

PUBLIC HEARING
ROSE BUD FLATS SUBDIVISION
Council Chambers
April 21, 2010

The meeting came to order at 7:00 pm. Present: Mayor – Don Banning, Council: Gary Rose, Fran McCully, Phil Fisher, and Loretta Jones, City Attorney Mark Fennessy, and City Clerk Sandra Johnson.

GUESTS: Lisa Oedewaldt, Kristin Smith, Paul Rumelhart, Dave Norman, Payton Norman, Larry Coryell, Ken Davis, Ryan Mitchell, Jasin Kelso, Canda Harbaugh, Cody Sweet, Andrew Selle, Linda Newstrom, Cameron Williams, Glen Garrison, Wanda Guynes, Samuel Guynes, Karen Hubbard, William Hubbard, Gabriel Erickson, Josie Fisher, and Delphia Anderson.

Mayor Banning led the pledge of allegiance.

ROSE BUD FLATS SUBDIVISION: Kristin Smith and Lisa Oedewaldt – Oedewaldt presented public and council with a vicinity map of the subdivision proposal for references. It is a three residential lot and four commercial lots on 6.36 acres. Oedewaldt stated that in the subdivision review for approval there were 20 conditions. She wanted to point out a few.

#8 Hydrants - will require a letter from the Troy Volunteer Fire Department indicating that the hydrant located in the North East corner of lot 3 is in working order prior to approval.

#10 Staff report – will need a letter from the Troy Public Works department that the sewer and water hook-ups have the capacity to hold a new subdivision as well as in working order.

#11 Storm water designs – need to be stamped and sealed by a PE.

#4 No access strip – between lots 3 and 4 to preserve exclusive use, keeping it a secondary access.

#15 No access strip – along lots 1 and 3 near chapel flats road, to restrict all access from going over the gully.

#16 Frontage road easement and no access strip – along the frontage of the highway for lots 1 and 2, disallowing any driveways off the highway.

#18 The no access strips indicated – must be placed in the covenants and on the face of the plat.

#19 The drainage easements – the easement concerning lots 1 and 3 needs to be shown on the plat. There is a drainage easement that is off of the subdivision that needs to be indicated on the face of the plat because it will be used for part of the subdivision plats.

Oedewaldt stated that while inspecting the subdivision site, there were some areas of concerns. She presented pictures of some weed infestation and debris that will need to be cleaned up prior to final plat approval. She presented some standard conditions regarding roads, access, signs, covenants, weeds, and land use. There will need to be a highway change of use permit.

The planning board proposed a new recommendation regarding condition #8. The hydrant either needs to be relocated outside the access easement, or the roads need to

be redesigned in order to provide access to all lots from a primary road. There is another hydrant near lot 6 that is not as far into the plat. Kristin Smith stated that she is not sure how the council wants to address it. The easement could be redesigned around it, but if the recommended condition is adopted by council, a cul-de-sac would be in that location and it could be designed around the hydrant. Discussion followed. Oedewaldt stated that if the roads were redesigned, then the above conditions concerning the roads would have to be reviewed.

Ken Davis stated that he has no problem moving the hydrant, and would like the road left where it is so he can maintain it. Dave Norman, public works director, stated that the hydrant does have to be inside the easement. Davis would like it right on the access line, so the city would have access. He stated that he would like to keep the two roads. He doesn't want residential traffic going through the commercial for safety reasons.

Regarding the drainage issues; Ken Davis stated that the drainage retention pond is on Chapel property. Kristin Smith stated; the way the condition is phrased is; if there is any drainage from this property that drains to that pond; then there needs to be adequate inspection. Davis stated there wouldn't be. Smith stated; then the condition is met. The storm drainage report is reviewed by DEQ. Gary Rose asked Davis if he had permission to use the drainage pond from Chapel. Davis stated; no, that he does not intend on using that pond or disturbing anything around it. The existing drainage is not from his property. Larry Coryell asked Ken Davis if the water ran down his property before filling the property, and the pond on Chapel property is the result. Davis answered yes. Coryell stated; then the fill changed the slope and the flow pattern. Davis said the flow came from across the road thru a culvert under highway 2. The state made him put in two catch basins. Davis explained the direction of the flow. Kristin Smith stated; there will need to be a drainage easement shown in that location showing exactly where the storm drainage arrows are stating for the purpose of storm drain. Discussion followed. Smith reminded council that the State DEQ will review all storm drain plans.

