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**City of Florence**  
**City Council Minutes**  
**April 19, 2010**

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**CALL TO ORDER - ROLL CALL - PLEDGE OF ALLEGIANCE**

Mayor Brubaker opened the regular council meeting at 7:00 p.m. with the pledge of allegiance. Other members present included Council President Nola Xavier, Council Vice President Alan Burns, and Councilor Suzanne Roberts. Councilor Dave Franzen was absent and excused. Staff in attendance included City Manager Robert Willoughby, Public Works Director Mike Miller, Finance Director David Armstrong, Community Development Director Sandra Belson, Senior Planner Wendy Farley, Associate Planner Melissa Anderson, Assistant Planner Michelle Pezley, and City Recorder Pat Heinze.

**INTRODUCTIONS**

**Scout Troop 721**

Mayor Brubaker welcomed the scout troop to the council meeting and asked the scout master to introduce his troop. The scout master said they were Scout Troop 721, LDS Ward Troop and they were there to earn their merit badge.

**APPROVAL OF AGENDA**

Mayor Brubaker asked for any additions or corrections to the agenda, hearing none he proceeded with public comments.

**PUBLIC COMMENTS**

Mayor Brubaker explained the purpose of this portion of the meeting and offered an opportunity for members of the audience to address the council regarding any matter not already on the agenda for that evening.

**Bruce Jarvis – 2389 21<sup>st</sup> Street:** Mr. Jarvis said he wanted to speak to the proposed ban of the legal fireworks. He said there was a petition being circulated throughout Old Town that stated, “We the undersigned are opposed to any ban of legal fireworks in Old Town, Florence, Oregon. We the undersigned request the city council of Florence, Oregon to cease and desist from any further action to ban legal fireworks in Old Town.” He said while it was clearly understood that such a petition had no force of law whatsoever it did have the force of the will of the people. He said it had been reported both in the Register Guard and on KVAL that the motivation of this proposed ban was the concern by city council members that someone may be harmed by fireworks. He said they were unaware of any fireworks related injuries and one could use the same reasoning for the use of alcohol which could result in potential harm, but he didn’t see any move to ban alcohol in Old Town.

He said the negative publicity generated by this ill conceived proposed ordinance was telling the rest of Oregon, “We’re not the best choice of a fun place to come.” He asked the council to carefully consider the cost to our

community and the harm that is being done to our town and businesses by pursuing this course of action.

**Michelle Douglas – 201 Royal St. Georges:** Ms. Douglas said she was there that evening to appeal to the council about the decision to ban legal fireworks in Old Town. She said as Mr. Jarvis had just mentioned that there was a petition going around with several pages filled with signatures and comments against the ban on legal fireworks. She said most of the visitors as well as locals were pretty responsible. She said the Merchants of Old Town clean up after themselves and there hadn't been any accidents or any buildings burned down. She said she knew prevention was a good thing but sometimes when it infringes on some of our freedoms, it gets a little hard to deal with.

She said imagine a family visiting Florence and their children get to have sparklers for the first time and they are not allowed to light their fireworks and if they do, they may get fined. She said that tells our visitors, "Do not come to Florence;" a negative is a negative and in every marketing class she had taken they were told to try to be as positive as possible. She said there are irresponsible people with illegal fireworks and she thought we could ask our neighbors not to shoot off these types of fireworks.

She said everyone pitches in and helps with the cleanup, the merchants even cleaned up Old Town before spring break and they clean up after Rhody Days and try to take the burden off of the city. She said the merchants want Florence to be a happy and positive place to visit and she thought a ban on a fun activity would be a negative.

With no further comments, Mayor Brubaker moved on to the consent agenda.

## **CONSENT AGENDA**

### **MINUTES**

*Consider approval of minutes of the council meeting minutes of April 5, 2010.*

Mayor Burns said on the subject of banning of fireworks the minutes stated there was a unanimous vote on moving the item to a different meeting; he said he went back and listened to his tape and he did vote "no", but he had also said to Mayor Brubaker, "whatever." He said it was not a unanimous vote and he would like to have that reflected in minutes; that it was 4 ayes and 1 no.

Councilor Burns moved to approve the minutes of the regular council meeting of April 5, 2010 as amended. Second by Councilor Roberts, by voice all ayes, motion carried unanimously. It is noted for the record that Councilor Franzen was absent and excused.

### **LIQUOR LICENSE APPROVAL**

*Consider approval of a liquor license application for JK Coastal Cuisine, LLC dba Side Street Bistro located at 165 Maple Street.*

Councilor Burns moved to approve the liquor license for JK Coastal Cuisine, LLC dba Side Street Bistro. Second by Councilor Roberts, by voice all ayes,

motion carried unanimously. It is noted for the record that Councilor Franzen was absent and excused.

## **PUBLIC HEARING**

### **COSTA'S VACATION ALLEY**

*Consider approval of a request to vacate the alley located at Block 57 Gallagher's subdivision north of Florence Yamaha, 2130 and 2160 Hwy 126 south of Hwy 126.*

Mayor Brubaker said this was the final hearing on the vacation of Gallagher's Block 57 alley, adjacent to Hwy 126. He said this was a quasi judicial public hearing and it would be held in accordance with the land use procedures and those of the State of Oregon. Prior to the hearing tonight, staff would identify the applicable substantive criteria which have also been listed in the staff report. These are the criteria the council must use in making its decision. All testimony and evidence must be directed toward these criteria or other criteria in the Plan or Land Use Regulations which you believe applies to the decision per ORS 197.763 (5). Failure to raise an issue accompanied by statements or evidence sufficient to afford the council and parties involved an opportunity to respond to the issue, would preclude an appeal based on that issue.

Failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval without sufficient specificity to allow the council to respond to the issue precludes an action for damages in circuit court.

Any proponent, opponent, or other party interested in a land use matter to be heard by the council may challenge the qualification of any councilor to participate in such hearing and decision. He then asked the council if anyone had a potential conflict of interest or ex parte contact to divulge. Councilor Roberts said she had ex parte contact with Mr. Saxon but it would not affect her vote in this matter or her impartiality. She said she and Mr. Saxon had been friends for 30 some years and they just run into each other over coffee from time to time. Councilors Burns and Xavier had nothing to disclose.

Mayor Brubaker asked if there was anyone in the audience who wished to challenge a councilor on their ability to be impartial in this matter, hearing none, he moved forward.

