

City Council Proceedings
August 17, 2015

The governing body of the City of Powell met in regular session at 6:00 p.m. on August 17, 2015 in the Council Chambers of City Hall. Mayor Hillman opened the meeting and led those in attendance in reciting the Pledge of Allegiance. Mayor Hillman called the meeting to order and the following were present: Mayor Don Hillman, Council Members Jim Hillberry, Floyd Young, Josh Shorb, John Wetzel, Eric Paul and Councilman Tim Sapp.

City Officials: Administrator Zane Logan, City Clerk Tiffany Brando, City Attorney Sandra Kitchen, Deputy City Attorney Scott Kath Kitchen, and Finance Director Annette Thorington.

Approval of Agenda: Mayor Hillman would like to add to the agenda under Legal C Executive Session W. S. Section 16-4-405 (a) (iii) Pending Litigation and remove under Matters from the public E as requested by Mr. D's Foodcenter. Councilman Young moved to approve the agenda as amended, motion seconded by Councilman Wetzel, unanimous approval, MOTION CARRIED.

Approval of Minutes: Mayor Hillman called for any additions or corrections to the August 3, 2015 regular meeting minutes which were distributed to council and posted at City Hall prior to the meeting. Councilman Young moved to approve the minutes as posted, motion seconded by Councilman Wetzel, unanimous approval, MOTION CARRIED.

Bills and Claims: Councilman Wetzel abstained from item #58 Powell Tribune and Councilman Shorb abstained from item #53 Park County Weed & Pest. Councilman Shorb made a motion the bills be allowed and authorize the Treasurer to draw warrants for payment of the same, motion seconded by Councilman Young, unanimous approval, MOTION CARRIED.

PUBLIC HEARING: Non-Conforming Signs: Opened by Attorney Kath at 6:03 P.M. John Sides, Chairman for Planning & Zoning, addressed the ordinance and the changes from the current grandfathered signs ordinance for the City of Powell. Councilman Paul expressed concern on section D and how to assess fair market value and Attorney Kath said they would check prices with another source in the same business. No other comments and hearing closed at 6:09 P.M.

ORDINANCE NO. 23, 2015: Attorney Kath read by title only: An Ordinance Amending Section 17.48.030 of the Powell City Code Pertaining to Non-Conforming Signs. Councilman Shorb moved to approve Ordinance No. 23, 2015 on first reading and post in lieu of reading, motion seconded by Councilman Sapp, unanimous approval, MOTION CARRIED.

Councilman Wetzel made a motion to approve items under Matters from the public A, B, C, D, F, G, H, and I, motion seconded by Councilman Young, unanimous approval, MOTION CARRIED.

A. Catering Permit WYOld West Brewing Aug. 21 @ Fairgrounds for Cycle Greater Yellowstone

B. Malt Beverage Permit Aug. 21 @ Fairgrounds for Cycle Greater Yellowstone

C. Malt Beverage Permit Aug. 28 & 29 @ Fairgrounds for Live a Little Productions

D. Malt Beverage Permit Sept. 4 @ Fairgrounds for Promocion Tapatío Dance

F. Resolution No. 13. 2015 Waiver of Open Container Sept. 11 @ Plaza Diane

G. Catering Permit WYOld West Brewing Sept. 11 @ Plaza Diane Homesteader Day's Dance

H. Request for waiver of fees Hitting 4 Hometown Heroes Softball Tourney Sept. 12 & 13

I. Catering Permit Heart Mountain Pub H4HH Sept 12 & 13 @Softball Complex

Transient Vendor Discussion was presented to the Council by Brenda and Steve Mattson to discuss the hours for transient vendors. Mrs. Mattson presented research from towns in the Big Horn Basin and would like to see something similar to have hours listed on the application and approved. She would also like to see some differentiation between a vendor and door to door salesman and would like to be able to serve the breakfast crowd and the late night crowd from their food trailer. Mayor Hillman asked what hours they would like and Mrs. Mattson stated they would like to start at 6 am and also serve the late night crowd on Friday and Saturday until 3 am. Attorney Kitchen explained the ordinance currently has solicitors, peddlers and transient vendors listed and if the Council would like they could have different hours on each group. Mayor Hillman said he has no problem with 6 am, but feels they would run a risk at 3 am. Mayor Hillman also stated he has spoken with the firework vendors and they would like to see it open until 10 or 11 pm. Councilman Paul stated that if they leave the hours open ended operating hours will police themselves and if no one is around at 3 am it is unlikely they would stay open. Councilman Paul asked legal to draft an ordinance to change this for transient vendors with no hours listed for the next Council Meeting.

