

City of Cody City Council

AGENDA

Tuesday, November 16, 2021 – 7:00 p.m.

(Pre-Meeting to begin at 6:55 p.m. in Conference Room)

Meeting Place: City of Cody Council Chambers – 1338 Rumsey Avenue, Cody, WY

Meeting Called to Order

Pledge of Allegiance

Moment of Silence

Roll Call

Mayor's Recognitions and Announcements

Proclamation - November 27, 2021 – Small Business Saturday

1. Consent Calendar

All items under the consent calendar will be acted upon in one motion unless a Councilmember or member of the public requests that an individual item be taken up under Conduct of Business.

- a. Approval of Minutes: Regular Minutes from November 2, 2021 and Special Work Session Minutes from November 9, 2021.
- b. Approve Vouchers and payroll in the amount of \$1,799,317.01.
- c. Authorize the City Administrator Barry Cook to enter into and sign an agreement with River Oaks Communications Corporation and the City of Cody for professional services relating to franchise renewal.
- d. Authorize the Mayor to enter into a revised agreement with Next Gen Park County to design, build and install a new playground for the softball complex located on Sheridan Ave.

2. Public Comments: The City Council welcomes input from the public. In order for everyone to be heard, please limit your comments to five (5) minutes per person. The Guidelines for the Conduct of City Council Meetings do not allow action to be taken on public comments.

3. Public Hearing.

- a. A public hearing to determine if it is in the public interest to adopt and implement the 2021 City of Cody Water Master Plan.

4. Conduct of Business

- a. Authorize the Park County Travel Council to utilize City property at 836 Sheridan Ave (Cody Country Chamber of Commerce) to construct a Dining Dome on said property.

Spokesperson: Ryan Hauck, PCTC, Executive Director and/or Tine
Hoebelheinrich, CCCC, Executive Director

b. Resolution 2021-20

A Resolution to Approve and Adopt the 2021 City of Cody Water Master
Plan.

Staff Reference: Phillip Bowman, Public Works Director

c. Ordinance 2021-07 – First Reading

An Ordinance Amending Title 8 Chapter, 2 of the City of Cody Code
Municipal Code to Modify and Set Treated Water and Raw Water Service
Fees and Rates and make Minor Updates and Modifications to the Code.

Staff Reference: Phillip Bowman, Public Works Director

5. Tabled Items

6. Matters from Staff Members

7. Matters from Council Members

8. Adjournment

Upcoming Meetings:

November 30, 2021 – Tuesday– Work Session – 5:30 p.m.

December 7, 2021 – Tuesday – Regular Council Meeting – 7:00 p.m.

December 14, 2021 – Tuesday– Work Session – 5:30 p.m.

December 21, 2021 – Tuesday – Regular Council Meeting – 7:00 p.m.

PROCLAMATION – SMALL BUSINESS SATURDAY

Whereas, the government of Cody WY celebrates our local small businesses and the contributions they make to our local economy and community; and

Whereas, according to the United States Small Business Administration, there are 31.7 million small businesses in the United States, they represent 99.7% of firms with paid employees, and they are responsible for 65.1% of net new jobs created from 2000 to 2019; and

Whereas, small businesses employ 47.1% of the employees in the private sector in the United States, 88% of U.S. consumers feel a personal commitment to support small businesses in the wake of the pandemic, and 92% of small business owners have pivoted the way they do business to stay open during the pandemic; and

Whereas, 97% of Small Business Saturday® shoppers recognize the impact they can make by shopping small, 85% of them also encouraged friends and family to do so, too; and

Whereas, 56% of shoppers reported they shopped online with a small business on Small Business Saturday in 2020; and more than 50% of consumers who reported shopping small endorsed a local business on social media or shopped at a local business because of a social media recommendation; and

Whereas, Cody WY supports our local businesses that create jobs, boost our local economy, and preserve our communities; and

Whereas, advocacy groups, as well as public and private organizations, across the country have endorsed the Saturday after Thanksgiving as Small Business Saturday.

Now, Therefore, I, Matt Hall, Mayor of Cody WY do hereby proclaim, November 27, 2021, as:

SMALL BUSINESS SATURDAY

And urge the residents of our community, and communities across the country, to support small businesses and merchants on Small Business Saturday and throughout the year.

Matt Hall, Mayor

Cindy Baker, Clerk

City of Cody
Council Proceedings
Tuesday, November 2, 2021

A regular meeting of the Cody City Council was held in the Council Chambers at City Hall in Cody, Wyoming on Tuesday, November 2, 2021 at 7:00 p.m.

Present: Mayor Matt Hall, Council Members Andrew Quick, Justin Baily, Heidi Rasmussen and Emily Swett, City Administrator Barry Cook, City Attorney Scott Kolpitzke, and Administrative Services Officer, Cindy Baker

Absent: Council members Jerry Fritz and Diane Ballard

Mayor Hall called the meeting to order at 7:00 p.m.

Council Member Swett made a motion seconded by Council Member Rasmussen to approve the Consent Calendar as presented. Approved Consent Calendar included minutes from Regular Minutes from October 19, 2021, approve Vouchers and payroll in the amount of \$490,184.01, and approve the award of Bid 2021-11 to Vermeer Rocky Mountain for a Vermeer BC1500XL brush chipper in the amount of \$79,811.00. Vote was unanimous.

Council Member Rasmussen made a motion seconded by Council Member Baily to authorize the Mayor to enter into an agreement with Next Gen Park County to design, build and install a new playground for the softball complex located on Sheridan Ave. Vote was unanimous.

Council Member Baily made a motion seconded by Council Member Quick to approve the award of Bid 2021-09 to Suburban Sales for one (1) Load Trail TH20 tilt deck trailer in the amount of \$15,943.00. Vote was unanimous.

Council Member Baily made a motion seconded by Council Member Swett to approve the award of Bid 2021-10 to Greiner Ford of Casper for a 2022 Ford F250 with Hillsboro Flatbed and a Meyer Snowplow in the amount of \$44,874.00. Vote was unanimous.

Mayor Hall adjourned the meeting at 7:20 p.m.

Mayor, Matt Hall

Cindy Baker, Administrative Services Officer

City of Cody
Council Proceedings
Tuesday, November 9, 2021

A special meeting of the Cody City Council was held in Council Chambers of Cody City Hall on Tuesday, November 9, 2021 at 5:30 p.m.

Present: Mayor Matt Hall, Council Members Diane Ballard, Emily Swett, Andrew Quick, Jerry Fritz, and Heidi Rasmussen, City Administrator, Barry Cook and Administrative Service Officer, Cindy Baker.

Absent: Council Member Justin Baily.

Mayor Hall called the meeting to order at 5:30 p.m.

At 5:30 p.m. Council Member Swett made a motion seconded by Council Member Ballard to enter into an Executive Session – Pursuant to Wyoming State Statute 16-4-405(a)(ii) and 16-4-405(a)(ix). At 5:58 p.m. Council Member Fritz made a motion seconded by Council Member Swett to exit the Executive Session. No action was taken.

Citizen, John Osgood had a discussion on the Solid Waste within the City and concerns and/or suggestions he had. No action was taken.

The Governing Body discussed the possibility of granting an access easement. Staff was directed to move this item for consideration at a regular meeting.

The Governing Body discussed Volunteers/Parade/Major Street Closure Events. Staff was provided with direction on how to proceed.

Phillip Bowman, Public Works Director discussed the Water Master Plan, A Resolution to adopt the plan and an Ordinance reflecting changes in the Water and Raw Water Rates. Staff will bring both the Resolution and Ordinance forward for consideration at the next Council Meeting on November 16.

City Administrator provided an update Big Horn Ave Study and professional services agreement for Franchise Agreements. The council will see items for consideration on both at future Council Meetings.

Mayor Hall adjourned the Work Session at 6:55 p.m.

