

## August 23, 2021 Budget Session/Work Session

The City Council of the City of Idaho Falls met in Council Budget Session and Council Work Session, Monday, August 23, 2021, in the Council Chambers in the City Annex Building located at 680 Park Avenue in Idaho Falls, Idaho at 1:00 p.m.

### Call to Order and Roll Call:

There were present:

Mayor Rebecca L. Noah Casper  
Council President Michelle Ziel-Dingman  
Councilor John Radford  
Councilor Thomas Hally  
Councilor Jim Freeman  
Councilor Jim Francis  
Councilor Lisa Burtenshaw

Also present:

Pamela Alexander, Municipal Services Director  
Mark Hagedorn, Controller  
Josh Roos, Treasurer  
Ryan Tew, Human Resources Director  
Bryce Johnson, Police Chief  
Duane Nelson, Fire Chief  
Bill Squires, Police Captain  
PJ Holm, Parks and Recreation Director  
Kathy Muir, State and Federal Grant Manager with the State of Idaho Parks and Recreation Department  
Michael Kirkham, Assistant City Attorney  
Brad Cramer, Community Development Services Director  
Lisa Farris, Grants Administrator  
Chris Fredericksen, Public Works Director  
Brian Cardon, Street Superintendent  
Randy Fife, City Attorney  
Kathy Hampton, City Clerk

Mayor Casper called the meeting to order at 1:05 p.m.

Mayor Casper stated the Coronavirus (COVID-19) numbers have increased to more than 20 cases per 10,000 individuals. She noted masks were required in the previous year per this number, however, Eastern Idaho Public Health (EIPH) has reiterated The Centers for Disease Control and Prevention (CDC) guidelines should be followed. Following brief discussion, it was determined future meetings in the Council Chambers will be arranged to allow social distancing.

### Calendars, Announcements, Reports, and Updates:

August 23, City Council Work Session  
August 24, Idaho Falls Bandits Parade and Rally  
August 25, Bonneville Metropolitan Planning Organization (BMPO); and Idaho Falls Fire Department (IFFD) night out at the Chukars  
August 26, Idaho Falls Police Department (IFPD) family BBQ; and City Council Meeting

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August 28, Dash for Downs Syndrome

Mayor Casper announced a number of events will be occurring in September. She also announced the Funland event held on August 21 was well attended including the attendance of individuals from other counties.

Liaison Reports and Councilmember Concerns:

Council President Dingman expressed her appreciation to all those involved with the Funland event. She indicated thousands of dollars were raised. She stated the Idaho Falls Regional Airport (IDA) air service is extremely busy, and construction at IDA should be finished in the near future.

Councilor Burtenshaw reiterated Council President Dingman's comments regarding IDA. She stated she participated with the governor's phone call which addressed the budget surplus.

Councilor Francis expressed his appreciation to all school teachers as they prepare for the upcoming school session.

Councilor Radford believes, per the Funland event, the diversity of the community was engaged. He is hopeful other community events will occur. He stated, per Utah Associated Municipal Power Systems (UAMPS), there may be a need for the state to address ransomware. He briefly reviewed UAMPS presentations including the recent gas pipeline and the data breach, and green hydrogen.

Councilor Freeman stated he and Councilor Radford recently attended a study along Elm Street. This study will assist with the traffic flow. Councilor Freeman also stated he recently had discussion with state legislators regarding the camera systems. He believes these legislators were very supportive.

Councilor Hally stated, regarding the hydrogen discussion, fusion energy was recently created. He believes this could create other energy experiments. He also stated the grand opening for Funland is anticipated for August 2022. He believes the future event center represents the quality of growth and visitors in Idaho Falls. He also believes, per COVID, masks should be worn indoors.

Per Councilor Freeman, Councilor Francis stated the opening of the splashpad may be delayed beyond Labor Day due to construction issues.

Budget Review and Discussion: Review of City/County estimates of forecasted revenues:

Director Alexander stated the county numbers were received on August 11. These numbers were lower than anticipated. Mr. Hagedorn reviewed 2021/22 Property Tax Calculation as follows:

	<u>Estimated</u>	<u>Per County</u>	<u>Difference</u>
3%	1,151,773	1,165,949	14,176
Growth & Annexation	1,445,985	708,996	(736,989)
Forgone	383,924	407,400	23,476
Total	2,981,682.46	2,282,345	(699,337)

Mr. Hagedorn stated conversations are occurring regarding this process and how to get these numbers sooner. Director Alexander clarified several questions have been submitted regarding the calculation.

