

City Council Special Meeting Agenda

Date: 8-13-2015
Time: 5:00 p.m.
Location: City Hall Council Chambers

- | | | |
|--|---|---|
| <input type="checkbox"/> Mayor Nancy Tia Brown | <input type="checkbox"/> Steve Miller | <input type="checkbox"/> Administrative Services Officer, Cindy Baker |
| <input type="checkbox"/> Donny Anderson | <input type="checkbox"/> Stan Wolz | <input type="checkbox"/> City Attorney, Scott Kolpitcke |
| <input type="checkbox"/> Karen Ballinger | <input type="checkbox"/> City Administrator, Barry Cook | |
| <input type="checkbox"/> Jerry Fritz | | |
| <input type="checkbox"/> Landon Greer | | |

- Report on WMPA Meeting
 - Staff Reference: Bert Pond, Electrical Engineer
- Update on Cell Tower at Recreation Center
 - Staff Reference: Rick Manchester, Parks, Public Facilities & Recreation Director
- Bike Park Proposal from Park County Peddlers
 - Staff Reference: Rick Manchester, Parks, Public Facilities & Recreation Director
 - Spokesperson: John Gallagher, Park County Peddlers
- Traffic Committee Report - Consider providing Direction on Three (3) concerns.
 - Staff Reference: Steve Payne, Public Works Director
- Recommendation for Use of Draw Street Building
 - Staff Reference: Barry Cook, City Administrator
- Review August 18, 2015 Agenda
- Staff Updates
 - Distillery Inclusion in Ordinance (Cindy Baker)
 - Ice Cream Social – 8-27-15 (Cindy Baker)
- Council Updates

Time Adjourned: _____

MEETING DATE: AUGUST 13, 2015
DEPARTMENT: P&R DEPARTMENT
PREPARED BY: RICK MANCHESTER,
DIRECTOR AND SCOTT KOLPITCKE,
CITY ATTORNEY
PRESENTED BY: RICK MANCHESTER

AGENDA ITEM SUMMARY REPORT
Union Wireless Lease Agreement

ACTION TO BE TAKEN:

Request that City Council allows the Mayor to sign and approve a lease agreement with Union Wireless based on the financial package and contract terms recommended by staff and City Attorney. The agreement requires engineered structural plans for three microwave antennae on sleds that are set on the roof of the Rec Center.

SUMMARY OF INFORMATION:

Union Wireless is requesting that they are allowed to install three microwave antennae on the roof of the Rec Center. Currently, Union Wireless does not meet Phase II E911 compliance. They are able to operate under an exemption from the FCC until 2017-19. According to Union Wireless they may have E911 compliance, in the third quarter of 2016. They will be using an A-GPS system. The City has requested that phase II compliance be committed to in writing and contained in the lease terms. Union wireless is considering our request, however they would like it to be a separate agreement, or not required at all.

Mike Conners, from the County IT department thinks we have a good package of terms and that the GPS system will work for dispatch services. The County Dispatch would like E911 compliance ASAP. Currently 5% of cell phone calls to dispatch are from Union Wireless customers.

The City Attorney has been finalizing terms to the lease agreement. After the initial 10-year agreement there are two automatic 10-year renewals. Union Wireless will pay its annual rent of \$25,200 per year in annual installments. The agreement allows Union Wireless to terminate the contract before the end of the 10 year term "in its sole discretion" if it determines that the site is no longer commercially or technologically feasible. In other words, Union Wireless can terminate the contract at any time before the end of the ten year term. If Union Wireless does terminate the lease early, Union Wireless will pay a percentage of the balance of the rent due under the remaining lease term. For example, if Union Wireless terminates the lease two years into the agreement, the City gets to keep the rental payments that has already been paid for that year, and will get an amount equal to a percentage of the rent that would have been paid over the remaining eight years. The City's agreement with AT&T does not allow for termination unless there is a breach, or if the building is destroyed, or similar circumstances prevent AT&T's use of the building.

FISCAL IMPACT

Union Wireless proposed tower rent of \$16,800/year (\$1,400/month) plus an annual 3% escalator. Based on other leases in the vicinity I recommend \$25,200/year (\$2,100/month). Include a 3% escalator and a \$3,000 non-refundable professional services reimbursement to the City to cover staff time and consultant fees. The full value of a 10-year contract is \$286,409.