Discussion regarding easements: Fran McCully stated that a 10' sewer easement seems narrow. Dave Norman answered; easements vary due to the depth of the sewer. 10' is not bad, it is acceptable. Fran showed concern that the area would be developed and crowd the easement. Norman answered; it would be no different than it is now. There are setbacks for building that would fall under the building inspectors review at the time. Kristin Smith stated that setbacks are usually measured from the property line. McCully added the concern about outbuildings covering easements. Ken Davis stated that there are already 10 hookups on the sewer line and 8 on the water line. He doesn't foresee having to dig the property again. Gary Rose asked Ken Davis if he ever planned on turning the road over to the City to maintain. Davis stated that he doesn't know how the City feels about it. Discussion followed on width of streets. Gary Rose stated his concerns that most city streets in Troy are 60' easements. Kristin Smith stated that the subdivision proposal is based on County subdivision regulations. Lincoln County Planning doesn't require any additional standards. Council can request that this be increased. Smith added; the road width may be of importance to the council. The surface is only 20'. Larry Coryell feels that with all other city services, purchasers would expect it to be a city street. Dave Norman mentioned that if adjacent property owners decided to subdivide at some point, they may be willing to put 20' into the road. If City did accept the 40', this would not be a problem. Most of the city driving surfaces right now are only 20'. Norman's concerns are the hydrants. He feels they need to be at the very edge of the easement. Kristin Smith reiterated, stating that the council can make

those requests. Smith said the hydrant doesn't have to be inside the easement. Davis stated he has no problem moving it beyond and creating an easement if the 40' road easement stands. Phil Fisher asked if the Fire Department would have permission to go across the lots to get to this. Kristin Smith assumed so. Ken Davis questioned condition #8 regarding the hydrant in working order. Davis stated that he had spoke with the fire chief and he would like the hydrants turned on and left on, they are currently dry. Lisa Oedewaldt stated they need a letter from the fire department stating they are active. Ken Davis asked Dave Norman if he could turn the water on. Norman replied; yes, we can turn it on and leave it on. Because of the discussion regarding the roads; Kristin Smith made mention that the easements shown are private. If they need to be public access easements, you may want to look at this. Ken Davis asked if Chapel Flats Road was a city street. Phil Fisher answered that it is a private road. Lisa Oedewaldt stated that it is marked as a city street on their records. Dave Norman confirmed that it is not a city street. He continued; Chapel Road is in the city limits when it was annexed. 100% of the road is on the property line. It is just in the city limits, it is not a city street. Kristin Smith would like to add the condition to have Chapel Road appear as a secure easement to show that there is access to the Chapel property. Discussion on footage and wording of the easement followed. Dave Norman asked Smith questions regarding the utility easement that the hydrant is on, possibly continuing further for future development. Ken Davis confirmed that there has been talk regarding the area in question, and he didn't want to address it at this time. Smith did confirm that both easements in question are dedicated utility easements.

Mayor Banning asked council if they would be ready for a vote. Kristin Smith stated that the Council has until May 13th. Ken Davis stated that he would be willing to extend it to the next council meeting to avoid a special meeting. Phil Fisher stated that he would like to extend it to the next meeting. Kristin Smith asked Mayor and Council if they would her to send a modified plat for review. Consensus was yes.

7:25 p.m. adjourn Public Subdivision Hearing, open CDGB Public Hearing

**PUBLIC HEARING
JOINT CITY/COUNTY
CDBG MEETING
Council Chambers
April 21, 2010, 7:25pm**

GUESTS: Paul Rumelhart, Dave Norman, Payton Norman, Larry Coryell, Ken Davis, Ryan Mitchell, Jasin Kelso, Canda Harbaugh, Cody Sweet, Andrew Selle, Linda Newstrom, Cameron Williams, Glen Garrison, Wanda Guynes, Samuel Guynes, Karen Hubbard, William Hubbard, Gabriel Erickson, Josie Fisher, and Delphia Anderson, and Kimberly Rowse.

CDBG: Paul Rumelhart- thanked everyone for being present. The State receives an allocation for 2010 of \$6,861,827; of that the state withholds \$305,855 to administer programs for HUD. The amount available for awards to local government like Troy is \$6,555,972. Two thirds of that is for community development like housing and public facilities. One third is for economic development, and the entire state allocation is \$2,185,000. Rumelhart advised that for additional information on community development to contact Gus Byrom at the Montana Department of Commerce in Helena.

