

## City Council Special Meeting Agenda

**Date:** 4/15/2021 (Thursday) – Cody Club Room – Cody Auditorium

**Time:** 5:00 p.m.

**Location:** City Hall Council Chambers

- Mayor Matt Hall
  - Justin Baily
  - Diane Ballard
  - Jerry Fritz
  - Andy Quick
  - Heidi Rasmussen
  - Emily Swett
  - City Administrator, Barry Cook
  - Administrative Services Officer, Cindy Baker
  - City Attorney, Scott Kolpitcke
- 
- 5:00 – 5:10 – Informational Item – Electrical Engineer/Electrical Engineer Technician Position Changes
    - Staff Reference: Barry Cook, City Administrator
  - 5:10- 5:25 – Mobile Vendor – Mentock Park.
    - Staff Reference: Cindy Baker, Administrative Services Officer
  - 5:25 – 5:40 – Facility Leases and Agreements Discussion
    - Staff Reference: City Administrator, Barry Cook
  - 5:40 – 6:00 – Informational Update – E-Bikes & Scooters
    - Staff Reference: Phillip Bowman, Public Works Director
  - 6:00 – 6:15 – West Rocky Road Water Main Extension Local Improvement District (LID) Discussion (Informational Item)
    - Staff Reference: Public Works Director, Phillip Bowman
  - 6:15-6:30 -Cost Share Agreement Relating to Shadow Mountain Subdivision #2
    - Staff Reference: Public Works Director, Phillip Bowman
  - Updates – City Administrator
    - Park Staffing Update
  - Meeting Reminders:
    - Tuesday, April 20, 2021** - Regular Council Meeting 7:00 p.m. Council Chambers
    - Thursday, April 29, 2021** – Special Work Session 5:00 p.m. Council Chambers (Tentative)
    - Tuesday, May 4, 2021** - Regular Council Meeting 7:00 p.m. Council Chambers

Time Adjourned: \_\_\_\_\_



## MEMORANDUM

**TO:** City Council Members  
**FROM:** Cindy Baker, Administrative Services Officer  
**RE:** Mobile Vendor(s) - Mentock Park

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Matt Hall  
**MAYOR**

Justin Baily  
Diane Ballard  
Jerry Fritz  
Andrew Quick  
Emily Swett  
Heidi Rasmussen  
**COUNCIL MEMBERS**

Thomas Keegan  
**MUNICIPAL JUDGE**

Barry A. Cook  
**CITY ADMINISTRATOR**

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

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

### SUMMARY OF INFORMATION:

January 1, 2021 Ordinance 2020-14 was adopted relating to Mobile Vendor Permits. Section 3-5-9 (a) General Requirements states - No mobile vending unit shall park, operate, sell goods, products, food or services within any part of a city street, sidewalk, alley, park, right-of-way or other city property, unless otherwise approved by the City Code or the Governing Body for a special event. No mobile vending unit shall block, impede or interfere with motor vehicle traffic, pedestrian traffic or other lawful users of any city street, sidewalk, alley, right-of-way, easement or city property. Based on the Ordinance, request for individual vendors to set up and sell their product would require Council approval.

Staff does expect to get a variety of request when it comes to Parks or other public areas though the majority of the request may be through Event Coordinators - examples: Cody Country Car Show, Fistful of Dirt Race, Wild West Extravaganza, Concerts in the Park. Yellowstone Soccer and the Farmer's Market.

However, staff does expect some individual mobile vendor request for Mentock Park, Hugh Smith Park, Residential neighborhood parks, Bob Moore Parking Lot, Rec Center Overflow Parking Lot, etc. With that anticipation and receiving a request for Mentock Park (agenda request included) staff is presenting this to the council for discussion and directions.

Staff notes the Governing Body does have authorization, if approved, which would allow control over the days and hours of operation, as well as, the number of vendors able to operate in the area at the same time etc.

### Direction for Staff:

- 1) Present request for consideration of approval at upcoming Council Meeting.
- 2) Have staff inform individual requester that no request will be considered on an individual bases for public areas - only request associated with an event(s) will be considered at this time.
- 3) Form a subcommittee to review areas in which individual vendors could be considered for approval and/or adopt guidelines.



