

COUNCIL WORK SESSION
Tuesday, June 28, 2016, 4:30 p.m.
Casper City Hall
Council Meeting Room

AGENDA

1. Executive Session – Litigation
2. City/County Health Department – Fee Proposal Presentation (Dr. Kelly Weidenbach)
3. Zone Change Proposal for South Poplar Corridor Area (Liz Becher)
4. Budget Review
5. City Manager Report
6. Future Agenda Review
7. Council Around the Table
8. Council Discussion – Facilitation Process for Evaluation of Employees of City Council (City Manager, City Attorney, Municipal Judges)

June 14, 2016

TO: His Honor, the Mayor, and Members of City Council

FROM: Ruth Heald, Program Manager Environmental Health Division
Casper-Natrona County Health Department

SUBJECT: Fee for Service Proposal

Recommendation:

That Council consider the establishment of fees-for-service (fee for inspections) by the Environmental Health Division of the Casper Natrona County Health Department in accordance with Wyoming Statute 35-1-305 (c).

Summary:

Refer to attached:

Exhibit A - Cover letter outlining Environmental Health functions, challenges and goals.

Exhibit B - Expanded letter explaining details outlined in Exhibit A

Exhibit C - Chart listing fees in other jurisdictions, current Casper-Natrona County Environmental Health fees and proposed fees



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To obtain more sustainable revenue to support services, the Casper-Natrona County Health Department is proposing to establish fee-for-service for the Environmental Health Division. The activities of the Environmental Health Division include sanitation inspections of restaurants and retail food establishments, body art, child care, lodging and recreational water facilities as well as permitting and review of small waste water installation. Recognizing the difficult economic times, the proposed fees are modest but could provide significant support to programs which benefit all Natrona County citizens.

Over the past several years, growth in Natrona County has been steady and the number of licensed facilities has increased significantly. In contrast, the number of staff positions in Environmental Health have not increased since 2003. Currently, staff are assigned approximately 165 establishments, the majority of which require at a minimum two inspections a year. Non-compliant facilities often require multiple follow up visits. During warm weather months, workload increases due to septic system installations and failed system replacements as well as inspection duties associated with summer events. Each inspector is expected to conduct plan reviews for all new facilities, respond to citizen complaints, and participate in epidemiologic investigations associated with foodborne illnesses all while being current with routine, scheduled inspections.

To the improve quality of our services and to better manage the workload, the Casper-Natrona County Health Department has invested in a new inspection software program. The software is currently being installed and full implementation is expected to be July 2016. The program has the capacity to track data relating to violation numbers and types as well as staff time in each of the program areas. Through analysis of the data, work efficiency will be increased by identifying which interventions are most effective for improving compliance and thereby the publics' safety. Efforts are under way to evaluate programs and develop standard protocol which will provide fair and consistent practices when dealing with the public. With increasing workloads and minimum staffing, efficiency and consistency will be essential in order to increase compliance and yet maximize the return on investment.

Budget decreases in the past have hampered the ability of the Environmental Health Division to provide quality services. In 2010, educational programs were cut from our Environmental Health Division despite the fact that food safety training is considered by the Food and Drug Administration to be key to compliance and enforcement in food establishments. It is vital to the enforcement protocol that the educational programs be reinstated as well as assist operators in maintaining compliance and to improve food safety for the entire Natrona County community. Training for staff has also suffered from lack of funds. The knowledge base required by Environmental Health Specialist is broad and growing. In order to understand health impacts in all the program areas, staff need to have access to continuing education opportunities provided by the various partner agencies in Environmental Health. This lack of support

has also adversely impacted the Departments ability to retain staff. Revenue from fee-for-service will be necessary to implement these evidence-based education programs and to sustain critical capacity for health inspections.