2021/22 Property Valuation:

<u>Valuation</u>	<u>2019</u>	<u>2020</u>
Per City Permits	81,680,103	195,390,449
Per County	118,641,483	85,673,516
Difference	36,961,380	(109,716,933)

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Mr. Hagedorn stated data will need to be compared with the county assessor per discussion with the state and the decision of the state legislators to change the formula/process. He also stated value of new construction/properties is being questioned. Mr. Hagedorn indicated building permits are based on Certificates of Occupancy (COO), noting some of the COOs occurred in the previous years. Per Councilor Radford, Mr. Hagedorn stated the county numbers are locked. Mayor Casper questioned if the elected officials should have a role in the information being requested. Mr. Hagedorn believes the city permits may not be calculated on the same perimeters with the county. He stated clarification is needed from the assessor regarding two (2) large projects and which year these projects are applied. He indicated he is unsure of the remedy option, although he believes the remedy may be pushed out a year. He also indicated the remedy is a priority although he does not believe it will be resolved in a few weeks, and it must be resolved professionally. Mayor Casper stated a future increase may impact residents in future years. Mr. Hagedorn stated the whole issue with the legislators has many cities on edge. Mr. Hagedorn believes contingency, which is unexpected revenues that are not budgeted, can resolve this issue during the year although it would require re-allocation by the Council.

Mr. Hagedorn reviewed 2021/22 Budget Revisions:

General Fund

	<u>Publication</u>	<u>Currently</u>
Submitted budget		
Expenditures	54,257,004	53,558,052
Revenues	<u>21,488,513</u>	<u>21,488,898</u>
Net Budget	(32,768,491)	(32,069,154)
Tax Base	29,786,809	29,786,809
Growth & Annexation	1,445,985	708,996
3%	1,151,773	1,165,949
1% Forgone	<u>383,924</u>	<u>407,400</u>
Property Tax Revenue	32,768,491	32,069,154

Mr. Hagedorn stated expenditures were decreased due to the decrease in property taxes. He also stated not all requests were budgeted. Net change = (\$699,337), changes include unallocated revenues in the amount of \$685,634, transfer correction of \$4,000, snow removal adjustment of \$10,000, and miscellaneous revenue of (\$297), which creates a balanced budget. Mr. Hagedorn confirmed Director Fredericksen gave his approval for the snow removal adjustment.

Health insurance premium allocation:

Mayor Casper, stated per the Council approval at the August 9 Council Work Session,

- Total health insurance savings with Pacific Source - \$782,000 (*year one*)
- Capped health insurance increase with Pacific Source – Net savings over two years -\$16,000
- Savings are theoretical in nature
  - Changes based on employee insurance mixture
- Deposit in self-insurance fund
- Provide one-time disbursement to employees
- Create Employee Health Insurance Stabilization Fund
  - Use to offset costs of insurance increases AFTER year 2
  - Use to offset increased costs on other employee benefits
  - Use to establish a fund to maintain the HSA wellness benefit

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- Use to achieve the city/employee ratio of 85/15 (or other %)
- Use to find wellness benefits or cost of apps or new wellness technologies
- Pay for non-health insurance opportunities such as training premium pay, etc.
- Pay for general fund needs (Mr. Hagedorn stated approximately 60% would be allocated to the General Fund, the remaining would be for the Enterprise Fund)

