
Minutes of the **Regular Meeting** of the **Riverdale City Council** held Tuesday, **September 21, 2010** at 6:03 p.m. at the Riverdale Civic Center, 4600 South Weber River Drive.

Members Present: Bruce Burrows, Mayor
 David Gibby, Councilor
 Shelly Jenkins, Councilor
 Don Hunt, Councilor
 Norm Searle, Councilor
 Alan Arnold, Councilor

Others Present: Larry Hansen, City Administrator; Steve Brooks, City Attorney; Randy Daily, Community Development Director; Lynn Moulding, Public Works Director; Doug Illum, Fire Chief; Jeannette Hall, Community Services; Marilyn Banasky, City Recorder; and 12 citizens.

A. Welcome & Roll Call

Mayor Burrows called the meeting to order and welcomed all those present. He noted that all Councilmembers were present.

B. Pledge of Allegiance

Councilor Hunt offered the Pledge of Allegiance. Mayor Burrows read a quote from the Continental Congress.

C. Moment of Silence

Mayor Burrow's quote was followed by a Moment of Silence.

D. Open Communications

Dave Leahy, Riverdale Veteran's Committee Chairman gave an update on the Veteran's Memorial. He stated that this City Administration has accomplished a great deal for Riverdale and feels the most important thing they have done for the City is the Veteran's Memorial. He stated that they have received shipping notification for first group of tiles and that they should get them soon. He reported that they have placed their second tile order and plan to place them on the Memorial around mid October. He stated that the flagpoles have been placed at the Memorial and they are waiting for the flags to arrive. He stated that they purchased a POW/MIA flag and hope to fly that under the American flag on certain days. He stated they are waiting on the donors tiles and cornerstones from Bott Memorial. Mr. Leahy reported that the open house for the veterans regarding the memorial went well. He reported that the handicap access has been cut and is almost done. He stated they are still waiting for the brown directional sign to be placed on 700 West to direct people to the Memorial. He reported that the damaged bricks on the Civic Center courtyard are being replaced and that they are still waiting for bushes to be cut down. He stated that they are trying to get a military color guard for the dedication ceremony on Veteran's Day. He stated that they are still waiting on the cameras from the Police Department and that they found someone from the pallet club to paint murals on the backs of the islands. He stated that they will ask for Council approval of the murals before they are painted. He stated that

107 names of veterans have been verified for the memorial and that only 8 have not yet been able to be verified.

Councilor Searle reported that he was asked by Crystal Niece, Riverdale Resident to pass on her thanks to Fire Chief Doug Illum and the Riverdale fire department for the way they treated the special needs children when they went through the fire department.

Lois Davis reported that she takes care of finances for the Veteran's Committee and wants to know if anyone has questions about how the finances are handled. She explained that the account was set up by Larry Hansen and herself and that she would love to have another account which is separate from the senior citizens account but no one will help her. Mr. Hansen reported that the reason they can't separate that account is because it is under the senior organizations 501(C)3. Ms. Davis inquired why they can't get a 501(C)3 for the Veteran's account. Mr. Hansen replied that there is a process to follow. He inquired how much money there is in the Veteran's account. Ms. Davis replied the balance is \$7,625.25. Councilor Jenkins inquired as to the amount of money they have collected to date. Ms. Davis stated that at one time they had \$26,000.

E. Presentations and Reports

1. Mayor's Report

Mayor Burrows reported that Weber State University Salutes will be held Thursday, September, 23, 2010 at 6:00 p.m.

2. City Administrator's Report

a. Department Information

Larry Hansen discussed the department information.

b. Employee Recognition

The following are employees whose anniversary date falls in the month of September.

Employee	Length of Service	Department
Sherrri Boyington	11 years	Senior Center
Karen Dille	11 years	Community Services
Frank White	8 years	Crossing Guard
Colleen Winget	7 years	Community Services
Michael Hadley	3 years	Fire
Terry Johnson	3 years	Fire
Cindee Colby	2 years	Business Admin
Garrett Lessard	2 years	Community Services

c. Staffing Authorization Plan

Larry Hansen discussed the report.

