



City Council Special Meeting Agenda

Date: 4-11-13
Time: 4:15 p.m.
Location: City Hall Council Chambers

- Mayor Nancy Tia Brown
 - Donny Anderson
 - Bryan Edwards
 - Jerry Fritz
 - Landon Greer
 - Steve Miller
 - Stan Wolz
 - City Administrator, Jenni Rosencranse
 - Administrative Services Officer, Cindy Baker
 - City Attorney, Scott Kolpitcke
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- Discuss a request for electrical usage refund.
 - Staff Reference: Cindy Baker, Administrative Services Officer
 - Spokesperson: Holly O'Mara, Crosshairs Family Salon
 - Discuss the Municipal Wastewater Treatment Facility – Study of Sustainable Treatment Alternatives.
 - Staff Reference: Steve Payne, Public Works Director
 - Spokesperson: Roger Jacobson, Engineering Associates
 - Discuss Skyline Drive, Neil LaFave request.
 - Staff Reference: Rick Manchester, Parks, Public Facilities and Recreation Director.
 - Update on childcare and Recreation Center Membership information.
 - Staff Reference: Rick Manchester, Parks, Public Facilities and Recreation Director
 - Review Council Agenda for April 16, 2013.
 - Staff Updates
 - Council Updates
 - Meeting Reminders:
 - Wednesday, April 10, 2013 - Master Plan Public Comment Meeting 6:30 p.m. Cody Club Room – City Auditorium
 - Tuesday, April 16, 2013 – Regular Council Meeting 7:00 p.m. City Council Chambers (pre-meeting at 6:30 p.m.)
 - Thursday, May 2, 2013 – Council Work Session 4:15 p.m. City Council Chambers

Time Adjourned: _____

MEETING DATE: APRIL 11, 2013
DEPARTMENT: ADMINISTRATIVE SERVICES
PREPARED BY: CINDY BAKER
DEPT. DIR. APPROVAL: _____
CITY ADM. APPROVAL: _____
PRESENTED BY: CINDY BAKER

AGENDA ITEM SUMMARY REPORT **Request for a Refund of Overcharged Electrical Services**

SUMMARY

Holly O'Mara, owner of Crosshairs Family Salon has requested the Governing Body consider reimbursement of electrical charges in the amount of \$5,255.36 for a period of 2003-2009.

BACKGROUND

In December 2012 a service order was generated, to verify electrical service size at 1225 Rumsey Avenue, the location of Crosshairs Family Salon. The results indicated the electrical services were 200 amps or less and at that time the billing was changed to the commercial rate. The services were being billed at more than 200 amps or what is considered electrical demand rate. Based on the Ordinance and customer's indication of no electrical work taken place that would have changed the type of service, the City staff refunded the charges for the three (3) years of computerized data retained by City. The customer was refunded \$3,321.24 for the difference in electrical base, usage and demand services

Per Ordinance 8-1-14e "if the City overcharges any customer as a result of a meter or metering inaccuracy or other continuing problem under its control, the City shall initiate a refund to the person(s) paying excessive rates the difference between the rates fixed in section 8-1-13 of this chapter and the rates so charged, collected or received. The refund should cover the entire amount of the time the excessive charges were charged, collected or received, or for the period of time in which there are computerized records. No refund is required from the City except to the customer last served by the meter prior to when the error was found".

The customer has since provided the majority of the utility bills issued for this address since April of 2003, and has requested a refund for this entire period.

In January of 2003, the City Electrical Division, under the direction of the Assistant Public Works Director, performed an audit of all commercial electrical service accounts. During that audit, service at this address was noted as being 250 amps, and resulted in a change in billing from commercial to demand services. On April 28, 2003 a letter was sent to the customer explaining the findings and billing changes.

In checking with City Building Official, Scott King, whether or not service size (amps) at this location were downgraded since 2003 is unknown as service size for this address could have be changed without requiring a permit or inspection.

ALTERNATIVES

Options:

AGENDA ITEM NO. _____

1. Deny the request and uphold the ordinance.
2. Approve the request and direct staff to put this item on Tuesday, April 16th agenda for Council's consideration and action.

RECOMMENDATION

The findings from staff indicates the City had thoroughly verified the services being provided to this location in 2003 and were billing the customer charges in accordance with the service notes. In order not to set precedence for other customers, staff recommends abiding by the Ordinance and refunding billing errors based on the records retained in the database (3 years), in which the customer has received reimbursement.



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—13-014

Date: March 13, 2013

To: Nancy Tia Brown, Mayor
Jenni Rosencranse, City Administrator

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

Subject: Skyline Drive, Neil LaFave Request

CC: Steve Payne, Public Works Director
Ryan Selk, Parks and Pathways Supervisor

On behalf of Mr. Neil LaFave, I have been working with Steve Payne regarding safety improvements to the pull out on the west side of Skyline Drive. Steve, Neil, and I have agreed that installing posts and rail from recycled light posts would be a low cost safety improvement. The posts are similar to the guardrail installed at Riverview Trail Drive (Belfry Bridge.)