He called for the staff report and noted that the hearing would be opened after the report.

AP Pezley summarized the staff report and said that Mr. and Mrs. Costa requested that the city vacate an alley north of their property. The alley was currently used for the internal circulation for their two businesses at 2130 and 2160 Hwy 126, also known as Florence Yamaha and Roadrunner. AP Pezley showed photos of the property to the audience and council. She said the proposed alley was in front of the Roadrunner building.

She said the vacation of a right of way involved three hearings:

- February 1, 2010 city council held a public hearing to make a preliminary determination of the public interest in the vacation of Gallagher's Bock 57 alley. The council agreed to move the application forward to the planning commission.
- The planning commission held a public hearing on March 9, 2010 which was continued to March 23<sup>rd</sup>. The planning commission reviewed the criteria: FCC Title 8, Chapter 3 section 6-2-A which references Title 10 Chapter 1 Purpose and Florence Realization 2020 Comp Plan which includes Downtown Implementation Plan and Florence Transportation Plan.
- On March 23<sup>rd</sup> the planning commission determined that there was no benefit to the public to keep the alley, and vacating the alley would benefit the Costas. The benefit of the vacation of the alley to the public would be the public improvements along Highway 126 which included sidewalks, landscaping, curb and gutter improvements. The Downtown Implementation Plan and Florence Transportation Plan outline this area on Highway 126 as the eastern gateway into Florence. The main concept for the eastern gateway is that once a person enters into the city, they start to see the curbs and sidewalks and know that they have moved from the rural area into the urban area. AP Pezley then showed Exhibit G.
- The public would also benefit with Costa's sharing in the future street improvements of the Upas Street right-of-way. The planning commission recommended requiring the applicants to sign a non-remonstrance agreement for the street improvements within the Upas Street right-of-way.
- An affected neighbor, Don Saxon, stated he was against the alley vacation. He said he uses the alley to get to his property located south of Costas' since Upas Street was unimproved. In reviewing the neighbor's fairness issue, the planning commission recommended that the Costas record a private access easement for Don Saxon to connect to Upas Street or Pacific Avenue. The easement would be valid until the time access is provided to Mr. Saxon's property by Upas or Tamarack Streets. Mr. Costa had agreed with the planning commission's recommendation to provide the easement.

Mayor Brubaker opened the public hearing at 7:15 p.m. to hear first from the proponents.

**Rob Ward - 239 Nopal:** Mr. Ward introduced his client Mr. Costa and said that they were there that evening to say that they concurred with the planning commission recommendations and are willing to accept the conditions of approval as outlined by the planning commission.

Councilor Roberts expressed her concern about the easement for Mr. Saxon and said she didn't want this easement to be blocked; she wanted to make sure that he could use the easement at any time; and asked if he had a problem, how would that be enforced.

Mr. Costa said that the way it was currently designed, the easement is the opening to access their building so it is always open, unless a customer happened to be unloading something, but that would be temporary.

Mr. Ward replied the easement would remain open and Mr. Saxon would be allowed to come into the parking lot and take whatever access was available to him to get over to Upas Street. He went on to say that it would be a recorded document and as any recorded document, if Mr. Saxon felt that there was a problem; he would have legal recourse.

Councilor Roberts said she had a problem with the comments from Mr. Nelson from ODOT (Exhibit I) regarding the access from Upas and Tamarack Streets.

CDD Belson said as staff went through the alley vacation process they looked at trying to get access onto Upas and/or Tamarack Street; they were looking at various options to meet the concerns. She said Mr. Nelson did comment on each of those access points and their viability from ODOT's perspective. Councilor Roberts said we're going ahead with Upas as the main access, and asked if ODOT could change their mind on that.

CM Willoughby said it was up to the city and the city's Transportation Plan as to what use if any, we wanted to make of Upas or Tamarack Streets and the planning commission had some discussion about preferring Upas for access for a viewing area and that may well end up being in our Plan but that change hasn't been made yet – and that's up to the city and not ODOT.

Councilor Roberts wanted to ensure that the city had the authority to stick with Upas Street as the right of way.

CDD Belson said the planning commission's recommendation is to require a non-remonstrance agreement for Upas Street improvements should there ever be some. Staff is not saying that there will actually be a constructed street at that location and that is why the recommendation for the access easement is in place until access is constructed either on Upas or Tamarack Street. She said we cannot predict what is going to happen in the future so we're leaving those options open at this point.

Mr. Ward said in terms of Mr. Saxon's property, either access would work for him, so it was a non issue. He said that was the same for the alley vacation because we're talking about which street the city might want to develop in the future which is different topic than whether or not the alley should be vacated.

Councilor Roberts wanted to ensure that none of our citizens were blocked from accessing their property. Mr. Ward said if Mr. Saxon chooses to develop his tidelands, he would have to share in the development of Upas Street as the public access for whatever he develops back there; for right now he will have an easement so he can access his property.

Councilor Burns said it was his understanding that as long as Upas Street is not fully developed then Mr. Saxon has an easement off of Mr. Costa's property.

He said once the street is developed, the easement goes away; Mr. Ward replied that was correct.

Councilor Burns said if the city vacates the alley now Mr. Costa would lose one entrance. Mr. Ward replied, no, not in the vacation of the alley. He said Mr. Costa has two access points; one to the west and one in the middle. Mr. Ward said if Upas Street was developed as a formal street, then one of Mr. Costa's accesses would be terminated and he understands that and is okay with it.

Councilor Roberts asked about Pacific Avenue and if it was a city platted street, which is now just fill. Mr. Ward said it was a platted right of way and like other platted right of ways, if the city wanted to form an LID sometime in the future they could go through the process of developing that street.

Mayor Brubaker asked Mr. Costa if he would have any objection if condition number 3 was revised to say, "...record a private access easement for Don Saxon, **his heirs and successors**..." Mr. Ward said there would be no objection and it was typical language that one would find in an easement; so his heirs or anyone he sold the property to would have the right to use the same easement. Mayor Brubaker asked about someone other than Mr. Saxon who wishes to have access; an heir, successor or an assigned. Mr. Ward said Mr. Saxon would have the right to have friends use the access as long as it was not associated with a business. He said Mr. Saxon could not put a business back there, as it would become a commercial business and he would have to have formal access through Upas Street and pay his fair share of the development like any other business developer would.

Mayor Brubaker asked staff if they concurred with Mr. Ward's last statement; staff concurred.

