

**NOVEMBER 29, 1977**

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The City Council of the City of Idaho Falls met in recessed regular meeting, Thursday, November 29<sup>th</sup>, 1977, at 7:30 P.M. in the Council Chambers in Idaho Falls, Idaho. There were present at said meeting: Mayor S. Eddie Pedersen, Councilmen Paul Hovey, Jim Freeman, Mel Erickson, Ralph Wood, and Gil Karst. Absent: Councilman Tom Campbell. Also present: Velma Chandler, Deputy City Clerk; Arthur Smith, City Attorney and all other available Division Heads.

Minutes of the last regular meeting, held November 10<sup>th</sup> and a special meeting held November 15<sup>th</sup>, 1977, were read and approved, as amended.

Noting from the agenda that certain lands to be known as the Shamrock Park Addition Common Area were scheduled for annexation this night, Councilman Erickson asked that this introductory memo from the Building Administrator be presented and read aloud:

City of Idaho Falls  
November 29, 1977

MEMORANDUM

TO: Mayor and City Council  
FROM: Rod Gilchrist  
SUBJECT: SHAMROCK PARK ADDITION DIVISION NO. 1 - ANNEXATION  
AND INITIAL ZONING (COMMON AREA)

Attached is a copy of the final plat of Division No. 1 of the Shamrock Park Addition showing an addition to the open area, which is the subject of this annexation. Division No. 1 was annexed to the City some time ago with a smaller parcel of ground to be used as open space. The developer has decided to add to the open space and it is shown shaded on the attached map.

An annexation ordinance for this parcel of ground is attached. The Planning Commission recently reviewed this and recommended annexation and initial zoning of R-1. A plat and annexation agreement are not required as these two items were covered in the initial annexation of Division No. 1 of Shamrock Park.

This item is now being submitted to the Mayor and Council for your consideration.

s/ Rod Gilchrist

Erickson explained that the area in question was planned and designed as a private park and no final plat nor annexation agreement was deemed necessary at this time, inasmuch as said area was included for Council consideration at the time a plat and an annexation were earlier presented in connection with the annexation of the Shamrock Park Addition, Division No. 1.

**ORDINANCE NO. 1525**

AN ORDINANCE ANNEXING CERTAIN LANDS TO  
THE CITY OF IDAHO FALLS, IDAHO. DESCRIBING  
SAID LANDS AND DECLARING SAME A PART OF

THE CITY OF IDAHO FALLS, IDAHO. (SHAMROCK  
PARK COMMON AREA)

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The foregoing ordinance was presented in title. It was moved by Councilman Erickson, seconded by Freeman, that the provisions of Section 50-902 of the Idaho Code requiring all ordinances to be fully and distinctly 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 READ ON THREE SEVERAL DAYS BE DISPENSED WITH?" Roll call as follows: Ayes, 5; 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, 5; No, none; carried.

The foregoing area having been annexed, the Mayor announced that this was the time and the place, as advertised, to conduct a public hearing to consider its initial zoning. There were none who appeared to protest or otherwise comment on the proposed zoning of R-1 as recommended by the Planning Commission. It was moved by Councilman Erickson, seconded by Freeman, that the Shamrock Park Addition Common Area be zoned as recommended and the Building Official be directed to reflect said zoning on the official zoning map, located in his office. Roll call as follows: Ayes, 5; No, none; carried.

The Mayor announced that this was the time and the place, as advertised, to conduct a public hearing to consider a request for the re-zoning of the Shamrock Park Addition, Division #1, as more fully explained by this memo from the Building Administrator:

City of Idaho Falls  
November 29, 1977

MEMORANDUM

TO: Mayor and City Council  
FROM: Rod Gilchrist  
SUBJECT: REZONING – SHAMROCK PARK ADDITION, DIVISION NO. 1

The developer of Shamrock Park Addition, Division No. 1, has requested the entire division be rezoned from RP-A to R-1. The reason for his request is to reduce the required side yard from 10 feet to 7½ feet on each lot. He has had trouble placing his houses on the lots and observing the required 10-foot side yard in the RP-A zone. This difficulty has been caused by the size of the house he is attempting to build, and the fact that he is utilizing solar heat in many of the structures. To use solar heat requires a home to have as much southern exposure as possible.

