

City Council Proceedings September 6, 2011

The governing body of the City of Powell met in regular session at 7:00 p.m. on September 6, 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: John Wetzel, Don Hillman, Jim Hillberry, Floyd Young, and Myron Heny.
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, and Building Official Will Petersen.

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 8A – Resource Management Plan under Mayor/Council Members. This motion was seconded by Heny and the vote was: AYE – Mangold, Wetzel, Hillman, Hillberry, Young, and Heny; NAY – None; MOTION CARRIED.

Ward I Council Appointment - Oath of Office.

Mayor Mangold requested Council confirmation to appoint Mr. Eric Paul to fill the Ward I council vacancy until the next general election has been completed. Councilman Hillman moved to approve the appointment of Mr. Paul to fill this vacancy, which motion was seconded by Young and the vote was: AYE – Mangold, Wetzel, Hillman, Hillberry, Young, and Heny; NAY – None; MOTION CARRIED. Mayor Mangold then gave Mr. Paul the Oath of Office and Councilman Paul was seated.

Approval of Minutes.

Mayor Mangold called for any additions or corrections to the August 15th regular meeting minutes which were distributed to Council and posted at City Hall prior to the meeting. Councilman Heny moved to approve these minutes which motion was seconded by Hillberry 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. Councilman Hillman noted he would abstain from discussion and voting on item #40, as did Councilman Wetzel on item #66. 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 Wetzel and the vote was: AYE – Mangold, Paul, Wetzel, Hillman, Hillberry, Young, and Heny; NAY – None; MOTION CARRIED.

Matters From The Public

Noise & Industrial Processing Issues. Mr. Bruce McCampbell voiced concerns regarding speeding issues on South Jones and suggested lower speed limits and/or more enforcement. Mr. McCampbell then addressed the issues of noise, dust, and diesel problems from the Gluten Free Oats facility. He stated there was continual noise from drying fans and dust from grain dumping and fans running. Mr. Don Park noted the same concerns regarding Gluten Free Oats facility as Mr. McCampbell and also noted an abundance of weeds in their area. Council discussed noise buffering or filtering to reduce noise at the facility and recognized the Smith's willingness to work to resolve these issues. Mrs. Jill Smith stated that they are looking at sound barriers and will be contacting the manufacturer for suggestions, dust will be kept at a minimum and use of a generator has ceased. She noted their desire to be good neighbors and work with residents in the area.

Mayor/Council Members

Councilman Hillberry reviewed the Big Horn Basin Resource Management Plan public comment process and time frame and recommended that Council support the Park County Commissioners on their recommended planning alternative. Councilman Hillman made a motion that the City submit a letter of support for the County Commissioners

recommended planning alternative, which motion was seconded by Heny and the vote was: AYE – Mangold, Paul, Wetzel, Hillman, Hillberry, Young, and Heny; NAY – None; MOTION CARRIED. A letter of support will be drafted and sent by the September 7th comment period deadline.

Legal

Ordinance No. 6, 2011 was up for third reading and was read by title only, the title of which is as follows:

AN ORDINANCE RE-ZONING THE PARHAM ADDITION, ACCORDING TO THE AMENDED PLAT RECORDED IN BOOK “1” OF PLATS, PAGE 14, PARK COUNTY, WYOMING.

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

Ordinance No. 7, 2011 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 this proposed ordinance and clarified each type of vendor, licensing or registration requirements, and noted the potential impact this ordinance could have on local groups and organizations. Following discussion Council requested that an ordinance be drafted covering transient merchants only. Councilman Hillman then moved to table consideration of this ordinance which motion was seconded and the vote was: AYE – Mangold, Paul, Wetzel, Hillman, Hillberry, Young, and Heny; NAY – None; MOTION CARRIED.

Administrative

Sanitation Dept. Refuse Container Bid Results. Administrator Logan reviewed the only bid received for (40) 300-gallon refuse containers and (20) 98-gallon refuse containers received from RMI-D in the amount of \$14,780. Councilman Heny moved to approve this bid and authorize execution of contract documents which motion was seconded by Hillman and the vote was: AYE – Mangold, Paul, Wetzel, Hillman, Hillberry, Young, and Heny; NAY – None; MOTION CARRIED.

General Announcements. Administrator Logan informed Council of the following: 1) Landscaping and gazebo and fountain work is in progress at the pool; 2) Reminded Council of the WMPA dinner and meeting scheduled for Sept. 14th and 15th; 3) Slurry seal is complete for this year; 4) The ICMA conference is scheduled for later this month; 5) Mayor Mangold will be participating in 9/11 activities on Sunday; and 6) Councilman Hillman, Sanitation Supt. Rood, and Councilman Heny recently attended meetings on landfill issues.

There being no further business to be considered at this meeting, Councilman Wetzel moved to adjourn which motion was seconded by Hillman. Mayor Mangold adjourned the regular meeting at 8:11 p.m.

ATTEST:

APPROVED:

/s/ Ardyce Busboom
City Clerk

/s/ Scott Mangold
Mayor