Councilor Roberts said the way she reads this vacation; it appears that Mr. Costa is paying the city in kind for this vacation because he is going to be putting in sidewalks, curbs, etc. She asked staff if the city council would see those plans or would it just was going to be presented at the planning commission level. CDD Belson said this would be approved at staff level and staff had not planned on taking it before the council or planning commission.

Mr. Ward added that the plans for the sidewalks and curbs would also have to be approved by ODOT.

Mayor Brubaker asked for anyone else in the audience that would like to speak in support of the application, hearing none, he asked if there was anyone who would like to speak against the application or would just like to speak regarding the application, hearing none he closed the public hearing at 7:30 p.m.

#### **APPROVAL OF COSTA'S REQUEST FOR AN ALLEY VACATION**

*Consider approval of Ordinance No. 7, Series 2010, a resolution approving the request to vacate the alley located at Block 57 Gallagher's subdivision north of Florence Yamaha, 2130 and 2160 Hwy 126, south of Hwy 126*

Mayor Brubaker said he would like to amend the ordinance under Section 3, paragraph 3, "...the easement for Don Saxon and his heirs, successors and assigns...." He said it is conditioned to the connection of Upas Street or Pacific Avenue that the easement is provided on either Upas or Tamarack.

Mayor Brubaker called for the first reading of Ordinance No. 7, Series 2010 as amended. CR Heinze gave the first reading. Councilor Burns moved for approval of the first reading and called for the second reading. Second by Mayor Brubaker, by voice all ayes, motion carried unanimously. CR Heinze gave the second reading. Councilor Roberts moved for adoption of Ordinance No. 7, Series 2010 as amended; second by Councilor Burns by roll call, all ayes, motion carried unanimously. It is noted for the record that Councilor Franzen was absent and excused.

**CITY OF FLORENCE**  
**ORDINANCE NO. 7, SERIES 2010**

**AN ORDINANCE VACATING PUBLIC RIGHT-OF-WAY DESCRIBED AS FOLLOWS:**

**THE 20 FOOT WIDE ALLEY WITHIN BLOCK 57, GALLAGHER'S PART OF THE CITY OF FLORENCE, LANE COUNTY, OREGON EXCEPTING THEREFROM ANY PORTION OF THE ALLEY BEING WITHIN THE HIGHWAY 126 RIGHT-OF-WAY.**

**WHEREAS**, a petition was submitted by Ed and Debra Costa, the abutting property owners represented by Rob Ward, to vacate the above described right-of-way as outlined in Florence City Code (FCC) Title 8, Chapter 3, Section 3; and

**WHEREAS**, the City Council held the first public hearing to initiate the vacation on February 1, 2010 after giving the required notice per FCC 8-3-4-1; and

**WHEREAS**, the City Council in a 3-1 vote determined that there appears to be a public interest in the vacation and referred the application to the Planning Commission for a recommendation; and

**WHEREAS**, the Planning Commission held a duly advertised public hearing as outlined in FCC 8-3-5-1 on March 9, 2010 which was continued to March 23, 2010 in accordance with FCC 8-3-5-2 to consider the alley vacation request; and

**WHEREAS**, the Planning Commission voted 7-0 to recommend to the City Council to approve the vacation of the alley with conditions of approval; and

**WHEREAS**, the City Council met in a public hearing on April 19, 2010 after giving the required notice per FCC 8-3-6-1 to consider the proposal, evidence in the record, and testimony received; and

**WHEREAS**, the City Council deliberated on April 19, 2010 and found the vacation to meet the criteria found in Florence City Code and Realization 2020 Comprehensive Plan as shown in Attachment A: Findings of Fact; and

**WHEREAS**, it is in the public interest to vacate the right-of-way; and

**WHEREAS**, it has been determined that the abutting affected property owners are benefited by the vacation of the right-of-way.

**NOW THEREFORE, THE CITY OF FLORENCE ORDAINS AS FOLLOWS:**

**Section 1.** The findings of fact are hereby approved and adopted and incorporated herein by as Attachment A.

**Section 2.** The City Council hereby determines that it is in the public interest to vacate and does hereby vacate:

The 20 foot wide alley within block 57, Gallagher's Part of the City Of Florence, Lane County, Oregon excepting therefrom any portion of the alley being within the Highway 126 right-of-way.

**Section 3.** The benefiting property owners (Costas) have agreed to the following conditions of approval:

1. Prior to the recording of the vacation, the property owner shall add sidewalk, landscaping, curb and gutter within the Highway 126 right-of-way meeting Florence City Code requirements and as directed by Oregon Department of Transportation (ODOT).
2. Prior to the recording of the vacation, the property owners shall sign a non-remonstrance agreement for the improvements along Upas Street.
3. Prior to the recording of the vacation, the property owner shall record a private access easement for Don Saxon, his heirs, his successors and assigns, an abutting property owner, to connect to Upas Street or Pacific Avenue. The easement shall be valid until the time as access is provided by Upas or Tamarack Street.

**Section 4.** The City Recorder is directed to file certified copies of this ordinance with the Lane County Recorder, Lane County Assessors and the Lane County Surveyor once the conditions in Section 3 are complete.

**Section 5.** This Ordinance will take effect on the date the City Recorder records this Ordinance which shall be no sooner than 30 days after its enactment.

## **ACTION ITEMS**

### **AMENDMENTS TO FLORENCE CITY CODE (FCC) TITLE 6 CHAPTER 6 ANIMALS, DOGS**

*Consider approval of Ordinance No. 8, Series 2010, an ordinance amending FCC Title 6 Chapter 6, Animals, Dogs to reflect a reduction in time an owner has to redeem their animal*

Mayor Brubaker said this is an ordinance concerning animals, primarily dogs and cats, and changing the waiting time for adoption of animals at the Humane Society.

CM Willoughby said there was an informational item at a previous council meeting and council asked that the new ordinance be conditioned on an amendment to city code with regard to how long the Humane Society has to hold animals before they are eligible for adoption. He said the purpose of this ordinance is to shorten that time frame from 5 days to 3 days. He noted that there was a new ordinance draft that was given to the council that evening which changes the language to be clearer that we're talking about changing the time frame that animals are eligible for adoption from 5-3 days.

Mayor Brubaker asked for any public comments on the ordinance, hearing none he proceeded with the first reading of the ordinance. Mayor Brubaker said the ordinance was amended by the following: "...three days after giving notice the Chief may determine that the animal is eligible for adoption without further recourse by the owner or custodian."

