

City Council Proceedings June 15, 2009

The governing body of the City of Powell met in regular session at 7:00 p.m., June 15, 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, Jim Hillberry, and Rex Sanders.
Absent: Councilmen Don Hillman and Floyd Young.
City Officials: City Administrator Zane Logan, City Clerk Ardyce Busboom, City Attorney Sandra Kitchen, Deputy City Attorney Scott Kath, Finance Director Annette Thorington, and Water Supt. Bill Winters.

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, Hillberry, and Sanders; NAY – None; MOTION CARRIED.

Approval of Minutes.

Mayor Mangold called for any additions or corrections to the June 1st regular meeting minutes which were distributed to Council and posted at City Hall prior to the meeting. Councilman Wetzel moved to approve these minutes which motion was seconded by Shorb and the vote was: AYE – Mangold, Shorb, Wetzel, Hillberry, 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 #45. 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, Hillberry, and Sanders; NAY – None; MOTION CARRIED.

Matters From The Public

Powell Fire Dept. –Fireworks Property. The Powell Volunteer Fire Dept. submitted a request to hold the 4th of July fireworks on City property south of the cemetery as has been done in the past. Councilman Wetzel moved to approve using City property for this event, which motion was seconded by Hillberry and the vote was: AYE – Mangold, Shorb, Wetzel, Hillberry, and Sanders; NAY – None; MOTION CARRIED.

LaVina Package Liquors – Beer Garden Operation. Ms. Yuliya Martsul of LaVina Package Liquors requested Council consideration for expanding the operating hours for their beer garden to seven days a week from 11 a.m. to 9 p.m. At the April 20th meeting, Council had authorized operation of a beer garden Mon. – Wed. only from 3 – 8 p.m., and to be reviewed again by June 27th. Administrator Logan noted that only two reminders were issued by P.D. for patrons occupying the beer garden after required closure times. Following discussion, Councilman Wetzel moved to allow this beer garden to operate Monday through Saturday from 11 a.m. to 9 p.m., which motion was seconded by Hillberry and the vote was: AYE – Mangold, Shorb, Wetzel, Hillberry, and Sanders; NAY – None; MOTION CARRIED.

Legal

Ordinance No. 9, 2009 was up for third reading and was read by title only, the title of which is as follows:

AN ORDINANCE AMENDING SECTION 9.08.060 OF THE POWELL CITY CODE BY AMENDING GAMBLING DEFINITIONS.

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

Ordinance No. 10, 2009 was up for third reading and was read by title only, the title of which is as follows:

AN ORDINANCE AMENDING SECTION 8.08.120 OF THE POWELL CITY CODE BY REVISING RATES CHARGED FOR SOLID WASTE COLLECTION DISPOSAL AND MAKING HAND PICKUP AND SPECIAL PICKUP CHARGES OPTIONAL IN SUBPARAGRAPHS E. AND F.

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

Ordinance No. 11, 2009 was up for third reading and was read by title only, the title of which is as follows:

AN ORDINANCE AMENDING SECTION 13.12.190 OF THE POWELL CITY CODE BY REVISING RATES CHARGED FOR WATER SERVICE.

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

Ordinance No. 12, 2009 was up for third reading and was read by title only, the title of which is as follows:

AN ORDINANCE AMENDING SECTION 13.12.210 OF THE POWELL CITY CODE BY REVISING RATES CHARGED FOR BULK WATER SALES.

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

Ordinance No. 13, 2009 was up for third reading and was read by title only, the title of which is as follows:

AN ORDINANCE AMENDING SECTION 13.08.090 OF THE POWELL CITY CODE BY REVISING RATES CHARGED FOR SEWER SERVICES.

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

Ordinance No. 14, 2009 was up for third reading and was read by title only, the title of which is as follows:

AN ORDINANCE AMENDING SECTION 15.12.180 OF THE POWELL CITY CODE BY REVISING RATES CHARGED FOR ELECTRICAL SERVICE.

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

Ordinance No. 15, 2009 was presented for second reading and was read by title only, the title of which is as follows:

AN ORDINANCE TO CHANGE THE ZONING DESIGNATION OF THE CEDARWOOD SUBDIVISION, PHASE IV, FROM ITS CURRENT DESIGNATION OF A-C, AGRICULTURAL CULTIVATION TO R-G, RESIDENTIAL GENERAL AND R-L, RESIDENTIAL LIMITED.

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

7:15 p.m. Public Hearing – FY 09/10 Budget. City Attorney Kitchen opened a public hearing for consideration of the Fiscal Year 09/10 budget for the City of Powell. No public comments were received and the hearing was closed at 7:17 p.m.

Ordinance No. 8, 2009 was up for third reading and was read by title only, the title of which is as follows:

AN ORDINANCE TO PROVIDE FOR THE 2009-10 BUDGET FOR THE CITY OF POWELL, WYOMING FOR THE FISCAL YEAR BEGINNING THE FIRST DAY OF JULY, 2009 AND ENDING THE 30TH DAY OF JUNE 2010.

This amended ordinance includes all final changes for FY 09/10 budget. Councilman Hillberry moved to approve this amended ordinance on third reading, which motion was seconded by Sanders and the vote was: AYE – Mangold, Shorb, Wetzel, Hillberry, and Sanders; NAY – None; MOTION CARRIED.

Administrative

Powellink Project – Final Closeout. Administrator Logan updated Council on the final closeout for the Powellink project. Contracting and engineering firms will be back in early July to complete the finish lists with final closeout anticipated by late July.

General Announcements. Administrator Logan informed Council of the following:

- 1) Slurry seal has been moved to August due to the recent weather;
- 2) The Aquatics facility is moving ahead as scheduled and the frog pond wading pool is now open for usage;
- 3) Walk washing should be completed by Thursday;
- 4) Mayor Mangold noted that Powell received an innovation award at the WAM convention for the Powellink project;
- 5) Mayor Mangold also requested Council participation for the Cody Stampede parades which will have a Powell centennial float in it; and
- 6) Councilman Shorb informed Council that the

Park County Recreation Board will be meeting in Powell on August 12th, including extending an invitation to county commissioners to attend this meeting.

There being no further business to be considered at this meeting, Councilman Wetzel moved to adjourn which motion was seconded by Shorb . Mayor Mangold adjourned the regular meeting at 7:23 p.m.

APPROVED:

**/s/ Scott Mangold
Mayor**

ATTEST:

**/s/ Ardyce Busboom
City Clerk**