

**WOODS CROSS CITY COUNCIL MEETING
FEBRUARY 7, 2006**

The minutes of the Woods Cross City Council meeting held February 7, 2006 at 6:30 P.M. in the Woods Cross City Hall, 1555 South 800 West, Woods Cross, Utah.

CONDUCTING:

Mayor Kent Parry

COUNCIL MEMBERS PRESENT:

Kent Parry, Mayor
Jennifer Decker*
Tamra Dayley

Rick Earnshaw
Jon Hadlow
Donald D. Moore, Jr.

*Was excused for part of the meeting as indicated in the minutes.

STAFF PRESENT:

Gary Uresk, City Administrator
Alan Low, City Recorder
Tim Stephens, Community Development Director

VISITORS:

Cleo Anderson
Bob Williams
Thane Smith
Shon Call
Thomas B. Hill
Karson Anderson
Charles Akerlow
Jordan Germaide
Sonja Okapal
Steven Bennion
Jordan Warnock
Vicki Hinckley
Pat Blackley

LaMoyne Anderson
Calvin Brubaker
Jayson Wilko
Ryan Jenkins
Jaxon Call
Gerry Tully
Clark Burbidge
Neil Germaide
Tyler Cowley
Cody Perry
Megan Hinckley
Ann Kagie
LeGrande Blackley

Cameron Chambers
Joel Chambers
Loretta Nielson
Ruth Payne
Charles Payne
Al Jewell
Farley Souaros
Tom Stuart
Tanner Zobell
Michael Kamerath
Wayne Hinckley
Melinda Williams
Alan Chambers

INVOCATION:

Kent Parry

PLEDGE OF ALLEGIANCE:

Don Moore

The Mayor welcomed those in attendance and stated that this is a regularly scheduled meeting that notice of time, place and agenda of the meeting was sent to local newspapers and provided to each of the City Council Members prior to the meeting.

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APPROVAL OF MINUTES

The Council then reviewed the minutes of the City Council Meeting held January 17, 2006. After the review, Council Member Dayley motioned that the minutes be approved as corrected with Council Member Moore seconding the motion and all voted for the motion.

APPROVAL OF CASH DISBURSEMENTS

The floor was given to the City Recorder who reviewed the cash disbursements listing for tonight's meeting with the City Council. After the Council's review, Council Member Earnshaw made a motion to approve the cash disbursements as presented. Council Member Hadlow seconded 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 were brief in nature. This would be items that would take less than two or three minutes.

The Mayor gave the floor to Eagle Scout Candidate Cameron Chambers who presented to the City Council his request to do an Eagle Scout project centered around a monument that would honor those veterans who have served their country from the City of Woods Cross.

He discussed with the Council what the monument might look like, as well as, saying that his goal is to have it ready for dedication on May 29, 2006 at the City's Memorial Day Celebration. He presented to the Council three options of what the monument might look like for the Council's consideration.

The Council felt that the project was worthwhile and the floor was given to Council Member Moore who motioned that the City Council support the Eagle Scout project as outlined by Mr. Chambers and that he should work closely with Council Member Rick Earnshaw, as well as, the City's Public Works Director. Council Member Dayley seconded the motion and all voted for the motion.

There were no other items for the brief open session.

REPORT FROM THE COMMUNITY OF PROMISE COMMITTEE

The floor was given to Ms. Ruth Payne who is the chairperson for the Community of Promise Committee. She reported on the committee's activities as follows:

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1. She noted that tomorrow evening the Welcome Baby Program would hold their monthly meeting at 7:00 P.M. at the City Hall.
2. She said that on Thursday at noon the senior citizens of Woods Cross would have their monthly meeting held in the multi-purpose room of the City Hall.
3. She advised the Council that on February 15, at 7:00 P.M. at the Woods Cross Elementary School the Emergency Preparedness Committee would again sponsor another meeting for the citizens of Woods Cross to discuss emergency preparedness. She invited all present to be in attendance.
4. She noted that the Community of Promise Committee would hold their next monthly meeting on February 22 at 7:00 P.M. at the City Hall.
5. She announced to the Council that the City's Community of Promise received a \$500 grant from the Davis County Commission to help fund the literacy program that Woods Cross City sponsors for the children here during the summer months.

