

City Council Proceedings  
June 5, 2017

The governing body of the City of Powell met in regular session at 6:00 p.m. on June 5, 2017 in the Council Chambers of City Hall. Council President Jim Hillberry opened the meeting and led those in attendance in reciting the Pledge of Allegiance. Council President Jim Hillberry I called the meeting to order and the following were present: Council Members Jim Hillberry, Floyd Young, Eric Paul, Tim Sapp, Lesli Spencer and Scott Mangold. Absent Mayor John Wetzel. City Officials: City Administrator Zane Logan, City Clerk Tiffany Brando, City Attorney Sandra Kitchen, Deputy City Attorney Scott Kath Director of Public Works Gary Butts and Parks Supt. Del Barton.

Approval of Agenda: Councilman Young moved to approve the agenda, seconded by Councilwoman Spencer, unanimous approval, MOTION CARRIED.

Approval of May 15, 2017 regular meeting minutes. Councilman Sapp moved to approve, seconded by Councilman Paul, unanimous approval, MOTION CARRIED.

Bills and Claims: Councilman Young abstained # 97 and Councilman Hillberry abstained #39. Councilman Paul made a motion the bills be allowed and authorize the Treasurer to draw warrants for payment of the same, seconded by Councilman Sapp, unanimous approval, MOTION CARRIED.

Catering permit Red Zone June 26<sup>th</sup> at Fairgrounds, Councilwoman Spencer moved to approve, seconded Councilman Young, unanimous approval, MOTION CARRIED.

Resolution No. 8, 2017: Waiver of Open Container Elks Lodge June 10<sup>th</sup>. City Clerk Brando informed Council of Chief Eckerdt concern on time and is in residential with most patios having to be closed at 11:30 p.m. Councilman Young moved to approve Resolution No. 8, 2017 amending closing time to 11:30 p.m., seconded by Councilman Mangold, unanimous approval, MOTION CARRIED.

Catering Permit LaVina's June 17<sup>th</sup> at the Commons, Councilwoman Spencer moved to approve, seconded by Councilman Young, unanimous approval, MOTION CARRIED.

Committee Updates: Councilman Hillberry and Councilwoman Spencer gave an update on WAM and Councilman Young gave an update on YCAN.

ORDINANCE NO. 1, 2017: An Ordinance Annexing Certain Real Property Known as the Cason Addition Annexation, was tabled at May 1, 2017 meeting. Motion to remove from the table by Councilman Mangold, seconded by Councilman Young, unanimous approval, MOTION CARRIED. Councilman Young moved to table Ordinance No. 1, 2017, seconded by Councilwoman Spencer, unanimous approval, MOTION CARRIED.

Brownfield Simple Subdivision: Subdivision agreement and Final Plat. Councilman Young moved to approve the agreement and final plat and authorize all necessary signatures, seconded by Councilman Paul, unanimous approval, MOTION CARRIED.

Ordinance No. 2, 2017: Read by title only by Attorney Kitchen: An Ordinance to Provide for the 2017-18 Budget for the City of Powell, Wyoming for the Fiscal Year Beginning the First Day of July, 2017 and Ending the 30<sup>th</sup> Day of June 2018. Councilman Sapp moved to approve on second reading, seconded by Councilwoman Spencer, unanimous approval, MOTION CARRIED. Ordinances 3 thru 16, 2017 were read by title only by Attorney Kitchen:

Ordinance No. 3, 2017: An Ordinance Amending Section 5.08.040 of the Powell City Code by Replacing the Reference to Dispensing Room with Licensed Building and Repealing Subparagraph B. Concerning Modification of Hours of Operation Four Days of Each Calendar Year.

Ordinance No. 4, 2017: An Ordinance Amending Section 5.08.090 of the Powell City Code by Replacing Special Club Licenses with Limited Club Licenses, Enacting a Special Malt Beverage Permit and Repealing Subparagraph J of Section 5.08.090 Pertaining to Transfer of Ownership or Location and Fees and Enacting a New Subparagraph J Regarding Special Malt Beverage Permits.

Ordinance No. 5, 2017: An Ordinance Amending Section 5.08.110 of the Powell City Code by Replacing References to Licensed Room with Licensed Building, Replacing Beer Garden Provisions with patio Provisions for Licensees and Providing that the Governing Body May Revoke Patio Privileges Due to Non-Compliance.

Ordinance No. 6, 2017: An Ordinance Amending Section 5.08.160 of the Powell City Code Pertaining to Dispensing Room by Amending the Dispensing Room Requirement so it is Applicable to a Restaurant License Dispensing Room Only.