The Planning Commission recently reviewed this request and at that time recommended approval of the request. This department concurs with the recommendation of the Planning Commission and it is now being submitted to the Mayor and Council for your consideration.

s/ Rod Gilchrist

There were none who appeared to protest or otherwise comment on the requested rezoning as indicated. It was moved by Councilman Erickson, seconded by Freeman, that Shamrock Park Addition, Division No. 1 be rezoned from RPA to R-1 and the Building Officials be

instructed to reflect said change of the official zoning map, located in his office. Roll call as follows: Ayes, 5; No, none; carried.

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The Mayor announced that this was the time and the place, as advertised, to conduct a public hearing to receive public input for the purpose of identifying an area of City impact within the unincorporated area of Bonneville County. At the invitation of Councilman Erickson, City Planner Gilchrist appeared before the Council to present a historical sequence of preliminary planning in this regard. It was learned that several meetings involving certain officials from the Cities of Idaho Falls and Ammon had been held for the purpose of establishing a common boundary which he revealed to the Council by means of a map on the wall. Gilchrist noted that a rough draft of an ordinance had been prepared and studied by the City Planning Commission and that said ordinance had met with general concurrence by that body except that two of its members questioned the advisability or the need to include the Sand Creek Park area. Continuing, Gilchrist noted that the County's comprehensive plan would apply within the proposed impact area, as would the County zoning ordinance and the City sub-division ordinance. Asked what action by the City Council was expected or required at this time, Gilchrist said an ordinance mutually acceptable and agreeable to the City Council and the County Commissioners must eventually be adopted and that said ordinance would establish a geographical area of City impact, identify a comprehensive plan that would apply within the unincorporated portion of the County impact, identify the zoning subdivision ordinances that would apply within the unincorporated portion of the County lying within the area of City impact, provide for review and comment procedures between jurisdictions and establish an effective date pursuant to Title 67, Chapter 2526, Idaho Code. Erickson commented to the effect that, in the planning stage, the local planning act had been used as guideline and, therefore, the trading area, geographic factors and potential annexible areas within the predictable future were taken into consideration.

Bonneville County Commissioner Artell Switter appeared before the Council. In answer to this questions, Gilchrist pointed out that Beeches Corner and the Bonneville High School were both included in the proposed area of City impact and that the latter was approximately 1½ miles from the City limits. In answer to a question by Councilman Freeman, Gilchrist said that both the City and the County Planning Commissions had reviewed the proposed map of City area impact with general concurrence on its basic features. Councilman Karst took this opportunity to commend both Planning Commissions and all others who had provided input on the map as proposed and all other planning in this regard. Karst said it was interesting to note that certain areas had been initially considered and withdrawn, at least for initial consideration, the primary justification being the City's limitation on furnishing utility services. Karst reminded the Council that the area of City impact, as proposed, is flexible, and that boundaries can be changed by City and County Officials as future needs dictate. In the absence of further comment, it was moved by Councilman Erickson, seconded by Karst, that the City Attorney be authorized to draft an appropriate ordinance for Council consideration. Roll call as follows: Ayes, 5; No, none; carried.

Recognizing that Fire Chief Corcoran had submitted his resignation, effective December 9<sup>th</sup>, the Mayor commended him for the highly professional and proficient service which he had rendered in that capacity. The Mayor, speaking in behalf of the entire City Administration, expressed regret that Corcoran had elected to leave the City but wished him well in his future field of endeavor. The Mayor then proceeded to appoint Mr. Douglas Call as the new Fire Chief to serve as Chief Corcoran's replacement. Councilman Freeman, and Chairman of the Council Fire Committee said it was his duty and pleasure to have had the opportunity to interview nine applicants for the position of Fire Chief and, in each instance, was impressed by their qualifications. The Mayor said that, to the best of his knowledge, this appointment met with the unanimous approval of all five Councilmen and Mayor-elect Campbell. It was moved by Councilman Freeman, seconded by Wood, that the Mayor's

appointment of Mr. Douglas Call as Fire Chief be duly confirmed. Roll call as follows: Ayes, 5; No, none; carried.