3. Recorder's Report (Review status of Council requested follow-up items.)

None

F. Consent Items

- 1. Approval of meeting minutes from:
August 31, 2010 Strategic Planning
September 7, 2010 Work Session**

September 7, 2010 Regular City Council

2. Report on Condition of the Treasury for the months ending June 30, 2010, July 31, 2010, and August 31, 2010.

Motion: Councilor Gibby moved to approve the consent items. Councilor Hunt seconded the motion.

Call the Question: The motion passed unanimously.

G. Action Items

1. Discussion and Consideration of Veteran's Committee recommendations.

Dave Leahy, Chairman of the Riverdale Veteran's Committee reported that he has some concerns to be ironed out and felt it was time they all work together to get the Veteran's Memorial built the way it should be. He stated that one of his concerns is the definition of a veteran and how to verify veteran status for those who want to purchase a tile as the committee is requesting a DD form 214 to verify veteran status to be able to purchase a tile. He introduced Mr. Larry Dawson from the Utah Department of Veterans Affairs.

Larry Dawson reported that the definition of a veteran is someone who has served on active duty in the U.S. military. He stated that the question is what about the other people who did not serve on active duty or what is the definition of active duty. He stated that a person can be a member of the National Guard, but if they were never activated, then by definition, they are not a veteran. Councilor Gibby stated that definition of a veteran concerns him as the City is not worried about who qualifies for veteran's benefits in terms of the memorial, but honoring those who have given service to their community and their country. He stated that is what he thought he was voting for when he voted for the veteran's memorial. Mayor Burrows reported that Mr. Brooks talked with HAFB and got a definition and their legal department who indicated that it is not a requirement that Riverdale City have the same requirements to qualify a veteran to be placed on the memorial as qualifying for veteran's benefits. Mr. Dawson stated that he has no preference one way or another and that he was just asked to define what a veteran is. He explained that his office has no input as to what the City of Riverdale does. Mayor Burrows stated that the distinction is that the City of Riverdale didn't take any federal dollars for the Veteran's Memorial, therefore, it doesn't have to meet the federal definition of a veteran to determine who goes on the memorial. Councilor Jenkins stated that Hooper is calling their memorial the Hooper Freedom Memorial and feels that if the City wanted to be more flexible, perhaps they should have discussed those things and named Riverdale's memorial in a more general way. She stated that they gave the Veteran's Committee the latitude to determine the criteria of a veteran in order to purchase a tile. Councilor Hunt stated that he checked with surrounding communities who have memorials and asked them what their criteria was for a name to be included on it. He stated that he was told their criteria to be included on the memorial was if they wore a uniform. He wondered if it was offensive to veterans to have those with military service, who don't qualify for veteran status, to be included on the memorial. Councilor Searle reported that the Veteran's Committee held an open house this week and a Vietnam veteran stated that he was glad to see that no reservist would be allowed on it. Councilor Searle stated that surprised him. Councilor Arnold reported that he was in the naval reserve and doesn't consider himself a veteran and wouldn't submit his name. Councilor Searle stated that about a year ago the memorial was planned, funded and ready to go. He reported that the word went out to send in names to go on the memorial. He stated that was changed and a committee was formed to raise funds, which is comprised of five former service men and two women. He stated that he thinks the

committee has done a tremendous job and have tried to do it right. He stated that if they do it by the book, then it should just be for veterans. He stated that he was in the reserves and has a soft spot for them and that this is a hard pill to swallow.

