

**MARCH 23, 2000**

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The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, March 23, 2000, in the Council Chambers at 140 South Capital Avenue in Idaho Falls, Idaho.

There were present:

Mayor ProTem Ida Hardcastle  
Councilmember Joe Groberg  
Councilmember Bruce Rose  
Councilmember Brad Eldredge  
Councilmember Mike Lehto

Absent was:

Councilmember Beverly Branson

Also present:

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

Mayor ProTem Hardcastle requested Boy Scout Jeff Frandsen to come forward and lead those present in the Pledge of Allegiance.

Mayor ProTem Hardcastle and Councilmembers honored Frank Hudson on his recent retirement from the Parks and Recreation Division by presenting him with a Gift Certificate.

The City Clerk read a summary of the minutes for the March 9, 2000 Regular Meeting. It was moved by Councilmember Lehto, seconded by Councilmember Rose, that the minutes be approved as printed. Roll call as follows:

Aye:            Councilmember Lehto  
                  Councilmember Eldredge  
                  Councilmember Hardcastle  
                  Councilmember Groberg  
                  Councilmember Rose

Nay:            None

Motion Carried.

**CONSENT AGENDA ITEMS**

The City Clerk presented several license applications, including BARTENDER PERMITS to Tyron A. Brown, Andrew A. Burt, Slade R. LaCuran, Lisa A. Porraz, Cathy S. Schwab, Kayleen Sessions, Corey W. Thoulion, and Sherrie L. White, 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 March 23, 2000.

The Idaho Falls Power Director submitted the following memo:

**MARCH 23, 2000**

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City of Idaho Falls  
March 21, 2000

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Mark Gendron, Idaho Falls Power Director  
SUBJECT: SCADA SYSTEM PROCUREMENT

Idaho Falls Power requests authorization to advertise for bids for a SCADA System and related work. This is a budgeted item.

s/ Mark Gendron

The Municipal Services Director submitted the following memo:

City of Idaho Falls  
March 15, 2000

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: AUTHORIZATION TO BID – FIRE VENT REPLACEMENT

Municipal Services respectfully requests authorization to advertise and receive bids for Roof Top Fire Vent Replacement at the Civic Auditorium.

s/ S. Craig Lords

It was moved by Councilmember Lehto, seconded by Councilmember Rose, to approve the Consent Agenda in accordance with the recommendations presented. Roll call as follows:

Aye: Councilmember Eldredge  
Councilmember Lehto  
Councilmember Rose  
Councilmember Groberg  
Councilmember Hardcastle

Nay: None

Motion Carried.

**REGULAR AGENDA ITEMS**

The Municipal Services Director submitted the following memos:

**MARCH 23, 2000**

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City of Idaho Falls  
March 22, 2000

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: GENERAL LIABILITY, PROPERTY, VEHICLE LIABILITY, E & O OF  
PUBLIC OFFICIALS, POLICE PROFESSIONAL, FIDELITY, EXCESS  
LIABILITY AND BOILER AND MACHINERY INSURANCE  
COVERAGE PLACEMENT ON APRIL 1, 2000

Municipal Services respectfully requests the placement of insurance contracts for the above coverage with a new provider, Kemper. The broker is Marsh out of Boise. The contract begins on April 1, 2000. The price for this contract is \$292,816.00 as compared to \$328,426.00 last year. The coverage is as broad or better than the existing coverage.

s/ S. Craig Lords

It was moved by Councilmember Lehto, seconded by Councilmember Rose, to approve the placement of insurance contracts for the above-referenced coverage with Kemper Insurance Company. Roll call as follows:

Aye: Councilmember Groberg  
Councilmember Rose  
Councilmember Hardcastle  
Councilmember Eldredge  
Councilmember Lehto

Nay: None

Motion Carried.

City of Idaho Falls  
March 15, 2000

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: PURCHASE OF ASPHALT MIX

The State of Idaho recently awarded the contract for Hot Asphalt Mix for the year 2000 to H-K Contractors, Inc.

Municipal Services respectfully requests authorization to purchase the City's requirements per the State Contract to H-K Contractors.

s/ S. Craig Lords



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It was moved by Councilmember Lehto, seconded by Councilmember Rose, to give authorization for the Municipal Services Division to purchase the City's requirements for Hot Asphalt Mix per the State Contract from H-K Contractors, Inc. Roll call as follows:

Aye: Councilmember Hardcastle  
Councilmember Rose  
Councilmember Eldredge  
Councilmember Lehto  
Councilmember Groberg

Nay: None

Motion Carried.

