

**Pleasant Grove City Council Minutes**  
**August 11, 2009**  
**7:00 p.m.**

**PRESENT:**

**Mayor:**

Michael W. Daniels

**Council Members:**

Mark K. Atwood

Cindy Boyd

Bruce Call

Jeffrey D. Wilson

**Excused:**

Lee Jensen, City Council Member

Marc Sanderson, Fire Chief

**City Recorder:**

Kathy T. Kresser

Colleen A. Mulvey, Deputy City Recorder

**Others:**

Frank Mills, City Administrator

Gary Clay, Finance Director

Tina Petersen, City Attorney

Ken Young, Comm. Dev. Director

Richard Bradford, Economic Dev. Director

Deon Giles, Leis. Services Director

Lynn Walker, Public Works Director

Tom Paul, Police Chief

Karen Bezzant, Treasurer

Libby Flegal, NAB Chair

The City Council and staff met at the City Council Chambers at 86 East 100 South, Pleasant Grove, Utah

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**1. CALL TO ORDER**

Mayor Daniels called roll for the Council and noted that Council Members Atwood, Boyd, Call and Wilson were present. Council Member Jensen was excused.

**2. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was lead by Boy Scout Treven Postelnicu.

**3. OPENING REMARKS**

Opening Remarks were given by Attorney Petersen.

**4. APPROVAL OF MEETING'S AGENDA**

Mayor Daniels stated that there are a few changes on the agenda, the first being adding a presentation of the Metropolitan Water District of Salt Lake & Sandy and item "B" will be moved to the end of the agenda after the executive session and the Mayor stated that he will be recusing himself from discussion of this item.

Mayor Daniels asked if there were any other changes or additions to the meeting's agenda there were none. The Mayor then asked for a motion to approve.

**ACTION:** Council Member Wilson moved to approve the agenda adding the Water District presentation and moving item "B" to the end of the agenda. Council Member Call & Boyd seconded and the motion passed unanimously with Council Members Atwood, Boyd, Call and Wilson voting, "Aye."

**5. CONSENT AGENDA** (Consent items are only those which have been discussed beforehand, are non-controversial and do not require further discussion):

**MINUTE REVIEW AND APPROVAL:**

- a. City Council Minutes for July 7, 2009
- b. City Council Work Session Minutes for July 14, 2009
- c. City Council Minutes for July 21, 2009
- d. To consider Final Pay Request and Change Order No, 1 for the Manila culinary Water 2009 Improvements Project to HDX L.C.
- e. To consider approval of paid vouchers (July 22, 2009 & August 10, 2009)

The Mayor asked if there were any questions on the consent agenda items, there were none. The Mayor then asked for a motion to approve.

**ACTION:** Council Member Call moved to approve the consent agenda items. Council Member Wilson seconded and the motion passed unanimously with Council Members Atwood, Boyd, Call and Wilson voting "Aye."

**6. OPEN SESSION**

Mayor Daniels explained to those present that if an item was not a public hearing or not on the agenda, they were welcome to come forward and address the Council.

Linda Gordon, 126 W 1800 N came forward representing herself and several of her neighbors and stated that they are "sleep deprived" that there is a rooster that lives next door to them that crows a lot. She explained that they are making efforts in what they feel is proper procedure by contacting the neighbor and asking if something can be done to stop the crowing they have also offered to build a sound proof chicken coup.

Mayor Daniels interjected to bring the Council up to date with what he is aware of on this situation, he stated that there are some residents who moved into an area where one of the residents has animal rights and the animal in question is a rooster that crows at all times of the day and night, not just at dawn. The Mayor stated that the other concern he was made aware of is

that attempts have been made by the neighborhood to talk to this resident and that it has become "heated."

Ms. Gordon then explained that they contacted Jeff Rich, Pleasant Grove's Zoning Officer and he did go out to the residence to check on the number of animals and found that they are within what is allowed for the zone. Ms. Gordon stated that Officer Rich recommended that they call the Police when the noise is disturbing. Ms. Gordon said that she realizes that that is the procedure but feels that that is not the smartest idea because they would be occupying a lot of the Police's time. Ms. Gordon stated that they were aware of the animal rights zoning when they moved in, but feels that there is also a noise ordinance that should be adhered to and that is why they have come here tonight to see if this can get resolved.

