

City Council Proceedings May 4, 2009

The governing body of the City of Powell met in regular session at 7:00 p.m., May 4, 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, and Sanitation Supt. Darrell Rood.

Approval of Agenda

Mayor Mangold called for review and approval of the agenda. Councilman Young moved to approve the agenda with the addition of item 8B – Washington Park Bandshell report under Mayor/Council members, and item 9B – Resolution No. 4, 2009 under Legal. This motion was seconded by Shorb and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

7 P.M. Public Hearing – Cody Cab Company – request to operate a taxicab service within the City of Powell.

Attorney Kitchen opened a public hearing to consider a request submitted by Jasen Livermore and Irene Farlow d/b/a Cody Cab Co. to operate a taxicab service within the City of Powell. The Wyoming DOT requirements, insurance requirements, and background check have been completed. No public comments were received and the hearing closed at 7:06 p.m. Mr. Livermore reported that their company offers services to Cody airport and Billings, MT as well as local services. Councilman Hillberry moved to approve the operation of this cab service within the City 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 April 20th regular meeting minutes and the work session minutes of April 20th which were distributed to Council and posted at City Hall prior to the meeting. Councilman Hillberry requested a correction to the April 20th regular meeting minutes which correction has been noted on those minutes. Councilman Shorb moved to approve these minutes including the correction, 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. Councilman Hillberry noted he would abstain from discussion and voting on item #48. Councilman Hillman made a motion that the bills be allowed and authorize the Treasurer to draw warrants for payment 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.

Matters From The Public

Request to Discharge Cannon. Mr. Royal Stukey submitted a request to discharge a cannon which will shoot taffy into the air for a church youth group party scheduled for May 9th at the Natl. Guard Armory. Councilman Young moved to approve the discharging of a cannon for this purpose which motion was seconded by Sanders and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

Request for Waiver of Open Container Laws – Resolution No. 3, 2009. Ms. Jennifer Lieser of Back Street Pub submitted a request for a waiver of the open container laws for an alumni party scheduled for June 27th in a specially fenced area adjacent to the Pub entrance with hours from 3 p.m. to 2 a.m. and as per requirements listed in Resolution No. 3, 2009.

Resolution No. 3, 2009 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 law and Resolution

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

Mayor/Council Members

Countywide Solid Waste Disposal/Management. Councilman Shorb updated Council on continuing discussions regarding upcoming solid waste disposal and management issues, and the need to review funding options to cover operation of the landfill.

Washington Park Bandshell. Councilman Young noted the excellent work being completed by the Eagle Scouts in refinishing the Washington Park Bandshell.

Legal

Ordinance No. 7, 2009 was presented for first reading and was read by title only and will be posted, 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 Hillberry 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.

Resolution No. 4, 2009. Administrator Logan reviewed the request for SLIB funding through the county wide project consensus list. This request is for funding of a road and bridge shop for Park County and a boardwalk for the Meeteetse Museum. Councilman Shorb moved to approve Resolution No. 4 covering funding of these two projects, which motion was seconded by Wetzel and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

Administrative

Sanitation Dept. – Insect Management Grant Agreement. Administrator Logan and Sanitation Supt. Rood reviewed the Emergency Insect Management Grant Agreement between the WY Dept. of Agriculture and the City to be used for the prevention of West Nile virus. 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.

First Amendment to Grant Agreement – Plaza Diane. Administrator Logan reviewed a first amendment to the Grant Agreement for Plaza Diane. Councilman Wetzel moved to approve this amendment 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.

Street Dept. Slurry Seal Emulsified Asphalt Bid Results. Administrator Logan reviewed the only bid received for slurry seal and recommended approval of the bid received from Intermountain Slurry Seal Inc. in the amount of \$1.95/sq. yd. Councilman Shorb moved to approve this bid and authorize execution of contract documents which motion was seconded by Wetzel 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) Reminded Council of upcoming budget work sessions for review of the proposed FY 09/10 budget; 2) Fiber project cleanup work is continuing; 3) Pool construction is progressing well; 4) Councilman Young noted that Arbor Day went well and was again successful; and 5) Mayor Mangold reminded council that Peaks to Plains would be reviewing proposed Centennial Park designs on May 5th and PCASA has scheduled the substance abuse workshop for May 7th.

There being no further business to be considered at this meeting, Councilman Hillman moved to adjourn which motion was seconded by Wetzel. Mayor Mangold adjourned the regular meeting at 7:52 p.m.

APPROVED:

ATTEST:

/s/ Scott Mangold
Mayor

/s/ Ardyce Busboom
City Clerk