

## **City Council Proceedings September 19, 2011**

The governing body of the City of Powell met in regular session at 7:00 p.m. on September 19, 2011 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:** Eric Paul, John Wetzel, Don Hillman, Jim Hillberry, Floyd Young, and Myron Heny.  
**Absent:** None.  
**City Officials:** City Clerk Ardyce Busboom, City Attorney Sandra Kitchen, Deputy City Attorney Scott Kath, Public Svs. Mgr. Gary Butts, and City Engineer Sean Christensen.

### **Approval of Agenda**

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

### **Approval of Minutes.**

Mayor Mangold called for any additions or corrections to the September 6th regular meeting minutes which were distributed to Council and posted at City Hall prior to the meeting. Councilman Hillman moved to approve these minutes which motion was seconded by Wetzel and the vote was: AYE – Mangold, Paul, Wetzel, Hillman, Hillberry, Young, and Heny; NAY - None; MOTION CARRIED.

### **Bills and Claims**

The list of claims, a copy of which is attached, was then considered. Mayor Mangold noted he would abstain from discussion and voting on item #37, as did Councilman Wetzel on item #58. Councilman Hillberry made a motion that the bills be allowed and authorize the Treasurer to draw warrants for payment of same, which motion was seconded by Young and the vote was: AYE – Mangold, Paul, Wetzel, Hillman, Hillberry, Young, and Heny; NAY – None; MOTION CARRIED.

### **Matters From The Public**

**Catering Permit.** Heart Mountain Pub submitted a request for a catering permit for the Co-ed Softball Benefit Tournament scheduled for Sept. 24 and 25 at Homesteader Park fields with alcohol hours requested from 8 a.m. to 12 midnight. Mayor Mangold noted that there are other events planned following the tournament and alcohol hours will not go beyond 11 p.m. Councilman Wetzel moved to approve these catering permits which motion was seconded by Hillman and the vote was: AYE – Mangold, Paul, Wetzel, Hillman, Hillberry, Young, and Heny; NAY – None; MOTION CARRIED.

**Community Safety Concerns.** Mr. Gary Ron Johnson addressed Council with concerns and questions regarding recent power outages. Councilman Hillman suggested that Mr. Johnson visit with Administrator Logan who is qualified to answer any questions or concerns he may have regarding Powell's electrical system.

### **Mayor/Council Members**

**Proclamation.** Mayor Mangold presented a Proclamation designating September 17 through 23 as Constitution Week reaffirming the ideals and protection of freedoms afforded by this great document. Councilman Heny moved to endorse this proclamation which motion was seconded by Wetzel and the vote was: AYE – Mangold, Paul, Wetzel, Hillman, Hillberry, Young, and Heny; NAY – None; MOTION CARRIED.

**Shoshone Municipal Pipeline Report.** Councilman Hillberry provided a water usage report for review and noted that the municipal pipeline was in good shape and financially strong. A river run test will be performed on Sept. 28<sup>th</sup> and relocation of the pipeline to allow completion of the highway project is pending.

## Legal

Councilman Wetzel made a motion to bring Ordinance No. 7, 2011 back from the table for consideration which motion was seconded by Hillman and the vote was: AYE – Mangold, Paul, Wetzel, Hillman, Hillberry, Young, and Heny; NAY – None; MOTION CARRIED.

Ordinance No. 7, 2011 with revisions as directed at the Sept. 6<sup>th</sup> Council meeting was presented for first reading and was read by title only and will be posted, the title of which is as follows:

**AN ORDINANCE REPEALING SECTION 5.28 OF THE POWELL CITY CODE PERTAINING TO HAWKERS, PEDDLERS, AND TRANSIENT MERCHANTS AND ESTABLISHING A NEW SECTION 5.28 REGULATING THE CONDUCT OF PEDDLERS, SOLICITORS, AND TRANSIENT MERCHANTS WITHIN THE CITY OF POWELL, WYOMING.**

Attorney Kitchen reviewed the revisions that were made in this ordinance. Councilman Hillberry moved to approve this ordinance on first reading which motion was seconded by Heny and the vote was: AYE – Mangold, Paul, Wetzel, Hillman, Hillberry, Young, and Heny; NAY – None; MOTION CARRIED.

## Administrative

Resolution No. 11, 2011. City Clerk Busboom and City Engineer Christensen presented and reviewed this Resolution for a SLIB grant application for transfer station and equipment, with Engineer Christensen noting that this submission is requesting \$7500 more in funding than the previous request. Councilman Hillman moved to approve this Resolution and authorize execution of same which motion was seconded by Wetzel and the vote was: AYE – Mangold, Paul, Wetzel, Hillman, Hillberry, Young, and Heny; NAY – None; MOTION CARRIED.

Powell Airport State Grant in Aid. City Engineer Christensen reviewed the grant in aid request for state funding for the partial parallel and turn around, hangar access taxilane, and design and construction at the Powell Airport. Councilman Hillman moved to approve this agreement and authorize execution of same which motion was seconded by Wetzel and the vote was: AYE – Mangold, Paul, Wetzel, Hillman, Hillberry, Young, and Heny; NAY – None; MOTION CARRIED.

Detachment of Water Rights – Gateway West Addition. City Engineer Christensen reviewed the request for detachment of water rights for the City's west water tower property located in Gateway West Addition. Since the City will not need the water allotment for the ¼ acre that the water tower sits on, this detachment would allow Shoshone Irrigation District to transfer these water rights to other lands to be utilized. Councilman Wetzel moved to approve this detachment and execute the documents which motion was seconded by Heny and the vote was: AYE – Mangold, Paul, Wetzel, Hillman, Hillberry, Young, and Heny; NAY – None; MOTION CARRIED.

City/NWC Swim Instruction Contracts. City Clerk Busboom presented four contracts for swim instruction for NWC swimming programs at the Aquatics Center from August through December and requested approval and execution. Councilman Young moved to approve these contracts which motion was seconded by Wetzel and the vote was: AYE – Mangold, Paul, Wetzel, Hillman, Hillberry, Young, and Heny; NAY – None; MOTION CARRIED.

State Small Business Credit Initiative. City Clerk Busboom and Attorney Kitchen reviewed the City of Laramie's proposal to oversee and operate the federally funded State Small Business Credit Initiative program titled Wyoming Smart Capital Network to assist business development across the state. Municipalities are invited to partner with the City of Laramie in this program which would work with banks for funding of local small business enterprises. Documents to be executed for participation in this program include a designation letter, a small business credit initiative signature page, and Federal assurances document. Attorney Kitchen noted that should Council decide to no longer participate in this program in the future, the City can withdraw from participation. Following review, Councilman Hillberry moved to approve the WSCN documents and authorize execution of same which motion was seconded by Wetzel and the vote was: AYE – Mangold, Paul, Wetzel, Hillman, Hillberry, Young, and Heny; NAY – None; MOTION CARRIED.

**General Announcements.** City Clerk Busboom informed Council of the following:  
1) Gave an early reminder to Council that the Legislative Dinner which Powell will be hosting this year will be scheduled for early to mid November; and 2) Public Svs. Mgr. Butts stated that work and projects are continuing while the weather is favorable.

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 8:00 p.m.

**APPROVED:**

**/s/ Scott Mangold**  
Mayor

**ATTEST:**

**/s/ Ardyce Busboom**  
City Clerk