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Following the foregoing action, Mr. Call received a congratulatory handshake from all City Officials around the Council Table as well as a standing ovation from all of those present in the Council Chambers. Councilman Wood took this opportunity to introduce to the Mayor and all Councilmen Mr. Call's wife, Linda and his parents, Mr. and Mrs. Delbert Call.

Mr. Lynn Anderson, Assistant Secretary and Controller of Rogers Brothers Seed Co. appeared and presented the following Airport Terminal Expansion Proposal:

**IDAHO FALLS AIRPORT TERMINAL EXPANSION**

OBJECTIVE: To enlarge and modernize the airport terminal facilities including parking areas.

PRESENT SITUATION: Terminal size is inadequate. A newspaper had reported that usage is 1200% of planned volume.

Baggage facilities are too small and congested.

Parking area is too small.

Airport expansion had been continually reviewed and the target bond date postponed, according to newspaper reports.

PROPOSAL: Increased emphasis on setting bond election at the earliest possible date, prior to bulb turbine election if possible.

ADVANTAGES: Airport revenue bond will require 67% affirmative vote, whereas the bulb turbine project will require only a 50% majority. It would seem reasonable to present first the bond requiring the greatest affirmative vote if there is a concern about confronting the people with too many bond issues.

Government grants for assistance in the airport expansion have been made whereas grants for the bulb turbine project are still dependent upon congressional action. If the airport election follows the turbine election, both elections will be contingent upon timely action by Congress and may be delayed some time, resulting in increased construction costs for both.

Airport modernization and better airline service would better serve the area's growing residential base and allow Idaho Falls to exist as an economically competitive city for the business located here.

The airport is the first impression an increasing number of people have of Idaho Falls, and present congestion indicates long overdue attention.

If a May 1978 election date is set and the bond is successful, facilities would still probably not be completed until late 1979, two years from now.

DISADVANTAGES: If the airport revenue bond were to fail, it might set a trend for the second election, if people fail to understand that their property taxes are unaffected by a revenue bond.

Action Requested

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Establishment of the earliest possible date for the Airport Bond Election.

Active support for its passage.

It was moved by Councilman Wood, seconded by Hovey, that this be referred to the Airport Committee for consideration. Roll call as follows: Ayes, 5; No, none; carried.

The City Clerk reported that the following damage claim had been forwarded to the City's liability insurance carrier on November 28, without formal Council approval:

November 28, 1977

Honorable S. Eddie Pedersen, Mayor  
Idaho Falls City Council  
City of Idaho Falls  
City Building  
Idaho Falls, Idaho

**NOTICE OF CLAIM**

Notice is hereby given to the City of Idaho Falls, its Mayor and City Councilmen, by the undersigned Jack Hoffman, that this document shall be a Notice of Claim to the City for damages in the sum of \$100,000.00, for the misconduct of the officers of the Police Department of the City of Idaho Falls, who entered my home unconstitutionally and therefore committed an assault on me. To the best of my knowledge the officers involved were one Dee Forrest, Officer S. Larsen, Idaho Falls Detective D. Steck, all of the City of Idaho Falls Police Department, Deputy Sheriff Gutke, Bonneville County Sheriff's Department, Trooper Jess R. Lopez, P. J. Harper, and Trooper Ron Rop, all of the Idaho State Police. The actual assault upon me was perpetrated by Officer Dee Forest of the Idaho Falls Police Department. The mental anguish and miseries which I suffered were caused by the negligence or wrongful act or omissions committed by these law enforcement officers of the City of Idaho Falls, County of Bonneville, and the State of Idaho, its employees and agents.

These offenses occurred in my home at Route 2, Box 65, Idaho Falls, Idaho, on August 30, 1977. I have been a resident living at that address for more than six months prior to filing this claim.

If you have any other forms or documents which you require to complete the filing of this claim would you please forward the same to me so that I may comply with the applicable ordinances or statutes.

