



City Council Special Meeting Agenda

Date: 4/26/2012
Time: 4:15 p.m.
Location: City Hall Council Chambers

- Mayor Nancy Tia Brown
- Donny Anderson
- Charles Cloud
- Bryan Edwards
- Jerry Fritz
- Steve Miller
- Stan Wolz
- City Administrator, Jenni Rosencranse
- Administrative Services Officer, Cindy Baker
- City Attorney, Scott Kolpitcke

- View the new City Website
 - Staff Reference: Cindy Baker, Administrative Services Officer and Toby Startin, CISA
- Discuss the future plans by Gee Properties, LLC in reference to the property located on Platinum Avenue.
 - Staff Reference: Steve Payne, Public Works Director
 - Spokesperson: Laurence Stinson
- Discuss the request from the UPS Store to install signs fronting the store that reserves parking spaces for customer loading and unloading.
 - Staff Reference: Steve Payne, Public Works Director
 - Spokesperson: Mike Nelson, The UPS Store
- Discuss the payoff of the SLIB DWSRF loan.
 - Staff Reference: Leslie Brumage, Finance Officer
- Discuss the date of distribution of the proposed budget.
 - Staff Reference: Leslie Brumage, Finance Officer
- Discuss encroachment within the right-of-ways.
 - Staff Reference: Steve Payne, Public Works Director
- Informational Item: Extension of the Closing Date in reference to the Asset Transfer Agreement between Rocky Mountain Power and the City of Cody.
 - Staff Reference: Steve Payne, Public Works Director
- Discuss possible early turn on of the City Raw Water System.
 - Staff Reference: Steve Payne, Public Works Director
- Discuss agenda for May 1, 2012 Council Meeting
- Staff Updates
- Council Updates
- Executive Session - to discuss personnel matters pursuant to Wyoming State Statute 16-4-405.
- Meeting Reminders:
 - Tuesday, May 1, 2012 – Regular Council Meeting – 7:00 p.m. Council Chambers – City Hall (Pre-meeting 6:30 p.m.)
 - Thursday, May 10, 2012 - Special Council Work Session – 4:15 p.m. – Council Chambers – City Hall
- Time Adjourned: _____

MEETING DATE:	MAY 1, 2012
DEPARTMENT:	PUBLIC WORKS
PREPARED BY:	STEPHEN PAYNE
DEPT. DIR. APPROVAL:	_____
CITY ADM. APPROVAL:	_____
PRESENTED BY:	STEPHEN W. PAYNE

AGENDA ITEM SUMMARY REPORT
GEE PROPERTIES WYOMING, LLC – DISCUSSION OF PROPERTY PLANS FOR 702 AND 708 PLATINUM AVE.

ACTION:

No action required. Request is for discussion with Council by Gee Properties, LLC about their future plans.

SUMMARY:

Gee Properties, LLC owns property at 702 and 708 Platinum Ave. The property owner attempted a zone change for the two parcels in June of 2011. The zone change request failed, but conditions have changed in the neighborhood and owner would like to discuss the changes as well as the possibility of vacation of a portion of the 7th Street right-of-way that is west of 702 Platinum Ave.

FISCAL IMPACT

There would be no fiscal impact to the City of Cody on this item as we are only in the discussion phase. If the Council decides that the option for vacation of right-of-way is reasonable to explore, there could be compensation for the value of the lands vacated.

ALTERNATIVES

1. Discussion with owners' representative the options that are being explored.

RECOMMENDATION

No recommendation required.

ATTACHMENTS

1. Agenda Request

AGENDA & SUMMARY REPORT TO:

Laurence Stinson

AGENDA ITEM NO. _____

**City of Cody
Agenda Request Form**

WORKSHOP ONLY.

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 LAURENCE STINSON

Organization Represented GEE PROPERTIES, LLC

Date you wish to appear before the Council THURSDAY WORKSHOP - APRIL 26TH

Mailing Address 1421 RUMSEY AVE Telephone 307-587-0300

E-Mail Address laurence@bonnerstinsonpc.net ; suzif@bonnerstinsonpc.net

Preferred form of contact: Telephone 307-587-0300 E-Mail _____

Names of all individuals who will speak on this topic LAURENCE STINSON

Event Title (if applicable) Discussion of build intent - platinum properties

Date(s) of Event (if applicable) PENDING

Full description of topic to be discussed (include all relevant information, attach additional sheet if necessary) PENDING APPLICATION FOR RE-ZONE OF PLATINUM PROPERTIES FOR MEDICAL OFFICE BUILDING. WHETHER DISCUSSION OF PROPERTY VACATION ON 7TH STREET.