Mayor Daniels then asked Director Young to explain the procedure with the noise ordinance. Director Young stated that because it is an off and on type of situation, that calling the Police to get them out there when the noise is occurring might be the best way to find out at what level and what extent this is occurring and to see if there is anything that we can do. Mayor Daniels added that this would be similar to the situation of a barking dog, the Animal Control Officer goes to the location to verify by hearing and seeing the barking dog and then they are able to deal with it from that point.

One of the neighbors who sides with Ms. Gordon stated that since he is up when this rooster crows that he would be willing to document and keep a log of the dates and times this occurs and pass the information along to the City. Director Young stated that it is not necessarily required to keep the log and measure the noise by decibels; it is more just having official representation of the City witnessing or hearing the problem.

Attorney Petersen stated that if the City is able to establish the nuisance, the resident can be cited for the nuisance with a fine of about one hundred and eighty dollars. Attorney Petersen stated that in the case of dogs, if there are three or more complaints on the dog then the prosecutor can request the judge to order the animal removed from the property, the problem is that this ordinance specifically states the word "dog." Attorney Petersen then asked Ms. Gordon to call her office and that she would talk to Officer Rich and see if they could figure out a workable solution.

Daniel Kaesmeyer, 110 W 1800 N the resident who owns the rooster asked if there was a rule regarding the residents who come over to knock on his door at all hours of the morning. Attorney Petersen stated that there is no rule; if a person wants to knock on their door they are free to do so. Mr. Kaesmeyer stated that there are neighbors whose property is directly next door and adjacent to the location of the coup that do not have any problem with the rooster crowing. Mr. Kaesmeyer added that when he has been awakened at four in the morning, there are other roosters in the neighborhood crowing, not just his.

Attorney Petersen stated the general rule for animal rights if you are in a zone where it is allowed and you are keeping the correct number of animals is that those animals are entitled to make a reasonable amount of noise. The problem occurs when it becomes unreasonable and you get

more than one hypersensitive neighbor complaining, then it begins to cross into the nuisance area.

Mr. Kaesmeyer stated that it is important to him that they stay within the boundaries of what the City has set aside for their animals and he added that there are other neighbors in his area who have no problem with their animals and have offered their support to him if needed. Mr. Kaesmeyer stated that Officer Rich did come by and verified that they are within the correct number of animals allowed; they currently have nine and are allowed twenty one.

Mayor Daniels asked that the parties involved please contact Attorney Petersen to work on a resolution.

Mayor Daniels asked if there was anyone else who wished to come forward and address the Council at this time, there was not. The Mayor then closed the meeting to the public.

## **7. NEIGHBORHOOD ADVISORY BOARD REPORT**

Chairperson Libby Flegal stated that Director Young would be updating Council on the neighborhood improvement plan discussed at the NAB's latest meeting.

## **8. BUSINESS:**

### **1. PRESENTATION OF THE METROPOLITAN WATER DISTRICT OF SALT LAKE & SANDY**

Wayne Winsor, Engineering Manager of the Metropolitan Water District of Salt Lake & Sandy (MWDSLS) explained that they have met with the City's Development Review Committee and are pleased for the opportunity to share information and background about their organization with City Council and staff.

Mr. Winsor stated that the MWDSLS was organized in 1935 through the Utah State Legislature; they are a local district governed by a Board of Trustees. Their main facilities are located at the Salt Lake Aqueduct, the Point of the Mountain Aqueduct, Little Cottonwood Water Treatment Plant and the Point of the Mountain Water Treatment Plant. Mr. Winsor explained that in October of 2006, the MWDSLS through an act of Congress took title of the Salt Lake Aqueduct and now owns the entire facility, which entails all of the right of ways, the easements, the property and the inherent problems that come along with it. There are three types of right of ways, the fee title, easements and 1890's easements which essentially came out of an act of Congress in 1890 that described the preserved parts of land for water conveyance facilities. Mr. Winsor explained that they have an encroachment program which requires a written agreement for things such as vehicle access, excavation, construction, etc. They have completed an inventory of encroachments in January 2009 and have identified over four thousand encroachments and nearly eighty percent of them are unauthorized and of those, seventy five percent of those encroachments are unacceptable according to their policies, rules and regulations. Mr. Winsor stated that they have broken down the list of encroachments by County

and by City and they have identified two hundred and ninety two encroachments in Pleasant Grove.

Council Member Call asked if these encroachments were mostly from trees. Mr. Winsor stated that trees and fences are the primary encroachments.

