

## City Council Proceedings July 20, 2009

The governing body of the City of Powell met in regular session at 7:00 p.m., July 20, 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, and City Engineer Sean Christensen.

### 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 Hillberry and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

### 7:00 p.m. Public Hearing – Transfer of Ownership of Retail Liquor License.

Attorney Kitchen opened the public hearing for consideration of the transfer of ownership of Retail Liquor License #12 - Hansel & Gretel's to HanGre LLC d/b/a Hansel & Gretel's. There being no public comments received, the hearing was closed at 7:04 p.m. Councilman Hillman moved to approve this transfer of ownership contingent upon successful closing and effective August 1, 2009. This motion was seconded by Young 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 July 6th regular meeting minutes which were distributed to Council and posted at City Hall prior to the meeting. Councilman Hillman moved to approve these minutes which motion was seconded by Hillberry 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. Mayor Mangold noted he would abstain from discussion and voting on item #27. Councilman Wetzel 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.

### Matters From The Public

Request for Catering and Malt Beverage Permits. LaVina Package Liquors submitted a request for a catering permit for a wedding reception scheduled for August 1<sup>st</sup> at the Park County Fairgrounds with alcohol hours from 4 p.m. to 12 midnight; and Heart Mountain Pub submitted a request for a malt beverage permit for the State Softball Tournament scheduled for August 8<sup>th</sup> and 9<sup>th</sup> at Homesteader Park softball fields with alcohol hours requested from 8 a.m. to 9 p.m. Councilman Hillberry moved to approve these alcohol permits which motion was seconded by Wetzel and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

Legal

Ordinance No. 16, 2009 was up for second reading and was read by title only, the title of which is as follows:

AN ORDINANCE AMENDING SECTION 16.32.010(L) OF THE POWELL CITY CODE BY ADDING AND INCLUDING TELECOMMUNICATION DISTRIBUTION REQUIREMENTS FOR SUBDIVISIONS.

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

Animal Shelter Agreement. Attorney Kitchen presented an agreement between Caring for Powell Animals, Inc. and the City for a four year term with the same conditions as previous agreements. Councilman Hillman moved to approve and authorize execution of this agreement which motion was seconded by Shorb and the vote was: AYE – Mangold,

Shorb, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

**Door-to-door Solicitation.** Attorney Kitchen informed Council of challenges being made to overturn the Green River Ordinance and would allow door-to-door solicitation in residential neighborhoods. The individual property owner will have the responsibility of posting no solicitation signs on their property. Legal will continue to research this and possibly have a model revised ordinance for Council consideration by the end of September.

**Rocky Mountain Manor WCDA Grant Documents.** Attorney Kitchen reviewed a Fair Housing Resolution, Residential Antidisplacement and Relocation Assistance Plan, and an Agreement between Rocky Mountain Manor and the City, all relating to WCDA CDBG funding for the rehabilitation of the Rocky Mountain Manor. Councilman Hillberry moved to approve these documents and authorize execution 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.

**Administrative**

**Homesteader Park Rest Area Agreement.** Administrator Logan reviewed Amendment #1 to the WYDOT and City agreement for rebuild of the Homesteader Park Rest Area. Councilman Young moved to approve this amendment and authorize execution of same which motion was seconded by Sanders and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

**Downtown Sanitary Sewer Rehab. Project Loan Documents.** Administrator Logan reviewed SLIB loan documents covering funding for the downtown sanitary sewer rehabilitation project. Councilman Wetzel moved to approve these documents 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.

**Police Dept. Vehicle Bid Results.** Administrator Logan recommended rejection of the bid received for a new police vehicle due to irregularities in meeting engine size bid specifications. This vehicle will be re-bid at a later date. Councilman Wetzel moved to reject these vehicle bids which motion was seconded by Hillman and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

**Personnel Policy #5.5.** Administrator Logan reviewed a proposed change in personnel policy 5.5 which would allow shorts to be worn in specific departments as long as they are appropriate in appearance, with safety clothing and equipment worn when required for safety. Councilman Shorb moved to approve this policy change which motion was seconded by Hillberry and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED. Administrator Logan will track this change and provide Council with a report at year end of any problems encountered.

**General Announcements.** Administrator Logan informed Council of the following: 1) The bike path has been graded, weeded, rolled and signage put up; 2) Provided Council with a SLIB Consensus Funding update report; 3) also provided Council with a 1% option tax distribution report; 4) The City received \$25,000 from Pepsi to be used for the aquatic center project; 5) Distributed a new slurry seal schedule with work to begin soon; 6) Pre-cast walls are being set at the aquatic center project and the facility should be sealed in by the end of Sept.; 7) Mayor Mangold noted that a committee is being formed to discuss funding options for landfill issues and appointed Councilman Shorb and Sanitation Supt. Rood to serve on this committee; 8) August 12<sup>th</sup> the Park County Rec. Board will meet with County Commissioners, Powell Council, and Powell Recreation Board. This meeting will begin at 5:30 p.m. followed by a tour of the work in progress at the Powell aquatic facility.

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 7:37 p.m.

APPROVED:

ATTEST:

/s/ Ardyce Busboom  
City Clerk

/s/ Scott Mangold  
Mayor