City of Idaho Falls  
March 15, 2000

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: PURCHASE OF WATERBOURNE TRAFFIC LINE STRIPING PAINT

The State of Idaho extended their contract for Waterbourne Traffic Line Striping Paint to Columbia Paint and Coatings.

Municipal Services respectfully requests authorization to purchase the City's requirements for aforementioned product per State Contract.

s/ S. Craig Lords

It was moved by Councilmember Lehto, seconded by Councilmember Rose, to give authorization for the Municipal Services Division to purchase the City's requirements for Waterbourne Traffic Line Striping Paint per State Contract from Columbia Paint and Coatings. Roll call as follows:

Aye: Councilmember Rose  
Councilmember Eldredge  
Councilmember Lehto  
Councilmember Hardcastle  
Councilmember Groberg

Nay: None

Motion Carried.

City of Idaho Falls  
March 15, 2000

MEMORANDUM

TO: Honorable Mayor and City Council

FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: BID IF-00-18, ONE (1) NEW GENERAL PURPOSE WHEEL  
TRACTOR

**MARCH 23, 2000**

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Attached for your consideration is the tabulation for Bid IF-00-18, One (1) New General Purpose Wheel Tractor that will be used at Sand Creek Golf Course.

It is the recommendation of Municipal Services to accept the low bid of Bonneville County Implement to furnish a new 2000 John Deere Utility Tractor with loader for an amount of \$23,497.00, with trade-in Unit No. 971.

It is also recommended that we include the option for a third hydraulic implement hookup valve for an amount of \$475.00.

s/ S. Craig Lords

It was moved by Councilmember Lehto, seconded by Councilmember Rose, to accept the low bid of Bonneville County Implement to furnish One (1) New General Purpose Wheel Tractor as requested, along with a third hydraulic implement hookup valve. Roll call as follows:

Aye: Councilmember Lehto  
Councilmember Eldredge  
Councilmember Hardcastle  
Councilmember Groberg  
Councilmember Rose

Nay: None

Motion Carried.

City of Idaho Falls  
March 20, 2000

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: AN ORDINANCE PROVIDING FOR THE SALE OF REAL PROPERTY OWNED BY THE CITY OF IDAHO FALLS

Attached for your consideration is an Ordinance providing for the sale of two parcels of real property owned by the City of Idaho Falls, establishing that a public hearing be held April 27, 2000, regarding said property sale. It is respectfully requested that the Mayor and Council adopt said Ordinance.

s/ S. Craig Lords

The Municipal Services Director located the subject areas on a map and further explained the request. Following is a list of exhibits used in connection with this real property sale:

Slide 1 Map of Esquire Acres Property located on Morningstar Lane (Old Well Site)  
Slide 2 Photograph of Esquire Acres Property  
Slide 3 Map of Highland Park Property located on Elmore Avenue

Slide 4

Photograph of Highland Park Property

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

**ORDINANCE NO. 2363**

AN ORDINANCE PROVIDING FOR THE SALE OF TWO PARCELS OF REAL PROPERTY OWNED BY THE CITY OF IDAHO FALLS, IDAHO, PURSUANT TO THE PROVISIONS OF TITLE 50, CHAPTER 14, IDAHO CODE; PARTICULARLY DESCRIBING SAID PARCELS; REQUIRING THAT SAID PROPERTY BE APPRAISED AND SOLD AT PUBLIC AUCTION FOR NOT LESS THAN THE APPRAISED VALUE THEREOF; SETTING A DATE FOR A PUBLIC HEARING PRIOR TO SAID SALE; AND PROVIDING WHEN THE ORDINANCE SHALL BECOME EFFECTIVE.

The foregoing Ordinance was presented by title only. Councilmember Lehto moved, and Councilmember Rose 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 and the Ordinance be passed on all three readings. Roll call as follows:

Aye: Councilmember Rose  
Councilmember Eldredge  
Councilmember Lehto  
Councilmember Hardcastle  
Councilmember Groberg

Nay: None

Motion Carried.