Mayor Brubaker called for the first reading of Ordinance No. 8, Series 2010 as amended. CR Heinze gave the first reading. Councilor Burns moved for approval of the first reading and called for the second reading. Second by Councilor Roberts, by voice all ayes, motion carried unanimously. CR Heinze gave the second reading. Councilor Xavier moved for adoption of Ordinance No. 8, Series 2010 as amended; second by Councilor Burns, by roll call, all ayes, motion carried unanimously. It is noted for the record that Councilor Franzen was absent and excused.

**CITY OF FLORENCE  
ORDINANCE NO. 8, SERIES 2010**

**AN ORDINANCE MODIFYING FLORENCE CITY CODE 6-6-5-3 REDUCING THE TIME AN OWNER HAS TO REDEEM AN ANIMAL THAT WAS IMPOUNDED PRIOR TO BEING RELEASED FOR ADOPTION**

**WHEREAS**, the City of Florence and Florence Area Humane Society have agreed to temporarily modify the agreement for providing animal shelter services; and

**WHEREAS**, the City of Florence and Florence Area Humane Society have the shared interest in having animals available for adoption to members of the community at the earliest opportunity; and

**WHEREAS**, the Temporary Agreement Modification requires reducing the amount of time an owner has to redeem their animal if impounded, and

**WHEREAS**, the reduction in time an owner has to redeem their animal if impounded would be decreased to be consistent with current County of Lane impoundment time requirements.

**NOW, THEREFORE, THE CITY OF FLORENCE ORDAINS AS FOLLOWS:**

**Section 1.** Title 6, Chapter 6 is hereby amended as follows:

**TITLE 6  
CHAPTER 6  
ANIMALS, DOGS**

**6-6-5-3: IMPOUNDMENT NOTICE:** Upon the impoundment of an animal under the authority of this chapter, the Chief of Police shall forthwith give written notice of the impoundment as may be required by State law for the animal impounded or, if no State law governs notice, by regular mail or personal delivery to the owner or custodian of the animal if that person be known or can be identified from a tag on the animal. The notice shall state that, if the animal is not redeemed by the owner or a person authorized to be its custodian within ~~five (5)~~ three (3) days after the giving of the notice, the Chief may ~~dispose of the animal~~ determine that the animal is eligible for adoption without further recourse by the owner or custodian. If the owner or custodian of the impounded animal is not known and cannot be so identified, the Chief of Police or his designee shall post the notice ~~on the bulletin board~~ at ~~the City Hall~~ the Florence Area Humane Society facility in Florence, Oregon, and if that facility is not available, on the bulletin board at City Hall. The notice shall state the color, size, sex, and if determinable, breed of the animal.

**WATER CONSERVATION MANAGEMENT PLAN**

*Consider approval of Ordinance No. 9, Series 2010, an ordinance implementing the curtailment procedures and incorporating them into FCC Title 9 Chapter 2*

Mayor Brubaker said this item is a water curtailment plan, should it ever become necessary to cut back on water usage.

PWD Miller said this is a water curtailment plan which has four stages. He said we've added enforcement in the penalty section and the right to terminate water service if the customer does not comply. He said for example, if a customer was watering or using water in an inappropriate manner we would send a letter notifying them on how to correct the situation; if they ignored the letter and kept using the water then the penalty section provides the provisions for a fine; if they still don't abide by the curtailment it gives the city the right to terminate water service during the event.

He said he worked in the Portland area during the 1990's when they had to go to a curtailment plan. He said it was amazing what people would do and say to keep their lawns green. He said although he didn't think we had that problem in Florence, having something in code allows the city to have enforcement if it is needed.

PWD Miller summarized the 4 stages of the water curtailment plan:

Stage 1 – Water Shortage Alert: If our water demand reaches 80% of the water supply capacity for a period of three or more consecutive days, we would be in a drought situation and we would ask citizens to voluntarily cut back on their water usage.

Stage 2 – Serious Water Shortage: The water demand is 81-90% of water supply capacity for 3 or more consecutive days as a result of a natural or human-caused event. We would reduce outdoor watering which would be mandatory; asking for landscaping watering to be from 6:00 p.m. to 10:30 a.m. so the wind does not evaporate the water. Landscaping watered on odd/even days; no water use for washing vehicles, sidewalks, walkways, parking lots or other hard surfaces. No water to wash building structures except needed for painting. He said there was an exception for newly planted lawns so they could be established.

Mayor Brubaker asked if the odd/even water was based on addresses; PWD Miller replied, yes either home or business. He said for example if the date was the 19<sup>th</sup> and your address ended in an odd number that is the day you would be able to water.

Stage 3 – Severe Water Shortage: The water demand is more than 90% of water supply capacity for 3 or more consecutive days for any reason, whether natural or human-caused. He said there would be no outside watering at all; it replaces the odd/even or even the hours of watering to no watering outside. The exception of a newly planted lawn still applies as we want to try to protect that investment. He said no water use to fill, refill or add water to any swimming pools or hot tubs. He said the exception is if the pool is being used for fire control or emergency water. No water use from hydrants for construction purposes unless approved by the city manager. Implement limitations on commercial uses of water, depending on the severity of the shortage. He said for example a big canning operation that uses lots of water; we would ask them to curtail that type of operation.

Stage 4 – Critical Water Shortage: Critical water shortage – failure of the system, catastrophic failure; we have very little or no water and we would be taking it to the next step, rationing water. He said one of the tools in the tool box that was mentioned at the previous council meeting was water hours built into Stage 4; this gives the city the ability to establish hours of the day that water would be available for usage. He said this would truly be an emergency. For example, an earthquake with water mains broken or the water plant totally out of operation; we would then be into the critical water shortage.

Mayor Brubaker said this would be prime material for a brochure in our utility bills in the coming months.

Councilor Roberts referred to Stage 1, B – water curtailment and noted that the times were listed incorrectly; it should say 6:00 p.m. to 10:00 a.m. PWD Miller said that should be corrected.

Councilor Xavier referred to the penalties and asked what was the amount of the general penalty in FCC 1-4-1. PWD Miller replied, it was a \$500 fine per occurrence.

Mayor Brubaker asked for any public comments on this ordinance, hearing none he moved forward with the reading of the ordinance.