Speaking on the economic side local governments can apply for not less than \$100,000 and not more than \$400,000 in one year. He explained that it is possible to have more than one project per year. If the project is large enough, with prior approval from the Montana Department of Commerce, the City and the County can join together and apply for an \$800,000 grant, or a variety of projects adding up to the \$800,000. In addition the State receives an allocation for \$210,000 for technical assistance grants. Rumelhart used the examples; planning grants, marketing surveys, feasibility studies, preliminary engineering reports, etc. Rumelhart stated that there is no application deadline.

There are two types of activities with the CDBG economic development program; a loan to the business, or a grant to the city. They make loans to private businesses. The loan rate is 5% with a payback to the City, and then the City develops its own economic fund so it can continue to grow and assist businesses in the community. The length of the loans varies. There are grants available for employee training as well. If the employee is disabled \$7,500 would be available. After the employee has completed training, they expect the minimum wage to be \$15.48 per hour in salary and benefits. There are grants for infrastructure projects. These are grants to the City. Rumelhart gave examples like preliminary engineering reports that will help estimate the cost of construction.

The goal of economic development is jobs. There are limits. There are criteria on how much funding is available over a two year time period and its \$25,000. It can be used to loan to a business or a grant to the city. The applications focus on low to moderate income applicants. The loans are a 50/50 match; the other part of it coming from private finance, dedicated land, or another business as examples.

Rumelhart asked for public questions:

Glen Garrison asked if a railroad siding can be put in for a grant. Rumelhart answered; yes, you just have to have a business in mind and commit to it. He the procedure and reiterated that the focus on employees.

Canda Harbaugh stated that Libby has received the grant in the past and asked that if it came to Troy, would it be administered through City of Troy. There are different ways to do it. The City and the County could administer it on their behalf. He gave examples involving employment reports and the job center. Harbaugh asked who reviews the grant applications for the businesses and infrastructure. Rumelhart advised it is made at the Department of Commerce in Helena. They have the Big Sky Trust Fund Board of five people, as well as the CDBG Board. Harbaugh asked how the applications are selected. Rumelhart answered that the requirements are not that easy. If qualifying with a bank, they will usually make it through to the grant. Harbaugh asked if there was any consideration given to population and unemployment rates. Rumelhart answered; for HUD rural is 50,000 or less. It depends on how many jobs would be created. Harbaugh asked what the customary rate for a third party to administer the grant would be. Rumelhart advised not greater than 8%, sometimes nothing. It depends on the magnitude of the project. Discussion on deadlines and rules followed. There is a great deal of information on the Department of Commerce web site.

Larry Coryell asked the mayor if the City has come up with any ideas for projects that would be in the other two thirds of the allocation including public facilities and housing.

The mayor advised that he has been in contact with Paul Rumelhart, but as far as housing, he isn't aware of any housing projects at this time. It was stated that the prior administration had started to gather information regarding housing. Coryell asked if there had ever been a preliminary engineering report done for getting water to the cemetery. No, but it had been considered. Coryell asked if that could be a possibility in the future. Discussion on jobs created for projects followed. Canda Harbaugh asked questions regarding the information gathered from the prior administration. This was done through CDGB, Frank Kromkowski.

7:50 p.m. adjourn Public Hearing of Joint City/County CDBG Meeting, open regular Troy City Council Meeting.

**Troy City Council
Meeting
Council Chambers
April 21, 2010, 7:50pm**

Pledge of Allegiance was lead by Mayor Banning.

GUESTS: Dave Norman, Payton Norman, Larry Coryell, Ken Davis, Ryan Mitchell, Jasin Kelso, Canda Harbaugh, Cody Sweet, Andrew Selle, Linda Newstrom, Cameron Williams, Glen Garrison, Wanda Guynes, Samuel Guynes, Karen Hubbard, William Hubbard, Gabriel Erickson, Josie Fisher, and Delphia Anderson.