Mr. Winsor explained that the design life of pipes is fifty years, the pipes for the Salt Lake Aqueduct were put in the ground in 1951, making them fifty eight years old. Mr. Winsor added that these pipes are aging gracefully and are in pretty good shape for their age, there are forty two miles of pipe that provide water to nearly three quarters of a million people and it is the main source of water for Salt Lake and Sandy. These pipes cannot be taken off line for repairs or replacement for more than three to four months at a time and it is estimated that only two to three miles of pipe can be replaced in any given year.

Mr. Winsor stated the MWDSLS's mission is to clear up the corridor in preparation for replacing the pipes. He said that in order to do this they are instituting an encroachment program with the first step being to work with the Cities and residents. MWDSLS will send out an introductory letter to all residents along the corridor to introduce their organization and the importance of the infrastructure of the Salt Lake Aqueduct. Open House meetings will be conducted and encroachment letters will be sent out explaining the encroachments and how to get them resolved and or removed. Mr. Winsor explained that they will send out second and third letters and if they get no response then they will need to proceed to take legal action. Mr. Winsor acknowledged that they will not be able to please everyone and that calls may come in to the City regarding this, he stated that they do not want the Cities to be caught "off guard" and added that they are available to assist with any questions or information that is needed.

Mayor Daniels stated that this information is useful to us and will definitely help explain to the residents what is going on and the fact that the MWDSLS are enforcing their rights.

Administrator Mills wanted clarification on who Pleasant Grove's agreement was with, stating that it was with the Salt Lake Metropolitan Water District and not the MWDSLS. Mr. Winsor stated that it was actually with the Bureau of Reclamation, with the district being co-signer and that MWDSLS has absorbed and taken over all of those agreements.

Administrator Mills asked if in the plans to install the new pipe, they are installing them to earthquake standards. Mr. Winsor stated that they recognize the location of the fault line in relation to the pipes and that when they go through the replacement process they will be replaced and designed for earthquake type conditions.

Administrator Mills then asked what their ability was to have on hand replacement pipe in stock in the case of emergency. Mr. Winsor stated that they have purchased a twenty foot section and two ten foot sections and replacement collars that are being stored at their Little Cottonwood Water Treatment facility to keep on hand and available for emergencies. Mr. Winsor explained that they do understand the need for emergency response and have put a program into place.

Mayor Daniels asked if there were any other questions, there were none. The Mayor then thanked Mr. Winsor for his presentation.

**A. TO CONSIDER A RESOLUTION (2009-029) AUTHORIZING THE MAYOR TO SIGN A RIGHT-OF-WAY EASEMENT OF VARIOUS WIDTHS AND APPROXIMATELY 625 FEET IN LENGTH FOR THE CONSTRUCTION, RECONSTRUCTION, MAINTENANCE AND REPAIR OF ELECTRICAL POWER TRANSMISSION LINES AND ALL NECESSARY OR DESIRABLE ACCESSORIES AND APPURTENANCES WITH PACIFICORP, AN OREGON CORP., D/B/A/ ROCKY MOUNTAIN POWER TO ACCOMMODATE THE UDOT REGION THREE ROADWAY DESIGN FOR PROPERTY LOCATED AT APPROXIMATELY STATE STREET AND RAIL ROAD BRIDGE "F" AND PROVIDE AN EFFECTIVE DATE**

Administrator Mills stated that Rocky Mountain Power is requesting a right of way easement because they had to go outside of the property that UDOT had secured because we had them change and take the overhead poles out.

Mayor Daniels asked if there were any questions or discussion, there were none. The Mayor asked for a motion.

**ACTION:** Council Member Wilson moved to approve Resolution 2009-029, authorizing the Mayor to sign a right-of-way easement of various widths and approximately 625 feet in length for the construction, reconstruction, maintenance and repair of electrical power transmission lines and all necessary or desirable accessories and appurtenances with PacifiCorp, an Oregon Corp, d/b/a Rocky Mountain Power to accommodate the UDOT region three roadway design for property located at approximately State Street and Rail Road Bridge "F". Council Member Call seconded and the motion passed unanimously with Council Members Atwood, Boyd, Call and Wilson voting "Aye."

**C. TO APPROVE THE AGREEMENT BETWEEN UTAH COUNTY AND PLEASANT GROVE CITY REGARDING THE CONDITIONS OF THE UTAH COUNTY COMMUNITY ACTIVITIES GRANT IN THE AMOUNT OF \$19,336.53**

Director Giles stated that they are excited to get this grant and they will be using the funds for smaller projects this year such as signage, trash receptacles, benches, etc.