AGENDA ITEM NO. _____

ALTERNATIVES

1. Direct staff and City Attorney to develop a contract based on the terms identified.
2. Deny the Union Wireless request until they are E911 phase II compliant.
3. Deny their request

ATTACHMENTS

1. Exemption from FCC
2. Memo #15-022 and plans.
3. Angle view of antennae and locations for three units.



CITY OF CODY
WYOMING

Cody Parks, Recreation and Public Facilities

1402 Heart Mountain Street

PO Box 2200

Cody WY 82414

Phone (307) 587-0400

Fax (307) 587-2565

www.cityofcody-wy.com

For Your Information

Action Necessary

Response Requested

MEMO—15-027

Date: July 16, 2015—City Council Work Session

To: Barry Cook, City Manager
Mayor and City Council

From: Rick Manchester, Director *Rick*
Parks, Recreation, and Public Facilities

Subject: Union Wireless Cell Tower request

Request that City Council considers a lease agreement with Union Wireless. The agreement will allow Union Wireless to install three microwave antennae on sleds that are set on the roof of the Rec Center. All terms, including final rent agreement will be brought back for City Council approval. The towers request have been presented to Planning and Zoning along with another tower request at the KOA.

SUMMARY OF INFORMATION:

1. **Do we want more antennas on the roof at the rec Center?**--Union Wireless is requesting that they are allowed to install three microwave antennae on the roof of the Rec Center.
2. Currently, Union Wireless does not meet **Phase II E911 compliance**. They have an exemption from the FCC until 2017-19. According to Union Wireless they will have E911 compliance, using an A-GPS system, in the third quarter of 2016. We have requested that phase II compliance be committed to in writing and contained in the lease terms. Union wireless is considering our request, however they would like it to be a separate agreement, or not required at all.
3. Mike Conners from the County IT department thinks we have a good package of terms and that the GPS system will work for dispatch services. Currently 5% of cell phone calls to dispatch are from Union Wireless customers. Mike likes the idea of creating an agreement that holds them to the implementation schedule that they proposed.

FISCAL IMPACT

Union Wireless has proposed tower rent of \$16,800/year (\$1,400/month) plus an annual 3% escalator. We have negotiated a tentative agreement of \$25,200/year (\$2,100/month). Included is a 3% escalator and a \$3,000 non-refundable signing bonus to the City to cover staff time and consultant fees.

The value of a 10-year contract is \$286,409.

ALTERNATIVES

1. Direct staff and City Attorney to develop a contract based on the terms identified.
2. Deny the Union Wireless request until they are phase II compliant.
3. Deny the request

ATTACHMENTS

1. Exemption from FCC
2. Memo #15-022 and plans.
3. Angle view of antennae and locations for three units.



Rick Manchester <rickm@cityofcody.com>

FW: Phase 2

1 message

Kevin M. Kleinsmith <kkleinsmith@unionwireless.com>
To: "RickM@cityofcody.com" <RickM@cityofcody.com>

Mon, Jun 1, 2015 at 11:43 AM

Hi Rick,

Union Telephone Company does not have a Phase II solution, given that we do not have enough towers in the PSAP for Cody to do Triangulation. We are in the process of migrating to E911 Phase II using A-GPS, however that project won't be finished until early next year.

I am sure you are aware that GSM/UMTS carriers were given until 2017-19 to make this migration per the rules put out by the FCC two years ago. Here is the copy of our exclusion letter.

Any question please let me know.

Kevin M. Kleinsmith

307-782-4035

From: Patricia Brockman
Sent: Monday, June 1, 2015 11:09 AM
To: Rick Manchester
Cc: Kevin M. Kleinsmith; Tony Kelly; Alyssa Blair
Subject: RE: Phase 2

Rick,

This is something I do not deal with, but I can forward the message to the person that does.