NEW BUSINESS LICENSES:

Dirty Deeds Done Dirt Cheap: Excavating Business – Owner: Jim Carr, location: 203 W Riverside, in Troy. Phil Fisher asked Jim Carr what equipment he planned on using in the City. Jim replied, a small John Deere excavator for yards, a dump truck, and a trailer. Carr explained that he anticipates private water line repairs once usage is charged to residents. Phil Fisher asked if he has employees. Carr answered; yes, three. Phil Fisher made the **Motion** to approve the above stated business license. Loretta Jones made the second to the motion. Fran McCully– abstained, Phil Fisher – Y, Loretta Jones – Y, Gary Rose – Y, **Motion carried.**

Cutting Edge Lawn Care: Lawn Care Business – Owner: Andrew Selle, location: 235 Hummingbird Lane, in Troy area. **Motion** to approve Cutting Edge Lawn Care was made by Phil Fisher and seconded by Gary Rose. Phil Fisher – Y, Gary Rose – Y, Fran McCully – Y, and Loretta Jones – Y, **Motion carried.**

BPA RESERVATION AGENT AGREEMENT: Phil Fisher made the **Motion** to approve the BPA Reservation agent agreement and Loretta Jones seconded the motion. Phil Fisher – Y, Loretta Jones – Y, Gary Rose – Y, Fran McCully – Y **Motion carried.**

STOP SIGNS: Spokane, Kalispell and Grant- Mayor Banning stated that he has had letters from residents requesting stop signs due to high traffic. Banning stated that Chief of Police McLeod and he had come up with ten areas for signs. 4th and Spokane, near the activity center, 1st and Spokane, and 1st and Kalispell, near the Post Office. Also, stop signs for 3rd, 4th, and 5th streets, going into Grant. Mayor Banning advised that the

stop signs probably will not be placed until July. Discussion on costs followed. Mayor Banning stated that the safety of the children is really important. Loretta Jones made a **Motion** to approve placing stop signs at said locations. Gary Rose seconded the motion. Loretta Jones – Y, Gary Rose – Y, Fran McCully – Y, Phil Fisher – Y **Motion carried.**

URBAN ENHANCEMENT TREE GRANT: Approve Low Bidders -. The low bidders were:

- Antler Tree Nursery - purchase of 24 deciduous trees - \$4,740.00
- Jacks Waterworks - planting 60 trees - \$8,700.00
- Little Johns Tree Spade Service - purchase 36 conifers - \$5605.20
- North Fork Forestry – Stump removal and grinding - \$225.00

Phil Fisher had questions regarding the cost of the trees and the amount. The breakdown was given. Discussion followed. Where the trees will be located; at Roosevelt Park, Mineral Avenue, and one city hall. What type of trees and the size? They are to be six foot; ponderosa pine, red and queen maples, burr oak, linden and hackberry. Sam Guynes asked if the growth of the trees placed on Mineral Avenue would create a problem with power lines. The placement on Mineral is in conjunction with the County CTEP project, and if they can't be placed there, then they will all go down at the park. Phil Fisher made the **Motion** to approve low bidders for the Urban Enhancement Tree Grant. Fran McCully seconded. Loretta Jones – Y, Gary Rose – Y, Fran McCully – Y, Phil Fisher – Y **Motion carried.**

ENERGY EFFICIENCY GRANT: \$33,948.00 – This grant will provide that the bays and foyer would be insulated, energy efficient windows replaced, and both bay doors would be replaced with energy efficient windows and doors. Discussion followed. The grant is from federal funds, no match from the city, but does entail extensive reporting. Gary Rose made a **Motion** to accept the Energy Efficiency Grant for \$33,948.00 and Phil Fisher seconded the motion. Loretta Jones – Y, Gary Rose – Y, Fran McCully – Y, Phil Fisher – Y **Motion carried.**

TETRA TECH LEASE AGREEMENT: \$16,224.00- This is a continuation of the lease the city has had with Tetra Tech for the last three years. The only addition was for \$70.00 due to an increase in electrical service. Loretta Jones Made a **Motion** to approve the Tetra Tech Lease Agreement and Fran McCully seconded it. Loretta Jones – Y, Gary Rose – Y, Fran McCully – Y, Phil Fisher – Y **Motion carried.**

