

JUNE 22, 2006

The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, June 22, 2006, in the Council Chambers at 140 South Capital Avenue in Idaho Falls, Idaho.

There were present:

Mayor Jared D. Fuhriman
Councilmember Larry Lyon
Councilmember Karen Cornwell
Councilmember Joe Groberg
Councilmember Ida Hardcastle
Councilmember Michael Lehto

Absent was:

Councilmember Thomas Hally

Also present:

Dale Storer, City Attorney
Rosemarie Anderson, City Clerk
All available Division Directors

Mayor Fuhriman requested Councilmember Larry Lyon to come forward and lead those present in the Pledge of Allegiance.

CONSENT AGENDA ITEMS

The City Clerk requested approval of the Minutes from the June 8, 2006 Regular Council Meeting.

The City Clerk presented several license applications, including a BEER License to La Reyna Meat Market (Transfer Only), all carrying the required approvals, and requested authorization to issue these licenses.

The City Clerk requested Council ratification for the publication of legal notices calling for public hearings on June 8, 2006.

The Public Works Director submitted the following memo:

City of Idaho Falls
June 19, 2006

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: BID AUTHORIZATION - HIGHLAND PARK STREET
IMPROVEMENTS PROJECT

Public Works requests authorization to advertise to receive bids for the Highland Park Street Improvements Project.

s/ Chad Stanger

JUNE 22, 2006

It was moved by Councilmember Groberg, seconded by Councilmember Hardcastle, that the Consent Agenda be approved in accordance with the recommendations presented. Roll call as follows:

Aye: Councilmember Groberg
Councilmember Lyon
Councilmember Lehto
Councilmember Cornwell
Councilmember Hardcastle

Nay: None

Motion Carried.

REGULAR AGENDA ITEMS

The Airport Director submitted the following memo:

City of Idaho Falls
June 13, 2006

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Mike Humberd, Director of Aviation
SUBJECT: CONSENT TO ASSIGNMENT BETWEEN CENTURION ASSOCIATES AND 3ENG, LLC

Attached for City Council approval is the Consent to Assignment for the transfers of an aircraft hangar. All other terms and conditions of the lease remain the same.

The Airport Division recommends approval and requests the Mayor be authorized to execute the contract documents.

s/ Mike Humberd

It was moved by Councilmember Lyon, seconded by Councilmember Cornwell, to approve the Consent to Assignment of Hangar Lease Agreement from Centurion Associates and 3ENG, LLC and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Cornwell
Councilmember Hardcastle
Councilmember Lyon
Councilmember Groberg
Councilmember Lehto

Nay: None

Motion Carried.

JUNE 22, 2006

The Acting Idaho Falls Power Director submitted the following memo:

City of Idaho Falls
June 15, 2006

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Jo Fikstad, Power Manager
SUBJECT: CONFIRMATION AGREEMENT WITH THE CITY OF LOGAN

Attached for your consideration is a Confirmation Agreement to purchase power from the City of Logan. This agreement is for 5 megawatts flat (7 X 24) for October, 2006 through December, 2006 and March, 2007.

Idaho Falls Power respectfully requests ratification of this Agreement.

s/ Jo Fikstad

It was moved by Councilmember Lehto, seconded by Councilmember Lyon, to ratify the Confirmation Agreement to purchase power from the City of Logan. Roll call as follows:

Aye: Councilmember Lehto
Councilmember Lyon
Councilmember Hardcastle
Councilmember Groberg
Councilmember Cornwell

Nay: None

Motion Carried.

The Municipal Services Director submitted the following memos:

City of Idaho Falls
June 15, 2006

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID IF-06-19, ELECTRONIC GOVERNOR CONTROL SYSTEM
FOR IDAHO FALLS POWER GENERATION PLANTS

Attached for your consideration is the tabulation for the above subject bid.