## City of Cody Agenda Request Form



In order to fully prepare the Council for their meetings, individuals wishing to appear before the Council are asked to complete the following information prior to placement on the agenda. You will be notified of the date you have been scheduled to appear. You may also be contacted by City staff prior to the meeting to address concerns or provide additional information. Some requests may not require appearing before the Council for approval.

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

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Name of person to appear before the Council Ryan Rhynsburger

Organization Represented BRAIN FREEZE

Date you wish to appear before the Council \_\_\_\_\_

Email Address kmmconcepts@gmail.com Telephone 307-899-3402

Names of all individuals who will speak on this topic Ryan Rhynsburger

Event Title (if applicable) \_\_\_\_\_

Date(s) of Event (if applicable) THUR - SAT (5 hours daily)

Location of Event (if applicable) MENTOCK PARK

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

Selling shaved ice for the tots + coffee + donuts for the MOMS (+ DADS) at MENTOCK park would be such a great fit selling shaved ice last year was such a blast + the kids + parents loved it we loved how the locals knew where to find us + nothing better than supporting a local business + putting smiles on little kids faces

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

Signature Ryan Rhynsburger Date 3-22-21

COUGAR AVE

23RD ST

BLACKBURN AVE

WE



MEETING DATE: APRIL 15, 2021

DEPARTMENT: PUBLIC WORKS – STREETS

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

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



## **AGENDA ITEM SUMMARY REPORT**

### **Overview and Discussion of Scooter and E-bike proposals**

#### **ACTION TO BE TAKEN**

None. Overview and discussion of Scooter and E-bike proposals presented to City Staff.

#### **SUMMARY OF INFORMATION**

City Staff have been presented information from private companies that are investigating the establishment of rental services for Electric Scooters and Electric Bikes (E-bikes) in Cody. Scooters and E-bikes are being considered (or already present) in other cities in Wyoming and the rocky mountain region, and there could be opportunity for these services in Cody as well. A number of unique challenges with these services in Cody have been discussed with the company representatives, and those issues will be discussed with City Council.

A PowerPoint presentation will be given at the Work Session to highlight the companies that offer these services and the challenges that need to be addressed here in Cody.

#### **FISCAL IMPACT**

None at this time. If there is direction from the City Council to move forward, there will be time and effort by City Staff to work with the companies that provide these services.

#### **ATTACHMENTS**

1. Email and Information from Bird Scooters

**AGENDA ITEM NO. \_\_\_\_\_**

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## Re: Bird 2021 Cody planning

1 message

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**Garrett Gronowski** <[garrett@bird.co](mailto:garrett@bird.co)>  
To: Phillip Bowman <[pbowman@cityofcody.com](mailto:pbowman@cityofcody.com)>

Wed, Jan 27, 2021 at 12:54 PM

Great - I just sent you over a calendar invite for the 2/2 at 2:30pm MST time slot. I have also attached some pre-call information for you and the team. Please let me know if you have any questions before then and I am looking forward to meeting you.

Best,

Garrett Gronowski  
B I R D | University Partnerships  
310.569.2405

On Wed, Jan 27, 2021 at 11:42 AM Phillip Bowman <[pbowman@cityofcody.com](mailto:pbowman@cityofcody.com)> wrote:

Hi Garrett,

I have discussed your email with other city staff, and there are a few of us that would like to visit with you for the "quick introduction" mentioned in your email dated 1/25. Unfortunately, the group on our end did not have much availability this week and we were hoping to schedule a time with during the week of 2/1. The city staff group can all sit together in our conference room for a zoom or other web based video conference, and our computer works best if we then call in from our land line (instead of computer audio).

In general, our group is available at the following MST times (but things are booking up fast) and we would like to schedule 1 hour for the discussion:

Monday 2/1: 9.30 - 10.30 am, 10.30 - 11.30 am, or 1.30 - 2.30 pm

Tuesday 2/2: 2.30 - 3.30 pm, or 3.30 - 4.30 pm

Friday 2/5: morning between 9.00 am to 12.00 noon, or afternoon from 1.00 pm to 4.00 pm finish (3.00 pm start)

Please let me know what time is best for you, and I will attempt to get it scheduled with the group. If the first choice gets booked up and has a conflict, I will get back to you ASAP. Thanks.

