

City Council Proceedings November 21, 2011

The governing body of the City of Powell met in regular session at 7:00 p.m. on November 21, 2011 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: Eric Paul, John Wetzel, Don Hillman, Jim Hillberry, and Myron Heny.
Absent: Councilman Floyd Young
City Officials: City Administrator Zane Logan, City Clerk Ardyce Busboom, City Attorney Sandra Kitchen, and Deputy City Attorney Scott Kath.

Approval of Agenda

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

7:00 p.m. Public Hearing – Liquor License Renewals for 2012.

Attorney Kitchen opened a public hearing to consider the renewal of liquor licenses for 2012. The annual police report regarding each establishment was reviewed, and it was noted that this years report was outstanding, with no sales, serving, or furnishing alcohol to minors reported. Attorney Kitchen closed the hearing at 7:03 p.m. Councilman Wetzel moved to approve renewal of liquor licenses for 2012 for the following listed establishments. This motion was seconded by Heny and the vote was: AYE – Mangold, Paul, Wetzel, Hillman, Hillberry, and Heny; NAY – None; MOTION CARRIED.

Retail Liquor Licenses:

- #1 Harmax, Inc. d/b/a K-Bar Saloon
- #2 KBLA, Inc. d/b/a Blair's Market
- #6 Powell Lamplighter, Inc. d/b/a The Lamplighter Inn
- #7 Kellie G. Kleinz d/b/a The Red Stag
- #9 Zimbo Development, LLC d/b/a Joey's
- #10 Boswell Enterprises, LLC d/b/a LaVina Package Liquors
- #12 HanGre, LLC d/b/a Hansel & Gretel's
- #13 Lynn's Service, Inc. d/b/a Quick Stop
- #14 McCullough Enterprises, Inc. d/b/a The Peaks
- #16 Jennifer M. Lieser d/b/a Backstreet Pub

Restaurant Liquor Licenses:

- #15 Pizza Hut of Powell, Inc. d/b/a Pizza Hut
- #18 Classic Lanes, Inc. d/b/a Classic Lanes
- #19 Adalberto Acevedo Avila d/b/a El Tapatio Mexican Restaurant

Limited Retail Liquor Licenses:

- #3 Hughes Pittinger Post 26 d/b/a American Legion
- #4 FOE Aerie 2426 d/b/a Powell FOE 2426
- #5 Veterans of Foreign Wars d/b/a VFW Post 5054
- #8 BPO Elks #2303 d/n/a Elks Club

Approval of Minutes.

Mayor Mangold called for any additions or corrections to the November 7th regular meeting minutes which were distributed to Council and posted at City Hall prior to the meeting. Councilman Hillberry moved to approve these minutes which motion was seconded by Heny and the vote was: AYE – Mangold, Paul, Wetzel, Hillman, Hillberry, and Heny; NAY - None; MOTION CARRIED.

Bills and Claims

The list of claims, a copy of which is attached, was then considered. Councilman Wetzel noted he would abstain from discussion and voting on item #61. Councilman Hillman made a motion that the bills be allowed and authorize the Treasurer to draw warrants for payment of same, which motion was seconded by Wetzel and the vote was: AYE – Mangold, Paul, Wetzel, Hillberry, Hillman, and Heny; NAY – None; MOTION CARRIED.

Matters From The Public

Catering Permit – The Terrace. Roadgrill, LLC d/b/a The Terrace submitted a request for a catering permit for a Xmas Dinner scheduled for December 10th at the Commons with alcohol hours scheduled from 4 p.m. to 12 midnight. Councilman Hillberry moved to approve this catering permit which motion was seconded by Hillman and the vote was: AYE – Mangold, Paul, Wetzel, Hillman, Hillberry and Heny; NAY – None; MOTION CARRIED.

Legal

Ordinance No. 8, 2011 was up for second reading and was read by title only, the title of which is as follows:

AN ORDINANCE AMENDING SECTION 5.28.030 (a) OF THE POWELL CITY CODE PERTAINING TO TRANSIENT MERCHANTS LICENSING AND CORRECTING AN ERROR IN ORDINANCE NO. 7, 2011.

Councilman Hillberry moved to approve this ordinance on second reading which motion was seconded by Hillman and the vote was: AYE – Mangold, Paul, Wetzel, Hillman, Hillberry, and Heny; NAY – None; MOTION CARRIED.

Ordinance No. 9, 2011 was presented for first reading and was read by title only, and will be posted, the title of which is as follows:

AN ORDINANCE AMENDING SECTION 15.12.180 OF THE POWELL CITY CODE BY INCREASING RATES CHARGED FOR POWER.

Councilman Wetzel moved to approve this ordinance on first reading which motion was seconded by Hillman and the vote was: AYE – Mangold, Paul, Wetzel, Hillman, Hillberry, and Heny; NAY – None; MOTION CARRIED.

Land Purchase Agreement. Attorney Kitchen reviewed a land purchase agreement between the City and Powell Valley Recycling for purchase of two lots adjacent to the Sanitation Building with terms as outlined in the agreement, noting that further documents to complete this purchase are being worked on. Councilman Heny moved to approve this agreement and authorize execution of same which motion was seconded by Wetzel and the vote was: AYE – Mangold, Paul, Wetzel, Hillman, Hillberry, and Heny; NAY – None; MOTION CARRIED. Mayor Mangold set a tentative closing date for completion of paperwork at 3:30 p.m. on December 13, 2011.

Administrative

General Announcements. Administrator Logan informed Council of the following:

1) An offer of employment for two new police officers has been extended with start dates of December 1st; 2) the hearing before the County Planning & Zoning Board is scheduled for 7 p.m., November 22nd to consider the transfer station site; and 3) Mayor Mangold expressed appreciation for input on various issues with legislators at the recent dinner.

There being no further business to be considered at this meeting, Councilman Hillman moved to adjourn which motion was seconded by Hillberry. Mayor Mangold adjourned the regular meeting at 7:21 p.m.

APPROVED:

ATTEST:

/s/ Scott Mangold
Mayor

/s/ Ardyce Busboom
City Clerk