PHASE II WATER PROJECT UPDATE: Ryan Mitchell, RPA Request #8 for \$30,794.84 – Mitchell updated; project is in the second month. The drilling across Callahan Creek was scheduled to take five days, but took much longer. They ran into difficult materials like flat rock. The contractor hasn't submitted any increase of costs for that yet. Any increase of costs would come out of the TSEP contingency. The proposed solution to get the waterline under Callahan Creek was to go from a 16" to 14" pipe. Mitchell stated that he calculated the change and checked with the State about the change. There would be less than one foot of friction loss. Mitchell explained the installation process and how difficult it was. Phil Fisher asked why a 22" hole was required to install a 14" pipe. Mitchell explained that usually the contractor would want it to be 1 ½ times the size of the pipe. Fran McCully asked Mitchell to explain what exactly went from 11.9 to 11.3. Mitchell answered, the PVC pipe. Phil Fisher stated that his understanding for the reasoning for the larger pipe was for chlorination. Mitchell said;

no, not on that section. That is for the chlorination bay. Phil Fisher reiterated; if the contractor submits a claim, it will come out of contingency. Yes. Fran McCully asked what happens to the contingency money if it isn't used. If it is not used, it goes back. If the contractor is bonded for the project, wouldn't this issue fall under that. Mitchell stated, no, there is a payment bond and a performance bond, this wouldn't fall under either. Discussion on bonding followed. The City has a large contingency on this project because the bids were so low. We are now coming into dust season. The contractor will be watering. A question was asked that if they would be in contact with the local DEQ office if they were to find asbestos? Yes, right away, and then was asked if they have been trained. Yes, the DEQ has showed them what to look for. They are about 55% done and have found soggy areas that meant leaking pipes. Representatives from the agencies will be here tomorrow. It is Earth Day and this is one of two green projects in the State of Montana. The contractor will be putting down top soil and grass seed near the museum and is aware of the damage to the sprinkler system. Fran McCully mentioned that soil and grass seed may not be enough, they may want sod. Mitchell replied; we will deal with that when the time comes. He asked for questions. Discussion on wood water lines followed. Fran McCully asked for the reasoning why the piece on Third Street near the tracks was being left till last. Some services to residents will be shut off and attached to the alternate so the well will have to run 24 hours a day to keep services going. Fran McCully asked if the CTEP project was still in the works. Mitchell replied; yes, contracts have been sent and also the agreements to the County. A **Motion** was made by Gary Rose to approve the RPA pay request #8 in the amount of \$30,794.84. Loretta Jones seconded. Loretta Jones – Y, Gary Rose – Y, Fran McCully – Y, Phil Fisher – Y **Motion carried.**

WATER PROJECT PHASE II: Fraser Management Invoice # 24-2010 for \$1,020.00- Loretta Jones made the **Motion** to approve Fraser Management Invoice # 24-2010 for \$1,020.00. Gary Rose seconded. Loretta Jones – Y, Gary Rose – Y, Fran McCully – Y, Phil Fisher – Y **Motion carried.**

WATER PROJECT PHASE II: S&L Underground Request #2 for \$229,669.48 – A Motion to approve the S&L Underground request #2 for \$229,669.48 was made by Gary Rose and seconded by Fran McCully. Loretta Jones – Y, Gary Rose – Y, Fran McCully – Y, Phil Fisher apposed. **Motion carried.**

WATER PROJECT PHASE II: Mark Fennessy for \$2,175.00 - A Motion was made by Loretta Jones to approve payment in the amount of \$2,175.00 to Mark Fennessy for the water project. Fran McCully seconded the motion. Loretta Jones – Y, Gary Rose – Y, Fran McCully – Y, Phil Fisher – Y **Motion carried.**

Ryan Mitchell wanted to bring up additional work adding to the project. Don Banning stated there is a chance that it won't happen. Ryan Mitchell replied; yes, a slim chance. Mitchell stated; to take advantage of all the funding, we asked the funding agencies if they would participate in adding more water line replacements. All agencies except for one, said yes. RPA ran cost estimates on Yaak Avenue to complete lower level between 1st and 4th Streets, In addition, well #1 improvements and SCADA. Mitchell stated; we've designed it, and it has been submitted it to DEQ for review and approval. Once approved, it will be ready for the work. It could come as a Change Order to the contract for this additional work. Prices were also requested from the contractor. It may be coming to Council as Change Order #1 to be approved and fits within the budget. Fran McCully stated because of the time frame, we may have to hold a special meeting.

