

City Council Proceedings March 15, 2010

The governing body of the City of Powell met in regular session at 7:00 p.m. March 15, 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: 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, Deputy City Attorney Scott Kath, and St. Supt./PSM Gary Butts.

Approval of Agenda

Mayor Mangold called for review and approval of the agenda. Councilman Wetzel moved to approve the agenda with the addition of an executive session following general announcements and item 8A – Landfill Issues under Mayor/Council Members. This motion was seconded by Young and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

7:00 P.M. Public Hearing – Taxicab Service.

Attorney Kitchen opened a public hearing to consider a request re-submitted by Sasha McMillan to operate a taxicab service with the City of Powell. Requirements in obtaining insurance coverage and WYDOT motor carrier permit have been met. This public hearing was closed at 7:05 p.m. Councilman Young moved to approve this request to operate a taxicab service contingent upon only the two drivers listed on the application with approved background checks (Sasha McMillan and Colleen Ninker) as the drivers authorized to operate vehicle/s as a taxi service. This motion was seconded by Wetzel and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED. Additional drivers in the future may be added following approved background check and recommendation to Council.

Approval of Minutes.

Mayor Mangold called for any additions or corrections to the March 1st regular meeting minutes and the March 1st work session 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 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 #53, as did Councilman Wetzel on items #70 and #90, Councilman Sanders on item #76, and Councilman Shorb on item #80. 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 Hillman and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

Matters From The Public

Catering Permit. LaVina Package Liquors submitted a request for a catering permit for the Rotary Art Fling scheduled for March 27th at the Commons with alcohol hours from 5 p.m. to 12 midnight. Councilman Hillberry moved to approve this catering permit which motion was seconded by Sanders and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

West Park Hospital – Modernization Project and Hospice House Project. WPH board member Melissa Frazier, Administrator Doug McMillan, and other WPH board members, staff and supporters addressed Council on the needs and objectives for the hospital modernization project, presenting a slide show detailing future plans and partial funding through a cap tax. WPH would like the cap tax question on the primary ballot so if approved WPH could take advantage of potentially lower bids and raw material costs. Discussion followed with questions posed from Council members. Mr. McMillan requested Council act on a Resolution that would be forwarded to the County Commissioners requesting this issue be placed on the primary ballot. Following further discussion, Councilman Shorb made a motion to table consideration of this Resolution until the

April 5th meeting to see what action the City of Cody would be taking in supporting this Resolution and also allow more time to visit with Powell citizens on this issue. This motion was seconded by Hillberry and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

Mayor/Council Members

Landfill Issues. Councilman Shorb updated Council on continuing committee discussions regarding the landfill disposal issues, which proposal includes addressing transfer stations, equitable costs county-wide, recycling efforts, and funding for this project. Following discussion and Council recommendation, Councilman Shorb made a motion directing legal staff to proceed with drafting a Resolution that would request the placement of a Park County Landfill proposal on the general election ballot for cap tax funding. This motion was seconded by Hillberry and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

Legal

Gluten Free Oats. Attorney Kitchen reviewed the grant agreement for the Gluten Free Oats expansion project funded through the Business Ready Community Grant & Loan Program. Councilman Hillberry moved to approve this agreement 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. Attorney Kitchen requested Council authorize the Mayor to execute all closing documents for the purchase of the property in Homestead Industrial Park for the Gluten Free Oats building. Councilman Wetzel made a motion authorizing the Mayor to execute closing documents for this property which motion was seconded by Young and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

Administrative

SLIB Consensus Resolution. Administrator Logan presented a Resolution for the SLIB funding of the WPH Hospice House project. Councilman Wetzel moved to approve this Resolution and authorize execution of same which motion was seconded by Hillman and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

WYDOT Aeronautics Agreement. Administrator Logan reviewed an agreement between WYDOT Aeronautics and the City covering the partial parallel taxiway project and recommended approval. Councilman Hillman moved to approve this agreement 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.

Aquatics Center Parking Lot Bid Results. Administrator Logan reviewed bids received for construction of a pervious parking lot and curb for the Powell Aquatics Center and recommended approval of the low bid submitted by EHC, LLC of Cowley, Wyoming in the amount of \$343,150.00. Councilman Shorb moved to approve the bid submitted by EHC, LLC and authorize execution of contract documents, which motion was seconded by Hillman 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) Work has begun on preliminary budgets for FY 10/11; 2) Burbach Aquatics will be back next week for project review and a status report; and 3) The slip-lining project for downtown sewer lines is in progress and almost one-third completed.

Executive Session. Councilman Wetzel moved to recess to executive session to address pending litigation, which motion was seconded by Shorb and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED. Mayor Mangold declared the meeting in executive session at 8:27 p.m.

Return to Regular Session. Mayor Mangold returned the meeting to regular session at 8:49 p.m.

There being no further business to be considered at this meeting, Councilman Wetzel moved to adjourn which motion was seconded. Mayor Mangold adjourned the regular meeting at 8:50 p.m.

APPROVED:

ATTEST:

City Clerk

Mayor