The Planning and Building Director submitted the following memos:

City of Idaho Falls  
March 20, 2000

MEMORANDUM

TO: Mayor and City Council  
FROM: Renée R. Magee, Planning and Building Director  
SUBJECT: POWER-HOUSE ADDITION, DIVISION NO. 1

Attached are the Final Plat and Development Agreement for Power-House Addition, Division No. 1. Power-House Addition is located north and adjacent to Sunnyside Road, west of South Yellowstone Highway, and east of the Snake River. The Planning Commission considered this Final Plat at its January 18, 2000 Meeting and recommended approval with conditions including a shared access between the two lots. All of the conditions have been met with the Final

Plat which is before the City Council this evening. The Final Plat and

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accompanying Development Agreement are respectfully 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 Power-House Addition, Division No. 1 Final Plat and Development Agreement:

Slide 1	Vicinity Map
Slide 2	Aerial Photo
Slide 3	Final Plat showing the conditions imposed by the Planning Commission. There is now a 57-foot right-of-way for Sunnyside Road and a shared access point. The owner stated that he would like the sewer line easement to be used for green belt in the future.
Slide 4	Photograph looking north from across the street to the east side of proposed plat
Slide 5	Photograph looking south at the industrial uses
Slide 6	Photograph looking east along Sunnyside Road
Slide 7	Photograph looking back at the power house

The area is already within the City limits and is zoned I&M-1.

There being no further discussion in favor of or in opposition to this request, it was moved by Councilmember Rose, seconded by Councilmember Eldredge, to accept the Final Plat for Power-House Addition, Division No. 1 and, further, give authorization for the Mayor, City Engineer, and City Clerk to sign said Plat. Roll call as follows:

Aye: Councilmember Lehto  
Councilmember Eldredge  
Councilmember Hardcastle  
Councilmember Groberg  
Councilmember Rose

Nay: None

Motion Carried.

It was moved by Councilmember Rose, seconded by Councilmember Eldredge, to approve the Development Agreement for Power-House Addition, Division No. 1 and, further, give authorization for the Mayor and City Clerk to sign the necessary documents. Roll call as follows:

Aye: Councilmember Groberg  
Councilmember Rose  
Councilmember Hardcastle  
Councilmember Eldredge  
Councilmember Lehto

Nay:           None

Motion Carried.

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City of Idaho Falls  
March 20, 2000

MEMORANDUM

TO: Mayor and City Council  
FROM: Renée R. Magee, Planning and Building Director  
SUBJECT: GEORGE WASHINGTON ESTATES, DIVISION NO. 1

Attached are the Final Plat, Annexation Agreement, and Annexation Ordinance for George Washington Estates, Division No. 1. At its February 10, 2000 Meeting, the City Council remanded this annexation request to the Planning Commission for consideration of an emergency access through the subdivision. The Planning Commission considered the emergency access as presented on the attached improvement drawings and recommended approval with the initial zoning of PB-PUD Overlay. The Department concurs and requests, if this annexation request is approved, the initial zoning be PB with a PUD Overlay. This annexation request is now being respectfully submitted to the Mayor and Council for consideration.

s/ Renée R. Magee

Councilmember Rose stated that this annexation request was before the City Council on February 10, 2000. At that time, the Council held a public hearing, with the staff, applicant, and 6 interested citizens giving testimony. Following the public hearing, the City Council remanded this annexation request to the Planning Commission to consider an emergency access to the property. The Planning Commission has since reviewed the issue of emergency access and the Council has had the opportunity to review the Council minutes of its public hearing. The minutes contain the testimony of staff, applicant, and interested citizens, as well as statements and petitions submitted. This annexation request is before City Council at this time for discussion, deliberation and decision. Councilmember Rose explained that a public hearing would not be conducted at this time, since the public hearing was closed on February 10, 2000. The annexation request, the Final Plat showing 11 lots, the initial zoning request of PB, and the Planning Commission recommendation of PB with a PUD Overlay has not changed. He requested those present who wanted to address the emergency access to come forward for comment following the Planning and Building Director's explanation.

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
Slide 2	Aerial Photo
Slide 3	Land Use Map
Slide 4	Final Plat
Slide 5	Improvement Drawings, showing the emergency access. This access road will be constructed with an all-weather surface and will be 20-feet in width. There will be a gate at the northern end of this development and will be maintained by the developer, until such time that this area is developed and a second access can be

provided to the development. The Fire Chief has agreed that this is an acceptable design for emergency vehicle use.

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Councilmember Lehto stated that there was a considerable concern that commercial development could somehow encroach onto this property. He requested the Planning and Building Director to explain what is allowed in the PB (Professional Business) Zone. The Planning and Building Director stated that the PB Zone does not allow for retail uses. It is a zone that was created as an office zone and a medical clinic zone. Government offices, finance offices, offices that might serve financial institutions, medical and dental clinics, and physicians' offices are allowed in the Professional Business Zone. She also explained that the reason that the Planning Commission requested a PUD (Planned Unit Development) Overlay was that with one lot being more than 2/3 of this subdivision, it was important for the Planning Commission and City Council to review the development of the 16 acres. As this area is developed, it will come back before the Planning Commission and City Council in a public hearing format to determine the layout of the buildings, layout of the parking lots, access points into this property, and the traffic circulation. The other reason that the Planning Commission recommended the Planned Unit Development Overlay was to be able to address buffering to a greater degree.