Mayor Brubaker called for the first reading of Ordinance No. 9, Series 2010 as amended. CR Heinze gave the first reading. Councilor Xavier moved for approval of the first reading and called for the second reading. Second by Councilor Roberts, by voice all ayes, motion carried unanimously. CR Heinze gave the second reading. Councilor Xavier moved for adoption of Ordinance No. 9, Series 2010 as amended; second by Councilor Burns, by roll call, all ayes, motion carried unanimously. It is noted for the record that Councilor Franzen was absent and excused.

**CITY OF FLORENCE  
ORDINANCE No. 9, SERIES 2010**

**AN ORDINANCE AMENDING FLORENCE CITY CODE TITLE 9 CHAPTER 2  
ADDING WATER CURTAILMENT FOR AN EMERGENCY WATER SHORTAGE**

**WHEREAS**, the City Council of the City of Florence has determined that a water curtailment ordinance must be in place to allow the City Manager to take water shortage curtailment measures that he/her deems necessary to minimize the affect of water shortage emergencies in the City of Florence.

**Now Therefore the City of Florence Ordains as follows:**

Section 1: Title 9 Chapter 2 is amended by adding a new section 9-2-5-8 (Water Curtailment Procedures) and renumbering the existing Section 9-2-5-8 (Constitutionality and Saving Clause) as Section 9-2-5-9 as follows:

TITLE 9  
CHAPTER 2

**WATER REGULATIONS**

SECTION:

**9-2-5-8: WATER CURTAILMENT PROCEDURES**

**A. Findings And Declaration Of A Water Emergency:** Upon finding that the municipal water supply is incapable of providing an adequate water supply for normal usage due to a drought, system failure or any other event, the City Manager may declare a water emergency and require that water usage must be curtailed. The City Manager may include an estimated time for review or revocation of the emergency.

Once the water emergency has been declared, limitation on the use of water as to hours, purpose, or manner may be prescribed from time to time by order of the City Manager, based on a finding that the limitation is reasonable given the available and projected water supply and demand.

**B. Termination of Water Curtailment:** The City Manager is authorized to terminate water curtailment stages upon determination that a water shortage emergency condition no longer exists.

**C. Water Curtailment Stages:** Depending upon the severity of the potential water shortage, the City Manager may implement the following water curtailment stages.

1. Stage 1: – Water Shortage Alert – Initiating Conditions:
  - a. General recognition of drought conditions in Lane County; or
  - b. Demand reaches 80 percent of water supply capacity as determined by the City Manager for a period of 3 or more consecutive days; or
  - c. Water supply approaches the minimum required for the fire protection or other essential needs as determined by the City Manager.
  
1. Stage 2: Serious Water Shortage – Initiating Conditions:
  - a. Governor has declared a drought in Lane County and the continuation of hot, dry weather is predicted, or if the City's water demand is 81 to 90 percent of water supply capacity for 3 or more consecutive days as a result of a natural or human-caused event.
  
2. State 3: Sever Water Shortage – Initiating Conditions:
  - a. Water demand is more than 90 percent of water supply capacity for 3 or more consecutive days for any reason, whether natural or human-caused.
  
3. Critical Water Shortage – Initiating Conditions:
  - a. Failure of a system component or non-drought emergency conditions results in an immediate shortage of water. Examples include: failure of main transmission lines, failure of the intake or WTP chemical spills, or a malevolent attack on the system that introduces a contaminant at some point in the system.

**D. Water Curtailment Actions:** The City Manager is authorized to take the following applicable action specific to each water shortage stage:

1. Stage 1: Water Shortage Alert:
  - a. The City will issue a written notice asking for voluntary water reduction by all users.
  - b. Landscape watering will be between 6 p.m. and 10 a.m.
  - c. Landscapes will be watered on odd – even days depending on odd-even address
  - d. Exceptions:
    1. New lawn grass or turf that has been seeded or sodded 90 days prior to declaration of a water shortage may be watered as necessary until established.
    2. High-use athletic fields that are used for organized play.
  
2. Stage 2: Serious Water Shortage
  1. Outdoor water reduction measures will be compulsory.

2. Water landscapes only between 6 p.m. and 10 a.m.
  3. Water landscapes only when allowed by the odd/even schedule.
  4. No water use for washing motorbikes, motor vehicles, boat trailers, or other vehicles except at a commercial washing facility that practices wash water recycling. (Exceptions include vehicles that must be cleaned to maintain public health and welfare, such as food carriers and solid waste transfer vehicles.)
  5. No water use to wash sidewalks, walkways, driveways, parking lots, tennis courts, and other hard-surfaced areas.
  6. No water use to wash building structures, except as needed for painting or construction.
  7. No water use for a fountain or pond for aesthetic or scenic purposes, except where necessary to support fish life.
  8. Discourage serving water to customers in restaurants unless water is requested by the customer. This action does not provide significant water saving, but is useful for generating awareness of the need to curtail use.
  9. No water use for dust control unless absolutely necessary, as determined by the City Manager.
3. Stage 3: Severe Water Shortage
    - a. Perform actions indicated for Stage 2.
    - b. Replace the restriction of odd/even watering from Stage 2 with a prohibition on all outdoor water (exceptions include new lawn, grass, or turf planted after March 1<sup>st</sup> of the calendar year in which restrictions are being imposed; sod farms; high-use athletic fields; or park and recreation areas specifically designated by the City Council.)
    - c. No water use to fill, refill, or add to any indoor or outdoor swimming pools or hot tubs, except if one of the following conditions is met; the pool is used for a neighborhood fire control supply, the pool has a recycling water system, the pool has an evaporative cover; or the pool's use is required by a medical doctor's prescription.
    - d. No water use from hydrants for construction purposes (except on a case-by-case basis approved by the City Manager), fire drills, or any purpose other than fire fighting.
    - e. Implement limitations on commercial uses of water, depending on the severity of the shortage.
    - f. Issue public service announcements to notify customers of the severity of the conditions.
  4. Stage 4: Critical Water Shortage
    - a. Stages 2 and 3 will be in place.
    - b. City Manager/Staff, if the water is unsafe to drink, will notify the community using the local radio, print media, the City's website, and any other appropriate means.
    - c. City will contact the Oregon Drinking Water Program, Department of Human Services, and request its assistance in responding to the problem.
    - d. City will notify the local news media, if appropriate, to ask for their assistance in notifying customers.
    - e. City will call an emergency Council Meeting.
    - f. City will establish water hours which establishes periods of time during the day when water would be made available.
    - g. City will contact the Oregon State Police and County Sheriff to obtain help in contacting customers.
    - h. City will determine whether to use water system interties with other water providers, such as HWD.
    - i. City to continue to investigate the contamination and develop specific backup plans; including plans that may include renting a water hauling truck and purchasing water from neighboring communities, sending customers to pre-designated water distribution locations, or supplying bottled water.