Attorney Petersen explained that there are some strings attached in accepting the money that are outlined in the agreement. Administrator Mills added that the City has received this grant money for several years and there are certain criteria they request such as spending the funds by a certain period of time and providing all of the invoices and documentation.

Mayor Daniels asked if there were any questions, in that there were none the Mayor then asked for a motion.

**ACTION:** Council Member Call moved to approve the agreement between Utah County and Pleasant Grove City regarding the conditions of the Utah County Community Activities Grant in the amount of \$19,336.53. Member Wilson seconded and the motion passed unanimously with Council Members Atwood, Boyd, Call and Wilson voting “Aye.”

**D. MAYOR TO UPDATE COUNCIL ON THE MEETING WITH THE HAMMONS GROUP**

Mayor Daniels stated the he, Bruce Call, Jeff Wilson and Jason Burningham of Lewis, Young, Robertson & Burningham, Inc., who are the financial consultants to the City, went to Springfield Missouri last week and met with the Hammons Group. They updated us on their situation with their financials and where they are at on the progress with their hotels. In particular with the Colorado Springs project and how the down turn in the economy has decreased the occupancy in their existing hotels. Also on how the banks and lending institutions are under different Federal guidelines with more restrictions on how they can loan funds, so they are having difficulty in getting funding to go ahead and pursue building five hotels a year like they used to. They explained that what they can do is pursue one hotel per year out of this current cash flow. Right now they are trying to finish up their Colorado Springs project and then they can move on the Pleasant Grove project. Mayor Daniels mentioned that they were very open with us and shared quite a bit of information and they are willing and do want to proceed forward with this project as quickly as they can. The Mayor stated that they discussed the criteria that we would like to see in place for the protection of the City and also to establish time frames and guarantees to ensure that we are going to be able to do this project.

Mayor Daniels added that this was a good opportunity to introduce both Jeff Wilson and Bruce Call who are the two candidates for Mayor, this will aid in the transition as each of them will be working with this project in the future.

Council Member Call stated that he felt the meeting was absolutely productive, adding that so much of what goes on at this level is a matter of trust between parties and feels that this continues that trust in continuing to build the relationship.

Council Member Wilson stated that it was a positive experience; we’ve gained trust with each other and believe that the project is going to go forward.

**9. STAFF BUSINESS**

- Director Young explained that at the last City Council meeting we discussed a suggestion of the NAB, of starting a campaign to beautify and improve the community. Basically what we would like to do is get the word out through the City website, newsletter, and flyers and get an article in the newspaper to get this campaign going. Then we will hold our first meeting and explain the different ways that the residents can assist. Director Young pointed out that in some areas the City may be more actively involved than in others. The NAB Committee members have expressed their support in favor of this and we would like to include our Code Enforcement Officer, the Beautification Commission and the Police with the Neighborhood Watch as a part of this initial meeting. Director

Young said that we basically want the neighborhoods to identify the areas where improvements can be made and start making plans to do them. Director Young added that they would like to get City Council's approval on this; the NAB's recommendation is that this be a City campaign, so that the residents will know that this program is sponsored by the City as a citywide effort.

Mayor Daniels wanted to clarify that we would be working in conjunction with the NAB. Director Young said "yes." The Mayor stated that he likes the idea of this campaign.

Director Young stated that they will go ahead and proceed and wanted to schedule the first meeting on September 16<sup>th</sup>.

Council Member Atwood added that this is a good idea and that we can really push and keep this campaign going around the time of the City Clean Up.

- Director Bradford reported that the Promenade/Farmer's Market had forty two booths participating, which is double the amount that they started with back in July.

This Friday, August 14<sup>th</sup>, the speaker at the Pleasant Grove Business Alliance luncheon will be Mary Craft of Culinary Crafts and she will be speaking about her experiences in starting a business.

On August 24<sup>th</sup>, Senator Bennett will be here for a Town Hall meeting with the main topic being health care.

- City Recorder Kresser reminded everyone of the New Candidate Meet & Greet being held tomorrow at 6:00 p.m. here in the Council Chambers.

City Recorder Kresser also mentioned that the Library Board will be sponsoring a Meet the Candidates night on September 3<sup>rd</sup> and that she will pass on more information as we get it.

- Treasurer Bezzant mentioned that the applications for attending the Utah League of Cities and Towns Conference which will be held September 9 – 11, are due by August 28<sup>th</sup>.

