

## **City Council Proceedings December 21, 2009**

The governing body of the City of Powell met in regular session at 7:00 p.m. December 21, 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, City Attorney Sandra Kitchen, Deputy City Attorney Scott Kath, Finance Director Annette Thorington, PSM Gary Butts, and Building Official Will Petersen.

### **Approval of Agenda**

Mayor Mangold called for review and approval of the agenda. Councilman Shorb moved to approve the agenda which motion was seconded by Hillman 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 Dec. 7th regular meeting minutes, which were distributed to Council and posted at City Hall prior to the meeting. Councilman Hillberry moved to approve these minutes which motion was seconded by Sanders 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 Shorb noted he would abstain from discussion and voting on item #53, as did Councilman Wetzel on item #41. Councilman Shorb made a motion that the bills be allowed and authorize the Treasurer to draw warrants for payment of same, which motion was seconded by Wetzel and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

### **Matters From The Public**

**Catering Permit.** Holiday Inn of Cody – Bottoms Up Lounge submitted a request for a catering permit for a holiday party in a residence on Monroe Street on Dec. 23<sup>rd</sup> with alcohol hours from 6 – 9 p.m. Councilman Wetzel moved to approve this catering permit which motion was seconded by Hillman and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

**Aquatic Invasive Species Task Force.** Mr. Bob Croft reviewed concerns about the potential for aquatic invasive species like mussels invading and impacting Wyoming waterways and water systems if they continue their spread from adjoining states. He distributed brochures and reviewed inspection and cleaning steps that should be taken to ensure these invasive species are not introduced into Wyoming waterways and systems.

### **Legal**

**Ordinance No. 18, 2009** was presented for first reading and was read by title and in full, the title of which is as follows:

**AN ORDINANCE CORRECTING ORDINANCE NO. 6, 2009 WHICH ENACTED A SECTION PROHIBITING PERSONS FROM USING OR BEING UNDER THE INFLUENCE OF CONTROLLED SUBSTANCES.**

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

**CDBG Agreement – Rocky Mountain Manor Rehab Project.** Attorney Kitchen reviewed a grant agreement with WCDA for Rocky Mountain Manor for a \$224,000 grant for remodeling of bathrooms and kitchens. Councilman Wetzel moved to approve this agreement 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.

**Haberland Subdivision Agreement & Final Plat.** Attorney Kath reviewed a subdivision agreement for Lot B of Block 20 which divides this lot into two separate parcels, noting that Planning and Zoning has also reviewed this subdivision and recommends approval. Councilman Shorb moved to approve this subdivision agreement

and final plat and authorize execution of both documents which motion was seconded by Young and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

**Administrative**

**Airport Engineer Selection.** Administrator Logan and Airport Board Chr. Dave Blevins presented the Airport Advisory Board recommendation to contract with Sage/Morrison Maierle for airport engineering consultant services for a five-year term. Councilman Hillberry moved to approve contracting with this firm for engineering services and authorize execution of the contract documents. This motion was seconded by Sanders and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

**JGA Professional Service Agreement Amendment #1 – Homesteader Park Rest Area.** Administrator Logan reviewed Amendment #1 to the Professional Service Agreement for the new rest area at Homesteader Park to allow the bidding process to proceed. Councilman Wetzel moved to approve this amendment and authorize execution of same, which motion was seconded by Hillman and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, Young and Sanders; NAY – None; MOTION CARRIED.

**Policy & Procedures – Section 4.2.** Administrator Logan presented this change to the policies and procedures regarding performance review and salary. Councilman Shorb moved to approve these policy changes which motion was seconded by Wetzel 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) Provided a printed project summary for Council review on the Wyoming Home Energy Efficiency and Renewable Energy Installation Project; 2) Mayor Mangold reminded Council of the placing of the time capsule on Dec. 31<sup>st</sup>; and Attorney Kath reminded Council that the next planning and zoning committee meeting will be in January rather than December.

There being no further business to be considered at this meeting, Councilman Hillman moved to adjourn which motion was seconded by Wetzel. Mayor Mangold adjourned the regular meeting at 7:40 p.m.

**APPROVED:**

**/s/ Scott Mangold**  
Mayor

**ATTEST:**

**/s/ Ardyce Busboom**  
City Clerk