

PLAIN CITY COUNCIL
MINUTES OF REGULAR MEETING
MARCH 2, 2017

The City Council of Plain City convened in a regular meeting on Thursday, March 2, 2017, in the Plain City Hall beginning at 7:00 p.m.

Present: Mayor Bruce Higley, Councilmembers Mike McKean, Buddy Sadler, Brett Ferrin, Natalie Hale and Brad Searle
Staff: Diane Hirschi, Steve Davis, Mike Kerswell, Bren Edwards, Tyson Garr
Also Present: Juleen Moss, Brandie Kilts, Jeff Johansen, Robert Seager, Jarod Maw, Brad Barto, Jon Lunt, Dalton Wilson, DJ Edwards, David Lloyd, Jodi Schoonmaker, Rock Mecham.

Call to Order: Mayor Bruce Higley
Pledge of Allegiance: Assistant Fire Chief Brandie Kilts
Invocation/Moment of Silence: Councilmember Hale

Approval of Minutes

It was noted that under the Stillcreek discussion, it should be corrected to indicate Phase 1 was previously approved. **Councilmember Searle moved to approve the minutes from February 16, 2017 as corrected. Councilmember McKean seconded the motion. Councilmembers McKean, Sadler, Ferrin, Hale and Searle voted aye. The motion carried.**

Comments: Public

None presented.

Public Hearing: Amendment to the 2016-17 City Budget

Councilmember McKean moved to open a Public Hearing on the amendment of the 2016-17 City Budget. Councilmember Ferrin seconded the motion. Councilmembers McKean, Sadler, Ferrin, Hale and Searle voted aye. The motion carried.

City Treasurer, Steve Davis, reported an addition of \$150,000.00 (funds available) to the 2016-17 City Budget, due in large part to increased sales tax revenue and an uptick in building permits. As contributing factors, he included sundry revenue from scrap material sales, a RAMP grant reserve - carried over from the previous year, and miscellaneous adjustments.

Mr. Davis disclosed a \$75,000.00 increase, needed to cover unforeseen street repair expenses and an increase for engineering expenditures. He explained that funding for projects yet to be completed has been factored in. Councilmember McKean inquired about salaries, provided for in the budget.

Mr. Davis outlined a reallocation of funds to cover salaries and indicated that fluctuation in salary terms made the adjustments necessary.

Councilmember Searle asked about Capital Projects Fund adjustments.

Mr. Davis informed the Council that much of the increase was generated through reallocation of storm drain budget reserves.

Mayor Higley petitioned those present for further comment. No additional dialog was offered.

Councilmember Ferrin moved to close the Public Hearing on the amendment of the 2016-17 City Budget. Councilmember McKean seconded the motion. Councilmembers McKean, Sadler, Ferrin, Hale and Searle voted aye. The motion carried.

Discussion/Motion: Amendment to the 2016-17 City Budget

Councilmember McKean moved to approve the Amendment to the 2016-17 City Budget. Councilmember Searle seconded the motion. Councilmembers McKean, Sadler, Ferrin, Hale and Searle voted aye. The motion carried.

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Discussion/Motion: Final Approval PCR-KTA, LLC Kelly's Corner Subdivision

Councilmember Ferrin moved to approve PCR-KTA LLC Kelly's Corner Subdivision.

Councilmember McKean seconded the motion. Councilmembers McKean, Sadler, Ferrin, Hale and Searle voted aye. The motion carried.

Discussion/Motion: Public Works Facility Bids

Councilmember McKean detailed three bids for the construction of the proposed Public Works Facility. He pointed out that one of the bids was not complete as it did not address all of the requested line item specifics.

Councilmember McKean explained where resources to pay for the project would come from and accounted for the Capital Projects Funds (from the City Budget) provisions that would be needed. He noted the discrepancy between previously speculated costs of \$300,000 - \$400,000 and the actual bid numbers, which exceed \$700,000. An plan option with omitted interior finishes for cost reduction was discussed.

Councilmember Searle queried why the building plans were not modified to meet expense expectations.

Councilmember McKean acknowledged, previous estimates were not based on standing, industrial building practices. He expressed that cutbacks to the proposed plan, in order to substantially reduce cost, would result in a structure that would not meet the needs of the Department.

