

MARCH 9, 2006

The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, March 9, 2006, in the Council Chambers at 140 South Capital Avenue in Idaho Falls, Idaho.

There were present:

Mayor ProTem Ida Hardcastle
Councilmember Larry Lyon
Councilmember Karen Cornwell
Councilmember Joe Groberg
Councilmember Mike Lehto

Absent was:

Mayor Jared D. Fuhriman
Councilmember Thomas Hally

Also present:

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

Mayor ProTem Hardcastle requested Boy Scout Jared Hinckley 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 February 23, 2006 Work Session, the February 23, 2006 Regular Council Meeting and the March 6, 2006 Work Session.

The City Clerk presented monthly reports from various Division and Department Heads and requested that they be accepted and placed on file in the City Clerk's Office.

The City Clerk presented the following Expenditure Summary dated February 1, 2006 through February 28, 2006, after having been audited by the Fiscal Committee and paid by the Controller:

FUND	TOTAL EXPENDITURE
General Fund	\$ 567,397.02
Street Fund	46,703.00
Recreation Fund	16,911.02
Library Fund	63,382.70
Municipal Equipment Replacement Fund	267,000.50
Electric Light Public Purpose Fund	33,251.34
Street Capital Improvement Fund	58,550.64
Water Capital Improvement Fund	3,506.45
Airport Fund	140,058.43
Water and Sewer Fund	242,245.55
Sanitation Fund	56,445.29
Ambulance Fund	15,528.22

Electric Light Fund	3,817,898.94
Payroll Liability Fund	<u>1,421,496.49</u>
TOTALS	\$6,750,375.59

MARCH 9, 2006

The City Clerk presented several license applications, all carrying the required approvals, and requested authorization to issue those licenses.

The City Clerk requested Council ratification for the publication of legal notices calling for public hearings on March 9, 2006.

The Public Works Director submitted the following memos:

City of Idaho Falls
March 3, 2006

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: BID AUTHORIZATION – SUNNYSIDE ROAD LANDSCAPING AND SPRINKLER SYSTEM, HOLMES AVENUE TO HITT ROAD

Public Works requests authorization to advertise to receive bids for the Sunnyside Road Landscaping and Sprinkler System, Holmes Avenue to Hitt Road Project.

s/ Chad Stanger

City of Idaho Falls
March 3, 2006

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: BID AUTHORIZATION – STORM DRAIN POND PIPING, SUNNYSIDE ROAD/GUSTAFSON LATERAL

Public Works requests authorization to advertise to receive bids for the Storm Drain Pond Piping, Sunnyside Road/Gustafson Lateral

s/ Chad Stanger

City of Idaho Falls
March 3, 2006

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: BID AUTHORIZATION – KENSINGTON STORM POND PIPING/ SUNNYSIDE ROAD PROJECT

Public Works requests authorization to advertise to receive bids for the Kensington Storm Pond Piping/Sunnyside Road Project.

s/ Chad Stanger

MARCH 9, 2006

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

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

Nay: None

Motion Carried.

REGULAR AGENDA ITEMS

The Fire Chief submitted the following memo:

City of Idaho Falls
March 7, 2006

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Dean Ellis, Fire Chief
SUBJECT: AMBULANCE SERVICES AGREEMENT RENEWAL

Attached for your review is the annual renewal of the Ambulance Services Agreement between the City of Idaho Falls and Bonneville County for Fiscal Year 2005/2006. This agreement provides for County-wide ambulance service and will be in effect until September 30, 2006. This agreement also includes current dates and costs.

The Fire Department respectfully requests approval and authorization for the Mayor and City Clerk to sign the documents.

s/ Dean Ellis

Councilmember Hardcastle gave an explanation of the need for this Ambulance Services Agreement. The Fire Chief came forward to explain that Bonneville County has two ambulance districts. The Idaho Falls Fire Department oftentimes meets the ambulance from Swan Valley to pick up a transport to Eastern Idaho Regional Medical Center. He explained, further, that each ambulance district submits a budget to Bonneville County for their share of providing for their ambulance district.

It was moved by Councilmember Hardcastle, seconded by Councilmember Lehto, to approve the renewal of the Ambulance Services Agreement between the City of Idaho Falls and Bonneville County for Fiscal Year 2005-2006 and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Groberg
Councilmember Lehto

MARCH 9, 2006

Councilmember Lyon
Councilmember Cornwell
Councilmember Hardcastle

Nay: None

Motion Carried.