Per Councilor Freeman, Mr. Hagedorn stated if the employees' portion remains the same, the health insurance costs would be 85/15 split for the employees. Councilor Hally prefers the excess funds be set aside for a future insurance increase. Director Tew stated the city is anticipating to go self-insured in two (2) years. Per Councilor Burtenshaw, Mr. Hagedorn stated the 3% changes each year. Councilor Radford believes the employees should receive a refund. Councilor Freeman indicated, per the stabilization fund option, not all employees could be with the city in future years. Mayor Casper noted employees did not pay into this fund. Discussion followed regarding the Health Savings Account (HSA) and Preferred Provider Organization (PPO) plans. Mr. Hagedorn noted insurance is designed for low cost and high cost to balance out in one (1) plan. Per Councilor Burtenshaw, Mr. Hagedorn stated money allocated for a stabilization fund could be segregated, money set aside for self-insurance goes to a specific fund. Councilor Burtenshaw prefers a one-time payout be given to employees with the vast majority allocated into a stabilization fund. Councilors Freeman and Francis agreed. Council President Dingman prefers the entire amount be allocated to a stabilization fund although she would be okay with a one-time disbursement to employees. Mr. Hagedorn reminded the council that the contract with Pacific Source indicates the costs will not increase more than \$782,000 in the next year, year 2 amount not-to-exceed is 7.9%, and the largest risk is year 3. Mayor Casper believes the insurance adjustments will increase in year 3. Mr. Hagedorn stated self-insurance is a different methodology. Discussion followed regarding the split of funds for the one-time distribution to employees and the stabilization fund, the increasing costs of health insurance, and on-going compensation for employees. Per Council President Dingman, Mr. Hagedorn believes any disbursement should occur next mid-year. Following additional discussion, the finance team will distribute a variety of allocation amounts to the Council for future discussion.

### Public safety forgone package content:

Mayor Casper noted the public safety package includes IFPD and IFFD items including on-going and one-time expenses. She also noted the approximate \$400,000 from the 1% forgone will come into the General Fund in future years. Councilor Francis stated Chief Johnson intends to cover a portion of the Community Oriented Policing Services (COPS) grant with unfilled vacancies. He believes dispatch personnel are the greatest need for personnel. Per Councilor Francis, Mr. Hagedorn stated some IFFD items are anticipated to be covered by American Rescue Plan Act (ARPA) funds. Chief Nelson stated he supports the proposed fire items. Director Alexander noted the funding from one-time costs could go back into a public safety package. Mayor Casper noted the forgone must be designated in the first year and could be used for other funding sources in future years although she recommended this funding remain as public safety items. Chief Johnson clarified the COPS grant officers are not just patrol officers, there are specific tasks that must be performed, and they will be assigned to geographical areas for community policing. Councilor Radford prefers a permanent override levy, which would require a majority vote by the public, to pay for police officers. Chief Johnson stated that would need to be a multi-year plan. Councilor Francis prefers the range improvements be moved to future years and the one-time cost of \$30,000 be allocated to a dispatcher. Chief Nelson stated he would also be willing to move the one-time cost of Station 3 doors of \$34,000 to a dispatcher. Brief discussion followed regarding future dispatch discussion.

### Presentation of balanced budget:

2021/22 Proposed Budget:

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	<u>Revenue</u>	<u>Expenditure</u>
General Fund	\$ 53,558,052	\$ 53,558,052
Governmental Funds	32,046,914	57,115,053
Capital Improvement Funds	34,713,838	35,420,000
Enterprise Funds	114,095,237	148,768,633
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Total Budget	<u>\$ 234,414,041</u>	<u>\$ 294,861,738</u>

Mr. Hagedorn stated a government budget is revenue, budgetary authority/capacity, and cash balance which equals expenditures.

Follow-up discussion will include insurance, property taxes, and the IFPD/IDA sergeant.

**Recommendation for External Auditor:**

Director Alexander stated a Request for Proposals (RFP) was sent out for a new auditor. She indicated four (4) proposals were received following the RFP. The evaluation was based on six (6) criteria, and the panel consisted of five (5) members. Director Alexander stated the recommendation from the panel is to move to Eide Bailly. This total proposal amounts to \$97,000. Director Alexander noted the average score for Eide Bailly was 90%. Councilor Radford believes the RFP process was effective. He also noted there will be savings with this auditor. Mr. Hagedorn noted there are offices across the state. He indicated auditors should change every 3-5 years. This item will be included on the August 26 City Council Meeting.

**Update and Discussion: Land and Water Conservation Fund (LWCF):**

Mayor Casper noted this discussion is only focused on the LWCF as related to defining the program, identifying where the city is out of compliance, identifying what it means to be out of compliance, understanding terminology, and understanding what it takes to get into compliance. Director Holm stated Ms. Muir issues any grant through the State Parks and Recreation (P&R) Department, including LWCF. He also stated the first grant was approved in 1965, the city first applied in 1967 to begin construction of Freeman Park, and the last project with LWCF was in 1988 for the eastside river bank project across from Civitan Park. Director Holm stated the city became out of compliance in 1996 and has been out of compliance since that time. He also stated it has become a high priority to get back into compliance. Director Holm reviewed properties out of compliance:

Esquire Park, funding used for park development in 1983=\$26,000. Non-compliance includes encroachment across the property line in 1996. Conversion amount is .183 acres @\$20,000=\$3,660. Conversion requirement is development of a property for active recreation worth \$3,660.