Councilmember Ferrin reminded the Council of the public's perception of the project, suggesting citizens will not appreciate cost savings if the building is substandard.

Councilmember McKean reiterated that the acceptable bid comprises only the essentials.

Councilmember Searle expressed concern over the public's view of the amount of money being spent on the project.

Mayor Higley remarked that with growth in population, the building will be necessary – as planned. The public will see the usefulness of the building and will be happy with the construction. He advised that with population growth would come budget increases.

Examples of cost-cutting measures in construction that have caused deficient results were discussed.

Councilmember McKean reviewed project financing and calculated the Capital Projects Funds provisions that would be expended.

Councilmember McKean confirmed the building capacity, entrance, and egress was designed using Plain City equipment dimensions.

Councilmember Ferrin informed the Council of code compliance inadequacies in the original plans that were discovered and corrected before bids were sought. The updated information affected higher building costs.

Brad Barto, representing Barto Construction, gave a cost breakdown, outline of phases, and schedule. He declared demolition of existing obstructions was listed as a donation in his company's bid. Mr. Barto expressed a desire to satisfy the City's needs, thoroughly and efficiently. He affirmed the proposed building would be adequate and comfortable but not overelaborate.

Councilmember Ferrin asked for confirmation that local subcontractors would be involved in the project.

Mr. Barto answered in the affirmative and asserted that 60%-70% of the subcontractors hired to work on the project would be from Plain City.

Councilmember McKean reviewed the required building code updates to the original plan and illustrated the purpose of extending the foundation to a depth below the frost line, especially at overhead door locations. He noted some fixed costs related to the project.

Councilmember Ferrin recalled public sentiment over the Plain City Fire Station, when it was under construction. He pointed out the contrast between the public concerns of that time and the positive feedback received after the building was complete.

Mayor Higley thanked Mr. Barto for his presentation, complimenting his effort to keep the citizens of Plain City informed.

Mr. Barto ended his report.

Councilmember Sadler made it known, he would like the Council to table the decision for further review of the bids and study of cost-cutting options.

Councilmember Ferrin took responsibility for the abrupt submittal of the bid information to the Council, explaining his intention was to have the information examined and discussed by the group in whole, at the same time, so that questions and concerns could be addressed immediately, by informed parties.

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Councilmember Hale suggested the project details had been thoroughly scrutinized and that a delayed vote was not necessary.

Mayor Higley concurred, with confidence that the Council had enough information to make a decision while assembled at this meeting.

Councilmember Sadler reaffirmed his position; that he would need more time to study the proposal before voting. Councilmember McKean explained the arrangement of GMCG contracting allows for review and negotiation of segments of the construction allowances throughout the process.

Councilmember Searle evoked the difference in the original estimate, previously agreed upon, and the final bid. As the amount of the final bid is, at least, double that of the fore mentioned estimate, he questioned why more effort was not being directed toward maintaining the original cost expectations.

Councilmember McKean stated that the problem with the original estimate is that it was established in ignorance.

Councilmember Ferrin moved to move forward with the project as outlined.

Councilmember Hale seconded the motion. Councilmembers McKean, Ferrin, and Hale voted aye.

Councilmember Searle and Sadler voted nay. The motion carried.

Discussion/Motion: Fire Department Garage Door Bids

Assistant Fire Chief, Brandie Kilts, referred the Council to a printed copy of a proposal to replace overhead doors at the Fire Station. She explained, the doors that need to be replaced are on the west side of the building - originally installed when the Fire Station was built. She broke down the quotes and delineated the differences. She verified the funding would be taken from the Fire Department budget.

Councilmember Searle asked what the condition of the existing doors is, why they need to be replaced, and asked for clarification on the quantity of proposed replacement doors.

Brandie Kilts verified that "3" was the quantity of doors needed. She stated, the existing doors are functional but not well insulated and operation is slow and unreliable. She added the need for a more airtight closure.

Councilmember McKean, comparing the exhibited bids, asked if the lower priced bid comprised less expensive doors than the higher priced bid.

Brandie Kilts confirmed that all bids are for the same product and differ mainly in installation labor costs.

