

City Council Proceedings March 16, 2009

The governing body of the City of Powell met in regular session at 7:00 p.m., March 16, 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, Finance Director Annette Thorington, City Attorney Sandra Kitchen, and Deputy City Attorney Scott Kath.

Approval of Agenda

Mayor Mangold called for review and approval of the agenda. Administrator Logan requested an additional claim be added under bills and claims. Councilman Wetzel moved to approve the amended agenda which motion was seconded by Shorb 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 March 2nd regular meeting minutes and the March 10th work session minutes which were distributed to Council and posted at City Hall prior to the meeting. A typo was noted in the spelling of Councilman Wetzel's name on the March 10th work session minutes, which correction will be made. Councilman Shorb moved to approve these minutes as amended, which motion was seconded by Young 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, including the additional claim for Fuel Depot Inc. in the amount of \$5151.64 for monthly fuel usage. Councilman Wetzel noted he would abstain from discussion and voting on item #69. Councilman Shorb 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.

Public Hearing – WCDA Housing Funding. Attorney Kitchen opened a 7:05 p.m. Public Hearing to solicit public comments on the WCDA Housing Activities Portion of CDBG funding programs. Finance Director Thorington reviewed requirements for funding applications. Comments were received from Mr. Kenny Lee and Mr. Wes Metzler on potential projects for consideration at the April 6th Council meeting. This hearing was closed at 7:13 p.m.

Legal

Ordinance No. 3, 2009 was up for third reading and was read by title only, the title of which is as follows:

AN ORDINANCE ENACTING SECTION 10.12.200 OF THE POWELL CITY
CODE PERTAINING TO REQUIREMENTS FOR A VALID DRIVER'S
LICENSE.

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

Ordinance No. 4, 2009 was up for third reading and was read by title only, the title of which is as follows:

AN ORDINANCE ENACTING SECTION 10.12.210 OF THE POWELL CITY
CODE PERTAINING TO REQUIREMENTS TO CARRY AND DISPLAY
DRIVER'S LICENSE.

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

Ordinance No. 5, 2009 was up for third reading and was read by title only, the title of which is as follows:

AN ORDINANCE ENACTING SECTION 10.12.220 OF THE POWELL CITY CODE PERTAINING TO DRIVING IN VIOLATION OF RESTRICTIONS IMPOSED ON A RESTRICTED LICENSE.

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

Ordinance No. 6, 2009 was presented for first reading and was read by title and in full, the title of which is as follows:

AN ORDINANCE ENACTING SECTION 9.08.100 OF THE POWELL CITY CODE BY PROHIBITING PERSONS FROM USING OR BEING UNDER THE INFLUENCE OF CONTROLLED SUBSTANCES.

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

Letter of Agreement. Attorney Kitchen reviewed a Letter of Agreement between the City of Powell, City of Cody, Park County and Powell Valley Recycling covering plans for the potential development of a centralized recycling operation that would serve all of Park County. Discussion followed and Councilman Wetzel moved to table consideration of this agreement pending further clarification and review. This motion was seconded by Young and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

Administrative

General Announcements. Administrator Logan informed Council of the following:

1) Preliminary budget reviews will begin this week with department heads; 2) Work and testing for the aquatic center project is ongoing; 3) A post construction meeting for the fiber project is scheduled for Mar. 24th; 4) Administrator Logan will be attending the APPA meeting later this week; and 5) Mayor Mangold noted that the Charles Lewis memorial services was very well done.

Executive Session. Councilman Wetzel moved to recess to executive session to discuss personnel 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 7:46 p.m.

Mayor Mangold returned the meeting to regular session at 7:54 p.m.

City Administrator Contract. Councilman Shorb moved to approve and authorize execution of a new employment contract for City Administrator Logan, terminate all old contracts, all contingent upon Administrator Logan's concurrence with new terms and stipulations for this position. This motion was seconded by Wetzel and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED. Legal staff will prepare a letter of agreement for Administrator Logan to execute.

There being no further business to be considered at this meeting, Councilman Wetzel moved to adjourn which motion was seconded by Hillman. Mayor Mangold adjourned the regular meeting at 7:56 p.m.

APPROVED:

/s/ Scott Mangold
Mayor

ATTEST:

/s/ Ardyce Busboom
City Clerk