

WORK SESSION AGENDA



Casper City Council
City Hall, Council Chambers
Tuesday, September 14, 2021, 4:00 p.m.

Work Session Meeting Agenda		Recommendation	Allotted Time	Beginning Time
Recommendations = Information Only, Move Forward for Approval, Direction Requested				
1.	Council Meeting Follow-up		5 min	4:00
2.	Landlord Utility Agreement Ordinance Modification	Direction Requested	15 min	4:05
3.	WCDA CDBG Program	Information Only	30 min	4:20
4.	Agenda & Legislative Review		10 min	4:50
5.	City Council Ward I Vacancy Interviews (see interview times below)		1h 40m	5:00
Approximate End Time:				6:40

Interview Schedule


<u>Time</u>	<u>Candidate</u>
5:00 – 5:10 p.m.	Dennis Rollins
5:10 – 5:20 p.m.	Jacqueline Anderson
5:20 – 5:30 p.m.	Kimberly Holloway
5:30 – 5:40 p.m.	Zarryn Hinchon
5:40 – 5:50 p.m.	Wes Connell
5:50 – 6:00 p.m.	David Hulshizer
6:00 – 6:10 p.m.	Shannon O’Quinn
6:10 – 6:20 p.m.	Jai-Ayla Quest (virtual via GoToMeeting)
6:20 – 6:30 p.m.	John Minchow
6:30 – 6:40 p.m.	Garrett Poste



Please silence cell phones during the meeting

We are CASPER

Communication Accountability Stewardship Professionalism Efficiency Responsiveness

September 8, 2021

MEMO TO: J. Carter Napier, City Manager 

FROM: John Henley, City Attorney 
Jill Johnson, Financial Services Director 

SUBJECT: An Ordinance Updating and Amending Chapter 13.03 of the Casper Municipal Code, Including Sections 13.03.030, 13.03.040, 13.03.050, 13.03.070, and 13.03.130

Meeting Type & Date

Work Session
September 14, 2021

Action type

Information

Recommendation

Provide comments and feedback to staff regarding the attached proposed ordinance to amend portions of Chapter 13.03 of the Casper Municipal Code, Including Sections 13.03.030, 13.03.040, 13.03.050, 13.03.070, and 13.03.130.

Summary

When the City converted to a new accounting system and implemented the utility billing module, additional information was required by the new system which was not currently being captured by the Landlord Agreement form. In the process of updating the form, a review of Section 13.03 also noted several updates which were required based on the current organizational structure of the City departments.

The Landlord Agreement form is not new to the ordinance, it is only being updated to request newly required system information from Landlords who request services not be disconnected when a tenant moves out of the rental property (Ord 35-02, 2002, § 13.03.070.D). The other changes to the ordinance are organizational structure changes; from administrative services department to financial services department. The final change removes after hours service re-connections when service is disconnected for non-payment (Ord 35-02, 2002, § 13.03.070.A). All re-connections take place during business hours so as to not incur overtime expense for meter services staff.

Financial Considerations

None.

Oversight/Project Responsibility

John Henley, City Attorney (Ordinance Amendments)

Jill Johnson, Financial Services Director

Connie Arnold, Customer Service/Utility Billing Supervisor

Attachments

Proposed Ordinance

Updated Landlord Agreement

ORDINANCE NO. ____

AN ORDINANCE AMENDING
CERTAIN SECTIONS OF
CHAPTER 13.03 – UTILITY
BILLING AND COLLECTION, OF
THE CASPER MUNICIPAL CODE

WHEREAS, the governing body of the City of Casper has the authority granted by the Wyoming State Statutes Section 15-1-103(a)(x1i) and 15-1-103(a)(v), to adopt ordinances and resolutions necessary to protect the health, safety, and welfare of its citizenry; and,

WHEREAS, the governing body of the City of Casper may perform all acts in relation to the concerns of the City necessary to the exercise of its corporate powers; and,

WHEREAS, the Casper Municipal Code needs updated and modified from time to time; and,

WHEREAS, the governing body of the City of Casper desires to update and amend the City of Casper Code, CHAPTER 13.03 – UTILITY BILLING AND COLLECTION, OF THE CASPER MUNICIPAL CODE as set out below.

