

**WOODS CROSS CITY COUNCIL MEETING
FEBRUARY 20, 2018**

The minutes of the Woods Cross City Council meeting held February 20, 2018 at 6:30 P.M. in the Woods Cross City Hall located at 1555 South 800 West, Woods Cross, Utah.

CONDUCTING:

Rick Earnshaw

COUNCIL MEMBERS PRESENT:

Rick Earnshaw, Mayor
Tamra Dayley

Wally Larrabee
Matt Terry
Ryan Westergard

COUNCIL MEMBERS EXCUSED:

Gary Uresk, City Administrator
Scott Anderson, Public Works Director
Jessica Sims, City Recorder/Finance Director
Greg Butler, Chief of Police

VISITORS:

Rachael Bodell
LeGrande Blackley
Don Schrader
Lorene Kamalu
LeDel Pace

Braden Stevens
Sue Robbins
Josh Kunzler
Kim Sheldon
Jim Smith

Sam Bodell
Lois Schrader
Randy Elliott
Jan Pace
Bret Millburn

INVOCATION:

Wally Larrabee

PLEDGE OF ALLEGIANCE:

Matt Terry

CONSIDERATION TO APPROVE MINUTES

The City Council reviewed the minutes of the City Council meeting and joint City Council/Planning Commission meeting held February 6, 2018. Following the review by the City Council, Council Member Terry made a motion to approve the minutes for the City Council meeting with Council Member Westergard seconding the motion and all voted for the motion through a roll call vote.

Council Member Larrabee then made a motion to approve the minutes for the joint City Council/Planning Commission meeting held February 6, 2018 with Council Member Dayley seconding the motion and all voted for the motion through a roll call vote.

QUESTION AND ANSWER FORUM WITH DAVIS COUNTY COMMISSIONERS

The Mayor gave the floor to the City Administrator who noted the following for the City Council:

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“The Davis County Commissioners requested an opportunity to visit with the City Council and answer any questions you may have regarding the County.”

The members of the Davis County Commissioner’s introduced themselves and said they would like to take any questions from those present that they would like to ask the Commissioner’s or give any input anyone had for them. Mr. Jim Smith introduced himself as the Chairman for the Commission this year and Mr. Bret Millburn and Mr. Randy Elliot were also present as Commissioner’s from the Davis County Commission.

Council Member Larrabee asked if there was any Prop One money for the 1500 South Intersection coming from the county. Commissioner Smith asked if the city had received a letter letting them know about receiving the funds and the City Administrator said they had not received a letter regarding the funds. Commissioner Smith said he would look into the matter but that it was difficult to decide how to allocate the funds as there were many requests for the available funds. He did say he would follow up that matter.

Council Member Dayley asked if Woods Cross City has the support of the Commissioner’s in working to keep current restrictions with no trucks on the Legacy Highway. The Commissioner’s said yes the City did have support from the Davis County Commission and they would like to expand and create a designated scenic byway on the west Davis corridor as the Legacy Highway expands.

Council Member Westergard said he wanted to make the Commission aware of the refineries in our city and the impact they have on our city. He noted that Woods Cross City does not receive any funds from the community impact board but he said he feels like we have as much of an impact as out in the basin where those funds are being used because we have the truck and train traffic and the air quality problems as well. He said the city is trying to gain momentum to try and get some of those monies and maybe an overpass over the train tracks because these issues impact our community so greatly. He asked that as the Commission associates with legislators and other Commissioner’s that the Davis County Commission try and help to persuade them to allocate some of those monies to the south end of the county to help with those matters that impact this end of the county.

The Commission said they are familiar with those issues and the CIB funds and said they have talked about these issues and realize the impacts on the south end of the county. They said they engage that conversation when they can, but they will continue to keep that discussion going to try and get some of those funds to help with those impacts that are a concern for the south end of the county.