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**PHILLIP M. BOWMAN, P.E., CFM**  
Public Works Director | [City of Cody](http://City of Cody)  
[pbowman@cityofcody.com](mailto:pbowman@cityofcody.com) | (307) 527-3481



On Wed, Jan 27, 2021 at 11:38 AM Garrett Gronowski <[garrett@bird.co](mailto:garrett@bird.co)> wrote:

Hi Phillip,

Bird is interested in establishing a small, dockless mobility program in Cody, offering a pilot fleet of 50-100 e-scooters. We've built some wildly successful programs, and after researching thousands of cities across the country we believe that Cody and your community would be a great fit for Bird and its micromobility solution.

Our shared e-scooter model now allows Bird to partner with [local entrepreneurs](#) looking to build a new business in Cody and manage a small fleet of scooters (typically starting with only 50). Partnering with a local entrepreneur

allows Bird to have boots on the ground, supporting operational requests, while providing our scooters to many more cities and towns than we previously were able.

I would welcome the chance to talk with you and answer any questions. I've also attached an overview of Bird for reference.

Respectfully,  
Garrett

On Mon, Jan 25, 2021 at 10:37 am, Garrett Gronowski wrote:

Hi Phillip,

Bird is interested in bringing our scooter business to Cody this year.

Are you available for a quick introduction in the next couple of days?

If it helps with scheduling, please use this link to schedule a time on my calendar: [Link to Calendar](#)

I look forward to connecting soon!

Best,  
Garrett

*All City of Cody electronic correspondence and associated file attachments are public records and may be subject to certain disclosure in the event of a public records request.*