NOW, THEREFORE BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF CASPER, WYOMING: that the following sections of Chapter 13.03 are hereby updated and amended as follows:

Chapter 13.03 – UTILITY BILLING AND COLLECTION

13.03.010 – Purpose.

The city supplies municipal utility services for the citizens of Casper. This chapter will provide the procedures for initiating, discontinuing, billing and collection of these services.

13.03.020 – Scope.

This chapter shall apply to all property within the city of Casper or any property outside the city that has retail municipal utilities furnished by the city. This chapter does not apply to wholesale water and sewer customers or to customers with specific contractual arrangements.

This chapter shall compliment other chapters of the Casper municipal code, and city rules and regulations regarding water and sewer service.

13.03.030 – Definitions.

- A. “Business office” means the business office of the ~~Administrative~~ Financial Services Department, Casper City Hall, 200 North David Street, Casper, Wyoming.
- B. “Commercial” means property as defined in the Casper municipal code, Chapter 17 for business enterprises as retailers, wholesale facilities, hotels, motels, restaurants, travel-

trailer parks, hospitals and other similar business establishments. This does not imply a specific rate.

- C. “Domestic septage” means the mixed liquid and solids’ contents pumped from septic tanks used for receiving domestic wastewater (definition in Chapter 13.20) or wastes from sanitary convenience units.
- D. “New construction” means a building, structure, facility or installation constructed at a site that will generate new water and sewer demand.
- E. “Non-hazardous industrial sump waste” means the liquid and solids contents pumped from sumps, oil and sand interceptors, or grease interceptors receiving industrial wastes (definition in Chapter 13.20) considered non-hazardous in accordance to any state or federal criteria, guidelines or regulations developed pursuant to the Solid Waste Disposal Act, the Clean Water Act, the Resource Conservation and Recovery Act, and state statutes.
- F. “Rate description” means the amount of money that will be charged for a certain service, dependent upon the kind of service received, rather than the property designation. All rates and fees shall be established by resolution of the city council.
- G. “Residential” means a property designation as listed in the Casper municipal code, Chapter 17 including, but not limited to, single-family dwellings; moveable mobile homes; modular homes; multi-family dwelling units, such as duplexes; townhouses; condominiums; apartments; churches; schools; day care (adult, family and group); parks; playgrounds; historical sites; golf course; and, other similar recreational facilities used during daylight hours. This does not imply a specific rate.
- H. “Temporary fire hydrant usage” means a fire hydrant used for delivering water needed for public or private works or new building construction purposes (compaction, dust control, etc.)

13.03.040 – New construction.

- A. Applications for new construction installations for water and sewer service shall be made to the Engineering Department, 200 North David Street, Casper, Wyoming. All applicable charges for new services, including, but not limited to, system investment charges for new services, will be assessed at the time of application in accordance to other chapters of this Casper municipal code and city rules and regulations regarding water and sewer service.
- B. Upon application, the minimum charge for services will be billed until the meter is installed. If water is used for landscaping before the meter is installed, the customer will be charged for twenty-five thousand gallons of water for the billing period.

13.03.050 – Connection or change of service.

- A. The property owner, tenant or agent of the owner may request changes in existing services. If a tenant occupies the property, the property owner or agent of the owner may only request changes in existing services with the written approval of the tenant.
- B. Service can be obtained by contacting the Customer Service Division of the Administrative-Financial Services Department at 200 North David Street, between the

hours of eight a.m. to five p.m., Monday through Friday (except holidays); calling the ~~Administrative-Financial~~ Services Department Customer Service Division between the hours of eight a.m. to five p.m., Monday through Friday (except holidays); or, by utilizing the city's website. The request for service will include name of occupant, physical address, mailing address, social security number, day and night time telephone number, employer and requested date of service. The request must be made at least three working days prior to requested starting date. Incomplete website requests will be returned to the customer for additional information.

