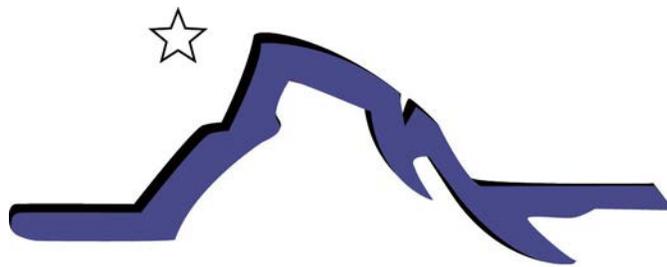


**2019**  
**MAYOR/COUNCIL**



*City of Powell*

**HANDBOOK**

INTRODUCTION.....	1
DEFINITIONS.....	1
OVERVIEW OF BASIC CITY DOCUMENTS.....	1
ORIENTATION.....	2
CHAPTER 1 - GOVERNING BODY GENERAL POWERS AND RESPONSIBILITIES .....	3
MAYOR, COUNCIL AND ADMINISTRATOR FORM OF GOVERNMENT .....	3
THE GOVERNING BODY.....	3
FORMAL AUTHORITIES OF THE MAYOR.....	3
PERFORMANCE EXPECTATIONS OF THE MAYOR .....	4
THE CITY COUNCIL.....	4
FORMAL AUTHORITIES OF THE CITY COUNCIL.....	5
PERFORMANCE EXPECTATIONS OF THE CITY COUNCIL.....	5
RESPONSIBILITIES OF THE COUNCIL FOR PUBLIC LEADERSHIP .....	5
CHAPTER 2 - CITY COUNCIL MEETINGS .....	6
AGENDA .....	6
GENERAL MEETING PROCEDURES .....	8
VOTING PROCEDURES.....	8
WYOMING OPEN MEETINGS ACT - EFFECTIVE JULY 1, 2018 .....	8
RELEVANT STATUTES .....	9
CHAPTER 3 - SUPPORT PROVIDED TO THE GOVERNING BODY .....	12
GOVERNING BODY/CITY ADMINISTRATOR RELATIONSHIP .....	12
CHAPTER 4 - COMPENSATION AND EXPENSES.....	13
CHAPTER 5 - COMMUNICATIONS.....	14
CHAPTER 6 - CONFLICTS AND LIABILITY .....	15
CONFLICTS OF INTEREST .....	15
CHAPTER 7 - CITY DEPARTMENTS .....	16
CITY ADMINISTRATOR’S OFFICE.....	16
CLERK’S OFFICE .....	17
FINANCE DEPARTMENT .....	17

POLICE DEPARTMENT .....	18
ELECTRIC DEPARTMENT .....	18
INFORMATION TECHNOLOGY .....	18
PUBLIC WORKS DEPARTMENT .....	19
PARKS DEPARTMENT .....	20
AQUATIC CENTER.....	20
SANITATION/PUBLIC HEALTH DEPARTMENT.....	20
WATER/WASTEWATER DEPARTMENT .....	21
UTILITIES PROVIDED.....	21
<b>CHAPTER 8 - BOARDS AND COMMISSIONS .....</b>	<b>22</b>
PLANNING AND ZONING COMMISSION .....	22
POWELL MUNICIPAL AIRPORT ADVISORY COMMISSION .....	22
CITY TREE ADVISORY BOARD .....	23
DEVELOPMENT REVIEW COMMITTEE.....	23
BOARD OF ADJUSTMENT .....	24
BOARD OF APPEALS .....	24
URBAN SYSTEMS / TRAFFIC COMMITTEE .....	24
SHOSHONE MUNICIPAL WATER JOINT POWERS BOARD.....	25
WYOMING MUNICIPAL POWER AGENCY JOINT POWERS BOARD.....	25
POWELL VALLEY RECYCLING BOARD.....	26
POWELL RECREATION DISTRICT BOARD .....	26
POWELL COUNTRY CLUB BOARD .....	26
POWELL ECONOMIC PARTNERSHIP .....	27
PARK COUNTY TRAVEL COUNCIL .....	27
YELLOWSTONE COUNTY ASSISTANCE NETWORK .....	27
PARK COUNTY DRUG COURT .....	27
CDBG GRANT SPONSORSHIP COMMITTEE.....	28
NORTHWEST JOINT POWERS BOARD .....	28
<b>HELPFUL DOCUMENTS .....</b>	<b>29</b>

# INTRODUCTION

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The City of Powell has prepared this manual to assist the Governing Body by explaining accepted practices, procedures, regulations and clarifying expectations. Government is a unique enterprise. What works in private business does not always work in government. This manual and other resource have been listed to help the elected officials with the complex task of governing.

## *DEFINITIONS*

*City Council* – The individuals elected to the governing body of any city or town

*Governing Body* – The council or commission making up the elected legislative body of any city or town including the mayor who is the presiding officer

*Mayor* - The person elected by popular vote to exercise the powers of the office and the presiding officer of the governing body

## *OVERVIEW OF BASIC CITY DOCUMENTS*

The most notable resource documents are provided in the list below. However, it cannot incorporate all material and information necessary for conducting the business of a local Governing Body. Many other laws, plans, and documents bind the Governing Body to certain courses of action and practices. .

*City Code* - The City Municipal Code contains local laws and regulations adopted by the governing body. The Code is available online and may be accessed from the City website at [www.cityofpowell.com](http://www.cityofpowell.com) .

*Wyoming State Statutes* - The Wyoming State Statutes contain many requirements pertaining to the operation of City government. Wyoming State Statutes are available on their website <https://www.wyoleg.gov/> under State Statutes and Constitution.

*The Mayor-Council Handbook* published by the Wyoming Association of Municipalities, provides a summary of important State Statutes and topics. It gives a general overview of the responsibilities and duties of elected officials in Wyoming and is located on their website at <https://wyomuni.org/>

*Annual Budget* - The City's annual budget provides estimates of City revenue and expenditures as well as actual numbers from previous years. It is developed by the budget officer with input from each department head. The budget process begins January of each year with the departments and then presented to the Mayor and Council at a pre-scheduled work session and approved by three readings of the ordinance.

The City fiscal year begins July 1st and ends June 30th of each year.

## *ORIENTATION*

It's important for all members of the Governing Body to gain an understanding of the full range of services and programs provided by the City. Department Heads are available to further discuss operations and provide you with tours of facilities. It is very important that each member fully understand their duties and responsibilities in order to be able to serve competently in their capacity as a Council member.

# CHAPTER 1 - GOVERNING BODY GENERAL POWERS AND RESPONSIBILITIES

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## MAYOR, COUNCIL AND ADMINISTRATOR FORM OF GOVERNMENT

The organizational structure for the City can be characterized as a Mayor-Council form with a City Administrator. Authority is vested in an elected Mayor and City Council which, in turn, hires and appoints the City Administrator.