Cynthia D Baker
Administrative Services Officer

Matt Hall
Mayor

Report Criteria:

Invoice Detail.Input date = 11/09/2021,11/08/2021

Invoice.Batch = {NOT LIKE} "1"

Secondary Name	Invoice	Description	Invoice Date	Total Cost
AMERICAN FAMILY LIFE ASSUR (550)				
	705487	AFLAC PREMIUM	11/04/2021	2,272.07
Total :				2,272.07
Total AMERICAN FAMILY LIFE ASSUR (550):				2,272.07
AMERICAN WELDING & GAS, INC. (128592)				
	8140962	OXYGEN/ACETYLENE/CYLINDER RENTAL	10/31/2021	80.80
	8140963	CARBON DIOXIDE/CYLINDER RENTAL	10/31/2021	37.83
Total :				118.63
Total AMERICAN WELDING & GAS, INC. (128592):				118.63
ARMSTRONG, BREANNA (132845)				
OR SMALL, BOBBY	14.2390.32	REFUND UTILITY DEPOSIT	10/29/2021	186.57
Total :				186.57
Total ARMSTRONG, BREANNA (132845):				186.57
BAILEY ENTERPRISES INCORPORATED (130546)				
	5623528	Fuel	11/04/2021	128.30
	5623528	Fuel	11/04/2021	847.49
	5623528	Fuel	11/04/2021	206.82
	5623528	Fuel	11/04/2021	68.94
	5623528	Fuel	11/04/2021	2,860.95
	5623528	Fuel	11/04/2021	206.82
	5623528	Fuel	11/04/2021	103.41
	5623528	Fuel	11/04/2021	21.28
	5623528	Fuel	11/04/2021	440.42
	5623528	Fuel	11/04/2021	294.34
	5623528	Fuel	11/04/2021	192.85
	5623528	Fuel	11/04/2021	14.51
	5623528	Fuel	11/04/2021	145.40
	5623528	Fuel	11/04/2021	42.43
	5623528	Fuel	11/04/2021	112.07
	5623528	Fuel	11/04/2021	17.09
	5623528	Fuel	11/04/2021	216.98
	5623528	Fuel	11/04/2021	34.17
	5623528	Fuel	11/04/2021	1,105.63
	5623528	Fuel	11/04/2021	104.23
	5623528	Fuel	11/04/2021	1,197.72
	5623528	Fuel	11/04/2021	551.83
	5623528	Fuel	11/04/2021	5.42
	5623528	Fuel	11/04/2021	1.35
	5623528	Fuel	11/04/2021	2.71
	5623528	Fuel	11/04/2021	4.06
	5623528	Fuel	11/04/2021	10.08
	5623528	Fuel	11/04/2021	4,782.78
	5623528	Fuel	11/04/2021	1,549.19
	5623528	Fuel	11/04/2021	395.69
	5623528	Fuel	11/04/2021	152.03

Secondary Name	Invoice	Description	Invoice Date	Total Cost
	5623528	Fuel	11/04/2021	95.51
	5623528	Fuel	11/04/2021	10.08
	5623528	Fuel	11/04/2021	380.54
	5623528	Fuel	11/04/2021	282.89
	5623528	Fuel	11/04/2021	10.08
	5623528	Fuel	11/04/2021	337.55
	5623528	Fuel	11/04/2021	116.53
	5623528	Fuel	11/04/2021	394.46
	5623528	Fuel	11/04/2021	1,026.89
Total :				18,471.52
Total BAILEY ENTERPRISES INCORPORATED (130546):				18,471.52
BIG HORN REDI-MIX, INC (1190)				
DBA BIG HORN PRECAST	383046	CONCRETE FOR PAD	09/24/2021	565.00
Total :				565.00
Total BIG HORN REDI-MIX, INC (1190):				565.00
BLUE CROSS BLUE SHIELD OF WYOMING (1360)				
	211006198500	INSURANCE NOV 2021	11/01/2021	154,800.81
Total :				154,800.81
Total BLUE CROSS BLUE SHIELD OF WYOMING (1360):				154,800.81
BORDER STATES INDUSTRIES, INC (1420)				
	923065872	CABLE BUTT SPLICES	10/21/2021	153.50
	923065873	INSULATED CIA BRACKETS	10/21/2021	233.95
Total :				387.45
Total BORDER STATES INDUSTRIES, INC (1420):				387.45
CARQUEST AUTO PARTS (10200)				
	2874-ID-436938	filter C04	10/06/2021	68.59
	2874-ID-437504	filter A07	10/14/2021	6.92
	2874-ID-437504	filter A20	10/14/2021	2.09
	2874-ID-437600	mirror F07	10/15/2021	12.87
	2874-ID-437981	filter A15	10/20/2021	4.49
	2874-ID-437981	filter G11	10/20/2021	3.32
	2874-ID-438571	grommet B31	10/28/2021	1.52
Total :				99.80
Total CARQUEST AUTO PARTS (10200):				99.80
CHEYENNE, LIGHT, FUEL & POWER COMPANY (130509)				
BLACK HILLS ENERGY	110421	UTILITIES - BLACK HILLS ENERGY	11/04/2021	215.10
BLACK HILLS ENERGY	110421	UTILITIES - BLACK HILLS ENERGY	11/04/2021	746.08
BLACK HILLS ENERGY	110421	UTILITIES - BLACK HILLS ENERGY	11/04/2021	631.37
BLACK HILLS ENERGY	110421	UTILITIES - BLACK HILLS ENERGY	11/04/2021	544.89
BLACK HILLS ENERGY	110421	UTILITIES - BLACK HILLS ENERGY	11/04/2021	3,176.75
BLACK HILLS ENERGY	110421	UTILITIES - BLACK HILLS ENERGY	11/04/2021	3,176.75
BLACK HILLS ENERGY	110421	UTILITIES - BLACK HILLS ENERGY	11/04/2021	162.85
BLACK HILLS ENERGY	110421	UTILITIES - BLACK HILLS ENERGY	11/04/2021	65.65

Secondary Name	Invoice	Description	Invoice Date	Total Cost
BLACK HILLS ENERGY	110421	UTILITIES - BLACK HILLS ENERGY	11/04/2021	401.19
BLACK HILLS ENERGY	110421	UTILITIES - BLACK HILLS ENERGY	11/04/2021	224.36
Total :				9,344.99
Total CHEYENNE, LIGHT, FUEL & POWER COMPANY (130509):				9,344.99
CLARK, RONALD W (131046)				
TOWN TAXI	11032021	TIPSY TAXI VOUCHERS	11/03/2021	371.00
Total :				371.00
Total CLARK, RONALD W (131046):				371.00
COOPER POWER STSTEMS LLC (131210)				
	944780380	3PH RECLOSER W/CONTROLS	10/20/2021	60,848.10
Total :				60,848.10
Total COOPER POWER STSTEMS LLC (131210):				60,848.10
COPENHAVER KATH KITCHEN KOLPITCKE LLC (3140)				
	42481	Legal Services	11/04/2021	3,384.88
	42481	Legal Services	11/04/2021	345.40
	42481	Legal Services	11/04/2021	759.87
	42481	Legal Services	11/04/2021	759.87
	42481	Legal Services	11/04/2021	828.95
	42481	Legal Services	11/04/2021	828.95
Total :				6,907.92
Total COPENHAVER KATH KITCHEN KOLPITCKE LLC (3140):				6,907.92
DEARBORN LIFE INSURANCE COMPANY (131563)				
	11012021	INSURANCE NOV 2021	11/01/2021	362.92
Total :				362.92
Total DEARBORN LIFE INSURANCE COMPANY (131563):				362.92
EAGLE RECOVERY, LLC (126679)				
	18398	VEHICLE TOW - CASE 21-897	10/19/2021	204.75
Total :				204.75
Total EAGLE RECOVERY, LLC (126679):				204.75
ENERGY LABORATORIES, INC (4120)				
DEPARTMENT 6250	424010	COLIFORM TESTING	09/23/2021	110.00
DEPARTMENT 6250	430729	COLIFORM TESTING	10/22/2021	110.00
Total :				220.00
Total ENERGY LABORATORIES, INC (4120):				220.00
ENGINEERING ASSOCIATES (4140)				
	4110039	PROJECT 14111-04 WWTF PHASE 2	10/21/2021	4,077.24
	4110039	PROJECT 14111-04 WWTF PHASE 2	10/21/2021	1,245.82

