

**FOWLER TOWN COUNCIL  
TOWN COUNCIL CHAMBERS  
200 MAIN STREET  
DATE: January 12, 2009  
6:00 P.M.  
COUNCIL MEETING MINUTES**

Mayor Wards led the group in the Pledge of Allegiance and called the meeting to order. Present were Trustees Pat Christensen, Chuck Hitchcock, and Monie Stites. Randy McKown and Larry Vibber were absent. Also present were Attorney Hyatt, Administrator Snider, Klinkerman, Borrego and Pagnotta.

Public Comments: None

Interview of Trustee Candidates: Three citizens (Jennifer Bradshaw, Jack Hobby and Ron Pacheco) submitted letters of interest to fill the position of town trustee following the resignation of Christine Nesbit. Mayor Wards called each of the candidates to the front of the room individually and asked them why they wanted to be considered for town trustee. Each candidate stated their reasons for wanting to get involved with the town. Trustee Hitchcock explained the Land Use Plan and asked each candidate how they envisioned the town 10 or 20 years from now. Attorney Hyatt stated that the requirements for becoming a trustee of the Town of Fowler are to live within the city limits and be a registered voter. Hyatt asked each candidate to verify their address to insure that they lived within the city limits as well as state if they were indeed a registered voter.

Changes to the Agenda: None noted.

Approval of Previous minutes (December 22, 2008): Trustee Christensen made a motion to approve the minutes. Motion was seconded by Trustee Stites. Motion passed unanimously.

Report: Mayor Wards had nothing to report at this time.

Committee/Board reports: Trustee Hitchcock reported that he and Administrator Snider attended a water conference where they listened to the Secretary of Interior regarding what the state is looking at as far as Fountain Creek. They also received a briefing on the Super Ditch program. Trustee Hitchcock stated that the overall objective is to bring the land planners together with water use planners. He stated this was this was a good presentation.

Administrator Snider reported that he had meetings DOLA this past week and it would appear that the Town will be able to start the sewer project in the middle of next month. The application for the back feed line appears as if it will pass. If the town decides to do the back feed line in conjunction with the sewer project, the town would need to keep track of all the expenses and InKind for the matching funds. Snider reported that we should be under contract with the State Historic Fund sometime this week and should be able to start the Park School project within 90 days.

Treasurer's Report: Treasurer Klinkerman included financial statements in the packet, but she had to estimate some of the accruals. She will be putting in the actual numbers as she gets them for the end of the year and supply a narrative for the next council meeting. Trustee Stites had a couple of questions concerning the bill payment list, which Klinkerman answered.

Klinkerman also reported that she has set up the banking part the credit card processing and will be working with the network technician to be able to accept credit card payments online. Klinkerman stated that the Town did not purchase a credit card machine, but will process the payments on line.

Klinkerman stated that the auditors will be conducting the field work the week after next.

Klinkerman reported that she had attended a presentation a few months ago on Sky Catcher Internet. This service will provide wireless internet service to the town. She stated that the equipment could be purchased through a grant for emergency services. This service would provide the police and fire departments with information that they currently don't have. She stated that this program is in the preliminary stages. A meeting is scheduled for January 20<sup>th</sup>, where one or two council members are invited to attend. Hyatt clarified a legal issue with this program. He stated that the town has the ability to participate in obtaining the grant and have the internet service set up, however the town could not sell the

service to the public unless the issue goes to a vote of the people. Hyatt explained some of the unique applications of the service. Trustee Christensen stated that he would be able to attend this meeting. Trustee Stites also plans to attend.

Unfinished Business:

Ordinance 645-08 Business license ordinance: Trustee Hitchcock made a motion to approve Ordinance 645-08, an ordinance that requires business licenses for businesses and occupations located within the Town of Fowler, by title only. The motion was seconded by Trustee Stites. Motion passed unanimously.

New Business:

Ordinance 646-09 Peddlers license. Trustee Hitchcock introduced ordinance 646-09 that provided for registration or licensing of transient dealers, peddlers, canvassers and solicitors, by title only. This ordinance provides that no solicitation be made to citizens that either post a sign on their property or be registered on a list provided by the Town Clerk. Attorney Hyatt stated that this ordinance complies with all the court precedence concerning the issue. Trustee Hitchcock made a motion to approve this ordinance. Motion was seconded by Trustee Christensen and passed unanimously. This ordinance repealed Ordinance 643-08 that was previously passed.

Resolution 760-09 Ratifying wages. Trustee Stites made a motion to ratify the wages for town employees. The new wages would go into effect January 1, 2009. Motion seconded by Trustee Hitchcock. Motion passed unanimously.

High School Athletic Field/GOCO grant – Administrator Snider spoke about the issues on behalf of Trustee Vibber. He stated that because of the damage to the lights at the football field from the severe weather past year, the school district wanted to use the insurance money as a cash match to apply for a GOCO grant. The school district wants to rebuild the stadium. The decision was made to pass the funds through the county, rather than the town, so the school and town are not competing for grant funds.

Executive Session: Attorney Hyatt stated that the trustees could not go into executive session to discuss the appointment to an elected office. He stated that any discussion needed to be made in the open meeting. Ballots were made and each trustee present voted on the candidate of their choice. The votes were tallied with the results being as follows: Jennifer Bradshaw, 1 vote; Jack Hobby, 2 votes; and Ron Pacheco, 0 votes. With Jack Hobby receiving the most votes, Town Clerk Pagnotta swore him in as an appointed trustee.

Adjournment: Trustee Stites made a motion to adjourn; motion was seconded by Trustee Hitchcock and passed unanimously.

Respectfully submitted

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Shawn Pagnotta, Town Clerk