Councilmember Ferrin moved to approve the replacement of overhead doors on the west side of the Plain City Fire Station. Councilmember McKean seconded the motion. Councilmembers McKean, Ferrin, Hale, Searle and Sadler voted aye. The motion carried.

Discussion/Motion: Planning Commission Appointment

Mayor Higley recommended Jarod Maw be re-appointed to the Planning Commission.

Councilmember McKean moved to re-appoint Jarod Maw to the Plain City Planning Commission.

Councilmember Sadler seconded the motion. Councilmembers McKean, Sadler, Ferrin, Hale and Searle voted aye. The motion carried.

Motion: Approval of Business Licenses

New

Travis Panter Drywall & Handy Man	Travis Panter	1747 N 2750 W	drywall & handyman
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Renewals

Cole Truscott Industrial	Cole Truscott	3406 W 2350 N	industrial controls
Wade Property Solutions	Susan Wade	4236 W 2200 N	property management,
cleaning			
J Brad Barto Construction	Brad Barto	2965 W 2600 N	general contractor

Councilmember McKean moved to approve the business licenses as presented. Councilmember Ferrin seconded the motion. Councilmembers McKean, Sadler, Ferrin, Hale and Searle voted aye. The motion carried.

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Motion: Approval of Warrant Register

See warrant register 2/16/17 to 02/28/17. It was reported that we should have enough salt to last the rest of the season. The Sheriff bill is paid quarterly.

Councilmember McKean moved to approve the warrant register as presented. Councilmember Ferrin seconded the motion. Councilmembers McKean, Sadler, Ferrin, Hale and Searle voted aye. The motion carried.

Report from Planning Commission

Planning Commission Chairman, Jarod Maw, reported that the Planning Commission held two meetings the week of February 26 – March 4. Specifications of easements for the Kelly's Corner development were finalized. A decision was made to place landscape standards on the individual plats of Kelly's Corner rather than on the project as a whole.

Mayor Higley expressed gratitude for the summary. He thanked the Commission for their work on the large Kelly's Corner project.

Chairman Maw acknowledged the educational returns that participation in the development has provided.

Report: Council

Councilmember McKean asked for the status of the sewer ponds.

Plain City Public Works Director, Bren Edwards reported that the ponds are at slightly above normal capacity but not to unsafe levels.

Councilmember Sadler informed the Council of satisfactory progress toward fruition of the Founder's Day Celebration. He recapped plans, location, time, and date.

Councilmember Ferrin asked for an update on sewer inspections and violation notification.

Bren Edwards conveyed that inspections and notice actions have ceased for the time being.

Councilmember Hale had no further input.

Councilmember Searle had no further input.

Mayor Higley commented on the current conditions of the roads effected by ongoing utility projects – specifically 2600 North Street.

At 8:03 p.m. Councilmember Ferrin moved to adjourn and was seconded by Councilmember McKean. The vote was unanimous.

City Recorder

Mayor

Date approved

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The City Council of Plain City convened in a regular meeting on Thursday, March 16, 2017, in the Plain City Hall beginning at 7:00 p.m.

Present: Mayor Bruce Higley, Councilmembers Buddy Sadler, Brett Ferrin, Natalie Hale and Brad Searle
Excused: Councilmember Mike McKean
Staff: Diane Hirschi, Mike Kerswell, Bren Edwards, Tyson Garr, Jeremy Crowton
Also Present: Ross Taylor, Cheri Sparks, Mercy Jacobo, Dallas Taylor

Call to Order: Mayor Bruce Higley
Pledge of Allegiance: Councilmember Brett Ferrin
Invocation/Moment of Silence: Mayor Bruce Higley

Approval of Minutes

It should be that Jarod Maw was re-appointed to the Planning Commission. **Councilmember Sadler moved to approve the minutes from March 2, 2017 as corrected. Councilmember Searle seconded the motion. Councilmembers Sadler, Ferrin, Hale and Searle voted aye. The motion carried.**

Comments: Public

None presented.