Regards,

Your submission has been accepted

ECFS Filing Receipt -		
Confirmation number: 2015428538470		
Proceeding		
Name	Subject	
07-114	In the Matter of revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems.	
Contact Info		
Name of Filer: Union Telephone Company		
Email Address: pgist@fcclaw.com		
Attorney/Author Name: Pamela L. Gist		
Lawfirm Name (required if represented by counsel): Lukas, Nace, Gutierrez & Sachs, LLP		
Address		
Address For: Law Firm		
Address Line 1: 8300 Greensboro Drive		
Address Line 2: Suite 1200		
City: McLean		
State: VIRGINIA		
Zip: 22102		
Details		
Type of Filing: REPORT		
Document(s)		
File Name	Custom Description	Size
E911 Exclusions 28April2015.pdf		118 KB
Disclaimer		
<p>This confirmation verifies that ECFS has received and accepted your filing. However, your filing will be rejected by ECFS if it contains macros, passwords, redlining, read-only formatting, a virus, or automated links to other documents.</p> <p>Filings are generally processed and made available for online viewing within one business day of receipt. You may use the link below to check on the status of your filing:</p> <p>http://apps.fcc.gov/ecfs/comment/confirm?confirmation=2015428538470</p> <p>For any problems please contact the Help Desk at 202-418-0193.</p>		

8300 Greensboro Dr.
Suite 1200
McLean, VA 22102
WWW.FCCLAW.COM

Pamela L. Gist
(703) 584-8665
pgist@fcclaw.com

LNGS | LUKAS,
NACE,
GUTIERREZ
& SACHS, LLP

April 28, 2015

Admiral David G. Simpson, Chief
Public Safety and Homeland Security Bureau
Federal Communications Commission
445 12th Street, S.W.
Room 7-C485
Washington, D.C. 20554

Re: PS Docket No. 07-114
E911 Location Accuracy Exclusion Report Update
Union Telephone Company

Dear Admiral Simpson:

On behalf of Union Telephone Company and pursuant to FCC Rule Section 20.18(h)(1)(vi) for carriers using network-based technologies, submitted herewith is an update to the company's E911 Location Accuracy Exclusion Report. This updated Report adds Carter County, Montana and Custer County, Montana where it has been determined that triangulation of the geographical position of a 911 emergency call is not technically possible because of insufficient quantity, density and/or geometry of cell sites to support network-based triangulation that meets the accuracy standards.

Should any questions arise with respect to this matter, please communicate directly with this office.

Very truly yours,



Pamela L. Gist

cc: National Emergency Number Association (by email)
Association of Public-Safety Communications Officials-International (by email)
National Association of State 9-1-1 Administrators (by email)

Affidavit in Support of Updated E911 Location Accuracy Exclusion Report

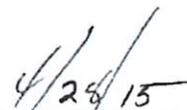
PS Docket No. 07-114

Carrier: Union Telephone Company
Technology: Network-Based
Signing officer: Eric Woody, Chief Technology and Operations Officer
Address: P. O. Box 160
Mountain View, Wyoming 82939
Telephone: (307) 782-6131

I, Eric Woody, am an officer of Union Telephone Company. I have chief oversight responsibility for monitoring the overall status of location accuracy compliance under Section 20.18(h) of the rules of the Federal Communications Commission.

Union Telephone Company uses network-based technologies to provide E911 location services. Attached hereto is an updated list of counties where Union Telephone Company is utilizing the FCC Rule Section 20.18(h)(1)(vi) exclusion from the Phase II location accuracy standards for network-based technologies. The attached list reports new and previously reported counties where cell site distribution is such that triangulation is not technically possible.

In accordance with 47 C.F.R. § 1.16(2), I declare under penalty of perjury that the foregoing is true and correct. Executed on 28 April 2015.



Eric Woody, Chief Technology and Operations Officer

Union Telephone Company

Reason for Exclusion: Insufficient quantity, density and/or geometry
of cell sites in the area to support network-based triangulation

Excluded Areas:

Previously reported

Newly reported

Big Horn County, Wyoming
Carbon County, Wyoming
Crook County, Wyoming
Fremont, Wyoming
Hot Springs County, Wyoming
Johnson County, Wyoming
Lincoln County, Wyoming
Natrona, Wyoming
Niobrara County, Wyoming
Park County, Wyoming
Platte County, Wyoming
Sheridan County, Wyoming
Sublette County, Wyoming
Sweetwater County, Wyoming
Teton, Wyoming
Washakie County, Wyoming
Weston County, Wyoming
Uinta, Wyoming

