

**SANTA CLARA CITY COUNCIL SPECIAL MEETING
WEDNESDAY, FEBRUARY 4, 2015
MINUTES**

THE CITY COUNCIL FOR THE CITY OF SANTA CLARA, WASHINGTON COUNTY, UTAH, met for a Special Meeting on Wednesday, February 4th, 2015, at 5:00 p.m. in the City Council Chambers of the Town Hall at 2603 Santa Clara Drive, Santa Clara, Utah.

Notice of the time, place and agenda of the meeting was provided to the Spectrum and to each member of the governing body by emailing a copy of the Notice and Agenda to the Spectrum and also, along with any packet information, to the mayor and each council member, at least two days before the meeting.

Present: Mayor Rick Rosenberg
Council Members: David Whitehead; Herb Basso; Jerry Amundsen; Ken Sizemore; Tode (Mary Jo) Hafen
City Manager: Edward Dickie
City Staff: Chris Shelley

Others Present: Brock Jacobsen, Admin Director; Brad Hays, Parks Director; Dan Nelson, Fire Chief; Jack Taylor, Public Works Director; Matt Ence, City Attorney; Rich Rodgers, Police Captain; Donna M Baker; Charlie Clayton; Roger Bray; Ken Armstrong; Michelle Harris; Sue Olsen; Carol Tatum; Cimarron Chacon; Jared Purdy; Barbara Gorgen; Bob Gorgen; Shane Christensen; Parker Christensen; Zach Robinson; Doug McArthur; Ferron Leavitt; Rex Edwards; Patty Edwards; BobbieLee Kosuge; Dennis Payne; Sally Payne; Heather Ovard; Sheree Gubler; Wade Ovard; RJ Hughes; Rita R. Harroun; James Call; Alan Ayala; Megan Smith; Alan L. Jensen; Cindy Frei; Keith Gubler; Neil Schwendiman; Shannon Akins;

1. **Call to Order:** Mayor Rosenberg called the meeting to order 5:05 p.m. Mayor welcomed everyone to the City Council Meeting.
2. **Working Agenda:**

Mayor Rosenberg asked the scouts in the audience to introduce themselves:

- Zach Robinson, Star Scout – Troop 673 – Citizenship in the Community
- Parker Christensen, 1st Class Scout – Troop 518 – Citizenship in the Community

A. Public Hearing (s):

1. Public Hearing to receive Public Comment regarding reconsideration of motion passed at the January 14th City Council Meeting, Agenda Item #11, which adopted a policy supportive of the True Grit special event and beer garden and waived the fee for use of the Town Hall grounds for the event.

- Matt Ence commented this item is on the agenda because of the action City Council took at a prior meeting regarding the beer garden for the True Grit race and the waived fee for the use of the Town Hall grounds. The City adopted a policy supportive of these

events. Two City Council members have asked to have it reconsidered. It is listed as a public hearing because people didn't have a chance to speak on that item at the last meeting. City Council can choose to take action to reconsider the motion or not. The second Public Hearing is regarding the alcohol permit. The previous action made by City Council was subject to the applicant getting the Single Event Permit license. He is aware of two other alcohol permits in the City, Dutchman's and Lightfoot's. Those permits are issued under the same Ordinance this permit would be issued under. Matt stated the applicant has fulfilled their requirements in getting the Single Event Permit issued with the State. He has reviewed it and it is complete. One requirement of our City Ordinance states that no alcohol is to be served or sold or provided within 600 feet of any public or private school, church, public library, public playground, park or any other licensee, unless a waiver is granted by City Council. The applicant has requested the waiver from City Council to serve alcohol at their race.

5:13 pm Public Hearing Opened.