Discussion/Motion: Easter Egg Hunt

Dallas Taylor (Lions Club Representative), after a brief reckoning of historical attendance and a depiction of the importance of the Easter Egg Hunt to our community, requested assistance in financing the 2017 event. He petitioned for \$700. Councilmember Searle mentioned the quantity of candy the donation would purchase. Mr. Taylor commented on the increasing number of participants the Plain City Easter Egg Hunt draws, each year. Councilmember Sadler indicated the Easter Egg Hunt is a much-anticipated activity. He thanked the Lions Club for their contributions. **Councilmember Ferrin moved to grant \$700 to the funding of the 2017 Easter Egg Hunt. Councilmember Searle seconded the motion. Councilmembers Sadler, Ferrin, Hale and Searle voted aye. The motion carried.**

Discussion/Motion: Municipal Wastewater Management Program Resolution

Public Works Director, Bren Edwards updated the Council on fundamental aspects of city-controlled sewage management in a printed document, delivered prior to the meeting. Referencing the information on the handout, he gave an overview of cleaning exercises, upgrades, and additions to the sewer system. Councilmember Sadler asked for clarification on the statistics being reported and if over the last 12 months all certifications and documents were signed by someone certified to do so. Bren Edwards answered in the affirmative and explained that the printed material contained an itemized accounting. **Councilmember Ferrin moved to approve the Municipal Wastewater Management Program Resolution No. 2017-01. Councilmember Hale seconded the motion. Councilmembers Sadler, Ferrin, Hale and Searle voted aye. The motion carried.**

Discussion/Motion: Park/Recreation Fees Resolution

Parks and Recreation Director, Tyson Garr distributed printed fee schedules to all councilmembers and clerks. He described changes made to the previous fee schedule and explained that many of the changes were made to align the Plain City fee structure with those of neighboring municipalities. The increased tackle football fees are due, in part, to the expense of new uniforms that will be mandatory for all players. Councilmember Searle asked how Plain City non-resident fees compare with those of nearby city programs. Tyson Garr pointed out, an extra charge for non-resident status has not been assessed in the past. The new fee is comparably less than that of other cities with non-resident fees already in their schedule. He sought input on possible adjustments. Councilmember Searle suggested the non-resident fee for tackle football should be greater than for other sports, considering the cost of equipment, etc. is greater. Calculating the amount of the non-resident fee, based on a percentage of the standard participation fee for each sanctioned sport was discussed. Tyson Garr noted, some players are required to participate in Plain City, due to

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the absence of certain programs in the cities where they live. He voiced concern over the fairness of additional charges. Councilmember Sadler requested an estimation of money accrued through standard participation fees and an accounting of any subsidizing of non-resident players, resulting from insufficient registration revenue. He would be accepting of subsidiary funds (if needed) for participants from Plain City, but not for those living outside of Plain City boundaries. He evoked the recent budget increases needed for Capital Projects and other expected expenses. Tyson Garr agreed to restructure the fee schedule in accordance with the Council's input. Councilmember Searle advised, an excessive increase in fees may result in the loss of participants. Councilmember Ferrin concurred, proposing dialogue with neighboring city recreation department heads to discuss covering non-resident fees for their citizens that wish to participate in Plain City sports. Mayor Higley spoke of efforts to minimize financial impact on other municipalities, encouraging fellowship, and promoting mutual patronage. Tyson Garr described some possible adjustments to the non-resident fee arrangement, previously discussed. Councilmember Sadler reiterated, he is not in favor of subsidizing participants from other municipalities. At a minimum, non-resident fees should be enough to cover the whole expense of individual involvement in a program. Tyson Garr spoke to program expense overages and verified that all costs are being accounted for. Councilmember Searle asked if the newly instated sale of concessions at events is projected to curb the need for sport programs subsidization from Plain City. Tyson Garr pointed out the lack of historical data concerning concessions sales, as the concept has not been a function of the Plain City Recreation Department. Councilmember Sadler proposed more study be done prior to approving the fee schedule. Councilmember Ferrin reminded the Council that the resolution is for a restructuring of the existing fee schedule with details and hard numbers to be decided in the future - after further discussion and study. Tyson Garr addressed anticipated changes to the grass field/park usage fee schedule and baseball field rental fees. Councilmember Sadler requested fine tuning of the fee schedule related to venue use in tournament situations, citing pickleball court reservations as an example of disproportionate conditions. Councilmember Hale analyzed the benefits and drawbacks of current venue reservation practices. Tyson Garr gave a breakdown of arena rental charges, speculated maintenance costs, and reservation requirements. Councilmember Sadler asked if venue reservations, according to the foreseen arrangement, will be subject to non-resident fees. Tyson Garr answered in the affirmative. Councilmember Sadler recommended allowance be made for groups consisting of both residents and non-residents in order to avoid overcharging Plain City citizens that host events at local venues. Councilmember Searle presented the Fremont High School Lacrosse agreement as an example of venue rental propriety. Councilmember Ferrin asked if the proposed fee schedule included revisions to Senior Center rental conditions. Tyson Garr stated that the Senior Center was not part of this resolution. **Councilmember Hale moved to approve Resolution 2017-02 as the Park/Recreation Fees. Councilmember Ferrin seconded the motion. Councilmembers Sadler, Ferrin, Hale and Searle voted aye. The motion carried.**