Delta County, Colorado
Garfield County, Colorado
Grand County, Colorado
Jackson County, Colorado
Larimer County, Colorado
Mesa County, Colorado
Montrose County, Colorado
Ouray County, Colorado
Rio Blanco, Colorado
Routt County, Colorado
San Miguel County, Colorado

Bannock County, Idaho
Bear Lake County, Idaho
Bingham County, Idaho
Bonneville County, Idaho

Union Telephone Company
Excluded Areas
Page two

Previously reported

Butte County, Idaho
Caribou County, Idaho
Clark County, Idaho
Custer County, Idaho
Franklin County, Idaho
Fremont County, Idaho
Jefferson County, Idaho
Lemhi County, Idaho
Madison County, Idaho
Oneida County, Idaho
Power County, Idaho
Teton County, Idaho

Cache County, Utah
Daggett, Utah
Duchesne, Utah
Grand County, Utah
Rich County, Utah
Uintah, Utah

Fallon County, Montana

Newly reported

Carter County, Montana
Custer County, Montana



CITY OF CODY
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Cody Parks, Recreation and Public Facilities

1402 Heart Mountain Street

PO Box 2200

Cody WY 82414

Phone (307) 587-0400

Fax (307) 587-2565

www.cityofcody-wy.com

For Your Information

Action Necessary

Response Requested

MEMO—15-022

Date: May 27, 2015

To: Barry Cook, City Manager
Mayor and City Council

From: Rick Manchester, Director
Parks, Recreation, and Public Facilities *Rick*

Subject: Union Wireless Cell Tower request

Provide input to allow staff and City Attorney to develop an agreement and negotiate lease terms with Union Wireless. The agreement will allow them to install three microwave antennae sleds on the roof of the Rec Center. All terms, including rent will be brought back to City Council for approval. And if required, P&Z approval will be pursued.

SUMMARY OF INFORMATION:

Union Wireless approached the City, requesting that they are allowed to install three microwave antennae on the roof of the Rec Center. We have not negotiated rent for the installation. We are working with the tower consultant we have used in the past to determine if there are any conflicts with existing towers and contracts. The consultant will also provide an estimate of the rent collected from similar additions.

The illustrations show three locations on the Rec Center roof where the microwave sleds will be placed and positioned. The electrical and communication closet will be located on the northwest side of the building on the existing pavement just outside of the buildings west end doors. This closet has a smaller footprint than the existing AT&T cabinet.

Before starting financial negotiations, we are seeking approval from Council to allow additional towers/antennae at the rec center. Two antennae are located on the lower roof over the locker rooms and one over the pool mechanical room on the west side.

The antennae are more visible from the road and neighborhood. There are other towers and antennae on the rec center but less visible.

FISCAL IMPACT

Union Wireless has proposed rent of \$16,800/year (\$1,400/month) plus an annual escalator. I of course think we should get more rent then what is being proposed I am still developing a fair price based on the market value and the other towers at the Rec Center.

ALTERNATIVES

1. Direct staff to negotiate an agreement for antennae on the roof of the rec center.
2. Deny the Union Wireless request.

ATTACHMENTS

1. Angle view of antennae and locations for three units.
2. Google Earth view of location.

SUMMARY REPORT TO:

Doyle Stout, Rec Supervisor
Todd Stowell, City Planner
Patty Brockman, Union Wireless

Proposed Antennas

Legend

- Antenna Location
- Ground Space



Google earth

© 2015 Google
Image is from Farm Services Agency



850 N. HIGHWAY 14
PO BOX 160
MOUNTAIN VIEW, UT 82209

THE INFORMATION CONTAINED IN THIS DOCUMENT IS PROPRIETARY. ANY USE OR DISCLOSURE OTHER THAN THOSE AUTHORIZED BY UNION TELEPHONE COMPANY IS STRICTLY PROHIBITED

