

Minutes of the Veneta City Council
February 13, 2006

Council Mayor T. J. Brooker, Darrell Carman, Thomas Cotter, and Marion Esty

Absent: Fred Miller

Other: Ric Ingham, City Administrator; Sheryl Hackett, Margaret Boutell, Community Services Director, Kyle Schauer, Public Works Superintendent, Brian Issa, Planner, Carrie Connelly, City Attorney; Kay Larson; Mona Linstromberg; Craig Harbison; Dennis Broome; Norman Welch; Park Board Members Sharon Hobart-Hardin, Judith Colvard, and Earle Ellson; and Jeneca Jones, West Lane News

Mayor Brooker called the Veneta City Council to order at 7:05 p.m.

1. PUBLIC COMMENT

Kay Larson;

3317 Onyx Place; Eugene, OR

Kay Larson said in response to a request from Mayor Brooker to see if she could attract a motel to the Veneta area, she contacted Richard Boyles of Inn-Sight Hotel Management. Mr. Boyles said he would be interested in building a motel in Veneta if the City could meet some conditions which include using bond authority, amending the City code to allow Bed and Breakfast Inns, and developing the winery tourism business as Veneta's main attraction.

In response to Kay's comments, Mayor Brooker said the City has been working on tourism development and he agrees that the wineries are an attraction. He said the City currently does not have funding for bonding authority for that type of project but the City would be willing to enter into some discussions. He thanked Kay for bringing the issue forward.

Norman Welch; 25181 Cherry Lane; Veneta, OR

Norman Welch said the recent rains caused flooding on Coven Subdivision lot 9 at the end of Cherry Lane. He said the water backed up and came within inches of flooding the side yard of his home. He asked if the City has provided the Corp of Engineers and Division of State Lands with all of the information they need in regard to the drainage ditch. In response, Mayor Brooker said he does not know all of the details but the City has been communicating with the Corp and DSL. He said staff will get back to him with that information.

Dennis Broome; 86934 Eighth Street; Veneta, OR

Mr. Broome said he would like to speak in favor of the park ordinance. In response, Mayor Brooker said the Council will be holding a public hearing on that matter. Mr. Broome said he feels the City needs more parks for the younger children, including more playground equipment. In response, Mayor Brooker said the Park Board has been very active in assessing the City's parks, including equipment and land acquisition. Mr. Broome said there is currently not enough maintenance being done in the parks. Mayor said park maintenance is done by public works and additional help is hired to do work in the spring and summer.

2. PUBLIC HEARINGS

a. Park Dedication Ordinance

- (1) Open Hearing: Mayor Brooker opened the public hearing at 7:16 p.m.
- (2) Declaration of Conflict of Interest or Ex-Parte Contacts:
Marion Esty declared an ex-parte contact because she attends Park Board meetings as the Council liaison. She said her ex-parte contact will not influence her decision. No conflicts of interest were declared.
- (3) Staff Report (Brian Issa)

Brian said City staff prepared the park land dedication ordinance at the direction of the Veneta Park Board. The ordinance has been reviewed by the Planning Commission and after holding a public hearing they forwarded it to the City Council with a recommendation for approval.

Land acquisition is a large part of the City's current Systems Development Charge (SDC) ordinance. After researching ways to acquire park land, it has been recommended that land acquisition be removed from the SDC ordinance and incorporated into the Land Division Ordinance as a development standard because parks are viewed as necessary infrastructure for creating a healthy environment for it's citizens. Park land dedication is proposed as an exaction based on the number of people that would be served by a specific development. When the City's Parks and Open Space Master Plan was adopted in 1998, Veneta had a large amount of vacant land. Brian pointed out on the maps that much of the vacant land where future parks were proposed has been developed. The City no longer has vacant land in certain areas that can support 3 to 5 acre parks.

Brian pointed out a table in the staff report that show the current acres/resident for parks compared to the Statewide Comprehensive Outdoor Recreation Plan (SCORP) standard. A second table breaks the levels of service down even further by total acreage. Veneta currently has a total of 14.1 acres of parks. The state standard based on the City's current population is 33.2 acres, resulting in a current deficit of 19.1 acres. The City does own some land that has not been developed for parks. The second table projects the City needs to acquire an additional 34 acres to serve the projected 2020 population. The proposed ordinance would require the dedication of land at the time land is subdivided, partitioned, or developed for multi-family uses and mobile home parks. The ordinance would not apply to commercial or industrial development.