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## 2 attachments



**Bird Intro.pdf**

360K



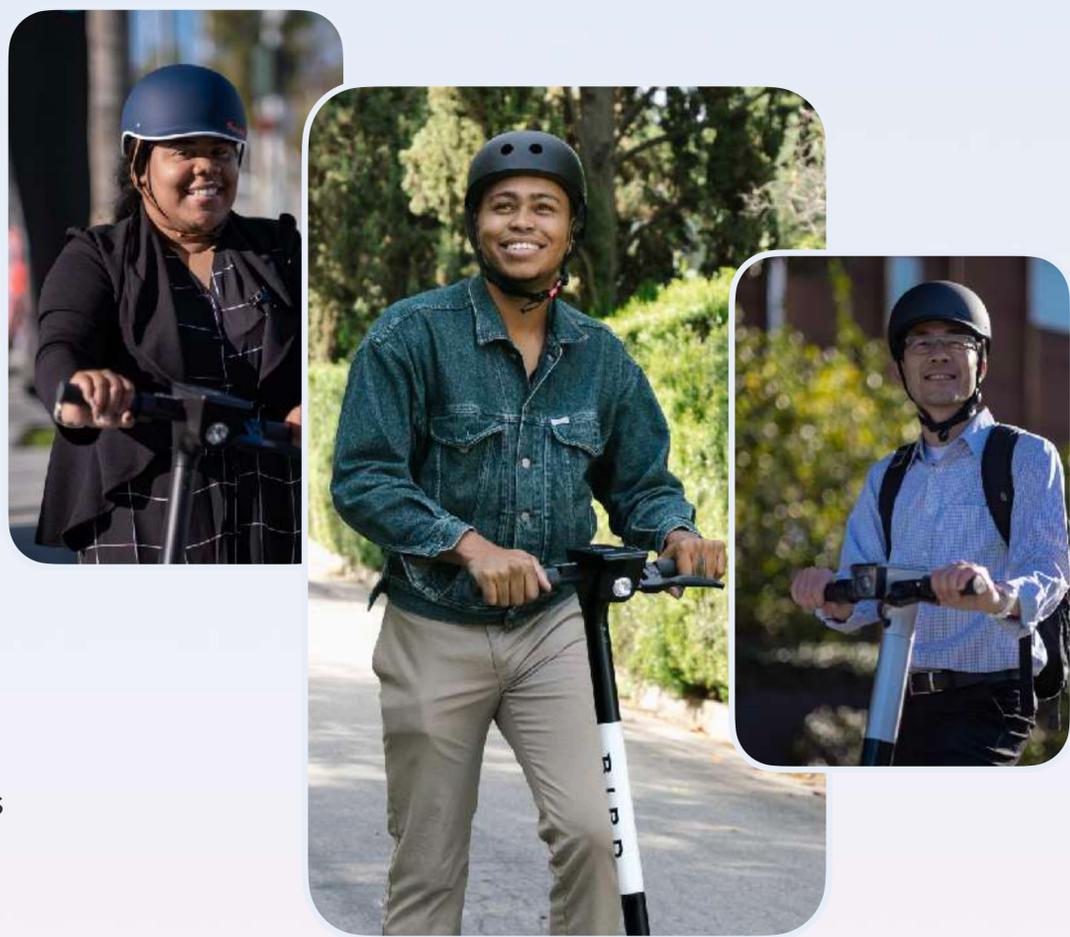
**Bird Presentation Intro.pdf**

1437K



# How Bird Partners with Local Communities

Bird works closely with local government agencies to bring convenient, sustainable transit to communities with stand-up electric scooters, which can be rented for short trips using the Bird Mobile App. Our mission is to get people out of cars, reduce traffic and bring communities together by providing an affordable, environmentally-friendly transit alternative.



## Cities who partner with Bird benefit from our Industry-leading approach:



Clean, equitable, transportation options



Safest vehicles with advanced detection



Smart technologies to eliminate concerns



Opportunities for local entrepreneurs

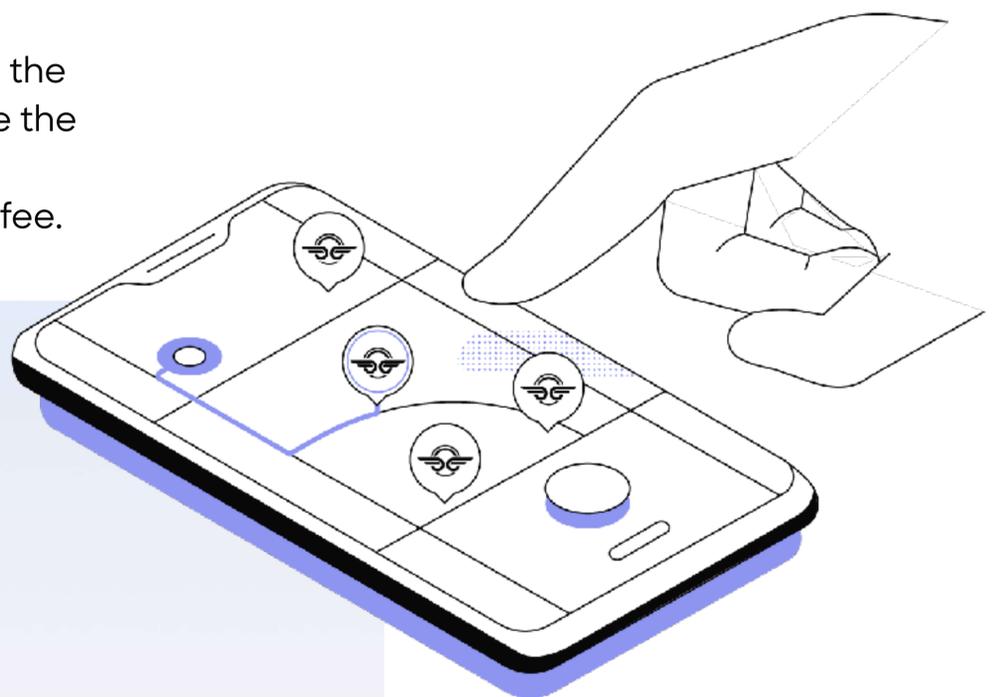


Hyperlocal operations

## How it works

Through the Bird smartphone app, riders can see the closest Bird scooter on a map, unlock it, complete the safety tutorial and ride directly to their desired destination. It costs \$1 to start, then a per minute fee.