- C. Tenants of rental properties will be required to make a deposit unless:
 - 1. They have one year of previous service with the city indicating good credit.
 - 2. There is a co-signor who is currently serviced by the city, with good credit, and is willing to sign for any delinquent amounts.
 - 3. They can provide a letter of credit from another utility indicating good credit for at least one year.
- D. Any new occupant, owner or agency is granted a seventy-two hour notice before services will be disconnected to allow the customer time to transfer the utilities to their name without a break in service.

13.03.060 – Refusal of service.

The city reserves the rights to refuse service to any customer until all federal, state and municipal regulations governing municipal utility service have been complied with by the applicant.

13.03.070 – Discontinuance of service.

- A. Service may be discontinued for nonpayment. In order to re-establish service, a delinquent turn-on fee and a deposit may be required before service is restored. ~~If the service is to be restored during non-working hours, the fee and deposit must be in the customer service division of the administrative services department no later than ten a.m. the next working day, or service will be disconnected and additional applicable charges may be imposed.~~ Service will not be provided if there are any outstanding bills or fees or any violations of this chapter.
- B. Customers will be charged a fee if an insufficient funds check is received by the city. The bank automatically redeposits insufficient funds checks. If an insufficient funds check has been redeposited and is returned to the city, the amount will be automatically reversed and applied to the customer's account. The customer will be responsible for any additional charges; interest or penalties accrued to the account. The unpaid balance will be subject to any interest or penalty charges associated with a past due ~~account~~ amount. The account will be subject to the city general billing and collection policy, adopted by resolution of the city council.
- C. If water service is disconnected because of any misrepresentation, deliberate meter tampering, curb stop tampering or unauthorized connections, service may be restored after the city has received payment for water used, damages to materials, reconnection charges, proper system investment charges and other fees and costs incurred by the city.

- D. A property owner may have water service transferred to their name automatically when a tenant discontinues services or is shut-off, by completing a landlord agreement form. The landlord agreement will remain in effect until a new property owner requests service, or the landlord notifies the city to terminate the landlord agreement.
- E. When water service is temporarily shut-off at the request of the customer and turned on at a later date at the request of the customer, a reconnect fee shall be charged to the customer. There will be no reconnect fee when the water service is shut off for less than twenty-four hours for repairs to the customer's plumbing system.

13.03.080 – Billing.

- A. All bills and notices mailed by the city will be mailed to the street addresses of the property, unless the customer has provided a different mailing address.
- B. All utility billing will be based upon a rate definition rather than a property definition. Property may be designated as commercial in this code; however, they may be charged a residential rate for any of the utilities.
- C. Water billing will be based on meter readings. The bills shall indicate the consumption in one thousand-gallon increments.
- D. Sewer billing for new residential customers will be based on a usage of six thousand five hundred gallons per month. If a customer has established usage at a previous address, the new sewer rate will be based on the same usage as the previous address until the next annual re-evaluation.
- E. Residential and commercial sewer billing will be reevaluated each year, based on actual water usage during the billing period starting after January 1.
- F. Each and every property location will receive a separate bill.
- G. Water and sewer minimum charges are not prorated with the billing period is shorter than thirty days.
- H. Customers will be charged any applicable minimum charges for all utility services during billing periods with no water usage. Minimum charges will be established by resolution.
- I. There may be charges for additional unsubstantiated re-reads. If the meter test reveals that the customer has been over-billed by three percent or more, the customer's bill may be adjusted. If the customer has been billed correctly, or has been underbilled, the city will bill the customer for the meter test. The amount billed will be determined by resolution.

13.03.090 – Adjustments.