In response to a question from Thomas Cotter, Margaret Boutell said the City's adopted park plan uses the SCORP standard which is .0084 per person.

Brian said the biggest issue is the validity of the dedication under the

Dolan decision. Brian explained that because the amount of required dedication is not arbitrary, but based on a specific proportionality of acres per person it should satisfy the Dolan issues. There have not been any challenges to park land dedication to-date.

Another issue is the compatibility of the ordinance with current SDC charges. Currently land acquisition constitutes about 75% of the existing parks SDC. If the proposed park dedication requirement is adopted, the City will need to separate out SDC charges into separate categories of land divisions approved prior to adoption of the dedication requirement and those approved after the adoption. Developments approved prior to the adoption would pay the full SDC, developments approved after the adoption would pay only 25% of the current SDC charge.

The park land ordinance also clarifies that to be allowed to develop smaller lots as currently allowed by code when land is dedicated for public use, they would have to dedicate park land in excess of that required to serve the new development.

In response to a question from Mayor Brooker, Brian said the Planning Commission would have to decide if the benefit of accepting additional land is worth the trade-off of smaller lots.

In response to comments from Mayor Brooker and Darrell Carman about having objective standards for deciding when additional land can be accepted and smaller lots allowed, Brian said the current code already allows for smaller lots when public land is dedicated. The criteria will be revisited as part of the Greenway update.

Brian said the park dedication ordinance adds new text to the existing Land Division and Land Development Ordinances and includes a formula and standards to assure the land to be dedicated is appropriate for use as park space. There is also a provision for cash in lieu of dedication which allows the City to build funds to acquire land in the areas identified in the adopted Park and Open Space Master Plan. Cash in lieu of park land would be at the discretion of the City.

City Attorney Carrie Connelly pointed out that the SCORP standard is higher than many other municipalities; however, it is the standard used in the City's adopted Parks and Open Space Master Plan. If the City uses a different standard than in the adopted plan it opens it up to challenge.

- (4) Public Testimony: Mayor Brooker opened public testimony at 7:49 p.m

OPPONENTS: None

PROPONENTS:

Sharon Hobart-Hardin; 88145 Ninth Street; Veneta, OR

Sharon said she is appearing on behalf of the Park Board to support the

proposed ordinance. She said the Park Board has been studying the Parks and Open Space Master Plan to see how well it is being implemented. She said the City has not been able to acquire the land recommended by the plan and the Park Board was very excited when the planning staff brought the park dedication proposal forward. She said they see it as a tool to implement the Master Plan in a methodical and analytical way. She asked the City Council to adopt the ordinance.

Dennis Broome; 87834 Eighth Street; Veneta, OR

Mr. Broome asked the Council to adopt the ordinance. He said the City is drastically under-served by parks. He said the few parks the City has are located in the central part of the City. He said there is a need for parks located outside the City's center. He said the only way Veneta can stay competitive with other cities is to have parks and other amenities.

Judith Colvard; 87624 Trek Drive; Veneta, OR

Judy Colvard said she is a Veneta resident and member of the Veneta Park Board. She said she is in favor of the ordinance and agrees that not all parts of the City are served by parks. She said she feels there needs to be a balance.

Earle Ellson; 29720 Jeans Road; Veneta, OR

Earle Ellson said he is the Chair of the Park Board. The Park Board reached a consensus to recommend approval of the proposed ordinance. He said he feels staff did an excellent job of gathering and presenting the facts. He said without the ordinance it would be very difficult for the City to acquire future park space. He said it is imperative to act now

Mona Linstromberg; 87140 Territorial Road; Veneta, OR

Mona Linstromberg said she supports the ordinance and feels staff did an excellent job with the presentation and visuals. She said whatever is passed should comply with the Master Plan and she encourages the Council to require as much land as possible. She said once the vacant land is gone it cannot be reclaimed. She thanked the Park Board for their dedication.

- (5) Questions from the Veneta City Council: None
- (6) Close of Public Hearing: Mayor Brooker closed the public hearing at 8:50 p.m.
- (7) Deliberation and Decision

Mayor Brooker said he feels the Council should be as aggressive as they can but should try not to open themselves up to a lot of LUBA appeals. He said he believes the City is far behind in park land acquisition; but, he questioned whether the City should require as much as in the adopted plan or reduce the amount and change the plan.

In response to a question from Mayor Brooker about how to change the plan, City Attorney Carrie Connelly said if the plan was acknowledged by DLCD the City would have to go through a post acknowledgment amendment process which requires a 45 day notice to DLCD and two public hearings. That process is also subject to appeal.