Current direct revenue streams for our Environmental Health Division include plan review fees and permit fees for waste water, body art, lodging, and campgrounds. This revenue accounts for \$18,925 in the FY16 budget (3.9%) of Environmental Health’s budget. Food service and recreational water inspections are state mandated programs, and licensing fees are set by and paid to the Wyoming Department of Agriculture, Consumer Health Services Division. State statute sets maximum fees for licensing of food services and swimming pools at \$100. Currently, the Wyoming Department of Agriculture charges \$50 per year for these licenses. Forty-two dollars and fifty cents of this licensing fee (85%) is returned to the local health department. This indirect revenue accounts for approximately \$20,727 in FY 16 (4.3%) of Environmental Health budget. Overall, revenue generated in FY16 will accounted for a little over 8.24% of the Environmental Health budget. In a report published by the National Association of City and County Health Officials (NACCHO) in 2014, “Impact of Budget Cuts on Environmental Health Services at Local Health Departments”, a survey of local health departments showed fee-for-service nationally provides for over half (53.6%) of all Environmental Health budgets. In Wyoming, Cheyenne-Laramie County and Teton County Environmental Health Departments currently utilize fee for service as a source of revenue. At Cheyenne-Laramie County Environmental Health, fee-for-service generated \$287,970 or 39% of their annual budget.

At this time, the Casper-Natrona County Health Department has not implemented a fee-for-service model for its services. We wish to implement a fee schedule for inspections of food service, pool/spa, childcare, lodging and body art. The fee schedule would be designed using risk-based methodology, where facilities who are repeatedly found to not be in compliance would pay more for the time and effort of our staff during those repeated follow-up visits. The system would incentivize compliance, and revenue could be used to implement evidence-based interventions, including managerial/operator and food handler education. The fee schedule would also ensure critical Environmental Health capacity in times when tax revenues are down yet the work still needs to be accomplished to protect the public’s health.

Cost of Environmental Health Programs

Average cost per hour per inspector: \$36.00

	Average Time	Cost @\$36.00	Reimbursement	Total
Waste Water, New Septic Permit	4 hours ^a	\$144.00	\$150.00	\$6.00
Tattoo per Inspection	2 hours ^b	\$72.00	\$75.00	\$3.00
Lodging per Inspection	1.5 hours	\$54.00	\$150.00	\$96.00
Food Service per Inspection	4 hours ^c	\$144.00	\$42.50	-\$101.50
Pool/Spa per Inspection	3 hours ^d	\$108.00	\$42.50	-\$65.50
Childcare per Inspection	1 hour	\$36.00	0	-\$36.00

- a. Average one hour per site visit, average 3, processing paperwork 1 hour
- b. Average 1.5 hour per site visit, one per year, 0.5 hour follow up
- c. Average 1.5 hour per site visit, average 2 per year, 1 hour follow up
- d. Average 1 hour per site visit, average 2 per year, 1 hour follow up

In an effort to obtain more sustainable revenue to support services the Casper-Natrona County Health Department is proposing to establish fee for service for the Environmental Health Division. Recognizing the difficult economic times, the proposed fees are modest but could provide significant support of programs which benefit all Natrona County citizens.



The Environmental Health Division regulates:

- restaurants and retail food
- body art
- child care
- lodging
- recreational water
- permitting of small waste water installation

Additional activities include:

- plan reviews for new and remodeled facilities
- advising citizens on environmental health issues
- investigation of citizen complaints
- investigation of confirmed food and water borne illness
- inspection of food service during seasonal events

In an effort to improve the quality of services provided by Environmental Health, efforts are underway to:

- develop internal procedures to increase efficiency and provide structure for more equitable interactions with clients
- implement new software to track data pertinent to workloads, use of time, actual violation numbers and types
- identify evidence-based interventions to decrease number of cited violations, increase public safety and improve efficiency

Barriers to the process:

- elimination of educational programs for food service due to past budget cuts limits enforcement options when dealing with non-compliant facilities
- static number of staffing positions since 2003 despite increased numbers of licensed facilities
- reduced budget for training of staff
- staff retention

Current direct revenue streams for Casper-Natrona County Health, Environmental Health provides approximately 4.3% of the division's annual budget.

