

**City Council Proceedings
June 7, 2010**

The governing body of the City of Powell met in regular session at 7:00 p.m. June 7, 2010 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 Rex Sanders.
Absent: None
City Officials: City Administrator Zane Logan, City Clerk Ardyce Busboom, City Attorney Sandra Kitchen, Street Supt./PSM Gary Butts, Finance Director Annette Thorington, and Building Official Will Petersen.

Approval of Agenda

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

Approval of Minutes.

Mayor Mangold called for any additions or corrections to the May 17th regular meeting minutes and the May 11th and 13th work session 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 Wetzel and the vote was: AYE – Mangold, Scott, 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 Wetzel noted he would abstain from discussion and voting on item #70. Councilman Young made a motion that the bills be allowed and authorize the Treasurer to draw warrants for payment of same, which motion was seconded by Sanders and the vote was: AYE – Mangold, Scott, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

7:05 p.m. Public Hearing – Budget Amendments & Resolution No. 6, 2010.

Attorney Kitchen conducted a public hearing to consider budget amendments and transfers. A listing of these FY 09/10 budget amendments and transfers was published in the June 3, 2010 edition of the Powell Tribune or was available for public review at City Hall. Following review of the proposed amendments and receiving no public comments, Attorney Kitchen closed the public hearing at 7:07 p.m.

Resolution No. 6, 2010 was presented for consideration, the title of which is as follows:

**A RESOLUTION PROVIDING FOR APPROPRIATION OF
UNAPPROPRIATED
SURPLUS FUNDS AND THE TRANSFER OF UNENCUMBERED AND
UNEXPENDED APPROPRIATION FROM FY 09-10 BUDGET.**

Councilman Hillberry moved to approve Resolution No. 6, 2010 which motion was seconded by Sanders and the vote was: AYE – Mangold, Scott, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

Matters From The Public

Request for Waiver of Open Container Laws – Resolution No. 7, 2010. Powell Alumni Association submitted a request for a waiver of the open container laws for the alumni dinner/dance scheduled for June 26th at the Commons and in a specially fenced area between the Commons and the Plaza Diane, with hours from 5:30 p.m. to 1 a.m. and as per requirements listed in Resolution No. 7, 2010.

Resolution No. 7, 2010 was presented for approval, the title of which is as follows:
**A RESOLUTION PROVIDING FOR EXCEPTIONS TO THE OPEN
CONTAINER LAWS FOR THE CITY OF POWELL FOR A SPECIAL**

**OCCASION OPEN TO THE PUBLIC AND OBSERVED BY THE
COMMUNITY AT LARGE.**

Councilman Wetzel moved to approve this waiver of the open container laws and Resolution 7, 2010 which motion was seconded by Hillberry and the vote was: AYE – Mangold, Scott, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

Catering Permit. LaVina Package Liquors submitted a request for a catering permit for the Alumni dinner/dance scheduled for June 26, 2010 at the Commons and adjacent areas with alcohol hours from 4 p.m. to 2 a.m. Councilman Hillman moved to approve this catering permit which motion was seconded by Wetzel and the vote was: AYE – Mangold, Scott, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

Outside Corporate Limit Request for Extension of Municipal Water Services. Mr. Zane Bennett submitted a request for connection to city water services for Lot 75-F of Lot 75, located at 959 Lane 8 ½. Also submitted was a copy of the executed Agreement required for extension of municipal water services to property not within the corporate limits of the City. Following discussion, Councilman Hillberry moved to approve this connection to city water services and authorize execution of the agreements by the City, which motion was seconded by Wetzel and the vote was: AYE – Mangold, Scott, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None, MOTION CARRIED.

Request to Operate a Beer Garden. LaVina Package Liquors submitted a request to operate a beer garden again this summer in the patio area adjoining the south and east side of their building. Summer patio hours requested are 11 a.m. to 9 p.m., seven days a week. Following discussion, Councilman Wetzel moved to allow operation of this beer garden on Monday through Saturday from 12 noon to 9 p.m. and on Sunday from 12 noon to 7 p.m., which motion was seconded by Hillman and the vote was: AYE – Mangold, Scott, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

Legal

Ordinance No. 4, 2010 was up for third reading and was read by title only, the title of which is as follows:

AN ORDINANCE AMENDING SECTION 16.16.020 O. OF THE POWELL CITY CODE PERTAINING TO LIMITATIONS ON VEHICLE DRIVE APPROACHES.

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

Ordinance No. 6, 2010 was up for second reading and was read by title only, the title of which is as follows:

AN ORDINANCE TO PROVIDE FOR THE 2010-11 BUDGET FOR THE CITY OF POWELL, WYOMING FOR THE FISCAL YEAR BEGINNING THE FIRST DAY OF JULY, 2010 AND ENDING THE 30TH DAY OF JUNE 2011.

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

Ordinance No. 8, 2010 was up for third reading and was read by title only, the title of which is as follows:

AN ORDINANCE REPEALING CHAPTER 15.24 OF THE POWELL CITY CODE PERTAINING TO FLOOD DAMAGE PREVENTION AND REPLACING IT WITH A NEW CHAPTER 15.24 PERTAINING TO FLOOD DAMAGE PREVENTION TO ENABLE POWELL RESIDENTS TO PARTICIPATE IN FLOOD INSURANCE PROGRAMS.

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

Ordinance No. 9, 2010 was up for second 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 INCREASING RATES CHARGED FOR POWER.

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

Ordinance No. 10, 2010 was up for second reading and was read by title only, the title of which is as follows:

AN ORDINANCE AMENDING SECTION 6.08.090 OF THE POWELL CITY CODE BY REVISING THE CODE SECTION ON DANGEROUS OR VICIOUS ANIMALS.

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

Administrative

Powellink Agreements. Administrator Logan presented an agreement between the City, TCT, and the Northwest Improvements Projects Joint Powers Board covering reassignment by the Board to the City of the network and all associated agreements, including but not limited to 1) payoff of network bonds; 2) termination of the anchor service provider agreement; and 3) termination of the O & M agreement. These changes would open the network to all service providers. This agreement would clarify new terms and conditions for utilizing the Powellink network. Councilman Wetzel moved to approve this agreement and authorize execution of same which motion was seconded by Young and the vote was: AYE – Mangold, Scott, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

General Announcements. Administrator Logan informed Council of the following: 1) Curb and gutter is completed at the PAC with parking paving to begin soon; 2) The airport hanger bid is scheduled for Thursday at 2 p.m.; 3) Slurry seal work is scheduled for the Week of June 21st; 4) Downtown walk washing is in progress; 5) The storm drain project on Ingalls is continuing; and 6) Mayor Mangold noted he provided a welcome for the Eagles Convention and Girls State this past weekend, and reminded council members that the WAM convention is in Evanston this week.

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

APPROVED:

ATTEST:

/s/ Ardyce Busboom
City Clerk

/s/ Scott Mangold
Mayor