CLIENT REV # DATE
43/2015

DESIGNER
MATTHEW FISHER

REVISOR
ALYSSA BLAIR

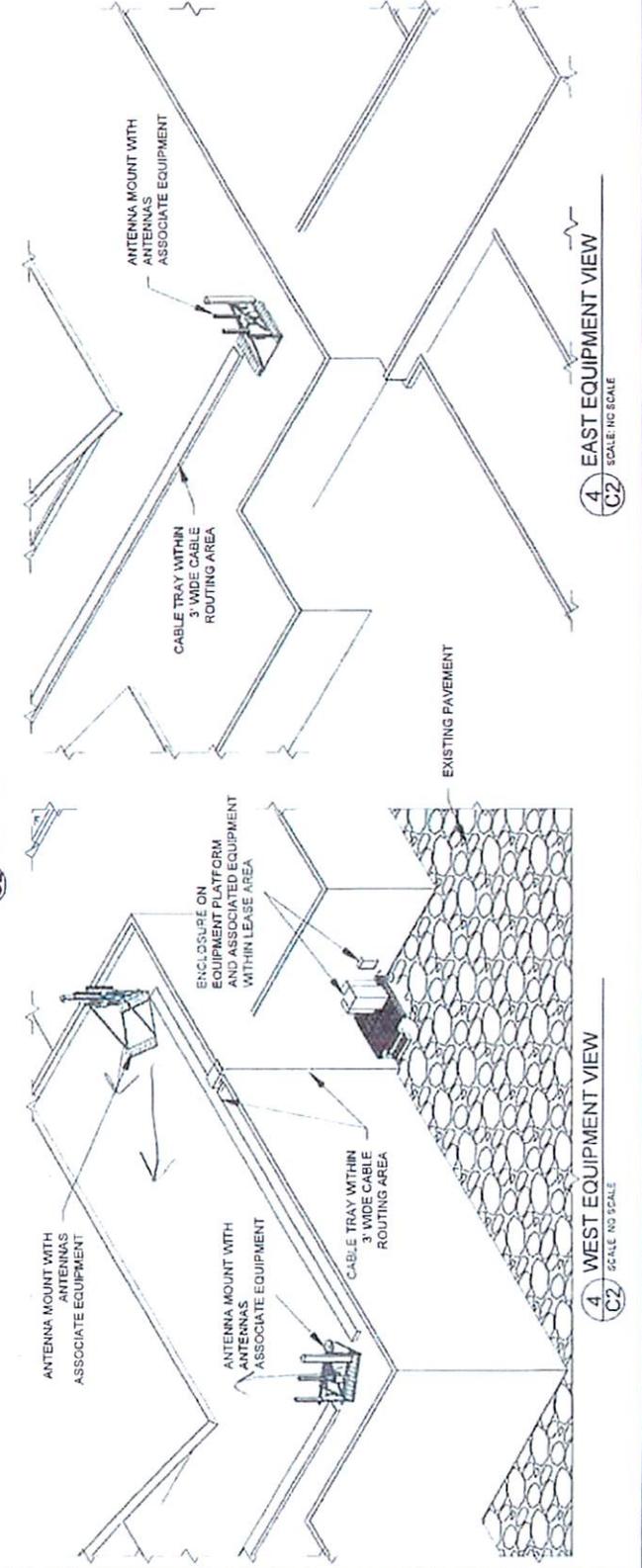
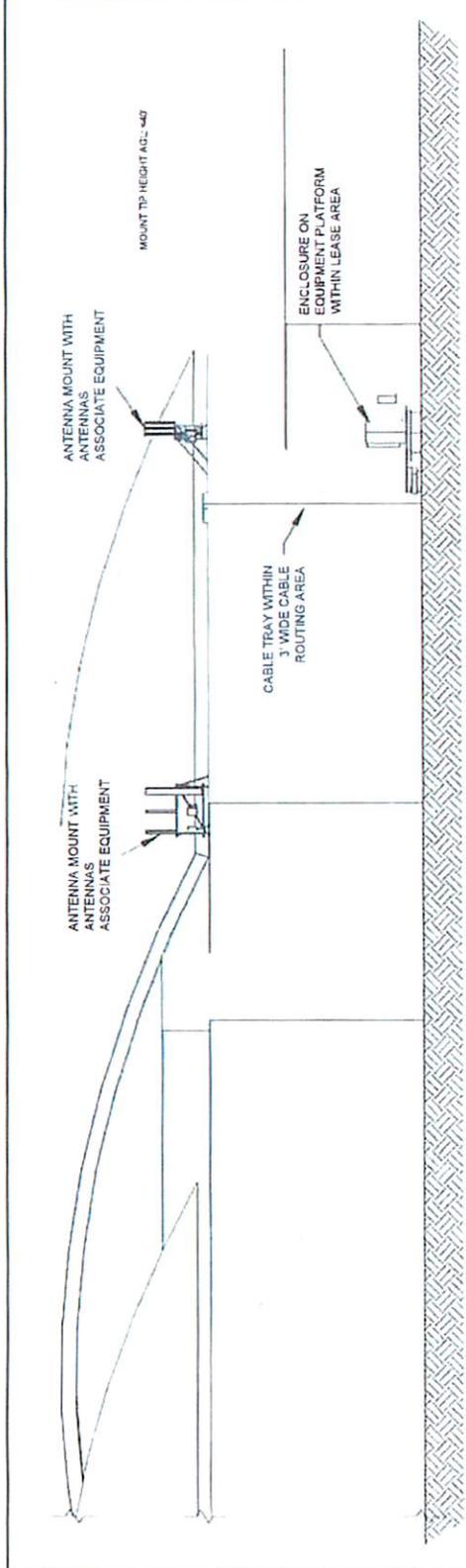
APPROVED
FOR LEASING
APRIL 19 2015