In response to a question from Mayor Brooker about the takings issue, Carrie Connelly said a park dedication ordinance has to have findings that it meets the rough proportionality of the burden imposed on the developer being directly proportional to the benefit to the number of people the development will serve. She said no one really knows what that rough proportionality is. She said the proposed ordinance includes a formula for the amount of land to be exacted. She said no one has filed a Dolan claim for park dedication to-date.

In response to a question from Darrell Carman, Carrie said the developer might argue the amount of park land the City requires per person. She said there is no guarantee that reducing the amount to less than the SCORP standard would lessen the chance of an appeal.

In response to a question, Margaret said the new ordinance spreads the park costs out to two different groups. Currently the SDC is charged at the time of building permit and the burden is on the builder. If the new ordinance is adopted, the land developer would pay for the land acquisition and the builder will pay an SDC for the actual development of the parks.

Thomas Cotter pointed out that the more park land the City acquires, the higher the maintenance costs will be. He also pointed out that the City will not receive tax revenue for park land.

Ric said if the City waits for the dollars the land will no longer be available. He said the City needs to look out for future needs. He said the City's tax base will increase when the City gets some commercial and industrial development.

Darrell Carman said it may be advantageous for the City to accept cash in lieu of dedication because they can purchase more contiguous park land.

Margaret said the Park Board has been looking at possible future park sites and prioritizing them based on a set of criteria.

Brian pointed out that the Park Plan identifies specific areas of town where the City should try to acquire 2-3 acre park sites; however, some of those areas no longer have large parcels of vacant land available.

Darrell said the one drawback to accepting cash in lieu of dedication is that the areas where parks are needed may be developed with small subdivisions. Margaret agreed and said that is one thing the Park Board is

taking into consideration. She said the Park Board could present a plan to the Council.

Mayor Brooker said he sees no reason not to adopt the park dedication ordinance. He said the only issue is the percentage of land per person. Darrell said the SCORP number is already in the adopted plan. He said even by using the SCORP standard of .0084 acres/person the City will never gain the amount of park land they need. Mayor Brooker agreed.

MOTION: Mayor Brooker made a motion to adopt the Findings of Fact for the Park Dedication ordinance amendments and to direct staff to prepare an adopting ordinance for the February 27, 2006 Council meeting. Darrell Carman seconded the motion. At the request of staff, the motion was amended to add a definition and to include guidelines for deciding the minimal amount of additional park land dedication to allow smaller lots. The motion passed with a vote of 4-0.

- b. Amendments to the Veneta Land Development Ordinance and Land Division Ordinance.
- (1) Open Hearing: Mayor Brooker opened the public hearing at 8:21 p.m.
 - (2) Declaration of Conflict of Interest or Ex-Parte Contacts:
Marion Este declared an ex-parte contact as liaison to the Veneta Planning Commission. She said her ex-parte contacts would not influence her decisions. No other ex-parte contacts or conflicts of interest were declared.
 - (3) Staff Report (Margaret Boutell)
Margaret explained that the amendments have been forwarded to the City Council from the Planning Commission with a recommendation for approval. The amendments are minor in nature and fall into several categories which include aligning City ordinances with State statutes, reflecting prior direction from the City Council, referencing other regulations or city municipal codes, providing better clarity, changing ordinance reference numbers to code chapters, providing consistency between the land development and land division ordinances, and providing some definitions for previously undefined words contained in the ordinances. The City Attorney has thoroughly reviewed both of the ordinances and staff has incorporated the recommended minor changes into the draft ordinances.

City Attorney Carrie Connelly drafted the new language for completeness reviews and appeals. Those changes have been incorporated into the draft ordinance. The City Attorney also recommended adding a definition of hardship to the variance section of both ordinances. In response to a question from Darrell Carman, Carrie said there is a lot of case law to

support the term “economically viable”. She said it would still need to be determined on a case-by-case basis but precedents have been established.

Margaret pointed out that a new Section 6.09 was added to the Land Division Ordinance to include the stormwater policies in the Comprehensive Plan. The City Attorney recommended adding language to that section that states approval of stormwater plans are at the sole discretion of the City Engineer.

- (4) Public Testimony: Mayor Brooker opened the public hearing at 8:36 p.m.