Mayor Burrows stated that he wholeheartedly supports the Veteran's Committee but feels there has to be some way to recognize those people who have served in other capacities. He thinks they are doing a disservice to those who served if the Council chooses not to honor them in some way. Councilor Gibby suggested having plaques on different islands for veterans and others that have served in the military. Mr. Leahy stated that they talked this over on the committee and they do not want to have two separate islands separating military service and veterans. Councilor Jenkins reported that she has been involved with functions honoring the military and stated that there is a protocol in the military. She stated that is why they formed a Veterans committee to work out the details, by veterans. Mr. Leahy stated that they are not trying to keep people off of the memorial but put them on it. Mayor Burrows inquired if the stone was changed to say Riverdale Military Memorial, would the committee would have a problem with whose names goes on a tile. Mr. Leahy stated that he would have to discuss that with the committee. Mayor Burrows stated that they could raise funds and replace that stone if that solves the problem. Mr. Leahy stated that there ought to be a way to change the memorial without changing the stone and that there has to be a line drawn somewhere. Councilor Arnold thinks that the they should turn it over to the committee to decide criteria and have Councilor Searle represent the Council on the committee and have the rest of the Council get out of the way. Mayor Burrows stated that they are an ad hoc committee which makes recommendations to the Council. Councilor Hunt stated that the committee should be allowed to move forward and the memorial should be reserved for those with veterans status.

Bob Ramos, Committee member, stated that when the committee was formed last April it was very simple to find out who those veterans were by their DD form 214. He stated it was easy for them to find these people until the question of reserves came up.

Mayor Burrows inquired if the Veteran's Committee wants to move forward with the recommendation they have now. Mr. Leahy stated that they would like to stay on the path they are currently on and verify veteran status with a DD form 214. He stated that they have drawn the line on what a veteran is. Mayor Burrows stated that it had been communicated to the community that the memorial would be open to anyone who served in a branch of the military and had ever lived in Riverdale. He stated that he will personally try to find some sort of solution for those who have served in other capacities and are not considered veterans by the committee as he made a personal commitment to those who had served in the military.

Motion: Councilor Arnold moved to turn all the affairs of the Veteran's Memorial over to the Riverdale Veteran's Committee so that they can decide how the memorial is built, who qualifies as a veteran, and oversee any open ceremonies that are held as a City. The only thing they need to come back to the Council for would be money related issues with Councilor Searle watching the funds as the Council representative to the Committee. Councilor Jenkins seconded the motion.

Councilor Jenkins stated that the memorial says Riverdale honors past, present and future veterans and would like to see the committee be a long term committee instead of an ad hoc one.

Friendly Amendment: Councilor Jenkins moved to have the Veteran's Committee serve as a perpetual committee. Councilor Arnold agreed to the friendly amendment.

Larry Hansen stated that it was intended upon the inception of the committee that it would be ad hoc until the memorial was completed and then staff would step in to perpetuate the purchasing of tiles. He stated that he is now hearing something different. He stated that Councilor Arnold's and Councilor Jenkins' motion is broader in potential impact than just turning the affairs over to the committee as there is a November 11th date coming up. He wondered if the motion meant turning the planning and execution of the ceremony over to the committee. He stated that if this committee is anything other than ad hoc one, he would strongly suggest that the committee get themselves their own 501(C)3 status and divest themselves of the senior center umbrella. Councilor Arnold stated that his motion was to take the ping ball aspect away and that he is not trying to kick them out of the City. He thinks the staff and the Council should support them and be fully vested in what they are doing. He feels the committee shouldn't be questioned on some of these things as they have entrusted them. He is not trying to say they should be their own entity. Mr. Hansen inquired if Councilor Arnold's motion would that go to the point of encouraging the committee to become a legal entity of their own as a 501(C)3 organization. Mr. Brooks stated that he thinks the committee should be their own entity if they are to be a perpetual committee. Councilor Arnold stated that even with turning the affairs over to the committee, they still need City support. He wondered if they became their own legal entity if the City would charge them for what public works now does to maintain the memorial. He would say no, as it is the City's memorial and we are tasking them to create it and keep it going.