## **10. MAYOR AND COUNCIL BUSINESS**

- Council Member Boyd asked if a meeting could be set up with Administrator Mills, Director Clay, Attorney Petersen, Scott Wells, Kent Wells and another Council member to discuss the questions and concerns that she has been getting from residents regarding the new water rates. Council Member Boyd stated that she has asked to have this item placed on the agenda for the Work Session on the 25<sup>th</sup> so that the residents will have a chance to discuss this with us. Mayor Daniels stated that in this meeting it will be good if we could look at some specifics, looking at the facts would be helpful. The meeting was set for August 20<sup>th</sup> at 1:00 p.m. and Council Member Wilson stated that he will be more than happy to attend.

Council Member Boyd stated that the Heritage Festival is coming together nicely. There will also be a Scout-O-Rama event as part of the festival.

- Mayor Daniels mentioned that the Fox Hollow Golf Course is proceeding forward with the lighting of the driving range which will add an additional three to four hours per evening to generate extra revenue. There is a water share concern, they have now switched to a metering system; this system will give a clear picture of what the requirements of the golf course are. The Mayor stated that the course looks better and that they are doing better as far as the number of people who are coming out to play.

### **11. SIGNING OF PLATS**

No Plats were signed.

### **12. REVIEW CALENDAR**

The Mayor said that next Tuesday is the City Summer Party which begins at 6:00 p.m. so the City Council meeting will start at 5:00 p.m. and it is specifically for the one agenda item for Trophy Homes.

### **13. APPROVE PURCHASE ORDERS**

Mayor Daniels asked if the Council had reviewed the purchase orders and in that there was no further discussion, the Mayor asked for a motion.

**ACTION:** Council Member Call moved to approve the purchase orders for August 11, 2009. Council Member Wilson seconded and the motion passed unanimously with Council Members Atwood, Boyd, Call and Wilson voting "Aye."

### **14. EXECUTIVE SESSION**

**ACTION:** At 8:00 p.m. Council Member Call moved to go into executive session, a strategy session to discuss the purchase, exchange, or lease of real property (UCA 54-4-205(1)(d)). Member Boyd seconded and the motion passed unanimously with Council Members Atwood, Boyd, Call and Wilson voting, "Aye."

PRESENT:

Mayor:

Michael W. Daniels

City Council Members:

Mark K. Atwood

Cindy Boyd

Bruce Call

Jeffrey D. Wilson

Others:

Frank Mills, City Administrator  
Gary Clay, Finance Director  
Tina Petersen, City Attorney  
Colleen A. Mulvey, Deputy City Recorder  
Ken Young, Comm. Dev. Director  
Richard Bradford, Economic Dev. Director  
Deon Giles, Leis. Services Director  
Lynn Walker, Public Works Director  
Tom Paul, Police Chief  
Jason Burningham, Financial Consultant (by phone)

**ACTION:** At 9:09 p.m. Council Member Wilson moved to close the executive session and return to regular session. Council Member Atwood seconded and the motion passed unanimously with Council Members Atwood, Boyd, Call and Wilson voting “Aye.”

**ACTION:** At 9:10 p.m. Council Member Wilson moved to direct staff to proceed forward on a new agreement with the Hammons Group, to proceed with negotiations for the lease option with Arrowstar Construction and to prepare a plan for providing an access road for the residents near Sunridge Subdivision. Council Member Call seconded and the motion passed unanimously with Council Members Atwood, Boyd, Call and Wilson voting “Aye.”

Council Member Atwood reported that a resident from Cedar Hills will be going before the Utah Lake Commission regarding building a bridge across Utah Lake that will be privately funded. It will be a two lane, toll bridge with pedestrian access the design work is mostly done and it will connect from 800 North in Orem to south of Saratoga Springs.

At 9:12 p.m. Mayor Daniels recused himself from the meeting explaining that it was due to a conflict of interest. He turned the time over to Mayor Pro Tem Call to lead the discussion and close the meeting.

