

COUNCIL WORK SESSION

Tuesday, September 26, 2023 at 4:30 p.m.

The Lyric

1. Meeting Follow-up
2. Neighborhood Help Program
3. Aquatics Business Plans
4. Unpaid Utility Ordinance Amendment
5. Ward 1 Vacancy Process
6. Agenda Review
7. Legislative Review
8. Council Around the Table

Mayor Pacheco called the work session to order at 4:33 p.m. with the following Councilors present: Pollock, Engebretsen, Haskins, Jensen, Cathey, Gamroth, Vice Mayor Engebretsen, and Mayor Pacheco. Councilor Bond joined the meeting virtually.

1. Council Meeting Follow-up

Mayor Pacheco read a statement regarding the recent resignation of former Councilor Knell. He explained that the role of the Mayor is to oversee facilitation of Council meetings, and their appointment by Council does not change the fact that they are elected by the citizens in their ward. Because they are elected, they cannot simply be fired, and the formal channels available for removal of a Councilor are limited and complex. Any investigations have been referred to other law enforcement agencies to provide an unbiased and unconflicted evaluation.

2. Neighborhood Help Program

Next, City Manager Napier introduced Ross Schriftman to discuss his proposal for the Neighborhood Help Program, which he previously brought forward during a City Council Meeting. City Manager Napier stated he met with Mr. Schriftman after that meeting, and the proposal is now ready to be heard and discussed by City Council.

Mr. Schriftman discussed the July 11th work session topic about properties around the City not being maintained. He stated that the purpose of the Neighborhood Help Program would be to help people who may not feel comfortable asking for help but need it, such as elderly residents. He gave examples such as helping to maintain overgrown grass and shrubbery, painting houses, and doing simple home repairs. He suggested that groups like Meals on Wheels could be a conduit to help offer that help to these residents and other groups such as students, real estate agents, rotary clubs and the Senior Center could possibly volunteer for the program. He said he envisioned a simple form for individuals who are low income or disabled to fill out and did not want to get into any tax issues with volunteering.

Mayor Pacheco asked if there were any recommendations from the City regarding the program. City Manager Napier responded that volunteer help to aid residents with unkempt properties would provide a valuable resource to the City. He was concerned about how to mitigate costs that the landfill might incur through refuse, and also stated that the City does not have a non-profit status to provide a tax deduction for contributions.

Councilor Pollock stated she thinks the idea is worth pursuing, perhaps along with an additional organization who could provide that non-profit status in the future. She suggested the City create the program internally in the short-term and take contributions without the tax deduction as a pilot program to see if it is worth pursuing. Councilor Gamroth agreed and suggested a possible partnership with the Senior Center. Councilor Jensen suggested that the program is not necessarily a good fit for the City to spearhead but thought the City could possibly help in some way. Councilor Cathey agreed that a non-profit agency should lead the project. Vice Mayor Engebretsen addressed the comments regarding tenants, and stated that realtors are not going to want to clean up a clients' neighbor's property. Councilor Pollock discussed that these issues already cost the City money by paying local contractors to clean up properties. She suggested that this would provide a collaborative avenue to help the City reduce that investment in a more proactive way.

Mayor Pacheco asked how the City might go about coordinating with outside agencies on a project such as this, and City Manager Napier stated that the staff commitment would depend on the scope of the project, but there is already a staff position of Community Engagement Coordinator that would naturally fit with a project such as this and could liaison and engage with non-profits on the project. Vice Mayor Engebretsen suggested other groups to coordinate with as well, such as the Boy Scouts, Girl Scouts, and youth diversion. Councilor Cathey stated that a previous CDBG program, World Changers, may be a good resource as well as Lisa Eades, and would provide information on how to screen residents for the program. He supported having code enforcement be a point of contact but having a non-profit do the actual volunteering.

Councilor Pollock asked about code enforcement's current contact with citizens and barriers they face. City Manager Napier responded that staff does periodically run into these types of situations, but the resident usually finds a way to mitigate the problem through help from family or friends. Councilor Pollock stated that the non-profit sector is one place where this could be addressed, but it is difficult to compel the founding of a non-profit to deal with this issue; she stated that a solution may be to form an account to receive donations and fund these types of projects. She suggested code enforcement being the liaison with residents who are experiencing hardships and offering a program application to these residents.