Discussion/Motion: iWorQ Package

Public Works Director, Bren Edwards described the iWorQ package as a digital option of recording, sharing, and submitting inspection data. He affirmed that the application was being used, successfully, by Building and Public Works departments in neighboring communities. He reviewed the expected cost of using the program is \$3,900. Councilmember Searle asked if the presented expense is assessed yearly. Bren Edwards answered in the affirmative and expounded on the program's capabilities. Councilmember Searle inquired, who performs commercial inspection tasks for Plain City. Bren Edwards explained an agreement with the city of Harrisville to share inspection assignments. Councilmember Sadler asked if Plain City charges permit applicants for all inspections. Bren Edwards answered in the affirmative. Councilmember Sadler noted that three bids had not been submitted for the purchase of the software. Bren Edwards indicated, there is only one place to acquire the application. Mayor Higley expressed personal familiarity with the program and declared it to be a valuable tool. **Councilmember Ferrin moved to approve the purchase and implementation of one module of the iWorQ application package. Councilmember Searle seconded the motion. Councilmembers Sadler, Ferrin, Hale and Searle voted aye. The motion carried.**

Discussion/Motion: Prohibited Activities in Public Parks Ordinance Amendment

Parks and Recreation Director, Tyson Garr proposed amendments to the City's Prohibited Activities in Public Parks Ordinance, a description of which was printed and distributed to the members of the Council and Staff. Councilmember Sadler remarked, the current lighting schedule does not coincide with the proposed park closing time. Tyson Garr explained, the lighting schedule will be revised. The amended park closing time and light schedule will discourage juvenile curfew violation. Councilmember Sadler recommended the park closing time be

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adjusted to 10:30 p.m. – matching the existing lighting schedule. He asked if an exemption has been considered for smoking in the park for religious reasons. Tyson Garr remarked, religious exemptions are addressed in other statutes. Dallas Taylor, a citizen of Plain City, questioned who is charged with enforcement of the ordinance, how it will be monitored, and what will be the penalty for defiance. Councilmember Hale answered, the Weber County Sheriff will be charged with enforcement. Councilmember Searle commented, an established ordinance is necessary in order for the Sheriff to provide enforcement. Per existing statutes, a person that violates the Public Park Ordinance will be issued a citation and immediately expelled from the park. Mr. Taylor expressed doubt concerning the willingness of the Sheriff's Department to enforce Public Park Rules. Councilmember Searle recalled a recent incident, requiring Public Parks Ordinance enforcement that was handled well by the Weber County Sheriff's Department. Mr. Taylor commented on problems with the light schedule at Town Square and the Lion's Club Bowery. Councilmember Searle assured Mr. Taylor that lighting schedule anomalies will be addressed.

Councilmember Ferrin moved to approve the Amendment to the Prohibited Activities in Public Parks Ordinance. Councilmember Searle seconded the motion. Councilmembers Ferrin, Hale and Searle voted aye. Councilmember Sadler voted nay. The motion carried.