Mona Linstromberg; 87140 Territorial Road; Veneta, OR

Mona said she is in favor of the amendments but asked if the comments she submitted to the Planning Commission had been forwarded to the Council. In response, Margaret said the Council received copies of the minutes. Mona said her comments are mostly in regard to a section in the Land Division Ordinance that calls for a pre-application meeting with all interested parties to address stormwater. She said the City generally does not require that section to be implemented. She said Hayden Homes did follow that process and many issues were resolved. She said she supports the increase in notice requirements to all properties within 300'. She said many properties in Veneta are large, rural parcels and the increased distance captures more impacted property owners. She said she would caution against leaving any decision at the sole discretion of any one staff person, including the City Engineer.

In response to a question from Mayor Brooker about the pre-development meeting Mona commented about, Margaret said to implement that process there would need to be a requirement that it be done before the 120-day period starts.

Mayor Brooker asked staff to include drafting a process to implement that part of the code when making future amendments.

- (5) Questions from the Veneta City Council and Planning Commission: None
- (6) Close of Public Hearing: Mayor Brooker closed the public hearing at 8:44 p.m.
- (7) Deliberation and Decision

In response to a question from Darrell Carman, Margaret said the City Attorney recommended that review of drainage plans be at the sole discretion of the City Engineer. The provision is intended to make sure the City has final say over what the developer proposes. The City does need to develop a more detailed pre-post flow stormwater provisions which will be done after the Stormwater Master Plan has been completed. Mayor Brooker recommended adding “or his or her designee” to include other City staff.

Mayor Brooker said the action the Council needs to take is to adopt the findings of fact with the amendment discussed by staff and direct staff to prepare implementing ordinances for adoption on February 27, 2006.

MOTION: Thomas Cotter made a motion to adopt the findings of fact as amended and to direct staff to prepare the implementing ordinances for adoption on February 27, 2006. Marion Esty seconded the motion which passed with a unanimous vote of 4-0.

3. CONSENT AGENDA

MOTION: Thomas Cotter made a motion to approve the consent agenda as presented. Marion Esty seconded the motion.

Vote: Marion Esty, aye; Thomas Cotter, aye; Mayor Brooker, aye; and Darrell Carman, aye

The consent agenda as approved included minutes for January 23, 2006, bills paid and payable for January/February 2006, Annual Wrecker/Salvage Yard License for Max's Auto Center, Liquor License for Veneta Chevron Change of Ownership, and Temporary Liquor License for St. Thomas Becket School.

4. DEPARTMENT REPORTS

a. FROM MAYOR/COUNCILORS

- (1) Request for use of the Community Center for a fund-raising event for the Mr. Falcon Pageant

In response to a question from Marion, Thomas Cotter said the funds being raised will come from the entry fee, all the games will be played for free. The money raised will be going to the Sacred Heart Neonatal Unit. Ric said he will ask the deputies to patrol the area during the event.

MOTION: Darrell Carman made a motion to allow the Community Center to be used for a Mr. Falcon Pageant fund-raising event. Marion Esty seconded the motion which passed with a vote of 4-0.

b. COUNCIL/COMMITTEE LIAISONS

Marion Esty (Planning Commission) - The St. Thomas Cemetery was approved. Marion said about 60 people attended the meeting. She said the City should consider investing in an amplification system.

Thomas Cotter (Distinguished Service Awards) - The award ceremony is scheduled for next Tuesday at Crow High School.

Mayor Brooker (West Eugene Parkway) - Mayor Brooker said he called Mayor Percy to let her know he is interested in future discussions about the parkway and improvements to Hwy 126.

5. **STAFF REPORTS**

a. **COMMUNITY SERVICES DIRECTOR**

(1) **Public Works Monthly Activity Report for January 2006**

Kyle presented monthly activity report. The public works and office staff received training on the auto meter read program and software. He feels they are making good progress. All of the filter media has been received and will be installed this week. The record rainfall in January resulted in a lot of stormwater issues. The public works crew is still working to clear storm debris from the parks.

In response to a question from Marion, Kyle said the public works crew cleans graffiti from public buildings; however, they do not get involved in removal of graffiti from private property.

Mayor Brooker said he appreciated the efforts of the public works staff in dealing with the stormwater issues. He said he had a lot of positive feedback from the public.

In response to a question from Thomas Cotter, Kyle said he has talked to the state on numerous occasions about the pothole at Hwy 126 and Huston Road. He said it is in the state right-of-way and has been repaired at least a dozen times.