Secondary Name	Invoice	Description	Invoice Date	Total Cost
	4110039	PROJECT 14111-04 WWTF PHASE 2	10/21/2021	339.77
	4110039	PROJECT 14111-04 WWTF PHASE 2	10/21/2021	5,662.85
	4110040	ENGINEERING SERVICES - YRA TREATED WATERLINE REPL	10/21/2021	970.43
Total :				12,296.11
Total ENGINEERING ASSOCIATES (4140):				12,296.11
ENNIST III, ROBERT F (131798)				
BIG HORN FOOD SERVICES	46014	BAGS AND URINAL SCREENS	08/20/2021	155.46
BIG HORN FOOD SERVICES	46014	BAGS AND URINAL SCREENS	08/20/2021	155.46
BIG HORN FOOD SERVICES	46014	BAGS AND URINAL SCREENS	08/20/2021	155.46
BIG HORN FOOD SERVICES	46014	BAGS AND URINAL SCREENS	08/20/2021	155.46
BIG HORN FOOD SERVICES	46269	JANITORIAL SUPPLIES	09/08/2021	100.00
BIG HORN FOOD SERVICES	46269	JANITORIAL SUPPLIES	09/08/2021	75.97
BIG HORN FOOD SERVICES	46566	JANITORIAL SUPPLIES	10/01/2021	100.00
BIG HORN FOOD SERVICES	46566	JANITORIAL SUPPLIES	10/01/2021	92.38
BIG HORN FOOD SERVICES	46674	CLEANING SUPPLIES	10/12/2021	55.30
BIG HORN FOOD SERVICES	46816	COPY PAPER	10/26/2021	134.00
Total :				1,179.49
Total ENNIST III, ROBERT F (131798):				1,179.49
EXPRESS SERVICES INC (132433)				
	26222844	EXPRESS EMPLOYMENT - TEMP EMPLOYEE PARKS	10/26/2021	1,463.24
	26286280	TEMP EMPLOYMENT - PARKS	11/03/2021	1,465.25
Total :				2,928.49
Total EXPRESS SERVICES INC (132433):				2,928.49
EXTRACTOR CORPORATION (132785)				
	21-762	TIMER FOR SWIM SUIT SPINNNER	08/12/2021	57.80
Total :				57.80
Total EXTRACTOR CORPORATION (132785):				57.80
FASTENAL COMPANY 01WYCDY (126018)				
	WYCDY92275	GLOVES	10/29/2021	301.54
Total :				301.54
Total FASTENAL COMPANY 01WYCDY (126018):				301.54
FIRE DISTRICT #2 (131409)				
	BLD-1021-0012	501 EAST HANGAR ROW	10/31/2021	127.00
	BLD-1021-0013	503 EAST HANGAR ROW	10/31/2021	127.00
	BLD-1021-0014	505 EAST HANGAR ROW	10/31/2021	127.00
	BLD-1021-0015	507 EAST HANGAR ROW	10/31/2021	127.00
Total :				508.00
Total FIRE DISTRICT #2 (131409):				508.00
HARRIS TRUCKING AND CONSTRUCTION CO (7730)				
PARK COUNTY READY MIX	115457	STREET LIGHT BASES	10/25/2021	627.00

Secondary Name	Invoice	Description	Invoice Date	Total Cost
Total :				627.00
Total HARRIS TRUCKING AND CONSTRUCTION CO (7730):				627.00
HARRIS TRUCKING AND CONSTRUCTION CO. (4780)				
	136571	ASPHALT REPAIR	10/10/2021	49.00
	136571	1237 RUMSEY	10/10/2021	259.00
	136571	BLEISTEIN ASPHALT	10/10/2021	252.25
	136616	ASPHALT REPAIR	10/24/2021	10,385.55
	BHWT PAY APP 16	BHWT PAY APP 16	10/31/2021	67,279.54
	BHWT PAY APP 16	BHWT PAY APP 16	10/31/2021	33,137.68
	BHWT RET 16	BHWT RET 16	10/31/2021	7,475.50
	BHWT RET 16	BHWT RET 16	10/31/2021	3,681.97
	WWTF PHASE 2 PAY E	WWTF2 PAY APP 20	11/08/2021	25,569.47
	WWTF PHASE 2 PAY E	WWTF2 PAY APP 20	11/08/2021	7,812.89
	WWTF PHASE 2 PAY E	WWTF2 PAY APP 20	11/08/2021	2,130.79
	WWTF PHASE 2 PAY E	WWTF2 PAY APP 20	11/08/2021	35,513.14
	WWTF2 RET 20	WWTF2 RET 20	11/08/2021	1,345.76
	WWTF2 RET 20	WWTF2 RET 20	11/08/2021	411.21
	WWTF2 RET 20	WWTF2 RET 20	11/08/2021	112.15
	WWTF2 RET 20	WWTF2 RET 20	11/08/2021	1,869.12
Total :				197,285.02
Total HARRIS TRUCKING AND CONSTRUCTION CO. (4780):				197,285.02
HARRISON, TIMOTHY BRUCE (131713)				
BLUE ASPEN ENTERPRISES LLC	210010	REPAIRS TO HOT WATER & SWIM SUIT SPINNER	09/03/2021	637.50
BLUE ASPEN ENTERPRISES LLC	210010	REPAIRS TO HVAC	09/03/2021	225.00
Total :				862.50
Total HARRISON, TIMOTHY BRUCE (131713):				862.50
INDUSTRIAL COMM. & ELECTRONICS (127115)				
	40926	RADIO REPAIR B40	10/12/2021	119.00
Total :				119.00
Total INDUSTRIAL COMM. & ELECTRONICS (127115):				119.00
KITCHEN, SCOTT (129803)				
	10312021	REIMBURSEMENT FOR MILEAGE	11/02/2021	41.72
Total :				41.72
Total KITCHEN, SCOTT (129803):				41.72
LINCOLN AQUATICS (132844)				
	BX162580	SPA COVER	09/29/2021	473.77
	EW017657	CREDIT ON TAXED CHARGED ON SPA COVER	10/22/2021	16.20-
Total :				457.57
Total LINCOLN AQUATICS (132844):				457.57

Secondary Name	Invoice	Description	Invoice Date	Total Cost
LONG BUILDING TECHNOLOGIES INC (125191)				
	SRVCE0122616	MOTOR FOR HVAC	10/14/2021	1,076.74
Total :				1,076.74
Total LONG BUILDING TECHNOLOGIES INC (125191):				1,076.74
MARRERO, KENDRA (132842)				
	8.1320.54	REFUND UTILITY DEPOSIT	10/25/2021	53.18
Total :				53.18
Total MARRERO, KENDRA (132842):				53.18
MARTINS, MATTHEW (132847)				
	14.2620.48	REFUND CREDIT BALANCE	10/26/2021	25.38
Total :				25.38
Total MARTINS, MATTHEW (132847):				25.38
MICKELSON, SANDY (132843)				
	33372422	REC CENTER REFUND	10/26/2021	117.50
Total :				117.50
Total MICKELSON, SANDY (132843):				117.50
MIDWEST ENTERPRISES (6650)				
MIDWEST FENCE	36511	FENCE DOG PARK	09/27/2021	538.45
Total :				538.45
Total MIDWEST ENTERPRISES (6650):				538.45
MORRIS, MARTIN (132846)				
	13.3450.38	REFUND UTILITY DEPOSIT	10/29/2021	53.82
Total :				53.82
Total MORRIS, MARTIN (132846):				53.82
NCPERS GROUP LIFE INS (125412)				
C/O MEMBER BENEFITS	11421	PREMIUM	11/04/2021	416.00
Total :				416.00
Total NCPERS GROUP LIFE INS (125412):				416.00
NORCO, INC. (128948)				
	33425036	CYLINDER RENT	10/31/2021	25.42
Total :				25.42
Total NORCO, INC. (128948):				25.42
PARK COUNTY (7670)				
	7110	LEC CONTRACT - DISPATCH	11/01/2021	223.57

Secondary Name	Invoice	Description	Invoice Date	Total Cost
	7110	LEC CONTRACT - DISPATCH	11/01/2021	3,800.53
	7110	LEC CONTRACT - DISPATCH	11/01/2021	670.68
	7110	LEC CONTRACT - DISPATCH	11/01/2021	17,661.27
	7110	LEC CONTRACT - CAPITOL EQUIPMENT	11/01/2021	4,520.00
	7110	LEC CONTRACT - MAINTENANCE	11/01/2021	1,807.46
	7110	LEC CONTRACT - CONSOLE	11/01/2021	39.15
	7110	LEC CONTRACT - CONSOLE	11/01/2021	665.61
	7110	LEC CONTRACT - CONSOLE	11/01/2021	117.46
	7110	LEC CONTRACT - CONSOLE	11/01/2021	3,093.14
	7110	LEC CONTRACT - UTILITIES	11/01/2021	1,102.24
	7110	ADJ FOR INITIAL NETWORK SEGRAGATION CHANGES	11/01/2021	204.52-
	7110	ANTI VIRUS CLIENT CREDIT	11/01/2021	34.79-
Total :				33,461.80
Total PARK COUNTY (7670):				33,461.80
PARK COUNTY ANIMAL SHELTER (5120)				
	110121	ANIMAL SERVICE CONTRACT - NOV 2021	11/01/2021	4,166.67
Total :				4,166.67
Total PARK COUNTY ANIMAL SHELTER (5120):				4,166.67
PARK COUNTY LANDFILL (129053)				
	103121	LIP LANDFILL CHARGES - OCT 2021	10/31/2021	204.62
	103121	LANDFILL CHARGES - OCT 2021	10/31/2021	61,310.05
Total :				61,514.67
Total PARK COUNTY LANDFILL (129053):				61,514.67
PARK COUNTY PUBLIC HEALTH (7720)				
	53	FLU SHOTS	10/25/2021	120.00
	54	FLU SHOTS	10/29/2021	50.00
	54	FLU SHOTS	10/29/2021	145.00
	54	FLU SHOTS	10/29/2021	210.00
	54	FLU SHOTS	10/29/2021	70.00
	54	FLU SHOTS	10/29/2021	25.00
	54	FLU SHOTS	10/29/2021	260.00
	54	FLU SHOTS	10/29/2021	50.00
	54	FLU SHOTS	10/29/2021	175.00
	54	FLU SHOTS	10/29/2021	190.00
	54	FLU SHOTS	10/29/2021	110.00
Total :				1,405.00
Total PARK COUNTY PUBLIC HEALTH (7720):				1,405.00
PARK COUNTY TREASURER (7760)				
	100121	PROPERTY TAXES	10/01/2021	232.27
	100121	PROPERTY TAXES	10/01/2021	44,091.60
	100121	PROPERTY TAXES	10/01/2021	12,907.32
	100121	PROPERTY TAXES	10/01/2021	12,907.32
Total :				70,138.51