- Nationally fee-for-service accounts for approximately 54% of Environmental Health budgets in local health departments
- In Wyoming, Teton County and Cheyenne-Laramie County Environmental Health currently have fee-for-service
- In Cheyenne-Laramie County, fee-for-service provides 39% (\$287,970) of the Environmental Health budget
- Utilizing risk-based methodology, fee-for-service incentivizes compliance; inspection frequency decreases in compliant facilities, increases in non-compliant facilities

Funding in Casper and Natrona County is directly linked to swings in the local economy. Loss of funding, in the past, has adversely impacted the ability of Environmental Health to provide quality services to the citizens of Natrona County. The ability to have a more stable source of revenue will be critical to the development of programs and improvement of services. Support of fee-for-service will be the difference between quality and mediocrity.

	Cheyenne-Laramie County	Teton County	Casper-Natrona County	
Food Service State License (85% to LHD)			Current Fees	Proposed Fees
New	\$100.00	\$100.00	\$100.00	
Renewal	\$50.00	\$100.00	\$100.00	
Temporary	\$25.00	\$25.00	\$25.00	
Facility Plan Review				
Multivenu	\$400.00	\$350.00	\$200.00	\$300.00
Full service	\$300.00	\$250.00	\$200.00 (>40 seats)	\$200.00
Fast Food	\$200.0	\$200.00		\$150.00
Specialty/Mobile	\$150.00	\$150.00	\$75.00 (<40 seats)	\$100.00
Remodel	\$100.00	\$100.00		\$50.00
Fee per Inspection Risk based, no fee for complaint or first FU				
Pre-packaged	\$45.00	\$40.00		\$35.00
Fast Food/Mobile	\$70.00	\$60.00		\$50.00
Full Service	\$100.00	\$90.00		\$75.00
Multi Venue	\$130.00	\$120.00		\$100.00
Additional Follow up	\$25.00	\$100.00 (full inspect)		\$50.00
Pool/Spa State License (85% to LHD)				
New	\$100.00	\$100.00	\$100.00	
Renewal	\$50.00	\$50.00	\$50.00	
Facility Plan Review				
Pool	\$300.00	\$250.00	\$100.00	\$200.00
Spa	\$200.00	\$150.00	\$50.00	\$100.00
Remodel	\$100.00	\$100.00		\$50.00
Fee per Inspection No fee for complaint or first FU				
Pool/Spa	\$90.00	\$75.00		\$75.00
Additional Follow up	\$25.00	\$100.00 (full inspect)		\$50.00
Childcare				
Facility Plan Review Centers	\$200.00	\$200.00		\$100.00
Fee per Inspection				
Child Care Center	\$75.00 (Annual)	\$60.00 (Annual)		\$50.00
Family Child Care Center	\$50.00 (Annual)	\$40.00 (Biannual)		\$30.00
Family Child Care Home	\$35.00 (Annual)	\$30.00 (Biannual)		\$20.00
Walk thru Inspection	N/C	\$35.00 (Centers)		
Body Art Establishment				
Facility Plan Review	\$100.00	\$100.00	\$50.00	\$100.00
Remodel	\$50.00	\$50.00		\$50.00
Renewal and Inspection	\$50.00	\$125.00	\$75.00	
Temporary Establishment	\$100.00 (7 day)			\$50.00
Body Art Technician				
New	\$100.00	\$100.00		\$50.00
Renewal	\$50.00 (& inspection)	\$100.00		\$50.00



	Cheyenne-Laramie County	Teton County	Casper-Natrona County	
			Current Fees	Proposed Fees
Campground Permit				
New	\$150.00		\$50.00	\$100.00
Renewal	\$75.00		\$50.00	\$75.00
Temporary (<20 spaces)	\$75.00			
Temporary (>/=20 spaces)	\$150.00			
Facility Site Plan 50+ spaces	\$200.00			\$100.00
< 50 spaces	\$100.00			\$50.00
Small Waste Water				
Residential Inspection	\$300.00			
Commercial Inspection	\$300.00			
Partial Inspection	\$50.00/trip			\$50.00/trip
Septic Permit			\$150.00	
Drain Field Replacement			\$125.00	
Tank Replacement			\$75.00	
System Modification includes replacement of lines, apertures, buildings			\$25.00	
Apertures			\$25.00	
Contractor Test with book	\$250.00			
Contractor Renewal	\$150.00		\$100.00	
Subdivision Review				
Public Sewer	\$100.00		\$25.00	
w/o Public Sewer	\$200 +\$10 per lot Maximum \$500		3 or more lots \$150.00+\$25 per lot	\$150.00+\$25 per lot
Lodging				
Annual			\$150.00	
Facility Site Plan			\$100.00	
Remodel				\$50.00
Late Fees	\$30.00	\$25.00		\$30.00
Returned Checks	\$30.00	\$30.00		\$30.00