The City Administrator is appointed by the Governing Body, and serves at the pleasure of that body. The City Administrator is responsible for the day to day administration and operation of the City, implementation of policies set by the City Council and presenting a budget to the Governing Body. The City Administrator, with the help of City staff, provides the Governing Body with the information needed to fulfill their policy-making role.

### *THE GOVERNING BODY*

The Governing Body is the legislative and policy making entity of the City. It is the Governing Body's responsibility to enact ordinances, resolutions and orders necessary for governing the affairs of the City as outlined in the City Charter Ordinance No. 1, 1989 and State Statute, to approve or amend the annual budget, to authorize certain contracts on behalf of the City, to act as the final appeal body on rulings of some boards and commissions, to appoint and evaluate the City Administrator, approve the appointment of all members of the various boards and commissions, and to submit propositions to the electors at any election<sup>1</sup>.

### *FORMAL AUTHORITIES OF THE MAYOR*

The Mayor has certain duties and authorities which are required or implied by Municipal Code and Wyoming State Statute including:

- Preside over at all meetings of the Governing Body
- Administers oaths of office<sup>2</sup>
- Signs commissions, oaths, appointments to Boards, Commissions, and Committees per Statute, City Ordinance, and Bylaws<sup>3</sup>
- Executes contracts per Statute, City Ordinance, or as Authorized by Council<sup>4</sup>
- The Mayor has one (1) vote on all matters voted on by the Governing Body, except to override

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<sup>1</sup> W.S. § 15-1-103 et. Al.

<sup>2</sup> W.S. § 15-1-108(a)(iv)

<sup>3</sup> See generally, W.S. § 15-1-108(a)(iv)+(v)

<sup>4</sup> See generally, W.S. § 15-1-108(a)(iv)+(v)

- a veto and the confirmation of Mayoral appointments<sup>5</sup>
- Recommends policies to the governing body<sup>6</sup>
- Recommends board and commission appointments to Council<sup>7</sup>
- Appoints a City Administrator, City Attorney and Municipal Judge with City Council consent and can remove these appointments with notice to Council<sup>8</sup>
- May call for a Special Council Meeting<sup>9</sup>
- Exercising superintending control over the City Administrator's performance to ensure the City Administrator is performing duties as outlined in the Charter Ordinance.

## *PERFORMANCE EXPECTATIONS OF THE MAYOR*

The Mayor is elected at-large within the City and serves a four-year term. The Mayor has many unofficial performance expectations which vary. Some of those include the following:

- The ceremonial head of the City
- The ambassador of goodwill and the City's representative at official functions
- Provides leadership and encourages citizen participation in City activities and issues
- Leads the governing body in addressing political matters, needs, goals, and a vision for the community
- Represents the City at the local, state and federal levels on matters impacting the City
- Meets regularly with the City Administrator to provide policy guidance relative to actions of the governing body

## *THE CITY COUNCIL*

The City of Powell Council is composed of two elected officials from each of the three wards. Municipal elections are held every even-numbered year, with three Council members selected; one from each ward at one election and three at the next, unless a vacancy has occurred<sup>10</sup>.

At the first regular Council meeting in January, following the November general election, the newly elected Council members are sworn in and assume the duties of office<sup>11</sup>.

The Mayor serves as the presiding officer; the City Council selects a President from its membership to serve in the absence of the Mayor.

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<sup>5</sup> W.S. § 15-3-201

<sup>6</sup> See generally, W.S. § 15-1-101 et.al.

<sup>7</sup> See generally, W.S. § 15-1-108(a)(iv)+(v)

<sup>8</sup> Charter Ordinance Section 2

<sup>9</sup> W.S. § 16-4-404(b)

<sup>10</sup> W.S. § 15-11-103

<sup>11</sup> W.S. § 22-23-404

## *FORMAL AUTHORITIES OF THE CITY COUNCIL*

All general powers listed in W.S. § 15-1-103 through 15-1-1100, those listed in W.S. § 15-5 through 15-10 and the authority to act under home rule.

- Commits the City to a policy course of action including appropriation of funds
- Exercises an oversight role over the conduct of City affairs
- Confirms appointments to boards, commissions and certain appointed positions such as City Administrator, City Attorney and City Judges
- Determines personnel policies
- Approves rules and regulations
- Oversees the finances of the City of Powell
- Approves zoning changes, subdivisions, plats and annexations
- Establishes City operational fees

## *PERFORMANCE EXPECTATIONS OF THE CITY COUNCIL*

- Focuses on long range planning and policy development for the community and the City organization
- Establishes goals and objectives for the community and authorize programs that address the needs of the entire community
- Provides oversight and assessment of the effectiveness of goals, policies, programs and services rendered to citizens
- Receives citizen complaints and information requests and forwards to the City Administrator for appropriate action

## *RESPONSIBILITIES OF THE COUNCIL FOR PUBLIC LEADERSHIP*

Although it is the primary responsibility of the Mayor to provide public leadership on City issues, it is also a fundamental role of the Council. While the Mayor may be the “point person” in the City’s efforts to generate and promote support for community-wide programs, the individual serving in that position cannot effectively do so without the support and active involvement of the members of the City Council.

The presentation of policy decisions to the public in a consistent manner is a critical component of the Council’s ability to function effectively as a team. The extent to which the community accepts a policy decision by the Council will be limited to the Council’s ability to reconcile diverse interests in the context of its decision-making. Given that every policy decision the Council makes has the potential for conflict, the Council’s success in this area is critical to exhibiting successful public leadership.

# CHAPTER 2 - CITY COUNCIL MEETINGS

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Regular meetings are held in the Council Chambers at City Hall, 270 N Clark Street on the first and third Monday of each month at 6:00 p.m. If a meeting date falls on a holiday, council meetings will be held the following Tuesday.

## *AGENDA*

The Mayor, a Council member, Citizen, or staff member may request an item be considered on a future agenda. All requests for additions to the agenda are due in the City Clerk's office no later than 5 p.m. on the Wednesday before the meeting. The City Administrator reviews the agenda before it is distributed. Agendas are distributed by 5 p.m. on the Friday before the Council meeting. Items may be added or deleted by Council at the Council meeting by majority vote.

## ORDER OF BUSINESS

This section summarizes each meeting component listed on the Council agenda.

## CALL TO ORDER

The Mayor will call the meeting to order and will lead the Pledge of Allegiance.

## APPROVAL OF THE AGENDA

Council votes to approve items on the agenda. Items can be removed or added from the agenda with a majority vote.