Secondary Name	Invoice	Description	Invoice Date	Total Cost
Total PARK COUNTY TREASURER (7760):				70,138.51
PARK DISTRICT COURT (132610)				
	102821	GARNISHMENT Civil #29877	10/28/2021	196.97
	11921	GARNISHMENT Civil #29877	11/09/2021	196.97
Total :				393.94
Total PARK DISTRICT COURT (132610):				393.94
PRICE, DON (132769)				
	9.2080.11A	REFUND CREDIT BALANCE	10/26/2021	119.00
Total :				119.00
Total PRICE, DON (132769):				119.00
PROFFIT, DOUGLAS J (128647)				
PROFFITS ENTERPRISES LLC	13304	HILL MAINTENANCE GREYBULL HILL/REC CENTER HILL	09/30/2021	775.00
PROFFITS ENTERPRISES LLC	13426	DATE STREET WEEDS	10/15/2021	551.85
Total :				1,326.85
Total PROFFIT, DOUGLAS J (128647):				1,326.85
PROVIDENT LIFE & ACCIDENT INS (128033)				
	11421	PREMIUMS	11/04/2021	23.40
Total :				23.40
Total PROVIDENT LIFE & ACCIDENT INS (128033):				23.40
PURCELL TIRE AND SERVICE CENTER (132837)				
DBA: PURCELL TIRE AND SERVICE C	31205624	TIRES E04	11/02/2021	872.00
Total :				872.00
Total PURCELL TIRE AND SERVICE CENTER (132837):				872.00
QUALITY ASPHALT PAVING, INC (125010)				
	2251	ASPHALT REPAIR	10/06/2021	75.00
	2251	BLEISTEIN PATCH	10/06/2021	400.00
	2251	1237 RUMSEY AVE	10/06/2021	405.00
	2255	ASPHALT REPAIR RIVER VIEW DR	10/21/2021	6,700.00
	2261	ASPHALT PATCH ON 11TH & BIRCH	11/02/2021	1,587.50
	2261	ASPHALT PATCH ON MASHIE	11/02/2021	1,450.00
	2261	ASPHALT PATCH ON 11TH sT	11/02/2021	1,625.00
Total :				12,242.50
Total QUALITY ASPHALT PAVING, INC (125010):				12,242.50
RIMROCK TIRE INC (8530)				
	193515	CREDIT FOR CASINGS	06/11/2018	29.85-
	2-193515	TIRE REPAIR - A19	06/11/2018	74.95
Total :				45.10

Secondary Name	Invoice	Description	Invoice Date	Total Cost
Total RIMROCK TIRE INC (8530):				45.10
SABER PEST CONTROLL LLC (131183)				
	E144	PEST CONTROL - ELECTRIC	11/01/2021	80.00
	R155	PEST CONTROL - RECYCLING/SANITATION	11/03/2021	60.00
Total :				140.00
Total SABER PEST CONTROLL LLC (131183):				140.00
SCHLOSSER, DAVID W (131374)				
PREFERRED PLUMBING & HEATING L	992-0992	METER UPDATE 1227 WY AVE	11/01/2021	169.50
Total :				169.50
Total SCHLOSSER, DAVID W (131374):				169.50
SHOSHONE MUNICIPAL PIPELINE (9130)				
	110121	SMP WATER PURCHASE - OCT 2021	11/01/2021	126,159.26
Total :				126,159.26
Total SHOSHONE MUNICIPAL PIPELINE (9130):				126,159.26
SKAGGS COMPANIES (131474)				
	450_A_83980_1	NEW OFFICER VEST	10/04/2021	952.85
Total :				952.85
Total SKAGGS COMPANIES (131474):				952.85
SUBURBAN SALES (131673)				
	1.274521	BID BOND RETURN 2021-09	11/04/2021	798.00
	262738	FLAT BED TRAILER	11/07/2021	15,943.00
Total :				16,741.00
Total SUBURBAN SALES (131673):				16,741.00
SYSTEMS GRAPHICS INC (129162)				
ADVANCED INFO SYSTEMS	15639	OUTSOURCE BILLS	10/27/2021	6.98
ADVANCED INFO SYSTEMS	15639	OUTSOURCE BILLS	10/27/2021	43.14
ADVANCED INFO SYSTEMS	15639	OUTSOURCE BILLS	10/27/2021	39.50
ADVANCED INFO SYSTEMS	15639	OUTSOURCE BILLS	10/27/2021	39.24
ADVANCED INFO SYSTEMS	15639	OUTSOURCE BILLS	10/27/2021	48.76
ADVANCED INFO SYSTEMS	15640	OUTSOURCE BILLS	10/27/2021	35.11
ADVANCED INFO SYSTEMS	15640	OUTSOURCE BILLS	10/27/2021	217.03
ADVANCED INFO SYSTEMS	15640	OUTSOURCE BILLS	10/27/2021	198.71
ADVANCED INFO SYSTEMS	15640	OUTSOURCE BILLS	10/27/2021	197.37
ADVANCED INFO SYSTEMS	15640	OUTSOURCE BILLS	10/27/2021	245.28
ADVANCED INFO SYSTEMS	15641	OUTSOURCE BILLS	10/27/2021	17.28
ADVANCED INFO SYSTEMS	15641	OUTSOURCE BILLS	10/27/2021	106.77
ADVANCED INFO SYSTEMS	15641	OUTSOURCE BILLS	10/27/2021	97.76
ADVANCED INFO SYSTEMS	15641	OUTSOURCE BILLS	10/27/2021	97.10
ADVANCED INFO SYSTEMS	15641	OUTSOURCE BILLS	10/27/2021	120.67
Total :				1,510.70

Secondary Name	Invoice	Description	Invoice Date	Total Cost
Total SYSTEMS GRAPHICS INC (129162):				1,510.70
THALES CONSULTING INC (132841)				
	2650	FINANCIAL REPORTING SOFTWARE	10/22/2021	107.00
	2650	FINANCIAL REPORTING SOFTWARE	10/22/2021	402.00
	2650	FINANCIAL REPORTING SOFTWARE	10/22/2021	65.00
	2650	FINANCIAL REPORTING SOFTWARE	10/22/2021	30.00
	2650	FINANCIAL REPORTING SOFTWARE	10/22/2021	43.00
	2650	FINANCIAL REPORTING SOFTWARE	10/22/2021	319.00
	2650	FINANCIAL REPORTING SOFTWARE	10/22/2021	103.00
	2650	FINANCIAL REPORTING SOFTWARE	10/22/2021	67.00
	2650	FINANCIAL REPORTING SOFTWARE	10/22/2021	19.00
	2650	FINANCIAL REPORTING SOFTWARE	10/22/2021	258.00
	2650	FINANCIAL REPORTING SOFTWARE	10/22/2021	568.00
	2650	FINANCIAL REPORTING SOFTWARE	10/22/2021	423.00
	2650	FINANCIAL REPORTING SOFTWARE	10/22/2021	1,096.00
Total :				3,500.00
Total THALES CONSULTING INC (132841):				3,500.00
THE OFFICE SHOP INC (7440)				
	183807	STAPLES FOR OFFICE COPIER	10/21/2021	78.39
	184177	Copier Contract	10/26/2021	54.46
	184177	Copier Contract	10/26/2021	54.46
	184177	Copier Contract	10/26/2021	54.46
	184177	Copier Contract	10/26/2021	54.46
	184177	Copier Contract	10/26/2021	54.46
	184177	Copier Contract	10/26/2021	54.46
	184177	Copier Contract	10/26/2021	54.46
	184177	Copier Contract	10/26/2021	54.46
	184177	Copier Contract	10/26/2021	54.46
	184177	Copier Contract	10/26/2021	54.46
	184177	Copier Contract	10/26/2021	54.50
	184178	COPIER AGREEMENT - AQUATIC/REC CENTER	10/26/2021	343.76
	184178	COPIER AGREEMENT - AQUATIC/REC CENTER	10/26/2021	343.75
	184344	COPIER CONTRACT - SHOP	10/26/2021	13.57
	184344	COPIER CONTRACT - SHOP	10/26/2021	13.57
	184344	COPIER CONTRACT - SHOP	10/26/2021	11.98
	184344	COPIER CONTRACT - SHOP	10/26/2021	13.57
	184344	COPIER CONTRACT - SHOP	10/26/2021	13.57
	184344	COPIER CONTRACT - SHOP	10/26/2021	13.57
Total :				1,390.37
Total THE OFFICE SHOP INC (7440):				1,390.37
THE PRESTWICK GROUP INC (132849)				
MAX-R	INV5121	LIONS PARK SIGNAGE	10/27/2021	891.00
Total :				891.00
Total THE PRESTWICK GROUP INC (132849):				891.00
T-O ENGINEERS INC (131708)				
	171133-14065	BEACON HILL WATER TANK	10/11/2021	9,077.66
	171133-14065	BEACON HILL WATER TANK	10/11/2021	4,471.09