It is the recommendation of Municipal Services to accept the low bid of American Governor Company to furnish the required equipment to upgrade all four (4) power plants for a Lump Sum Total Amount of \$239,528.00.

s/ S. Craig Lords

JUNE 22, 2006

It was moved by Councilmember Groberg, seconded by Councilmember Hardcastle, to accept the low bid from American Governor Company to furnish the required equipment to upgrade the Electronic Governor Control System for all four (4) Power Generation Plants for a lump sum total amount of \$239,528.00. Roll call as follows:

Aye: Councilmember Lyon
Councilmember Cornwell
Councilmember Groberg
Councilmember Hardcastle
Councilmember Lehto

Nay: None

Motion Carried.

City of Idaho Falls
June 15, 2006

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID IF-06-22, ONE (1) NEW SEWER SLUDGE BARGE/DREDGE

Attached for your consideration is the tabulation for the above subject bid.

It is the recommendation of Municipal Services to accept the sole bid of Liquid Waste Technology, LLC to furnish One (1) New 2006 sludge barge/dredge for an amount of \$150,589.00 with trade-in Unit No. 175. We also would like to accept their revised delivery of a unit that is available for immediate shipment.

s/ S. Craig Lords

It was moved by Councilmember Groberg, seconded by Councilmember Hardcastle, to accept the sole bid of Liquid Waste Technology, LLC to furnish One (1) new 2006 Sludge Barge/Dredge for an amount of \$150,589.00 with trade-in Unit No. 175. Roll call as follows:

Aye: Councilmember Groberg
Councilmember Lehto
Councilmember Cornwell
Councilmember Hardcastle
Councilmember Lyon

Nay: None

Motion Carried.

JUNE 22, 2006

City of Idaho Falls
June 19, 2006

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: RENEWAL OF AIRPORT LIABILITY INSURANCE

Municipal Services respectfully requests that the Mayor and Council bind the City's Airport Liability Insurance with Global Aerospace. The premium is \$31,469.00. This coverage begins on July 1, 2006.

s/ S. Craig Lords

Councilmember Groberg requested to know whether Councilmember Lyon had any comments about the liability insurance. Councilmember Lyon had no comment. It was moved by Councilmember Groberg, seconded by Councilmember Hardcastle, to bind the City's Airport Liability Insurance with Global Aerospace to begin July 1, 2006. Roll call as follows:

Aye: Councilmember Groberg
Councilmember Lyon
Councilmember Lehto
Councilmember Cornwell
Councilmember Hardcastle

Nay: None

Motion Carried.

City of Idaho Falls
June 19, 2006

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: ELECTRIC LIGHT FUND AND CITY AUDITORS FOR 2006 AUDIT

Municipal Services respectfully requests the approval to accept the audit services of Moss Adams LLC for the Electric Light Fund audit and Rudd and Company PLLC for the City's audit for the year ending September 30, 2006.

s/ S. Craig Lords

It was moved by Councilmember Groberg, seconded by Councilmember Hardcastle, to accept the audit services of Moss Adams LLC for the Electric Light Fund audit and Rudd and Company PLLC for the City's audit for the year ending September 30, 2006 and, further, give authorization for the Mayor and City Clerk to sign the necessary documents. Roll call as follows:

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Aye: Councilmember Hardcastle
Councilmember Lehto
Councilmember Cornwell
Councilmember Lyon
Councilmember Groberg

Nay: None

Motion Carried.

City of Idaho Falls
June 19, 2006

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: COCA COLA BOTTLING COMPANY LEASE AGREEMENT

Attached for your consideration is the Coca Cola Bottling Company Lease Agreement for an additional five (5) years, commencing on June 1, 2006 and terminating on May 30, 2011.

The City Attorney has reviewed and approved this Lease Agreement.

It is respectfully requested that the Council approve the extension agreement and authorize the Mayor to execute the necessary documents.

s/ S. Craig Lords

It was moved by Councilmember Groberg, seconded by Councilmember Hardcastle, to approve the Lease Extension Agreement with Coca Cola Bottling Company and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Cornwell
Councilmember Hardcastle
Councilmember Lyon
Councilmember Groberg
Councilmember Lehto

Nay: None

Motion Carried.