- James Call – 3518 Red Butte Drive – He is new to Santa Clara; he's lived here about three years. He was raised in a County where you could not buy alcohol. He feels serving alcohol at this type of event, doesn't fit the harmony of the pioneer spirit of Santa Clara. He noted if himself or his family were to vote on this, he would not be for it.
- Heather Ovard – 2563 Vineyard Drive – She agrees with James Call. Heather stated she loves having these events in her neighborhood and supporting the racers. She suggested the racers could go to Dutchman's or Lightfoot's to get their refreshments and support our community in the locations that already offer the alcohol without it being offered here. She doesn't feel it keeps with the spirit of Santa Clara to offer alcohol at these types of events.
- Allen – 2898 Santa Clara Drive – Offered his thanks to Matt Ence and Mayor Rosenberg for taking the time to address these issues. Allen echoed the thoughts of James and Heather. He would like to keep Santa Clara unique and keep the LDS heritage brought by the pioneers. He hopes City Council will reconsider the motion.
- Kenny Jones – 1365 West 2270 South Circle – Kenny commented he has done this race several times. He feels the community shouldn't be afraid of the beer garden. Kenny stated the racers don't get drunk but casually enjoy a beer while talking about their experience in the race. Kenny thanked Council.
- Herb Basso commented he received a phone call from Tom Gubler on Vineyard Drive. Tom stated to Herb he is in favor of the bike race but not the beer garden.
- Roger Bray – Roadrunner Pizza – He stated he is in favor of the race and the beer garden. Roger feels if the applicant gets all appropriate permits, there should be no reason why they can't serve beer at their race. He supports the beer garden and the waiver.
- Keith Gubler – He stated he supports the race but not offering alcohol.
- Rex Edwards – 3190 Desert Dawn Drive – He has lived here for 21 years. He enjoys this area and neighbors. Rex stated he doesn't agree with serving alcohol on City property. He supports the race but doesn't support alcoholic beverages.
- Mayor Rosenberg clarified the beer garden wouldn't be on City property but on private property.
- Lisa Gubler – 2560 Vineyard Drive – Her backyard backs the property where the beer garden would be located. Her concern is if we allow it once, does it create precedence for it to keep continuing.

- Jared Purdy – 2307 Vineyard Drive – He wanted to voice his support for the race and the Single Event Permit license for the beer garden. Jared understands the concerns of the close neighbors. He also feels the City and community created regulations to allow such events and permits, setting the appropriate process for an applicant to follow. He stated the applicant has taken all required steps required by the City. There is a grey area in what the community wants and what is legal. He doesn't want to push personal beliefs into the public forum, while at the same time, being considerate of the community. Jared stated this venue is not going to be like a rock concert, most of these racers will come back and have a beer. They aren't looking to get drunk. It is a different crowd. Jared thanked Council.

- Matt Ence clarified each participant is only allowed one beer in an enclosed area, not to leave the enclosed area.

- Cimarron Chacon – True Grit Applicant – She commented when the race was presented in the beginning, they went and talked to adjacent property owners to get feedback. Based on the comments from residents, they restricted the beer garden to be in an enclosed area inside a fence. Only applicants with wristbands who are 21 years or older will be allowed inside the tent. Each applicant is only allowed one beer, served in a Solo cup or a non-conspicuous cup. They are also provided a meal, which they could take inside the tent. The beer will stay inside the enclosed tent. Cimarron mentioned it is to have the racers stay longer and feel more engaged, relaxed and to talk about the race.

- Shannon Akins – 2540 Vineyard Drive – She supports the bike race but not the beer garden in her neighborhood.

- Megan Smith – 3089 Somerset Lane – She is in support of the bike race but not the beer garden. She would like to keep the traditions of our City and heritage and not allow the alcohol to be at the race.

5:33 pm Public Hearing Closed.

2. Public Hearing to receive Public Comment regarding the application for a “Single Event Permit” alcoholic beverage license to GRO RACES to permit provision of alcoholic beverages at the beer garden associated with the True Grit special event.

5:34 pm Public Hearing Opened.

5:34 pm Public Hearing Closed.