CODY REC CENTER

1402 HEART MOUNTAIN STREET
CODY, PARK COUNTY, WYOMING

ELEVATION VIEW

C2





850 N. HIGHWAY 414
PO BOX 160
MOUNTAIN VIEW WY 82909

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CURRENT REV	DATE
1	4/8/2015

DESIGNER
MATTHEW FISHER

DRAWN BY
ALYSSA BLAIR

APPROVED FOR LEASING
APRIL 13 2015

PROJECT NAME
CODY REC CENTER

PROJECT ADDRESS
1402 HEART MOUNTAIN STREET
CODY, PARK COUNTY, WYOMING

SHEET TITLE
PLAN VIEW

SHEET NUMBER
C1

GENERAL NOTES

- 1 UNION WIRELESS IS PROPOSING TO INSTALL EQUIPMENT ON THE ROOFTOP AND AT THE BASE OF THE EXISTING BUILDING FOR A COMMUNICATION SITE
- 2 THIS WILL INCLUDE ANTENNAS, MOUNTING EQUIPMENT, CABLE ROUTING MATERIALS, AN ENVIRONMENTALLY CONTROLLED ENCLOSURE, A PLATFORM, AND MATERIALS FOR ROUTING POWER TO THE EQUIPMENT
- 3 THESE PLANS DO NOT REFLECT THE EXACT EQUIPMENT TO BE INSTALLED AND ARE SUBJECT TO CHANGE