- A. Sewer adjustments may be given if a leak occurred during the sewer evaluation periods.
- B. A bill may be adjusted for a water leak if the following condition applies. The usage on the customer's bill with the leak exceeds by three times the usage amount on the customer's bill for the same period one year previous. The leak adjustment is calculated at forty percent of the difference between the current period usage and the usage billed for the same time period one year previous.

13.03.100 – Credit, payment terms and collection efforts.

- A. Bills will be considered delinquent if not paid thirty days after the bill date. Authorized interest and penalty charges will start accruing on this date. A delinquent notice will be mailed to the customer on or shortly after the thirty-first day after the bill date. If the bill remains unpaid forty-five days after the bill date, all utility services will be disconnected.
- B. If the customer's service is disconnected due to lack of payment, and remains unpaid for sixty days; the account shall be closed and turned over for collection.

13.03.110 – Temporary fire hydrant usage.

- A. A fire hydrant usage permit must be obtained from the city.
- B. At the time the fire hydrant usage permit is obtained, a hydrant deposit shall be paid for an auxiliary valve, wrench, meter and hose. Upon return of the valve, wrench, meter, and hose, in good condition, the hydrant deposit will be credited toward the amount due for water usage from the hydrant. If equipment is lost or damaged due to customer neglect, appropriate fees shall be charged. The city manager or his designee reserves the right to rescind this privilege at any time.
- C. A fire hydrant operation charge for use of the fire hydrant shall be established by resolution of the city council. Charges will continue until the auxiliary valve, wrench, meter and hose are returned.
- D. All water will be metered. Hydrant meters may be rented from the city at a price set by resolution of the city council. Hydrant meters provided by the user and approved for use by the city may be used. The current City of Casper water transmission line wholesale water rate will be charged for erosion control, reinstatement of vegetation of disturbed areas, compaction water, and flushing water used by developers, contractors, and others in addition to the hydrant permit and hydrant operations changes.

The current retail water rate (dependent upon hydrant location) will be charged in addition to the hydrant permit and hydrant operational charges for all other uses, including, but not limited to, sod watering and parking lot washing. Payment and collection policies as listed in Section 13.03.090 will apply.

13.03.120 – Domestic septage and non-hazardous industrial sump waste service.

Customers may use the regional wastewater treatment plan for disposing of domestic septage and non-hazardous industrial sump waste. The hauler of the domestic septage or sump waste will be billed on a monthly basis. Customers receiving bills for this service will adhere to the payment and collection policy for non-utility billing customers.

The customer will be responsible for paying the applicable sump waste testing fees directly to the laboratory.

13.03.130 – Appeals.

Bills and adjustments may be appealed to the administrative-financial services director or his/her designee within thirty days of the bill date or adjustment date. If satisfactory settlement is not reached within thirty days, the customer may appeal to the Casper utilities advisory board by submitting a written request to the administrative-financial services department. If satisfactory

settlement is not reached within thirty days with the Casper utilities advisory board, the customer may appeal to the city council by submitting a written request. All decisions made by the city council will be final.

This Ordinance shall become in full force and effect twenty-one (21) days after passage on third reading and publication.

PASSED on 1st reading the ___ day of _____, 2021

PASSED on 2nd reading the ___ day of _____, 2021

PASSED, APPROVED, AND ADOPTED on 3rd and final reading the ___ day of _____, 2021

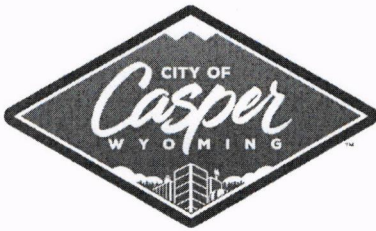
APPROVED AS TO FORM:

ATTEST:

CITY OF CASPER, WYOMING
A Municipal Corporation

Fleur Tremel
City Clerk

Steven K. Freel
Mayor



City of Casper
Financial Services
200 N David St.
Casper, WY 82601
307-235-8400

LANDLORD AGREEMENT FORM For Continuation of Utility Service

The Landlord Agreement for Continuation of Utility Service is designed to provide uninterrupted utility service to a rental property between tenants. The utility service for water, sewer and sanitation accounts will automatically be transferred from the tenant's name into the landlord's name at the time service has been terminated by the tenant or when the service has been terminated by the City of Casper for lack of payment by the tenant. Please note this will not prevent all forms of disconnection of water service, only disconnection due to an account termination.