She then yielded the floor to Ms. Loretta Nielson, from the Davis County schools, which made a presentation to the Council entitled "Prevention Needs Assessment 2005." Through the use of a Power Point presentation she showed slides and charts of a survey that had been taken of the youth in Woods Cross City over the last several years concerning their use of alcohol, tobacco and drugs and she compared the survey results to the Davis County schools averages, the state averages, and the national averages.

The Council found the presentation informative and asked if a copy could be given to each member of the City Council. Ms. Nielson said that she would be glad to do that.

At this point in the meeting, Council Member Decker was excused from the meeting.

REPORT FROM THE SOUTH DAVIS SEWER DISTRICT

The floor was given to Mr. Charles L. Payne, the city's representative on the South Davis Sewer District. Mr. Payne noted that he had nothing of interest for the Council at tonight's meeting.

REPORT FROM THE YOUTH CITY COUNCIL

The floor was given to Ms. Megan Hinckley, the Youth City Council Mayor, who reported to the City Council on the activities of the Youth City Council.

1. The Youth City Council had a very successful Youth Conference held on January 28th with 40 members in attendance.

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2. The Youth City Council helped with the After School Program at the elementary school.
3. Plans are being made for the USU Youth Leadership Conference being held in March.
4. The service activity for March will be helping the Public Works department clean-up or plant flowers around the city.
5. There is an opportunity for a Leadership/Service Scholarship to those who qualify.

Following the report by the Youth City Council Mayor, the Mayor and the Council expressed appreciation to her and the Youth City Council for the good work that they do for the citizens of Woods Cross City.

**CONSIDERATION TO ADOPT A RESOLUTION IMPLEMENTING THE NIMS
(NATIONAL INCIDENT MANAGEMENT SYSTEM) IN WOODS CROSS CITY**

The Mayor gave the floor to the City Administrator who outlined for the City Council the following from the City's Chief of Police:

“The City must adopt the National Incident Management System (NIMS) to receive future Homeland Security Grant funds and comply with the Emergency Mutual Aid Interlocal Cooperation Agreement. A copy of a proposed resolution is attached.

The following background information is for your use in a presentation to the City Council.

The purpose of National Incident Management System (NIMS) is to provide a consistent nationwide approach for governments to work effectively in preparedness, prevention response and recovery from domestic incidents whether terrorism, natural disaster, regardless of size, cause or complexity.

NIMS establishes standardized incident management processes, protocols, and procedures that all responders will use to coordinate and conduct response actions.

Homeland Security Presidential Directive 5 states: To prevent, prepare for, respond to, and recover from terrorist attacks, major disasters, and other emergencies, the United States Government shall establish a single, comprehensive approach to domestic incident management. The objective of the United States Government is to ensure that all levels of government across the Nation have the capability to work efficiently and effectively together, using a national approach to domestic incident management.

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I recommend the City Council pass a resolution formally recognizing and adopting the National Incident Management System to be utilized as the incident management component of the Emergency Operations Plan, to include the following system components:

- Command and Management
- Preparedness
- Resource Management
- Communications and Information Management
- Supporting Technologies
- Ongoing Management and Maintenance

Also, the emergency services (fire, police, and public works) of Woods Cross City formally adopt, train with and utilize the NIMS on all emergency responses to facilitate the ability to establish a unified command system with common terminology and structure.”

Following the presentation by the City Administrator the floor was given to Council Member Dayley who asked how much this program would cost the city to implement. The response by the Staff was the city can spend as much as it wants to see the program go forward. She then asked how it affects the current plan that is in place. The City Administrator responded that the current plan is outdated and that this plan will give a new direction for the City of Woods Cross.

After the discussion, the floor was given to Council Member Moore who motioned that the City Council adopts resolution 2006-395 a resolution adopting the National Incident Management System. Council Member Earnshaw seconded the motion and all voted for the motion.