LEGEND

--- LEASE AREA

ICE ARENA

REC CENTER

PROPOSED 15'x15' LEASE AREA FOR ANTENNAS AND ASSOCIATED EQUIPMENT

PROPOSED 3' WIDE FOR AREA CABLE ROUTING

PROPOSED 12'x12' LEASE AREA FOR GROUND EQUIPMENT

PROPOSED 15'x15' LEASE AREA FOR ANTENNAS AND ASSOCIATED EQUIPMENT

PROPOSED 15'x15' LEASE AREA FOR ANTENNAS AND ASSOCIATED EQUIPMENT

1 PLAN VIEW
SCALE NOT TO SCALE





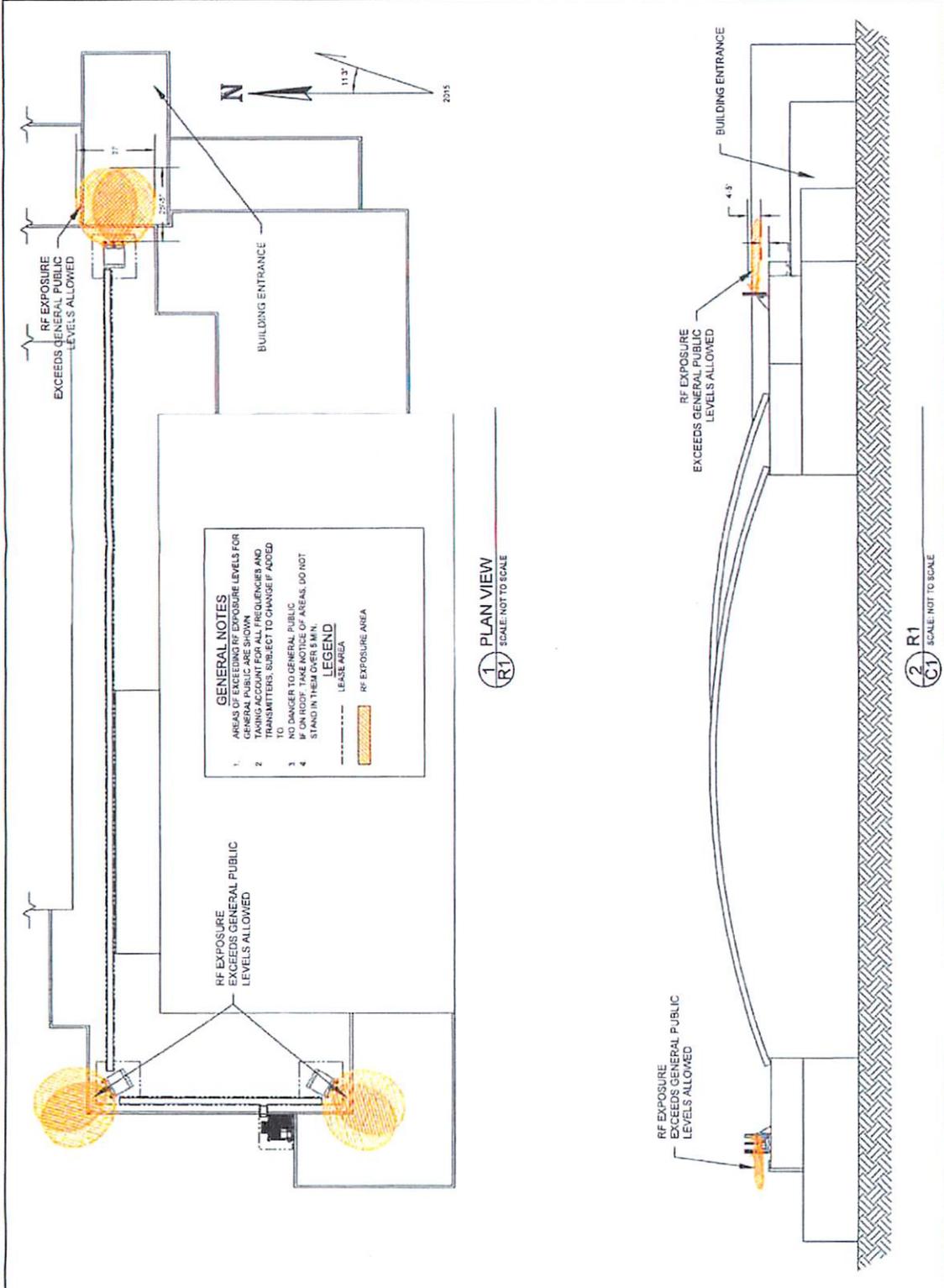
850 N. MOUNTAIN VIEW
PO BOX 180
MOUNTAIN VIEW, WY 82839

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CLIENT ID#	DA L
4	4820213
OPERATOR	MATTHEW FISHER
ADDRESS	ALYSSA BLAIR

APPROVED
FOR LEASING
APRIL 10, 2015

PROJECT NAME	CODY REC CENTER
PROJECT ADDRESS	1402 HEART MOUNTAIN STREET CODY, PARK COUNTY, WYOMING
DATE	11/17/15
RF EXPOSURE	RF EXPOSURE
SCALE	R1



Traffic Committee met to consider three issues:

1. Intersection of E Ave and Don Ave. (access to Green Acres Mobile Home Park). Any ideas for solutions to the problem sight distance and control of traffic at this intersection?
2. Intersection of 8th and Meadow Lane. Currently, a Stop Sign exists on 8th Street and Meadow Lane is not controlled. People are traveling without stopping through the Stop Sign. If people do stop, they have to travel practically to the middle of the West Bound lane to see before they come to a stop. Possible solution – Stop Sign on both sides of the Meadow Lane intersection and allow 8th Street to travel freely.
3. Parking issue on 11th by the Manor due to activity at Millstone Pizza. Visitors to Millstone Pizza are parking all over the place. The parking has challenged people from the Manor to have adequate places to park. The Manor has 46 units for rent. The current bylaws call all residents to be over 55. Of the residents, 23 probably drive and of these, over half have handicap stickers. Possible solution – add more handicapped spaces between the last regular parking stall and the alley south of the Manor.

