

City Council Proceedings  
April 6, 2015

The governing body of the City of Powell met in regular session at 6:00 p.m. on April 6, 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 John Wetzel, Jim Hillberry, Josh Shorb, Floyd Young and Tim Sapp. Absent: Councilman Eric Paul.

City Officials: City Administrator Zane Logan, City Clerk Tiffany Brando, City Attorney Sandra Kitchen, Deputy City Attorney Scott Kath, Director of Public Works Gary Butts, Water/Wastewater Supt. Bill Winters, Parks Supt. Del Barton and Building Official Ben Hubbard.

Approval of Agenda: Mayor Hillman called for the review and approval of the agenda and Councilman Shorb would like to give a P&Z update. Councilman Young moved to approve the agenda as amended, motion seconded by Councilman Sapp, unanimous approval, MOTION CARRIED. Mayor Hillman would like to also add under Mayor/Council Trailer parking committee. Councilman Wetzel made a motion to approve with amendment, motion seconded by Councilman Hillberry, unanimous approval, motion carried.

Approval of Minutes: Mayor Hillman called for any additions or corrections to the March 16, 2015 regular meeting minutes which were distributed to council and posted at City Hall prior to the meeting. Councilman Hillberry moved to approve the minutes as posted, motion seconded by Councilman Wetzel, unanimous approval, MOTION CARRIED.

Bills and Claims: Councilman Hillberry abstained from item #31, Councilman Shorb abstained from item #48 Park Co. Weed & Pest and Councilman Young abstained from item #79. 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 Hillberry, unanimous approval, MOTION CARRIED.

PUBLIC HEARING: Water and Sewer Updates: Public hearing opened at 6:05 p.m. Resident Sandy Thiel asked what constitutes which sewers are updated? DPW Butts informed it would be slip lined and Water/Wastewater Supt. Bill Winters stated it would be done on a priority list. Travis Conklin with EA Engineers explained the area for the sewer lining and the water project. Administrator Logan explained an increased would be looked at if they received no additional grants, however assuming the City of Powell is able to receive these grants and the loan forgiveness at this time the Finance Director is recommending no increase in fees, otherwise it would go before Council. Councilman Young asked the time frame and Mr. Conklin stated roughly 9 months. Councilman Shorb asked if slip lining is possible in the winter, and Mr. Conklin stated they prefer to do the lining in the Spring thru Fall months. Supt. Winters stated the last time slip line was in mid-March and they try to get it done during the lowest flow. Public Hearing closed at 6:22 p.m.

Matters from the public:

Request for waiver of fees for the PHS Student Council Make-A-Wish fundraiser on May 9<sup>th</sup> at Homesteader Park. Councilman Hillberry moved to approve the request, motion seconded by Councilman Young, unanimous approval, MOTION CARRIED.

Malt beverage permit requests by Aldaberto Acevedo for a Dance at the Fairgrounds on April 25<sup>th</sup>. Councilman Wetzel moved to approve the request, motion seconded by Councilman Shorb, unanimous approval, MOTION CARRIED.

Request for alcohol on patio at Hansel & Gretel's April 7<sup>th</sup> thru December 31<sup>st</sup>. Councilman Hillberry expressed concern for the winter months. Councilman Wetzel moved to approve request, motion seconded by Councilman Shorb, unanimous approval, MOTION CARRIED.

Mayor/Council:

Committee Updates: Councilman Shorb gave an update on the last P&Z meeting and the outcome of the ordinances sent back. Councilman Shorb said the ordinances should be ready for the next Council meeting.

Employment Agreement: Mayor Hillman asked to extend Administrator Logan employment agreement a 1 year. Councilman Shorb moved to extend the employment agreement for Administrator Logan through June 30, 2017, motion seconded by Councilman Sapp, unanimous approval, MOTION CARRIED.

Committee for Trailer Parking: Mayor Hillman informed Council he would like to appoint a committee to review trailer parking and come up with an ordinance to present to Council. He would like to appoint Councilman Hillberry, Ward I; Councilman Wetzel, Ward II; Councilman Sapp, Ward III and DPW Butts. Councilman Young moved to approve the appointments, motion seconded by Councilman

Shorb, unanimous approval, MOTION CARRIED. Council in general has received a lot of comments on this subject and hopes to come up with a solution.