Secondary Name	Invoice	Description	Invoice Date	Total Cost
Total :				13,548.75
Total T-O ENGINEERS INC (131708):				13,548.75
TWO SISTERS CONTRACTING LLC (132780)				
	1034	CONCRETE - VALLEY, 11TH & BIRCH	10/14/2021	6,354.00
	1034	11TH ST RAW WATER BREAK	10/14/2021	5,858.00
Total :				12,212.00
Total TWO SISTERS CONTRACTING LLC (132780):				12,212.00
UNUM LIFE INSURANCE - LIFE (127935)				
	11421	PREMIUM	11/04/2021	951.56
Total :				951.56
Total UNUM LIFE INSURANCE - LIFE (127935):				951.56
WESCO RECEIVABLES CORP (131137)				
WESCO DBA:WESCO/KVA/MODERN	723690	D-DIE H-TAP COVERS	10/19/2021	160.00
Total :				160.00
Total WESCO RECEIVABLES CORP (131137):				160.00
WEST PARK HOSPITAL (10500)				
DBA CODY REGIONAL HEALTH	A04740924	BLOOD DRAW - CASE 20-628	08/14/2021	222.00
Total :				222.00
Total WEST PARK HOSPITAL (10500):				222.00
WESTERN UNITED ELECTRIC SUPPLY (10605)				
	6046088	50KVA O.H/ TRANSFORMERS	10/22/2021	5,467.05
	6046088	50 KVA TRAN	10/22/2021	1,822.36
	6046646	600AMP, KNIFE SWITCHES	10/29/2021	3,528.63
Total :				10,818.04
Total WESTERN UNITED ELECTRIC SUPPLY (10605):				10,818.04
WYOMING DEPARTMENT OF WORKFORCE SERVICES (10670)				
WORKERS COMPENSATION DIV	11421	CONTRIBUTIONS	11/04/2021	8,864.99
WORKERS COMPENSATION DIV	11421	PD VOLUNTEERS	11/04/2021	11.61
WORKERS COMPENSATION DIV	11421	REC VOLUNTEERS	11/04/2021	330.88
	11921	UNEMPLOYMENT FOR 3RD QUARTER	11/09/2021	20.14
	11921	UNEMPLOYMENT FOR 3RD QUARTER	11/09/2021	1,197.00
Total :				10,424.62
Total WYOMING DEPARTMENT OF WORKFORCE SERVICES (10670):				10,424.62
WYOMING MUNICIPAL POWER AGENCY (10920)				
	11252021	POWER PURCHASE - OCT 2021	11/01/2021	294,189.69
	11252021	DEMAND PURCHASE - OCT 2021	11/01/2021	315,633.15

Secondary Name	Invoice	Description	Invoice Date	Total Cost
Total :				609,822.84
Total WYOMING MUNICIPAL POWER AGENCY (10920):				609,822.84
WYOMING RETIREMENT SYSTEM (10950)				
	1142021	CREDIT	11/04/2021	10.00-
	216029	CONTRIBUTIONS -	11/04/2021	20,106.91
	216030	CONTRIBUTIONS -	11/04/2021	32,632.74
	216031	CONTRIBUTIONS -	11/04/2021	31,603.16
Total :				84,332.81
Total WYOMING RETIREMENT SYSTEM (10950):				84,332.81
Grand Totals:				1,553,789.00

Report GL Period Summary

GL Period	Amount
11/21	1,553,789.00
Grand Totals:	1,553,789.00

Vendor number hash: 8150167
Vendor number hash - split: 19690757
Total number of invoices: 105
Total number of transactions: 254

Terms Description	Invoice Amount	Discount Amount	Net Invoice Amount
Open Terms	1,553,789.00	.00	1,553,789.00
Grand Totals:	1,553,789.00	.00	1,553,789.00
		Payroll 11/10/21	245,528.01
			1,799,317.01

Report Criteria:

Invoice Detail.Input date = 11/09/2021,11/08/2021
Invoice.Batch = {NOT LIKE} "1"

River Oaks Communications Corporation

Denver Office:

10940 S. Parker Road, Suite #766
Parker, Colorado 80134
Telephone: (303) 947-6133
E-Mail: bduchen@rivoaks.com

Colorado Springs Office:

6 South Tejon, Suite 519
Colorado Springs, Colorado 80903
Telephone: (719) 477-6850
E-Mail: tduchen@rivoaks.com

October 11, 2021

Barry Cook - City Administrator
City of Cody
1338 Rumsey Avenue
Cody, WY 82414

Dear Barry:

We are writing regarding the interest of the City of Cody ("City") in entering into an agreement with River Oaks Communications Corporation ("River Oaks") to work on the City's behalf regarding the cable franchise renewal with Spectrum Pacific West, LLC, locally known as Charter Communications ("Charter"). A Scope of Work is attached to this letter agreement.

River Oaks shall invoice the City on a monthly basis for services as outlined in the Scope of Work. Payment shall be remitted by the City to River Oaks within thirty (30) days after receipt of River Oaks' invoice(s).

River Oaks is an independent contractor hereunder. This letter agreement sets forth the entire agreement between the parties concerning the subject matter hereof.

If all of the foregoing is acceptable, please sign below and return a copy of this letter agreement to us. River Oaks is pleased to be working again with the City.

Sincerely,

Robert M. Duchon
Vice President

Accepted and agreed to this ____ day of _____, 2021.

City of Cody

By:

Barry Cook - City Administrator

SCOPE OF WORK

- A. Review the existing Charter Cable Franchise Agreement.
- B. Review the Municipal Code for cable television provisions or regulations.
- C. Address cable franchise renewal letter (Section 626 Letter), if any, from Charter.
- D. Review the TCT Cable Franchise for comparative purposes.
- E. Use the existing Charter and TCT Cable Franchises as the starting point for negotiations with Charter under the Informal Franchise Renewal Process of the Federal Cable Acts.
- F. Participate in Zoom Meetings/Phone Calls with the City and Charter.
- G. Prepare the new Charter Cable Franchise for City Council approval.
- H. Provide other consulting services as requested by the City.

Fees and Expenses

The projected cost for this off-site work is \$7,080-\$9,440 (24-32 hours), plus expenses. Expenses are projected to be \$480. The total projected cost for this project is \$7,560-\$9,920, not including a trip to the City which would be supplemental. It is anticipated that our work on this project will take 3-4 months to complete and is subject to the cooperation and responsiveness of Charter. Any supplemental hours would be subject to the mutual written agreement of the parties.

This Scope of Work does not cover the formal franchise renewal process, a technical review of the cable system, a franchise fee audit, a subscriber survey, a community needs ascertainment or other components that could be included in a cable franchise renewal proceeding.

It shall be the City's decision whether to grant or not grant a new Cable Franchise to Charter.

Reimbursable Direct Costs

- Outside Clerical
- Travel (upon request)

CONSENT FOR USE OF CITY PROPERTY

THE PARTIES to this CONSENT FOR USE OF CITY PROPERTY (AGREEMENT) are the City of Cody, Wyoming, a municipal corporation in Wyoming (CITY); and NextGen Park County, a Wyoming non-profit corporation (NextGen). This AGREEMENT is entered into as of the date last executed by the parties below.

RECITALS

- a. CITY is the owner of certain real property south of Sheridan Ave. and north of Yellowstone Regional Airport which CITY operates and maintains for recreational softball in Cody, Park County, Wyoming (the Softball Complex).
- b. NextGen wishes to design, build and install, at NextGen's sole expense, a new playground for the Softball Complex.
- c. CITY is willing to accept, maintain and operate the playground equipment provided and installed by NextGen.

NOW, THEREFORE, in consideration of the mutual covenants and promises described herein, the parties agree as follows:

1. CITY grants permission to, and consents to NextGen using the CITY property located at the softball complex to design, develop, and install a playground and associated features as described in this agreement. NextGen will engage the services of a professional firm with experience in

designing, building and installing playground equipment, and NextGen shall be solely responsible for all expenses, fees and costs owed to such firm. The playground will be installed at a location to be designated by the CITY. The exact location of the PARK will be coordinated with and approved by the CITY's Parks, Recreation and Facilities Department.

2. CONSTRUCTION AND INSTALLATION COSTS: Subject to Section 6 below, NextGen shall pay for any and all costs, fees and expenses for engineering, designing, developing, building, and maintaining the playground and associated features, and for such other costs and expenses as described in this agreement.