The Municipal Services Director submitted the following memos:

City of Idaho Falls
February 27, 2006

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID IF-06-14, WATER LINE MATERIALS

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

It is the recommendation of the Municipal Services Division to accept the low evaluated proposal meeting specifications as per Attachment "A". As per the bid specifications, the bids were evaluated according to lump sum amounts in each section.

s/ S. Craig Lords

It was moved by Councilmember Groberg, seconded by Councilmember Lyon, to accept the low evaluated proposal meeting specifications as per Attachment "A" for Water Line Materials. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
February 27, 2006

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID IF-06-15, TRAFFIC SIGNAL EQUIPMENT

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

MARCH 9, 2006

It is the recommendation of the Municipal Services Division to accept the low bid meeting specifications as listed on Attachment "A".

s/ S. Craig Lords

It was moved by Councilmember Groberg, seconded by Councilmember Lyon, to accept the low bid meeting specifications as listed on Attachment "A" for Traffic Signal Equipment. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
March 3, 2006

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: LEASE AGREEMENT FOR SOUTH EAST IDAHO PRACTICAL SHOOTERS (SEIPS)

Attached for your consideration is the SEIPS Lease Agreement for five (5) years, commencing on April 1, 2006 and terminating on March 31, 2011 with an additional five (5) year optional term commencing on April 1, 2011 and terminating on March 31, 2016.

The City Attorney has reviewed and approved this Lease Agreement.

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

s/ S. Craig Lords

The General Services Administrator appeared to give a location and description of this property. This lease has been effect since 1993 and has been renewed every five years. The group uses the property as a gun range. They have taken good care of this property.

It was moved by Councilmember Groberg, seconded by Councilmember Lyon, to approve the Lease Agreement with South East Idaho Practical Shooters (SEIPS) and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Lyon
Councilmember Cornwell

MARCH 9, 2006

Councilmember Groberg
Councilmember Hardcastle
Councilmember Lehto

Nay: None

Motion Carried.

The Parks and Recreation Director submitted the following memo:

City of Idaho Falls
March 9, 2006

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: David J. Christiansen, Parks and Recreation Director
SUBJECT: SAGE LAKES GOLF COURSE MAINTENANCE BUILDING

On Tuesday, February 21, 2006 at 2:30 p.m., bids were opened for the Sage Lakes Golf Course Maintenance Building Project. The low responsive bidder for the project was Larry Chapple Company, Inc. from Rigby, Idaho with a base bid of \$64,710.00 and Alternate No. 1 bid of \$14,200.00. The Engineer's Estimate for the project was \$90,100.00. This project is being funded by the Golf Course Capital Improvement Fund.

The Parks and Recreation Division respectfully requests approval of this plans and specifications as presented and recommends authorization to execute said contract.

s/ David J. Christiansen

It was moved by Councilmember Cornwell, seconded by Councilmember Groberg, to approve the plans and specifications for the Sage Lakes Golf Course Maintenance Building, accept the low responsive bid in the amount of \$64,170.00 along with Alternate No. 1 in the amount of \$14,200.00 from Larry Chapple Company, Inc. to complete said project and, further, give authorization for the Mayor and City Clerk to execute the necessary contract documents. Roll call as follows:

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

Nay: None

Motion Carried.

The Public Works Director submitted the following memos:

MARCH 9, 2006

City of Idaho Falls
February 24, 2006

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: BID AWARD – 7TH STREET SANITARY SEWER LINE
REPLACEMENT, LINDEN DRIVE TO TIGER AVENUE

On February 22, 2006, bids were received and opened for the 7th Street Sanitary Sewer Line Replacement, Linden Drive to Tiger Avenue. A tabulation of the bids results is attached.

Public Works recommends award to the low bidder TMC Contractors, Inc., in the amount of \$233,420.00; and, authorization for the Mayor and City Clerk to sign the contract documents.

s/ Chad Stanger

It was moved by Councilmember Lehto, seconded by Councilmember Lyon, to accept the low bid from TMC Contractors, Inc. in the amount of \$233,420.00 to complete the 7th Street Sanitary Sewer Line Replacement, Linden Drive to Tiger Avenue Project and, further, give authorization for the Mayor and City Clerk to execute the necessary contract documents. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
March 6, 2006

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: SUNNYSIDE ROAD PROJECT, TEMPORARY CONSTRUCTION
EASEMENT – PARCEL NO. 61

Attached is Sunnyside Road Project, Temporary Construction Easement Agreement for Parcel No. 61.

Public Works recommends approval of this agreement; and, authorization for the Mayor and City Clerk to sign the documents.

s/ Chad Stanger

MARCH 9, 2006

Councilmember Lehto explained that the City Engineering Department is extremely close to attaining all of the temporary construction easements needed to complete the final portion of the Sunnyside Road Project.

