

OCTOBER 8, 1992

The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, October 8, 1992, in the Council Chamber in Idaho Falls, Idaho. There were present: Mayor Tom Campbell, Councilmembers Larry Carlson, Melvin Erickson, Linda Milam, Gary Mills, and Ralph Wood; absent, Councilmember Joe Groberg. Also present: Velma Chandler, City Clerk; Dale Storer, City Attorney, and all available Division Directors.

The City Clerk read a summary of the minutes of a Regular Council Meeting held September 24 and a Special Meeting held September 30, 1992. The minutes of both meetings were approved.

Golf Pro Tim Reinke was honored for having received the "Golf Professional of the Year" award for 1992. It was also noted that Don O'Neil had been awarded the "Teacher of the Year Award" for his abilities as a teacher of golf.

A Public Hearing was conducted to consider a request to re-zone a portion of Lot 2, Block 1, J. Earl West Addition, Div. #1. The Mayor asked Councilmember Mills to conduct the hearing. At the request of Councilmember Mills, the City Clerk read the following explanatory memo from the Director of Planning:

City of Idaho Falls
October 5, 1992

MEMORANDUM

TO: Mayor and City Council
FROM: Rod Gilchrist
SUBJECT: REZONING - J. EARL WEST ADDITION, DIVISION NO. 1, LOT 2, BLOCK 1

Attached is a copy of a request to re-zone a portion of this property from PB (Professional and Business Office) to R-3A (Apartments and Office Buildings). This property is located on the south side of 1st Street, east of Woodruff Avenue, adjacent to the existing Steak Gallery. The request to re-zone is to provide for an addition to the parking lot. The Planning Commission recently considered this matter and recommended approval by a vote of 5-4. This matter is now being submitted to the Mayor and City Council for consideration.

s/ Rod Gilchrist

The Director of Planning located the subject area on a map on the wall and further explained the request.

Councilmember Mills then invited the petitioner to speak at this time. Mrs. Ila Taylor, owner of the Steak Gallery, appeared to ask for favorable consideration of this request. She said that her business is badly in need of more parking area and this rezoning would allow her to change an area that is now an "eye sore" into a nice parking lot.

Mrs. Veda Smith, 1970 Alturas Circle East, appeared to oppose the rezoning. She feared that the rezoning might open the way for future development that may be undesirable to the neighborhood. Mrs. Smith's daughter, Daralynn related bad experiences she had with patrons of the Steak Gallery Bar.

Ms. Sandy Barber, 1840 Alturas Circle West, appeared to register concern that this rezoning request would open the way for expansion of the bar business. She said that the petitioner had tried previously to have the zoning changed to expand, but that request had been denied. She said that the zone change would allow future owners to expand, but that request had been denied. She said that the zone change would allow future owners to expand even if Mrs. Taylor did not. She invited the Councilmembers to drive by this

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business any time of the day and they would see that there is no need for additional parking. She asked the Council to keep this area as residential.

Ms. Diana Paskett, 1930 Alturas Circle East, appeared to ask how the present zoning of this area prohibits the additional parking. Councilmember Mills explained that the current zoning of the barren land to the east of the business will not allow the sole use of a parking lot. Ms. Paskett said that this request is not conducive to the rights of the nearby homeowners, and the residents' rights need to be protected. She said that the petitioner is just trying a new way to expand the bar.

Ms. Debbie Steadham, 248 Alturas, appeared to state that she drives past this business several times a day and she has not seen the need for additional parking. She said that she does not want to see any more cars there.

Mr. Jeff Barber, 1840 Alturas Circle West, appeared to state that as soon as the rezoning is approved, this would allow for the expansion of the building in every direction. He said that this request is only a ploy to expand the business. He asked to deny this request.

Mrs. Erline Jensen, 1831 Alturas Circle West, appeared to oppose this rezoning request. She said that this change would open up a larger bar traffic which would make an unsafe area for the children who go past here to run errands to Smiths, Maverick, etc. She asked the Council to deny this request.