## APPROVAL OF MINUTES

Council votes to approve the minutes from the last council meeting.

## BILLS & CLAIMS

Council votes to approve and authorize for payment bills & claims presented. If a council person has a conflict of interest on any item, they must abstain voting on that particular item number.

## PUBLIC HEARINGS

When materials are presented during public hearings, they should be submitted before the public hearing is closed on the item. Public Hearings have to be published in the newspaper of general circulation and vary depending on State Statute.

## MATTERS FROM THE PUBLIC

Items are placed on the agenda by the public with concerns, recognition or any other matter they wish to address the council approved by the City Administrator.

## MAYOR/COUNCIL MEMBERS

Members of the council give committee updates, appointments, proclamations and discuss issues needing brought up from the Mayor or Council.

## LEGAL

This section includes everything that has been reviewed or drafted by legal counsel.

- Ordinances, or amendment to an ordinance, is a legislative act by the Governing Body and must be read at three regular business meetings before it can be adopted. It becomes effective when it is published in the newspaper, or at a later designated date and is codified into municipal code<sup>12</sup>.
- Emergency ordinances provide for the immediate preservation of public peace, property, health, safety and welfare. An emergency ordinance requires an affirmative vote of two-thirds Council majority and becomes effective upon its passing<sup>13</sup>.
- Resolutions: The term resolution is usually employed to denote the adoption of a motion, the subject matter of which would not properly constitute an ordinance (law). Such as: a mere expression of opinion; an alteration of the rules; a vote of thanks or censure; establishment of administrative policies and the adoption of the budget; etc.

The chief distinction between a 'resolution' and an 'ordinance' is that an ordinance generally controls and affects citizens' life, liberty, or property while a resolution does not.

- Subdivisions: Subdivisions are requested by the property owner looked at and approved by the Development Review Committee and Planning & Zoning with approval before the final agreement and plats come before council. The previous committees look at the subdivision and the best fit for the City.
- Annexations: Annexations are requested by the property owner and approved by the Development Review Committee and Planning & Zoning. All annexations have a specific process taking 3-4 months to approve with a series of notices, resolutions and final approval by ordinance with a final agreement and plat approved by council.

## ADMINISTRATIVE

This section of the agenda includes agreements and contracts for approval between the city and other entities for (ex. Verizon, Park County School District #1), grant agreements, updates to policies and procedures, other administrative duties and general announcements.

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<sup>12</sup> W.S. § 15-1-101(a)(ix); W.S. § 15-1-115

<sup>13</sup> W.S. § 15-1-115(d)

## *GENERAL MEETING PROCEDURES*

The procedures utilized by the City Council during their meetings originate in the State Constitution, Chapter 15 of the Wyoming Statutes and the Powell City Code and are designed to promote uniformity, clarity and efficiency.

Robert's Rules is a general guide to parliamentary procedure that provides a context for Council action.

*Presiding Officer* - The Mayor is the Presiding Officer and Chair at Council Meetings. In the absence or incapacity of the Mayor, the President of the Council serves as the Presiding Officer.

*Quorum* - A majority of Council members shall constitute a quorum to do business.

*Obtaining the Floor* - A member of the City Council or staff shall first address the Mayor and gain recognition to obtain the floor. Comments and questions should be limited to the issue before the Council. Cross-exchange between Council members and public should be avoided.

*Questions to Staff* - A Council member shall, after recognition by the Mayor, address questions to the designated staff member.

## *VOTING PROCEDURES*

When present, all Council members are required to vote. Failure of a seated member to orally express a vote constitutes an affirmative vote.

No ordinance, resolution, or motion shall be passed or become effective without the affirmative vote of a majority of those members of the Governing Body present<sup>14</sup>. A conflict of interest shall be declared whenever appropriate and in compliance with state law, the council member will abstain from voting<sup>15</sup>.

Upon the request of any Council member, a roll call vote will be taken and recorded.

A tie vote is equivalent to a vote which has failed. The Presiding Officer may publicly explain the effect of the tie vote for the audience or may direct a member of the staff to do so.

## *WYOMING OPEN MEETINGS ACT - EFFECTIVE JULY 1, 2018*

Since its adoption, the overriding principle of the Open Meetings Act (Act) is that government should conduct its business in a transparent manner. The Act's statement of purpose states: "The agencies of Wyoming exist to conduct public business. Certain deliberations and actions shall be taken openly as provided by this act." The Act expressly provides that "all meetings of the governing body of an agency

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<sup>14</sup> W.S. § 15-1-115

<sup>15</sup> W.S. § 15-1-127; W.S. § 6-5-106

are open to the public at all times, except as otherwise provided<sup>16</sup>. " Governmental boards and commissions are essentially engaged in the public's business and holding public meetings ensures that all affected people are permitted an opportunity to be heard.

Unless otherwise provided by the Act, the governing body may only take action at a properly noticed public meeting<sup>17</sup>. The act provides for fair and reasonable advance notice of meetings. The Act also provides that minutes will be taken at all meetings, regardless of whether official action is taken<sup>18</sup>. The day-to-day administrative activities of the City are not subject to the Act's notice and open meeting requirements. The Act also provides a list of issues the City Council may consider in executive session and the proper procedure for convening and conducting such a session.

## *RELEVANT STATUTES*

What constitutes a meeting and when action may be taken?

A "Meeting" is defined as "an assembly of at least a quorum of the governing body of an agency which has been called by proper authority of the agency for the expressed purpose of discussion, deliberation, presentation of information or taking action regarding public business<sup>19</sup>."

"Assembly "means communicating in person, by means of telephone or electronic communication, or in any other manner such that all participating members are able to communicate with each other contemporaneously<sup>20</sup>. If a quorum of the members of a governing body are going to participate in such communication for the purpose of discussion, deliberation, presentation of information, or taking action regarding public business, the agency must give proper notice of a meeting and allow for public attendance.

"No meeting shall be conducted by electronic means or any other form of communication that does not permit the public to hear, read or otherwise discern meeting discussions contemporaneously. Communications outside a meeting, including but not limited to, sequential communications among members of an agency, shall not be used to circumvent the purpose of this act<sup>21</sup>."

*Notice of Meetings* - An agency is required to provide notice of its meetings to any person who requests notice. The request may be made for the dates and times of future meetings of the agency<sup>22</sup>.

*Regular Meetings* -The regular scheduled meeting is set by ordinance or resolution.