Most of the work will be completed by electric and streets department.

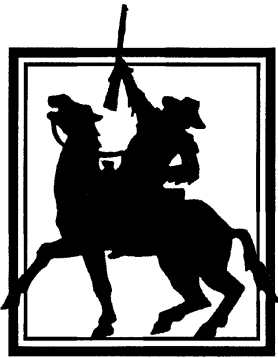


Options

1. Log guard rail as described
2. Rocks along edge could be purchased
3. Status quo

Recommendation is either status quo or option

April 17, 2013



CITY OF CODY
WYOMING

Nancy Tia Brown
MAYOR

Donny Anderson
Bryan Edwards
Jerry Fritz
Landon Greer
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

(307) 527-7511
FAX (307) 527-6532

Name
Address
City State Zip

RE: Paul Stock Aquatic & Recreation Center Membership Fee Increase

Recreation Center Members,

The City of Cody officials are developing strategies that keep the operating costs at the Paul Stock Aquatic and Recreation Center flat from year to year. Since the costs of business and government creeps up each year it is necessary to increase membership fees for the Center. There has been one fee increase (2010) in 13 years that is still keeping us in catch-up mode. To continue to provide a safe place the Rec Center needs to keep up with the cost to operate. Based on an inflation rate of 3% each year, rates should have increased 36% since we opened in 2001.

After the 2013 fee increase has been implemented, the comparison to other locations with similar services places the Cody Rec Center in the middle of the pack. The increase for an individual is less than \$2.30 per month for a non-charter individual and is an additional \$1.25 per month for a charter individual.

City or Facility	Annual Individual Membership	Annual Family Membership
Anytime Fitness Cody	\$660	\$1,320
Cody Rec Center (before increase)	\$275	\$605
Cody Rec Center (after increase)	\$302	\$665
Cross Fit Cody	\$1,080	\$2,160
Evanston	\$289	\$635
Gillette	\$389	\$776
Gottsche Therapy Cody	\$600	\$936
Green River	\$300	\$750
Jackson	\$405	\$1,296
Laramie	\$338	\$624
Pinedale Aquatic Center	\$400	\$700
Powell Aquatic Center	\$200	\$700
YMCA Billings (Does not include \$100 initiation fee)	\$504	\$744
YMCA Sheridan	\$504	\$648

By not increasing membership rates, we have to reduce services provided. In 2012 we reduced hours in the summer months in order to keep costs down. In 2013, we are reducing the number of child care hours and charging a per visit fee to families that use the child care benefit of their membership. Starting July 1, 2013 there will be a \$2.50 per child fee charged to parents for up to 90 minutes of child care per day.

The evening hours will only be offered on Tuesday and Thursday starting in September. In June, July, and August there will not be any evening child care hours provided. This decision was made based on attendance information we have gathered. Some months in the summer had only 36 child care users all month. Compared to morning hours there were 463 visitors in the child care facility. Other options considered included closing child care in the evenings from May through December.

The Paul Stock Aquatic and Recreation Center is a tremendous asset to City of Cody residents, businesses and visitors. Rec Center memberships and fees cover most, but not all operating and maintenance expenses of the facility. Facility users cover 59% of the costs through program fees, room rentals, day visitors, and membership. It costs more each year to maintain the service level provided by the Rec Center. The Recreation Center averaged 470 daily users during the past year, and gross visits during 2012 totaled 172,261. Also a total of 2,105 Rec Center membership households were served—total all members 4,713. For example the cost to operate the facility increases every year, utilities in 2001 for the building were \$128,976 today the utilities cost \$265,501.

Operating Costs to the City Tax Payers Are Flat

The City has kept the operating deficit to less than 30% for the past five years; in fact the City subsidy for the center in 2012 was less than in 2008. The center has added more equipment, new programs, and made necessary building upkeep to pools, floors and walls.

Membership Fee Increase

The City Council decided to make a difficult decision to increase membership rates to all members by 10%; including those in the Charter membership categories. The increase will take effect on all renewals and new memberships starting June 1, 2013. We have not taken these decisions lightly. The new rates bring membership rates in line to other similar facilities in Wyoming. It also provides the necessary revenue to continue providing modern equipment, quality programs, and trained/certified and professional employees. We recently heard from a member that she recalls life in Cody before the Rec Center was opened. She said, "She remembers when Wal-Mart opened, they had a location to walk in the winter that did not battle snow and wind." The Rec Center provides a safe place for members to stay on top of their health and fitness goals, as well as, enhances economic growth to our community.

If you have any questions or would like to discuss your membership options, please feel free to contact the Recreation Center 587-0400 or email to RickM@cityofcody.com.

Sincerely,



Rick Manchester, Director
Parks, Recreation, and Public Facilities