

## **City Council Proceedings January 17, 2011**

The governing body of the City of Powell met in regular session at 7:00 p.m. January 17, 2011 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:** Steve Scott, John Wetzel, Don Hillman, Jim Hillberry, Floyd Young, and Myron Henry.  
**Absent:** None  
**City Officials:** City Administrator Zane Logan, City Clerk Ardyce Busboom, City Attorney Sandra Kitchen, Deputy City Attorney Scott Kath, Water Supt. Bill Winters, Building Official Will Petersen, and City Engineer Sean Christensen.

### **Approval of Agenda**

Mayor Mangold called for review and approval of the agenda. Councilman Hillman moved to approve an amended agenda with the addition of item 8B – SMP report under Mayor/Council Members. This motion was seconded by Hillberry and the vote was: AYE – Mangold, Scott, Wetzel, Hillman, Hillberry, Young, and Henry; NAY – None; MOTION CARRIED.

### **Approval of Minutes.**

Mayor Mangold called for any additions or corrections to the January 3, 2011 regular meeting minutes which were distributed to Council and posted at City Hall prior to the meeting. Councilman Scott moved to approve these minutes which motion was seconded by Wetzel and the vote was: AYE – Mangold, Scott, Wetzel, Hillman, Hillberry, Young, and Henry; NAY - None; MOTION CARRIED.

### **Bills and Claims**

The list of claims, a copy of which is attached, was then considered. Councilman Wetzel noted he would abstain from discussion and voting on item #53. Councilman Hillberry made a motion that the bills be allowed and authorize the Treasurer to draw warrants for payment of same, which motion was seconded by Young and the vote was: AYE – Mangold, Scott, Wetzel, Hillman, Hillberry, Young, and Henry; NAY – None; MOTION CARRIED.

### **Matters From The Public**

**Request for Catering Permit.** LaVina Package Liquors submitted a request for a catering permit for a wedding/reception scheduled for February 5<sup>th</sup> at the Commons with alcohol hours from 1 – 11 p.m. Councilman Hillberry moved to approve this catering permit which motion was seconded by Wetzel and the vote was: AYE – Mangold, Scott, Wetzel, Hillman, Hillberry, Young, and Henry; NAY – None; MOTION CARRIED.

### **Mayor/Council Members**

**Mayoral Appointments.** Mayor Mangold requested Council concurrence of his recommendation to re-appoint Jim Allison as Municipal Judge and Sandra Kitchen as City Attorney and Scott Kath as Deputy City Attorney. Councilman Young moved to ratify these appointments which motion was seconded by Hillberry and the vote was: AYE – Scott, Wetzel, Hillman, Hillberry, Young, and Henry; NAY – None; MOTION CARRIED.

**Shoshone Municipal Pipeline Report.** Councilman Hillberry updated Council on water usage history, noting that between 2009 and 2010 usage has dropped by 1 million gallons, likely due to the economy. SMP recently received a good audit report and at the present time no increase in rates is anticipated.

### **Legal**

**Request for City Electrical Services.** Mr. Andrew Whitlock submitted a request for City electrical services for his property located outside the corporate limits of the City. He has negotiated with Rocky Mountain Power for relinquishment of their serving his property. The Whitlock's have executed the City's Agreement for Extension of Municipal Services and as per this agreement, all costs to provide City electrical services to his property will be at Mr. Whitlock's expense. Following review and clarifications by

Attorney Kitchen, Councilman Hillman moved to approve providing electrical service to this property outside the corporate limits of the City contingent upon the City receiving a fully executed Master Agreement and Addendum to the Master Agreement from Rocky Mountain Power for relinquishment of their service area to this property. This motion includes authorization to execute all agreements upon their receipt, which motion was seconded by Heny and the vote was: AYE – Mangold, Scott, Wetzel, Hillman, Hillberry, Young, and Heny; NAY – None; MOTION CARRIED.

**Conflict of Interest Statements.** Members of the governing body and city staff submitted written conflict of interest statement forms to be attached to the minutes of this meeting, as well as Council and staff verbally stating each financial institution they utilize.

**Administrative**

**NWC Contract for Service.** Administrator Logan reviewed a NWC Contract for Service for core movement instruction at the aquatic center for January through May. Councilman Heny moved to approve and authorize execution of this contract which motion was seconded by Wetzel and the vote was: AYE – Mangold, Scott, Wetzel, Hillman, Hillberry, Young, and Heny; NAY – None; MOTION CARRIED.

**Powell Airport Lease Rates.** Administrator Logan and City Engineer Christensen reviewed current airport hangar and ground lease rates and proposed rate increases as follows: Ground lease - .10/sq. ft. (up from .06); T-hangar lease - .15/sq. ft. (up from .12); and rate for the new box hangar leases - .25/sq. ft. to become effective March 1, 2011. These increases are proposed to make the airport hangars/grounds self-sustaining. Mr. Jim Carlson expressed concern that this information was not distributed sooner so there would be time to review and comment on it. Mr. Steve Doerr felt that a letter informing tenants of the proposed rate increases should have been sent to the board and those holding leases. Discussion followed with Councilman Hillberry recommending that comparisons be put together of rates charged by other airports, then made a motion to table consideration of this issue which motion was seconded by Wetzel. Calling for the vote, Mayor Mangold and Council members Scott, Wetzel, Hillman, Hillberry, Young, and Heny voted NAY in tabling this issue; MOTION DEFEATED. Discussion continued with Attorney Kath suggesting that the notification of rate increases be sent out to meet the 30-day notification period as required. Councilman Hillman then made a motion to send out notices by January 29<sup>th</sup> of proposed rate increases to all lease holders with Council prepared to vote on lease rates at their February 7<sup>th</sup> meeting. This motion was seconded by Wetzel and the vote was: AYE – Mangold, Scott, Wetzel, Hillman, Hillberry, Young, and Heny; NAY – None; MOTION CARRIED. The Airport Board will meet in the next week to further discuss this.

**General Announcements.** Administrator Logan informed Council of the following: 1) The recreation pool is shut down due to pump problems which will hopefully be resolved later this week; 2) JeaLinda Patton is working as an intern in conjunction with her MPA program and will be completing various projects; 3) Information provided for Council review included the budget calendar, a memo on the police department's information sharing initiative program, a memo from Mr. Tim Waddell, county solid waste manager, concerning various landfill issues, and the quarterly revenue and expenditure reports; 4) Five-year plans are being worked on and reviews will be scheduled shortly; 5) Mayor Mangold informed Council of a luncheon with county commissioners scheduled to be held on February 8<sup>th</sup> at 12:30 p.m. at the Lamplighter to review various issues; 6) WAM winter elected officials workshop is scheduled for later this week in Cheyenne; and 7) the Cody city administrator will be retiring in March and Jenni Rosencranse has been selected to take his place.

There being no further business to be considered at this meeting, Councilman Hillman moved to adjourn which motion was seconded by Hillberry. Mayor Mangold adjourned the regular meeting at 7:50 p.m.

Attest:

/s/ Ardyce Busboom  
City Clerk

APPROVED:

/s/ Scott Mangold  
Mayor