B. General Business:

1. Discussion and/or Action for Reconsideration of the motion passed at the January 14th City Council Meeting, Agenda Item #11, which adopted a policy supportive of the True Grit special event and beer garden and waived the fee for use of the Town Hall grounds for the event. (A reconsideration of a past agenda item must meet the requirements found in the City Council Meetings Policies and Procedures Handbook Section 7.8: Motions to Reconsider a Decision).

- Mayor Rosenberg opened the discussion for Council.

- Herb Basso asked why we are discussing the waived fee for the use of the Town Hall grounds.

- Ed Dickie commented it was a part of the original agenda item and motion.

- Ken Sizemore asked to review the motion from the prior minutes to see what was approved.
- Cimarron discussed the True Grit Race to give some history and background on it. It is a 12 series race with 500 applicants. It could bring 1,000 people to Santa Clara. The Santa Clara River Reserve is a popular place for bicyclist and yet that is not reflected in sales at the local businesses. All of the other locations for this race allow for a celebratory event after the race. Cimarron wants racers to want to come to Santa Clara. She noted this wouldn't make people think Santa Clara is a place to come get drunk, but a place that welcomes visitors. She thinks it will be a terrific event. The athletes have worked hard and trained hard. She would like to offer the racer a single beer with their meal only between the hours of 2 pm and 7 pm.
- Herb Basso commented our South Hills is a great place for the race.
- Cimarron commented they are making a map for racers to let them know where they can eat and shop in Santa Clara.
- Ed mentioned the previous City Council minutes are in the drop box to review the motion that was made.
- Ken Sizemore commented he wanted to make sure the motion covered everything Cimarron just stated; the enclosed location, a single beer, only served between the hours of 2 pm and 7 pm., a discrete cup and wristbands for racers 21 years and older.
- Matt commented if Council is comfortable with the first motion they can let it stand or they could make a new motion.
- Herb asked if Council could move to approve the race and not the beer garden since the agenda item has both items listed together.
- Matt commented the motion could be made however Council wants it to be.
- Tode Hafen asked if a participant could purchase alcohol and bring it back and drink it on the private property.
- Cimarron answered and said no, the participants would not be allowed to bring alcohol onto the premises.
- Matt clarified that if a participant went to Dutchman's and purchased alcohol, they could take it back to the private property and drink it. The race just can't provide more than what was agreed. Matt also stated the race could restrict alcohol from being brought onto the property if they choose.
- Mayor asked Cimarron if they would be restricting outside beverages from being brought onto the private property.
- Cimarron replied they would restrict outside beverages if they are allowed to do the beer garden, otherwise they may not be using that private property at all. Allowing the beer garden, with security, would make the consumption more controlled.
- Tode clarified that if Council allows the beer garden, Cimarron would not allow outside alcohol to be brought onto the private property.
- Cimarron agreed to Tode's comment. She also noted without the beer garden, people would do whatever they want without the control/security of the beer garden monitoring what comes in and out.
- Mayor asked if they would still do the dinner if they don't allow the beer garden.
- Cimarron commented they probably wouldn't do the dinner on the private property and would move it to the street or Town Hall parking lot.
- Rich Rodgers commented without the security for the beer garden, it would require more City Staff to monitor each individual.
- Cimarron noted they hired a security team to monitor those leaving and entering the

beer garden as well as a certified bartender.

- David Whitehead asked what kind of hardship the race would incur if denied the beer garden.

- Cimarron commented it drives the potential of the race not growing and losing favor. The racers have an opportunity to participate in 12 different races, but they only have to do 4. They may pick locations where they feel more welcome and can enjoy their time more. They did a post-season survey last year; several hundred applicants come from the East Coast. It is costly to ship their bikes and equipment. They feel they are not respected when they can't celebrate their accomplishments in a way they believe fit. It is done in other communities and they athletes are celebrated.

- Herb commented he was one of the key individuals running the St. George Marathon. They built it to a world-class event. They had people wanting to offer alcohol then but they didn't allow it and it still grew to be a first-class event.