Councilmember Mills and Carlson asked the Director of Planning questions concerning the uses in the present and requested zones. The Director of Planning answered these questions. It was moved by Councilmember Mills, seconded by Erickson, that this rezoning request be denied. Roll call as follows: Ayes, Councilmembers Wood, Milam, Carlson, Erickson, and Mills; No, none; carried.

It was noted that a legal notice had been published to consider a Planned Unit Development in Parkwood Meadows, but the Developer had withdrawn the request.

Annexation Proceedings were conducted for Ironwood Estates Addition, Division No. 10. The Mayor asked Councilmember Mills to conduct the proceedings. At the request of Councilmember Mills, the City Clerk read the following memo:

City of Idaho Falls
October 7, 1992

MEMORANDUM

TO: Mayor and City Council
FROM: Rod Gilchrist
SUBJECT: FINAL PLAT AND ANNEXATION - IRONWOOD ESTATES
ADDITION, DIVISION NO. 10

Attached is a copy of the Final Plat, Annexation Agreement, and Annexation Ordinance of the above-described property. This is a two-lot subdivision providing for one R-1 lot adjacent to Ironwood Estates, Division No. 9, and for one 5-1/4 acre lot adjacent to Interstate 15. The Developer has requested I & M-1 zoning on the large lot for the purpose of installing rental storage facilities. The access to this lot would be from the existing county road. The Planning Commission recently considered this matter and recommended approval of the Final Plat, Annexation to the City, and initial zoning of I & M-1 and R-1. The Planning Commission recommended one condition on the approval of this Plat:

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The establishment of Overlay Zone 3 adjacent to the Interstate. This would provide a 30-foot setback from the property line. This Department concurs with that recommendation. This matter is now being submitted to the Mayor and City Council for consideration.

s/ Rod Gilchrist

The Director of Planning located the subject area on a map on the wall and further explained the request. No one appeared concerning this annexation. It was moved by Councilmember Mills, seconded by Erickson, that the Final Plat of Ironwood Estates, Division No. 10 be accepted and the Mayor, City Clerk, and City Engineer be authorized to sign the Plat. Roll call as follows: Ayes, Councilmembers Carlson, Milam, Erickson, Mills, and Wood; No, none; carried.

It was then moved by Councilmember Mills, seconded by Erickson, that the Annexation Agreement be approved and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, Councilmembers Carlson, Erickson, Milam, Mills, and Wood; No, none; carried.

The City Attorney read the following Ordinance title:

ORDINANCE NO. 2083

AN ORDINANCE ANNEXING CERTAIN LANDS TO
THE CITY OF IDAHO FALLS; DESCRIBING SAME A
PART OF THE CITY OF IDAHO FALLS, IDAHO.
(IRONWOOD ESTATES, DIVISION NO. 10)

The foregoing ordinance was presented in title. It was moved by Councilmember Mills, seconded by Erickson, that the provisions of Section 50-902 of the Idaho Code requiring all ordinances to be fully read on three several days be dispensed with. The question being, "SHALL THE PROVISIONS OF SECTION 50-902 OF THE IDAHO CODE REQUIRING ALL ORDINANCES TO BE FULLY READ ON THREE SEVERAL DAYS BE DISPENSED WITH?" Roll call as follows: Ayes, Councilmembers Wood, Milam, Carlson, Erickson, and Mills; No, none; carried. The majority of all the members of the Council present having voted in the affirmative, the Mayor declared the rule dispensed with and ordered the ordinance placed before the Council for final consideration, the question being, "SHALL THE ORDINANCE PASS?" Roll call as follows: Ayes, Councilmembers Mills, Erickson, Carlson, Milam and Wood; No, none; carried.

The Mayor declared open a public hearing to consider the initial zoning of the newly annexed area. No one appeared either for or against this zoning. It was moved by Councilmember Mills, seconded by Erickson, that the initial zoning of Ironwood Estates, Div. #10 be established as I & M-1 and R-1 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 his office. Roll call as follows: Ayes, Councilmembers Erickson, Mills, Wood, Milam, and Carlson; No, none; carried.