3. MAINTENANCE: NextGen shall pay \$250.00 per year for the Years 2022, 2023, 2024, 2025 and 2026 for maintenance of the playground and replacement of wood chips around the playground.

4. INDEMNITY: NextGen shall ensure that any and all Contracts with engineers, firms, persons, contractors, subcontractors, and any other third-party (collectively "Third Parties) performing any work for or on CITY property shall require such Third Party to release, indemnify, and hold harmless NextGen and CITY for any and all damages arising out of the party's negligent acts, errors and omissions. Such indemnification shall include, but not be limited to, any and all damages and claims arising in any way out of Third-Party's negligent or intentional acts, errors or omissions which result in injury, death or property damage. NextGen shall require that all Third Parties carry liability insurance in an amount not less than \$1,000,000.00 per occurrence and \$2,000,000.00 in the aggregate.

5. CONTRACTS: NextGen shall ensure that all contracts with any and all contractors, sub-contractors and any persons or parties (the Contractors) performing work on CITY property pursuant to this Agreement shall include the following provisions:

a. CITY shall have the right to stop work on the project if CITY reasonably determines that the work is progressing in a manner that is inconsistent with or contrary to the expectations of the CITY, or if CITY reasonably feels the work should be stopped for health and safety reasons.

b. The Contractors shall supervise the work using the Contractor's best skill and attention, and shall design and install the playground according to or exceeding industry standards for health and safety.

c. The Contractors shall obtain any and all necessary permits, pay any and all fees and provide such notices as are required by law.

d. The Contractors shall keep the premises and surrounding area free from accumulation of waste materials or rubbish caused by operations under the Contract. At completion of the Work, the Contractor shall remove from and about the Project waste materials, rubbish, the Contractor's tools, construction equipment, machinery and surplus material.

e. Contractors shall be fully and solely responsible for the jobsite safety. The Contractor shall enforce strict discipline and good order among the Contractor's employees and other persons carrying out the Contract. The Contractor shall not permit employment of unfit persons or persons not skilled in tasks assigned to them.

6. COOPERATION WITH CITY: NextGen shall consult with and cooperate with CITY staff regarding the location, design, elements, construction and installation of the playground features, in order to provide for public safety and prevent damage to CITY property.

6. CITY PROPERTY: Upon completion of the work for the playground, and acceptance of the same by the CITY, the playground shall become the

sole property of the CITY, and CITY shall be solely responsible for maintaining and operating the playground.

7. DAMAGES: NextGen or its Contractors shall be responsible for restoring, repairing and/ or reimbursing CITY for any and all damage to CITY property caused by NextGen, or NextGen's Contractors, agents, representatives, employees, volunteers, and others acting on NextGen's behalf. Property damage includes, but is not limited to, damage to improvements, roads, utilities, pipes, equipment, facilities and parking lots.

8. TERMINATION: This agreement may be terminated by the CITY upon any of the following conditions:

a. DEFAULT: If the NextGen defaults in any of its obligations as described in this agreement, including but not limited to its obligation to fully fund the playground, CITY may terminate this agreement.

b. FOR CONVENIENCE: Either party may terminate this agreement for convenience, due to an unforeseeable and material change in circumstances not otherwise described in this agreement, upon written notice given to the other party at least thirty (30) days in advance of the termination.

9. LIABILITY: NextGen assumes all liability for itself, its CONTRACTORS, agents, its volunteers, and its representatives performing work upon CITY property pursuant to this agreement. NextGen agrees to have each of its agents, volunteers and representatives sign liability waivers waiving any claims against the CITY arising from their work on or use of the playground. NextGen shall maintain commercially reasonable general liability insurance with limits of not less than \$500,000, subject to approval by CITY, and CITY shall not unreasonably withhold such approval. NextGen shall provide proof of insurance to the CITY, and at such other times as CITY may request.

10. INDEPENDENT CONTRACTOR: The relationship of the parties to this agreement is an independent contractor relationship. NextGen has no authority to act on behalf of CITY in any capacity, and has no authority to bind the CITY to any contract, agreement or any other obligation.

11. IMMUNITY: By entering into this agreement, the CITY does not waive its sovereign immunity or governmental immunity, and does not waive the immunities, defenses and limitations provided under the Wyoming Constitution and Wyoming law, and the CITY expressly reserves the right to assert immunity as a defense to any claim or case arising under this agreement.

12. This agreement shall not be assigned by NextGen without the prior, written approval of the Governing Body of the CITY.

13. This agreement contains the entire understanding of the parties and there are no other promises, covenants, assurances or understandings beyond the scope of this written agreement.

THE REST OF THIS PAGE IS LEFT

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NextGen Park County:

Mindy Megerth, President

November _____, 2021

CITY OF CODY, WYOMING

MATT HALL, MAYOR

DATE: _____

ATTEST:

CYNTHIA D. BAKER
ADMINISTRATIVE SERVICES OFFICER

DATE: _____

Notice of Public Hearing

The City of Cody Council will hold a public hearing to determine if it is in the public interest to adopt and implement the 2021 City of Cody Water Master Plan. The Water Master Plan contains information about the condition of the treated and raw water distribution systems within the City, the amount of infrastructure investment recommended for the distribution systems, the revenue needed to operate, maintain, and upgrade the distribution systems, and the rate increases recommended to implement the master plan. The Public Hearing will be held on Tuesday, November 16, 2021 in the City Council Chambers located at City Hall at 1338 Rumsey Avenue, Cody Wy. The public hearing will be at 7:00 p.m. or as soon thereafter as practical. Comments may be submitted before or at the public hearing. Written comments submitted before the hearing should be sent to: Public Works Director, PO Box 2200, Cody Wy 82414 or by emailing pbowman@cityofcody.com. The Water Master Plan can be viewed on the City website (www.cityofcody-wy.gov) by following the link on the main page.

Publish November 9, 2021

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MEETING DATE: NOVEMBER 16, 2021

DEPARTMENT: PUBLIC WORKS – WATER

PREPARED BY: PHILLIP M. BOWMAN, P.E.

PRESENTED BY: PHILLIP M. BOWMAN, P.E.



AGENDA ITEM SUMMARY REPORT

Approval of Resolution 2021-10 **to approve and adopt the 2021 City of Cody Water Master Plan**

ACTION TO BE TAKEN

Authorize the Mayor to sign Resolution 2021-10.

SUMMARY OF INFORMATION

The City of Cody applied for and secured grant funding from the Wyoming Water Development Commission (WWDC) to complete a Treated Water and Raw Water Master Plan in 2019. The City currently has a Treated Water Master Plan that was completed in 2009 (effectively out of date), and a Raw Water System Plan that was completed in 2002 (completely out of date). City staff have worked with Wyoming Water Development Office (WWDO) staff and Engineering Associates to complete the 2021 Water Master Plan analysis and report through 2020 and 2021. The Draft Report was presented to the City Council at a Work Session held on July 12, 2021, and based on comments from the City Council a number of modifications were made. The Final Report was presented to the City Council by Engineering Associates at a Works Session held on September 28, 2021. In addition, an additional Work Session discussion about the future revenue needs and possible water rate increases was held on November 9, 2021.

Resolution 2021-10 will approve and adopt the final report for the Water Master Plan, and will allow City staff to utilize the Water Master Plan for Capital Improvement Program (CIP) project planning and budgeting, land development infrastructure planning, and water utility rate setting.

FISCAL IMPACT

The Water Master Plan outlines CIP investment recommendations and priorities for the treated water and raw water systems, and will be used as a guidance document for future budget proposals. In addition, the Water Master Plan provides general guidance about the revenue needs to complete the CIP investments identified, and will be used as a basis to develop water rate structures and water utility rate setting. The Water Master Plan does identify the need for increased revenues in the Water Enterprise Fund, which will likely be accomplished through water rate increases in the coming years.

ATTACHMENTS

1. Resolution 2021-10

AGENDA & SUMMARY REPORT TO:

None.

AGENDA ITEM NO. _____

RESOLUTION 2021 - 10

**A RESOLUTION TO APPROVE AND ADOPT
THE 2021 CITY OF CODY WATER MASTER PLAN**

WHEREAS, the City Council for the City of Cody recognizes the importance of performing long-term planning and prioritization of the needs for infrastructure investment in the City’s treated water and raw water storage and distribution systems to ensure that cost effective water service is provided to its residents; and

WHEREAS, the City of Cody recognizes the need to update the “Cody Master Plan – Level 1 Study” completed in September 2009 to help identify specific projects and priorities for water system investments and upgrades; and

WHEREAS, the City of Cody has worked in partnership with the Wyoming Water Development Commission (WWDC) and Wyoming Water Development Office (WWDO) to complete the “2021 City of Cody Water Master Plan” for the city’s treated water and raw water systems; and

WHEREAS, the City Council has held work sessions, public meetings, and public hearings to discuss the findings of the “2021 City of Cody Water Master Plan” and to seek public input about the Water Master Plan;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cody, Wyoming, the following:

THAT the “2021 City of Cody Water Master Plan” is hereby approved and adopted; and

THAT the Water Master Plan will be used as a basis for future capital improvement project planning and programing; and

THAT the Water Master Plan will be used as a reference for land development application review and approval to determine the water and raw water infrastructure needs of each development; and

THAT the Water Master Plan will be used and referenced in future treated water and raw water utility rate setting.