Councilmember Eldredge stated that the Planning Commission and City Council would be able to review site plans, elevation drawings, and landscaping plans before the development of this area proceeds. Councilmember Eldredge saluted Craig Hall for his willingness to work with the City Council on this annexation request. He has gone the extra mile.

Councilmember Groberg stated that the access that has been added to the improvement drawings is only an emergency vehicle access, nothing more.

There being no further discussion either in favor of or in opposition to this annexation request it was moved by Councilmember Rose, seconded by Councilmember Eldredge, to accept the Final Plat for George Washington Estates, Division No. 1 and, further, give authorization for the Mayor, City Engineer, and City Clerk to sign the Final Plat. Roll call as follows:

Aye: Councilmember Hardcastle  
Councilmember Eldredge  
Councilmember Lehto  
Councilmember Groberg  
Councilmember Rose

Nay: None

Motion Carried.

It was moved by Councilmember Rose, seconded by Councilmember Eldredge, to approve the Annexation Agreement for George Washington Estates, Division No. 1 and, further, give authorization for the Mayor and City Clerk to sign said Agreement. Roll call as follows:

Aye: Councilmember Hardcastle  
Councilmember Rose  
Councilmember Eldredge  
Councilmember Lehto  
Councilmember Groberg

Nay: None

Motion Carried.

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

**ORDINANCE NO. 2364**

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 Rose moved, and Councilmember Eldredge 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 and the Ordinance be passed on all three readings. Roll call as follows:

Aye: Councilmember Rose  
Councilmember Eldredge  
Councilmember Lehto  
Councilmember Hardcastle  
Councilmember Groberg

Nay: None

Motion Carried.

Councilmember Hardcastle commented for those present, that the City Council and the Planning Commission would be meeting to readdress the Comprehensive Plan. In that process, the Sunnyside Corridor Study will also be considered.

A public hearing was conducted to consider the initial zoning of the newly annexed area. There being no discussion, it was moved by Councilmember Rose, seconded by Councilmember Eldredge, to establish the initial zoning of George Washington Estates, Division No. 1 as PB (Professional Business) with a PUD Overlay (Planned Unit Development Overlay) as requested and, 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 Lehto  
Councilmember Eldredge  
Councilmember Hardcastle  
Councilmember Groberg  
Councilmember Rose

Nay: None

Motion Carried.



**MARCH 23, 2000**

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City of Idaho Falls  
March 20, 2000

MEMORANDUM

TO: Mayor and City Council  
FROM: Renée R. Magee, Planning and Building Director  
SUBJECT: FIRST AMENDED PLAT OF EAST VIEW ADDITION, DIVISION  
NO. 3

Attached are the Final Plat and Development Agreement for the First Amended Plat of East View Addition, Division No. 3. This amended plat is within the City and is zoned R3-A. It is located at the corner of First Street and Hitt Road. At its January 18, 2000 Meeting, the Planning Commission recommended approval of this Final Plat with the condition the access points to First Street be limited. The limitation of access points and the necessary cross access agreements have been addressed in the Development Agreement. This amended plat and Development Agreement are now being respectfully 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 request:

Slide 1 Vicinity Map  
Slide 2 Aerial Photo  
Slide 3 First Amended Plat

There being no discussion either in favor of or in opposition to this request, it was moved by Councilmember Rose, seconded by Councilmember Eldredge, to accept the First Amended Plat for East View Addition, Division No. 3 and, further, give authorization for the Mayor, City Engineer, and City Clerk to sign said Plat. Roll call as follows:

Aye: Councilmember Hardcastle  
Councilmember Rose  
Councilmember Eldredge  
Councilmember Lehto  
Councilmember Groberg

Nay: None

Motion Carried.

It was moved by Councilmember Rose, seconded by Councilmember Eldredge, to approve the Development Agreement for the First Amended Plat for East View Addition, Division No. 3 and, further, give authorization for the Mayor and City Clerk to sign the necessary documents. Roll call as follows:

Aye: Councilmember Hardcastle

Councilmember Rose  
Councilmember Eldredge

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Councilmember Lehto  
Councilmember Groberg

Nay: None

Motion Carried.

