

City Council Proceedings April 6, 2009

The governing body of the City of Powell met in regular session at 7:00 p.m., April 6, 2009 at City Hall. Mayor Mangold opened the meeting and led those in attendance in reciting the Pledge of Allegiance. Mayor Mangold called the meeting to order and the following were present:

Mayor: Scott Mangold
Council Members: Josh Shorb, John Wetzel, Don Hillman, Jim Hillberry, Floyd Young, and Rex Sanders.
Absent: None
City Officials: City Administrator Zane Logan, City Clerk Ardyce Busboom, Finance Director Annette Thorington, Water Supt. Bill Winters, City Attorney Sandra Kitchen, and Deputy City Attorney Scott Kath.

Approval of Agenda

Mayor Mangold called for review and approval of the agenda. Councilman Young moved to approve the agenda which motion was seconded by Sanders and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

Approval of Minutes.

Mayor Mangold called for any additions or corrections to the March 16th regular meeting minutes and the March 24th special meeting minutes which were distributed to Council and posted at City Hall prior to the meeting. Councilman Shorb moved to approve these minutes, which motion was seconded by Hillman and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY - None; MOTION CARRIED.

Bills and Claims

The list of claims, a copy of which is attached, was then considered. Councilman Hillberry noted he would abstain from discussion and voting on item #36, as did Councilman Shorb on items #55 and #71, and Councilman Wetzel on item #61. Councilman Young made a motion that the bills be allowed and authorize the Treasurer to draw warrants for payment of same, which motion was seconded by Hillberry and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

Public Hearing – WCDA Housing Funding. Attorney Kitchen opened a 7:05 p.m. public hearing to discuss proposed grant applications for the 2009 CDBG program available from the Wyoming Community Development Authority. Two proposals were submitted for Council consideration. Mr. Wes Metzler reviewed a proposal for remodeling of bathrooms and kitchens for approximately 45 to 50 units at the Rocky Mountain Manor. Mr. Kenny Lee, Director of Mountain Spirit Habitat for Humanity reviewed a proposal for acquisition of four lots for construction of affordable housing. This hearing was closed at 7:23 p.m. Following a lengthy discussion of both worthy projects, Councilman Hillberry moved to approve Resolution No. 1, 2009 authorizing submission and sponsorship of the CDBG application for funding for Rocky Mountain Manor for their remodeling project as proposed. This motion was seconded by Sanders and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, Young and Sanders; NAY – None; MOTION CARRIED.

Matters From The Public

LaVina Package Liquors – Request for a Beer Garden. Mr. Chris Boswell discussed a request they had submitted to operate a beer garden on the south side of LaVina Package Liquors from May to September with proposed outside hours from 3 to 9 p.m., with the area enclosed with fencing. Following discussion, Council requested that Mr. Boswell visit with neighbors regarding his proposal to operate a beer garden and review his plans with the building official. Councilman Hilberry moved to table consideration of this issue to the April 20th Council meeting, which motion was seconded by Wetzel and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

Powell Coalition Against Substance Abuse. Mr. Jay Otto reviewed for Council the upcoming meeting scheduled for May 7th at the Commons to develop guidelines for public policy on alcohol issues.

Yellowstone Recreations Foundation. Mr. Bryant Hall reviewed the foundation's campaign to re-open Sleeping Giant Ski area with funding provided by grants and private donations. He requested Council consideration for funding assistance for the 5th grade youth ski program. Councilman Wetzel recommended that this request be considered during the budget process this year and Mayor Mangold requested that information be provided prior to the May budget work sessions.

Mayor/Council Members

Arbor Day Proclamation. Mayor Mangold presented a proclamation designating April 24th as Arbor Day in Powell. Councilman Hillberry moved to endorse this proclamation which motion was seconded by Sanders and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

Legal

Ordinance No. 6, 2009 was up for second reading and was read by title only, the title of which is as follows:

AN ORDINANCE ENACTING SECTION 9.08.100 OF THE POWELL CITY CODE BY PROHIBITING PERSONS FROM USING OR BEING UNDER THE INFLUENCE OF CONTROLLED SUBSTANCES.

Councilman Hillman moved to approve this ordinance on second reading which motion was seconded by Sanders and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

Due Process Hearing for Proposed Liquor License Suspensions. Attorney Kitchen requested Council authorize the mailing of notices to two liquor license establishments for accumulation of sufficient demerit points for three day suspensions and designate a hearing date. Councilman Wetzel moved to authorize the mailing of notices and to designate April 27th as a hearing date for both license holders. This motion was seconded by Shorb and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

Administrative

WYDOT Aeronautics Grant. Administrator Logan reviewed a state grant in aid in the amount of \$5000 to assist in funding of the Wings and Wheels Air Show. Councilman Hillman moved to authorize execution of the grant documents which motion was seconded by Young and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, Young, and Sanders; Nay – None; MOTION CARRIED.

Letter of Assignment of Contract. Administrator Logan reviewed a letter of assignment to transfer and assign the airport maintenance service contract to Vaisala Inc. following the acquisition of ASMI by Vaisala Inc. and requested Council consent of this assignment. Councilman Hillberry moved to approve this transfer and authorize execution of this assignment which motion was seconded by Wetzel and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hilberry, Young, and Sanders; NAY – None; MOTION CARRIED.

Downtown Sewer Rehab Project. Administrator Logan reviewed Resolution No. 2, 2009 which would authorize submission of an application to SLIB for 50/50 grant/loan funding for a downtown sanitary sewer rehab project. Councilman Hillberry moved to approve Resolution No. 2, 2009 for submission of this application for funding assistance, which motion was seconded by Wetzel and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

Justice Assistance Grant. Administrator Logan reviewed an application for a JAG federal grant to assist with expenses for law enforcement training and overtime. Councilman Wetzel moved to authorize submittal of this grant application which motion was seconded by Hillman and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, Young and Sanders; NAY – None; MOTION CARRIED.

Parks Dept. Storage Building Bid Results. Administrator Logan reviewed bids received for a equipment storage building for the parks department and presented staff recommendation to accept the low bid submitted by Metzler Construction Inc. in the amount of \$38,858.50 for this building. Councilman Shorb moved to approve this bid and authorize execution of contract documents which motion was seconded by Sanders and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

Water Dept. Inspection Cameras/Equipment Trailer Bid Results. Administrator Logan reviewed bids received for sewer cameras and an equipment trailer to be used for maintenance of sewer lines and presented staff recommendation to accept the lowest bid meeting specs submitted by Normont Equipment Co. in the amount of \$97,840.00. Councilman Young moved to accept the bid from Normont Equipment and authorize execution of contract documents which motion was seconded by Sanders and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

Employee Benefit Plan Reinsurance Contract. Administrator Logan reviewed the reinsurance contract with Canada Life Assurance Company and recommended approval. Councilman Wetzel moved to approve the contract and authorize execution of same which motion was seconded by Hillberry and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

General Announcements. Administrator Logan informed Council of the following: 1) The compensation survey is nearing completion and is scheduled to be presented at the April 20th meeting; 2) Water Dept. hired a new employee to fill a vacancy; 3) Budget work is continuing; and 4) Mayor Mangold reminded council of the WAM meeting scheduled for Wednesday, April 8th.

There being no further business to be considered at this meeting, Councilman Hillman moved to adjourn which motion was seconded by Shorb. Mayor Mangold adjourned the regular meeting at 8:32 p.m.

APPROVED:

/s/ Scott Mangold
Mayor

ATTEST:

/s/ Ardyce Busboom
City Clerk