

City Council Proceedings
May 15, 2017

The governing body of the City of Powell met in regular session at 6:00 p.m. on May 15, 2017 in the Council Chambers of City Hall. Mayor John Wetzel opened the meeting and led those in attendance in reciting the Pledge of Allegiance. Mayor Wetzel called the meeting to order and the following were present: Mayor John Wetzel, Council Members Jim Hillberry, Floyd Young, Eric Paul, Tim Sapp, Lesli Spencer and Scott Mangold.

City Officials: City Administrator Zane Logan, City Clerk Tiffany Brando, City Attorney Sandra Kitchen, Deputy City Attorney Scott Kath and Police Chief Roy Eckerdt.

Approval of Agenda: Councilman Mangold moved to approve the agenda, seconded by Councilman Paul, unanimous approval, MOTION CARRIED.

Approval of May 1, 2017 regular meeting minutes. Councilman Young moved to approve, seconded by Councilman Hillberry, unanimous approval, MOTION CARRIED.

Bills and Claims: Mayor Wetzel abstained #54 and #71. Councilman Mangold made a motion the bills be allowed and authorize the Treasurer to draw warrants for payment of the same, seconded by Councilwoman Spencer, unanimous approval, MOTION CARRIED.

Resolution No. 5, 2017: Waiver of Open Container Class of 1987 June 23rd 6pm – 12 am at Plaza Diane. Councilman Hillberry moved to approve, seconded by Councilman Paul, unanimous approval, MOTION CARRIED.

Catering permit Heart Mountain Pub May 20th and 21st at Softball Complex, Councilman Young moved to approve, seconded Councilman Hillberry, unanimous approval, MOTION CARRIED.

Resolution No. 6, 2017: Waiver of Open Container American Legion May 27th 3pm – 11:30pm At American Legion. Councilwoman Spencer moved to approve, seconded by Councilman Sapp, unanimous approval, MOTION CARRIED.

Malt Beverage for Palace LLC May 27th at the Fairgrounds, Councilman Paul moved to approve, seconded by Councilwoman Spencer, unanimous approval, MOTION CARRIED.

Resolution No. 7, 2017: Waiver of Open Container for Gestalt Studios and Catering Permit for LaVina's June 23rd at Gestalt Studios. Councilman Jim moved to approve, seconded by Councilman Young, unanimous approval, MOTION CARRIED.

Softball Association Seasonal Beer Permit for the 2017 season. Councilman Mangold abstained, Councilman Hillberry moved to approve, seconded by Councilwoman Spencer, unanimous approval, MOTION CARRIED.

Committee Updates: Councilman Hillberry gave an update on Shoshone Municipal Pipeline and Councilman Young on Recycling Board.

Municipal Judge Appointment: Mayor Wetzel asked for the appointment of Bret T. Allred of Basin Law Group as Municipal Judge contingent on a signed contract. Councilman Hillberry moved to approve, seconded Councilman Mangold, unanimous approval, MOTION CARRIED.

July 3rd Council meeting was discussed if council would move to July 5th or keep on July 3rd with the 4th being a holiday. Councilman Paul moved to meet July 5th and send notices, seconded by Councilwoman Spencer, unanimous approval, MOTION CARRIED.

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 Young, seconded by Councilman Paul, unanimous approval, MOTION CARRIED. Councilman Paul moved to table Ordinance No. 1, 2017, seconded by Councilman Sapp, unanimous approval, MOTION CARRIED.

Ordinance No. 2, 2017: 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 30th Day of June 2018. Read by title only by Attorney Kitchen. Councilman Young moved to approve and post in lieu of reading on first reading, seconded by Councilwoman Spencer, unanimous approval, MOTION CARRIED.

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. Read by title only by Attorney Kitchen. Councilman Hillberry moved to approve and post in lieu of reading on first reading, seconded by Councilwoman Spencer, unanimous approval, MOTION CARRIED.

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. Read by title only by Attorney Kitchen. Councilman Hillberry moved to approve and post in lieu of reading on first reading, seconded by Councilman Paul, unanimous approval, MOITON CARRIED.