## **E. Enforcement.**

1. Warning: The City shall send a letter of warning for each violation of a curtailment restriction if no previous letter of warning has been sent to the person responsible for the violation. The letter of warning shall specify the violation, may require compliance measures and shall be served upon the person responsible for the violation. Service may be in person, by office or substitute service or by certified or registered mail, return receipt requested.
2. Civil Infraction. After the person responsible for the violation has received a warning letter, any subsequent violation shall be treated as a civil infraction

**F. Penalties.**

1. First Violation – Warning letter.
2. Second Violation of the same type – shall be subject to the general penalty set forth in FCC 1-4-1.
3. Third and subsequent violations of the same type – shall be subject to the general penalty set forth in FCC 1-4-1, and termination of services.

**G. Water Shut-Off.**

After the third violation of a curtailment restriction, the Public Works Director may order that the water service to the location where the violation has occurred shall be shut-off or reduced. A shut-off notice shall be posted on the property at least 48 hours prior to the scheduled shut-off or reduction. The shut-off notice shall specify the reasons for the shut-off or reduction. Any person wishing to avoid a shut-off must provide the Public Works Director with evidence that the shut-off will create a health or safety risk. All shut-offs imposed under this section shall be temporary, not to exceed thirty (30) days, provided the applicable charges are paid prior to reconnection. The reconnection charge and, if applicable, the meter disconnection charge imposed and shall be paid before the reconnection.

~~9-2-5-8:~~ **9-2-5-9: CONSTITUTIONALITY AND SAVING CLAUSE:** That if any provision, section, sentence, clause or phrase of this Code or the application of same to any person or set of circumstances are for any reason held to be unconstitutional, void, invalid, or for any reason unenforceable, the validity of the remaining portions of this Code or its application to other persons or circumstances shall not be affected thereby, it being the intent if the City Council of the City of Florence in adopting and approving this Code that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality or invalidity of any other portion, provision or regulation.

**WALKWAY/BIKEWAY PROJECT AGREEMENT BETWEEN THE CITY OF FLORENCE AND THE OREGON DEPARTMENT OF TRANSPORTATION (ODOT)**

*Consider authorizing the city manager to sign a walkway/bikeway project agreement between the city and ODOT to reconstruct six (6) sidewalk ramps and landing pads to American with Disabilities Act (ADA) standards at the US 101 and 6<sup>th</sup> Street intersection and US 101 and Rhododendron Drive intersection.*

PWD Miler said this was a big item for the city; it is an IGA with ODOT to construct 6 curb ramps and landings along Hwy 101 at Rhododendron Drive and 6<sup>th</sup> Street. He said this project will redo all the curb ramps at the signalized intersections along with two more curb ramps just north of 6<sup>th</sup> street.

He said this project is a testament to the city's ability to deliver a quality small project at a significant savings when compared to a small ODOT managed project and due to our great relationship with ODOT District 5 personnel and the State Bicycle and Pedestrian Program Manager.

He said Branch Engineering working through Florence Public Works, completed a detailed cost estimate to complete the engineering design, plans specifications and construction costs to reconstruct six ADA sidewalk ramps and landing pads, including the audible pedestrian activation equipment for the project.

After thorough review by ODOT staff, they are now willing to enter into an IGA to fund the project utilizing city resources. PWD Miller said the project cost is \$114,985, and is a very small project when you look at the types of projects that ODOT manages. ODOT recognizes that they cannot even complete the engineering design for projects like this for less than \$100,000, let alone design and construct the project for \$114,985. With the city's ability to design and construct the project, coupled with the larger pedestrian crossing improvements that are currently in the design stage with ODOT (2<sup>nd</sup> Street midblock, 7<sup>th</sup>/8<sup>th</sup> and midblock 18<sup>th</sup>/19<sup>th</sup>) we will greatly improve pedestrian safety at these location within the Hwy 101 corridor.

He said ODOT has made a lot of investment in Florence and it showcases the city's ability to do a project, better or at least more efficient and expeditiously than ODOT can. He said if council so chooses and approves the agreement and authorizes the city manager to sign it, we will be going to construction as early as this fall. He said it takes a bit of time to get everything through ODOT for plan approval, but it gives the city enough time to meet the deadline in the IGA which is December 2011.

Mayor Brubaker said the goal is to get more bang for our public dollars for the actual improvements on the ground; in this case for the betterment of bicyclist and pedestrians using Hwy 101 in Florence. He said it was his understanding that if the council authorizes execution that evening there is no further approval process; PWD Miller replied that was correct. PWD Miller said we will be using the Pedestrian Bicycle Quick Fix Funds, they are already allocated and they don't have to go through another approval process at the state.

CM Willoughby added that the city attorney had reviewed and signed the contract subject to the council's approval that evening.

Mayor Brubaker asked for questions or comments from the council or audience, hearing none he moved forward with the motion.

Councilor Burns moved to approve the agreement and authorize its execution. Second by Councilor Xavier, by voice all ayes, motion carried unanimously. It is noted for the record that Councilor Franzen was absent and excused.

### **REQUEST FOR SIGN CODE DIRECTION**

*Consider directing staff to move the Sign Code within Title 4: Building Regulations or Title 10 Zoning Regulations*

AP Anderson said this item was before the council on March 23, 2010 where they discussed updating the sign code and the council received a briefing from the city attorney. She said at the meeting the council requested that the

planning commission make a recommendation on whether the sign code should be a building/structural regulation (Title 4) or a land use regulation (Title 10).

She said the planning commission received a recommendation from staff (including Code Enforcement Officer Brandon Ott and Building Technician Eric Rines) and after evaluating the information the planning commission recommended adopting an update to the sign code as a building/structural regulation in Title 4 with the condition that future changes to the sign code would provide opportunities for public input and a recommendation from the planning commission or advisory committee. She said if it was adopted in Title 4 any future amendments would not have to go through the typical land use process, which automatically goes through a public hearing which includes the planning commission

AP Anderson said the council's options that evening include directing staff to proceed to update our code in Title 4, or as land use regulation in Title 10 or postpone this decision to another date.

