

City Council Proceedings
August 3, 2015

The governing body of the City of Powell met in regular session at 6:00 p.m. on August 3, 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 and Eric Paul. Absent Councilman Tim Sapp.

City Officials: Director of Public Works Gary Butts, City Clerk Tiffany Brando, City Attorney Sandee Kitchen, and Chief of Police Roy Eckerdt.

Approval of Agenda: Mayor Hillman called for the review and approval of the agenda.

Councilman Shorb moved to approve the agenda, motion seconded by Councilman Hillberry, unanimous approval, MOTION CARRIED.

Approval of Minutes: Mayor Hillman called for any additions or corrections to the July 20, 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 made a motion the bills be allowed and authorize the Treasurer to draw warrants for payment of the same, motion seconded by Councilman Paul, unanimous approval, MOTION CARRIED.

PUBLIC HEARING: Moss Subdivision Re-Zoning: Opened by Attorney Kitchen at 6:02 P.M.

Planning & Zoning has given this a favorable recommendation, no comments and hearing closed at 6:03 P.M. Councilman Wetzel asked why they are only changing half of the block.

John Sides Planning & Zoning explained that Mr. Moss wanted to leave lot 1 & 2 so it could only be used as addressed in R-G zone and lots 3 & 4 he is looking at selling and changing to B-G to conform better for a new business. Councilman Hillberry asked if the City had any concerns and DPW Butts said staff approved the plat. Councilman Hillberry moved to approve the agreement and final plat and provide all necessary signatures, motion seconded by Councilman Paul, unanimous approval, MOTION CARRIED.

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

Resolution No. 11, 2015 waiver of open container for Powell Arts Festival August 15, 2015 at Plaza Diane. Councilman Wetzel spoke on the event and LeAnne Kindred was unable to make it tonight. Councilman Wetzel moved to approve Resolution No. 11, 2015, motion seconded by Councilman Shorb, unanimous approval, MOTION CARRIED.

Catering Permit was requested by WYOld West Brewing for August 15, 2015 for the Powell Arts Festival. Councilman Wetzel made a motion to approve the catering permit, motion seconded by Councilman Paul, unanimous approval, MOTION CARRIED.

Committee Updates: Councilman Floyd gave an update on the Tree Board.

Legal:

ORDINANCE NO. 19, 2015: Read by Attorney Kitchen by title only: An Ordinance Amending Section 9.20.030 of the Powell City Code Regarding Purchase, Possession or use of Tobacco by Minors Being Prohibited and Providing that Electronic Cigarettes may not be Sold, Given, or Delivered to or Possessed or used by Minors under the Age of Eighteen (18), Whether or Not they Contain any Product Made or Derived from Tobacco that Contains Nicotine. Councilman Young moved to approve Ordinance No. 19, 2015 on third reading, motion seconded by Councilman Hillberry, unanimous approval, MOTION CARRIED.

ORDINANCE NO. 20, 2015: Read by Attorney Kitchen by title only: An Ordinance Enacting Chapter 10.36 of the Powell City Code by Providing Regulations and Restrictions Regarding Parking of Recreational and Utility Vehicles on Public Streets. Mayor Hillman asked if you spoke at the last meeting to let anyone new speak first and to try not to be repetitions in speaking. Maynard Brown would like to commend the committee on the ordinance, but does have a concern with the 48 hr time restriction and would like to see that changed between May 1st and Sept 30th. Mr. Brown said he is a camp host and has to be up in the campground the week before Memorial Day thru the end of September and this would help him be able to get ready

for the season. Mr. Brown suggested if the time restraint is not changed to look at being able to get a variance for an additional 48 hrs. upon request. Councilman Paul said he received numerous phone calls over the weekend from people concerned with the Labor Day thru Memorial Day dates and would like to see those extended. Councilman Wetzel said the concern on the parking was made more around the days children are not walking to school since that was a major concern when discussing the ordinance and is more a sight issue than anything. Attorney Kitchen reminded Council that the 48 hr. rule is in the ordinance and if a complaint is given a warning or citation may be issued. Mayor Hillman said he has had several calls in the last few days that the ordinance is too lenient and it should be 48 hrs. all year, but he feels they made a good compromise. Councilman Shorb said he would like to see it extended thru September 30. Councilman Floyd is not opposed to moving the dates or keeping them and has heard from his ward on extending past Labor Day as well. Zack Coombs spoke on the process of winterizing and de-winterizing his camper and it takes him a whole weekend and by extending past Labor Day that will give people extra time to get it done. Mayor Hillman stated everyone he talked with on the winterization and de-winterization and it takes most 30 minutes to an hour. Mr. Coombs said he would like to see the dates extended to help with this process. John Sides spoke on the ordinance and he usually takes his camper up hunting in September, but it is after Labor day and usually takes a week to get ready after September 10 and would also like to see the dates extended. Councilman Hillberry suggested approving the ordinance as written and they can look at it in a year and see if they need to amend anything. Councilman Hillberry made a motion to approve Ordinance No. 20, 2015 on third reading, motion seconded by Councilman Wetzel, unanimous approval, MOTION CARRIED.

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 Wetzel moved to approve Ordinance No. 21, 2015 on second reading, motion seconded by Councilman Young, unanimous approval, MOTION CARRIED.

Administrative:

Street Agreement between the City of Powell and Park County was discussed by DPW Butts and it was time to update the agreement from 2005. DPW Butts stated he worked together with the County to develop the agreement that is equitable between the entities. Councilman Shorb moved to approve and authorize signatures, motion seconded by Councilman Young, unanimous approval, MOTION CARRIED.

WASCOP Marijuana Education and Awareness Program was discussed by Chief Eckerdt and the goal of this program is to educate the public on the new forms of marijuana and they would like to try to get the support for the education of the project by all City Council's. Councilman Hillberry made a motion to approve the Mayor's signature in support of the program, motion seconded by Councilman Paul, unanimous approval, MOTION CARRIED.

General Announcements: DPW Butts informed Council that Wings and Wheels is on August 15th at the airport, chip seal is scheduled for the week of August 17th and slurry seal the week of August 24th. Mayor Hillman asked if Jeff McCoy would like to add anything, he said he has plans for space to store campers and has 3 to 4 acres available currently with another 15 acres available if it is needed. Mayor Hillman thanked him for letting the public know.

There being no further business to be considered at this meeting, Councilman Wetzel moved to adjourn, seconded by Councilman Paul, unanimous approval, MOTION CARRIED. Mayor Hillman adjourned the regular meeting at 6:32 p.m.

APPROVED:

Mayor

ATTEST:

City Clerk