PASSED, APPROVED AND ADOPTED this 16th day of November, 2021.

Matt Hall, Mayor, City of Cody

ATTEST:

Cindy Baker, Administrative Services Director



AGENDA ITEM SUMMARY REPORT

Ordinance 2021-07 Amending Title 8, Chapter 2 of the City of Cody Municipal Code to Modify and Set Treated Water and Raw Water Service Fees and Rates and make minor updates and modifications to the Code

ACTION TO BE TAKEN

Consider approval and passage of Ordinance 2021-07 on first reading, to modify and set treated water and raw water service fees and rates becoming effective January 1, 2022, and to make additional minor updates and modifications to the Municipal Code related to the water utility services.

SUMMARY OF INFORMATION

It is proposed that the City Council approve and adopt the “2021 City of Cody Water Master Plan” on November 16, 2021. A component of the Water Master Plan is a revenue needs analysis that identified the amount of funding needed for the twenty-year planning horizon to complete the recommended Capital Improvement Program (CIP) projects for the treated water and raw water systems. In general, the Water Master Plan identified the need to increase the Water Enterprise Fund revenues by approximately eight percent (8%) per year for the next seven to nine years.

Based on the findings of the Water Master Plan, it is recommended that the treated water and raw water utility rates be increased by approximately 8% effective January 1, 2022, as the first increment of the rate increases needed. The specific charges and rates being increased are summarized as follows:

- Treated Water – City Base Rate increased to \$14.05 per month for a ¾ inch service, and subsequent larger meter sizes based on the existing “multiplier” scale (previously \$13.00 per month for a ¾ inch service, an 8.1% increase)
- Treated Water – Usage Charge increased to \$2.81 per one thousand gallons (previously \$2.60 per thousand gallons, an 8.1% increase)
- Treated Water – Water Crane and Fire Hydrant Meter sales increased to \$7.80 per thousand gallons (previously \$7.22 per thousand gallons, an 8.0% increase)
- Raw Water – Annual Fee and Monthly Installments increased to \$136.00 per year and \$11.33 per month for a ¾ inch service, and subsequent larger meter sizes based on the existing “multiplier” scale (previously \$126.00 per year and \$10.50 per month for a ¾ inch service, a 7.9% increase)
- Raw Water – Annual Fee and Monthly Installments for townhouse units increased to \$68.00 per year and \$5.67 per month (previously \$63.00 per year and \$5.25 per month, a 7.9% increase)
- Connection and reconnection charge increased to \$35.00 (previously \$25.00 – not associated with rate increase)

In addition to the rate increases above, other sections of the Municipal Code related to water utility services have been updated to address items of a “general housekeeping” nature.

AGENDA ITEM NO. _____

FISCAL IMPACT

The Water Enterprise Fund is projected to collect approximately \$3.35 million in “Charges for Utility Services” based on the approved FY 2022 Budget. With the proposed 8.0% rate increase taking effect at the mid-point of the fiscal year on January 1, 2022, it is projected that approximately \$135,000 of additional revenue will be collected in the remainder of FY 2022 and approximately \$270,000 of additional revenue will be collected for the full fiscal year of FY 2023 and beyond.

ATTACHMENTS

1. Ordinance 2021-07

AGENDA & SUMMARY REPORT TO:

None.

ORDINANCE 2021-07

**AN ORDINANCE AMENDING TITLE 8, CHAPTER 2
OF THE CITY OF CODY MUNICIPAL CODE TO MODIFY AND SET
TREATED WATER AND RAW WATER SERVICE FEES AND RATES**

Title 8, Chapter 2, Article I, shall be hereby amended as follows effective January 1, 2022.

8-2-15: WASTING WATER; LEAKS TO BE REPAIRED

No person shall waste water from the city water system. No leaks in service pipes, connecting pipes or any water fixture shall be permitted; and, if not repaired within five (5) days or as otherwise authorized by the public works director or administrative services director so as to stop such waste of water, after notice from the public works director or administrative services director, water shall be shut off and not turned on again until the leak is so repaired.

Adjustments may be made for water leaks in excess of twenty thousand (20,000) gallons of water. If such leak occurs, the administrative services department will calculate the account holder's average usage for the prior twelve (12) month period. The account holder will be charged the regular rate of water for the average usage and the wholesale rate for the number of gallons used in excess of the average. If it is determined that the water went into the ground, and did not go into the sewer system, the same calculation will be performed for wastewater services and an adjustment will be made on the account holder's bill for the excess wastewater as a result of the water leak. If the water did enter the sewer system, no adjustment to wastewater will be made. Adjustments will only be calculated once the account holder, property owner or manager repairs the leak.

* NO FURTHER MODIFICATIONS TO TITLE 8, CHAPTER 2, ARTICLE I *

Title 8, Chapter 2, Article II, shall be hereby amended as follows effective January 1, 2022.

8-2-37: WATER METERS; INSPECTIONS; SERVICE CHARGES

The following charges apply to all levels of service, in addition to any other charges:

Connection and reconnection charge:		
	Normal office hours (7:30 A.M. to 5:00 P.M.)	\$35.00
	Other than normal office hours	\$60.00
Returned check charge		\$30.00
Utility service deposits shall be as outlined in the City electric ordinance, chapter 1 of this title		Refer to section 8-1-9 of this title
Meter testing:		
	Testing of meters more than once at customer's request in a 12-month period, where meter is found to be accurate within 3 percent	\$50.00

8-2-40: SCHEDULE OF RATES AND CHARGES

The rates for metered water sold within the City limits shall be as follows:
The minimum monthly charge for each meter shall be as follows:

<u>Meter Size</u>	<u>SMP Charge</u>	<u>City Base Charge</u>
3/4 inch	\$11.00	\$14.05
1 inch	\$22.00	\$28.10
1 1/2 inch	\$44.00	\$56.20
2 inches	\$77.00	\$98.35
3 inches	\$176.00	\$224.80
4 inches	\$308.00	\$393.40
6 inches	\$704.00	\$899.20

The SMP Charge is the wholesale tap equivalency fee charged by the Shoshone Municipal Pipeline. The City Base Charge is the fee assessed by the City for the operation and maintenance of the treated water storage and distribution system. The minimum monthly fee is calculated as follows:

SMP Charge + City Base Charge + two dollars and eighty-one cents (\$2.81) per thousand gallons per month.

All sections shall remain unchanged until Item B.1.

1. For water taken and purchased from the City Water Crane, a minimum of seven dollars and eighty cents (\$7.80) for the first one thousand (1,000) gallons or less, plus seven dollars and eighty cents (\$7.80) per one thousand (1,000) gallons for each additional one thousand (1,000) gallons, or any fraction thereof per trip or load.
2. For water taken from a fire hydrant on or after April 1, 2020:
 - a. Except as provided in division c. below, prior to any person or entity (customer) using or taking domestic City water from any fire hydrant, the customer shall be required to complete a hydrant water sales agreement, pay the required deposit to the City of Cody, and obtain a hydrant meter assembly from the City's water department.

All sections shall remain unchanged until Item B.2.d.

- d. The fee for water use shall be a minimum of seven dollars and eighty cents (\$7.80) per thousand gallons or any fraction thereof of water used. This fee may be adjusted to the wholesale cost to the City if the water is used for a City-funded project subject to the approval of the Public Works Director.

All sections shall remain unchanged until Item B.2.g.

g. Customer shall return the meter (rented or purchased) and additional equipment checked out to the City within fifteen (15) days of the one-year anniversary of the check-out date for testing and inspection. If the meter is rented, the customer shall be given a replacement meter and will be billed for the repair or replacement of any components of the assembly found to be damaged. If a purchased meter fails the testing and inspection the customer shall either (1) purchase a new meter or (2) rent a meter from the City. Failure to return the meter and equipment for inspection by the due date shall result in a fee of \$100.00 and may be cause for confiscation of the rented meter and/or equipment, and forfeiture of the deposit.

h. The City may terminate the hydrant water sales agreement if the customer violates or breaches any part of the agreement, or violates any part of the applicable ordinance. A breach or violation which may result in termination includes, but is not limited to: failure to report meter readings by the due date, non-compliance with the annual meter exchange and inspection requirements, non-payment or partial payment of any fees or charges due, late payments, or damaging hydrants and/or hydrant meter assemblies. If the City terminates the agreement due to a breach by the customer, the City may demand return of the rented hydrant meter assembly and immediate payment of any and all charges, fees, and costs owed to the City. Upon such demand, the customer shall return the rented hydrant meter assembly and any additional items checked out, in as good a condition as when it was received by the customer (normal wear and tear excepted), no later than five (5) business days after the date of the termination of the agreement.