City Attorney Nelson stated that some of the worst cases with these code enforcement issues are not those being discussed tonight and often involve substance abuse, criminal behavior, and mental illness. He stated that from a legal standpoint there are some hurdles, including issues with the City forming a non-profit and possible liability issues. He explained that a fund like that suggested by Councilor Pollock would need to have stipulations put on it regarding low-income status, because the City cannot donate funds to private individuals. He said he thinks there is room for the City to partner with another agency and for code enforcement to act as a clearinghouse to help identify those individuals in need of assistance. He added that he would not want to commit staff to a large program, and if the Council wants to pursue the City running a large scope project, there are many legal questions that would need to be answered first.

Councilor Gamroth asked if Mr. Schriftman had any feedback based on the discussion thus far. Mr. Schriftman responded that the City could be helpful as a conduit of information and providing a simple form to apply for the program, while other non-profits could provide the volunteer service

and funding. Councilor Bond discussed concerns about liability and accident insurance for volunteers, and about City staff taking on more work. Councilor Haskins also expressed concern about liability issues for volunteers. She stated she would be comfortable looking into a fund and asked that Mr. Schriftman look at partnering with a non-profit and coming back to the City to seek 5th cent funds in the future. Mayor Pacheco stated that he liked the idea, but is not sure that the City is the mechanism for the full project. He said he thinks the City could help to provide partnership and help with community engagement. Councilor Cathey stated that the City should not spend City money on this project.

Mayor Pacheco asked for direction for staff. Councilor Pollock stated that she would be open to staff exploring the City's logistical role in the project, and how and if the City could manage its end of a partnership with other non-profits. City Manager Napier replied that given the limited scope described, he felt comfortable with the Community Engagement Coordinator providing outreach and possible coordination of volunteers. He stated that he is comfortable with the Coordinator helping to facilitate contact with partner agencies. Council gave their thumbs up to staff helping to facilitate contact with non-profit partner agencies.

3. Aquatics Business Plans

Next, City Manager Napier introduced Zulima Lopez, Parks, Recreation, and Public Facilities Director, to discuss the aquatics enterprise business plans. Ms. Lopez began by discussing the revenue from aquatics from FY23. She explained that this fund has been impacted by the Aquatics Center roof replacement; specifically, membership has decreased and the 58% cost recovery goal was not reached. Staff is hoping to open the Aquatics Center in January, which will lead to a projected 41% cost recovery for FY24.

Ms. Lopez then reviewed the 5-year capital plan for aquatics. Part of the plan includes identifying single points of failure and procuring backup equipment to limit the amount of time pools are down if there is a failing part. She explained that swim lessons are the primary revenue driver for aquatics, and staff works annually to evaluate open swim vs. fitness swim time. They are also looking into hosting new events in partnership with the Community Recreation Foundation, eliminating credit card fees, looking into sponsorship/naming rights, evaluating fee increases in FY25 & FY27, and modifying amenities. She then reviewed the performance of each of the pools. The Aquatics Center has a low-cost recovery outlook for FY23/FY24 due to its closure to repair the roof. Mike Sedar Pool is the most popular pool and has the best cost recovery. The primary complaint at this pool is limited capacity due to a limited number of lifeguards. Edwin Luers, Aquatics Supervisor, explained that lifeguards are staffed across all of the pools in order to keep them all open during the summer, so it is not feasible to staff more at this pool without closing another pool. Ms. Lopez also discussed the performance of PV Pool, Washington Park Pool, and Marion Kreiner pool. She explained that getting a higher cost recovery is difficult with pools because they are costly to maintain. For Phase 3 of the Washington Park Revival that pool building may be replaced. To help with cost recovery at Marion Kreiner pool, staff has considered offering lessons, partnering with local daycares to provide swim instruction, and applying a rate of \$0.50-\$1 admission. Councilor Pollock stated that she would like to keep rates at that pool free or very

low. Council directed staff to do analysis of the cost recoveries for each of the pools in addition to the fund as a whole, and bring back recommendations for specific pools.

Ms. Lopez then discussed capital improvements for each of the pools. She discussed possible concession space and an outdoor water amenity at the Aquatics Center to attract more people to that pool during the summer months. This same idea for concessions for Washington Park has been discussed to help with revenue at that pool. She explained that the one cent funds do not entirely cover the pool subsidies; the additional cost is covered by the direct distribution fund and perpetual care fund. Council gave their thumbs up to the direction of the business plan presented.