Bills for the month of September, 1992, were presented after having been reviewed by the Fiscal Committee and paid by the Controller:

	<u>GENERAL</u>	<u>STREET</u>	<u>AIRPORT</u>	<u>WATER/SEWER</u>	<u>ELECTRIC</u>
SERV/MAT:	\$ 944,127.14	\$190,402.06	\$40,305.42	\$262,360.34	\$1,718,639.79
SALARY:	<u>776,797.83</u>	<u>43,605.91</u>	<u>22,275.04</u>	<u>94,313.02</u>	<u>170,855.05</u>
TOTAL:	\$1,720,924.97	\$234,007.97	\$62,580.46	\$356,673.36	\$1,889,494.84

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	<u>SANITATION</u>	<u>RECREATION</u>	<u>MUN CAP IMP</u>	<u>LIBRARY</u>	<u>BRIDGE/ART ST</u>
SERV/MAT:	\$ 20,879.73	\$ 21,272.97	\$ 531.40	\$ 38,872.79	\$ 62,648.50
SALARY:	<u>49,760.98</u>	<u>24,327.14</u>	<u>.00</u>	<u>33,636.19</u>	<u>.00</u>
TOTAL:	\$ 70,640.71	\$ 45,600.11	\$ 531.40	\$ 72,508.98	\$ 62,648.50

	<u>AMBULANCE</u>	<u>MUN/EQ/REP</u>	<u>ELEC/CAP/IMP</u>	<u>MCS</u>	<u>CITY TOTALS</u>
SERV/MAT:	\$ 28,797.51	\$ 20,756.00	\$383,021.40	\$ 18,430.00	\$3,751,045.05
SALARY:	<u>41,450.08</u>	<u>.00</u>	<u>.00</u>	<u>.00</u>	<u>1,257,021.24</u>
TOTAL:	\$ 70,247.59	\$ 20,756.00	\$383,021.40	\$ 18,430.00	\$5,008,066.29

It was moved by Councilmember Milam, seconded by Wood, that the Council ratify the payment of these bills. Roll call as follows: Ayes, Councilmembers Wood, Mills, Milam, Carlson, and Erickson; No, none; carried.

The City Clerk presented reports from Division and Department Heads for September, 1992. There being no objection, these were accepted by the Mayor and ordered placed on file in the Office of the City Clerk.

The City Clerk presented the following license applications: BARTENDER, Paul Nye Gomez, Christian David Hume, Rona Jean Kotter, Mary M. Miller, Kellie A. Steele and Cynthia Strausbaugh; DAY CARE FIRE INSPECTION, Bonnie's Cradle of Love; ITINERANT MERCHANT, High Fashion Glamour Portraits and Idaho Falls Family YMCA; MASSAGE THERAPIST, Anthony Wayne Collette; MOBILE CATERING, Frying Burrito Bros. and Round Table Pizza; PHOTOGRAPH, High Fashion Glamour Portraits; TAXI OPERATOR, Linda Jones; and ELECTRICAL JOURNEYMAN, Zeke G. Paire. It was noted that these applications carried all required approvals. It was moved by Councilmember Erickson, seconded by Mills, that these licenses be issued. Roll call as follows: Ayes, Councilmembers Carlson, Milam, Erickson, Mills, and Wood; No, none; carried.

The City Clerk asked for Council ratification of the issuance of the following licenses: BARTENDER, Ross B. Brower, Jason C. Helms, and Wendy Ann Lee; KENNEL, Rodney & Sharren Wurdman; MASSAGE THERAPIST, Betty J. Martin; SECONDHAND STORE, Second Hand Society Thrift Store; BUILDING CONTRACTOR, Westwood Contractors; ELECTRICAL APPRENTICE, Robert Fisher; HEATING & COOLING JOURNEYMAN, Garcia Antonio; HEATING & COOLING APPRENTICE, Steven R. Mora; and SPRINKLING SYSTEM CONTRACTOR, Riverside Landscape. It was moved by Councilmember Erickson, seconded by Mills, that the Council ratify this previous action. Roll call as follows: Ayes, Councilmembers Carlson, Erickson, Milam, Mills, and Wood; No, none; carried.

The City Clerk presented a non-commercial kennel license application in favor of Reed Ragan. It was moved by Councilmember Erickson, seconded by Wood, that consideration of this item be recessed until the Council meeting on October 22, 1992. Roll call as follows: Ayes, Councilmembers Wood, Milam, Carlson, Erickson, and Mills; No, none; carried.