Items for Council Consideration:

On the first issue, it was the recommendation that Staff speak to the owner of Green Acres Mobile Home Park and inquire as to what they were willing to do to improve their access as we were considering changing the intersection and requiring their residents to Stop at the top of the hill.

On the second issue, it was recommended that staff remove the Stop Sign that is located on 8th Street and then install two (2) new Stop Signs on Meadow Lane - one on the East side of the 8th and Meadow Lane intersection and one on the West side of the 8th and Meadow Lane intersection.

On the third issue, it was recommended that Staff chat with the Millstone Pizza owner and ask him to advise his staff to park in the City provided public parking lot and that staff paint and sign additional ADA parking spots along the west side of 11th Street fronting the Manor between (Rumsey and the alley) and also eliminate the ADA parking space fronting Millstone Pizza and re-strip this area.

MEETING DATE: 08-13-15
DEPARTMENT: Administration
PREPARED BY: BARRY COOK
DEPT. DIR. APPROVAL: _____
CITY ADM. APPROVAL: _____
PRESENTED BY: BARRY COOK

AGENDA ITEM SUMMARY

Use of the Draw Street Building

BACKGROUND During the Budget Workshops for the 2015-16 budget, money was set aside to renovate the Draw street building for the gymnastics program. At the same time the Police department and the Public Works department expressed interest in the building for equipment storage that is currently being stored outside. The Governing Body asked for a recommendation from me as to the best use of the building for the City, and \$28,000.000 was placed in the budget for renovations if needed.

I asked the Police department and the Public Works department for an explanation as to why they needed the draw street building and what their needs were.

SUMMARY

1. Police Department Needs.

Vehicle, Trailer with equipment storage:

The storage would be for vehicles/trailers that we don't use regularly, but when they are needed it is for a serious event or emergency.

The vehicles/trailers have equipment stored within.

- Bomb Squad vehicle and trailer with equipment (equipment – portable x-ray, bomb suits, robot, etc - value is in the \$100's of thousands).
- Crime Scene vehicle with crime scene processing equipment.
- Tactical Team vehicle with tactical entry tools, ballistic shields, non-lethal weaponry, etc.
- Command Post vehicle with trailer with equipment needed to maintain communication, document the event, perform administrative functions, etc.
- Prisoner Transport Van (utilized when more than one prisoner is transported for criminal court appearances).

AGENDA ITEM NO. _____

I do not have a hard \$ amount on these assets but it is in the range of \$1 million. Presently they are stored outside with no protection from the weather and sun.

Crime Scene Processing

Vehicles seized as evidence would be processed at this location. Currently we utilize garage space we share with the Sheriff's Office. An offsite location such as Draw St will limit evidence contamination/tampering situations, and allow us to process the scene unrushed and without interruption.

Training

We conduct various types of training (tactical, less lethal weapons, custody and control, evidence processing, etc) during the year. The Draw St building would provide a large sheltered area to conduct training. The building could be utilized to conduct scenario based training – setting up various “sets” to make a scenario realistic and challenging.

2.Public Works Department Needs .

The following equipment could go into the Draw Street building; Oil Distributor, Chipper, Water Truck, Back up Motor grader, Paint Machines, Asphalt Zipper, Paint(at times 45-50 barrels) , and Salt brine machine and sprayer

FISCAL IMPACT Both the Public Works department and the Police department felt that no renovations would be necessary if they were to utilize the building , unlike the housing of the gymnastics program .Therefore a savings of \$28,000.00 dollars

-

ALTERNATIVES

1. Renovate the building for the gymnastics program, using the \$28, 00.00 in the budget.
2. Transfer the building to the Police Department .no renovation needed.
3. Transfer the building to the Public Works department, no renovation needed.

RECOMMENDATION Given that the City of Cody has acquired some very high price equipment for the Police Department with Homeland Security Funds, and this equipment would be almost impossible to replace .I would recommend that the Draw street building be transferred to the Police department.

ATTACHMENTS E-mail from Chief Perry Rockvam. Equipment list for storage submitted from Public Works .

AGENDA ITEM NO. _____