(2) **Bi-Mart Wastewater Fee**

In response to a request at the last Council meeting, Margaret provided the Council with information on Bi-Mart's monthly sewer fee. She said commercial and industrial uses are charged extra if they use over 15,000 gallons of water a month; however, staff has interpreted that to mean they have to use a full 10,000 extra gallons before they are charged the extra fee. Mayor Brooker asked staff to prepare an amendment to the resolution to clarify that the surcharge should apply when any portion of the additional 10,000 extra gallons is used..

(3) **Presentation of Park Design by University of Oregon students**

Margaret said the University of Oregon landscape architecture students were contacted to help the City develop a park SDC for park improvements. The students have prepared designs for the City parks as part of a class project. They will be presenting their proposals at a special meeting on Wednesday, March 15, 2006 from 2:00 p.m. to 5:00 p.m. at the Veneta Community Center. Margaret said the City Council, Planning Commission, and public are invited to attend.

(4) **Ordinance 460 - AN ORDINANCE AMENDING SECTION 1, SUBSECTION b) OF ORDINANCE 165, VENETA'S ORDINANCE SETTING FEES FOR LAND USE AND IMPROVEMENT MATTERS; AND DECLARING AN EMERGENCY. First reading by title only. Second reading by title only and for final enactment.**

At the direction of the Council, staff prepared Ordinance 460 to include

charging applicants for all technical reviews of their applications. At the advice of the City Attorney, attorney fees were added. The addition will allow staff to hire experts to review technical information that the staff does not have the expertise to review.

Kay Larson said she feels it is an excellent idea and she is in favor of adding attorney review. She said sometimes a developer may not be aware that they have left something out.

Norman Welch said he is also in favor of the City being able to get more experts involved.

Mona Linstromberg said she is also in favor of the amendment and that other jurisdictions have already implemented that policy.

MOTION: Thomas Cotter made a motion to approve Ordinance 460 for first reading by title only. Marion Esty seconded the motion which passed with a vote of 4-0.

Ordinance 460 was read as follows:

Ordinance 460, an ordinance amending Section 1, Subsection (b) of ordinance 165, Veneta's ordinance setting fees for land use and improvement matters; and declaring an emergency.

MOTION: Thomas Cotter made a motion to approve Ordinance 460 for second reading by title only and for final enactment. Marion Esty seconded the motion which passed with a vote of 4-0.

Ordinance 460 was read as follows:

Ordinance 460, an ordinance amending Section 1, Subsection (b) of ordinance 165, Veneta's ordinance setting fees for land use and improvement matters; and declaring an emergency.

- (5) **Resolution 910 - A RESOLUTION ESTABLISHING LAND USE PLANNING FEES; AND REPEALING RESOLUTIONS 767 AND 904**

Margaret advised that Resolution 910 incorporates the technical review fees approved in the newly adopted Ordinance 460 into the land use planning fees.

MOTION: Thomas Cotter made a motion to adopt Resolution 910. Marion Esty seconded the motion which passed with a vote of 4-0.

- (6) Planning Commission Quarterly Report for 4th Quarter 2005 (A)
The Planning Commission Quarterly Report included yearly totals for subdivisions, site plans and the number of building permits for the year. Margaret said the East Veneta Study is wrapping up and as a result, the

Transportation System Plan is being updated. Those will be presented to the Planning Commission at public hearings on February 21, 2006.

In response to a question from Mayor Brooker, Margaret said LCOG has only been working on the East Veneta Study and TSP updates. Brian and other staff have been working on the ordinance revisions and current planning applications. There have not been a lot of new applications during the winter months. When applications increase in the spring, LCOG may be needed to help Brian.

Mayor Brooker asked to have an estimate of LCOG's time for the next year that can be used during the budget process. He said he knows planning activity will peak in the spring and he wants to make sure they keep money available for LCOG assistance. Margaret said there is still money budgeted for LCOG this fiscal year.

- (7) W. Broadway Nuisance Abatement
Margaret Boutell said the cars parked around the old carpet store were initially removed; however, new cars have started to be moved back in. The City Attorney has advised the City to send a new 10-day notices. Initially the junk was being removed from the property but lumber has recently been stacked up against the fence, blocking the view of the property. The tenant was placed on notice that he could not do auto repair in the building; but, the windows have been covered up. Margaret asked the Council to issue an order of abatement so staff can follow through before the problem establishes itself again.

Thomas Cotter said the Council agreed not to assess a fine unless the tenant did not clean up the property. The job was not finished; therefore, Thomas felt he should be fined beginning the first day he was notified.