Dora Erickson, funding used for park development in 1973=\$68,858. Conversion amount is 3.618 acres @\$20,000=\$72,360. Conversion requirement is development of a property for active recreation worth \$72,360.

South Capital Park, funding used for land acquisition in 1974=\$107,521 from LWCF and park development in 1978=\$124,260 from LWCF. Director Holm presented the site layout plan for proposed project stating the conversion area is .29 acres (12,632 sq ft) with conversion amount @\$3.80/sq ft=\$48,001. Conversion requirement is to acquire new property for passive recreation worth approximately \$50,000. The area of impact could be enlarged or reduced pending the construction project as a whole.

Per Councilor Burtenshaw, Director Holm clarified the appraised dollar amount must go into the property value. He stated approximately \$130,000 of property must be purchased and developed into outdoor recreation. Per Councilor Radford, Mr. Kirkham stated there is a commitment with the school district regarding Dora Erickson which would mitigate the \$130,000. Mr. Fife stated there is a contract with the school district that compensates

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the city. Director Holm noted a 5-year extension was signed with the school district in the previous two (2) years. Councilor Burtenshaw noted, per her school board experience, the money is available.

Ms. Muir presented overall training. She noted every situation is different and all details must be looked at. She also stated the manual refers to the Conversions of Use – a commitment to keeping the site in outdoor recreation in perpetuity. Any violation requires a replacement of land of fair market value and recreation utility. The law is intended to protect the federal investment for future generations. Ms. Muir reviewed documents in the manual that are required for conversion – the first step is consultation with the State LWCF manager, and the state must also consult with the National Parks Service (NPS) to agree on the footprint for a conversion piece and the replacement property. Challenges include: fair market value (Yellowbook appraisals are highest and best use of the property as if nothing is there); replacement property (reasonable equivalent usefulness and location as that being converted); viable (replacement property must be viable recreation area); Environmental Assessment (EA) (an EA is required as part of the conversion proposal, however, NPS does not have a standard format); appraisals (appraisals and appraisal reviews are required for both the converted parcel and replacement property, and appraised at local level with licensed appraisers). Ms. Muir reviewed the attachments checklist emphasizing the first step is NPS concurrence with the existing LWCF boundary and NPS concurrence that the proposed replacement property meets the LWCF requirements. She reiterated the EA which includes Section 106 (historic preservation) and Section 7 (Endangered Species Act). Ms. Muir presented an example of a conversion in Boise, emphasizing the importance of the footprint. She noted a clear footprint of the converted property is necessary for NPS to evaluate if it covers the entire area that is out of compliance, a clear footprint of the replacement property is necessary for NPS to evaluate if it is eligible within the program rules, even if the converted piece is a small parcel, the replacement site must encompass the whole recreation area and be a viable, standalone park site, and if the property is undeveloped, the sponsor must have a plan to develop recreation resources within three (3) years of the conversion approval. She reiterated, per the manual, the replacement property must be developed within three (3) years of the signed conversion, there is a specific EA format, a checklist must be completed, and there is a requirement that the EA document is out for public review for at least 30 days and any public comment must be included in the EA submitted to the NPS. Per Councilor Burtenshaw, Ms. Muir stated the public comment is for the entire conversion as the process is explained in the document. Ms. Muir explained the Section 106 process, the appraisal standards, and the State Comprehensive Outdoor Recreation Plan (SCORP). Director Holm noted the SCORP was last updated for Idaho in 2018. Ms. Muir reviewed the timeline for consultation (local/state/NPS, this could be lengthy), submittal (state to NPS, could take years, Director Holm stated the city is eligible to write LWCF grants once the submittal is submitted), and waiting. Per Councilor Francis, Ms. Muir stated there is no difference between mitigation and conversion. Also per Councilor Francis, Ms. Muir stated one piece of property could be submitted to clean up several conversion issues or this could be submitted individually. Mr. Kirkham stated the replacement property must be large enough as a valid recreational site. Per Councilor Francis, Ms. Muir confirmed purchased property can be used for Dora Erickson and Esquires Acres or current property can be used if developed per the requirement. Discussion followed regarding other projects in Boise and California, and possible litigation. Councilor Freeman expressed his concern that the steps have not been taken. Mr. Kirkham stated once something is submitted to the NPS it may not get a rubber stamp, but it also doesn't mean the conversion is complete as the process for compliance may take years. He indicated the city is making efforts to get into compliance with the NPS. Per Councilor Radford, Ms. Muir believes a year is optimistic. Per Mayor Casper, Ms. Muir stated the process and steps for mitigation/conversion is the same whether before or after the fact. Per Councilor Radford, Ms. Muir stated the track and football field at Compass Academy (across from Dora Erickson) are under LWCF protection as that was part of the original project at that site. She also stated an already established recreation site cannot be used as replacement property, NPS wants something new. Per Councilor Freeman, Ms. Muir stated if a property is not approved the process would have to start over with a new piece of property. Mayor Casper stated the LWCF, at a 50/50 cost share, was developed by Congress to set aside