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<sup>16</sup> W.S. § 16-4-403

<sup>17</sup> W.S. § 16-4-403

<sup>18</sup> W.S. § 15-1-110; W.S. § 16-4-403(c)

<sup>19</sup> W.S. § 16-4-402(a)(iii)

<sup>20</sup> W.S. § 16-4-402(a)(iv)

<sup>21</sup> W.S. § 16-4-403(d)

<sup>22</sup> W.S. § 16-4-404

*Special Meetings* - Special meetings may be called by the presiding officer of a governing body by giving verbal, electronic or written notice of a meeting to each member of the governing body and to each newspaper of general circulation, radio or television station requesting the notice. The notice shall specify the time and place of the special meeting and the business to be transacted and shall be issued at least eight (8) hours prior to the commencement of the meeting. No other business shall be considered at the special meeting. Proof of delivery of verbal notice to the newspaper of general circulation, radio or television station may be made by affidavit of the clerk or other employees or officer of the agency charged or responsible for distribution of the notice of the meeting<sup>23</sup>.

*Emergency Meetings* - An Emergency meeting may be called without notice but any action is deemed temporary. All action taken at an emergency meeting must be reconsidered and acted upon at an open public meeting within 48 hours, "excluding weekends and holidays, unless the event constituting the emergency continues to exist after forty-eight (48) hours. In such case the governing body may reconsider and act upon the temporary action at the next regularly scheduled meeting of the agency, but in no event later than thirty (30) days from the date of the emergency action<sup>24</sup>."

*Executive Session* - The Act allows an agency to hold an executive session for several reasons. The executive session may only be called by a proper motion and seconded with a majority of the members in attendance. Minutes of the meeting are also required to be kept. The matters which may be discussed in executive session are strictly limited to<sup>25</sup>:

1. Meetings with the municipal attorney or law enforcement officials or their deputies to consider matters posing a threat to security of public or private property, or a threat to the public's right to access;
2. Meetings to consider the appointment, employment, right to practice or dismissal or a public officer, professional person or employee, or to hear complaints or charges brought against an employee, professional person or officer, unless the person concerned requests a public hearing. Witnesses at either a public or private hearing can be excluded from the examining of all the other witnesses, flowing the hearing – bit I open or closed, the governing body may deliberate on its decision in executive session;
3. Meetings on matters concerning litigation to which the governing body is a party or proposed litigation to which it may be a party; Meetings on matters of national security;
4. Meetings of a licensing agency while preparing, administering, or grading examinations;
5. Meetings to consider the selection of a site or purchase of real estate when publicity regarding such consideration probably would have a tendency to cause an increase in the price;
6. Meetings to consider the acceptance of gifts, donations, and bequests which the donor in writing has requested be kept confidential;
7. Meetings to consider or receive any information classified as confidential by law; and

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<sup>23</sup> W.S. § 16-4-404(b)

<sup>24</sup> W.S. § 16-4-404(d)

<sup>25</sup> 2018 WAM Handbook Chapter 5 Page 2

8. Meetings to consider the acceptance or tender of offers regarding wages, salaries, benefits, and terms of employment during all such negotiations

*Public Input* - The public has an opportunity to address the Governing Body on any item of interest to the public that is within the jurisdiction of the Governing Body. The City has the right to establish time limits on speakers and the total time allocated for a particular issue.

*Code of Conduct* - Powell City Council has adopted a code of conduct for proper conduct of meetings. It explains procedures, the agenda, and public participation, recording of meetings, speaker time limits, electronic devices, hearings, minutes and disruptions and how the council will deal with those aspects.

## CHAPTER 3 - SUPPORT PROVIDED TO THE GOVERNING BODY

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General staff and administrative support to the Mayor and Council members is provided through the Administration and Clerk's Office. Scheduling of appointments, document preparation, travel arrangements and other assistance are to be made by each individual member of council.

### *GOVERNING BODY/CITY ADMINISTRATOR RELATIONSHIP*

The Governing Body includes both Council members and the Mayor. The employment relationship between the Governing Body and the City Administrator honors the fact that the City Administrator implements Governing Body policies and administers the daily operations of the City.

The Governing Body should avoid situations that result in City staff being directed, intentionally or unintentionally, by one or more members of the Governing Body. Regular communication between the Governing Body and the City Administrator is important in maintaining open communications.

As in any professional relationship, it is important that the City Administrator keep the Governing Body informed. The City Administrator respects and is sensitive to the political responsibility of the Governing Body and acknowledges that the final responsibility for establishing the policy direction of the City is held by the Governing Body. The City Administrator communicates with the Governing Body via memos, e-mail and meetings and through the Mayor whose responsibility it is to maintain open and effective communication with Council. It is the City Administrator's responsibility to relay information and ensure that the Mayor and City Council members are up to date on all City matters.

### LEGAL SERVICES

Should a Council member have legal questions relating to any topic relevant to the City, it is important and prudent to pose those questions to the City Administrator to discuss with legal counsel.

### OFFICE EQUIPMENT, COMPUTERS, E-MAIL, PHONES

The Governing Body has access to E-mail accounts provided to conduct City business and subject to public record requests per Wyoming law. The Mayor has an office at City Hall to conduct city business.

# CHAPTER 4 - COMPENSATION AND EXPENSES

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## GOVERNING BODY COMPENSATION

Currently, the Mayor receives an annual salary of \$13,200. Council members receive \$110 for attendance at each regular or special meeting of the city council, attendance at committee meeting, attendance at Wyoming Association of Municipalities meetings, or other meetings that are approved for payment by the city council<sup>26</sup>.

## EXPENDITURE ALLOWANCE

The annual budget includes allocations for Mayor and Council expenses associated with official City business.

Eligible expenses include:

- Attendance at WAM and appointed monthly board meetings
- Travel expenses including lodging and meals when required to stay overnight (City policy does not allow reimbursement for alcohol)
- Mileage reimbursement for City business only when a city vehicle is not available.

Refer to the Policy and Procedure Manual with any additional questions.

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<sup>26</sup> Powell Code Section 2.12.030

## CHAPTER 5 - COMMUNICATIONS

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Perhaps the most fundamental role of a member of the Governing Body is communication with the public to assess community opinions and needs, and communication with staff to provide policy direction and to gain an understanding of the implications of various policy alternatives.

Because the Governing Body performs as a unit, it is important that general guidelines be understood when speaking for the group. Equally important, when members are expressing personal views and not those of the Governing Body, the public should be so advised.

### CORRESPONDENCE FROM MEMBERS OF THE GOVERNING BODY

On occasion, members may wish to transmit correspondence on an issue which the Governing Body has yet to take a position, or about an issue for which the Governing Body has no position. In these circumstances, members should clearly indicate within the letter that they are not speaking for the Governing Body as a whole, but for themselves as an individual member of the Governing Body.

After the Governing Body has taken a position on an issue, official correspondence should reflect this position. While members who may disagree with a position are free to prepare correspondence on such issues as private citizens, City letterhead, official City title, and staff support should not be utilized. In addition, City letterhead and staff support cannot be utilized for personal or political purposes.

