment Fees for all lots within the Subdivision. The majority owner of the Cooper Subdivision at that time also paid to have the connection engineered and constructed. The connection was made to a City manhole that was adjacent to the old septic system. The city did not take over any of the sewer main within the subdivision.

The applicant and all previous owners of the Cooper Subdivision, since 1995, have been advised that City staff does not believe that the City has any obligation to operate and maintain the sewer, water or street systems within the subdivision.

ALTERNATIVES

1. Approve as Requested.
2. Approve with conditions.

AGENDA ITEM NO. _____

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Name of person to appear before the Council MATT Wagner

Organization Represented Reata Properties LLC, COOPER subdivision

Date you wish to appear before the Council 3/12 WORKSESSION, session in the
near future

Mailing Address 156 Pleasant View Dr Telephone 307-899-8535

E-Mail Address _____

Preferred form of contact: Telephone X E-Mail _____

Names of all individuals who will speak on this topic MATT Wagner
Bill Vestring

Event Title (if applicable) _____

Date(s) of Event (if applicable) _____

Full description of topic to be discussed (include all relevant information, attach additional sheet if necessary) TO HAVE THE CITY OF CODY
PROVIDE SERVICES IE WATER, STREET MAINT.
TO COOPER SUBDIVISION WHICH WAS ANNEXED
INTO THE CITY IN 1984

Which City employee(s) have you spoken to about this issue?
SOME CONVERSATION WITH STEVE FAYRE

Signature MATT Wagner Date 3/9/15

3. Deny the Request, but authorize water connection through a master metered connection after receipt of plans approved by the DEQ-WQD and after receipt of hook-up fees for every lot connected.

RECOMMENDATION

Staff does not believe that the City has any obligation to operate and maintain the sewer, water or street systems within the subdivision. This is consistent with how the City handles all other Mobile Home Parks within the City such as Jubys, Green Acres and Riverside. The current applicant and previous majority lot owners have been advised that the City Council can commit the City to those responsibilities, but staff has indicated no support for assuming those responsibilities. If the Council chooses to move forward with taking over the streets, water and sewer systems within the subdivision and wants City crews to make the water connection, staff would have the following recommendations:

1. The applicants makes payment to the City sufficient to cover all water connection fees.
2. The applicant makes payment to the City sufficient to cover water hook-on fees for every lot within the subdivision.
3. Prior to taking over the water system by the City, the existing water main system within the subdivision needs to have fire hydrants connected to the system (this costs has been estimated at \$14,377 just to purchase the parts), the system needs to be hyper-chlorinated and flushed and a leak detection survey needs to be completed of the entire system. Any leaks or challenges in the water system should be repaired. Also, if there are any galvanized or lead service connections to the main these service connections should be reconnected using pvc or copper. Also, curb stops to each and every home would need to be established.
4. The sewer system should be cleaned and video inspected. All grade challenges, sags, holes, or connection challenges should be repaired to City and DEQ standards. All manholes should be inspected and maintenance issues addressed.
5. Prior to taking over the streets, the entire street system should be brought to City standards – sidewalks, established shoulders, pavement surface free of structural defects such as pot hole, raveling, pushing, shoving, etc. This is consistent with State Statutes relative to annexations and issues that can be considered when addressing annexations. The existing streets have many challenges and were never taken over for maintenance because the subdivision was being used similar to Mobile Home Park and there were private facilities all throughout and beneath the right-of-way. Currently, there are also encroachments within the established rights-of-ways.

ATTACHMENTS

Agenda Request Form and submitted information

AGENDA & SUMMARY REPORT TO:

Matt Wagner

AGENDA ITEM NO. _____

Cooper Subdivision

Description :

The Cooper Subdivision was developed in the early 1980's and originally consisted of 55 lots. There are 5 lots in the southern part of the subdivision that are commercial, with two of these having been re-subdivided.

The remaining 50 lots are being used for individual mobile homes. 7 of the 50 are owned by private individuals, and the remaining 43 owned by Reata Properties LLC.

*** See attached plat map.

History :

Due to this property's proximity to the city at the time, it was developed with annexation in mind. The developer worked in concert with the city to make sure all specifications were up to city standards at the time.

*** 1984 property was annexed into the city of Cody.

*** City water was not available at the time. It was agreed that when it became available the city would hook it up. (See attached letter)

*** Cooper Subdivision is not a mobile home park. The lots have been taxed individually since 1984.

Present Situation :

The city currently provides :

*** City sewer at a charge

*** Garbage pickup at a charge

*** Electricity at a charge

The city does not provide :

*** Water. The property is currently on a well.

*** Snow removal and street maintenance. The city does maintain some of the South edge of the subdivision.

What i am requesting is that the city acknowledge their responsibility for the water and streets that was agreed upon with annexation.

Water :

The water is currently being supplied by a well located behind Precision Machine. The well is producing at near maximum at present. It requires almost constant maintenance and testing. Im afraid that with the present load it may become unreliable.

