

**City Council Proceedings
March 2, 2009**

The governing body of the City of Powell met in regular session at 7:00 p.m., March 2, 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, and Rex Sanders.
Absent: Councilman Floyd Young
City Officials: City Administrator Zane Logan, City Clerk Ardyce Busboom, Aquatics Supt. Carrie Parmer, Police Chief Tim Feathers, City Attorney Sandra Kitchen, and Deputy City Attorney Scott Kath.

Approval of Agenda

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

Approval of Minutes.

Mayor Mangold called for any additions or corrections to the February 17th regular meeting 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 Shorb and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, and Sanders; NAY - None; MOTION CARRIED.

Bills and Claims

The list of claims, a copy of which is attached, was then considered. 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 Sanders and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, 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 7th at the Commons with alcohol hours from 6:00 p.m. to 2 a.m. Councilman Shorb moved to approve this catering permit which motion was seconded by Hillberry and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, and Sanders; NAY – None; MOTION CARRIED.

Catering Permit. Juniper Wine & Spirits submitted a request for a catering permit for a wedding reception scheduled for May 9th at the Commons with alcohol hours from 6 p.m. to midnight. Councilman Wetzel moved to approve this catering permit which motion was seconded by Sanders and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, and Sanders; NAY – None; MOTION CARRIED.

Mayor/Council Members

Proclamation. Mayor Mangold read a proclamation designating March 16, 2009 as Charles Lewis Memorial Day in honor of Marshall Lewis who made the ultimate sacrifice when he gave his life servicing the Town of Powell when he attempted to apprehend a dangerous fugitive. This proclamation also declares that the Powell Law Enforcement Center will be renamed the Charles E. Lewis Law Enforcement Center. Councilman Hillman moved to endorse this proclamation including the renaming of the law enforcement center. This motion was seconded by Sanders and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, and Sanders; Nay – None; MOTION CARRIED.

Legal

Ordinance No. 1, 2009 was up for third reading and was read by title only, the title of which is as follows:

AN ORDINANCE ENACTING SECTION 9.08.110 OF THE POWELL CITY CODE PERTAINING TO POSSESSION OF CONTROLLED SUBSTANCES.

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

Ordinance No. 2, 2009 was tabled at the February 17th meeting and Councilman Shorb made a motion to bring this ordinance back from the table for consideration which motion was seconded by Hillberry and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, and Sanders; NAY – None; MOTION CARRIED. Ordinance No. 2, 2009 was now up for second reading and was read by title only, the title of which is as follows:

AN ORDINANCE ENACTING SECTION 9.08.120 OF THE POWELL CITY CODE PERTAINING TO POSSESSION OF DRUG PARAPHERNALIA.

Following discussion, Councilman Shorb made a motion that this ordinance be defeated, which motion was seconded by Wetzel and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, and Sanders; NAY – None; MOTION CARRIED to defeat this ordinance.

Ordinance No. 3, 2009 was up for second 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 second reading which motion was seconded by Wetzel and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, and Sanders; NAY – None; MOTION CARRIED.

Ordinance No. 4, 2009 was up for second 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 second reading which motion was seconded by Hillberry and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, and Sanders; NAY – None; MOTION CARRIED.

Ordinance No. 5, 2009 was up for second 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 Hillberry moved to approve this ordinance on second reading which motion was seconded by Sanders and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, and Sanders; NAY – None; MOTION CARRIED.

Exclusive Supply and Sponsorship Agreement. Attorney Kitchen reviewed an agreement between the City and Fremont Beverages (Pepsi) for capital support and supplying of beverage products for the Powell Aquatic Center and the terms and conditions associated with this contract. Councilman Hillberry moved to approve this agreement and authorize execution of same which motion was seconded by Sanders and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, and Sanders; NAY – None; MOTION CARRIED.

Transportation Enhancement Activities Agreement. Attorney Kitchen reviewed an agreement between WYDOT and the City covering the Homesteader Rest Area Project. Following discussion, Councilman Shorb 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, and Sanders; NAY – None; MOTION CARRIED.

Committee/Board/Commission Matters

Park County Travel Council. Councilman Shorb updated Council Travel Council funding objectives for the upcoming year.

NLC Committee Appointments. Councilman Hillberry and Mayor Mangold noted that they both have been appointed to committees for the National League of Cities.

Administrative

Amendment to Engineering Agreement. Administrator Logan reviewed an amendment for the Sage Engineering Agreement for the Panther Blvd. Waterline Project. Councilman Wetzel moved to approve this agreement and authorize execution of same

which motion was seconded by Hillman and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, and Sanders; NAY – None; MOTION CARRIED.

General Announcements. Administrator Logan informed Council of the following:
1) Several memos regarding the pool construction were left for Council review. Ms. Nancy Ronto of Burbach Aquatics also briefed Council on construction issues regarding the pool;
2) Powell has been awarded \$179,000 in funding through the Safe Routes to School Program for planning and sidewalk installation around Southside School and the High School;
3) Crack sealing will shortly begin on the south side of town;
4) A work session to review 5-year plans is scheduled for 4 p.m. on March 10th; 5) Departmental budget reviews are scheduled for the management team on March 17th; and 6) A landfill meeting is scheduled in Cody on March 3rd.

Executive Session. Councilman Wetzel moved to recess to executive session to discuss personnel which motion was seconded by Hillman and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, and Sanders; NAY – None; MOTION CARRIED. Mayor Mangold declared the meeting in executive session at 7:58 p.m.

Mayor Mangold returned the meeting to regular session at 8:37 p.m.

There being no further business to be considered at this meeting, Councilman Hillman moved to adjourn which motion was seconded by Shorb. Mayor Mangold adjourned the regular meeting at 8:37 p.m.

APPROVED:

Mayor

ATTEST:

City Clerk