### SPEAKING "FOR THE CITY"

Similar to written correspondence, when members are requested to speak to groups or are asked the Governing Body's position on an issue, the response should reflect the position of the Governing Body as a whole. Of course, a member may clarify his/her vote on a matter by stating, "While I voted against X, the Governing Body voted in support of it." When representing the City at meetings or other venues, it is important that those in attendance gain an understanding of the Governing Body's position, rather than that of an individual member.

# CHAPTER 6 - CONFLICTS AND LIABILITY

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## *CONFLICTS OF INTEREST*

The Governing Body is governed by the Ethics and Disclosure Act and other statutes<sup>27</sup>. The purpose of this Act is to ensure that all actions of the Governing Body are taken in the public interest. Those topics include:

- Use of title, position and prestige of public office to influence organizations, groups, or employers
- Nepotism
- Misuse of office
- Official decisions and votes
- Actions taken while negotiating for employment
- Penalties for violating the Act
- Bribery
- Contract fixing
- Misuse of Public Property
- Use of position for gain, to include gain for one's employer

## CORRESPONDENCE FROM MEMBERS OF THE GOVERNING BODY

The City is a large organization, which offers a variety of services and may often find itself subject to claims and lawsuits. For example, if a wind-blown trash container damages a private vehicle, the vehicle owner may file a claim against the City for the damages. The City must always approach its responsibilities in a manner which reduces risk, as much as possible, to all involved.

The City's liability claims are handled through the Local Government Liability Pool (LGLP). Administrators of the pool review claims within the parameters of the Governmental Claims Act. Essentially, a governmental entity will be liable for damages caused by the negligence of public employees while acting within the scope of their duties. If there is no negligence, LGLP will deny the claim.

It is important to note that violations of certain laws and regulations by individual members of the Governing Body may result in that member being personally liable for damages which would not be covered by the City's insurance or liability pool. Examples may include discrimination, harassment, theft, failure to disclose conflicts of interests, or fraud.

## DISCRIMINATION AND HARASSMENT

Federal law, state law, and City policies prohibit discrimination (gender, age, race, etc.) and harassment. For applicable federal laws, contact the City Administrator.

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<sup>27</sup> W.S. § 9-13-101 et. seq. (excluding 9-13-108); W.S. 6-5-101 et. seq

# CHAPTER 7 - CITY DEPARTMENTS

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## *CITY ADMINISTRATOR'S OFFICE*

The office of the City Administrator's main functions is to manage the City's business and carry out Governing Body policies. The City Administrator coordinates the work of all City departments and employees, ensures the enforcement of laws and City ordinances, presents the annual City budget to the Mayor and City Council members for adoption, and expends budget funds as authorized by the Governing Body. The City Administrator makes recommendations to the Governing Body on issues concerning legislation, financial programs, capital improvements, and City services.

Under the direction of the City Administrator, staff supervises and administers the programs and services provided by all departments within the City of Powell. Specifically, the City Administrator's office performs the following:

- Administers policies and programs approved by the Governing Body.
- Evaluates and monitors staff progress on established policies and programs and fosters greater employee awareness of City problems, programs, and priorities.
- Acts as liaison/coordinator between the Mayor, City Council, and staff.
- Oversees the activities of all department heads and makes upper level management decisions involving departmental workloads.
- Coordinates overall planning and review of all City operations with the aid of department heads.
- Exercises authority to hire and remove department heads and employees per Policy and Procedure Manual
- Provides timely information to the Governing Body concerning state, local, or federal legislation which may impact the City. Presents ideas, concepts, and potential options to enhance organizational and community vitality and viability.
- Responds to and follows up on citizen and/or Governing Body inquiries regarding City services.
- Acts as liaison and works to resolve mutual local problems through various inter-governmental regional agencies.
- Makes necessary recommendations and expediently resolves issues that come before the Mayor and/or the Governing Body.
- Prepares, with the City Clerk, the agendas of the City Council Meetings and any special meetings.
- Prepares plans and programs for the Governing Body's consideration in anticipation of future needs and services.
- Oversees the annual preparation of the budget and capital improvement plan and submits it to the Mayor and the Governing Body for their review, amendment, and adoption. Supervises its administration after adoption.
- Reviews and evaluates the City's organizational structure and operational functions, ensuring full utilization of manpower and resources in service to the public.

## *CLERK'S OFFICE*

The City Clerk is responsible for the execution of official city documents, administration of liquor licenses, maintenance of municipal code, licensing and registration of City vehicles, publication of legal notices. The clerk's office processes subdivision and annexation request by the property owner and files with the county the finalized agreements and plats.

The clerk's office is responsible permanent records of the City and retention management of City records and documents.

The clerk oversees the maintenance and repairs to City Hall, Police and the Commons as well as the custodial staff. The clerk's office manages the budgets for building, council, municipal court and their part in the administration budget. The City Clerk provides as an administrative assistance capacity to the City Administrator.

The City Clerk also attends meetings of the Governing Body, prepares minutes and agendas for these meetings and acts as the Council Parliamentarian. The clerk records minutes for various other boards as assigned including Board of Appeals, Variance Board, Development Review Committee and Urban Systems.

The Clerk's Office interacts on a daily basis with the citizens, organizations, governmental agencies, and employees of the City by providing public information and other essential services.

In 2017 the clerk's office took over the duties of municipal court and court clerk and finance is responsible for payments of fines.

## *FINANCE DEPARTMENT*

The Finance Dept. is composed of a supervisor and 3 full-time employees and the main responsibilities of this office include:

- Customer Service; Around 500 phone calls per month
- Utility Billing & Payments (per month)
  - Over 3000 bills
  - 15-20 transfer of service
  - 30-50 new service
  - 30-50 termination of service
  - 30-45 delinquent/non-payment shut-offs
- Accounts Payable for all departments; Around 250 claims processed per month
- Payroll & Benefits Management
  - 65 full time employees
  - 30-40 part-time and seasonal employees
- Accounting & Finance functions for all departments
  - Various State & Federal Reports

- Grant Management
- Capital Improvement Plan
- Budget Preparation
- Financial Statements
- Audit
- Other Miscellaneous
  - Commons & Park Reservations, Banner Permits
  - Contractor Registrations, Building Permit Applications and Right of Way Permits

## *POLICE DEPARTMENT*

The mission of the Powell Police is to pursue justice and maintain the public peace and order of the community.

The mission statement sets the boundaries for our role in the community. We work to promote justice through the investigation of crime to clear the innocent, identify the guilty and bring them before the court for a just disposition. We promote and maintain the public peace of the community in working to prevent and remedy those circumstances that disturb the tranquility of Powell. We work to promote the physical order of Powell to preserve our quality of life.