- Cimarron commented mountain bikers are different than runners. Mountain bikers look for bike friendly hotels and they like to enjoy pizza and beer. She is looking at the long-term and how we can grow. We want mountain bike races to want to come to Santa Clara.

- David asked if Dutchman's and Lightfoot's had a variance because they are close to the library.

- Mayor noted the Library came in after the two had their permits. However, when Lightfoot's changed ownership, they were required to get a new license and waiver from the City.

- Brad Hays commented Santa Clara is a host to many major events such as the Huntsman's World Senior Games where people come from all over the world. One issue we find after we clean up is that alcohol is brought in and found in the trashcans. He feels it could be better to have it in a controlled environment.

- Matt noted the conditions in which the waiver could be granted by City Council. In summary, Council will need to look at the effect the waiver would have on the applicant, such as a peculiar and exceptional practical difficulties or an undue hardship. If Council finds those things exist, would granting the waiver relieve those undue hardships without substantially impairing the public good and the intent of the section. We have a standard in the Ordinance that must be considered.

- Cimarron commented they first considered having this in a different location but felt the participants wouldn't be as engaged in the event and finish line activities. There would be more pedestrian traffic as well.

******Motion to Reconsider the motion passed at the January 14th City Council Meeting, Agenda Item #11, which adopted a policy supportive of the True Grit special event and waived the fee for use of the Town Hall grounds for the event but disallow the beer garden.**

Motion by Herb Basso.

No Second. Motion dies.

******With no new motion, the previous motion on January 14th stands.**

2. Consider application for a "Single Event Permit" alcoholic beverage license to GRO RACES to permit provision of alcoholic beverages at the beer garden associated with the True Grit special event.

- Jerry Amundsen commented he wasn't here when the waiver was given to Lightfoot's but it was probably due to lack of sales. The True Grit Race may be faced with the same situation. It may not have an opportunity to sponsor the event in the future.
- Mayor commented he remembered Lightfoot's was experiencing a sales hardship because of their type of store.
- Matt clarified the purpose of the waiver.
- Ken Sizemore asked if the 600' restriction is a State requirement or City requirement.
- Matt stated we are only addressing the City requirement because our Ordinance requires it.
- Ken asked Matt about the Land-Use Variance.
- Matt stated the term variance is confusing. This is not a land-use issue. The State Law doesn't really apply here. We are left to follow the Ordinance.
- Herb commented he feels we should take the risk of losing the event because we don't allow the beer garden or there is a possibility the event could still grow even without the alcohol being allowed.
- David asked Rich Rodgers with the Public Safety which way is more controlled. Allowing the beer garden or trying to monitor participants in an uncontrolled setting.
- Rich Rodgers commented that he personally would not like to see any alcohol. He has seen what it can do to people; however, he has worked a lot of special events. It is nearly impossible to control the alcohol. Rich commented having the beer garden would provide a more controlled environment.
- Mayor thanked Rich.
- Jerry commented that he is taking in consideration the comments made tonight and the values he and the residents have of the community. He noted he does not consume alcohol and feels this is a tolerance issue. Jerry feels it is a personal choice issue and he doesn't dictate his values on other people. Just like giving a beer license at a convenience store, the same could be applied to this event. Without it, it could create an undue hardship. This is a one-time event for now. Each time a new event comes in we can base our experiences off of it for future permits/waivers.

******Motion to Approve the "Single Event Permit" alcoholic beverage license to GRO RACES to permit provision of alcoholic beverages at the beer garden associated with the True Grit special event with the waiver of the 600-foot requirement based on the undue difficulty/hardship of not being able to have the opportunity to produce this event in the future if not allowed; also stating that allowing the permit doesn't impair the good of the public because the amount of alcohol in a Solo cup is only 16 ounces whereas a bottle of alcohol purchased at a convenience store would have more alcohol than what is provided at the beer garden; also including the preface comments to this motion by Jerry as stated above.**

Motion by Jerry Amundsen, seconded by David Whitehead.

