



City Council Special Meeting Agenda

Date: 10/27/2020
Time: 5:00 p.m.
Location: City Hall Council Chambers

- ❑ Mayor Matt Hall
- ❑ Justin Baily
- ❑ Diane Ballard
- ❑ Jerry Fritz
- ❑ Landon Greer
- ❑ Glenn Nielson
- ❑ Heidi Rasmussen
- ❑ City Administrator, Barry Cook
- ❑ Administrative Services Officer, Cindy Baker
- ❑ City Attorney, Scott Kolpitcke

- ❑ 5:00 – 5:10 — Sanitation Charges – 2431 Sheridan Ave
 - ❑ Spokesperson: Patricia Wormington, Amadeus Square LLC
 - ❑ Staff Reference: Cindy Baker, Administrative Services Officer
- ❑ 5:10 – 5:20 – Band Shell – City Park – Citizen’s Suggestion
 - ❑ Staff Reference: Council Member & Cody Art League Member - Diane Ball
- ❑ 5:20 – 5:30 – Draft Resolution 2020-18
 - ❑ Staff Reference: Cindy Baker, Administrative Services Officer
- ❑ 5:30 – 5:40 – Water Rights Discussion
 - ❑ Staff Reference: Todd Stowell, City Planner
- ❑ 5:40 – 6:00 – Development Review Process
 - ❑ Staff Reference: Council Member Landon Greer

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 will be notified of the date you have been scheduled to appear. You may also be contacted by City staff prior to the meeting to address concerns, and/or provide additional information. Note: Some request may not require appearing before the Council for approval.

Please provide the following detailed information relating to your concern or request. **This form (and any relevant attachments) should be submitted in a timely manner, preferred lead time 14 days minimum to allow sufficient time for internal review. Untimely submission may result in the inability to be considered for approval.** Council packets are prepared the in advance prior to the Tuesday meetings. Note 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 Patricia Wormington

Organization Represented Amadeus Square, LLC

Date you wish to appear before the Council Nov, 3rd

E-Mail Address patricia.wormington@gmail.com Telephone 307 213 0229

Names of all individuals who will speak on this topic Patricia Wormington

Event Title (if applicable) _____

Date(s) of Event (if applicable) _____

Location of Event (if applicable) _____

Full description of topic to be discussed (include all relevant information including any street closures, times of event, any special requirements or request etc., attach additional sheet if necessary and map showing location of event where applicable)

I want to discuss the removal of sanitation fee as the dumpster had been removed on 10/16/2020. The site is not occupied. The burners had been closed on 10/14/2020.

Which City employee(s) have you spoken to about this issue? _____

Signature f. Wormington Date 10/19/2020

MEETING DATE: 10/27/2020

DEPARTMENT: ADMINISTRATION

PREPARED BY: CINDY BAKER,
ADMINISTRATIVE SERVICES

OFFICER:

AGENDA ITEM SUMMARY REPORT

Discontinue Sanitation Charges at 2431 Sheridan Ave.

ACTION TO BE TAKEN:

If applicable direct staff to present an item for consideration for action at the next Council Meeting

SUMMARY OF INFORMATION:

Patricia Wormington, Owner of the car wash at 2431 Sheridan, had informed staff that the current tenant was not renewing his lease and she was going to shut the car wash down until she can replace or remodel the building. She has requested the dumpster removed from this location. Upon the later she is also requesting she no longer be charged for sanitation until the car wash reopens in the unknown future.

Sanitation (County Landfill and City Solid Waste) are not based on the location of a dumpster; in most cases a dumpster is shared amongst several commercial businesses or residential customers. This dumpster may have been located specifically at this address for convenience for both the customer and the ease of emptying when running this particular route, as there are dumpsters located across Sheridan Ave and on Blackburn Street.

The Ordinance 4-3-3 does indicate "if a residence is not occupied or commercial business is not in operation, and the electric and/or water meter have been removed, the portion of the bill represent the fee for the Park County Landfill may be removed, but a minimum fee of one dumpster (Commercial business rate) will be charged to the account holder on a monthly basis. Neither meter has been removed at this time so full charges for both Park County Landfill and City Solid Waste continue to be charged, along with all other base charges and usage charges (where applicable).

The City has looked at sanitation charges over the years and the ordinance was established as noted above after has taken in to consideration the number of seasonal businesses that close for a portion of the year, along with residential customers who are "snow birds", as well as, the viewing the Sanitation Division/Services similar to other enterprise utility services and the infrastructure that is continued to be provided daily (Sanitation Truck Operation/Routes, Dumpster upkeep etc.)

FISCAL IMPACT

If all charges are removed the City sees a decrease of \$47.64/ monthly of which \$27.78 City Solid Waste and \$1986 is County Landfill. (this is based on the minimum of one dumpster picked up once a week)

AGENDA ITEM NO. _____

ALTERNATIVES

1. Do Not remove either charge associated with garbage collection
2. If electric and/or water meter is removed (requested by customer) remove County Landfill charges based on Ordinance.
3. Remove all charges associated with garbage collection

Staff recommendation - option 2, based on the ordinance and current practice/policy currently in effective with other utility customer accounts (commercial or residential).

