

City Council Proceedings January 5, 2009

The governing body of the City of Powell met in regular session at 7:00 p.m., January 5, 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, Tim Sapp, Jim Hillberry, Mark Senn, and Rex Sanders.
Absent: None
City Officials: City Administrator Zane Logan, City Clerk Ardyce Busboom, Finance Director Annette Thorington, Aquatics Supt. Carrie Parmer, City Attorney Sandra Kitchen, and Deputy City Attorney Scott Kath.

Approval of Agenda

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

Approval of Minutes.

Mayor Mangold called for any additions or corrections to the December 15th regular 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 Wetzel and the vote was: AYE – Mangold, Shorb, Wetzel, Sapp, Hillberry, Senn, and Sanders; NAY - None; MOTION CARRIED.

Bills and Claims

The list of claims, a copy of which is attached, was then considered. Mayor Mangold noted he would abstain from discussion and voting on item #34, as did Councilman Shorb on item #62 and Councilman Wetzel on item #53. 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, Sapp, Hillberry, Senn, and Sanders; NAY – None; MOTION CARRIED.

Unfinished Business/Other (for current seated Council). Both Councilmen Sapp and Senn expressed their appreciation in serving their ward constituents over the past years and Council Sapp highlighted the duties of a Council to serve the public for the good of the people.

Recognition for Outgoing Council Members. Mayor Mangold presented plaques to Councilman Sapp and Councilman Senn in appreciation of their years of service as Council members.

Mayor Mangold declared that all business to be considered by the outgoing Council had now been completed.

Oath of Office

City Clerk Busboom gave the Oath of Office to Mayor Mangold and Mayor Mangold gave the Oath of Office to new council members Don Hillman and Floyd Young (Councilman Hillberry also re-affirmed his oath of office to continue serving on Council). The new council members were then seated and Mayor Mangold presided at the meeting which continued at 7:14 p.m.

Approval of Agenda

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

Election of Council President

Mayor Mangold called for nominations for Council President. Councilman Shorb made a motion nominating Councilman Hillberry to serve as Council President 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. The Terrace submitted a request for a catering permit for a wedding reception scheduled for January 10th at the Commons with alcohol hours from 4 p.m. to 2 a.m. Councilman Wetzel moved to approve this catering permit which motion was seconded by Shorb and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION Carried.

Mayor/Council Members

Annual Audit RFP's. Councilman Wetzel made a motion to accept the recommendation of the audit committee to accept the proposal submitted by James Seckman, CPA for city audits for the years of 2009-11 and authorize execution of same. This motion was seconded by Hillman and the vote was: AYE – Shorb, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

Legal

Ordinance No. 32, 2008 was up for second reading and was read by title and in full, the title of which is as follows:

AN ORDINANCE REPEALING SECTIONS 10.24.010, 10.24.020, 10.24.030, 10.24.040, AND 10.24.050 OF THE POWELL CITY CODE PERTAINING TO BICYCLE LICENSING REQUIREMENTS.

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

Administrative

School Safety and Security Assessment Proposal. Administrator Logan reviewed a school safety proposal received from Transystems in the amount of \$74,985.00 and presented Chief Feathers recommendation that this proposal and the contracts be accepted. Following discussion, Councilman Wetzel moved to accept this proposal and authorize execution of contract documents which motion was seconded by Young and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

Homesteader Rest Area Renovation Architect Agreement. Administrator Logan reviewed an Architectural Agreement covering the design of the new rest area at Homesteader Park. Attorney Kitchen recommended that a clause for sovereign immunity be included in this agreement. Councilman Shorb made a motion to approve this contract contingent upon a provision for sovereign immunity being included, which motion was seconded by Wetzel and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

Legislative Meeting. Administrator Logan reminded Council of the Legislative Meeting scheduled for January 7th in Cody at the Irma, which provides an opportunity for county municipalities to visit with area legislators prior to the start of the Legislative session.

Designation of Depositories for 2009. The following listed local financial institutions have requested the opportunity to be used as depositories for city funds in 2009: Bank of the West, Big Horn Federal Savings Bank, First National Bank & Trust, Wells Fargo Bank, N.A., and Bank of Powell. Councilman Wetzel moved to approve these institutions as depositories for city funds for 2009, which motion was seconded by Sanders 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) Reviewed WMPA participation in the Laramie River and Dry Forks power stations; 2) Noted that retiring Water Supt. Dick Jones last day of employment was Friday, Jan. 2nd; 3) Provided Council with quarterly expenditure and revenue figures; 4) Provided an update on the fiber project, noting that four remotes have been turned over to TCT and an additional four or five are expected to be completed within the next week; 5) WYDOT has scheduled the bid letting for the Road 8/Hwy 14 bypass project for Jan. 8th with a start date of Jan. 15th for completion before water is turned back into the canal; and 6) A reminder was given for the Jan. 8th work session scheduled for 4 p.m. to discuss landfill/recycling issues.

There being no further business to be considered at this meeting, Councilman Shorb moved to adjourn which motion was seconded by Wetzel. Mayor Mangold adjourned the regular meeting at 7:33 p.m.

ATTEST:

/s/ Ardyce Busboom
City Clerk

APPROVED:

/s/ Scott Mangold
Mayor