Councilor Jenkins stated that she thinks the Veteran's Committee should be a perpetual committee with their own 501(C)3 status as they are collecting tax deductible donations. Councilor Gibby stated that he is worried about the motion as there is no legal framework for permanency established. He feels they are not looking at the long term implications of this motion and thinks this is a short term solution to get the committee to function through the dedication and create a criteria for names go on the memorial. Councilor Searle stated that thinks overall is a good idea but that he has reservation and concerns. He thinks the maintenance responsibilities need to be defined and wondered if they should table this item to come up with a framework and give temporary approval to carry on. Councilor Hunt stated that they haven't had any conversations with the Veteran's committee to see what their long term desires are. Councilor Jenkins stated that she thinks the committee needs to get the memorial completed and then work toward a perpetual status.

Amended Motion: Councilor Arnold moved to give the authority to the Riverdale Veteran's Committee to make all decisions on design, definition, and installation of the Veteran's Memorial with the support of the City and the Council. That they come back to the Council for funds or cost over runs. That the Committee is to organize and conduct the Veteran's Day program with the City's full support. That the Veteran's Committee look at the possibility of becoming an ongoing perpetual Committee and come back to the Council with some guidelines, bylaws, etc. Councilor Jenkins agreed as second.

Councilor Gibby stated that he is worried about putting a huge burden on the Committee's back without asking them for it or them concurring. He suggested giving them temporary powers for the tiles and that he would like them to have a committee meeting in between now and the next council meeting to say if they want it. Councilor Arnold stated that everything that Councilor Gibby is talking about is in the motion and if the committee has a meeting and doesn't want to do it then the

City doesn't do it. He stated that he is fine with having the committee bring back their thoughts of having an ongoing committee by January, 2011. Councilor Searle inquired as to Mr. Leahy's opinion if they want time or not. Mr. Leahy stated that they do need time to digest this and look at the implications of a full committee and see what is involved in this. He stated that he is not sure there will be enough work after Veterans Day to warrant a full time committee. He suggested an advisory committee and turn over the ordering of tiles instead of having a full committee. Councilor Jenkins stated that she doesn't think it will need to be a full time committee either, but thinks having a Veteran's committee with a military influence to manage and maintain those things would be great.

Call the Question:

Roll Call Vote: Councilor Jenkins, Aye; Councilor Hunt, Nay; Councilor Searle, Nay; Councilor Arnold, Aye; Councilor Gibby, Nay. The motion failed with three opposed and two in favor.

Councilor Jenkins stated that she is not asking for anything in perpetuity at the moment, but allow the Veteran's committee to move forward on the course they are on through Veterans Day or January, 2011.

Motion: Councilor Jenkins moved to have the Riverdale Veteran's Committee stay the course with the exception that the Committee bring the Council back more information on becoming a perpetual Committee in reference to the future management of the Veteran's Memorial. The motion died for lack of a second.

Councilor Hunt stated that he doesn't know why they don't let them go ahead with the project until they meet and come back before the Council. Councilor Hunt stated that he would like to second the motion.

Motion: Councilor Jenkins moved to allow the Riverdale Veteran's Committee to stay the course they are on to complete the Veteran's Memorial, manage the Veteran's Day project, and bring back to the Council a structure for the perpetual management of the Veteran's Memorial by January 1, 2011. Councilor Hunt seconded the motion.

Councilor Gibby suggested that the committee bring back a recommendation for the perpetual committee. Mayor Burrows inquired if the motion was to have the Veteran's committee handle the Veteran's Day ceremony and complete any plans for the Memorial between now and then and come back with a structure for a perpetual or advisory committee by January, 2011. Councilor Jenkins replied that was correct.

Call the Question:

Roll Call Vote: Councilor Hunt, Aye; Councilor Searle, Aye; Councilor Arnold, Aye; Councilor Gibby, Nay; Councilor Jenkins, Aye. The motion passed with four in favor and one opposed.

2. a. Consideration of untabling reconsideration of amending the Parks Riverwalk PRUD site plan.