All of this done within our vision statement of serving with Integrity, Courage and Compassion.

The Powell Police Department operates 24 hours a day, 365 days a year. Our staff consists of 17 Sworn Officers, 5 full-time and 1 part-time Dispatchers and a Community Services Officer.

## *ELECTRIC DEPARTMENT*

The Electric Department is composed of a supervisor and 4 full-time employees and is responsible for the electricity supplied to and distributed throughout the city. Currently the Electric Department maintains all of the 12470V system along with the 4160V system supplied to the college. Those systems include the substation, power poles, conductors, drops, underground system, transformers and other electrical equipment.

The department maintains changing out poles, replacing street lights, straightening leaning poles, pulling unused and bad poles, maintenance of substation, and replacing of sectionalizing cabinets and making repairs when needed.

The electric department also maintains the electrical systems in all city owned buildings and all street lights.

## *INFORMATION TECHNOLOGY*

Information Technology Dept. is composed of the IT Manager and is responsible for all City networks,

servers, workstations, software, phones, 911, radios, websites, and all other technologies used by the City. Works closely with departments and their budgets for their unique hardware and software needs.

## *PUBLIC WORKS DEPARTMENT*

The Public Works Department is made up of the following City divisions: Engineering Services, Building, Streets and Shop, Parks, Sanitation, Water/Wastewater, Airport and the Powell Aquatic Center. Each of these divisions have their own department heads and staff and all departments report to the Public Works Director who oversees the individual department projects, contract needs and helps to make sure Departments' needs and Citizens' needs are being met.

### **STREETS/SHOP**

The Streets Department is composed of the Director of Public Works/Street Supt. and 6 full-time employees. It is responsible for the maintenance of all public streets, alleys, signage and many special projects which are placed upon them. They work closely to keep all slurry, chip seal and crack sealing projects up to date within the City. During winter months, the Department is responsible for all snow maintenance, removal and pick up if necessary, and sanding.

The City of Powell Shop Department employs 2 full-time mechanics who diagnose, maintain and repair over 300 pieces of equipment and vehicles owned by the City of Powell. Along with the daily service and preventive maintenance, service scheduling and parts inventories are kept as well as records on each piece of equipment serviced and repaired. They also help with snow removal and other department's needs as needed.

### **ENGINEERING**

The Engineering services are currently contracted out to Engineering Associates and they work as needed and charge for services on a contract. Engineering works closely with State agencies to provide funding for projects such as the Wyoming State Revolving Fund and Mineral Royalty Grants. The department also finds other funding sources to help out the Capital Improvement Plan. The Engineering Department is also responsible for reviewing all City infrastructure and private development, like subdivisions within the City. In addition, the department provides construction support to all divisions within the City. This includes overseeing the design and construction of all utility projects before they are passed on to the Departments to maintain.

### **PLANNING**

The Planning Department involves Development Review Committee composed of the City Administrator, Department Heads and Building Official interpreting, enforcing, and applying the zoning, subdivision, for the City. Subdivisions of land, changes of zone, and annexations are items the planning staff reviews and then prepares reports for Planning Commission and City Council consideration.

## MUNICIPAL AIRPORT

The City of Powell Municipal Airport is located north of Powell and has 1 full-time employee who takes care of the daily airport operations, fuel sales, maintenance and keeps track of the City owned hangars and tenants.

The City owns eight (8) T-Hangars and four (4) Box Hangars which are rented out based on the square footage per month. Other hangars at the airport which are owned by the pilots themselves pay an annual land lease based also on the square footage of land they cover.

The City continues to provide snow removal, keeping runways clear, weed abatement, cross-runway rolling and helping in other operations and services.

## *PARKS DEPARTMENT*

The Parks Department is composed of a supervisor and 4 full-time employees. They maintain 10 City Parks that cover about 125 acres. These parks have a variety amenities comprised of open green spaces, picnic tables and picnic shelters, playgrounds, tennis courts, skate park/bmx/inline, band shell and stage, 1.5 miles of paved walking/biking trails, basketball courts, soccer fields, horseshoe pitches, fishing pond, RC off-road track, ice skating rink, softball, and baseball fields.

Parks Dept. maintains 2.5 miles of landscaped canal banks and a Veteran's Memorial that are and the s responsible for all City right-of-way, park and public trees, snow and ice removal and holiday decorating and maintain the landscaping for all City buildings.

## *AQUATIC CENTER*

The Aquatic Center is comprised of two Facility Supervisors and currently 38 part-time staff. Majority of the part-time staff are scheduled 10-25 hours per week based on availability. Of those there are 3 shift supervisors, 6 front desk/concessions staff, a janitor and the rest life guards. The number of lifeguards fluctuates during the summer months.

The PAC has a leisure pool, competition pool and diving board, as well as concessions and party rooms. It is open to the public and is used by Park Co. School District #1 and the Powell Swim Club for scheduled practices and competitions for competitive school and club swimming.

All lifeguards are responsible for daily, weekly and monthly scheduled cleanings. The PAC has an annually for approximately 2 weeks for a thorough cleaning which includes draining both pools, cleaning man holes, chlorinators and boiler maintenance. The PAC is cleaned from head to toe during this time by the Facility Supervisors and other staff.

## *SANITATION/PUBLIC HEALTH DEPARTMENT*

The Sanitation / Public Health Department is composed of a supervisor, 4 full-time employees, a shared employee with the Water/Wastewater Dept. that is full-time and 1 part-time employee. They are responsible for the collection all the garbage with in the City, operation of the transfer station. This includes fogging for mosquitoes and larvicide. Sanitation does a commercial card board collection, bales and ships to market for recycling.

## *WATER/WASTEWATER DEPARTMENT*

The Water and Wastewater Systems is composed of a supervisor 3 full-time employees and a shared employee with the Sanitation Dept. and maintain both water and wastewater systems. Employees are on-call to respond to service problems and questions throughout the year. We currently have two State of Wyoming Certified Operators, and our two newest employees are in the process of receiving their state certifications.

### **WATER DEPARTMENT**

The City of Powell Water Department operates and maintains a Water System consisting of about 50 miles of distribution lines. The system includes over 2,000 connections and serves about 6,400 people. It is a connected system that purchases its water from Shoshone Municipal Pipeline in Cody Wyoming and receives its potable water via transmission line at the City of Powell Water Plant located at 720 W. North Street. The City of Powell has two elevated water towers and one ground level tank totaling 1.9 million gallons and supplies up to 1 million gallons of treated water to its residents per day. Our goal is to supply our customers the highest quality water and services available while maintaining all standards set by the U.S. Environmental Protection Agency.