Legal:

ORDINANCE NO. 1, 2015: Read by Attorney Kath by title only; An Ordinance Adopting Chapter 17.25 of the Powell City Code Establishing an RGR General Residential Restricted District. Councilman Hillberry has a question on 17.25.030 (b) on the two family dwellings, and it is unclear. After discussion Attorney Kath suggested re-wording for clarification "6000 sq. ft. for a two family dwelling." Building Official Ben Hubbard also asked to hyphen "two-family" so it is the same as in the definitions. Councilman Wetzel moved to approve Ordinance No. 1, 2015 with amendments on third and final reading, motion seconded by Councilman Young, unanimous approval, MOTION CARRIED.

ORDINANCE NO. 2, 2015: Read by Attorney Kath by title only; An Ordinance Establishing and R-M Residential Mixed Use District Zone within the City of Powell by Adopting Chapter 17.26 of the Powell City Code. Councilman Sapp moved to approve Ordinance No. 2, 2015 on third and final reading, motion seconded by Councilman Wetzel, unanimous approval, MOTION CARRIED.

ORDINANCE NO. 3, 2015: Read by Attorney Kath by title only; An Ordinance Amending Section 17.28.020 of the Powell City Code by Amending Permitted uses. Councilman Young moved to approve Ordinance No. 3, 2015 on third and final reading, motion seconded by Councilman Sapp, unanimous approval, MOTION CARRIED.

ORDINANCE NO. 4, 2015: Read by Attorney Kath by title only; An Ordinance Adopting Chapter 17.29 of the Powell City Code Establishing a B-D Downtown Core Business District. Councilman Sapp moved to approve Ordinance No. 4, 2015 on third and final reading, motion seconded by Councilman Wetzel, unanimous approval, MOTION CARRIED.

ORDINANCE NO. 5, 2015: Read by Attorney Kath by title only; An Ordinance Adopting Chapter 17.30 of the Powell City Code Establishing a B-L Light Business Commercial District. Councilman Sapp moved to approve Ordinance No. 5, 2015 on third and final reading, motion seconded by Councilman Shorb, unanimous approval, MOTION CARRIED.

ORDINANCE NO. 8, 2015: Read by Attorney Kath by title only; An Ordinance Recodifying Chapter 17.64 of the Powell City Code as a M-H Mobile Home and Travel Trailer Park Zone and Redesignating it as Chapter 17.35 and Amending Certain Sections Thereof. Councilman Sapp made a motion to approve Ordinance No. 8, 2015 on third and final reading, motion seconded by Councilman Shorb, unanimous approval, MOTION CARRIED.

ORDINANCE NO. 9, 2015: Read by Attorney Kath by title only; An Ordinance Adopting Chapter 17.66 of the Powell City Code by Establishing Conditional Use Procedures. Councilman Wetzel made a motion to approve Ordinance No. 9, 2015 on third and final reading, motion seconded by Councilman Young, unanimous approval, MOTION CARRIED.

Administrative:

Memorandum of Understanding between City of Powell and American Legion Baseball. George Fernandez President of American Legion Baseball spoke on the MOU agreement given to him by Parks Supt. Del Barton. He did have concerns on the relief pitcher's mound the concessions and restrooms. It was agreed to flip the pitcher's mound. Parks Supt. Barton stated his intention of the agreement is to get a baseline between the entities and gather information to be able to work better together. Councilman Wetzel moved to approve the MOU, motion seconded by Councilman Hillberry, unanimous approval, MOTION CARRIED.

Memorandum of Understanding between Powell Little League and Powell Jr's Division Baseball. Chris Queen President of Powell Little League Baseball thanked the Parks Dept. for a top notch facility and hopes to continue to use them. He also explained the loss of Babe Ruth Baseball, the start of Jr. Division Baseball and the tourney for minors, majors and a State Tourney for Jr's Division will be in Powell in July. Councilman Wetzel moved to approve both agreements for Little League and Jr's Division, motion seconded by Councilman Shorb, unanimous approval, MOTION CARRIED.

Third Quarter revenues and expenses reviewed by Administrator Logan and are tracking well for expenses a little less than 75% and revenues are just over 75%.

General Announcements: Administrator Logan informed Council the next department budget review will be next week, the Commons remodel is coming along and should be 90% complete by the end of the week. Administrator Logan thanked the Council for the extension of his contract. Mayor Hillman reminded Council of the Region III meeting in Worland, and he will not be able to attend.

There being no further business to be considered at this meeting, Councilman Wetzel moved to adjourn, seconded by Councilman Sapp, unanimous approval, MOTION CARRIED. Mayor Hillman adjourned the regular meeting at 7:09 p.m.

APPROVED:

---

Mayor

ATTEST:

---

City Clerk