Motion: Councilor Jenkins moved to untable the reconsideration of amending the Parks Riverwalk PRUD site plan. Councilor Gibby seconded the motion.

Call the Question:

The motion passed unanimously.

b. Consideration of reconsideration of amending the Parks Riverwalk PRUD site plan.

Mr. Daily reported that this request is to reduce the front setback of 20 feet as originally shown on the site plan, to 15 feet for the dwelling portion and 20 feet for a two car driveway. He stated that if there is a third car garage, that would not be required to meet the 20 foot setback requirement. He reported that the road is 30 feet 2 inches wide. He stated that a flood plain issue was discussed in the work session and the effect that could have on the slope of the front yard. He discussed the ordinance and flood plain requirements. He explained that the base elevation of the project is 4,346 and that the flood map elevation is 4,346. He stated that all structures in the flood plain were put at that elevation or above and that no underground basements are to be built in the subdivision. Councilor Jenkins inquired if there are any lots that are on or below the 4,346 elevation. Mr. Daily replied that the ones in the flood plain can't be below that elevation. Councilor Jenkins inquired if they will they be bringing in fill and will the slabs be higher on the flood plain. Mr. Daily replied that he is not sure. Councilor Jenkins stated that she is hoping to get away from varying elevations from lot to lot and worried that their water would slope toward those next to them if their elevation is higher in the flood plain.

Kent Hill reported that the base elevation is set about one foot above the flood plain and that all the lots have been graded so that the water will run into the road or the storm drain and not in other yards. He stated that they want nice homes and that is why he is asking for the setback difference. He stated that the decreased setback makes a 200 square foot difference in the home and increases the value of the home. He stated that they made a commitment to the neighbors to have a nice subdivision and that all the lots may not require the reduced 15 foot front setback. Councilor Hunt inquired if it was it a concession to widen the road from the original site plan or was it a requirement by fire department. Mr. Hill stated that they proposed a 22 foot wide road to have more building property. He reported that the City came back and said if on street parking was desired they would need to widen the road to 30 feet, which they did. He stated that the fire department didn't feel comfortable with a 30 foot wide road with parking on both sides and didn't want any on-road parking at all. He stated that they moved the road on lot 1 and 2 over 10 feet to provide parking as they drive in to the subdivision. Councilor Arnold asked Mr. Daily if this request goes against a City ordinance. Mr. Daily stated that this development falls under the old PRUD ordinance which did not specify front setback requirements. Councilor Arnold stated that if this request doesn't violate any City ordinances and the developer has the right to request that the site plan be amended, he feels they should approve the reduced setback request.

Motion: Councilor Arnold moved to approve the 15 foot front setback as stated with a 20 foot front setback on garages. Councilor Gibby seconded the motion.

Call the Question:

The motion passed unanimously.

Mayor Burrows recommended that the City Council recess into the RDA Board meeting.

Motion: Councilor Gibby moved to recess into the RDA Board meeting. Councilor Jenkins seconded the motion. Unanimous

Call the Question:

The motion passed unanimously.

The meeting recessed at 8:24 p.m.

The meeting reconvened at 9:01 p.m.

3. Consideration of Ordinance # 770 amending Title 1, Chapter 9, Section 7 - Donated Property.

Steve Brooks reported that this change codifies what was previously discussed regarding City donations and recognizes Utah State Code as the process the City will follow in the future. Councilor Jenkins inquired what happens if they want to surplus items to another municipality. Mr. Brooks replied that they will have to follow state code for any donation, even if they haven't in the past.

Motion: Councilor Gibby moved to approve Ordinance #770 amending Title 1, Administration, Chapter 9, Purchasing Procedures, Section 7, Donated Property, to amend said ordinance to add a section concerning gifts or donations made from the City, providing for severability; repealing all ordinances in conflict herewith; and providing an effective date as required by law. Councilor Arnold seconded the motion.