The City Clerk asked for Council ratification of the publishing of a legal notice calling for a hearing on October 22, 1992. It was moved by Councilmember Erickson, seconded by Mills, that this action be duly ratified. Roll call as follows: Ayes, Councilmembers Erickson, Mills, Wood, Milam, and Carlson; No, none; carried.

The Airport Manager submitted the following memo:

OCTOBER 8, 1992

City of Idaho Falls
September 29, 1992

MEMORANDUM

TO: Mayor and City Council
FROM: Airport Division
SUBJECT: CONTRACT FOR RUNWAY GUIDANCE SIGNS - CHANGE ORDER
NO. 1

The Federal Aviation Administration has altered the design criteria for the guidance signs now being installed by H C & E.

The Changes are primarily to the equipment specifications and will increase the contract by \$7,459.00.

The Change Order has been approved by the Federal Aviation Administration.

The Airport Division respectfully requests authorization to execute the Change Order.

s/ James Thorsen

Councilmember Wood explained the need for the Change Order. It was moved by Councilmember Wood, seconded by Milam, that this Change Order be approved and the Mayor and City Clerk be authorized to execute same. Roll call as follows: Ayes, Councilmembers Mills, Erickson, Carlson, Wood, and Milam; No, none; carried.

From the Parks and Recreation Director came this memo:

City of Idaho Falls
October 6, 1992

MEMORANDUM

TO: Mayor and City Council
FROM: Dave Christiansen, Director Parks/ Recreation
SUBJECT: BUILDING CONSTRUCTION - SANDY DOWNS PARK

The Division of Parks and Recreation respectfully requests authorization to bid materials only for construction of a building to winterize and enclose the existing water/pressure tank located at Sandy Downs Park. The existing system is used to supply water to the rodeo grounds and covered grand stand arena during both summer and winter scheduled activities.

s/ David Christiansen

Councilmember Erickson explained the need for this building. It was moved by Councilmember Erickson, seconded by Wood, that authorization be given to advertise for bids as requested. Roll call as follows: Ayes, Councilmembers Carlson, Milam, Erickson, Mills, and Wood; No, none; carried.

The Public Works Director submitted the following four memos:

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City of Idaho Falls
October 6, 1992

MEMORANDUM

TO: Mayor and City Council
FROM: Chad Stanger, Public Works
SUBJECT: WOODRUFF AVENUE IMPROVEMENTS, 9TH STREET TO JOHN ADAMS PARKWAY

On September 22, 1992, bids were received and opened for the Woodruff Avenue Improvement Project, 9th Street to John Adams Parkway. Attached is a tabulation of bids on the referenced project. BECO Construction Company, Inc., was the apparent low bidder at \$263,708.75.

A formal protest and complaint has been filed concerning the low bidder's failure to not properly complete some of the forms included in the bid documents. Public Works and the City Attorney consider these omissions to be minor and submit this matter to the City Council for consideration.

s/ Chad Stanger

It was moved by Councilmember Carlson, seconded by Milam, that the bid be awarded to Beco Construction Company, Inc., in the amount of \$263,708.75. roll call as follows: Ayes, Councilmembers Carlson, Erickson, Milam, Mills, and Wood; No, none; carried.

City of Idaho Falls
October 6, 1992

MEMORANDUM

TO: Mayor and City Council
FROM: Chad Stanger, Public Works
SUBJECT: 25TH STREET WATER & SEWER, HOLMES AVENUE TO BENGAL AVENUE

H-K Contractors, Inc. is the apparent low bidder at \$59,969.00. This matter is being submitted for your consideration.

s/ Chad Stanger

There being no questions, it was moved by Councilmember Carlson, seconded by Milam, that H-K contractors be awarded the bid for this project. Roll call as follows: Ayes, Councilmembers Wood, Milam, Carlson, Erickson, and Mills; No, none; carried.