### **WASTEWATER DEPARTMENT**

The Wastewater Department operates and maintains about 50 miles of collection lines that gravity flow to our Wastewater Treatment Facility (Lagoon) located at 783 Lane 7. The system receives and treats about 1 million gallons a day and discharges into Bitter Creek after meeting all Department of Environmental Quality standards.

## *UTILITIES PROVIDED*

The City of Powell Utilities provide critical services to the community consisting of Electric Supply, Water Supply, Wastewater Treatment, Solid Waste Collection and Disposal, and a comprehensive range of services to our citizens.

## CHAPTER 8 - BOARDS AND COMMISSIONS

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The various boards, commissions and joint powers board which will be discussed have been created by Wyoming State Statute or City Ordinance. These Boards and Commissions are different than a City Council Committee which may be created periodically for the purpose of researching or discussing a specific topic. The Boards and Commissions discussed below are ongoing and continuous. They are created by State Statute, like the Board of Adjustment, by Ordinance, like the Tree Board, or by a Joint Powers Agreement. There is little difference between a board, committee or commission and the terms are often used interchangeably. Each board and commission is a public agency required to follow the same open meeting rules as the City Council.

This document is a brief overview of the Boards and Commissions associated with the City of Powell. Further information on each may be found in the bylaws for these Boards and Commissions.

Some of these Boards and Commissions have members which are required to be part of the Governing Body. The positions on these Boards and Commissions come up for availability periodically and are appointed by the Mayor.

### *PLANNING AND ZONING COMMISSION*

Planning and Zoning as Defined by Code Section 2.20

The planning and zoning commission was created to, promote the health, safety, morals, order, beauty, prosperity and general welfare of the city, and to secure efficiency, economy, and concerted effort in the growth and development of the city.

It is comprised of 7 members with up to two members in the 82435 zip code and other members live in city limits and non-voting members are Building Official and Council member. The term for this board are 6 years and meetings are held the last Monday of each month.

Any member of the planning and zoning commission shall automatically disqualify himself from voting on any decision on which he might have a personal interest by virtue of ownership of land to be affected by zoning, or other similar situation.

It shall be the function and duty of the planning and zoning commission to advise the municipal government in urban planning, land use studies, urban renewal plans, technical services, economic improvements, the creation of a long-range master plan, the creation of a master street plan and zoning, and any other and all types of planning studies requested by the city council.

### *POWELL MUNICIPAL AIRPORT ADVISORY COMMISSION*

#### Airport Board as Defined by Code Section 2.24

The municipal airport advisory commission, duty is to act in an advisory capacity to the city council, in matters pertaining to maintenance, operation and control of the airport.

It is comprised of 3 members with two residents of 82435 zip code and one a resident of Park County and non-voting member Director of Public Works and Council member. The term for this board is 2 years and meetings are held quarterly.

#### *CITY TREE ADVISORY BOARD*

#### Tree Board as Defined by Code Section 2.28

It shall be the responsibility of the tree advisory board to study, investigate, counsel and develop written standards, rules and regulations for the care, preservation, trimming, planting, replanting, removal or disposition of trees, shrubs and plants in public ways, parks, streets and their acceptance and approval by the governing body shall constitute the official city tree rules and regulations, and shall constitute the official comprehensive city tree plan for the city.

It is comprised of 7 members with four members living in city limits and 3 nonresidents of the city and non-voting member Parks Supt. and Council member. The term for this board is 4 years and they meet the third Wednesday of the month.

#### *DEVELOPMENT REVIEW COMMITTEE*

#### DRC as Defined by Code Section 2.32

The purpose of the development review committee (DRC) is to review development plans in order to minimize possible negative impacts of proposed subdivisions, additions, and developments, to ensure compliance with the ordinances of the city, and to facilitate city review and analysis of development plans.

The development review committee shall examine the preliminary plat of such subdivision, addition and mobile home park and determine its compliance with the ordinances of the city. The committee shall report its recommendation and recommendations of the reviewing agencies to the planning and zoning commission. In any case the committee may recommend approval, approval subject to provisions, tabling for further study or disapproval of the plat.

The development review committee shall review and approve, reject or modify all site development plans to ensure their compliance with the ordinances of the city and to ensure their compliance with any master plans approved and adopted by the city.

It is comprised of City Administrator, Building Official, and Department Heads and meets as called.

## *BOARD OF ADJUSTMENT*

Purpose of the Zoning Board of Adjustment Defined by Code Section 17.100.010

The Board of Adjustment hears appeals on decisions made by any administrative official in enforcing the City's zoning ordinance, hears special exemption request, zoning ordinance variance request, may authorize the continuance of any non-conforming use if no enforcement action has occurred within five years, and takes action on other matters required by a local jurisdiction's ordinance.

The Board of Adjustment is to interpret the City's zoning map, grant temporary use variances in certain conditions, allows for the extension of a preexisting nonconforming building, grant variances to public and private utilities, and grant sign ordinance

When the Board of Adjustment makes a decision it must make findings of fact. Findings of fact are required by state law. Findings of fact are any pieces of information that the board holds to be "true" Conclusions of law are the determination that the board makes based on its findings, and applicable state law and City Code.

It is comprised of 5 members, two from the planning and zoning commission and 3 members from the community and non-voting members Building Official and Council member. Meetings are called when a request has been filed with the City Clerk.

**State Law reference—** Board of adjustments, W.S. 1977, 15-1-605 et seq.

## *BOARD OF APPEALS*

Purpose of the Board of Appeals as Defined by Code Section 15.24.150

The Board of Appeals hears determinations made by City officials regarding the City of Powell building and fire codes during a building or construction process as part of Code Section 15. The board will evaluate issue(s) brought to it on appeal shall be primarily based on the intent of City Code within a standard of reasonableness and consideration given to alternative methods which may reasonably satisfy the intent.

It is comprised of 5 area residents who are qualified by experience or training in the construction or development industry and process (general contractors, plumbers, electricians, roofers, etc.) Non-voting members are City Administrator, Building Official and Council member. Meetings are called when a request has been filed with the City Clerk.

## *URBAN SYSTEMS / TRAFFIC COMMITTEE*

Purpose of the Urban Systems / Traffic Committee as defined in by-laws

The Urban Systems Committee purpose is to provide planning, organization and construction assistance

for urban transportation system improvements intended to benefit the traveling public, to include increasing street and highway systems traffic capacity and improving safety.

This committee is a joint committee between Wyoming Department of Transportation, Park County and the City of Powell.

The committee prepares a master project listing of all proposed (6 yr.) projects and it is included in the State Transportation Improvement Program (STIP). An urban planning study is done and identifies the project location, intent and a reasonable estimate. Then a cooperative agreement between the City and WYDOT is authorized to determine scope and estimated cost. The funds for this program are distributed by formula and allocated to all urban areas in Wyoming participating in the program.