Following the motion the floor was given to Mr. Bob Williams, a city resident who was familiar with the program, and he said that much of the training that needs to be done for the NIMS act can be received from the FEMA website so he recommended to the Council that they give direction to the Staff to use this website for their training.

CONSIDERATION TO PURCHASE A NEW FAX MACHINE

The floor was given to the City Administrator who explained the following to the City Council:

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“Our FAX machine is over 7 years old and it is starting to make very dark copies even after we have had the repair people work on it. It has outlived its useful life. We have reviewed FAX machines and would like to make the recommendation we purchase a Sharp FO-4450 plain paper FAX for a cost of \$906 under state contract through Les Olsen Company. Even though, the purchase of a new FAX it is not in the budget when I adjust the budget at next Council meeting I will adjust for this expenditure through some savings we have had in other areas.”

After the explanation by the City Administrator, the floor was given to Council Member Dayley who motioned that the Council approves the purchase of a FAX machine model Sharp FO-4450 in the amount of \$906.00 through the state bid from the Les Olsen Company. Council Member Moore seconded the motion and all voted for the motion through a roll call vote.

**A PUBLIC HEARING FOR THE CONSIDERATION TO APPROVE
BOUNDARY ADJUSTMENT WITH NORTH SALT LAKE AT 2600 SOUTH
WEST OF REDWOOD ROAD**

The floor was given to the Community Development Director who outlined for the City Council the following:

“In December the City Council passed a resolution indicating the intent to adjust the boundary with North Salt Lake as shown in the attached map. The plan is to extend Foxboro north to the new boundary that will be next to the properties on 2425 south. The plot plan given to the Council shows the proposed development of the area which will include the fire station and the park in the western part of the property. The purpose of the public hearing is to take any comment from the public comment concerning the proposed boundary adjustment and after taking any comment, the hearing can be closed and move on to items 11 & 12 on tonight’s agenda.”

Following the outline by the Community Development Director, the Mayor then opened the Public Hearing to gather public input on this matter.

The floor was given to Ms. Annabelle Kagie, a city resident. She expressed her opinion that the City Council should not give away any land that is within the present boundaries of Woods Cross City so that the city might control the development of that ground. She said that she felt that it was a mistake to consider giving away land which would occupy a fire station, a public park and commercial property.

The Mayor explained that the reason for the proposal to de-annex the land to North Salt Lake was to prevent the duality of services in the area such as water, garbage pick-up and

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police protection. He also noted that the park will be funded by the commercial development that will be constructed on the parcel of property and that Woods Cross City and North Salt Lake will share in any additional expense to maintain the park and that it will be a regional park for the use of everyone in the South Davis County area.

The floor was given next to Council Member Earnshaw who explained that the concept of de-annexing the property to North Salt Lake had been considered in prior discussion by the City Council and that this was not the first time that this matter had been discussed and that because of the duplication of services the Council was giving consideration to the de-annexation. He noted that because of the low property taxes from the property in question that it would really be a drain on the revenues of Woods Cross City rather than an income source for them. All of this would depend on how the commercial area was to develop.

The floor was then given to Mr. Charles L. Payne, a city resident. He asked if the Valentines and the Hunters who own the property are in agreement with the de-annexation.

The floor was given to the engineer for the developer who said that the property had been sold by the Valentines and the Hunters to the developer and the new developer was very much in favor of having to deal with one city rather than having to deal with two.

The City Administrator explained that the boundaries for Woods Cross City would probably be terminated at the Legacy Highway which is soon to be constructed on the west side of Woods Cross because the west side of Legacy Highway will be a non-developmental area.

The floor was given to Thayne Smith, the engineer for the developer of the property and he noted that any homes that were on the extension of 2600 South into the development would not sit immediately upon the roadway and would have buffering between 2600 South and where the homes are built. This is for privacy and protection for those who purchase the homes.