Ryan Mitchell added that Tom Slovarp with DEQ will be on the project tomorrow to look at Yaak Avenue before approving. Mitchell stated, there may be the need for a special meeting to approve it.

MINUTES: A **Motion** was made by Phil Fisher to approve the Minutes of March 16, 2010 Work Meeting, March 17, 2010 Training Session, and March 17, 2012 Regular Council Meeting. The motion was seconded by Fran McCully. Loretta Jones – Y, Gary Rose – Y, Fran McCully – Y, Phil Fisher – Y **Motion carried.**

CLAIMS: Fran McCully brought up the claim pertaining to refunding the cleaning deposit at the apartments. She asked if the claim for cleaning comes out of the refund of the cleaning deposit. Sandra Johnson stated that it was a different apartment and deposits are kept if needed. Discussion followed. Phil Fisher asked who was attending the MMCTFOA training and what dates. Tracy Rebo and Sandra Johnson will be leaving Sunday May 2nd, and Mayor Don Banning would be joining them Wednesday the May 5th. Loretta Jones asked if the training was mandatory. Phil Fisher asked if the claim to the Local Government Center was for the training. Yes. Phil Fisher questioned the different reimbursement claims for training in Polson. It was explained that the difference was that one included mileage. Fisher asked who P & S motors is. Larry Paasch and the invoice is for the fire department repair and maintenance. Gary Rose questioned the claim to Silver Spur for the BPA power outage. When the power workers are out over night, they get a meal. Don Banning brought up a check that was reissued to Watts Saw Shop. The original was lost in the mail, was cancelled, but has to show on the claims again for approval for the reissuance. Fran McCully questioned claims shown with an asterisk. Johnson replied; that budget line that it came out of is overspent. It's getting toward the end of the year. Phil Fisher asked about the claim for the building inspector. It is for training and because he is the inspector for Libby as well, Troy only pays half. A **Motion** was made by Fran McCully to approve the claims in the amount of \$295,987.84. The motion was seconded by Gary Rose. Loretta Jones – Y, Gary Rose – Y, Fran McCully – Y, Phil Fisher – Y **Motion carried.**

DEPARTMENT REPORTS: PUBLIC COMMENTS: None

PUBLIC COMMENTS:

A guest stated that he heard the sewer department was running in the red. He asked how much the loan is. Phil Fisher answered; the loan on the sewer is over \$12,000 per month, but there are wages, utilities, testing, and maintenance costs. Guest asked him how far in the red. Fisher replied; close to \$16,000 for the year. Fran McCully asked what the reserve is required to be. 50% of the appropriated amount.

Bill Hubbard commented regarding the last power outage. He noticed it was the longest time the city has had water pressure during a power outage. He also noticed that with all the pressure his usage is going up without any changes in the home. He disputes the fact that the meters are infallible. Phil Fisher asked if he had contacted the water department. He had. Fisher referred him to Dave Norman the public works director.

Sam Guynes commented on petitions regarding the police department have come up missing from various businesses. He gave community member's names and stated that there are local people that do not want their names to be seen for fear of being targeted. Guynes demanded to know what is going on in this town. Mayor Banning stated that Troy is complying with State law. Guynes reiterated; No you're not. Discussion followed

regarding emails from Mr. Turnis to the Mayor. Guynes stated he has copies of every email. Mayor Banning stated; we are in compliance with Montana State law, and that is all I have to say. Councilman Phil Fisher stated that he is in the process of contacting the attorney general to settle the issue. Sam Guynes presented council with a letter from Wayne Turnis. Phil Fisher explained that this letter doesn't apply because there is no vacancy in the police department. Wanda Guynes stated that she was present when Sam Guynes spoke to Clay Coker. Phil Fisher read the definition of a temporary employee. Sam Guynes asked if that covered police officers or was it just for any form of employee. Phil Fisher stated; yes, it is right out of the Montana Codes.

A guest asked if Jim Carr is storing his equipment at the park. Mayor Banning stated no, he has family property. Fran McCully stated; at my house or another property. The guest asked if he would be advertising in the park as well and voiced concerns of the name of the business being inappropriate. Gary Rose assured the guest that the operation will not be ran out of his residence at the park.

Motion to adjourn at 9:45 pm was made by Loretta Jones with a second by Fran McCully. **Motion Carried.**

Donald C. Banning, Mayor

ATTEST:

Sandra Johnson, City Clerk/Treasurer