The water system on the other hand was put in to city specs originally with the anticipation of hooking on to city water when it became available.

The water system was recently reviewed by Sage Engineering (2010) and was found to meet current requirements.

See attached Sage Engineering report, page 2.

We are requesting that the city connect the subdivision to the city system, waive the hook up fee, and assume maintenance of the system.

Streets :

The streets are in poor condition where they have not been maintained by the city. As mentioned earlier, the city does maintain a section of the street in the front (south) part of the subdivision. The streets too were constructed to meet city requirements at the time, with expected annexation. Unfortunately there doesnt appear to have been any maintenance or snow removal since.

See attached Sage Engineering report . Streets paragraph, page 5 and street section drawing, page 12.

I am requesting the city repair the streets, bring them up to standards..i.e. double chip seal. and assume maintenance and snow removal.

In conclusion; it appears the city is treating this subdivision differently than others that were annexed at the same time and since. I look forward to working with the city of Cody to resolve these issues. Thank you very much for your time and consideration and feel free to contact me for more information or further questions.

Sincerely,

Matt Wagner
Owner / Pres.
Reata Properties LLC

THE CITY OF CODY

1338 RUMSEY AVENUE
CODY, WYOMING 82414
(307) 527-7511

DORSE MILLER, JR. MAYOR
TERRY KENNEY
GLENN LIVINGSTON
HARRY McNEIL
RAY MENTOCK
GARY PENDLEY
RICHARD D. WILDER
COUNCILMEN

BUILDING DEPARTMENT

JAMES S. SMILEY
CITY CLERK-TREASURER
ROBERT D. OLSON
CITY ATTORNEY
C. EDWARD WEBSTER II
POLICE JUDGE

20 August 1984

James Allemand
P. O. Box 388
Midwest, Wyoming 82643

Re: City Services.

Dear Sir:

Regarding connecting the Cooper Subdivision to city services.

As soon as this area is annexed into the city and services are available the city will provide potable water and sanitary sewer services to the Cooper subdivision.

Sincerely,



Earl F. Mathers
Building Official
Fire Marshal

Cooper Sub - 84-314 RR
WATER & SEWER

Painter Estates - 84-145 RR
WATER & SEWER

LAUNDER
OFFICE APPROVAL

Hydraulically, the system nearly meets the City and DEQ requirements for a treated water system as they now exist. With accurate survey data and further study, it is possible the system would meet the requirements. As mentioned above, the elevation data was not adjusted for the slope of the subdivision. The elevation of the highest point on the property was used for modeling purposes.

Even with the deficiencies there are some cost effective ways to improve the hydraulics. A couple immediately apparent options would be to make the connection to the new 8 inch main installed by Precision Machine at J-22. This would involve the installation of a few hundred feet of water line and asphalt replacement. We also think the north end could be looped through the irrigation and utility easement. This would aid in the ability of the system to meet the pressure requirements.

DESIGN/INSTALLATION:

~~_____~~ In completing this project, the design documents, including the Bruce McKee's Design Report to the Wyoming Department of Environmental Quality (DEQ) dated June, 1984 and the Plans/Specifications were reviewed. The Design Report was reviewed to determine the thought process and reasoning behind the subdivision design. The plans, specifications and other documentation were reviewed to determine the actual materials installed.

Based on the review of the Design Report and other documentation, it is apparent the distribution mains meet the current DEQ requirements for a treated water system. It also became apparent that the project, as represented to the DEQ, was expected to be annexed and connected to the City of Cody system at some point in the future. All the documentation indicates this was expected to happen relatively soon after the project was completed. The projected time for the sewer service to be available was 1987, which apparently occurred. The Design Report stated that "When this occurs, (sewer availability) Cooper Subdivision shall connect to the new city sewer and be annexed into the city of Cody. At this time city water service would probably become available within a few years." Obviously, it took a little longer for the City of Cody to extend the treated water system to the subdivision. Water service has only been available in the last few years.

The distribution system appears to be substantially complete based on today's standards, whether they be the City of Cody's or DEQ's. (Three items were not included in the installation, and two of these are necessary for the City to operate the system.)

Hydrants were removed from the project as a condition of DEQ approval because neither the City nor the developer could state with any certainty when the City would have the water main in place and the subdivision could switch to the City supply. This was required to prevent hydrants that would not be able to provide the fire flow.

Also necessary for proper city operation, but not installed are meters or meter pits. Since most of the homeowner's live in trailer houses, meter pits with meters would likely be preferred.

The third item missing from the original installation is trace wire. At the time the project was constructed this was probably normal procedure. However, since that time, it has become a standard City requirement. I have listed it as optional for City operation for the simple fact that older sections of town likely do not have trace wire installed and it is not necessary for serving water. ~~_____~~

Below is a summary of the materials specified and installed within the subdivision.

Piping:

The main piping was specified as 6 inch AWWA C900 Class 150. This is the same pressure class installed in many of the surrounding areas.

Sage Engineering Report (2010)