Which City employee(s) have you spoken to about this issue? STEVE PAYNE; CINDY BAYE

Signature  Date April 23, 2012

MEETING DATE:	MAY 1, 2012
DEPARTMENT:	PUBLIC WORKS
PREPARED BY:	STEPHEN PAYNE
DEPT. DIR. APPROVAL:	_____
CITY ADM. APPROVAL:	_____
PRESENTED BY:	STEPHEN W. PAYNE

AGENDA ITEM SUMMARY REPORT

UPS STORE REQUEST TO INSTALL SIGNAGE ON 14TH STREET

ACTION:

Approve or Deny the UPS Store request to install signage fronting the UPS Store that reserves parking spaces for customer loading and unloading.

SUMMARY:

Customers to the UPS Store are typically either encumbered with packages, elderly or both. The parking fronting the UPS Store is currently marked as reserved to Two Hour Parking between May 1 and September 30 and the proposed signage would limit the loading and unloading to 15 minutes.

Existing uses by the UPS Store are the Lutheran Church and the law firm of Simpson, Kepler & Edwards, LLC. There are a couple of places that have signage reserving parking to loading/unloading within the City – one by the Old Movie Theater, signage fronting the Cody Auditorium reserving parking, one parking space reserve in front of the Chamberlain Motel, painted curb in front of the schools, reserved parking spaces in front of some churches and a cone periodically reserving one parking space by the Meadow Dairy on Beck Ave.

FISCAL IMPACT

There would be no fiscal impact to the City of Cody as the signage would be developed by the UPS Store.

ALTERNATIVES

1. Authorize approval of the signage.
2. Approve the request with modifications.
3. Deny the request.

RECOMMENDATION

Ordinarily, staff would recommend denial of this type of request as it limits use of public parking, but the UPS is providing a necessary service to the community and I have personally witnessed people having to struggle to do business at the current location due to all of the local parking being utilized.

ATTACHMENTS

1. Agenda Request

AGENDA & SUMMARY REPORT TO:

N/A

AGENDA ITEM NO. _____

City of Cody Agenda Request Form

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Name of person to appear before the Council MIKE NELSON

Organization Represented THE UPS STORE

Date you wish to appear before the Council 4/24/12

Mailing Address 1108 14th St Telephone 307.527.6980

E-Mail Address store2394@theupsstore.com

Preferred form of contact: Telephone _____ E-Mail _____

Names of all individuals who will speak on this topic MIKE NELSON

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) THE UPS STORE WOULD LIKE TO DISPLAY SIGNS ON THE SIDEWALK REQUESTING THAT PARKING SPOTS ADJACENT TO THE SIGNS BE SAVED FOR CUSTOMER UNLOADING/LOADING PACKAGES.

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

Signature [Signature] Date 3/9/12

MEETING DATE: 04/26/12
DEPARTMENT: ADMINISTRATIVE SERVICES
PREPARED BY: LESLIE BRUMAGE,
FINANCE OFFICER
PRESENTED BY: LESLIE BRUMAGE,
FINANCE OFFICER

AGENDA ITEM SUMMARY REPORT

SLIB DWSRF Water Loan Payoff

ACTION TO BE TAKEN:

Approve the payoff of the SLIB DWSRF loan in the amount of \$99,871.10

SUMMARY OF INFORMATION:

The Council had previously authorized the payoff of the SLIB DWSRF loan in the amount of \$93,312 however when I received the payoff information recently the amount is actually \$99,871.10 which is \$6,559.10 more than originally anticipated. Due to the change in amount I would like to confirm if the Council would still like to move forward with the payoff as of June 1st. I believe the difference in amount was due to an error in the payoff date which appears to have been originally calculated as July 1st instead of June 1st.

FISCAL IMPACT

The Council has already authorized payment of \$93,312 so this would be an increase to the Water Department expenditures of \$6,559.10. In reviewing the Water Fund budget this increase will not negatively impact the fund's projected cash needs for the current or upcoming fiscal year.

ALTERNATIVES

1. Approve the increase in amount and pay off the loan by June 1, 2012
2. Pay the already-approved amount of \$93,312 and pay the remaining balance as a regular debt service payment next fiscal year.
3. Do not pay off the loan and continue making the annual payments on the loan.