Council Member Terry asked what was going on in the legislative session that could be of concern to our county. The Commission said there are a number of items they are following, one being the transportation bill that is very comprehensive and could be very transformative to the county. The Commission also said there had been a legislative task force formed and they had been discussing a lot on transportation. He said they are looking at how UTA is structured and

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also on how UDOT is structured. He said they are waiting to hear about those bills. He said the concepts are good but how to work out the details is still a question. He said there is also concern where the money will come from for the transportation changes.

The Commission also said another big item before the legislature is how elections will be held. He said he was not sure what will happen with that but he said they are looking at that and how money could be saved in the voting process.

The Commission also said there were some changes for police officers and fire fighters and public works. He said they are also discussing bills on public health and behavioral health issues that are going on in our state and we need to make sure we take care of those needs in our community.

Chief Butler asked where the Commission was at on the comprehensive study on public safety including fire and law enforcement. The Council said they found there are a substantial number of cities that were not planning on changing the way they are running their cities. The Commission said they were a little disappointed about that but they are going to look at changing the way the county is doing things to see if maybe the cities will follow suit. It was noted that it is hard for cities to give up their dispatch. The Commission said they are hoping that the cities will take a second look at things.

There was some discussion on taxes and how the new tax structure might affect the county. The Commission said the tax changes do not affect Davis County as much as it would other places in the state.

There were also compliments from the public and the Commission on how well Woods Cross City runs the police academy and what a great program it is.

The Mayor said his main concern for the city right now is the subsidence issue and he is hoping to hear if the city will be given the grant money they had applied for. He noted they are still waiting to hear back if they will be given the money.

Council Member Westergard said his concern is that the rights and funds of the city are taken away from the individual cities and given to the state which is frustrating. He said he would like the individual cities to be able to regulate what happens in their own cities.

There were no further questions or comments for the County Commissioners and the Mayor and Council thanked them for their time.

RECOGNITION OF PROMOTION OF JAMES SHELDON TO DETECTIVE

The Mayor gave the floor to Chief Butler who called Officer James Sheldon forward and said they are promoting him to detective. Chief Butler called Detective Sheldon forward and had his

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wife pin on his detective badge. The Mayor and Council congratulated him on his new promotion and thanked him for his excellent efforts on behalf of the police department.

COMMUNITY OF PROMISE

The Mayor gave the floor to Ms. Rachael Bodell who reported on the activities of the Community of Promise as follows:

Police Department

February 28, the Citizens Police Academy is starting again. April 28 is Drug Take Back Day from 10:00 A.M. to 2:00 P.M. as well as Shred Day from 10:00 A.M. to 12 noon.

Summer Recreation

We are currently in the process of looking for and securing teachers. Brooke has had a good response and is excited for the possibility of new classes being added this year.

Summer Literacy

The committee may be changing this year with some of the members moving. We will possibly need some new committee members this year.

Arts in the Park

Mike and Sandy Anderson will remain chairs over the annual Christmas lighting at City Hall. We are in need of a chair for the Pumpkins in the Park.

The Mayor will continue to be in charge of Memorial Day and concerts for the summer.

Summer movie/concerts have tentatively been set. June 11, July 9 and August 6.

Book Club

Will be meeting again in April. Ben Behunin, an author will be coming to talk about his book. Allison could not remember the name of the book. The guest also makes pottery and will make for an enjoyable night.

March 8, 2018 at 7:00 P.M. will be our next meeting.

The Mayor thanked Ms. Bodell for all she does.

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POLICE DEPARTMENT REPORT

The Mayor gave the floor to the Chief of Police who presented the following information to the Council:

DISPATCHED CALLS

<u>2018</u>	<u>2017</u>	<u>Yearly</u>
Jan—904	Jan—1152	2017—11,411
Feb--	Feb—821	2016—12,393
March--	March—1020	2015—12,819
April--	April—901	2014—9495
May--	May—1065	2013—8979
June--	June—1069	2012—7347
July--	July—1294	2011—6918
Aug--	Aug—1225	2010—7167
Sept--	Sept—989	
Nov--	Nov—988	
Dec--	Dec—875	
Running Total—904	Total—11,411	