It was moved by Councilmember Lehto, seconded by Councilmember Groberg, to approve the Sunnyside Road Project Temporary Construction Easement Agreement for Parcel No. 61 in the name of Terry A. O'Connell and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

Mayor ProTem Hardcastle requested Councilmember Groberg to conduct a public hearing for consideration of a rezoning from C-1 (Limited Retail) with a PUD (Planned Unit Development) Overlay to R-3A (Apartments and Professional Offices) on property located generally north of East Sunnyside Road, west of South 25th East (Hitt Road), east of Valencia Drive, south of East 25th Street, legally described as Lot 5, Block 7, Channing Way 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
March 3, 2006

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: REQUEST TO REZONE FROM C-1 WITH A PUD OVERLAY TO R-3A – LOT 5, BLOCK 7, CHANNING WAY ADDITION, DIVISION NO. 7

Attached is the application to rezone Lot 5, Block 7, Channing Way Addition, Division No. 3 from C-1 (Limited Commercial) Planned Unit Development to R-3A (Apartments and Professional Offices). This lot is located east of and adjacent to Valencia Drive, west of Sand Creek Canal, north of East Sunnyside Road, and south of Coronado Street. The Planning Commission considered this rezoning request at its January 17, 2006 Meeting and recommended approval. This rezoning 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 rezoning request:

MARCH 9, 2006

Slide 1 Vicinity Map showing surrounding zoning
Slide 2 Aerial Photo
Exhibit 1 Planning Commission Minutes dated January 17, 2006
Exhibit 2 Staff Report dated January 17, 2006
Exhibit 3 Vicinity Map

The Planning and Building Director explained, further, that this rezoning is in compliance with the Comprehensive Plan and reflects the existing land uses in the area. This land will be used as a parking lot for a large medical office building.

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

It was moved by Councilmember Groberg, seconded by Councilmember Hardcastle, to approve the zone change from C-1 (Limited Retail) with a PUD (Planned Unit Development) Overlay to R-3A (Apartments and Professional Offices) on property located generally north of East Sunnyside Road, west of South 25th East (Hitt Road), east of Valencia Drive, south of East 25th Street, legally described as Lot 5, Block 7, Channing Way Addition, Division No. 3 and that the City Planner be instructed to reflect said zoning change on the official zoning map located in the Planning Office. Roll call as follows:

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

Nay: None

Motion Carried.

Mayor ProTem Hardcastle requested Councilmember Groberg to conduct a public hearing for consideration of a rezoning from RP-A (Single-Family Residential Park) to R-1 (Single-Family Residential) on property located generally east of 5th West (East River Road), west of 5th East (Lewisville Highway), north of West 33rd North (East Iona Road), and south of Tower Road, legally described as Lots 42 and 43, Block 6, Fairway Estates Addition, Division No. 16; also, 0.42 Acres in the Northwest Corner of Section 6, Township 2 North, Range 38, East of the Boise Meridian. At the request of Councilmember Groberg, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls
March 3, 2006

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: REQUEST TO REZONE FROM RP-A TO R-1, METES AND BOUNDS PARCEL AND LOTS 42 AND 43, BLOCK 6, FAIRWAY ESTATES ADDITION, DIVISION NO. 16

Attached is the application to rezone a metes and bounds parcel of 0.42 acres and Lots 42 and 43, Block 6, Fairway Estates Addition, Division No. 16, from RP-A to R-1. Both zones are single-family residential zones. These properties

MARCH 9, 2006

were originally annexed to the City of Idaho Falls and zoned with the annexation of the Sage Lakes Golf Course and preceded the subdivision plats in the area. They are located west and adjacent to Englewood Drive, north of Fair Hills Circle, and west of Links Way. The Planning Commission considered this rezoning request at its February 7, 2006 Meeting and recommended approval. This rezoning 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 list of exhibits used in connection with this rezoning request:

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|-----------|---|
| Slide 1 | Vicinity Map showing surrounding zoning |
| Slide 2 | Photo showing Zoning Map of this area |
| Slide 3 | Aerial Photo |
| Slide 4 | Comprehensive Plan showing area to be low-density residential |
| Slide 5 | Site Photo showing rezoning request |
| Slide 6 | Site Photo of cul-de-sac south of rezone |
| Slide 7 | Site Photo showing the home that is southeast of rezoning |
| Exhibit 1 | Planning Commission Minutes dated February 7, 2006 |
| Exhibit 2 | Staff Report dated February 7, 2006 |
| Exhibit 3 | Vicinity Map |

The Planning and Building Director explained, further, that it is suggested that this be developed at less than 7 units per acre.

Councilmember Groberg requested the Planning and Building Director to give a brief description of the difference between the RP-A and R-1 Zones.

The Planning and Building Director stated that the RP-A Zone requires 8,000 square feet for a minimum lot size, while the R-1 Zone requires 6,000 square feet. The RP-A Zone requires a 10 foot side yard, while the R-1 Zone requires 7-1/2 foot side yard. The RP-A Zone does not allow Home Occupations, while the R-1 Zone does.