Dated this 21 day of November, 1977.

s/ Jack Hoffman

It was moved by Councilman Erickson, seconded by Karst, that the informal action of the City Clerk in forwarding this claim to the insurance carrier be ratified. Roll call as follows: Ayes, 5; No, none; carried.

License applications for GROCERY STORE. Albertson's Food Center #138, Murphy's Market, Reed's Mini Market; RESTAURANT, Stardust, Burger King, Smitty's Pancake House, Me-N-Ed's; APPRENTICE CLASS C, WA, GF, Jim Gohr; CLASS C JOURNEYMAN, WA, GF, Robert J. Schiener, James Robert Schriener; CLASS C

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CONTRACTOR, Robert Schriener with Schriener Heating; MASTER PLUMBER, Louis F. Smith with Smith Plumbing; JOURNEYMAN PLUMBER, Louis F. Smith; VENDOR, George B. Murray; MOTEL, Stardust; DANCE HALL, Stardust Restaurant & Lounge; BARTENDER, Ila Embleton, Robert Embleton, Shirley L Barbare; BEER, (Canned, bottled, and draught to be consumed on the premises), Me-N-Ed's, Shakeys Pizza Parlor, Stardust Restaurant; BEER ,(Canned and bottled, not to be consumed on the premises), Albertson's Food Center, Murphy's Market, Reed's Mini Market; LIQUOR, Motor Lodge, dba Stardust, were presented. It was moved by Councilman Erickson, seconded by Karst, that these licenses be granted, subject to the approval of the appropriate Division Director, where required. Roll call as follows: Ayes, 5; No, none; carried.

This memo from the Electrical Engineer was then reviewed:

City of Idaho Falls  
November 9, 1977

MEMORANDUM

TO: Mayor & Council  
FROM: Steve Harrison  
SUBJECT: POWER SALES CONTRACT AMENDMENT

The Bonneville Power Administration requests consideration of an amendment to the power sales contract.

Essentially BPA proposed authorization to review and perhaps adjust rates annually after 1981 rather than every five years as our contract presently requires.

Power cost increases and inflation has made it difficult for BPA to accurately estimate required revenue for 5 year periods.

If you desire that this amendment be made of our contract, the Mayor and City Clerk will need authorization to sign.

s/ Steve Harrison

Electrical Engineer Harrison urged that the Mayor and City Council favorably consider the recommendation as proposed by BPA for the reason as stated. He said that 80% of the BPA customers must submit such a request before it would be effective and that, after the 80% response, the reminder could choose which plan they wished to accept. It was moved by Councilman Wood, seconded by Hovey, that this amendment to the BPA Power Sales Contract be approved and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 5; No, none; carried.

This memo from the General Services Director was then submitted:

November 23, 1977

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chad Stanger  
SUBJECT: BID #IF-78-5, PIPE, VALVES, FITTINGS & VALVE BOXES

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It is the recommendation of the Public Works and General Services Divisions that the City Council accept the low bid of Watersworks Equipment Co. of Boise, Idaho, to furnish various valves, fittings, and valve boxes at \$20,360.57 as per specifications Bid #IF-78-5.

Thank you,  
s/ Chad Stanger

It was moved by Councilman Hovey, seconded by Freeman, that the low bid of Waterworks Equipment Co. be accepted in the amount of \$144,870.00. Roll call as follows: Ayes, 5; No, none; carried.

This memo from the Public Works Director was presented:

November 29, 1977

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Donald F. Lloyd  
SUBJECT: RIVER PARKWAY ROCK WALL

On Tuesday, November 22, 1977, four bids were received for the rock wall as follows:

|                                     |             |
|-------------------------------------|-------------|
| Clark Brothers Construction Company | \$38,832.00 |
| Cannon Builders, Inc.               | 57,723.00   |
| C. Reinhart and Son, Inc.           | 67,783.50   |
| B & B Concrete                      | 80,378.00   |
| Engineers Estimate                  | 52,705.00   |

Each of these bids has been reviewed and we would recommend that the City award the Contract to the low bidder, Clark Brothers Construction Company of Idaho Falls in the amount of \$38,832.00.