ASSISTS OUTSIDE AGENCY

2018
Jan—134
Feb—
March—
April—
May—
June—
July—
Aug—
Sept—
Oct—
Nov—
Dec—

Running Total—134

ACTIVITY REPORT

- Held “Cop Talk”
- Started Preparedness Fair Meetings (New Venue)
- Two Scout Tours
- Scout Presentation by Officer Jensen

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- Next Citizen Academy Starts Feb 28th (Class is Full)
- CPA Alumni holding Lifeflight class Feb 24th @ WXPB
- Held 1st Quarterly Inservice Training
- Chief Lunch with Legislature
- Officer Sean Green started training Jan 16th
- Next COP Talk—Monday, February 12th
- Drug Take Back and Shredding Day April 28th

USE OF FORCE REVIEWS

- Taser Deployment: Violent suspect resisting arrest with history of assault on police officers. Complied after deployment.
- Taser Deployment: Violent subject intoxicated and under the influence of drugs resisted arrest. Complied after deployment.

SWAT TEAM ACTIVITY

- No Deployments
- 16 Hours NTOA Training

WOODS CROSS SCHOOL ACTIVITIES

- Marijuana Arrest
- Alcohol Arrest
- Burglary of Construction Trailer \$4,000 in tools
- Bullying Case

K-9 ACTIVITY

- 01/01/17 Assist to BPD on traffic stop. Heroin and Marijuana located inside vehicle.
- 01/05/17 Assist to WBPD for traffic stop. No indication.
- 01/08/18 x12 1060. No indication.
- 01/01/18 x12 1060. Alert passenger side door, driver side door, Marijuana and paraphernalia located in center console.
- 01/12/18 Assist to WB traffic stop. No indication on vehicle.
- 01/17/18 Assist to BPD 10-60. I informed suspect I was going to run a PSD around the vehicle, suspect stated dope is in her purse. Marijuana located in purse.
- 01/31/18 Assist to county on 10-60. Indication several items of paraphernalia. Meth and Heroin located inside vehicle. (Armed robbery suspects out of SLC, airsoft gun located inside vehicle).

DETECTIVE DIVISION

Investigators: Charges of five counts of aggravated robbery are being screened against a suspect in a home invasion robbery at the Park Apartments. The suspect entered the residence with a gun and robbed the occupants of the apartment. Through his investigation work, Detective Sheldon was able to identify the suspect and secure charges. This case also involves a shooting investigation.

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Chief Butler asked for questions and one of the audience members thanked the police department for the Citizens Police Academy and said it was a great program and she really enjoyed going through the program.

The Mayor reminded everyone that next Tuesday would be the IHOP fund raiser for Primary Children's Hospital and said the Police Department would be challenging the Fire Department to a pancake eating contest. He invited everyone to come and support them in the challenge and enjoy some pancakes while they raised money for the hospital.

APPROVAL OF THE 2018 CITY WIDE CLEANUP PROGRAM

The Mayor gave the floor to the Public Works Director who noted the following for the City Council:

“Given to the Council is the information that outlines the Spring and Fall Cleanup periods. I have set the dates between April 7th-14th, 2018 for our Spring Cleanup and October 6th-13th, 2018 for the Fall Cleanup period. These times will allow us to utilize a Waste Management compactor truck for curbside material pickup for the Spring Cleanup only. We will have containers at the shop where people can bring debris for disposal during extended hours on these dates. With the change at the Bountiful landfill we will not accept green waste to be delivered at the shops from residents.

“On the second Saturday of March, May, June, July, August, September, November, the shops will be open for disposal of acceptable debris, excluding green waste from 9:00 A.M. to 12:00 P.M.

“We will continue to do curbside chipping on the 2nd Monday of March, May, June, July, August, September, November. This is done by prior request through the city offices.”

Council Member Dayley made a motion to approve the city wide cleanup schedule as presented. Council Member Westergard seconded the motion and all voted for the motion through a roll call vote.