City of Idaho Falls  
March 20, 2000

MEMORANDUM

TO: Mayor and City Council  
FROM: Renée R. Magee, Planning and Building Director  
SUBJECT: RULING OF SIMILAR USE, KIDK, 1255 EAST 17<sup>TH</sup> STREET

Earl's Wireless is requesting a ruling for a similar use at the KIDK station on 1255 East 17<sup>th</sup> Street. Earl's is proposing to remove the top antenna on the existing tower and replace it with antenna. In addition to the antenna on the existing tower, Earl's Wireless will place a microwave dish on the roof and an equipment shelter to the rear of the existing building. The attached photos illustrate the proposal. This request for a ruling is now being respectfully 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 are a list of exhibits used in connection with this similar use request:

Slide 1 Photograph of KIDK tower before any changes  
Slide 2 Photograph of the rear of KIDK building before any changes  
Slide 3 Photograph of KIDK tower during requested changes  
Slide 4 Photograph of the rear of KIDK building where equipment shelter will be located

Councilmember Eldredge noted that this change would take place on an existing tower. There will not be a new tower, just a change to an existing tower.

It was moved by Councilmember Rose, seconded by Councilmember Eldredge, that the installation of an antenna on an existing tower and the construction of 9' X 12' accessory building by Earl's Wireless on the KIDK property at 1255 East 17<sup>th</sup> Street, be ruled as a similar use and be permitted on an existing TV Station and antenna. Roll call as follows:

Aye: Councilmember Groberg  
Councilmember Rose  
Councilmember Hardcastle  
Councilmember Eldredge  
Councilmember Lehto

Nay: None

Motion Carried.

**MARCH 23, 2000**

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City of Idaho Falls  
March 20, 2000

MEMORANDUM

TO: Mayor and City Council  
FROM: Renée R. Magee, Planning and Building Director  
SUBJECT: EXTENSION OF NSI BUSINESS PARK

Woolf, Combo and Thompson and Paul Wareing are requesting an extension for recording NSI Business Park, Division No. 1. Under Section 10-1-17(E), final plats are to be recorded within ninety days of Council approval unless the Council grants an extension. This Department is requesting an extension until June 1, 2000. This request is now being respectfully submitted to the Mayor and Council for consideration.

s/ Renée R. Magee

Councilmember Eldredge stated that this is the second request for an extension on NSI Business Park, Division No. 1 Final Plat.

It was moved by Councilmember Rose, seconded by Councilmember Eldredge, to grant the extension for the recording of the Final Plat for NSI Business Park, Division No. 1 to June 1, 2000. Roll call as follows:

Aye: Councilmember Hardcastle  
Councilmember Eldredge  
Councilmember Lehto  
Councilmember Groberg  
Councilmember Rose

Nay: None

Motion Carried.

City of Idaho Falls  
March 20, 2000

MEMORANDUM

TO: Mayor and City Council  
FROM: Renée R. Magee, Planning and Building Director  
SUBJECT: MEMORANDUM OF UNDERSTANDING, AREA OF IMPACT

Attached is the Memorandum of Understanding with Bonneville County as to the area of impact. The purpose of this Memorandum is to acknowledge the intent of each local government to sign the draft area of impact agreement. It is an interim document while both parties agree on the Ordinance and plan provisions within the area of impact. This Memorandum of Understanding is now being respectfully submitted to the Mayor and Council for consideration.

s/ Renée R. Magee

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Councilmember Rose stated that this Memorandum of Understanding provides for issues that the City of Idaho Falls and Bonneville County feel good about. There is still a fair amount of work that needs to be completed. Councilmember Rose acknowledged the efforts of the many individuals, past and present, who have worked diligently to reach this point.

Councilmember Eldredge commented that the City and County have reached an agreement on the draft Ordinance, but a process still needs to be gone through for the area of impact (i.e., defining the area of impact, modifications to the Zoning Ordinance, modifications to the Subdivision Ordinance, etc.).

Councilmember Rose stated, further, that the nine-member panel to determine the area of impact will not need to be convened, as the City and County are making progress at this time.

There being no further discussion either in favor of or in opposition to this request, it was moved by Councilmember Rose, seconded by Councilmember Eldredge, to approve the Memorandum of Understanding and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye:           Councilmember Lehto  
                  Councilmember Eldredge  
                  Councilmember Hardcastle  
                  Councilmember Groberg  
                  Councilmember Rose

Nay:           None

Motion Carried.

There being no further business, it was moved by Councilmember Eldredge, seconded by Councilmember Rose, that the meeting adjourn at 8:20 p.m.

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CITY CLERK

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MAYOR PROTEM

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