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land for recreation activities. She also stated being out of compliance means a consequence has occurred, although there is a difficult process to get back into compliance. She believes compliance will occur, which has been unsuccessful in the previous 25 years, although projects can still move forward with the city.

### Americans with Disabilities Act (ADA) Transition:

Ms. Farris stated this process began in 2012. She also stated three (3) elements are required in the ADA Transition Plan and one (1) element that included assessments of all programs facilities was missing. A mini task force was then formed to improve the ADA transition plan development. Improvements included updates to the City's website, and explanation of ADA responsibilities to the public. Ms. Farris noted an update was provided in August 2018, and three (3) documents required updates. These three (3) documents have been reviewed by legal staff and will require Mayor and Council review. Ms. Farris reviewed 2004-2021 Council-approved ADA budget and projects stating from 2004-2021, \$2.5M was allocated to ADA projects. She also reviewed previous years' assessments and updates for the east side of Park Avenue/E Street, Skyline Activity Center, the Ice Arena, and the zoo. She briefly reviewed previous completed projects. She noted funds are available with a graphic artist for a 32-page annual report. Per Councilor Radford, Ms. Farris stated some funds were allocated from the city as well as Community Development Block Grant (CDBG) and Public Works. Discussion followed including snow removal from sidewalks. Mayor Casper indicated money for building replacement was allocated in 2016 although this money has been applied to ADA compliance since that time. Per Mayor Casper, Mr. Fife believes ADA issues are perpetual. He also believes more ADA regulations are anticipated. Also per Mayor Casper, Mr. Fife does not believe the city will be punished for lack of ADA as he indicated the city has been used as an example for the efforts made. Discussion followed regarding other ADA needs and challenges within the community. Ms. Farris reiterated the council will need to review the document, it will then be presented to the ADA advisory board, followed by council approval by resolution at a future City Council Meeting. Per Mayor Casper, Ms. Farris stated discussion has occurred with Public Works and the Space Utilization Committee. Per Councilor Radford, Ms. Farris stated an elevator for City Hall has been identified.

### Snow Removal Recap:

Mayor Casper believes previous changes in the snow removal process has been a smart, rational decision. Director Fredericksen noted any snow removal policy changes will be reviewed prior to being mailed in the utility billings. He also noted snow removal parking enforcement is effective November 15 through March 15. Director Fredericksen reviewed the history of snow removal stating the city implemented new snow removal procedures in 2016-2017, and city staff met with and discussed snow removal with the public. He also reviewed other snow removal procedures (from similar-sized cities), staff utilization changes, equipment usage and future purchases, and use of contractors. He stated comments from public meetings included effectiveness/efficiency/frequency, ice buildup in residential areas, driveway approach snow removal (important service, the cost expenditure deemed beneficial), and public notification. Director Fredericksen stated the procedure of plowing snow to the center of the road followed by picking up and hauling is expensive and time-consuming. This cost is approximately 5:1 versus plowing snow to the side of the road. Director Fredericksen stated Public Works no longer wants to allow sidewalks built next to the curb line, the snow should be moved to a landscaped strip next to sidewalks. He reviewed the process that led to the creation of the Snow and Ice Control Policy and Procedure Manual. This included prioritizing of all streets: Priority One – arterial and collector; Priority Two – minor collector streets and special needs (schools, care centers and emergency response facilities); and Priority Three – residential and minor streets. Staff also worked to maximize utilization of city employees and city equipment, minimize haul, and update Snow Removal Parking Restrictions and Sidewalk Snow Removal (Title 9, Chapter 5 and Title 8, Chapter 10). Director Fredericksen noted sidewalk snow removal complaints are referred to Code Enforcement. He then presented video demonstrations of a snow wing and a snow grader with a gate that can be raised and lowered.