Kevin Allcott, P. O. Box 3082, Idaho Falls, Idaho, appeared to apologize that he did not request this zone change with the Fairway Estates Addition, Division No. 16 annexation.

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

It was moved by Councilmember Groberg, seconded by Councilmember Hardcastle, to approve the rezoning from RP-A (Single-Family Residential Park) to R-1 (Single-Family Residential) on property located generally east of 5th West (East River Road), west of 5th East (Lewisville Highway), north of West 33rd North (East Iona Road), and south of Tower Road, legally described as Lots 42 and 43, Block 6, Fairway Estates Addition, Division No. 16; also, 0.42 Acres in the Northwest Corner of Section 6, Township 2 North, Range 38, East of the Boise Meridian and that the City Planner be instructed to reflect said zoning change on the official zoning map located in the Planning Office. Roll call as follows:

Aye: Councilmember Hardcastle
Councilmember Lyon

Councilmember Lehto
Councilmember Groberg

MARCH 9, 2006

Councilmember Cornwell

Nay: None

Motion Carried.

Mayor ProTem Hardcastle requested Councilmember Groberg conduct Annexation Proceedings for Fairway Estates Addition, Division Nos. 17 and 18. At the request of Councilmember Groberg, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls
March 3, 2006

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: ANNEXATION, INITIAL ZONING OF R-1, AND FINAL PLATS - FAIRWAY ESTATES ADDITION, DIVISION NOS. 17, AND 18

Attached are the annexation agreements, annexation ordinance, and final plats for Fairway Estates Addition, Division No. 17 and Division No. 18. This parcel is located east of the Sage Lakes Golf Course and King's Island, north of Pevero Drive, west of Lewisville Highway, and south of Tower Road. A portion of these two divisions was previously annexed to the City of Idaho Falls and zoned R-1 and RP-A. The request for initial zoning is R-1. These two divisions are comprised of 53 single-family lots. The Planning Commission considered this request at its February 7, 2006 Meeting and recommended approval. 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	Vicinity Map overlaying the two divisions
Slide 3	Aerial Photo
Slide 4	Aerial Photo of Division No. 17
Slide 5	Aerial Photo of Division No. 18
Slide 6	Preliminary Plat for newer portion of Fairway Estates Addition
Slide 7	Final Plat for Fairway Estates Addition, Division No. 17
Slide 8	Final Plat for Fairway Estates Addition, Division No. 18
Exhibit 1	Planning Commission Minutes dated February 7, 2006
Exhibit 2	Staff Report dated February 7, 2006
Exhibit 3	Vicinity Map

The Planning and Building Director explained, further, that with this annexation, a second access will be provided between King's Island and Fairway Estates

MARCH 9, 2006

Addition. The water system will loop through this area. The Planning Commission approved the southern cul-de-sac being slightly longer than the maximum allowable distance for a cul-de-sac. That maximum allowable distance for a cul-de-sac is 600 feet, with this being 630 feet.

Councilmember Lehto expressed his concern that it appears that golf would be played across the street right-of-way at Cross Creek.

Kevin Allcott, P. O. Box 3082, Idaho Falls, Idaho, appeared to explain that golf will not be played across the street right-of-way.

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

It was moved by Councilmember Groberg, seconded by Councilmember Hardcastle, to approve the Annexation Agreement for Fairway Estates Addition, Division No. 17 and, further, give authorization for the Mayor and City Clerk to sign said Agreement. Roll call as follows:

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

Nay: None

Motion Carried.

It was moved by Councilmember Groberg, seconded by Councilmember Hardcastle, to approve the Annexation Agreement for Fairway Estates Addition, Division No. 18 and, further, give authorization for the Mayor and City Clerk to sign said Agreement. Roll call as follows:

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

Nay: None

Motion Carried.

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

ORDINANCE NO. 2636

FAIRWAY ESTATES ADDITION, DIVISION NOS. 17 AND 18

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.

MARCH 9, 2006

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 Hardcastle
Councilmember Lyon
Councilmember Lehto
Councilmember Groberg
Councilmember Cornwell

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 Fairway Estates Addition, Division Nos. 17 and 18 as R-1 (Single-Family Residential) 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 Cornwell
Councilmember Lyon
Councilmember Groberg
Councilmember Hardcastle
Councilmember Lehto

Nay: None

Motion Carried.

It was moved by Councilmember Groberg, seconded by Councilmember Hardcastle, to accept the Final Plats for Fairway Estates Addition, Division No. 17 and Fairway Estates Addition, Division No. 18 and, further, give authorization for the Mayor, City Engineer, and City Clerk to sign the Final Plat. Roll call as follows:

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

Nay: None

Motion Carried.

MARCH 9, 2006

There being no further business, it was moved by Councilmember Lyon, seconded by Councilmember Cornwell, that the meeting adjourn at 8:05 p.m.

CITY CLERK

MAYOR