Voting Aye: Jerry Amundsen, Tode Hafen, David Whitehead, Ken Sizemore.

Voting Nay: Herb Basso

Motion Carried.

3. Presentation regarding the Solid Waste District's proposal for the opt-out curbside recycling program. Presented by Neil Schwendiman, Solid Waste District.

- Mayor Rosenberg commented after Neil makes his presentation, he would like to open

up the meeting to public comments from the residents.

- Neil Schwendiman commented the Solid Waste District has been discussing curbside recycling for the last nine months to a year. We sent out RFP's and got two back. After review of the RFP's, it was decided the best solution would be to go with a countywide curbside recycling program, giving residents a certain length of time to opt-out of the program that didn't want to participate and/or billed for the program. The highest cost associated with this program came in at about \$3.85 cents per home per month. The Solid Waste already collects .50 cents per month per home for the Binnies Program so they are considering only passing on a \$3.35 fee to residents who do not opt-out of the curbside recycling program.

- Herb asked if the Binnies would stay in place.

- Neil commented the Binnies would remain for those who opt-out of the curbside recycling but would still like to recycle.

- Herb asked who collects the \$3.35.

- Neil commented the private contracting company would receive the \$3.35. The Solid Waste District would pick up the tab for providing all of the waste containers. All recyclables go into one can. The only thing the curbside program won't allow is glass in the single stream. For those who wish to recycle glass, they can use the Binnie Program. They would consider making two Binnies for glass, one for brown glass and one for regular glass.

- Herb asked how the County would provide the costs for the containers.

- Neil commented they haven't put those costs into the City's. They have funding set aside to fund the containers. Whenever possible, they don't increase the rates if they don't have to.

- Herb asked if the new construction homes would be able to opt-out.

- Neil commented they would only be able to opt-out if they close on their house before the Solid Waste District begins the program, otherwise it would just be included.

- Herb asked if the City would still receive revenue from the Binnie Program.

- Neil stated they would send out RFP's for different companies to evaluate where they would take the recycling and how much they would pay us for it.

- David Whitehead asked when this would go in to effect.

- Neil commented it depends on the feedback from the next meeting and the feedback from the City's. This change is countywide so we would provide a certain length of time for opting out, meanwhile ordering the cans, then when it is close to the deadline, they would know how many cans to order. Then we could start collecting.

- Tode asked if he has visited other communities yet.

- Neil stated he had been to Hurricane. Three of the City Council members were for the new program and two members were against it. He stated St. George City would probably find a way to do curbside recycling, even if it doesn't go through the Solid Waste District.

- Mayor noted there would be no action or vote taken tonight.

- Neil stated in their proposal they asked for four prices in their RFP. The wanted prices for countywide mandatory, the countywide opt-out program, an urban area mandatory and urban area opt-out program. The urban area they chose was Santa Clara, Ivins, St. George, Washington, Hurricane, LaVerkin and Toquerville. It comes back to who is interested amongst these cities.

- Mayor asked the residents to voice their comments.

- Carol Tatum – 2228 Thomas Trail – She thinks this is a great program to move forward.

She commented they do their own recycling and she is amazed with how much they produce with just her and her husband. She feels this program is a great asset and a great price.

- RJ Hughes – 3298 Hamblin Drive – He asked what the expected life of the landfill is if we don't go to recycling. They did a master plan in 2007 on the growth rates on the landfill and a 2% increase. The study estimated the landfill had approximately 60-100 years left. They are working with the BLM to obtain more land. We need to make the landfill last as long as we can and protect that land.

- Mayor commented it is safe to say if the recycling program moves forward, it will extend the life of the landfill. Mayor commented the permitting process is very difficult and the costs go up.

- RJ commented it is expensive to truck the trash to a new location. Other counties have been trying to find a landfill location for approximately 14 years. He asked if the BLM is going to allow them to put a landfill on their land.