Mayor Brooker said the City needs to take immediate action because the problem won't go away on its own. He said the vehicles have been moved so assessing a fine for that would be a moot point. He said the Council should issue a notice of abatement for the lumber before it becomes an issue and assess whatever fine is necessary.

In response to a question from Thomas Cotter, Margaret said the nuisance can be abated by the City hiring someone to clean it up and the costs would be placed as a lien against the property.

By consensus the Council directed staff to move forward with abatement action.

- b. CITY ADMINISTRATOR
Ric said he asked Sgt. Harrold to attend tonight's meeting to give the Council an update on some of the most recent law enforcement issues.

Sgt. Harrold advised the Council there have been three major events since he was assigned to Veneta. The Sheriff's Detective Division investigated a homicide which has been ruled as a justifiable shooting by the District Attorney. Initially six officers from the main office, five detectives, and the detective sergeant responded. A recent kidnaping at gunpoint at Country Living Mobile Home Park was responded to by two deputies from the main office and the suspect was arrested shortly after the event. The suspect confessed and is still in custody. A shooting at the Veneta Villa Apartments was responded to by ten officers from traffic, forest, and marine patrols. Some of the apartments were evacuated and the incident was resolved when the suspect surrendered. A search warrant was served and two firearms were seized. The Lane County Housing Authority served the suspects with a 24-hour eviction notice.

(1) Economic Development Plan Update

Ric said the newly formed Economic Development Committee has been very active in updating the Economic Development Implementation Plan. The EDC would like to hire an economic development specialist to help facilitate economic development in Veneta and the Fern Ridge Community. He said the Economic Development Committee hopes to finalize the revisions to the Economic Development Implementation Plan at their meeting on February 28, 2006.

Sharon Hobart-Hardin said they will come back to the Council with the revisions before beginning any of the other activities. She said she feels they have been making good progress and that the City Council will be pleased with the visioning that has been done.

Mayor Brooker said the Council would like to see more economic development activity and that additional staff would certainly help; however, he wants to have an understanding of what the finished product would be to make sure they get their money's worth. He said he would like to revisit the hiring of a staff person after the Council has had an opportunity to see the revisions to the implementation plan.

Ric said Thomas Cotter and Dan looked at all of the City's vacant commercial and industrial land last week. He said the Economic Development Committee will finalize the plan and job description for the proposed position at their next meeting.

Mayor Brooker said he would like to see a job description and revised plan at the first Council meeting in March. He would also like to know who will be responsible to do the hiring and oversight of the proposed position.

(2) Strategic Planning - Ford Family Foundation

The City received a grant from the Ford Family Foundation in the amount of \$4,950 to fund an update of the Fern Ridge Community Strategic Plan by Rural Development Initiatives (RDI). Ric asked the Council for authorization to advertise and solicit for membership in the Strategic

Planning Stakeholders Committee which will consist of about 40-50 members.

MOTION: Darrell Carman made a motion to authorize staff to move forward with the solicitation of stakeholders for the Strategic Planning Committee. Thomas Cotter seconded the motion which passed with a vote of 4-0.

- (3) **Resolution 911 - RESOLUTION OF THE CITY OF VENETA AUTHORIZING A LOAN FROM THE SPECIAL PUBLIC WORKS FUND BY ENTERING INTO A LOAN CONTRACT WITH THE OREGON ECONOMIC AND COMMUNITY DEVELOPMENT DEPARTMENT.**

Ric advised the Council that adoption of Resolution 911 has been postponed at the recommendation of legal counsel as a result of some new contract language required by the Attorney General.

6. OTHER

Ric advised the Council that two staff members are out on medical leave at this time. Denny Capps is out on Workers Compensation for a job injury. Teresa was diagnosed with a skull fracture after being involved in a rear-end vehicle accident and has been out ten days to-date. Ann just returned after having knee surgery. As a result, the City has been short staffed again.

Ric complimented the Distinguished Service Award committee for doing a phenomenal job and he encouraged the Council members to attend the event which is being held next Tuesday at the Crow High School.

In response to a question from Darrell Carman, Kyle said the well casing was finally removed and some preliminary tests are being conducted.

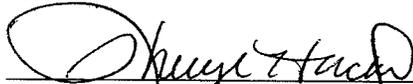
7. ADJOURN

Mayor Brooker adjourned the City Council at 10:05 p.m.



T. J. Brooker, Mayor

ATTEST:



Sheryl Hackett, City Recorder
(minutes prepared by SLHackett)