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. Read by title only by Attorney Kitchen. Councilman Mangold moved to approve and post in lieu of reading on first reading, seconded by Councilman Sapp, unanimous approval, MOITON CARRIED.

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. Read by title only by Attorney Kitchen. Councilman Young moved to approve and post in lieu of reading on first reading, seconded by Councilman Hillberry, unanimous approval, MOITON CARRIED.

Ordinance No. 7, 2017: An Ordinance Repealing Section 5.08.170 of the Powell City Code Pertaining to Restaurant License, Application, Renewal and Transfer. Read by title only by Attorney Kitchen. Councilwoman Spencer moved to approve and post in lieu of reading on first reading, seconded by Councilman Young, unanimous approval, MOITON CARRIED.

Ordinance No. 8, 2017: An Ordinance Repealing Section 5.08.180 of the Powell City Code Pertaining to Account Required by Restaurant Licensees. Read by title only by Attorney Kitchen. Councilman Mangold moved to approve and post in lieu of reading on first reading, seconded by Councilwoman Spencer, unanimous approval, MOITON CARRIED.

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. Read by title only by Attorney Kitchen. Councilman Young moved to approve and post in lieu of reading on first reading, seconded by Councilman Paul, unanimous approval, MOITON CARRIED.

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. Read by title only by Attorney Kitchen. Councilman Hillberry moved to approve and post in lieu of reading on first reading, seconded by Councilman Mangold, unanimous approval, MOITON CARRIED.

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. Read by title only by Attorney Kitchen. Councilman Hillberry moved to approve and post in lieu of reading on first reading, seconded by Councilman Young, unanimous approval, MOITON CARRIED.

Ordinance No. 12, 2017: An Ordinance Enacting Section 5.08.255 of the Powell City Code Requiring Tips Certified Staff for Liquor License Holders. Read by title only by Attorney Kitchen. Councilman Young moved to approve and post in lieu of reading on first reading, seconded by Councilwoman Spencer, unanimous approval, MOITON CARRIED.

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. Councilman Young moved to approve and post in lieu of reading on first reading, seconded by Councilman Sapp, unanimous approval, MOITON CARRIED.

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. Read by title only by Attorney Kitchen. Councilwoman Spencer moved to approve and post in lieu of reading on first reading, seconded by Councilman Hillberry, unanimous approval, MOITON CARRIED.

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. Read by title only by Attorney

Kitchen. Councilman Hillberry moved to approve and post in lieu of reading on first reading, seconded by Councilwoman Spencer, unanimous approval, MOTION CARRIED.

Ordinance No. 16, 2017: An Ordinance Amending Section 5.08.010 of the Powell City Code By Establishing a Definition for Commercial Kitchen. Read by title only by Attorney Kitchen.

Councilman Mangold moved to approve and post in lieu of reading on first reading, seconded by Councilman Young, unanimous approval, MOTION CARRIED.

Ordinance No. 17, 2017: An Ordinance Increasing Water Rates Pursuant to Powell City Code Section 13.12.190. Read by title only by Attorney Kitchen and Administrator Logan discussed is a pass through tap equivalent from Shoshone Municipal Pipeline. Councilman Mangold moved to approve and post in lieu of reading on first reading, seconded by Councilwoman Spencer, unanimous approval, MOTION CARRIED.

Bid Sale of Lot 3 Bitter Creek Subdivision received 1 bid for \$18,105 by Allen Griffin and staff is recommending approval and authorize staff to work on all necessary documents and approve all signatures on sale of land. Councilman Young moved to approve and authorize all necessary signatures and documents ordered, seconded by Councilman Mangold, unanimous approval, MOTION CARRIED.

General Announcements: Administrator Logan updated Kinderday and Council tours May 24th. Administrator Logan informed he has completed his NEC certification for the next 3 years and will be attending board meeting in Lusk this week.

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

APPROVED:

Mayor

ATTEST:

City Clerk