ATTACHMENTS

Agenda Request Form

AGENDA & SUMMARY REPORT TO:

Patriciawormington@gmail.com

**4-4-3: OCCUPIED DWELLING, ETC., PRIMA FACIE EVIDENCE GARBAGE BEING PRODUCED;
REMOVAL OF GARBAGE; ACCUMULATIONS DECLARED NUISANCE:**



Occupancy of any residence or any place of business in operation shall be prima facie evidence that refuse or garbage is being produced on such premises. All places of residence or business in operation within the city limits shall have refuse service from the city and pay the applicable charges. Services will only be provided to the legal tenant or legal property owner, unless authorized by the administrative services director, or his/her designee. If a residence is not occupied or commercial business is not in operation, and the electric and/or water meter has been removed, the portion of the bill representing the fee for the Park County landfill may be removed, but a minimum fee of one dumpster or roll-out will be charged to the account holder on a monthly basis.

Exceptions: Storage units, airport hangars, attached or detached garages or shops where solid waste services are billed on the main residence/commercial account may be exempted from monthly charges if requested and approved by the administrative services director with the concurrence of the public works director, or their designees. Regarding the storage units exemption, the city administrator and/or his/her designee may require monthly garbage collection and payment therefor at the monthly commercial rate for one times (1x) per week. The city administrator or their designee will require said payment if evidence from the sanitation drivers, with confirmation from the solid waste supervisor, indicates garbage collection services are required. (Ord. 2014-03, 5-6-2014, eff. 6-1-2014)

PROPOSAL
TO THE CITY COUNCIL
CITY OF CODY, WYOMING
BANDSHELL AT CITY PARK

September 25, 2020

For years I've driven by our Bandshell at City Park and have always wondered if a beautiful landscape/animal scene could be painted by one or some of our famous local artists to represent our area of this gorgeous state. After seeing the Bandshell freshly painted I decided to pick up the phone and get the project going. Barry Cook suggested Diane Ballard handle the artist(s) and Diane suggested the Cody Public Art Commission be involved. Diane is also going to run the idea by several artists and gallery owners here in Cody.

Not only would this be a great community beautification effort but it would draw interest from tourists to our local galleries and artists.

Please take this idea into consideration at your next council meeting on October 6, 2020.

Thank you,

KT Irwin, Cody Resident

MEETING DATE: 10/27/2020

DEPARTMENT: ADMINISTRATION

PREPARED BY: CINDY BAKER,
ADMINISTRATIVE SERVICES

OFFICER:

AGENDA ITEM SUMMARY REPORT

Resolution 2020-18

ACTION TO BE TAKEN:

Provide staff with any comments, suggestions or changes and Resolution will be considered at the November 3rd Council Meeting for approval.

SUMMARY OF INFORMATION:

The Governing Body is in the process of adopting Ordinance 2020-14 relating to Mobile Vendors within the municipality of the City of Cody. In conjunction with this Ordinance a Resolution for the fees associated with the Vendor Permits is being brought forward for review with consideration of adoption at the next regular Council meeting.

Annual Mobile Vendor Fee:

In considering the annual fee amount, staff reviewed a variety of time and staff that would be associated with the process of issuance, annual renewal, tracking of food permits, insurance requirements and other associated documentation that could be issued with varied expiration dates and other associated contact that may be required. The average cost is estimated to be \$100-\$125 annually. Based on Council's previous desire of keeping the cost of the fee to a minimum and potential future tracking of exact cost based on the actual process, staff is recommending an annual fee of \$70.00.

Special Event Fee:

The City sees many events that occur, most utilizing City Streets (usually a street closure involved) and/or other public property of which a variety of unique mobile vendors will participate in. In the past the City has provided an Event Permit to the organizers of said event which covers all participating vendors under an umbrella of this event without each vendor obtaining their own permit. The majority of these vendors do not plan on selling their wares within the municipality other than this particular event and the event organizers provide the required liability insurance. There are typically two types of Special Events – those lasting 1-6 days (though most are 2-3-day max – Wild West Extravaganza is a good example) while other may be one or two days a week but for several, if not all months of the year. (Farmer's Market is a good example of the second type). Currently the City charges \$300 for these types of events, with no variance as to the length of the event. Again, taking into consideration of the Council's desire to keep these costs at a minimum staff is recommending a fee of \$100 for Special Events less than one week (1-6 days – reoccurring or consecutive days) and \$200 for Special Events one week or more (7+ days – reoccurring or consecutive days). Again, noting many of these events also have other request that typically may require Council action.

AGENDA ITEM NO. _____

FISCAL IMPACT

Fiscal Impact is dependent upon the number of mobile vendors and events.

ALTERNATIVES

1. Provide staff with recommendations for changes to this draft resolution
2. Concur with draft resolution and direct staff to bring ty the November 3rd meeting for consideration of approval.

ATTACHMENTS

Draft Resolution 2020-18

RESOLUTION NO. 2020-18

A RESOLUTION ADOPTING A FEE SCHEDULE FOR THE CHARGES RELATING TO THE ISSUANCE OF MOBILE VENDOR PERMITS WITHIN THE CITY OF CODY MUNICIPALITY.

WITNESSETH

WHEREAS, the Governing Body for the City of Cody, Wyoming charges fees for use of facilities and/or use fees that are not already set by Ordinance; and

WHEREAS, the Governing Body of the City of Cody, Wyoming recognizes the necessity of adopting a fee schedule in conjunction with the issuance of Mobile Vendor Permit issued within the Municipality of the City of Cody;

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF CODY, WYOMING hereby adopts the following fee schedule effective as of January 1, 2021.

Annual Mobile Vendor Permit	\$70/calendar year
Special Event – reoccurring or consecutive days less than one week (1-6 days)	\$100/calendar year
Special Event – reoccurring or consecutive days equal to or greater than one week (7 or more days)	\$200/calendar year

PASSED, APPROVED AND ADOPTED THIS 3rd day of November, 2020

Mayor Matt Brown

Attest:

Cindy Baker, Administrative Services Officer