The Traffic Committee is comprised of the same representatives whose purpose is to look at special requests for signage or speed problems brought to the attention of the committee to help determine the best course of action.

It is comprised of 7 members, 5 representatives appointed by the City Council including the Street Supt., 1 appointed by the County Commissioners, and 1 WYDOT representative from the District. Non-voting members include Building Official, Council Member, County Commissioner and WYDOT Planning Program representative. The council representatives serve at the Mayor's pleasure and meetings are held annually.

### *SHOSHONE MUNICIPAL WATER JOINT POWERS BOARD*

The Shoshone Municipal Pipeline (SMP) delivers treated domestic water to the municipalities of Cody, Powell, Byron, Lovell, Deaver, Frannie and Northwest Rural Water District. The water is sourced from the Buffalo Bill Reservoir and treated at the plant in Cody before entering transmission lines.

It is comprised of an official from each of the towns and districts that receive treated domestic water appointed by that entities board. The term of this board is 3 years and meetings are held the 2<sup>nd</sup> Monday of each month.

### *WYOMING MUNICIPAL POWER AGENCY JOINT POWERS BOARD*

Wyoming Municipal Power Agency (WMPA) provides power to the City of Cody and City of Powell and the Towns of Lusk, Wheatland, Pine Bluffs, Lingle, Guernsey and Ft. Laramie. Each of the before mentioned entities owns and operates a municipal electric utility system which distributes electric energy at retail to its inhabitants.

The purpose of WMPA board is to

1. Acquire, construct, own, improve, operate, maintain and repair electric generating plants and transmission systems or interest therein and to purchase electric power and energy from the

United States Bureau of Reclamation or any other supplier, for the purpose of delivering to the participating agencies, to the extent of their requirements, electric power and energy generated or purchased by the board.

2. Sell electric power and energy at wholesale to the participating agencies
3. Sell, exchange and otherwise dispose of, under economically advantageous terms and conditions, surplus power and energy which the Board owns or produces or to which it is entitled to contract or otherwise
4. Develop, own, operate and maintain electric power and energy resources, including related fuel and water resources.

It is comprised an 8 members one from each participating governing body by resolution. The term of the appointment is 3 years and meetings are held at least quarterly, but can be more frequent.

### *POWELL VALLEY RECYCLING BOARD*

The Powell Valley Recycling Board is a private, non-profit organization established for the purpose of collecting, storing and disposing of recyclable materials and disseminating information related to recycling and for educational purposes within the meaning of Section 501©(3) of the internal Revenue Code.

It is comprised of not less than 5 and no more than 7 directors. The City of Powell appoints 1 Council member to the board of directors and for a term of 2 years. Meetings are held monthly.

### *POWELL RECREATION DISTRICT BOARD*

The purpose of the Powell Recreation District is to provide a system of public recreation and playgrounds as authorized under Wyoming Statutes. The goals of the district are to provide healthful recreational programs and activities to meet the needs of the citizens of the district and to make available facilities and leadership which will furnish the highest standard of programming regardless of race, age, creed or physical condition of the participants.

It is comprised of 9 members appointed by Park County School District #1 Board with at least 1 City Council member and 1 NWC member. Terms for this board are 5 years and meetings are held the 1<sup>st</sup> Tuesday the month.

### *POWELL COUNTRY CLUB BOARD*

The Golf course is owned by the City of Powell and maintenance is done through and Operation and Maintenance Agreement with Powell Country Club. The Powell Country Club retains all funds in association with operation of the golf course and is responsible for all maintenance of the facilities.

It is comprised of 7 members with 3 year terms. The City appoints a non-voting Council member. Meetings are held monthly or as called.

## *POWELL ECONOMIC PARTNERSHIP*

Powell Economic Partnership (PEP) purpose is to be the leading economic and community development organization for the City of Powell and lead long-term economic growth for a vibrant and sustainable community.

PEP has 2 distinct boards the City has representatives on:

1. The Executive Board is comprised of is comprised of not less than 7 members for a 3 year term. Membership is comprised of any business, enterprise, organization, association or individual interested in the mission and purpose of PEP. This board is responsible for the strategic and fiduciary oversight of PEP. The City has 1 ex-officio member appointed by the Mayor and meetings are held the 3<sup>rd</sup> Thursday of the month.
2. The Advisory Board is open to community stakeholders and business leaders and is considered first step to becoming a part of the Executive Board. This board serves as an information conduit to the community as to the operations and projects that PEP is engaged in. The City has 1 member appointed by the Mayor and meetings are held 4<sup>th</sup> Tuesday of the month.

## *PARK COUNTY TRAVEL COUNCIL*

The Park County Travel Council was established as the Lodging Tax Joint Powers Board to provide for the promotion of travel and tourism within Park County and to facilitate and bring effective marketing of Park County as a tourist destination area, to manage and implement the prudent administration and expenditure of the funds to be generated by the Lodging Tax.

It is comprised of 10 members appointed by the governmental entities, 2 from the City of Powell, which are party to the Joint Powers Agreement establishing the Lodging Tax Joint Powers Board dated March 1, 1987. The City has a 2 year appointment for this board and they meet quarterly.

## *YELLOWSTONE COUNTY ASSISTANCE NETWORK*

Purpose of Yellowstone County Assistance Network (YCAN) is to develop and deliver programs and services that can meet the needs of hard-working low-income families in the Big Horn Basin.

It is comprised of a minimum of 3 Directors and 1 additional director from each county. The City has a 4 year term for this board and they meet quarterly at a minimum.

## *PARK COUNTY DRUG COURT*

Purpose of Park County Drug Court is to accept non-violent offenders with one or more substance abuse problems, including alcohol into a combined treatment with immediate consequences for violations and instills life skills that many defendants lack.

The city appoints one member and is a Park County board. Meetings are as called.

### *CDBG GRANT SPONSORSHIP COMMITTEE*

Purpose of CDBG Grant Sponsorship Committee is to look over requests for Economic Development Loans through the City of Powell and recommend approval or non-approval to the Council. They only meet once an application for a loan has been received. They are comprised of 3 members of council approved by the Mayor and take recommendations for loans to the Council for approval. They meet as needed.

### *NORTHWEST JOINT POWERS BOARD*

Northwest Joint Powers Board is currently dissolved June 14, 2010. The last project was PowellLink and is a joint committee between City of Cody and City of Powell with the power to issue revenue bonds for funding specific projects.

# HELPFUL DOCUMENTS

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[FY 2018/2019 Budget](#)

[Capital Improvement Plan](#)

[Policy and Procedure Manual](#)

[Charter Ordinance](#)

[Code of Conduct](#)

[2018 Mayor/Council Handbook](#)