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Per Councilor Francis, Mr. Cardon stated all city graders are equipped with a gate. He also stated the city currently has two (2) snow wings with a budget request for an additional snow wing. Director Fredericksen noted he is not aware of any contractors that have the gated equipment. Director Fredericksen stated all snow removal information is located on the city's website. He recognized Zone A as the most problematic area for plowing due to the narrow streets. He reviewed several methods of public notification, indicating weekends are avoided if possible, streets are plowed depending on even/odd day of the month, and towing (towed onto adjacent street). He also reviewed towing and ticketing for the previous six (6) years. He noted 74% of tickets are paid, however, the cost to the city is approximately \$41,000. Mayor Casper believes these are public safety costs. Per Councilor Freeman, Mr. Cardon stated towing costs may have to be adjusted. He also stated notification information was included with any towing tickets. Director Fredericksen reviewed snow removal costs for the previous five (5) years. He believes the cost has reduced due to the equipment purchases, and the speed of snow removal has increased. He noted bids are received each year for outside contractors. Pending actions include: coordinate removal areas with the county; update Snow and Ice Control Policies and Procedures Manual; city-wide and Zone A mailing (including messaging in Spanish); changing texting service; and new snow removal budget establishment in the Street Fund. Discussion followed regarding use of salt, use of additional non-sworn staff for ticket writing, public notification prior to plowing, build-up of snow along the parking areas, the decision to plow, and the use of the National Weather Service.

**License Appeal Hearing:**

Mayor Casper opened the hearing for Ms. Toshianna Black and ordered all items presented be entered into the record. Mayor Casper stated the application from Ms. Black was for a Private Patrol Person license. She requested the appellant. Ms. Black was not present. Per Councilor Francis, Mr. Fife confirmed the applicant must be present. Mayor Casper stated the appellant was notified of the time and date of the appeal hearing, and a follow-up phone call was attempted. Mayor Casper closed the hearing. It was moved by Councilor Francis, seconded by Councilor Freeman, that Council deny the appeal on the basis that the applicant failed to appear to make the case. Per Councilor Burtenshaw, Mr. Fife believes the appeal is denied if the applicant fails to appear. Discussion followed regarding the denials of licensing. Mr. Fife clarified an automatic denial is not specifically identified in City Code although this is standard practice. He also stated Captain Squires could present the facts, followed by any questions as the hearing could be denied based on the facts and not the absence. Mayor Casper re-opened the hearing and requested information by Captain Squires. Captain Squires stated the denial is based on City Code 4-6-5(C): Has been convicted of a felony or of any crime or offense involving violence or moral turpitude, or of any offense concerning the sale or transportation of intoxicating or alcoholic liquor. He also stated there were convictions for disorderly conduct and a domestic violence conviction that also involved malicious mischief. He noted these convictions occurred a number of years ago, however, there is a pending assault charge in 2020. He also noted the charges were all misdemeanors, not felonies. Per Councilor Freeman, Captain Squires read the definition of a Private Patrol Person license. Seeing Ms. Black was still not present, Mayor Casper re-closed the hearing. It was then moved by Councilor Freeman, seconded by Council President Dingman, to uphold the denial of the license from the facts despite the fact the appellant did not appear. Roll call as follows: Aye – Councilors Burtenshaw, Hally, Dingman, Radford, Freeman, Francis. Nay – none. Motion carried.

There being no further business, the meeting adjourned at 6:25 p.m.

s/ Kathy Hampton  
Kathy Hampton, City Clerk

s/ Rebecca L. Noah Casper  
Rebecca L. Noah Casper, Mayor