All sections shall remain unchanged until Item B.3.

3. Any person desiring to take domestic City water from any other unmetered source, excepting City personnel for authorized City purposes and Fire Department personnel for authorized Fire Department purposes, shall first obtain a written permit from the Public Works Director or his/her designee. Such permit shall fully state the name and billing address of the person or party responsible for payment of water taken, meter number for meter used, and the location of the source (hydrant) from where the water is to be taken. The fee for the use of water shall be a minimum of seven dollars and eighty cents (\$7.80) for the first one thousand (1,000) gallons or less, plus seven dollars and eighty cents (\$7.80) per one thousand (1,000) gallons for each additional one thousand (1,000) gallons, or fraction thereof, per trip or load. This fee may be adjusted to the wholesale

cost to the City, if the water is used for a City project or as determined by the Governing Body.

* NO FURTHER MODIFICATIONS TO TITLE 8, CHAPTER 2, ARTICLE II *

Title 8, Chapter 2, Article III, shall be hereby amended as follows effective January 1, 2022.

8-2-45: APPLICATION FOR PERMISSION TO TAKE WATER:

- A. Application: Except as otherwise provided by ordinance, no person shall knowingly, either directly or indirectly, take water from the raw water system without having first made application therefor to the administrative services department. Applications for service from the raw water system may be made only by those whose property is immediately adjacent to an installed main and if they are current in all billings due the City.
- B. Pumps Prohibited: No pumps shall be allowed on any raw water tap.

8-2-46: EXTENSION OF SYSTEM; USE OF RAW WATER:

At such times as the needs of the City require, extensions of the raw system may be made. Owners adjacent to such extensions may then make application for such services. Prior to hooking up said extensions, applicants will be required to pay for line assessment costs suitable to cover the applicants' proportionate share of extension. Raw water users are authorized to use raw water on alternating days. The use of raw water shall be based upon the days of the week and the street address of the user. Even-numbered (addressed) property shall be authorized to use water on Sunday, Wednesday and Friday of each week. Odd-numbered (addressed) property shall be authorized to use water on Tuesday, Thursday and Saturday of each week. There shall be no use of water on Monday. The provisions of this section shall not apply to the City and Park County School District 6 with regard to recreation fields, parks and school grounds. Users may make application to the City for a special waiver for areas that have been newly seeded, sodded or have special watering needs. Those individuals watering on unauthorized days will be subject to the following penalties:

- A. First offense: Verbal warning accompanied by watering/use pamphlet and explanation by enforcement personnel.
- B. Second offense: Twenty-five dollar (\$25.00) fine.
- C. Third offense: Fifty dollar (\$50.00) fine and raw water turned off and sealed for the balance of the irrigation season with no refund or waiver of the customer's monthly raw water fees.

8-2-55: CROSS CONNECTIONS

No person shall connect the raw water system lines to any water lines that are connected to the domestic water supply system. Application must be made to the public works director or water/wastewater supervisor in order to change a sprinkling system from the raw water system to the domestic water supply system and, if such change be allowed, the public works director or water/wastewater supervisor may require removal of a section of pipe no less than twelve inches (12") in length from the supply line not being used. The use of valves between two (2) water systems shall be prohibited. If such a cross connection is found to exist, the public works director or water/wastewater supervisor shall order the water to be shut off and the offending property owner shall be disconnected from the water system until compliance is made with the terms of this article.

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8-2-56: SCHEDULE OF RATES AND CHARGES; TIME OF PAYMENT; FAILURE TO PAY; REQUIREMENT FOR METER:

- A. All users tapped to the raw water system, except as provided in subsections B, C, D, E and F of this section, shall pay a raw water fee based on tap size. All utility bills generated on or after January 1, 2022, shall be billed in monthly installments as follows:

Tap Size	Annual Fee	Payable In Monthly Installments
3/4 inch	\$136.00	\$11.33
1 inch	\$204.00	\$17.00
1 1/4 inches	\$340.00	\$28.33
1 1/2 inches	\$544.00	\$45.33
2 inches	\$816.00	\$68.00
2 1/2 inches	\$1,020.00	\$85.00
3 inches	\$1,224.00	\$102.00
4 inches	\$1,700.00	\$141.67

All sections remain unchanged until Item E.

- E. Individual taps for townhouse residences shall pay an annual fee of sixty-eight dollars (\$68.00), which shall be billed in monthly installments of five dollars and sixty-seven cents (\$5.67).

All further sections remain unchanged.

8-2-57: RESPONSIBILITY FOR PAYMENT:

The utility account holder shall be responsible for the payment of all raw water used upon each property according to the rate table set out in section 8-2-56 of this chapter. Payment of bills shall be as outlined in the City electric ordinance, chapter 1 of this title.

* NO FURTHER MODIFICATIONS TO TITLE 8, CHAPTER 2, ARTICLE III *

Title 8, Chapter 2, Article IV, shall be hereby amended as follows effective January 1, 2022.

8-2-58: SPECIAL USE WATER POLICY:

- A. Eligibility: Those residential customers who live in areas where City raw water is not available for lawn and garden use and who do not have rights to the Cody Canal, may be eligible for the City special use water policy. Commercial customers may be eligible for the special use water policy with the authorization from the Public Works Director or his/her designee. Account holders who are interested in this provision must apply at City Hall and once approved, the policy will be effective for each subsequent year thereafter without the account holder reapplying for the policy. Those customers approved for the special use water policy that have even-numbered (addressed) property shall be authorized to use water on Sunday, Wednesday and Friday of each week. Odd-numbered (addressed) property shall be authorized to use water on Tuesday, Thursday and Saturday of each week. There shall be no use of water on Monday.
- B. Use; Calculation: The special use water policy allows authorized customers a reduced rate on the treated water for lawn and garden use. The special use water policy is calculated as follows:
1. An average will be calculated using the November through May billing periods based on the account holder's treated water usage.
 2. For the June through October billing periods, customers will be billed their average usage at the regular rate of two dollars and eighty-one cents (\$2.81) per one thousand (1,000) gallons of treated water used. The amount used over the average usage will be billed at

one dollar and thirty-four cents (\$1.34) per one thousand (1,000) gallons of treated water used. Wastewater will be billed based on the average treated water use from the November through May billing periods. There is no additional sewer charge on the additional water beyond the average used for irrigation purposes.

3. For the November through May billing periods, the account holder will be charged two dollars and eighty-one (\$2.81) per one thousand (1,000) gallons of water actually used, and wastewater will be charged at one dollar and eighty-four cents (\$1.84) per one thousand (1,000) gallons based on the actual amount of treated water used.

8-2-59: MODIFIED SPECIAL USE WATER POLICY:

- A. Eligibility: Those residential customers who live in areas where City raw water is not available for lawn and garden use and have rights to the Cody Canal, but are not able to access it on a routine basis, may be eligible for the City modified special use water policy. Commercial customers may be eligible for the modified special use water policy with the authorization from the Public Works Director or his/her designee. Account holders who are interested in this provision must apply at City Hall and, once approved, the policy will be effective for each subsequent year thereafter without the account holder reapplying for the policy. Those customers approved for the modified special use water policy that have even-numbered (addressed) property shall be authorized to use water on Sunday, Wednesday and Friday of each week. Odd-numbered (addressed) property shall be authorized to use water on Tuesday, Thursday and Saturday of each week. There shall be no use of water on Monday.
- B. Use; Calculation: The modified special use water policy allows authorized customers a reduced rate on the wastewater charges when water is used for lawn and garden use. The modified special use water policy is calculated as follows:
 1. For calculation of wastewater purposes, an average will be calculated using the November through May billing periods based on the account holder's treated water usage.
 2. For the June through October billing periods, customers will be billed for the actual amount of water used at the regular rate of two dollars and eighty-one cents (\$2.81) per one thousand (1,000) gallons of treated water used. Wastewater will be billed at one dollar and eighty-four cents (\$1.84) per one thousand (1,000) gallons based on the average treated water use from the November through May billing periods. There is no additional sewer charge on the additional water beyond the average used for irrigation purposes.

* NO FURTHER MODIFICATIONS TO TITLE 8, CHAPTER 2, ARTICLE IV *

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This Ordinance 2021-07 shall become effective at the final passage after third reading and publication in the Cody Enterprise as required by law:

PASSED ON FIRST READING: _____

PASSED ON SECOND READING: _____

PASSED ON THIRD READING: _____

Matt Hall, Mayor

ATTEST:

Cynthia D. Baker, Administrative Services Officer