- Neil commented they are looking at giving it to them but it is very detailed.

- RJ discussed the difference between the recycled trash and regular trash. The Recycling Program would extend the life of the landfill. He is opposed to the opt-out and isn't in favor of the Binnies.

- James Call – 3518 Red Butte Drive – He mentioned he was sitting next to Rich McArthur he asked to share his opinion about it. He stated Rich is in favor of the program, stating we have to think about our kids and the future. James noted he is currently paying for recycling service right now. He commented if everyone participated in the recycling program it would extend the life of the landfill. He also feels if they offer the opt-out program, he should be able to opt-out at any time, not just in the beginning.

- Ferron Leavitt – 1394 Quail Street – He is against a mandatory curbside recycling program. He feels if they do go with the program, it should be an opt-in program, not an opt-out program.

- Ken Armstrong – 2616 El Vista Circle – He asked if his neighbor moves and someone else moves in, do those new residents have the ability to opt-out of the program.

- Neil commented it is something that still needs to be discussed.

- Ken commented he is in favor of the program; he agrees if people want to opt-out, they should be able to do so at any time.

- Judy Jensen – 3511 Serenity Lane – She is from Canada and they recycle everywhere up there. She would like to see more States offer incentives for recycling. Driving to recycling locations is a hassle. She is in favor of the program. She asked if the City would get a portion of the money back for the recycled trash.

- Neil commented the City does get money back but he's not sure how much at this point.

- Mayor commented it would be worth looking into to see if the City could receive more income. Currently the money the City receives back goes into the Veterans Memorial.

- Judy Jensen commented the cost is so minimal that it is worth the benefits.

- Herb commented he feels the recycling program shouldn't be mandated, so he likes the opt-out option.

- Doug McArthur – 2648 Santa Clara Drive – He asked how often the recycling will be picked up and commented he would like the opt-out option.

- Neil commented it would be picked up every other week.

- Jared Purdy – 2307 – He feels the recycling program is waste management. He feels the program should be mandatory. If it's an easy process, people will do it and it will be successful. He feels those who opt-out save the monthly costs, however their trash goes

to the landfill and that cost is spread out to everyone else.

- Neil commented if you went with mandatory program, the costs for the service would be \$2.15 per month, which would be less than the opt-out program.
- John – 3127 Dutchman Drive – He feels recycling should be mandatory. He feels if the Council can mandate alcohol, it can mandate recycling.
- Ed commented the easiest option for Staff is to make the program mandatory.

4. Council Direction regarding the Solid Waste District’s proposal for curbside recycling.

- Mayor asked Council their thoughts.
- Jerry Amundsen is in favor of the opt-out program.
- Tode Hafen is leaning toward the opt-out program but feels the mandatory costs are appealing.
- David Whitehead is in favor of the mandatory program.
- Herb Basso is in favor of the opt-out program.
- Ken Sizemore feels the recycling program should be mandatory. We need to move into the 21st century.
- Mayor Rosenberg agrees with David and Ken. He feels the recycling program should be mandatory. It is a nominal cost that would save our landfills.
- Judy commented everyone still has a choice even if it is mandatory.
- Mayor asked if the binnies would go away if it became mandatory.
- Neil commented we would keep the binnies because of the glass.
- Mayor thanked Neil for his comments.
- Ken commented he hopes he lives long enough to see the technology advance enough to mine the landfill instead of add to it.

5. Consider cancelling the February 11, 2015 City Council Meeting and the March 4, 2015 Work Meeting. Presented by Chris Shelley, City Recorder.

******Motion to cancel the February 11, 2015 City Council Meeting and the March 4, 2015 Work Meeting.**

Motion by Tode Hafen, seconded by Jerry Amundsen with all members present voting aye.

Voting Nay: None.

Motion Carried.