June 21, 2016

MEMO TO: V.H. McDonald, City Manager

FROM: Liz Becher, Community Development Director



SUBJECT: A Zone Change Proposal for South Poplar Street Area

Recommendation:

Staff is seeking direction from Council regarding a potential Council-initiated zone change of a portion of the Old Yellowstone District and South Poplar Street Corridor.

Summary:

In accordance with Section 17.12.160 of the Casper Municipal Code, City Council can initiate zone changes. The City Council created the Old Yellowstone District and South Poplar Street Corridor (OYDSPC) form-based code as a new zoning classification in June of 2008, based on the West Central and South Poplar Street Corridor Plan which was adopted by Council in September of 2007. Simultaneously, in 2008, the Council rezoned approximately 130-acres to the OYDSPC form-based code, including approximately 30-acres consisting of the area generally east and west of South Poplar Street, south from West Collins Drive to CY Avenue.

The form-based code was the first of its kind adopted in Wyoming, and differs from traditional zoning in that the emphasis is not primarily on regulating the land uses themselves, but instead, the code focuses on the design, form, and architecture of development. The purpose of these efforts was to manage the redevelopment and reinvigoration of the 130-acre area, and to create an extension of the downtown which would be similar in character, appearance and design.

At the time that the plan was developed and the OYDSPC form-based code was adopted there were plans by the Wyoming Department of Transportation (WYDOT) for the reconstruction of South Poplar Street as a tree-lined boulevard street with landscaped islands in the median. The reconstruction of South Poplar Street would have required the acquisition of additional right-of-way in the area, resulting in the razing of a significant number of structures. WYDOT's plans have never materialized.

The area generally west of the Natrona County High School campus was also included in the Federal Department of Justice's "Weed and Seed" program, which was developed to demonstrate an innovative and comprehensive approach to law enforcement and community revitalization, and to prevent and control violent crime, drug abuse and gang activity in target areas. The program attempted to "weed out" crime, and to "seed" the

area, or in other words, restore the neighborhood through social and economic revitalization. At the time that the boundaries were being determined for the OYDSPC, the City Council decided to extend the eastern border of the South Poplar Street Corridor two (2) blocks to the east of Poplar Street to overlap the weed and seed area.

It has been approximately eight (8) years since the rezoning of the area, and an issue has become apparent. The form-based-code was designed to create a downtown character, which some believe is not well suited or achievable for the South Poplar Street Corridor portion of the redevelopment area. In many ways, the form-based code is poorly tailored to the type of revitalization that is likely in the South Poplar Street Corridor, which is primarily single-family, residential as you move east of South Poplar Street. The question about the future of the South Poplar Street Corridor was raised at the Old Yellowstone District Advisory Committee meeting on June 20, 2016, and the Committee unanimously supported a recommendation that the City Council initiate a zone change of the portion of the South Poplar Street Corridor located generally along South Cedar Street, from West Collins Drive to CY Avenue and remove it from the OYDSPC form-based code regulations and return it to traditional zoning which is better suited for the existing uses in the area. A map of the subject property is included for Council's reference. There would be no adverse effect to the West Central and South Poplar Street Corridor Plan.

Should Council decide to proceed with a zone change of the area, staff would recommend that the areas along CY Avenue and West Collins Drive revert to C-2 (General Business) zoning, with the remainder of the properties along the east and west sides of South Cedar Street reverting to R-4 (High Density Residential). Both the C-2 (General Business) and the R-4 (High Density Residential) zoning of the area are consistent with existing zoning in the area.

Subject Property