CONSIDERATION TO AWARD THE 2018 ROAD MAINTENANCE PROJECT BIDS

The Public Works Director continued with the floor and presented the following bids for the Road Maintenance Projects for the 2018 project year:

Slurry Seal Project for 2108 The following are the Bid Tabulation on 34,491 SY of material placement.

M&M Asphalt Services	\$46,562.85
Morgan Pavement	\$48,287.40
Intermountain Slurry	\$48,287.40

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“I would recommend awarding 2018 Slurry Seal project to M&M Asphalt Services for the cost of \$46,562.85.

Crack Seal Project for 2018 The following are the Bid Tabulation for this project.

Hot Asphalt	\$8,950
Superior Asphalt	\$12,485
Kilgore Companies	\$31,312
Morgan Pavement	\$54,270

“I would recommend awarding the 2018 Crack Seal Project to Hot Asphalt for the cost of \$8,950.”

Following the review by the Public Works Director Council Member Westergard made a motion to award the bids the 2018 Road Maintenance Project Bids to M&M Asphalt Services for the amount of \$46,562.85 for the slurry seal and the crack seal project to Hot Asphalt for \$8,950.00. Council Member Larrabee seconded the motion and all voted for the motion through a roll call vote.

CONSIDERATION TO AWARD THE 2018 LAWN CARE SERVICE CONTRACT

The Public Works then presented the bids for the 2018 Lawn Care Service Contract. He explained to the Council that he had checked all of the bids and talked with his workers and they were happy with the services that Lawn Butler had provided the past year and would like to continue working with them. The Public Works Director said he went over all of the bids and found that Lawn Butler was competitive with Intermountain Plantings, which was the low bidder, but the lawn crew said they would like to work with Lawn Butler because they were local which is also a benefit to the City.

The bids were as follows:

Intermountain Plantings	\$65,600.00
Lawn Butler	\$69,052.56
Huskies' Landscaping Inc	\$77,916.00
Green Ridge	\$89,257.00
Loveland Landscape & Gardens	\$91,441.00
Truco Services	\$96,898.76
Horticultural Group	\$99,766.72
Green Acre Landscape	\$104,017.20
NUTS	\$114,299.22
Elite Grounds	\$142,854.00
Sunrise Property Maintenance	\$156,085.00

"After a review of the submitted bids, which included:

- Past performance

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- Previous working relationship
- Local company with close proximity to our area

“Our recommendation is to contract with Lawn Butler for the 2018 Lawn Care services as described within the bid proposal.”

There was some discussion if this was a benefit to the City. The majority of the comments were in favor of having someone help the city with the lawn maintenance because it was very difficult to find enough seasonal employees to help with the lawn maintenance for the whole city.

There was also discussion on the weed issues that seemed to be a problem within the city last year and the Council said they would like to see if that situation could be helped with having help with the lawn care services to help free up more workers to help with the weed issue.

It was also noted that there could be a negotiation of the contract from the lawn care service for the following year at the end of this season.

Following the discussion, Council Member Dayley then made a motion to award the 2018 Lawn Care Service Contract to Lawn Butler for the amount of \$69,052.56. Council Member Terry seconded the motion and all voted for the motion through a roll call vote.

REVIEW OF FINANCIAL REPORT

The Mayor gave the floor to the City Administrator who went over the financial report for the month of the January.

APPROVAL OF CASH DISBURSEMENTS

The City Administrator then went over the cash disbursements with the Council for the time period of 2/3/18-2/16/18. Council Member Larrabee made a motion to approve the cash disbursements as presented with Council Member Westergard seconding the motion and all voted for the motion through a roll call vote.

OPEN SESSION (BRIEF ITEMS)

The Mayor then opened the meeting to items from those present that they would like to bring before the City Council. This would be items that take less than two or three minutes.

There were no items for the brief open session and the Mayor closed the brief open session.

CONSIDERATION TO APPOINT A CITY COUNCIL MEMBER TO SERVE AS AN ALTERNATE MEMBER OF THE EMPLOYEE APPEAL BOARD FOR A TERM OF TWO YEARS

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The Mayor gave the floor to the City Administrator who said it would be a good idea to have an alternate City Council Member in case one of the City Council members who were on the Employee Appeal Board would not be able to be attendance for some reason.