Mayor Brubaker asked if the vote was unanimous by the planning commission; AP Anderson replied, yes. She said they had a very good discussion but they expressed their concern that there may be a lack of public input; so they wanted to ensure that future changes allowed for public input and the planning commission would have the opportunity to comment on any future code changes.

AP Anderson said going with Title 4; the building/structural portion of the code would provide for a more streamlined permit process. She said the permit process has already been streamlined in a small way, because many of our permits are administratively handled by our permit technician.

Mayor Brubaker asked if it was the recommendation of the planning commission to have that put into the code; AP Anderson replied, yes and she thought staff could craft wording that future amendments to the sign code would have a recommendation from the planning commission or a citizen advisory committee prior to the city council taking action.

Mayor Brubaker said we have public hearings on all code amendments and he was not sure that they needed to single out the sign code as opposed to any other ordinance, because there is always a public comment period even if we don't call it a formal public hearing as in land use and he expected they would get a recommendation from the planning commission as the council would get with any other code amendment that involved the planning commission.

Mayor Brubaker recommended the implementation of alternative 1, which is to direct staff to update changes to the city sign code as a structural regulation in Title 4.

AP Anderson added that if the sign code was in Title 4 any future changes to the code would require that the council hold a public hearing; however you

would not have to have any type of citizen recommendation from a committee or the planning commission. She said often times when we are amending other parts of the code that are outside of Title 10 and we have a public hearing with the city council it would not automatically go through the planning commission.

Mayor Brubaker moved to approve staff's recommendation to go through Title 4 building/structural and future changes to the sign code would require input from the public and the planning commission. Second by Councilor Roberts, by voice all ayes, motion carried unanimously. It is noted for the record that Councilor Franzen was absent and excused.

### **GREEN AWARD RECOMMENDATIONS**

*Consider approving the recommendations for the Green Award from the Environmental Management Advisory Committee (EMAC)*

SP Wendy Farley said this item is a recommendation from the Environmental Management Advisory Committee (EMAC) for a new program that they are starting this year; which is a "Greener Florence" award. She said this is part of the committee's opportunity to provide educational programs every year, which lays out what types of activities they are going to do throughout the year to promote recycling and waste reduction within the city. She said this is a new project; but it has been successful in other communities. She said the committee solicited nominations from businesses, non-profits, and organizations that are making attempts to reduce not only their waste stream, but also reducing water and energy use; all around trying to be more sustainable.

She said the committee outlined the criteria and then requested nominations in March with the deadline of April 12<sup>th</sup>. She said they received 6 nominations; they reviewed the applications and decided that next year they would have categories such as; restaurants, or services so one could compare apples to apples. She said each nominee deserved the recognition and the committee was pleasantly surprised at all the activities that these organizations were doing to reduce waste.

The 6 nominees are:

1. Bay Street Grille
2. Morgan's Country Kitchen
3. Oregon Pacific Banking
4. Three River's Casino
5. Country Transfer
6. Central Coast Disposal

Mayor Brubaker said the haulers fell into another category because some of the things they do is required by law. SP Farley agreed and said the committee was aware of that and they did not compare the haulers to the businesses.

Mayor Brubaker asked if it was the committee's recommendation to proceed with the nomination of these 4 and then pick a time to do an appropriate

recognition. SP Farley replied yes, the committee felt that all four were deserving and would like to see the council present them with awards.

Councilor Roberts said it was great to see something positive on the agenda and that this was incredible. She said she appreciated the restaurants that were using biodegradable containers.

It was determined that the awards would be presented at the May 3<sup>rd</sup> council meeting and staff would contact the recipients to make sure they could all attend that evening.

Councilor Burns moved to approve the nominees for the Greener Florence Awards for Bay Street Grille, Three River's Casino, Morgan's Country Kitchen, and Oregon Pacific Banking Company for presentations to be made on May 3<sup>rd</sup>. Second by Councilor Roberts, by voice all ayes, motion carried unanimously. It is noted for the record that Councilor Franzen was absent and excused.

Mayor Brubaker said he would like to have the haulers attend the meeting if possible; as he would also like to thank them for their hard work.

CM Willoughby said it was noteworthy that both haulers meet all the state requirements.

## **REPORTS**

### **MONTHLY REPORTS**

*Mayor Brubaker gave each councilor an opportunity to ask questions or make comments on each department report.*

#### *Assistant City Manager*

Mayor Brubaker reported that Jacque Morgan's time in the Boston Marathon was 3:46.07; he said there were 20-30 Oregon women runners in her age group and she came in 10<sup>th</sup> in that category. He said as far as he was concerned she was the 10<sup>th</sup> fastest marathon runner in Oregon.

#### *City's Website*

Mayor Brubaker said the monthly reports were on the city's website and encouraged citizens to go there and read these reports which show all the hard work that is being done by city staff.

Mayor Brubaker said at a Chamber luncheon where they were talking about websites, facebooking, etc. He said they showed the City of Albuquerque, New Mexico's website and it looked like an advertisement for a 5 star resort with all the graphics; the site cost \$100,000. He said our website had pertinent information on there; we can tweak it, but we're not going to spend \$100,000 to do it.

#### *Community Development*

Mayor Brubaker said he appreciated the administrative staff's shuffle by sharing Sarah Hayhurst with the Municipal Court.

### *Public Works*

Councilor Roberts asked about the test on the pump station at Driftwood Shores. PWD Miller replied that the emergency power generator test was postponed until the end of the month.

### *City's Vac Truck*

Councilor Roberts referred to the public works crew assisting ODOT by cleaning a clogged culvert and PWD Miller said we used the vac truck under our mutual aid with ODOT.

### *Asphalt Zipper Machine*

Councilor Roberts said she was so pleased to be able to watch the Asphalt Zipper Machine (which costs less than the department of defense United States Air Force toilet seat) and noted that the purchase of the machine would be coming up at the budget committee. She said the machine goes on a backhoe and grinds up the asphalt like sand, and then the crew made their asphalt and ran a steam roller over it. She said it only took three guys and it was done in about ½ hour.

CM Willoughby said to put it in perspective, what the city would pay \$10,000 for a contractor to do; with the machine the city could do the same work for about \$1,000. He said given the fact that we'll actually have some funds in our street fund next year because of the increase in the state-wide gas tax we want to make use of those funds as efficiently as possible.