Council Member Moore noted that there is an Interlocal agreement that will be signed between North Salt Lake City and Woods Cross City to share the revenues from this property to maintain the park that will be built within the area.

Council Member Earnshaw then asked the question if the de-annexation did not pass what would be the affect on the city. The City Administrator responded by saying there would have to be agreements developed between Woods Cross and North Salt Lake as to

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water service, police protection, and garbage pick-up for the small area that would be in Woods Cross.

The floor was then given to the Community Development Director who also explained that the people living in the small section that would be in Woods Cross would have identity problems because most of the developed area would be in North Salt Lake and this small portion would be in Woods Cross City. Their neighbors across the street on 2600 South would be in North Salt Lake and they would be in Woods Cross City.

The floor was given to Mr. Clark Burbidge, a city resident. He noted that from what he understood from tonight's public hearing that there would be an overall cost savings to the City of Woods Cross by de-annexing the land to North Salt Lake because in actuality developed homes are a drain on the city's revenues rather than an increase to the city.

The Staff agreed with Mr. Burbidge's statement pending how the small commercial part would develop noting that the development would have to be a high sales tax generator type business such as a car dealership which would be unlikely.

There were no other comments and the Mayor closed the public hearing.

**CONSIDERATION TO APPROVE INTERLOCAL AGREEMENT WITH
NORTH SALT LAKE FOR THE PROPERTY THAT WOULD BE DE-ANNEXED
INTO NORTH SALT LAKE**

The floor was given to the City Administrator who reviewed with the City Council the following:

“Given to the Council is a copy of the proposed agreement which has already been approved by North Salt Lake City. The agreement is in the same format as has been previously discussed by the City Council. We have reviewed it with the City Attorney and feel comfortable that it addresses the concerns we had with adjusting the boundaries and allowing Foxboro to be developed in this area.”

At this point Council Member Decker re-entered the meeting.

The City Council once again reviewed the elements of the Interlocal Agreement with the City Administrator and asked of him several questions that were answered.

The floor was then given to Council Member Moore who motioned that the City Council adopts resolution 2006-396 a resolution of the Woods Cross City Council authorizing the execution of an Interlocal Cooperation Agreement between Woods Cross City and North

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Salt Lake City providing for the cooperative action regarding a boundary adjustment and various matters relating thereto. The motion was seconded by Council Member Dayley and the Mayor called for a vote. All voted for the motion except Council Member Earnshaw who voted opposed.

CONSIDERATION TO ADOPT AN ORDINANCE ADJUSTING THE BOUNDARIES WITH NORTH SALT LAKE CITY

The City Administrator made the following statement:

“Given to the Council is a copy of the ordinance that would adjust the boundaries with North Salt Lake City. If the Council has not received any comments during the public hearing that would need further analysis and if the Council has approved the Interlocal Agreement addressed in item 11 of tonight’s agenda then I would recommend the Council adopts the ordinance adjusting the boundaries with North Salt Lake City.”

Following the statement by the City Administrator the floor was given to Council Member Hadlow who motioned that the Council adopts ordinance #492 an ordinance adjusting a portion of the existing common boundary line between Woods Cross City and North Salt Lake City (Foxboro North). Council Member Moore seconded the motion and all voted for the motion except Council Member Earnshaw who voted opposed. The motion carried by a vote of 4 to 1.

REQUEST TO CONSTRUCT RESTROOMS AT THE MILLS PARK BASEBALL DIAMONDS

The floor was given to the City Administrator who explained the following to the Council:

“I’ve been contacted by Alan Chambers, President of the South Davis Baseball Association that utilizes Mills Park. He has indicated the baseball, soccer and football leagues would like to request we seriously consider constructing restrooms in the vicinity of the ball diamonds. They’ve received numerous complaints from people using the fields about the lack of bathrooms and the inconvenience of having to use the port-a-potties.”

The floor was then given to Mr. Chambers of the Baseball Association. He explained to the Council that the members of the Baseball Association would be willing to build the restrooms for cost of materials if the City were willing to fund those materials. He noted that he estimated the cost would be somewhere between \$40,000- \$50,000 for the restrooms plus a small storage area.

