

## **City Council Proceedings July 6, 2010**

The governing body of the City of Powell met in regular session at 7:00 p.m. July 6, 2010 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:** Steve Scott, John Wetzel, Don Hillman, Jim Hillberry, Floyd Young, and Rex Sanders.  
**Absent:** None  
**City Officials:** City Administrator Zane Logan, City Clerk Ardyce Busboom, City Attorney Sandra Kitchen, Deputy City Attorney Scott Kath, Finance Director Annette Thorington, Police Chief Tim Feathers, and Water Supt. Bill Winters.

### **Approval of Agenda**

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

### **Approval of Minutes.**

Mayor Mangold called for any additions or corrections to the June 21st 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 Hillman and the vote was: AYE – Mangold, Scott, 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. Councilman Young 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, Scott, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

### **Matters From The Public**

**Mr. Ed Wenzel – Aquatic Center Questions.** Mr. Wenzel questioned why the City, with the budget shortfall being experienced, would spend one million dollars on a UV filter system for the new pool. Councilman Wetzel noted that this was a misprint in the newspaper and in actual fact, the cost of the filter system will be approximately \$70,000, also noting the health benefits in killing bacteria, reducing the quantity of chlorine needed, and healthier for people sensitive to chlorine. Mr. Wenzel voiced concerns about the debris and hazards around the pool area. Administrator Logan stated that with two major projects going on in the park at the same time there is some debris which will be cleaned up with the completion of the parking lot and work on the sprinkler system and conduits. Council asked the public to be patient with this work in progress, following which the park will be brought back to its usual beautiful state.

### **Mayor/Council Members**

**Mayoral Appointments.** Mayor Mangold requested Council concurrence of his appointment of the following Council members to serve on committees and boards:

**Planning & Zoning Comm. – Councilman Steve Scott as council representative replacing Councilman John Wetzel.**

**Shoshone Municipal Pipeline JPB – Councilman Jim Hillberry to complete the term of Josh Shorb to June of 2012.**

**Park County Lodging Tax JPB – Councilman John Wetzel to complete the term of Josh Shorb to March of 2012.**

**Landfill Issues Committee – Councilman Don Hillman replacing Josh Shorb.**

Councilman Young made a motion to endorse these appointments, which motion was seconded by Hillberry and the vote was: AYE – Scott, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

**Downtown Information.** Council discussed downtown issues, the first being the need for awareness of upcoming activities and events, such as the Motormaid Motorcycle Club Tour. Council stressed the need for better communications between event sponsors or organizers to keep Council informed of local happenings. Chamber Director Kim Dillivan stated that they would notify City officials and staff of upcoming events that they are in charge of. Council then discussed responsibility for the operation and maintenance of the Plaza Diane. Administrator Logan reviewed some of the recent maintenance problems encountered at the Plaza and requested direction from Council on how much work City crews are to perform. Following discussion Council consensus was that City involvement should be minimal since this is leased property for a private enterprise and the City should not be in competition with private sector service businesses. Council recommendation was that the City work with the Plaza Board with a transition period over the next few months to acquaint the Plaza Board with necessary maintenance issues. The Plaza could then employ a maintenance person to take control of their O & M issues and the Plaza would be on their own by next spring. Administrator Logan will bring these recommendations to the attention of the Plaza Board on Thursday.

#### **Legal**

**Endowment Agreement.** Attorney Kitchen and Administrator Logan reviewed this draft of a Declaration of Gift and Agreement for Use document between the Moyer Foundation and the City covering investment, fees, and distribution of return. Discussion followed regarding paragraph #3 - Distributable Funds, and two changes needed in the document regarding signature page and incorporating sovereign immunity clause. Councilman Wetzel made a motion to accept this Declaration of Gift and Agreement for Use, incorporating the two recommended changes for signatures and sovereign immunity and authorize execution of same. This motion was seconded by Hillman and the vote was: AYE – Mangold, Scott, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

**Powell Swim Club/City Agreement.** A proposed agreement between the City and the Powell Swim Club covering pool usage and fees for the club at the aquatics center was reviewed. This contract will again be reviewed early next spring for revisions needed. Councilman Wetzel moved to approve this agreement and authorize execution of same which motion was seconded by Sanders and the vote was: AYE – Mangold, Scott, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

#### **Administrative**

**Street Dept. – Asphalt Contract Bid.** Annual asphalt contract bids were reviewed with staff recommendation to accept the only bid received from Wild West Construction for \$92.75 per ton lay down price. Councilman Hillman moved to approve the bid received from Wild West and authorize execution of contract documents which motion was seconded by Wetzel and the vote was: AYE – Mangold, Scott, Wetzel, Hillman, Hillberry, and Sanders; NAY – None; MOTION CARRIED.

**Homesteader Rest Area Signage Agreement.** Administrator Logan reviewed an agreement between the City and Carl Thuesen, ASLA for landscape architectural services for design and election of signage/display materials for the new Homesteader Rest Area. Council would like to review the proposed signage after the design is completed. Councilman Hillberry moved to approve and authorize execution of this agreement, which motion was seconded by Wetzel and the vote was: AYE – Mangold, Scott, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

**Engineering Services Agreement – Amendment #1.** Administrator Logan reviewed Amendment #1 for engineering services provided by Sage Engineering for the partial parallel taxiway and runway 13 turnaround project at the Powell Airport. Councilman Wetzel moved to approve and execute this amendment which motion was seconded by Hillberry and the vote was: AYE – Mangold, Scott, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

**General Announcements.** Administrator Logan informed Council of the following: 1) Burbach Aquatics will be here the week of July 19<sup>th</sup> to address any issues at the pool; 2) The slurry seal project was completed ahead of schedule and patching on Fair Street is nearing completion; 3) The frog pond is open from 1 – 6 p.m. with new regulations in place.

There being no further business to be considered at this meeting, Councilman

**Hillman moved to adjourn which motion was seconded by Wetzel. Mayor Mangold adjourned the regular meeting at 7:58 p.m.**

**APPROVED:**

**ATTEST:**

**/s/ Ardyce Busboom**  
City Clerk

**/s/ Scott Mangold**  
Mayor