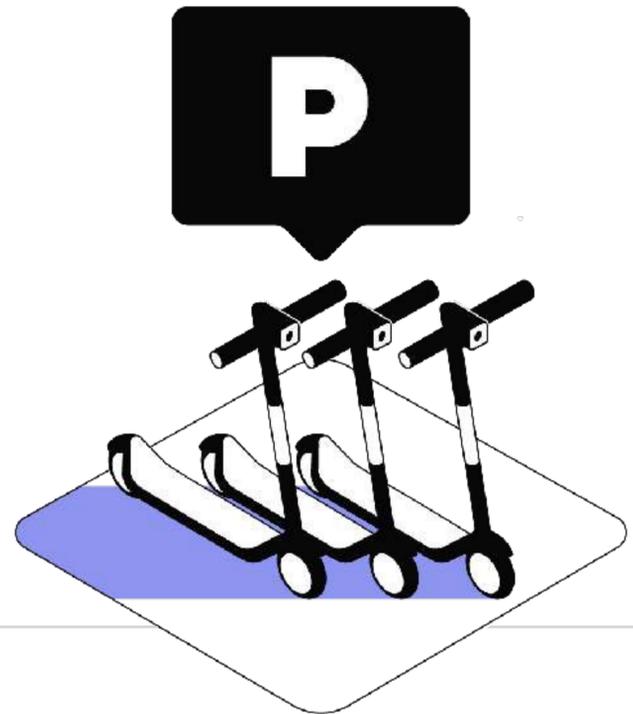
- 1 Find Birds on the map
- 2 Scan QR to begin ride
- 3 Watch safety tutorial
- 4 Enjoy the ride



THE BIRD LOCAL ADVANTAGE:

# By Locals, For Locals

When Bird comes to town, we work with a local entrepreneur from the community to manage the fleet on the ground. They make money on every ride taken on the scooters that they manage. We provide the tools, operational experience and technology to help them be successful; and they provide the local pride, knowledge and expertise to cater the program to the community.

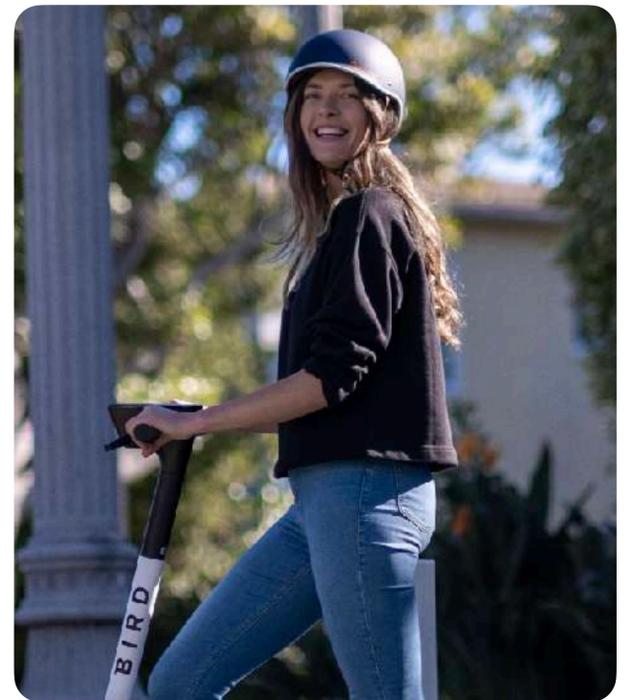


## What Cities Are Saying

“We’re a relationship-based city and Bird works with us to understand our unique needs and challenges. With any new technology, we anticipate a steep learning curve. Bird stands out by being responsive, responsible and respectful of our community.”

**Virginia Korte**

Council Member, Scottsdale



“The Rider Incentives and your fleet managers on the ground seem to be doing a good job managing the devices, fleet rebalancing, and overall user parking performance. Keep up the great work and thank you for the partnership!”

**Alyssa Muto**

Deputy Director of Environment & Mobility Planning, San Diego

MEETING DATE: APRIL 15, 2021

DEPARTMENT: PUBLIC WORKS – WATER

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

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



## **AGENDA ITEM SUMMARY REPORT**

### **Overview and Discussion of Local Improvement District (LID) for West Rocky Road Water Main Extension**

#### **ACTION TO BE TAKEN**

None. Overview and discussion of steps necessary to form a Local Improvement District (LID) to complete a water main extension project along West Rocky Road

#### **SUMMARY OF INFORMATION**

The Public Works Director has been approached by a group of City property owners about the formation of a LID to extend a treated water main in West Rocky Road. The water main extension would be approximately nine-hundred linear feet (900 LF), and could provide city water service to approximately nine (9) properties inside the incorporated City Limits.