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He noted for the Council that over the season of baseball that there are around 33,000 visitors who come to the park to witness the baseball games played there. In the past they have tried to provide port-a-potties, as well as, there are restrooms at the other end of the park which is several blocks away for people to use.

The floor was given to Council Member Dayley who expressed her opinion that she thinks this construction is very important to this part of the park and that there is a definite need for restrooms.

Council Member Hadlow suggested that the Council wait until the next budget year to fund the project so that the funding can be worked into the City's budget.

The Council then directed Staff to look at the current budget and perhaps next year's budget as to how funding could be accomplished to build the requested restrooms.

DISCUSSION ON PROPOSED DEVELOPMENT AT 850 WEST 1500 SOUTH

The Mayor gave the floor to Mr. Gerry Tully who is the developer of the area at 850 West 1500 South. He reviewed with the City Council the development that is going on in the area of the Woods Cross town homes and that there is one parcel left that was for commercial development. He noted that he had been unable the last several years to procure tenants for development of the property commercially and that they would like to develop at least half of the remaining land into town homes and leave the part that fronts on 1500 South for possible further commercial development.

The floor was given to the City Administrator who said that he had worked closely with the property owners of the Apple Food Store to see if they would tie into a total development of the area in question but that there were problems with the current owners of the Apple Food Store that would have to be worked out and would take some time to accomplish.

The Council reviewed the proposed plot plan and said that it did meet a better need than what they had seen before but that they would still like to see the property developed commercially. If it could not then Mr. Tully could move forward by presenting his plan to the Planning Commission where they would give it consideration.

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**CONSIDERATION TO VACATE LOT 40 SKYPARK INDUSTRIAL PARK
LOCATED AT 1634 WEST 2350 SOUTH**

The floor was given to the Community Development Director who outlined the following for the City Council:

“The owners of an aircraft hanger, which is nearing completion on lot #40, have now decided to initiate a condominium conversion of the structure to permit individual sale of space within the hangar building. This proposal is similar to many other aircraft condominium conversions done throughout the Skypark Industrial Park in recent years. As with the previous conversions it has been necessary for the applicants to petition the Planning Commission and the City Council for vacation of the existing lot 40. This will permit the County Recorders Office to record the proposed Wing It Hanger Condominium final plat.

The Planning Commission has held a public hearing regarding this matter and has forwarded to the City Council its recommendation that Lot 40 of the Skypark Industrial Park located at 1634 West 2350 South be vacated to permit the recordation of the Wing It hangar Condominium plat.”

Following the review by the Community Development Director the floor was given to Council Member Earnshaw who motioned that the City Council approves ordinance #493 an ordinance authorizing the Mayor to enter into an order vacating lot #40 of Skypark Industrial Park Subdivision and directing the same be recorded with the Davis County Recorders office. Council Member Hadlow seconded the motion and all voted for the motion.

**CONSIDERATION TO APPROVE WING IT HANGER CONDOMINIUM FINAL
PLAT LOCATED AT 1634 WEST 2350 SOUTH**

The Community Development Director continued with the floor and outlined for the City Council the following:

“The applicant proposes to divide the aircraft hanger now under construction on Lot 40 into three individual condominium hanger areas noted as hangers A, B & C on the plat.

As previously noted, condominium conversion of hanger space within the industrial park has been quite common place in the last 8 to 10 years.

The Planning Commission has held a public hearing regarding the proposed condominium hanger plat. The Planning Commission has forwarded to the City Council its recommendation that the Condominium Wing It Hanger plat be approved with the

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condition that the proper plat name and title be added to top of the plat as required by the Davis County Recorders Office.”

The floor was given to Council Member Earnshaw who motioned that the City Council approves Wing It Hanger Condominium Final Plat located at 1634 West 2350 South. Council Member Moore seconded the motion and all voted for the motion.