6. Presentation and direction regarding Swiss Days. Presented by Laine Frei and Brooke Ence, Swiss Days Coordinators.

- Tode Hafen discussed the Swiss Days changes. They are considering moving the venue out to the street. Laine and Brook have been working with Public Safety.
- Brock commented they talked to Captain Rodgers last year about moving the venue to the street. He feels the traffic would be better controlled to shut down the road. There could be a few issues with the parade and the 5K race.
- Rick commented they would route the majority of the people to Lava Flow. Locals can still use Vineyard Drive.
- Herb asked why we wouldn’t want to use Vineyard Drive for the booths.
- Rich commented there is no parking, no sidewalks, no emergency vehicle access and no power access. Rich commented the parade and the 5K could still come down Santa Clara

Drive. It would just cause limited visibility where the vendor booths are.

- Tode commented they would be approaching residents to gather feedback. It would only affect six homes. Lainee and Brooke need to know how many booths they can sell.
- Herb commented it would affect the businesses.
- Rich commented it would affect the businesses in a positive way.
- Mayor asked if Vineyard Drive would be open.
- Rich replied it would be open with no parking with a sign for local traffic only.
- Mayor has concerns with the increase of traffic on Vineyard Drive.
- Rich explained there is traffic on that road regardless of where the main event is. They would not allow parking on Vineyard Drive so traffic would flow.
- Jerry Amundsen commented we should try it one year and see how the traffic safety is.
- Tode commented she is in favor of moving the venue onto Santa Clara Drive.
- Herb commented he wouldn't make it an issue to moving the venue out to the street.
- David commented he is in favor as well.
- Ken is also in favor.
- Mayor commented Lainee and Brook have the go-ahead from Council to proceed.

7. Discussion and/or Action to Purchase a 1999 Kobelco SK200LC Mark IV Trac Hoe.
Presented by Jack Taylor, Public Works Director.

- Jack Taylor discussed the point Ken Sizemore made at the meeting last time regarding meeting the standards of the purchase policy. Staff recommends we move forward and purchase the Trac Hoe. An agreement was made with Jim Ence to allow him to use the Trac Hoe on his own property for \$65 an hour. The City would put \$10,000 down and then budget for the remaining amount in the following years.

******Motion to Approve the Purchase of a 1999 Kobelco SK200LC Mark IV Trac Hoe for \$44,000. The City will put \$10,000 down and then budget for the remaining amount in the following years.**

Motion by Ken Sizemore, seconded by Herb Basso.

Voting Aye: Jerry Amundsen, Tode Hafen, David Whitehead, Ken Sizemore and Herb Basso.

Voting Nay: None.

Motion Carried.

- Mayor Rosenberg read the letter he received from a resident that could not make it to the meeting. Jacqueline Murray stated she supports the curbside recycling opt-out program.

8. Discussion and/or Approval of the Ralph Gubler Real Estate Donation of 1.05 Acres.
Presented by Jack Taylor, Public Works Director.

- Jack Taylor discussed the agreement between Ralph Gubler for the donation of 1.05 acres. He is looking for Council's approval to proceed on the agreement. We will then take this agreement to the Title Company to perform a title search and make sure there are no encumbrances. Once it comes back clear, Matt and the Mayor will then sign the agreement.
- Matt commented the agreement has standard protections for the City for environmental issues. They indemnify the City of hazardous conditions if found later.
- Jack commented this agreement is ready for approval. They are working with the BLM

as well.

******Motion to Approve the Ralph Gubler Real Estate Donation of 1.05 Acres.**

Motion by David Whitehead, seconded by Herb Basso.

Voting Aye: Jerry Amundsen, Tode Hafen, David Whitehead, Ken Sizemore and Herb Basso.

Voting Nay: None.

Motion Carried.

- Herb Basso asked to discuss a parking question by Alan Madsen at the next meeting.

8. Adjournment:

Motion to adjourn by Tode Hafen.

Seconded by Herb Basso with all members present voting aye.

Meeting Adjourned at 7:37 p.m.

Chris Shelley – City Recorder

Date Approved: _____