Call the Question:

Roll Call Vote: Councilor Searle, Aye; Councilor Arnold, Aye; Councilor Gibby, Aye; Councilor Jenkins, Aye; Councilor Hunt, Aye. The motion passed unanimously.

4. Consideration of Ordinance # 771 creating Title 1, Chapter 13, Citations and Complaints.

Steve Brooks reported that this change came about at the request of Mr. Moulding. He stated that the need arises from time to time for both Mr. Moulding and Fire Chief Illum to write tickets for different things. He explained that State code allows the Council to designate who can issue tickets and the intent of the language change is to designate those individuals who might need to issue a ticket. Councilor Hunt stated that his concern was the subjective nature of different individuals and if the City would carry any liability because of this. Mr. Brooks stated that he doesn't think so as this is being done to allow the people with the most expertise to issue the citation. Councilor Jenkins suggested having a good database for everyone to look so they can work together. Mr. Brooks stated that he met with the court and Police Chief Hansen to iron out some of the problems with the code enforcement citations that go to court. He reported that Chief Hansen stated that he will go over the procedure to write tickets with the other departments.

Motion: Councilor Hunt moved to approve Ordinance #771 creating Title 1, Chapter 13, Citations and Complaints, to recognize and grant authority to public officials authorized to issue citations on behalf of Riverdale City, providing a repealer, severability and an effective date. Councilor Searle seconded the motion.

Call the Question:

Roll Call Vote: Councilor Arnold, Aye; Councilor Gibby, Aye; Councilor Jenkins, Aye; Councilor Hunt, Aye; Councilor Searle, Aye. The motion passed unanimously.

5. Consideration of awarding bids for 4400 S. storm drain and 500 W. waterline CDBG projects.

Steve Brooks stated that the City Engineer wrote a letter regarding the 500 West waterline project which makes reference to other City projects that the lowest bidder has done. He asked the

Councilmembers to not read the letter and if they have, to not consider the references that were made by the City Engineer that were not firsthand knowledge of either himself or the City in the awarding of the bid. He stated that he does not believe that those are the positions of Washington Terrace or Ogden.

Lynn Moulding reported that they recently bid out the 4400 South storm drain CDBG project and had 7 bidders. He stated that the low bidder was Kapp Construction and he recommends awarding the bid to them.

Motion: Councilor Gibby moved to award the bid for the 4400 S. storm drain CDBG project to Kapp Construction in the amount of \$220,059.70. Councilor Arnold seconded the motion.

Call the Question:

Roll Call Vote: Councilor Gibby, Aye; Councilor Jenkins, Aye; Councilor Hunt, Aye; Councilor Searle, Aye; Councilor Arnold, Aye. The motion passed unanimously.

Lynn Moulding reported that they received 8 bids for the 500 West waterline project and recommends awarding the bid go the second lowest bidder, E H Knudson Construction. Councilor Gibby inquired why Mr. Moulding was recommending the second lowest bidder and not C E Buttars Construction who submitted the lowest bid. Mr. Moulding replied that C E Buttars Construction did a project in 2003 at Golden Spike Park and the City wasn't happy with the timeframe and he doesn't consider them to be a responsible bidder.

C J Hancock representing C E Buttars Construction reported that he was asked to come tonight and respect whatever decision is made. He stated that he will try to convey their position and hopes that the City Council will reconsider. He stated that they do recognize some problems that have happened in the past and that Mr. Moulding's statements are accurate. He explained that they have internally restructured their organization and changed hiring practices to hire more qualified individuals. He feels C E Buttars Construction is capable of completing the project on time, saving Riverdale money, and meeting or exceeding every standard that has been set. He hopes to have another opportunity to work with Riverdale City in the future.

