

## **City Council Proceedings September 21, 2009**

The governing body of the City of Powell met in regular session at 7:00 p.m., September 21, 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, John Wetzel, Don Hillman, Jim Hillberry, Floyd Young, and Rex Sanders.  
**Absent:** None  
**City Officials:** City Administrator Zane Logan, City Clerk Ardyce Busboom, Finance Director Annette Thorington, City Attorney Sandra Kitchen, and Deputy City Attorney Scott Kath.

### **Approval of Agenda**

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

### **Approval of Minutes.**

Mayor Mangold called for any additions or corrections to the Sept. 8<sup>th</sup> regular meeting minutes which were distributed to Council and posted at City Hall prior to the meeting. Councilman Wetzel moved to approve these minutes which motion was seconded by Hillberry and the vote was: AYE – Mangold, Shorb, Wetzel, 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. Mayor Mangold noted he would abstain from discussion and voting on item #27. 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 Young and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

### **Matters From The Public**

**Fireworks Permit – PHS Games.** Mr. Gary Mills submitted a request for approval to discharge a canon for points scored by PHS at their home games, as has been done over the past few years. Councilman Hillman moved to approve the discharge of a canon at home games which motion was seconded by Wetzel and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

### **Request For Outside City Limit Hookup to City Water and/or Sewer Services.**

1) Heart Mountain Sporting, LLC submitted a letter of request and executed an agreement to hook up to city water and sewer utility services for their property located at 799 Lane 9, outside the corporate limits of the City.

2) Bank of Powell submitted a letter of request and executed an agreement to hook up to city water services for their property located at 856 Road 8, outside the corporate limits of the City.

Councilman Hillberry moved to approve both requests for connection to City water and/or sewer utility services and authorize execution of the agreements, which motion was seconded by Wetzel and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

**Powell Recycling Center Property.** Mrs. Ann Hinkley informed Council that the recycling properties adjacent to the City's Sanitation Dept. may be coming available if PVR can negotiate with the County for the present road and bridge facility on Road 10. She asked that Council begin considering if the City would be interested in any of these properties for City use. Administrator Logan stated that city staff would be interested in looking at these lots, discussing it further, and reporting back to Council.

### **Mayor/Council Members**

**Proclamations.** Mayor Mangold presented a proclamation for Council endorsement designating the fourth Monday of September as Family Day to promote family activities and interaction. Councilman Hillman moved to endorse this proclamation which motion was seconded by Wetzel and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

### **Legal**

**Due Process Hearing for Proposed Liquor License Suspensions.** Attorney Kitchen requested Council authorize the mailing of notices to two liquor license establishments for accumulation of sufficient demerit points for three-day suspensions and designate a hearing date. Councilman Hillman made a motion to authorize the mailing of notices, amending his motion to include designating the date of October 27<sup>th</sup> at 7:00 p.m. as a hearing date for both license holders. This motion was seconded by Wetzel and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

**Administrative**

**Financial Audit Report.** Mr. James Seckman reviewed financial statements for the recently completed June 2009 city audit, noting that no deficiencies or material weaknesses were found. Councilman Hillberry moved to accept and approve the financial statements which motion was seconded by Shorb and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

**General Announcements.** Administrator Logan informed Council of the following: 1) WMPA will be participating in the bonding process for the Dry Forks station in the next couple of weeks; 2) Facility training will be held at the Plaza Diane on Tuesday at 2 p.m.; 3) Leadership training for city management staff is scheduled for the week of Sept. 28<sup>th</sup>; 4) WAM fall board and committee meetings are scheduled for later this week in Wheatland; 5) Councilman Shorb reported that a committee meeting regarding funding options for a county landfill was held and discussion will be continuing over the next couple of months; 5) Councilman Hillman commended city staff on the fine audit report received.

There being no further business to be considered at this meeting, Councilman Wetzel moved to adjourn which motion was seconded by Hillman. Mayor Mangold adjourned the regular meeting at 7:40 p.m.

ATTEST:

/s/ Ardyce Busboom  
City Clerk

APPROVED:

/s/ Scott Mangold  
Mayor