City of Idaho Falls
June 19, 2006

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: IDAHO FALLS EQUIPMENT MAINTENANCE FACILITY – CHANGE ORDER NO. 5

JUNE 22, 2006

Attached for your consideration is Change Order No. 5 in the amount of \$3,302.00.

Item No. 1: Provide additional switching for exhaust fan as well as modifications to the MCC Controls. Cost for Item No. 1 is \$2,581.22.

Item No. 2: Move light switch for the Grinding Shop. Cost for Item No. 2 is \$63.48.

Item No. 3: Provide power to air compressor dryer and make final connections. Cost for Item No. 3 is \$499.97.

Contract completion date will be increased by eleven (11) days. Construction completion date will be June 30, 2006.

It is respectfully requested that the City Council approve the change order and authorize the Mayor to execute said document.

s/ S. Craig Lords

It was moved by Councilmember Groberg, seconded by Councilmember Hardcastle, to approve Change Order No. 5 to Shook Construction Company, Inc. in the amount of \$3,302.00 and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

Aye: Councilmember Lehto
Councilmember Lyon
Councilmember Hardcastle
Councilmember Groberg
Councilmember Cornwell

Nay: None

Motion Carried.

The Parks and Recreation Director submitted the following memo:

City of Idaho Falls
June 22, 2006

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: David J. Christiansen, Parks and Recreation Director
SUBJECT: CLAIR E. GALE TENNIS COURT RECONSTRUCTION PROJECT

On Wednesday, June 7, 2006, bids were opened for the reconstruction of the tennis courts located at Clair E. Gale Junior High School. It is the recommendation of the Parks and Recreation Division to reject the sole bid from Edman Construction Company due to the lack of adequate funding for this project.

s/ David J. Christiansen

JUNE 22, 2006

It was moved by Councilmember Cornwell, seconded by Councilmember Lyon, to reject the sole bid from Edman Construction Company for the Clair E. Gale Tennis Court Reconstruction Project due to the lack of adequate funding for said project. Roll call as follows:

Aye: Councilmember Lyon
Councilmember Cornwell
Councilmember Groberg
Councilmember Hardcastle
Councilmember Lehto

Nay: None

Motion Carried.

City of Idaho Falls
June 22, 2006

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: David J. Christiansen, Parks and Recreation Director
SUBJECT: TAUTPHAUS PARK ZOO ZEBRA BARN PROJECT

On Tuesday, June 20, 2006 a bid opening was scheduled for the Tautphaus Park Zoo Zebra Barn Project. No bids were received. The Division of Parks and Recreation respectfully requests authorization from the Mayor and City Council to negotiate for construction of the Zebra Barn Facility in an amount not to exceed \$83,000.00.

s/ David J. Christiansen

It was moved by Councilmember Cornwell, seconded by Councilmember Groberg, to give authorization for the Parks and Recreation Division to negotiate for the construction of the Tautphaus Park Zoo Zebra Barn Project in an amount not to exceed \$83,000.00. Roll call as follows:

Aye: Councilmember Groberg
Councilmember Lehto
Councilmember Cornwell
Councilmember Hardcastle
Councilmember Lyon

Nay: None

Motion Carried.