Respectfully submitted,  
s/ Don

Councilman Karst reminded the Council that payment for this project would be forthcoming from the Bureau of Reclamation for flood damage of the previous rock wall. It was moved by Councilman Karst, seconded by Freeman, that the bid of Clark Brothers Construction Company be approved in the amount of \$38,832.00. Roll call as follows: Ayes, 5; No, none; carried.

Also, from the Public Works Director, came this memo:

City of Idaho Falls  
November 29, 1977

MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Donald F. Lloyd  
SUBJECT: PEDESTRIAN CROSSWALK ON MEMORIAL DRIVE

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The Council has authorized the installation of pedestrian crosswalk on Memorial Drive at "F" Street subject to the availability of proper funding. By way of a report, this Division and the Electric Light Division had provided sketch plans and estimated the cost to be \$7,700.00. Since funding is not immediately available, we recommend the project be included in the next fiscal year's budget and installed in the fall of 1978. Should there be a need for interim measures, we can provide whatever the Traffic Safety Committee deems necessary.

Respectfully submitted,  
s/ Don

It was moved by Councilman Erickson, seconded by Karst, that this be referred to the Traffic Safety Committee for non-electrical remedial consideration. Roll call as follows: Ayes, 5; No, none; carried.

Another memo from the Public Works Director was reviewed:

City of Idaho Falls  
November 29, 1977

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Donald F. Lloyd  
SUBJECT: DONO FINN OUTSIDE CITY SEWER SERVICE CONTRACT

On September 22, the City Council approved an Outside City Contract for sewer service in favor of Dono Finn. It has been determined the contract wording was faulty and our Attorney, Art Smith, was authorized to negotiate a settlement and correct the wording for future contracts of this nature. We request authorization to amend Paragraph No. 5 of the contract to reflect the \$1.07 per front foot which was negotiated.

Respectfully submitted,  
s/ Don

It was moved by Councilman Karst, seconded by Freeman, that the amendment to this agreement be approved for the reason as stated and the Mayor and City Clerk be authorized to sign the agreement as amended. Roll call as follows: Ayes, 5; No, none; carried.

Still another memo from the Public Works Director was presented:

City of Idaho Falls  
November 29, 1977

MEMORANDUM

TO: Honorable Mayor  
FROM: Donald F. Lloyd  
SUBJECT: WATER SERVICE FOR JACK GARDNER

On the west end of Sunnyside Road the City has for over 25 years operated a small water well, primarily to provide water to the lowest power plant. In addition, two private homes have also been served by this well through the years.

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The City has nearly completed a new water main on Sunnyside, after which the City plans to abandon the existing water well. Mr. Jack Gardner, current owner of the two private homes, has petitioned the City for a free service connection to each of the homes. Under these circumstances we would recommend the Council authorize the service connections and that the normal fee be waived.

s/ Don

It was moved by Councilman Karst, seconded by Freeman, that the water service connection fee for the two homes owned by Jack Gardner be waived for the reason as stated. Roll call as follows: Ayes, 5; No, none; carried.

Continuing with memos from the Public Works Director, the following was reviewed:

City of Idaho Falls  
November 29, 1977

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Donald F. Lloyd  
SUBJECT: AGREEMENT WITH H-K CONTRACTORS, INC, CONCERNING GRAVEL IN THE HATCH PIT

We are attaching hereto two copies of an agreement between the H-K Contractors, Inc. and the City of Idaho Falls. This agreement allows for the exchange of pitrun gravel for overburden dirt on a one-to-one basis and also allows the exchange of dirt for crushed gravel on a nine-to-one basis. This agreement has been reviewed by our City Attorney and the Public Works Committee and we are recommending that the City authorize its approval.

Respectfully submitted:  
s/ Don

It was moved by Councilman Karst, seconded by Freeman, that the Mayor and City Clerk be authorized to sign the agreement as described with H-K Contractors for gravel. Roll call as follows: Ayes, 5; No, none; carried.

