

City Council Proceedings
March 2, 2015

The governing body of the City of Powell met in regular session at 6:00 p.m. on March 2, 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, Floyd Young, Josh Shorb, Eric Paul and Tim Sapp.

City Officials: City Administrator Zane Logan, City Clerk Tiffany Brando, City Attorney Sandra Kitchen, Deputy City Attorney Scott Kath and Building Official Ben Hubbard.

Approval of Agenda: Mayor Hillman called for the review and approval of the agenda. Councilman Young moved to approve the agenda, motion seconded by Councilman Shorb, unanimous approval, MOTION CARRIED.

Approval of Minutes: Mayor Hillman called for any additions or corrections to the February 17, 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 Young, unanimous approval, MOTION CARRIED.

Bills and Claims: Councilman Hillberry abstained from item #20. 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.

Matters from the public:

Aerobatic Box request was made by Mike Martin. He spoke on behalf of pilots that use the Powell Municipal Airport, and they want to get approval to have an aerobatic box at the airport to make it safer for the pilots to practice. The FAA has the box on its radar system. The group believes pilots from surrounding states will travel to the airport to use the aerobatic box for practice. Currently the closest is in Seattle, and the FAA would like to see them in less populated areas making Powell a great spot with the location of the airport. The request has to be renewed every two years. Councilman Wetzel moved to approve a request for an aerobatic box at the airport for the two years, motion seconded by Councilman Young, unanimous approval, MOTION CARRIED.

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 Young moved to approve Ordinance No. 1, 2015 and post in lieu of reading on first reading, motion seconded by Councilman Sapp, 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. Council man Hillberry asked for clarification on 17.26.030 (E) and Attorney Kath that it will need to be changed to make it two thousand square feet per townhouse. Councilman Hillberry moved to approve Ordinance No. 2, 2015 with the amendment to 17.26.030 (E) and post in lieu of reading on first reading, motion seconded by Councilman Young, 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. Attorney Kath stated that in sections (O) and (P) the reference needs to be changed to 17.28.025A. Councilman Hillberry moved to approve Ordinance No. 3, 2015 with changes and post in lieu of reading on first reading, motion seconded by Councilman Wetzel, 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. Linda Tritchler spoke to this ordinance and sees it as favorable and has talked with other business owners downtown, and they seemed to feel it was good for the City of Powell and the downtown could really benefit. Councilman Young moved to approve Ordinance No. 4, 2015 and post in lieu of reading on first reading, motion seconded by Councilman Sapp, 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 and post in lieu of reading on first reading, motion seconded by Councilman Paul, unanimous approval, MOTION CARRIED.

ORDINANCE NO. 6, 2015: An Ordinance Adopting Chapter 17.31 of the Powell City Code Establishing a B-N Neighborhood Business Zone. Councilman Wetzel asked if they have a minimum acreage or area for the zone with a minimum amount of lots. Planning & Zoning Chairman John Sides, said they

thought it would be used as a whole block not just one lot, and they definitely can look at that and put a required amount of lots. Councilman Hillberry made a motion to table Ordinance No. 6, 2015 and send it back to P&Z for further clarification as discussed, motion seconded by Councilman Young, unanimous approval, MOTION CARRIED.

ORDINANCE NO. 7, 2015: An Ordinance Amending Chapter 17.32 of the Powell City Code by Modifying Permitted Uses and Deleting Therefrom Residential uses. Bill Winters asked for clarification on the grandfathered clause concerning his current residence. Attorney Kath referenced 17.32.030 in existing uses, and non-conforming uses. Building Official Ben Hubbard is concerned with the enforcement of this ordinance and clarification on the ordinance. P & Z Chairman John Sides stated they were trying to have a grandfather clause that protects the current existing residential. Erik Petersen expressed concern on lots by Homestead Industrial park that were purchased with the intention of building apartments in the area. Mr. Sides said they wanted to preserve the current use in I-L, but have limitations on new zoning. Councilman Floyd made a motion to table and send back to P & Z for clarification on Ordinance No. 7, 2015, motion seconded by Councilman Paul, the vote 5-1. Aye; Hillman, Wetzel, Hillberry, Shorb, Young and Paul, Nay Councilman Sapp, 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. Administrator Logan commented on Section 2 requirements and allowing 102 inches or 8ft 6in to comply with the DOT standard. Councilman Shorb made a motion to approve Ordinance No. 8, 2015 amending trailer width and post in lieu of reading on first reading. Motion seconded by Councilman Sapp, 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 Sapp made a motion to approve Ordinance No. 9, 2015 and post in lieu of reading on first reading, motion seconded by Councilman Hillberry, unanimous approval, MOTION CARRIED.

John Sides let Council know that the definition of lot on town houses in 17.26.030 was taken from R-G definition and may need to look at the R-G definition too.

Administrative:

Emerald Ash Borer Plan: Parks Superintendent Del Barton gave a presentation on EAB and the plan he is proposing for the City of Powell. Parks Supt. Barton is recommending treating select ash trees and removing select ash trees, and adding an additional f \$10,000to treat public ash trees this next fiscal year. Councilman Hillberry suggested removing all the ash trees as did James Andrews. Parks Supt. Barton said that it takes 30-60 years to get the tree canopy to where it is today, and ash trees are 60% of that canopy. Administrator Logan spoke in favor of Parks Supt. Barton’s recommendation and reminded council that we are a member of Tree City USA and that \$10,000 sounds like a lot, but removing and replanting the trees would have a significant impact on the City. Councilman Shorb and Wetzel would like to see us be more proactive and keep as many trees as possible. Parks Supt. Barton spoke to the fact that the trees they would recommend removing are ones that are dying and have other problems. Parks Supt. Barton is asking to approve the plan and the recommendation of treatment. Council stated they would like to see every public ash tree treated that can be and others that have a defective nature removed. Councilman young moved to approve the EAB plan with treating as many trees as we can and removing ones that are showing signs of dying off, motion seconded by Councilman Shorb, unanimous approval, MOTION CARRIED.

General Announcements: Administrator Logan informed Council budgets are due this Friday, new mechanic is Ray Sanders and he started Feb. 23. The well and irrigation system at Veteran’s Park is going to be approximately \$20,000 and police are in the hiring process for two officers, and dispatch still has one opening.

There being no further business to be considered at this meeting, Councilman Young moved to adjourn, seconded by Councilman Paul, unanimous approval, MOTION CARRIED. Mayor Hillman adjourned the regular meeting at 7:28p.m.

APPROVED:

Mayor

ATTEST:

City Clerk