Presentation: Fremont Communities That Care

Cheri Sparks introduced her friend and Fremont Communities That Care representative, Mercy Jacobo, and briefly described the suicide prevention mission of Fremont Communities That Care. Mercy Jacobo began her presentation, recounting a program kick-off that was held last year at Fremont High School. She described a survey that is given to students every two years, starting in the sixth grade that is designed to develop perspective on their feelings concerning suicide. She referenced a printed booklet that was distributed to the Council, previously. She spoke to adaptations that will be made to the program in order to meet the needs of specific communities. An overview of the program was given. Mercy asked for annual funding assistance in the amount of \$905.18. Councilmember Searle queried, what the requested funding will be used for. Mercy Jacobo responded, it will be used as a startup fund to hire a Community Program Coordinator. Councilmember Searle asked if the latest Fremont High School boundary changes have affected community participation. Mercy Jacobo reviewed participation zones. She pointed out additional information in the booklet that had been prepared for a neighboring community and made available to Plain City. Councilmember Ferrin proposed the information be further discussed in an upcoming work session. Councilmember Sadler mentioned parental responsibility and added he would like to see training and informing of parents as part of the program. Councilmember Searle expressed accord with the program's mission. Councilmember Ferrin restated his position that, though the requested amount is not extreme, more discussion is needed before a commitment should be made. The Council agreed to defer a decision until the program is reviewed in an upcoming work session. Mercy Jacobo thanked the Council for their time and verified her contact information was available.

Discussion/Motion: Cancel April 6 Council Meeting

Mayor Higley revisited the deadline affixed to the Weber County Sheriff's contract renewal, proposed in the preceding work session. Councilmember Searle suggested a short reprieve of the deadline be warranted if the next scheduled City Council meeting and work session be cancelled. Councilmember Sadler invoked the need for more time to explore alternative options. Mayor Higley mentioned the six month withdrawal clause that is provided for in the agreement. Councilmember Ferrin remarked, in his opinion, it will prove impossible to generate and implement a workable, alternative plan within the six month period. Councilmember Searle commented on the \$122,000.00 increase over the current contracted expense. Councilmember Sadler concluded, the Council needs to make adjustments to the budget in order to meet the proposed contract conditions. Councilmember Ferrin advised moving forward with the proposed contract with Weber County Sheriff. Councilmember Searle suggested continued study of alternatives is defensible considering the amount of the proposed increase in cost. Councilmember Sadler agreed, acknowledging the necessity to meet the deadline specified in the Weber County Sheriff's proposal. Councilmember Ferrin reported on study results of incorporating a sovereign law enforcement unit. Mayor Higley spoke of efforts by other municipalities that are seeing increases in their Weber County Sheriff Department service fees to find other resources for law enforcement functions. Councilmember Searle asked if a portion of a recent Weber County tax increase is going to the Sheriff Department. Councilmember Ferrin responded, a small percentage is set apart for the Sheriff Department. Mayor Higley expounded on the reasoning behind the proposed service fee increase. Councilmember Searle expressed frustration with the increase in cost without additional

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services offered. Mayor Higley remarked, the Weber County Sheriff Department views the increase as compensation for services previously performed at a discount. **Councilmember Hale moved to cancel the City Council Meeting to be held on April 6, 2017. Councilmember Sadler seconded the motion. Councilmembers Sadler, Ferrin, Hale and Searle voted aye. The motion carried.**

Motion: Approval of Business Licenses
None presented.

Motion: Approval of Warrant Register
See warrant register 3/01/17 to 03/14/17. It was noted that Caselle is the program used by Plain City Corporation for accounting purposes and the fee in question is for application maintenance. **Councilmember Searle moved to approve the warrant register as presented. Councilmember Hale seconded the motion. Councilmembers Sadler, Ferrin, Hale and Searle voted aye. The motion carried.**

Report from Planning Commission
None presented.

Report: Council
Councilmember Hale commented on the annual Plain City Easter Egg Hunt and sought hard schedule information.

Councilmember Sadler reported on the successful Founders Day Celebration. He was surprised and grateful for the large quantity of donations received from the community. He questioned the delay in finalization of legal documents pertaining to the Still Creek development.

Councilmember Searle did not present additional commentary.

Councilmember Ferrin announced summer employment opportunities in mosquito abatement. There are four to five, part time positions open and the pay will be \$13.00 per hour. He offered more information to those interested.

Mayor Higley observed an increase in tipping fees associated with use of the County Transfer Station. He represented the adjustment as necessary to cover operating expenses that have been higher than revenue for some time.

At 8:29 p.m. Councilmember Ferrin moved to adjourn and was seconded by Councilmember Sadler. The vote was unanimous.

City Recorder

Mayor

Date approved