**B. TO CONSIDER A RESOLUTION (2009-030) AUTHORIZING AN AMENDMENT TO THE POLICY AND PROCEDURES MANUAL MODIFYING THE REQUIREMENTS OF SECTION IV EMPLOYEE HIRING, SUBSECTION 3 “SELECTION” REGARDING THE TIMING OF RESIGNATIONS FOR ELECTED OFFICIALS DESIRING TO APPLY FOR EMPLOYMENT WITH PLEASANT GROVE CITY**

Attorney Petersen explained that this resolution will authorize a change to the policy and procedure manual in Section three regarding Elected Officials. The City Council has recognized that potential conflicts of interest might arise when an elected official wanted to apply for full time employment with the City. A provision was included in the selection process that requires an elected official who desires to apply for a position as an employee to resign their office prior to applying for the position. Attorney Petersen said that subsequent to Council’s direction to include this in the policy and procedure manual there was some discussion among the Council members that perhaps requiring an elected official to resign prior to getting further down the line in the hiring process, was a little onerous in the fact that if they did not make the selection process, that they had resigned their position for naught. Attorney Petersen stated that she was

directed to supply some language that covered a couple of different scenarios, the first being if an elected official applied for a position that would be screened in-house, the second scenario would be for an elected official who was applying for a position that would be screened by a third party or an outside body. Attorney Petersen then read the proposed language: *An elected official who desires to apply for a position as an employee must resign their office: (1) upon submitting their employment application if applying for a position that will be screened in-house; or (2) upon being selected for an employment interview with any interviewing board if applying for a position that will be screened by an independent body.*

Attorney Petersen stated that subsequent to submitting this language, Council Member Call suggested that instead of requiring the elected official to resign upon being selected for an interview at all, that it would be for being selected for an in-house interview, basically meaning that an elected official would not be required to resign until they were actually to the point in the process where they were being interviewed by an in-house board.

Council Member Wilson stated that he is fine with the wording the way it stands right now.

Mayor Pro Tem Call stated that inserting the word “in-house” on option two between the words “any” and “interviewing”, changing it to *any in-house interviewing board*, the concern was undue influence that a standing elected official might have improper sway with the people interviewing them. Mayor Pro Tem Call said that he believes that there is no undue influence involved when it is an independent board doing the selection.

Mayor Pro Tem Call stated that because at this point in the process we have no contact with the Application Review Committee (ARC) that we do not know how they will be conducting interviews or if they will be conducting them by phone and if they decide to contact every applicant, then every applicant will fall under condition number two.

Council Member Boyd stated that she looks at the scenarios as two different situations, number one deals with in-house and number two deals with our independent people, whatever our independent people do, does not subject it to the first part. Council Member Boyd explained that she feels that the Council needs to not keep referring to the scenario that we are in right now, that we are not talking in generalities and we are making a decision based on what we are going through right now, we need to look at this situation for the whole future of the process that the City will use to hire people.

Attorney Petersen stated that her thinking when she drafted this language was that once an elected official is selected by any interviewing board, then at that point they know that they are in the running and this opens up the opportunity for lobbying and undue influence. Attorney Petersen stated that legally it does not matter, you can have it either way and it is a policy decision that Council will have to make.

Mayor Pro Tem Call stated that his concern that any lobbying that we would be concerned about would be the applicant lobbying with the Council, the Mayor, the Directors or whoever is going to be making the decision regarding the actual hiring of the individual. Mayor Pro Tem Call said that is why he is suggesting re-wording option number two so that it insulates us in that situation.

Mayor Pro Tem Call polled the Council members to see where they stand on this proposed language; Council Member Wilson stated that he prefers to keep the existing language, Council Member Atwood stated that he would like to see this more fine tuned with more serious language put in, Council Member Boyd stated that she is for keeping it the way it is. Mayor Pro Tem Call said that the vote then is two for keeping the existing language and two for changing it.

Council Member Boyd suggested that we hold off on this item until Council Member Jensen can weigh in on it. Council Member Wilson agreed stating that this will also give Attorney Petersen a chance to think about what we've discussed here tonight.

Mayor Pro Tem Call suggested that we continue this item. Attorney Petersen stated that her caveat on this is that if the current language is in place, the deadline to apply for the City Administrator's position is August 31<sup>st</sup>, so we may want to make sure that we take action before then.

Mayor Pro Tem Call asked for a motion to put this on the agenda for next week.

**ACTION:** Council Member Wilson moved to approve continuing this item, Resolution 2009-030 at the City Council meeting next week on August 18<sup>th</sup>. Council Member Boyd seconded and the motion passed unanimously with Council Members Atwood, Boyd and Wilson voting "Aye."

## **15. ADJOURN**

**ACTION:** At 9:37 p.m. Council Member Wilson moved to adjourn the meeting. Council Member Atwood seconded and the motion passed unanimously with Council Members Atwood, Boyd and Wilson voting "Aye."

This certifies that the City Council  
Minutes of August 11, 2009 are a true,  
Full and correct copy as approved by  
The City Council on September 1, 2009

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Colleen A. Mulvey, Deputy City Recorder