

City Council Proceedings August 3, 2009

The governing body of the City of Powell met in regular session at 7:00 p.m., August 3, 2009 at City Hall. Mayor Mangold opened the meeting and led those in attendance in reciting the Pledge of Allegiance. Mayor Mangold called the meeting to order and the following were present:

Mayor: Scott Mangold
Council Members: Josh Shorb, Don Hillman, Jim Hillberry, Floyd Young, and Rex Sanders.
Absent: Councilman John Wetzel
City Officials: City Clerk Ardyce Busboom, City Attorney Sandra Kitchen, Deputy City Attorney Scott Kath, and Street Supt./PSM Gary Butts.

Approval of Agenda

Mayor Mangold called for review and approval of the agenda. Councilman Young moved to approve the agenda which motion was seconded by Sanders and the vote was: AYE – Mangold, Shorb, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

7:00 p.m. Public Hearing – Transfer of Ownership of Retail Liquor License.

Attorney Kitchen opened the public hearing for consideration of the transfer of ownership of Retail Liquor License #9 – Zimbo Development LLC to Christine and James Sanders d/b/a Table 7. There being no public comments received, the hearing was closed at 7:03 p.m. Councilman Hillman moved to approve this transfer of ownership which motion was seconded by Hillberry and the vote was: AYE – Mangold, Shorb, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

Approval of Minutes.

Mayor Mangold called for any additions or corrections to the July 20th regular meeting minutes which were distributed to Council and posted at City Hall prior to the meeting. Councilman Shorb moved to approve these minutes which motion was seconded by Young and the vote was: AYE – Mangold, Shorb, Hillman, Hillberry, Young, and Sanders; NAY - None; MOTION CARRIED.

Bills and Claims

The list of claims, a copy of which is attached, was then considered. Councilman Shorb noted he would abstain from discussion and voting on item #47. Councilman Hillberry made a motion that the bills be allowed and authorize the Treasurer to draw warrants for payment of same, which motion was seconded by Sanders and the vote was: AYE – Mangold, Shorb, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

Matters From The Public

Business Ready Community Project – Gluten Oats. Ms. Leah Bruscano, Toby Bonner, and Seaton Smith reviewed a potential BRC grant project which would cover the purchase of land and construction of a 48' x 60' building for expansion of the Gluten Oats business. The City would be required to be the applicant, but they are not asking the city for a dollar or in-kind match. Mr. Bonner requested a work session be set to discuss this further. Council set a work session for Wednesday, Aug. 5th at 3:00 p.m. to discuss this further.

Legal

Ordinance No. 16, 2009 was up for third reading and was read by title only, the title of which is as follows:

AN ORDINANCE AMENDING SECTION 16.32.010(L) OF THE POWELL CITY CODE BY ADDING AND INCLUDING TELECOMMUNICATION DISTRIBUTION REQUIREMENTS FOR SUBDIVISIONS.

Councilman Shorb moved to approve this ordinance on third reading which motion was seconded by Hillman and the vote was: AYE – Mangold, Shorb, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

Administrative

Employee Benefit Plan – Amendments #2 and #3. City Clerk Busboom reviewed Amendment #2 dealing with COBRA Continuation Coverage and Amendment #3 dealing with CHIP – Children's Health Insurance Program, both amendments bring the Employee Benefit Plan into compliance with federal requirement changes. Councilman Hillberry moved to approve these amendments and authorize execution of same which motion was

seconded by Young and the vote was: AYE – Mangold, Shorb, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

General Announcements. City Clerk Busboom informed Council of the following: 1) Slurry Seal is rescheduled to start Aug. 10th weather permitting with anticipated completion by Aug. 21st; 2) Street Supt. Butts then informed Council that the slurry seal project had been changed to begin Aug. 17th; and Bent and Fair Street railroad tracks paving will also be done as well as a section at the corner of 1st and Bent. St. 3) City Clerk Busboom thanked council members for their participation in both the Powell fair and the Cody Stampede parades; 4) August 12th the Park County Rec. Board will meet with County Commissioners, Powell Council, Powell Recreation Board and others for a tour of the aquatics facility followed by a meeting. Details of times and locations will be sent to all.

There being no further business to be considered at this meeting, Councilman Hillman moved to adjourn which motion was seconded by Shorb. Mayor Mangold adjourned the regular meeting at 7:23 p.m.

ATTEST:

/s/ Ardyce Busboom
City Clerk

APPROVED:

/s/ Scott Mangold
Mayor