Ordinance No. 7, 2017: An Ordinance Repealing Section 5.08.170 of the Powell City Code Pertaining to Restaurant License, Application, Renewal and Transfer.

Ordinance No. 8, 2017: An Ordinance Repealing Section 5.08.180 of the Powell City Code Pertaining to Account Required by Restaurant Licensees.

Ordinance No. 9, 2017: AN Ordinance Repealing Section 5.08.190 of the Powell City Code Pertaining to Prohibition of Separate Ticketing or Receipting of Purchases Made by Any Person of Food and Alcoholic Beverages.

Ordinance No. 10, 2017: An Ordinance Repealing Section 5.08.210 of the Powell City Code Pertaining to Prohibition of Catering of Alcoholic Beverages in Conjunction with Catering of Food by a Restaurant Licensee.

Ordinance No. 11, 2017: An Ordinance Amending Section 5.08.250 of the Powell City Code by Providing for Age Restrictions in Licensed Buildings, Exceptions to the Age Restrictions and Requiring Licensee to Display Signs Prohibiting No One Under 21 Years of Age Allowed.

Ordinance No. 12, 2017: An Ordinance Enacting Section 5.08.255 of the Powell City Code Requiring Tips Certified Staff for Liquor License Holders.

Ordinance No. 13, 2017: An Ordinance Enacting Section 5.08.257 of the Powell City Code Prohibiting Service of Liquor by a Licensed Holder to a Person that is Drunk or Incapacitated within a Licensed Establishment. Read by title only by Attorney Kitchen.

Ordinance No. 14, 2017: An Ordinance Enacting Section 5.08.259 of the Powell City Code Pertaining to Failure to Pay Sales Tax as a Violation of the Demerit Point System.

Ordinance No. 15, 2017: An Ordinance Amending Section 5.08.260 (B) of the Powell City Code Pertaining to Alcoholic Liquor and Malt Beverage Demerit Points.

Ordinance No. 16, 2017: An Ordinance Amending Section 5.08.010 of the Powell City Code By Establishing a Definition for Commercial Kitchen. Councilman Mangold moved to approve Ordinances 3 thru 16, 2017 on second reading, seconded by Councilman Paul, unanimous approval, MOITON CARRIED.

Ordinance No. 17, 2017: Read by title only by Attorney Kitchen: An Ordinance Increasing Water Rates Pursuant to Powell City Coe Section 13.12.190. Councilwoman Spencer moved to approve on second reading, seconded by Councilman Sapp, unanimous approval, MOITON CARRIED.

Century Link Joint Pole Attachment Agreement was presented by Administrator Logan and is an update to a 50+ year old agreement. Councilman Sapp moved to approve and authorize all necessary signatures, seconded by Councilwoman Spencer, unanimous approval, MOTION CARRIED.

Wyoming Sage Brush Hoppers Memorandum of Understanding was presented and has some language added by Attorney Kitchen which has been agreed to and signed off. Councilwoman Spencer moved to approve the agreement as amended and authorize signatures, seconded by Councilman Young, unanimous approval, MOTION CARRIED.

Award Asphalt Services to Quality Asphalt Paving. Councilman Mangold made a motion to approve and authorize all necessary signatures, seconded by Councilman Sapp, unanimous approval, MOTION CARRIED.

Award Slurry Seal to Intermountain Slurry Seal. Councilman Young moved to approve an authorize necessary signatures, seconded Councilwoman Spencer, unanimous approval, MOTION CARRIED.

Award Chip Seal to Wild West Construction. Councilwoman Spencer moved to approve and authorize all necessary signatures, seconded by Councilman Young, unanimous approval, MOTION CARRIED.

City of Cody Consensus Funding Resolution: Councilman Young made a motion to approve an authorize all necessary signatures, seconded by Councilwoman Spencer, unanimous approval, MOTION CARRIED.

General Announcements: Administrator Logan gave an update on WMPA Executive Director position and the highway project is on track. Also reminded Council July 3<sup>rd</sup> meeting has been cancelled and a Special Meeting is set of July 5<sup>th</sup> at 6 p.m.

There being no further business to be considered at this meeting, Councilman Young moved to adjourn, seconded by Councilman Paul unanimous approval, MOTION CARRIED. Mayor Wetzel adjourned the regular meeting at 6:36 p.m.

APPROVED:

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Mayor

ATTEST:

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City Clerk