Wyoming Business Council Rule Changes were discussed by Christine Bekes with PEP and Leah Brusino with the Wyoming Business Council. Ms. Bekes discussed the proposed changes that

would mostly affect the City of Powell including revenue recapture used for economic development. The Wyoming Business Council is accepting public comment on the proposed changes until August 31st. Mayor Hillman asked Christine Bekes to draft a letter on the items discussed and they will go over it and send it to the Wyoming Business Council.

Status update on Wyoming Business Council application was given by Christine Bekes with PEP on the Northwest Wyoming Treatment Center. She informed Council that Cheyenne Staff addressed concerns and is not recommending it for funding. Administrator Logan, Leah Bruscano and Ms. Bekes addressed the concerns via a conference call last week with the Wyoming Business Council. Ms. Bekes stated they did have concerns with the proposed changes and the revenue recapture. Administrator Logan said he would like to recommend having 25% go back to the State with the City keeping 75% this would be the middle of the proposed changes they are looking at adopting. Councilman Wetzel made a motion to revise the revenue recapture plan to 25% going back to the State and 75% staying with the City and authorize all necessary signatures, motion seconded by Councilman Young, unanimous approval, MOTION CARRIED.

Committee Updates: Councilman Wetzel gave an update on the Region III WAM Meeting.
Legal:

ORDINANCE NO. 21, 2015: Read by Attorney Kitchen by title only: An Ordinance Amending Section 10.20.020 of the Powell City Code Pertaining to Time Limitations for Parking of Vehicles and Removal of Vehicles by Adding a New Sub-Paragraph D Which Prohibits Parking of Vehicles on City Streets Abutting a Residential Dwelling for More than 24 Hours Without the Written Permission of One or More of the Owners of the Abutting Residential Dwelling. Councilman Hillberry moved to approve Ordinance No. 21, 2015 on third reading, motion seconded by Councilman Wetzel, unanimous approval, MOTION CARRIED.

ORDINANCE NO. 22, 2015: Read by Attorney Kath by title only: An Ordinance Re-Zoning Lots 3 and 4 of the Moss Subdivision of the East One-Half of Block 42, Original Powell Townsite, T. 55N., R. 99 W., 6th., Park County Wyoming. Councilman Young moved to approve Ordinance No. 22, 2015 on second reading, motion seconded by Councilman Paul, unanimous approval, MOTION CARRIED.

Attorney Kitchen asked Council if they would like to move the executive session after Administrative since no action will need to be taken. Council agreed to move after General Announcements.

Administrative:

Bid results for scrap metal recycling was given by Administrator Logan: a bid from Big Sky Steel & Salvage and would ask the Council to approve and authorize necessary signatures. Councilman Wetzel moved to approve and authorize necessary signatures, motion seconded by Councilman Shorb, unanimous approval, MOTION CARRIED.

General Announcements: Administrator Logan reminded Council Chip Seal is this week and Slurry Seal is scheduled for next week Aug. 22. WMPA board meeting is held in Powell this year and the Council is invited to dinner at Lamplighter Sept. 9th at 6:00 pm and the board meeting on Sept. 10th. Councilman Wetzel went to Cheyenne for the SLIB board meeting and the City of Powell was approved for a \$250,000 loan forgiveness for sewer upgrades. Administrator Logan reminded Council the next meeting is Tuesday, September 8, 2015.

Executive Session: Councilman Young made a motion to go into executive session to discussion pending litigation, motion seconded by Councilman Wetzel, unanimous approval, MOTION CARRIED. Mayor Hillman declared the meeting in executive session at 7:29 p.m.

Return to Regular Session: Mayor Hillman Returned Council to regular session at 7:50 p.m.

There being no further business to be considered at this meeting, Councilman Young moved to adjourn, seconded by Councilman Shorb, unanimous approval, MOTION CARRIED. Mayor Hillman adjourned the regular meeting at 7:51 p.m.

APPROVED:

Mayor

ATTEST:

City Clerk