Council Member Westergard made a motion to appoint Council Member Terry as an alternate member of the Employee Appeal Board for a term of two years. Council Member Council Member Dayley seconded the motion and all vote for the motion through a roll call vote.

CONSIDERATION TO ADOPT A RESOLUTION AMENDING THE ANIMAL CONTROL AGREEMENT WITH DAVIS COUNTY

The City Administrator noted the following for the City Council:

“Given to the Council is the proposed resolution and Animal Control Agreement Amendment #2. Last year our Animal Control payment to Davis County was \$28,061, this year it will be \$25,440. The main reason for the difference is that our usage rate dropped from 3.22% to 2.73%.”

Following the information given by the City Administrator, Council Member Terry made a motion to adopt resolution 2018-645, a resolution amending the Animal Control Agreement with Davis County. Council Member Dayley seconded the motion and all voted for the motion through a roll call vote.

PUBLIC HEARING---AMENDMENTS TO THE FY 2018 BUDGET FOR ALL FUNDS

The Mayor gave the floor to the City Administrator who noted the following information for the City Council:

“Given to the Council are the budget adjustment sheets, with all of the proposed adjustments to the budget. I will address the main adjustments, if you have any questions concerning any of the smaller adjustments I will address them in further detail at Tuesday night’s meeting.

“In the Legislative Department, miscellaneous services increased by \$2,000 to cover the employee appreciation dinner and awards to the employees.

“In the Judicial Department, there was a misallocation between administration and judicial wages, salaries and benefits. The \$5,000 for the magnetometer has been budgeted under equipment and paid for under the public safety grant.

“In the Data Processing Report, we installed a new updated server which is included in the equipment greater than \$500.

“In Non-Department, City Engineer has been increased \$20,000 for the FEMA grant application as well as the INSAR Study, which was not billed to us until after the end of FY 2017 per the

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University of North Dakota's request. We will be receiving funds from North Salt Lake and Weber Basin to help cover the cost of that study. Also the liability insurance was increased by \$10,000. The rebate we received for the Trust is not as large this year as it has been in the past.

“In Community Development, I have increased professional services by \$53,000 to cover the General Plan Update. This is an additional \$2,000 above the contract price. We are looking at the possibility of including another steering committee meeting in the process.

“In the Police Department, salaries and wages have been increase by \$23,000 to cover the second half of the increase for lateral hires and promotions. The equipment in the Police Department has also been increased by \$10,000 to provide additional equipment that has been requested in the 2019 Capital Improvement Plan. With this additional \$10,000 plus other savings in the department, a number of the items requested in the FY 2019 Capital Improvement Plan can be purchased in FY 2018.

“In the Streets Department, we had a misallocation of salaries and benefits with the Parks Department. Those have been adjusted between the two departments.

“In the Shops, there is an increase of \$821,000 for the Public Works Facility construction as previously discussed. This increase will come from transfers from the Class C, RAP Tax, and Capital Improvement Fund. In addition, we have received an interest payment from the bond proceeds and \$50,000 in interest revenues have been allocated to the project.

“In the Class C Fund, there is a transfer of \$100,000 to the General Fund for the Public Works Facility.

“In the RAP Tax Fund, there is a transfer of \$321,000 to the General Fund to the General Fund to cover the increased meeting room size in the Public Works Facility.

“In the Liquor Law Fund, the revenues from the State were \$2,000 above what we budgeted. I have increased the DUI overtime by the corresponding amount.

“In the CIDF Fund, I have budgeted a \$350,000 transfer to the General Fund for the Public Works Facility.

“In the Water Fund, there is a fairly significant increase in the miscellaneous services to cover credit card fees and billing in the Water Department. I have broken out the improvements to two specific projects, the 1500 South PRV and the 1600 South Redwood Road water line which have both been completed.

“In the Storm Water Fund, the improvements have been broken out to the 1500 South A-1 Drain lining and the 1950 South detention basin projects.