There are many specific steps that need to be completed to properly form a LID, and the process will be reviewed with a PowerPoint presentation. In addition, the estimated costs and time frame will be discussed.

#### **FISCAL IMPACT**

None at this time. If there is direction from the City Council to move forward, there will be time and effort by City Staff to complete the first steps of the process and schedule a public hearing on the formation of the LID.

#### **ATTACHMENTS**

1. Letter from Property Owners on West Rocky Road

#### **AGENDA & SUMMARY REPORT TO:**

Charles Calcote, Property Owner Group Lead and main point of contact

Recd 9/1/2020  
P Bournan

July 24, 2020

City of Cody  
P. O. Box 2200  
Cody, WY 82414

Re: Water Line Improvement Project on West Rocky Road

This letter and signatures below confirm all landowners on West Rocky Road are in favor of the Water Line Improvement Project.

Address:

Owner:

Signature & Date

307 West Rocky Road

Charles Calcote

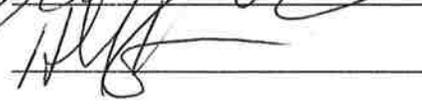


301 West Rocky Road

David Skinner

289 West Rocky Road

Harold Kaiser

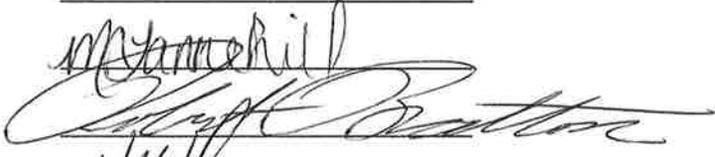


Lot #3 West Rocky Road

Skull Creek Properties

124 West Rocky Road

Melissa Tanne Hill



290 West Rocky Road

Robert Bratton



218 West Rocky Road

Harold Kaiser



224 West Rocky Road

William Graham

302 West Rocky Road

Harold Kaiser

MEETING DATE: APRIL 15, 2021

DEPARTMENT: PUBLIC WORKS – WATER

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

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



## **AGENDA ITEM SUMMARY REPORT**

### **Overview and Discussion of Raw Water Cost Share Proposal with Shadow Mountain #2 Subdivision**

#### **ACTION TO BE TAKEN**

None. Overview and discussion of a proposed Raw Water Cost Share Agreement with the Shadow Mountain #2 Subdivision project.

#### **SUMMARY OF INFORMATION**

The City of Cody owns existing raw water distribution lines in the general vicinity of Mentock Park and Blackburn Street. As part of the work currently being done on the Water Master Plan, a future expansion area for raw water service has been identified to the east of these existing facilities. The Water Master Plan will be presented to the City Council for formal approval later in 2021, and an opportunity has been presented to start the expansion of raw water service within the City.

Ed Higbie has proposed the subdivision and development of Shadow Mountain #2 in an area east of the existing raw water distribution system. With the development of this subdivision, City Staff has proposed that raw water be installed to serve the subdivision, provide irrigation to the City's Ted Ebert Park (currently irrigated with treated water), and continue the expansion of raw water service to undeveloped properties to the east. The general terms of a raw water cost share agreement for the Shadow Mountain #2 subdivision have been negotiated with Mr. Higbie, and will be presented for approval by the City Council at an upcoming meeting. If the cost share agreement is approved, the City Water Crew will install a new raw water distribution main from Blackburn Street to the subdivision generally along West Avenue.

A PowerPoint presentation will be given at the Work Session to highlight the subdivision improvements to be cost shared, the West Avenue raw water extension, and the expanded raw water service areas to the east.

#### **FISCAL IMPACT**

If a Cost Share Agreement is negotiated and approved, the general amount that the City will be responsible for is approximately \$50,000. In addition, the City will also need to extend raw water from Blackburn Street to the Shadow Mountain #2 Subdivision along West Avenue at a conceptual cost estimate of \$135,000.

In total, the subdivision cost share and the West Avenue extension combined will be budgeted at a cost of approximately \$185,000. All funding will be provided from the Water Enterprise Fund and is included in the proposed FY 2022 Budget.

#### **ATTACHMENTS**

None

**AGENDA ITEM NO. \_\_\_\_\_**