The Planning and Building Director submitted the following memos:

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City of Idaho Falls
June 22, 2006

MEMORANDUM

TO: Mayor and City Council
FROM: Jan Blickenstaff, Grant Administrator
SUBJECT: RESOLUTION ADOPTING THE SECOND ANNUAL CDBG
PERFORMANCE REPORT (FISCAL YEAR 2005
COMPREHENSIVE ANNUAL PERFORMANCE AND EVALUATION
REPORT)

Attached is the Resolution for adopting the Second Annual Report for the Community Development Block Grant Program. This is the required report to HUD on the use and benefits resulting from the CDBG funds. The City Council public hearing on the report was held at the May 25, 2006 Council Meeting. No comments have been received during the 15 day comment period. All the requirements for the report have been fulfilled.

s/ Jan Blickenstaff

RESOLUTION NO. 2006-10

WHEREAS, the City of Idaho Falls became an Entitlement City under the criteria of Title I of the Housing and Community Development Act of 1974, as amended:

WHEREAS, the City of Idaho Falls receives annual grant funding as an Entitlement City;

WHEREAS, the Act requires an Annual Report describing how the grant funds were used and the resulting benefits;

WHEREAS, the required public notice was given and the public hearing on the Second Annual Report held before City Council on May 25, 2006 to receive public comments and the public comment period of fifteen days was opened.

WHEREAS, the comment period was closed and no public comments were received to be considered and incorporated into the plan;

WHEREAS, all requirements for adopting the report have been met;

NOW, THEREFORE, be it resolved by the Mayor and City Council of the City of Idaho Falls to adopt the Second Annual Report and submit it to the U. S. Department of Housing and Urban Development.

DATED this 22nd day of June, 2006.

s/ Jared D. Fuhriman
Jared D. Fuhriman
Mayor

JUNE 22, 2006

The Grants Administrator submitted the following slides for information purposes:

- Slide 1 Second Annual CDBG Report – June 2006 Presentation to City Council
- Slide 2 Annual Allocations
 - FY 04 \$ 491,000
 - FY 05 \$ 465,540
 - FY 06 \$ 418,940
 - Total \$1,375,480
- Slide 3 5 Year Goals
 - Community Development Priority
Support neighborhood revitalization activities that promote public health, safety and welfare.
 - Economic Development Priority
Improve economic conditions throughout the community, principally for Low to Moderate Income (LMI) persons.
 - Housing Development Priority
Encourage the development of new, affordable single-, multi-family, and special needs housing in the community through private developers and non-profits.
 - Public Service Priority
Encourage social service providers, faith-based groups, private businesses, school districts, non-profit agencies and community leaders to work together to comprehensively meet the needs of families in poverty.
- Slide 4 Projects Funded
 - Highland Park Paving – Shelley, Canyon and Crowley \$680,000
 - Code Enforcement \$36,000
 - Playground ADA Improvements \$49,435
 - Bel Aire and South Capital
 - IFDDC Plan \$20,000
 - Eastern Avenue Parking Lot \$30,000
 - Downtown Façade Improvement \$100,500
- Slide 5 Projects Funded
 - Habitat for Humanity \$25,000
 - Housing Rehab \$96,625
 - Fair Housing \$1,000
 - Center for New Directions EITC \$30,000
 - TRPTA \$45,000
 - Graffiti Removal \$5,000
- Slide 6 Map of Main Areas to concentrate on
- Slide 7 Site Photo of Shelley Street looking north
- Slide 8 Site Photo of north end of Shelley Street
- Slide 9 Site Photo of dumpster for neighborhood cleanup
- Slide 10 Site Photo of full dumpster for neighborhood cleanup
- Slide 11 Site Photo of Bel-Aire Park before
- Slide 12 Site Photo of Bel-Aire Park after
- Slide 13 Site Photo of Bel-Aire Park close-up
- Slide 14 Site Photo of Eagle Rock Park Improvements
- Slide 15 Site Photo of Eastern Avenue Parking Lot
- Slide 16 Site Photo of improved aggregate planters

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Slide 17 Site Photo of aggregate planters - before and after
Slide 18 Site Photo of façade program on Broadway
Slide 19 Site Photo of façade program on Broadway – front of Grand Hotel
Slide 20 Site Photo of Fair Housing Proclamation Signing
Slide 21 Home Seekers Magazine printed the Fair Housing Proclamation

The Grants Administrator stated that the appropriation for next year has been established for approximately \$418,000.00.