Another memo was then presented from the Public Works Director:

City of Idaho Falls  
November 29, 1977

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Donald F. Lloyd  
SUBJECT: AGREEMENT WITH HAROLD AND OMA DIXON

In cooperation with School District No. 91, the City must annex land and construct a water main to accommodate the proposed new school site. The

attached agreement provides an easement for a water main and allows the City to annex a 200-foot strip of land to join the school site property. Again, this

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agreement has been reviewed by the Council's Public Works Committee and we would recommend that the City authorize the Mayor and City Clerk to sign.

Respectfully submitted,  
s/ Don

Councilman Karst pinpointed this location on the map and noted that the agreement included an easement for a water line and a hold harmless clause from payment of taxes by the lessor. It was moved by Councilman Karst, seconded by Freeman, that the Mayor and City Clerk be authorized to sign the agreement with Harold and Oma Dixon as recommended. Roll call as follows: Ayes, 5; No, none; carried.

Finally, from the Public Works Director, came this memo:

City of Idaho Falls  
November 29, 1977

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Donald F. Lloyd  
SUBJECT: SEWER COLLECTION ANALYSIS

Last year, the City authorized Forsgren-Perkins and Associates, Inc. to conduct a computerized sewer collection system analysis on a west side portion of our interceptor system. We have been extremely satisfied with the results of this analysis and have found it extremely beneficial in design and forecasting loads.

We are submitting herewith two copies of an agreement which covers Phase II of this program and completes the work on the balance of our interceptor system. This has been reviewed by the Council's Public Works Committee and we are recommending that the Mayor be authorized to sign the City's approval.

s/ Don

It was moved by Councilman Karst seconded by Freeman that the Mayor be authorized to sign the agreement with Forsgren-Perkins as described for Phase II of the computerized sewer collection analysis and design project. Roll call as follows: Ayes, 5; No, none; carried.

Reference is made to page 59 in this book of minutes and, more specifically, instructions by the City Council for the City Attorney to prepare an appropriate agreement between the City and Fidelity Security Systems pertaining to alarm installations throughout the City. The minutes, at that time, revealed a Police Chief recommendation in this regard, particularly as said systems as well as future systems are installed in the new City-County jail facility. At this time, the City Attorney presented such an agreement for Council consideration. It was moved by Councilman Erickson, seconded by Karst, that this agreement be accepted and the Mayor be authorized to sign, indicating the City's approval. Roll call as follows: Ayes, 5; No, none; carried.

Councilman Freeman presented this memo from Jeff Paine of the Electrical Division:

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City of Idaho Falls  
November 29, 1977

MEMORANDUM

TO: Jim Freeman  
FROM: Jeff Paine  
SUBJECT: BROADWAY & YELLOWSTONE SIGNAL

The following is in response to your request for information regarding the traffic signal operation at Broadway and Yellowstone on November 11.

The signal system as you know is owned by the State and maintained by the City. Components needing replacement are supplied by the State and installed by the City. The controller is obsolete and contains a large number of discrete relays and cam operated contracts. Because of modifications which have been made to the system both by the State and the City over the years, the system drawings are of little or no value for trouble shooting. The controller should be changed out to utilize solid state equipment and eliminate the high incidence of failure that has been occurring over the past several years.

A new 8 phase controller with variable density capability, pedestrian control, flasher circuits, a fail safe device, police emergency control and all other associated hardware and equipment is expected to cost less than \$15,000. Installation of this equipment is estimated to take approximately 2 days for two men. The conversion could be made in a manner which would allow continued operation of the signal system with only minor short term interruptions of certain control functions.

The changes suggested should be paid for by the State rather than the City. Actual component costs will be better defined upon receipt of written estimates from the manufacturer. When received I will forward them to you with appropriate explanation.

s/ Jeff Paine

It was moved by Councilman Freeman, seconded by Wood, that this matter be referred to the Electrical Committee to consider replacement of the components as well as all other recommendations as indicated in the foregoing memo. Roll call as follows: Ayes, 5; No, none; carried.

There being no further business, it was moved by Councilman Freeman, seconded by Wood, that the meeting adjourn at 9:15 P.M., carried.

s/ Velma Chandler  
Deputy City Clerk

s/ S. Eddie Pedersen  
Mayor

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