Councilor Gibby inquired if they could impose a penalty is the contractor didn't finish the work on time. Mr. Moulding replied that the contract outlines a \$150 per day penalty in the contract. He stated that his biggest concern is that 99% of this project is in the streets of Washington Terrace and if this project were not completed on time that would not bode well with Washington Terrace. He stated that he is extremely uncomfortable with the past experience of this company. Larry Hansen stated that given that C E Buttars Construction has restructured and if this were a project in Riverdale they may be willing to give them another try on another project. Mr. Moulding replied that he would feel more comfortable with that. He stated with winter coming soon this project has to be done before winter and that he cannot have a slow contractor. Councilor Arnold inquired if they are a qualified bidder. Mr. Moulding replied that they are licensed to do this work under the State of Utah. He stated that the City Council can accept or reject any or all bids according to state law. Councilor Hunt stated that he respects the individual representing the company and feels it is a reflection on the company to recommit themselves and he would encourage them to solicit work in the City in the future.

Motion: Councilor Hunt moved to award the bid for the 500 W. waterline CDBG project to E H Knudson Construction in the amount of \$172,535. Councilor Searle seconded the motion.

Councilor Jenkins inquired if C E Buttars Construction has participated in other bids since 2003. Mr. Moulding replied that he didn't recall. Councilor Jenkins stated that she recalls complaints on Golden Spike Park and feels that when it is a time sensitive project working in the street, cheaper isn't always better. Councilor Gibby inquired if anyone had checked on recent projects they have done instead of looking at 8 years ago. Mr. Moulding replied that C E Buttars most recently acquired a pipe crew and for several years they just supplied materials. Mr. Hancock reported that was somewhat accurate. He stated that due to some risk and previous qualifications they focused on different areas and eventually got back into that sector. He stated that they now focus on different areas and broadening their scope of work and expertise. He stated that they have done similar work to this and have recently obtained professionals that have worked in Riverdale for other firms. Mayor Burrows inquired how long ago the restructuring was done. Mr. Hancock stated that he has been with the company six years and they finished the restructuring in 2005. He reported that he has served as General Manager of operations and has an inside view of what takes place on a daily basis. Councilor Arnold inquired if C E Buttars Construction is currently late on anything. Mr. Hancock replied that a lot of their contracts are in businesses that specialize in trucking and other sales relate to pipe, and that they have been on target. He reported that they recently made changes at the Weber Industrial Center and are ahead of schedule. He stated that communication has been a problem in the past with representatives of the company. He stated that he can't think of anything in the last two years that was delayed more than a reasonable late timeframe.

Call the Question:

Roll Call Vote: Councilor Jenkins, Aye; Councilor Hunt, Aye; Councilor Searle, Aye; Councilor Arnold, Aye; Councilor Gibby, Aye. The motion passed unanimously.

6. Consideration of Resolution #2010-13 establishing Council Rules and Procedures.

Mayor Burrows asked for consensus to proceed without discussing this item. Consensus was reached.

H. Discretionary Items

Councilor Jenkins stated that when they first discussed the Council Rules and Procedures some points of clarification were directed to legal and second discussion didn't readdress those. She hoped that those would be addressed when this was again discussed. Steve Brooks replied that he has had them ready to go and was just waiting for them to be re-addressed.

Councilor Jenkins reported that she was contacted by Chris Wilson from the Second District Juvenile Court after the newspaper article regarding Councilor Jenkins' comments on the graffiti contract was printed. Ms. Wilson told Councilor Jenkins that they will try better to match colors and is asking Home Depot and Lowes to help with that as they donate paint. Councilor Gibby stated that many paint companies have seconds that are fairly neutral colors and may also donate paint.

Steve Brooks reported that they should have a name for the new judge at the next Council meeting as the Mayor should be able to conduct his interviews next week.

I. Adjournment

With no further business to come before the Council at this time, Councilor Gibby moved to adjourn the meeting. Councilor Arnold seconded the motion. The motion passed unanimously. The meeting adjourned at approximately 9:39 p.m.

Approved: October 5, 2010

Attest:

Bruce Burrows, Mayor

Marilyn Banasky, City Recorder