

City Council Proceedings May 18, 2009

The governing body of the City of Powell met in regular session at 7:00 p.m., May 18, 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, City Attorney Sandra Kitchen, Deputy City Attorney Scott Kath, Sanitation Supt. Darrell Rood, Finance Director Annette Thorington, Water Supt. Bill Winters, Parks Supt. Chuck Hewitt, Aquatics Supt. Carrie Parmer, and Police Chief Tim Feathers.

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 Hillman 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 May 4th regular meeting minutes and the work session minutes of May 12th and 14th 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 Sanders 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. Councilman Hillberry noted he would abstain from discussion and voting on items #30 and #78 as did Councilman Shorb on item #63, Councilman Wetzel on item #52, and Mayor Mangold on item #78. 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, Shorb, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

Matters From The Public

Catering Permits. Requests for catering permits were received from the following: 1) Hansel & Gretel's for a wedding reception scheduled for June 13th, 2) LaVina's for a wedding reception scheduled for June 6th, and 3) LaVina's for the Alumni Reunion scheduled for June 27th. Councilman Hillberry moved to approve these catering permits which motion was seconded by Wetzel and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

Rocky Mountain Manor – Requested Waiver of Permit Fees. Councilman Hillberry reviewed a request received from Rocky Mountain Manor to have building permit fees waived for their WCDA grant funded project for remodeling at the Rocky Mountain Manor. Council discussion followed with concerns on waiving fees expressed. This request died for lack of a motion.

Mayor/Council Members

Proclamation – Founder's Day. Mayor Mangold presented a Founder's Day proclamation which will be presented and read by the Governor on May 25th during the Centennial Celebration. Councilman Hillman moved to endorse this proclamation which motion was seconded by Shorb and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

Legal

Powell Country Club O & M Agreement – Second Amendment. Attorney Kitchen reviewed a second amendment to the Operation and Maintenance Agreement for the Powell Country Club. This amendment specifically consents to the country club selling alcohol at the facility and extends the term of the O & M Agreement through July 31, 2010. Councilman Wetzel moved to approve this agreement and authorize execution of same which motion was seconded by Young and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, Young and Sanders; NAY – None; MOTION CARRIED.

Ordinance No. 7, 2009 was presented for second reading and was read by title only, the title of which is as follows:

AN ORDINANCE AMENDING SECTION 5.16.020 OF THE POWELL CITY CODE PERTAINING TO LICENSING REQUIREMENTS FOR COMMERCIAL TREE TRIMMING BY AMENDING THE REQUIREMENT TO PASS A COMPETENCY TEST.

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

Ordinance No. 8, 2009 was presented for first 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.

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

Ordinance No. 9, 2009 was presented for first 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 Hillman moved to approve this ordinance on first reading and post it, 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. 10, 2009 was presented for first 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 Shorb moved to approve this ordinance on first reading and post it, 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. 11, 2009 was presented for first 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 Wetzel moved to approve this ordinance on first reading and post it, which motion was seconded by Hillberry and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

Ordinance No. 12, 2009 was presented for first 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 Young moved to approve this ordinance on first reading and post it, 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. 13, 2009 was presented for first 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 Hillman moved to approve this ordinance on first reading and post it, which motion was seconded by Hillberry and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

Ordinance No. 14, 2009 was presented for first 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 Wetzel moved to approve this ordinance on first reading and post it, which motion was seconded by Shorb and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

Administrative

Amendment to Administrative Services Agreement. Administrator Logan and Finance Director Thorington reviewed an amendment to the Administrative Services Agreement for Employee Health Benefits for reporting in accordance with the provisions in Section 111 of the Medicare, Medicaid, and SCHIP Extension Act of 2007. Councilman Wetzel moved to approve this agreement and authorize execution of same which motion was seconded by Shorb and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

Big Horn Basin Transportation Authority – Letter of Support. Mayor Mangold reviewed a requested letter of support for funding continuation for Intercity Bus Service for the Big Horn basin. With the funding formula to be used, the cost to the City for one year would be less than \$900. Councilman Shorb moved to approve this letter of support which motion was seconded by Hillberry and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

Aquatics Facility Progress Report. Aquatics Supt. Parmer updated Council on the progress of the pool construction, noting that the deep pool is done except for the stairs, footings done, walls will be poured and then the continuous river formed, roof joists will be painted in the next few days, walls will be placed in approximately four weeks, and design choices have been made. Estimated completion date is still late February of 2010.

Centennial Coin. Police Chief Feathers presented Centennial Coins to the governing body and they will be distributed as a token of appreciation for those in the community who work with the police department. Business cards with a comment area on the back will also be distributed to be used by citizens contacted by the police department.

General Announcements. Administrator Logan informed Council of the following: 1) Alley cleanup begins this week and downtown striping began today; 2) A slurry seal schedule is ready to be distributed in advance of the project start date in June; 3) Concrete repairs still needed from the fiber project will be done by the contract crews and will begin shortly; 4) The one cent option tax distribution report was distributed; 5) The Police Department is requesting approval to utilize Pastor David Poole as the volunteer chaplain for police department issues as needed. Councilman Shorb moved to approve using Pastor Poole in a volunteer chaplain program, which motion was seconded by Hillberry and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED; 6) Mayor Mangold reviewed Centennial Celebration events planned for May 25th and encouraged all to attend; 7) Ms. Kelly Kellet requested that more information be provided on the web site for issues that are on council agendas and will be addressed by Council at their meeting. Staff will review and report back to Council with recommendations; and 8) Finance Director Thorington noted that preliminary and final budget are available for review at the library.

There being no further business to be considered at this meeting, Councilman Shorb moved to adjourn which motion was seconded by Wetzel. Mayor Mangold adjourned the regular meeting at 8:10 p.m.

APPROVED:

ATTEST:

/s/ Scott Mangold
Mayor

/s/ Ardyce Busboom
City Clerk