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“In the Storm Water Impact Fund, I have allocated \$4,000 of the storm drain improvements to the completion of the Legacy preserve outfall line. That project is completed.”

Following the information given above, the Council asked a few questions concerning the budget changes and questions about the benefits and the negatives of taking credit cards and there was a brief discussion regarding those questions.

The Mayor then opened the public hearing regarding the amendments to the FY 2018 Budget for all Funds.

There were no public comments and the Mayor closed the Public Hearing.

CONSIDERATION TO ADOPT A RESOLUTION AMENDING THE FY 2018 BUDGET FOR ALL FUNDS

Following the above discussion, Council Member Westergard made a motion to adopt resolution 2018-646, a resolution amending the FY 2018 budget for all funds as presented. Council Member Larrabee seconded the motion and all voted for the motion through a roll call vote.

SAFETY ACCOUNTABILITY REPORT

The City Administrator gave the safety and accountability report as follows:

“Given to the Council is the safety accountability report for January 2018. We had one incident where Officer Jones responded to a call in West Bountiful for a horse down in the street. While conversing with the other officers about what to do with the horse, it revived and ran into the driver’s side of his vehicle. Both driver side doors were damaged. No other damage was done to the truck.

“We also had a near miss where Marcee was nearly hit by a car speeding through the City Hall parking lot.”

OPEN SESSION

The Mayor then opened the meeting to items from those present that they would like to bring before the City Council.

There were no items from the public present and the Mayor closed the open session.

MOSQUITO ABATEMENT REPORT

There were no items for the Mosquito Abatement report at tonight’s meeting.

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PLANNING COMMISSION REPORT

It was noted that the last Planning Commission meeting had been cancelled as there were no agenda items.

SOUTH DAVIS METRO FIRE AGENCY REPORT

The Mayor noted there had not been a South Davis Metro Fire Agency meeting but they had voted by email to approve the budget for the new station.

SOUTH DAVIS RECREATION DISTRICT REPORT

The Mayor noted that Centerville City is petitioning to borrow recreation district funds to finish a park in their city. He said he was not sure if he was in favor of this but there would be a decision coming in the near future to whether or not the district would be in favor of doing this.

MAYOR'S REPORT

The Mayor said they had a great Community of Promise meeting this month and he has dates to be put on the city's website for activities that will be coming up this next year.

CITY ADMINISTRATOR'S REPORT

The Mayor gave the floor to the City Administrator who reported the following to the City Council:

1. FEMA Grant Application

“We still have not heard back from FEMA regarding the status of our grant application. We have been in contact with the state and they have indicated that they will let us know as soon as they hear anything from FEMA.

2. FY 2019 Budget Preparation Schedule

“Given to the Council is the proposed budget preparation scheduled for the FY 2019 Budget. I plan on having the Capital Improvement Plan to the Council on the March 6th Council meeting for your approval. The tentative budget will be submitted to the Council on April 17th which will be reviewed and approved on May 1st. I have scheduled two additional meetings on May 8th and 29th if you would like additional time to discuss the proposed budget. The budget is scheduled to be adopted on June 19th.

3. Video Recordings of City Council Meeting

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“Some concerns have been raised with me regarding the video recording of City Council meetings. To clarify, there is not a requirement the City Council meetings be video recorded and transmitted to the public. That decision is the Council’s. It was my mistake to proceed with videoing Council meetings and transmitting to the public without the Council’s approval. It is important to get your input and direction and then I will proceed with whatever decision you make until that decision is made, no further video recordings of the City Council meeting will be made. If this is an issue you would like to further discuss it can be placed as an agenda item and discussed when the full Council is here.”

The Council discussed the matter and decided they would like to have it as agenda item at a future meeting so some of the details can be further discussed.

ADJOURNMENT

There being no further business before the Council, Council Member Terry made a motion to adjourn the meeting at 8:40 P.M. with Council Member Larrabee seconding the motion and all voted for the motion through a roll call vote.

Rick Earnshaw, Mayor

Jessica Sims, City Recorder