

City Council Proceedings March 1, 2010

The governing body of the City of Powell met in regular session at 7:00 p.m. March 1, 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: 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, City Attorney Sandra Kitchen, Deputy City Attorney Scott Kath, Water Supt. Bill Winters, Police Chief Tim Feathers.

Approval of Agenda

Mayor Mangold called for review and approval of the agenda. Councilman Hillman moved to approve the agenda with the addition of item 8B – U-turn/J-turn Issues under Mayor/Council Members. This 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 February 16th regular meeting minutes and the February 22nd work session minutes which were distributed to Council and posted at City Hall prior to the meeting. Councilman Young moved to approve these minutes which motion was seconded by Sanders 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. Councilman Wetzel noted he would abstain from discussion and voting on item #32. 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

Dispensing Room Alterations/Patio/Beer Garden. Hansel & Gretel's submitted a request for Council review and approval for alterations to their dispensing room and for the establishment of a patio/beer garden area adjacent to their building at 1st and Bent Street to be constructed as per City and building codes requirements. Following review and discussion, Councilman Shorb moved to approve alterations in the dispensing area and to allow the establishment of a patio/beer garden area adjacent to their building, which motion was seconded by Wetzel and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

Enforcement of Sign Code. Mr. John Campbell of the Planning and Zoning Comm. addressed Council with concerns P & Z has regarding sign code violations and an enforcement mechanism to bring signs into compliance with the sign code. He distributed pictures of various sign code violations throughout the city that need to be reviewed and addressed. Following discussion, Council indicated their desire to have the sign code requirements specified in the city code book enforced, and directed that letters be sent to those businesses in violation. Staff will work to get this done.

Mayor/Council Members

Proclamation – Girl Scout Week. Mayor Mangold read a proclamation designating the week of March 7 – 13, 2010 as Girl Scout Week in recognition of their service to the community. Councilman Hillberry moved to endorse this proclamation which motion was seconded by Hillman and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

U-turn/J-turn Issues. Councilman Hillberry informed Council of a problem that seems to be increasing with drivers making j-turns in the business district– crossing lanes of traffic to park on the other side of the street. This is not the same as a complete u-turn but needs to be addressed as a traffic and safety issue. Following discussion, Council requested Chief Feathers research this issue and take his findings to the traffic/urban systems committee for discussion and then a report sent back to the Council.

Administrative

Professional Services Agreement – Amendments #2 and #3. Administrator Logan reviewed two amendments to the Professional Services Agreement between the City and JGA Architects for additional work to be completed for the Homesteader Park Rest Area Renovation project. Councilman Wetzel moved to approve these amendments and authorize execution of same which motion was seconded by Hillman and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

City/CK Construction – Contract Documents. Administrator Logan reviewed contract documents between the City and CK Construction Corp. covering the Homesteader Park Rest Area Renovation project, noting that additional language is to be added. Councilman Wetzel moved to approve this contact and authorize execution of contract documents contingent upon a sovereign immunity clause being added. This motion was seconded by Young and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED.

Residential Antidisplacement & Relocation Assistance Plan. Administrator Logan reviewed this plan associated with grant funding for the Spirit Mountain Habitat for Humanities Restore Building Project. Councilman Wetzel moved to approve this document and authorize execution of same which motion was seconded by Hillberry 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) Provided a project summary for Council review of current projects being worked on; 2) With the completion of 5-year plans, budget work is beginning; 3) Burbach Aquatics has a progress meeting scheduled and will provide an update on the schedule of completion of work on the pool; 4) Chief Feathers informed Council that former Powell 1950 Police Chief Anthony Bernard Nelson will have his name added to the National Law Enforcement Officers Memorial in Washington, D.C. for having died in the line of duty.

Executive Session. Councilman Wetzel moved to recess to executive session to address proposed litigation, which motion was seconded by Hillman and the vote was: AYE – Mangold, Shorb, Wetzel, Hillman, Hillberry, Young, and Sanders; NAY – None; MOTION CARRIED. Mayor Mangold declared the meeting in executive session at 7:50 p.m.

Return to Regular Session. Mayor Mangold returned the meeting to regular session at 8:04 p.m.

There being no further business to be considered at this meeting, Councilman Wetzel moved to adjourn which motion was seconded by Shorb. Mayor Mangold adjourned the regular meeting at 8:05 p.m.

APPROVED:

/s/ Scott Mangold
Mayor

ATTEST:

/s/ Ardyce Busboom
City Clerk