City of Idaho Falls
October 6, 1992

MEMORANDUM

TO: Mayor and City Council
FROM: Chad Stanger, Public Works
SUBJECT: ENGINEERING SERVICES AGREEMENT - SEWER CAPACITY STUDY & NPDES PERMIT

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Attached is a proposed agreement between the City and CH2M Hill Central, Inc. for wastewater treatment plant and sanitary sewer collection system engineering services.

More specifically, the City is currently in the process of acquiring a renewal of the National Pollutant Discharge Elimination System permit from EPA for the wastewater treatment plant which requires technical assistance. In addition, the demands being placed upon the sewer collection system require a capacity analysis on key sewer trunk lines needed to accommodate future growth of the City.

Public Works recommends approval of this agreement in the amount of \$105,884.00 and authorization for the Mayor to sign the necessary documents.

s/ Chad Stanger

It was moved by Councilmember Carlson, seconded by Milam, that the Council approve this agreement and authorize the Mayor to sign the necessary documents. Roll call as follows: Ayes, Councilmembers Erickson, Mills, Wood, Milam, and Carlson; No, none; carried.

City of Idaho Falls
October 6, 1992

MEMORANDUM

TO: Mayor and City Council
FROM: Chad Stanger, Public Works
SUBJECT: RIGHT-OF-WAY USE AGREEMENT - U. S. DEPARTMENT OF ENERGY

Attached is a proposed right-of-way use agreement between the City and the U. S. Department of Energy which allows D.O.E. to install a buried fiber optic cable system within certain City-owned right-of-way.

Public Works recommends approval of this agreement and authorization for the Mayor to sign the necessary documents.

s/ Chad Stanger

It was moved by Councilmember Carlson, seconded by Milam, that this Agreement be approved and the Mayor authorized to sign the necessary documents. Roll call as follows: Ayes, Councilmembers Milam, Carlson, Mills, Erickson, and Wood; No, none; carried.

The Municipal Services Director submitted the following seven memos:

City of Idaho Falls
October 5, 1992

MEMORANDUM

TO: Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: ADVERTISEMENT FOR BIDS

OCTOBER 8, 1992

Municipal Services respectfully requests authorization to advertise and receive bids for the following items approved in the 1992-1993 budget:

1. Equipment
2. Electrical Apparatus and Conductor
3. Water Pipe Fittings and Other Water Line Equipment and Materials
4. Road Salt and Sand
5. Sewer Department Materials and Supplies

s/ S. Craig Lords

It was moved by Councilmember Milam, seconded by Wood, that the Council grant authorization to advertise for bids for these items. Roll call as follows: Ayes, Councilmembers Wood, Mills, Milam, Carlson, and Erickson; No, none; carried.

City of Idaho Falls
October 5, 1992

MEMORANDUM

TO: Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: AUTHORIZATION TO BID - MOTOR FUELS AND LUBRICANTS

Municipal Services respectfully requests authorization from the Mayor and City Council to advertise and receive bids for motor fuels and lubricants; and the service and fuel obtained through a computerized fuel dispensing system for the 1993 year.

s/ S. Craig Lords

It was moved by Councilmember Milam, seconded by Wood, that authorization be given to advertise for bids as requested. Roll call as follows: Ayes, Councilmembers Mills, Erickson, Carlson, Wood, and Milam; No, none; carried.

City of Idaho Falls
October 1, 1992

MEMORANDUM

TO: Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: AUTHORIZATION TO ADVERTISE AND RECEIVE BIDS -
UPGRADE HVAC SYSTEM FIRE PREVENTION OFFICES

Municipal Services respectfully requests authorization to advertise and receive bids for upgrading the HVAC system at the Fire Prevention Offices on 7th Street.

s/ S. Craig Lords

OCTOBER 8, 1992

It was moved by Councilmember Milam, seconded by Wood, that the Council grant authorization to advertise for bids as requested. Roll call as follows: Ayes, Councilmembers Carlson, Milam, Erickson, Mills, and Wood; No, none; carried.