4. Unpaid Utility Ordinance Amendment

Next, City Manager Napier discussed strategies to reduce the disproportionate bad debt expense from utilities collections, which can be \$200K-\$250K per year. He then introduced Jill Johnson, Finance Manager, and Brandy Coyle, Accounts Receivable Supervisor, to discuss strategies to reduce this expense.

Ms. Johnson stated that when debt is written off, rate payers subsidize those that are not paying their bills. The proposed changes to the ordinance will give the City additional tools to collect money, including disconnecting water at 45 days past due, collections at 60 days past due, and writing off the bill after 5 years. Other changes include requiring a service application for new account customers, including property manager/landlord information; holding landlords responsible for delinquent accounts if the City is unable to collect from the tenant, with all charges requiring payment before new services are established for a new tenant; required deposits for all new account holders; minimum of one year for ACH payment sign up; sewer set to 7K gallons for new accounts; requirement of sanitation services for all active residential accounts; charging a paper bill fee to off-set the postage and printing costs of paper bills; leak adjustment calculations based on percentage of water bill; and standard criteria for payment arrangements.

Ms. Johnson explained that none of these changes will affect the current landlord agreement. Vice Mayor Engebretsen stated that the landlord agreement is not working the way it is supposed to, and the landlord oftentimes has to call the City to avoid disconnection. Councilors Cathey and Jensen discussed that they were in favor of landlords being responsible for unpaid bills from their tenants.

Council discussed the paperless billing item, with some in favor of the option and other Councilors wanting to give people the chance to opt out. Council also discussed a possible discount for people who do the e-billing, but this would not have the same effect of lowering the budget. Council gave direction to do an “opt-in” option for customers wanting a paper bill, with the rest automatically transferring to an electronic bill.

Councilor Pollock stated that she did not like the provision in the ordinance that service is automatically disconnected if an automatic payment does not go through when someone is signed up for ACH. She asked that a grace period be added. Council directed staff to include a three to five-day grace period with the caveat that frequent delinquency may lead to automatic shut offs in the future. Vice Mayor Engebretsen discussed allowing a payment plan for deposits. After

gathering Council’s thoughts, Council directed staff to keep this as it currently stands but to come back to Council if customers seem to have problems.

5. Ward 1 Vacancy Process

Next, City Manager Napier discussed the process proposed by staff to fill the Ward 1 City Council seat, left vacant with former Councilor Bruce Knell’s resignation. The proposed timeline would be for applications to be open starting September 27th and the deadline closing on October 12th. Interviews are proposed to be held during the October 17th pre-meeting with that meeting beginning early depending on the number of applicants. Council gave their thumbs up to the timeline. They also discussed the proposed interview questions that each applicant will answer during their presentation, and agreed to keep the five questions proposed by staff in their packets.

6. Agenda Review

Next, Council reviewed the agendas for upcoming Council meetings and work sessions.

7. Legislative Review

Next, City Manager Napier informed Council he had nothing for the legislative review.

8. Council Around the Table

Next, Council went around the table to discuss their respective board and committee meetings as well as matters of public interest. Councilor Gamroth asked for an agenda item on a future work session agenda to discuss giving Council more power to remove a Councilor from leadership, as this is an internal vote of Council. Council gave their thumbs up to add this item to a future work session agenda. Councilor Gamroth then discussed concerns regarding the process for leadership election at the last Council meeting, and asked that Council review the process. City Manager Napier responded that the process was the result of Council needing a Mayor and Vice Mayor, and the regular leadership process will be discussed and done according the Council’s direction for the normal leadership election before the first of the year. Councilor Pollock discussed the Metro Animal Task Force and asked for a memo explaining options for Metro to be put in the Info Packet. She asked that Council weigh in on the options available. Vice Mayor Engebretsen explained that she felt she needed to address some questions from citizens; she did not vote for Mr. Knell as Mayor last year, because she felt he was unsuitable for the position. Mayor Pacheco stated that he asked Councilor Cathey to serve as the liaison for CNFR. Councilor Jensen asked to be added as an alternate to that board as well.

The work session was adjourned at 7:57 p.m.

ATTEST:

CITY OF CASPER, WYOMING
A Municipal Corporation

Fleur Tremel
City Clerk

Ray Pacheco
Mayor