ATTACHMENTS

1. Loan payoff statement




AGENDA & SUMMARY REPORT TO:

None

AGENDA ITEM NO. _____

Calculate Loan Payoff	
Payoff Date:	06/01/2012
Interest Amount:	\$2,676.19
Principle Amount:	\$97,194.91
Total Payoff:	\$99,871.10
Cancel Calculate Payoff	

[Agreement Details \(hide\)](#) DW09032 - Cody, City Of

Agreement Number :	DW09032  edit
	(Printable View)
Application :	View/Print
Agreement Type :	Loan
Approved Date :	6/17/2009
Approved By :	Amanda Sewell
Project :	Bleistein Ave  info Main Replacement
Estimated Cost :	\$115,861.64
Entity :	CODY, CITY OF 
Population :	0
Notes :	

[Funding Summary \(hide\)](#)

DWSRF First Round	\$115,861.64
Funds 2002:	
Show Details	Increase
Funding Appropriation:	DWSRF First Round Funds 2002  info
Amount:	\$115,861.64 6/17/2009 by
Notes:	Original Funding Request
Funding Total:	\$115,861.64

MEETING DATE:	MAY 1, 2012
DEPARTMENT:	PUBLIC WORKS
PREPARED BY:	STEPHEN PAYNE
DEPT. DIR. APPROVAL:	_____
CITY ADM. APPROVAL:	_____
PRESENTED BY:	STEPHEN W. PAYNE

AGENDA ITEM SUMMARY REPORT ENCROACHMENT ON RIGHT-OF-WAY DISCUSSION

ACTION:

No action required. Request is for discussion with Council about encroachments/uses within the public right-of-way and how the Council would like to address the various issues that arise.

SUMMARY:

During a recent workshop discussion, the Council directed staff to have the boundaries of a parcel of land the City of Cody owns staked. The intent was to get a better idea of the dimensions of the parcel, to see how it is positioned in the field and to see if it is suited to being utilized as an alley.

The parcel in question is located north of the Huff N Puff Subdivision off of 14th Street and is further defined as the parcel lying directly south of the parcels of land that abut Meadow Lane between 14th Street and Heart Mountain Street (see attached map).

The property has now been staked by GDA and there are numerous encroachments on the City parcel - there is a garden, an RV trailer parking stall, a shed, piles of lumber and a boat. Also, there is a shed that has been built too close to the rear property line creating a rear setback violation.

The Council may recall that you just entertained a recent request from Hollis Jones to allow the use of public right-of-way for a private garden. Council asked staff to begin crafting a MOU to address the request. A previous request for a private garden within the public right-of-way (Ron Spomer) was denied.

FISCAL IMPACT

The fiscal impact to the City is unknown at this time.

ALTERNATIVES

1. Deny all requests for use of public right-of-ways for private use.
2. Approve very limited uses of public right-of-way for private uses.

RECOMMENDATION

Staff is very concerned about the use of public right-of-way for private gain. Issues to discuss:

1. Should an MOU be drafted for every encroachment?
2. Is it reasonable to try to track numerous MOU's with varying uses and conditions? How will they be tracked?
3. Should an MOU only be entered into with a property owner?
4. How will we address fairness and consistency in our decision making processes?

ATTACHMENTS

1. Map and Pictures

AGENDA & SUMMARY REPORT TO:

N/A

AGENDA ITEM NO. _____



April 26, 2012

Rocky Mountain Power
Attn: General Counsel
201 South Main Street, Suite 2400
Salt Lake City, Utah 84111

Re: Asset Transfer Agreement Closing Date

Ladies and gentlemen:

Reference is made to the Asset Transfer Agreement (the "Agreement") entered into as of March 21, 2012 by and between Rocky Mountain Power, a division of PacifiCorp, an Oregon corporation ("Rocky Mountain Power"), and the City of Cody, Wyoming, a Wyoming municipal corporation ("the City", and, together with Rocky Mountain Power, collectively, "the Parties").

Section 2.1 of the Agreement provides that the transaction contemplated thereunder shall close on or before May 1, 2012 (the "Closing Date"), at the offices of Rocky Mountain Power in Salt Lake City, Utah, unless otherwise agreed to by the Parties. Pursuant thereto, the Parties hereby agree that the Closing Date shall occur on or before June 1, 2012 and that the closing shall take place by means of telephonic and/or electronic communications, without requiring the presence of the Parties' representatives at Rocky Mountain Power's offices.

The Parties understand and agree that the Agreement shall remain in full force and effect as originally executed.

Please confirm that the above correctly reflects our understanding and agreement with respect to the foregoing matters by endorsing the enclosed copy of this letter.

Very truly yours,
THE CITY OF CODY, WYOMING

By: _____
Name: Nancy Tia Brown
Title: Mayor

Accepted and agreed to:
ROCKY MOUNTAIN POWER

By: _____
Name:
Title:

Nancy Tia Brown
MAYOR

Donny Anderson
Charles Cloud
Bryan Edwards
Jerry Fritz
Steve Miller
Stan Wolz
COUNCIL MEMBERS

C. Edward Webster II
MUNICIPAL JUDGE

Jennifer R. Rosencranse
CITY ADMINISTRATOR

1338 Rumsey Avenue
P.O. Box 2200
Cody, Wyoming 82414

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FAX (307) 527-6532