

City Council Proceedings October 4, 2010

The governing body of the City of Powell met in regular session at 7:00 p.m. October 4, 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: Steve Scott, 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, Water Supt. Bill Winters, Finance Director Annette Thorington, and Street Supt./PSM Gary Butts.

Approval of Agenda

Mayor Mangold called for review and approval of the agenda. Councilman Young moved to approve an amended agenda with the addition of item 8B - Proclamation for Walk Kids To School Day, and item 8C – WAM Fall Board Meeting Report under Mayor/Council Members, which motion was seconded by Wetzel and the vote was: AYE – Mangold, Scott, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

Approval of Minutes.

Mayor Mangold called for any additions or corrections to the September 20th 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 Sanders and the vote was: AYE – Mangold, Scott, 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 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, Scott, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

Matters From The Public

Request for Water and Sewer Services. Mr. Andrew Whitlock submitted a request for water and sewer services outside the corporate limits of the City. The agreement for extension of municipal services has been executed by the Whitlock's. Councilman Hillman moved to approve this request for services and authorize execution of the agreement which motion was seconded by Wetzel and the vote was: AYE – Mangold, Scott, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

Request for Catering Permit. Hansel & Gretel's submitted a request for a catering permit for a NWC Fundraiser scheduled for October 8th on campus between the Hinkley Library and the Orendorff building with alcohol hours from 6 p.m. to 12 midnight. Councilman Young moved to approve this catering permit which motion was seconded by Sanders and the vote was: AYE – Mangold, Scott, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

Request for Waiver of Permit Fees. Mountain Spirit Habitat for Humanity requested a waiver of the building permit fees for construction of their new restore facility. Following Council discussion, noting that this is a commercial/retail enterprise, Councilman Hillberry moved to deny a waiver of permit fees, which motion was seconded by Hillman and the vote to deny this request was: AYE – Mangold, Scott, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

Park County Housing Assessment Report. Mr. James Klessen of Forward Cody reviewed the recently completed housing assessment covering all of Park County, noting specifically those areas dealing with housing issues for Powell, including market demand for various types of housing needs. Mr. Klessen noted the importance of updating this study every few years so Powell can plan for future market demands.

Mayor/Council Members

Proclamations – Step Up For Kids Week. Mayor Mangold presented proclamations designating October 2 – 9 as Step Up For Kids Week recognizing the importance of strength of families and children, and a proclamation designating October 15th as Walk Our Kids to School Day promoting children’s safety. Councilman Hillberry moved to endorse these proclamations which motion was seconded by Young and the vote was: AYE – Mangold, Scott, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

WAM Fall Board Meeting Report. Councilman Hillberry reviewed issues discussed during the WAM Fall Board meetings recently held in Torrington, including but not limited to the 2011 legislative agenda, solid waste and transfer station topics, illegal drug products, and broadband planning and networking issues.

Legal

Ordinance No. 12, 2010 was up for third reading and was read by title only, the title of which is as follows:

AN ORDINANCE AMENDING SECTION 5.08.050 OF THE POWELL CITY CODE TO CLARIFY THAT APPLICATION FEES SHALL BE PAID BY THE APPLICANT AT THE TIME OF APPLICATION FOR A LIQUOR LICENSE.

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

Ordinance No. 13, 2010 was up for third reading and was read by title only, the title of which is as follows:

AN ORDINANCE AMENDING SECTION 5.08.060 OF THE POWELL CITY CODE REGARDING INFORMATION NEEDED FOR APPLICATION OF LIQUOR LICENSE.

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

Ordinance No. 14, 2010 was up for third reading and was read by title only, the title of which is as follows:

AN ORDINANCE AMENDING SECTION 5.08.070 OF THE POWELL CITY CODE BY REPEALING SAID SECTION WHICH PERTAINS TO LIQUOR LICENSE REQUIREMENTS FOR FILING A NEW APPLICATION WHENEVER AN INTEREST OF MORE THAN TEN PERCENT OF ANY CORPORATION, ASSOCIATION OR ORGANIZATION HOLDING A RETAIL LIQUOR LICENSE IS TO BE SOLD, ASSIGNED OR OTHERWISE TRANSFERRED.

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

Ordinance No. 15, 2010 was up for third reading and was read by title only, the title of which is as follows:

AN ORDINANCE AMENDING SECTION 5.08.090 OF THE POWELL CITY CODE CONCERNING LIQUOR LICENSE CATEGORIES BY ADDING BAR AND GRILL LICENSES AND MICRO-BREWERY AND WINERY PERMITS.

Councilman Hillman moved to approve Ordinance No. 15 on third reading which motion was seconded by Hillberry and the vote was: AYE – Mangold, Scott, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

Ordinance No. 16, 2010 was up for third reading and was read by title only, the title of which is as follows:

AN ORDINANCE AMENDING SECTION 5.08.130 OF THE POWELL CITY CODE PERTAINING TO NOISE RESTRICTIONS WITHIN LIQUOR LICENSE ESTABLISHMENTS.

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

Ordinance No. 17, 2010 was up for third reading and was read by title only, the title of which is as follows:

AN ORDINANCE AMENDING SECTION 5.08.240 OF THE POWELL CITY CODE BY LIMITING THE NUMBER OF CATERING PERMITS AND MALT BEVERAGE PERMITS ISSUED TO ANY LICENSEE IN ONE CALENDAR YEAR.

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

Ordinance No. 18, 2010 was up for third reading and was read by title only, the title of which is as follows:

AN ORDINANCE AMENDING SECTION 15.28.030 OF THE POWELL CITY CODE BY INCREASING THE FEE CHARGED FOR RENEWAL OF CONTRACTOR REGISTRATION.

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

Peaks Minor Subdivision. Attorney Kath reviewed the minor subdivision agreement and the final plat for the Peaks Minor Subdivision located in Lot 62-C within a one mile radius of the city limits, noting that P & Z has reviewed and recommends approval. Councilman Wetzel moved to approve the subdivision agreement and the final plat and authorize execution of both documents which motion was seconded by Hillman and the vote was: AYE – Mangold, Scott, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

Administrative

NWC/City Contract for Services. Administrator Logan reviewed a Northwest College Contract for Services covering terms and fees for instruction in beginning swimming lessons for NWC students. Councilman Young moved to approve this contract for services and authorize execution of same which motion was seconded by Wetzel and the vote was: AYE – Mangold, Scott, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

Burbach Aquatics - Pool Update. Mr. Dave Burbach of Burbach Aquatics provided Council an update on issues concerning the aquatic facility, reviewing two separate punch lists, one being completed now and one that will be completed in March of 2011 when the pools are drained for refinishing of some areas. Final payments to the subcontractors are underway and progress payments are being made as punch list items are completed.

Employee Assistance Programs. Mr. Bill Winters addressed Council to express appreciation for employee assistance programs that have helped him and other employees over the years.

General Announcements. Administrator Logan informed Council of the following: 1) Parking lot lighting at the aquatic center is complete, with sprinkler system and landscaping work continuing; 2) Noted receipt of a copy of a letter from Heart Mountain Animal Health sent to WYDOT regarding the hazardous intersection at Highway 14 and Road 8 with the large pine trees on the NE corner that obstructs the view of oncoming vehicular traffic.

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

APPROVED:

/s/ Scott Mangold
Mayor

ATTEST:
/s/ Ardyce Busboom
City Clerk