### *Yard Debris Day*

Mayor Brubaker said he would like to thank Nancy Fullmer who volunteered her time to run the cash register at the first two yard debris days. He said he was out at the airport on Saturday when Ron Miller and Nancy were working the yard debris event for this month. He said people were paying their \$5.00; it was going very well and we're getting a good supply of debris.

### *Court*

Councilor Xavier noted there was no report from the Court. CR Heinze said she received an email from FD Armstrong stating that there would not be one this month, but two next month.

## **CITY MANAGER REPORT**

- Cannery Station LLC Settlement and Release of Claims Agreement

CM Willoughby said the city received a signed copy of the executed settlement agreement with Cannery Station along with the LID payment agreement. He said we're now moving forward with the sale of the bonds which will give us the permanent financing for the \$2.5 million project. He said that would be coming back to the council in the near future. He went on to say that the lawsuit had been dismissed; and at the current time, no one was suing the city.

- COPS Grant

CM Willoughby reported that the city was contacted regarding the COPS grant that the city applied for and did not receive a year ago. He said that the cities that applied in the last round and were not successful are the only ones that can apply for the next round of COPS grants in the future. He said it appears that we will have time to go through the budget process with this request.

He said last year it was a council goal to use the grant for another officer but this year the policy has changed and states that we won't replace employees who leave or retire without staff providing information to the council that the employee is "needed" in the department.

He said that in both public works and in the police department, if you look per capita, you will see that we don't have as many employees as other communities our size have in either of those two departments. He said at this point unless the council otherwise directs, he would ask the Chief to put this Cops grant into the budget. He said currently we have a balanced budget and he wanted to go back and relook at the budget before it's sent out to the budget committee to see if it's possible to add the COPS grant into the budget. He said this is an opportunity for the council to say whether they would like staff to pursue this or wait and see how it would impact the budget.

Mayor Brubaker said this was not an action item, but staff was looking for direction for future planning. Councilor Burns recommended putting it in the proposed budget, and go through the budget planning process. CM Willoughby recommended that he would submit one budget to the budget committee which includes the COPS grant; council concurred.

#### *Fawn Ridge Appeal*

CM Willoughby reported that March 24<sup>th</sup> was the deadline for an appeal of the Fawn Ridge annexation to the State Supreme Court and since that date had passed the Fawn Ridge annexation was final.

#### *LCC Advisory Board*

CM Willoughby said that he sits on the LCC Advisory Board for the Florence campus. He said the committee is working on some things that involve economic development and he had asked ACM Morgan to get involved in the discussion. He said the college has a business development center and they are looking at bringing resources to the City of Florence and it's good timing for the city as staff has been looking for ways to provide business services to local businesses in the way of nurturing home grown businesses rather than try to recruit businesses that are established from other areas.

He said the advisory board is in the process of developing its 5 year goals and there is a lot of work being done to open up more training opportunities here at the Florence campus. He said in fact the Florence campus is becoming one of the primary places for the entire college for the development of nurses. He said they are also expanding that program to include medical specialists for work in doctor's offices and the hospital. He said people will be able to get their entire training here in Florence and not have to do part of their work at another campus, like Eugene or other community colleges in other cities. He said this

is due to the cooperation and help from the hospital and their staff who have been providing some of the practical experience which is needed for these programs. He said this allows young people to be able to get their education, live at home and to be able to obtain a degree which allows them to make a living and stay in Florence. Not every high school students wants to do that, but frequently in small towns like Florence students don't have that option after they get their high school diploma.

CM Willoughby said a portion of the funding will be obtained through a campaign raising funds locally and those funds will stay in Florence. He said the LCC Foundation is taking the lead on this along with some local residents who are taking on the leadership in terms of putting that campaign together. He said it would be a while before it's announced to the public as they are trying to do some private fund raising before they go public.

Councilor Roberts said she hoped the young people in Florence were aware of this training at LCC because there was such a shortage of nurses in the U.S. and even worldwide. CM Willoughby said they were talking about some reports by state economists in terms of jobs that would seek growth in the future and jobs related in the health field were number one.

## **MAYOR AND COUNCIL REPORTS**

### *Urban Renewal Grants*

Councilor Xavier said at the Urban Renewal meeting last week the Agency approved 5 grants; three of them to repair the uneven sidewalks that slope toward the buildings on Bay Street. She said the others included a grant for Brown Hen and the grant for MOOT to do all of the old fashioned light fixtures on Bay Street. She said the Agency is still accepting applications for others who have projects that fall within the parameters set by the Agency and interested business owners should contact the Urban Renewal Agency for information.

Councilor Roberts said there was still nothing being done for infrastructure; Councilor Xavier said that would be coming. Councilor Xavier went on to say that PWD Miller attended an Urban Renewal meeting and he spoke about what would be encompassed into the infrastructure which included: water, sidewalks, and underground utilities. She said it would be another year before the Agency is ready to bond; and that is what is holding them up right now.

### *Transit*

Councilor Xavier said she attended a transportation meeting and they are waiting for the transportation grant to come through so they could form the new Master Planning Committee. She said the current committee is still working even though they intend to roll it into the new Master Plan Committee. She said they had a LTD representative at the meeting who brought over some preliminary budget information and complimented our service provider which is River City Taxi. She said because Max is such an efficient manager it looks like the budget request to the city is going to be down about \$2,000 for Rhody Express in the next budget year. She said they had received wonderful response for the new bus.

*Rhody Days – Rhody Express*

She said the Rhody Express would be providing free service again this year for Rhody Days. She said the bus will be running Friday night and all day Saturday including Saturday night. She said it will be 24 hours of service that is provided to the community at no charge, so those that need a ride after partying too much will be taken care of. She said the route will be expanded to go to any motel including Driftwood Shores. She said they would like to get the word out about the free bus service on Rhody Days.

*OTC*

Mayor Brubaker reminded everyone that the Oregon Transportation Commission will be holding a meeting at the FEC starting Tuesday the 20<sup>th</sup> with meetings continuing on Wednesday.

*Senior Center Open House*

He also reminded everyone about the open house to anyone of any age at the Senior Center at 2:00 p.m. on Sunday the 25<sup>th</sup>.

With no further business, Mayor Brubaker adjourned the meeting at 9:08 p.m.

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Phil Brubaker, Mayor

**ATTEST:**

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Pat Heinze, City Recorder