It was moved by Councilmember Groberg, seconded by Councilmember Hardcastle, to approve the Resolution for adopting the Second Annual Report for the Community Development Block Grant Program and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Cornwell
Councilmember Hardcastle
Councilmember Lyon
Councilmember Groberg
Councilmember Lehto

Nay: None

Motion Carried.

City of Idaho Falls
June 19, 2006

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: FINDINGS OF FACT – HITT ROAD ANNEXATION

Attached are the Findings of Fact and Conclusions of Law for the annexation of Hitt Road (25th East) adjacent to Calvary Chapel. The Division respectfully requests adoption of these findings.

s/ Renée R. Magee

It was moved by Councilmember Groberg, seconded by Councilmember Hardcastle, to approve the Findings of Fact, Conclusions of Law and Decision for the Hitt Road (25th East) Annexation adjacent to Calvary Chapel and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Hardcastle
Councilmember Lehto
Councilmember Cornwell
Councilmember Lyon
Councilmember Groberg

Nay: None

Motion Carried.

JUNE 22, 2006

City of Idaho Falls
June 19, 2006

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: FINAL PLAT, FIRST AMENDED PLAT OF WESTRIDGE
COMMERCIAL PLAZA ADDITION, DIVISION NO. 1

Attached is the Final Plat for First Amended Plat of Westridge Commercial Plaza, Division No. 1. This Final Plat is located south of West Broadway, east of Old Butte Road, and north of Pancheri Drive. The existing zoning is C-1 (Limited Retail) and PB (Professional Offices). At its June 13, 2006 Meeting, the Planning Commission recommended approval of the final plat. This plat is now being submitted to the Mayor and Council for consideration.

s/ Renée R. Magee

The Planning and Building Director located the subject area on a map and further explained the request. Following is a list of exhibits used in connection with this final plat approval:

Slide 1 Vicinity Map showing surrounding zoning
Exhibit 1 Staff Report dated June 13, 2006

It was moved by Councilmember Groberg, seconded by Councilmember Hardcastle, to accept the Final Plat for the First Amended Plat of Westridge Commercial Plaza Addition, Division No. 1 and, further, give authorization for the Mayor, City Engineer, and City Clerk to sign said final plat. Roll call as follows:

Aye: Councilmember Cornwell
Councilmember Hardcastle
Councilmember Lyon
Councilmember Groberg
Councilmember Lehto

Nay: None

Motion Carried.

It was moved by Councilmember Groberg, seconded by Councilmember Hardcastle, to recess Annexation Proceedings Prior to Platting for Metes and Bounds Property in Section 12, Township 2 North, Range 37 (Idaho State University Parcels) to the July 13, 2006 Regular Council Meeting. Roll call as follows:

Aye: Councilmember Lehto
Councilmember Lyon
Councilmember Hardcastle
Councilmember Groberg
Councilmember Cornwell

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Nay: None

Motion Carried.

Mayor Fuhriman requested Councilmember Groberg to conduct annexation proceedings for Bowen Addition, Division No. 3. At the request of Councilmember Groberg, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls
June 19, 2006

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: ANNEXATION, INITIAL ZONING OF HC-1, AND FINAL PLAT -
BOWEN ADDITION, DIVISION NO. 3

Attached are the Annexation Agreement, Annexation Ordinance, and Final Plat for Bowen Addition, Division No. 3. This 29 acre parcel is located south of Lincoln Road, west of Woodruff Avenue, east of the Idaho Canal, and north of Kearney Street. The proposed zoning is HC-1, and the plat contains 14 lots. At its May 16, 2006 Meeting, the Planning Commission recommended approval of the annexation, final plat and initial zoning of HC-1. This annexation request is now being submitted to the Mayor and Council for consideration.

s/ Renée R. Magee

The Planning and Building Director located the subject area on a map and further explained the request. Following is a list of exhibits used in connection with this annexation request:

Slide 1	Vicinity Map showing surrounding zoning
Slide 2	Aerial Photo showing parcel under consideration
Slide 3	Aerial Photo close up showing Division No. 2 and Division No. 3
Slide 4	Final Plat under consideration
Slide 5	Site Photo looking from the site to the north
Slide 6	Site Photo looking from the site to the southwest
Slide 7	Site Photo looking from the site to the west
Slide 8	Site Photo looking from the north portion of the site to the west
Slide 9	Site Photo of canal along western property line
Slide 10	Site Photo looking from canal to the south
Slide 11	Site Photo looking south of site
Slide 12	Site Photo of canal along the south property line
Slide 13	Comprehensive Plan
Exhibit 1	Planning Commission Minutes dated May 16, 2006
Exhibit 2	Staff Report dated May 16, 2006

Jerome Bowen, 149 West Birch Creek, appeared to state that this was the final stage of this property development. This has developed in the way that was originally proposed.

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There being no further discussion either in favor of or in opposition to this annexation request, Mayor Fuhriman closed the public hearing.

It was moved by Councilmember Groberg, seconded by Councilmember Hardcastle, to approve the Annexation Agreement for Bowen Addition, Division No. 3 and, further, give authorization for the Mayor and City Clerk to sign said Agreement. Roll call as follows:

Aye: Councilmember Lehto
Councilmember Lyon
Councilmember Hardcastle
Councilmember Groberg
Councilmember Cornwell

Nay: None

Motion Carried.

At the request of Councilmember Groberg, the City Attorney read the following Ordinance by title:

ORDINANCE NO. 2655

BOWEN ADDITION, DIVISION NO. 3

AN ORDINANCE ANNEXING CERTAIN LANDS TO THE CITY OF IDAHO FALLS, IDAHO; DESCRIBING THESE LANDS; REQUIRING THE FILING OF THE ORDINANCE AND AMENDED CITY MAP AND AMENDED LEGAL DESCRIPTION OF THE CITY WITH THE APPROPRIATE COUNTY AND STATE AUTHORITIES; AND ESTABLISHING EFFECTIVE DATE.

The foregoing Ordinance was presented by title only. Councilmember Groberg moved, and Councilmember Hardcastle seconded, that the provisions of Idaho Code Section 50-902 requiring all Ordinances to be read by title, and once in full, on three separate dates be dispensed with, the Ordinance be passed on all three readings, and, further, give authorization for the Mayor and City Clerk to sign the necessary documents. Roll call as follows:

Aye: Councilmember Lyon
Councilmember Cornwell
Councilmember Groberg
Councilmember Hardcastle
Councilmember Lehto

Nay: None

Motion Carried.

A public hearing was conducted to consider the initial zoning of the newly annexed area. There being no discussion, it was moved by Councilmember Groberg, seconded by Councilmember Hardcastle, to establish the initial zoning of Bowen Addition,

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Division No. 3 as HC-1 (Highway Commercial) Zoning as presented, that the comprehensive plan be amended to include the area annexed herewith, and that the City Planner be instructed to reflect said annexation, zoning and amendment to the comprehensive plan on the comprehensive plan and zoning maps located in the Planning Office. Roll call as follows:

Aye: Councilmember Groberg
Councilmember Lehto
Councilmember Cornwell
Councilmember Hardcastle
Councilmember Lyon

Nay: None

Motion Carried.

It was moved by Councilmember Groberg, seconded by Councilmember Hardcastle, to accept the Final Plat for Bowen Addition, Division No. 3 and, further, give authorization for the Mayor, City Engineer, and City Clerk to sign the Final Plat. Roll call as follows:

Aye: Councilmember Groberg
Councilmember Lyon
Councilmember Lehto
Councilmember Cornwell
Councilmember Hardcastle

Nay: None

Motion Carried.

There being no further business, it was moved by Councilmember Lyon, seconded by Councilmember Groberg, that the meeting adjourn at 8:03 p.m.

CITY CLERK

MAYOR