- This agreement will be effective upon the signature and receipt by the City of Casper of this form. All properties listed on the attached addendum will be covered by the Landlord Agreement.
- This will eliminate the turn on charge currently imposed for service that has been terminated and then reinstated.
- This authorizes the City of Casper to put a property back into the owner's name when service is terminated by the tenant(s).
- This authorizes the City of Casper to place a property back into the owner's name when service is terminated for the tenant's failure to pay for service. This may result in the owner being responsible for the tenant's subsequent utility services. The utility bill will serve as notice of the change to the account.
- This agreement remains in effect until a new property owner requests service or the landlord notifies the City of Casper in writing to terminate the landlord agreement. The landlord may add or remove properties to this agreement by written request.
- The landlord is responsible for notifying new tenant(s) that they need to contact the City of Casper to establish new utility service and to pay any deposit required.
- If landlord has a City of Casper account in collections, all Landlord Agreements may be suspended at the city's discretion until account issues are resolved.
- The property owner must be verifiable through the Natrona County Assessor's Office.
- This agreement must be signed by the Property Owner. If property management services are used then the agreement must also be signed by the Property Manager, if the property manager has full access and responsibility over accounts. The City of Casper must be informed in writing of any changes to property management and a new LLA form must be submitted.

Please provide the following information (please print)
**List all properties to be covered on the attached addendum*

PROPERTY OWNER INFORMATION

Name of Property Owner (must be verifiable through Natrona County Assessor)

Name of Property Owners Business (if applicable)

Mailing Address

FIN/EID #

Telephone #

E-Mail Address

Signature of Property Owner

Date

PROPERTY MANAGER INFORMATION
(If Property Manager has full access and responsibility over accounts)

Name of Management Company

Name of Authorized Property Manager

Mailing Address

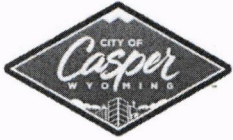
FIN/EID #

Telephone #

E-Mail Address

Signature of Property Manager

Date



City of Casper Financial Services
 200 N David Street
 Casper, WY 82601
 307-235-8400

PROPERTY OWNER NAME (printed) _____

SIGNATURE _____ DATE _____

Addresses to be covered under Landlord Agreement

	SERVICE ADDRESS/COMPLEX NAME	APT. / UNIT # (if applicable)	(office use only)
1			
2			
3			
4			
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September 9, 2021

MEMO TO: J. Carter Napier, City Manager *JCN*
FROM: Liz Becher, Community Development Director *LB*
SUBJECT: Overview of WCDA's CDBG-funded Neighborhood Development Program.

Meeting Type & Date:

Council Work Session, September 14, 2021.

Action Type:

Information Only

Recommendation:

That Council consider an overview by the Wyoming Community Development Authority (WCDA) of the new Community Development Block Grant (CDBG) – funded neighborhood development program, and address any questions to their team.

Summary:

WCDA was awarded oversight of Wyoming's CDBG funding from the U.S. Department of Housing and Urban Development (HUD) on July 1, 2021. The WCDA Board of Directors and staff developed a Method of Distribution by which WCDA will allocate the CDBG funds in support of existing and planned neighborhood development projects in Wyoming communities.

Representatives from WCDA will present their role and responsibilities with the program, and outline the roles and responsibilities of the City (sponsor) and program applicants (sub-recipients).

Council will have a direct decision-making role in this program should they decide to participate.

Financial Considerations:

Unknown at this time.

Oversight/Project Responsibility: The Community Development Department is coordinating the public hearing and communicating with the program applicants.

Attachments: None.