**CONSIDERATION TO ADOPT A RESOLUTION EXPRESSING STRONG
OPPOSITION TO BILL 170 THAT RESTRICTS THE CITY’S LAND USE
AUTHORITY**

The City Administrator explained the following to the Council:

“Senate Bill 170 is a bill proposed by Senator Mansell that would severely restrict the city’s ability to regulate land uses and would have severe impact upon municipalities and counties with the state. The League has drafted a resolution expressing our strong opposition to this bill as well as asking our Senator and Representative to oppose this bill. I recommend adoption of the resolution as drafted.”

Following the recommendation by the City Administrator the floor was given to Council Member Earnshaw who motioned that the City Council adopts resolution 2006-397 a resolution of Woods Cross City Council expressing strong opposition to bill 170, land use amendments, and requesting that our Senators and Representatives vote against the bill. Council Member Hadlow seconded the motion and all voted for the motion.

DISCUSSION ON COMMUTER RAIL STATION DESIGN

The floor was given to the Community Development Director who will head a committee to develop the commuter rail station design. He noted that he is in the process of setting up the committee who will be holding their first meeting within the next ten days. It was noted that Anna Bell Kagie, City resident, had agreed to serve on the committee.

**DISCUSSION OF STOP SIGNS LOCATED AT 2100 SOUTH 865 WEST 2175
SOUTH 1425 WEST INTERSECTIONS**

The floor was given to Council Member Dayley who expressed a need for stop signs or yield signs be placed at locations of 2100 South 865 West and 2175 South 1425 West intersections. The Mayor also expressed his support of something being done at these intersections.

The Council gave direction to the Staff to look into the matter and report back to the Council.

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MEMORIAL DAY UPDATE

Council Member Earnshaw who heads the Memorial Day Celebration for the city reported on the plans that are going forward to prepare for this year's Memorial Day Celebration. He noted that all tents and cooking supplies have been rented and that they are working on having the men's choir to sing at the flag raising ceremony. He said that Senator Bennett would not be available to speak at the event and other suggestions were made that perhaps Governor Huntsman could be asked to speak. Mayor Parry said he would extend the invitation to the Governor.

Council Member Earnshaw also noted that there will be a helicopter on display from Life Flight Helicopter Services and that the Galloway Highlanders will perform, as well as, possibly the Woods Cross High School Jazz Band and of course breakfast will be served after the flag ceremony.

The Council expressed appreciation to Council Member Earnshaw for his work on this important event in Woods Cross City.

OPEN SESSION

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

There were no items brought forward.

REPORT FROM THE WASATCH INTEGRATED WASTE DISTRICT

The floor was given to Council Member Earnshaw who represents the City on the Wasatch Integrated Waste District. He reported that they have held several meetings in the past two weeks, board meetings, planning meetings, and other meetings. He noted that the Integrated Waste District is close to signing a new contract with Hill Air Force Base to sell them steam and that possibly within the next week it will be signed.

He noted that funding had been put aside to provide for the final bond payments on the plant and that they would be paying the bonds off early.

This concluded his report.

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PLANNING COMMISSION REPORT

The floor was given to Council Member Dayley who reported on the Planning Commission Meeting held January 24, 2006. Please see the minutes of that meeting for the details of her report.

CITY ADMINISTRATOR'S REPORT

The floor was given to the City Administrator who reported the following to the Council:

1. Update on our Recreation Program

“Jenefer Ruetder, the City’s Recreation Director, has been working very diligently to get some sponsors for the recreation program and she has gotten Denny’s Restaurant to do a special promotion for the program. She has also met with the director of the South Davis Recreation District to coordinate her programs with that of the district.”

CLOSED SESSION

At 9:25 P.M. Council Member Moore motioned that the Council go into closed session to discuss the purchase of real property and personnel matters. Council Member Decker seconded the motion and all voted for the motion.

ADJOURNMENT

At 9:55 P.M. Council Member Hadlow motioned that the Council come out of Closed Session and go into Open Session and adjourn the City Council meeting. Council Member Moore seconded the motion and all voted for the motion.

Kent Parry, Mayor

Alan Low, Recorder