City of Idaho Falls
October 1, 1992

MEMORANDUM

TO: Mayor and City Council
FROM: Craig Lords, Municipal Services Director
SUBJECT: EDUCATION CENTER - ZOO

Municipal Services respectfully requests authorization from the Mayor and City Council to advertise and receive bids for the construction of an Education Center to be located at the Tautphaus Park Zoo. A grant has been obtained from the C.H.C. Foundation to fund this proposed project.

s/ S. Craig Lords

It was moved by Councilmember Milam, seconded by Wood, that the Council authorize this advertisement for bids. Roll call as follows: Ayes, Councilmembers Carlson, Erickson, Milam, Mills, and Wood; No, none; carried.

City of Idaho Falls
October 2, 1992

MEMORANDUM

TO: Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: LEASE AGREEMENT - 911 FACILITY, BONNEVILLE COUNTY

Attached is a proposed Lease Agreement between the City of Idaho Falls and Bonneville County for City owned property located at Skyline and Grandview. Bonneville County will use the facility for the 911 Dispatch Center.

Municipal Services respectfully requests the Mayor and City Council to approve said Agreement and authorization for the Mayor to execute the agreement.

s/ S. Craig Lords

It was moved by Councilmember Milam, seconded by Wood, that this Agreement be approved and the Mayor authorized to execute same. Roll call as follows: Ayes, Councilmembers Wood, Milam, Carlson, Erickson, and Mills; No, none; carried.

City of Idaho Falls
October 5, 1992

MEMORANDUM

TO: Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: AUTHORIZATION - ARCHITECT FOR SAGE LAKES GOLF COURSE CLUB HOUSE AND CAFE

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Municipal Services respectfully requests authorization from the Mayor and City Council to select an architect for the clubhouse and cafe at Sage Lakes Golf Course.

s/ S. Craig Lords

It was moved by Councilmember Milam, seconded by Wood, that authorization be given to select an architect for the clubhouse and cafe at Sage Lakes Golf Course. Roll call as follows: Ayes, Councilmembers Erickson, Mills, Wood, Milam, and Carlson; No, none; carried.

City of Idaho Falls
October 1, 1992

MEMORANDUM

TO: Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: RESOLUTION AND QUITCLAIM DEED FOR REAL PROPERTY DESCRIBED AS LOTS 16 TO 18, CAPITOL HILL ADDITION

Municipal Services respectfully requests approval of the attached Resolution and Quitclaim Deed, and authorization from the Mayor to sign said documents, in favor of Geary Murdock, for payment in full of a delinquent L.I.D.

s/ S. Craig Lords

RESOLUTION (Resolution No. 1992-08)

WHEREAS, the City of Idaho Falls did, under and pursuant to the provisions of Chapter 17, Title 50, Idaho Code, and by Deed of the City Treasurer, dated the 17th day of January, 1989, recorded as Instrument No. 761515, in the records of Bonneville County, Idaho, acquired title to and possession of the following-described real property situated in the County of Bonneville, State of Idaho, to-wit:

Lots 16 to 18, in the Capitol Hill Addition to the City of Idaho Falls, Bonneville County, Idaho, per the recorded plat thereof.

WHEREAS, Geary Murdock has offered to pay the City of Idaho Falls the amount for which said property was sold to the City, together with all the installments of assessments subsequent to the one for which said property was sold and due, together with penalties and interest thereof;

NOW, THEREFORE, BE IT RESOLVED:

That the Mayor and City Clerk be, and they hereby are, authorized and directed, upon the payment of said sum of money by said purchaser to execute and deliver to the said Geary Murdock, a Quitclaim Deed to said property, pursuant to the provisions of Section 50-1751, Idaho Code.

PASSED BY THE COUNCIL this 8th day of October, 1992.

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APPROVED BY THE Mayor this 9th day of October, 1992.

s/ Thomas Campbell
Mayor

ATTEST:

s/ Velma Chandler
City Clerk

It was moved by Councilmember Milam, seconded by Wood, that the Resolution and Quitclaim Deed be approved and the Mayor and City Clerk be authorized to sign said documents. Roll call as follows: Ayes, Councilmembers Milam, Carlson, Mills, Erickson, and Wood; No, none; carried.

There being no further business, it was moved by Councilmember Wood, seconded by Carlson, that the meeting adjourn at 8:15 p.m.; carried.

s/ Velma Chandler
City Clerk

s/ Thomas Campbell
Mayor