

Minutes of the Regular meeting of the Syracuse City Council held on March 13, 2018 at 6:05 p.m., in the Council Chambers, 1979 West 1900 South, Syracuse City, Davis County, Utah.

Present: Councilmembers: Andrea Anderson
Corinne N. Bolduc
Dave Maughan
Doug Peterson
Jordan Savage

Mayor Mike Gailey
City Manager Brody Bovero
City Recorder Cassie Z. Brown

City Employees Present:

City Attorney Paul Roberts
Finance Director Steve Marshall
Community Development Director Brigham Mellor
Police Chief Garret Atkin
Fire Chief Aaron Byington
Public Works Director Robert Whiteley
Parks and Recreation Director Kresta Robinson

6:00:19 PM

1. Meeting Called to Order/Adopt Agenda

Mayor Gailey called the meeting to order at 6:05 p.m. as a regularly scheduled meeting, with notice of time, place, and agenda provided 24 hours in advance to the newspaper and each Councilmember. Councilmember Peterson provided an invocation and Councilmember Savage led the audience in the Pledge of Allegiance.

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COUNCILMEMBER MAUGHAN MOVED TO ADOPT THE AGENDA. COUNCILMEMBER BOLDUC SECONDED THE MOTION; ALL VOTED IN FAVOR.

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2. Presentation of Syracuse City and Syracuse Chamber of Commerce "Award for Excellence" to Easton Anderson and Abrianna Paez for the month of March 2018.

The City wishes to recognize citizens who strive for excellence in athletics, academics, arts and/or community service. To that end, in an effort to recognize students and individuals residing in the City, the Community and Economic Development, in conjunction with the Syracuse Chamber of Commerce, present the recipients for the "Syracuse City & Chamber of Commerce Award for Excellence". This monthly award recognizes the outstanding performance of a male and female who excel in athletics, academics, arts, and/or community service. The monthly award recipients will each receive a certificate and be recognized at a City Council meeting; have their photograph placed at City Hall and the Community Center; be written about in the City Newsletter, City's Facebook and Twitter Feed, and the City's website.

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Chamber of Commerce Representative Keith Kennington noted both youth receiving the award for January 2018 were nominated by the staff of Syracuse High School.

Abrianna Paez:

Abrianna is being nominated for this award because of her consistent and exceptional efforts in the classroom and in the school. Abrianna has taken 7 AP classes and many different CE and honors classes at Syracuse High School. She excels at all these classes through consistent and relentless determination. Abrianna is involved in Latino's in Action (LIA) at Syracuse High School. LIA tutors elementary students by reading to them multiple times a week. Abrianna has also been a Peer Tutor. This program allows students to assist other students with disabilities. Abrianna also participates in cross country and track and field. Abrianna has a 3.9 grade point average. This is very impressive considering the amount of college and upper level courses that he has taken. Abrianna is a hardworking and dedicated student. We are privileged to have her at Syracuse High School. Abrianna would like to be in medical school one day.

Easton Anderson:

Easton is being nominated for this award because of his tremendous efforts to support our students at Syracuse High School. Easton is a terrific student that teachers always appreciate because of his outgoing demeanor and his willingness to help. Easton can be seen on a regular basis in the hallway and at school events cheering on our students as they participate in sports or other activities. Our school and community appreciate his efforts and he makes our school a better place. Many students get caught up in their own life and responsibilities. Easton is known in our front office as student that has a nice word for everyone. He is consistently asking the secretaries what he can do to offer assistance. Easton is involved in student government and excels at piano. Easton takes challenging classes. He is currently enrolled in AP Calculus. His favorite class is CE English. Easton is an A student and consistently excels in a variety of classroom activities.

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3. Victim Advocate Biannual Report.

To ensure conformance with the terms of the VOCA grant the City received to fund a Victim Advocate position, Victim Advocate Alex Smith will be present to provide the Council with her first biannual report.

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Victim Advocate, Alex Smith, used the aid of a PowerPoint presentation to provide the Council with information regarding client services offered over the reporting period, which commenced upon the City's receipt of the VOCA grant. Ms. Smith indicated her top goal is to empower and educate victims of domestic violence and violent crimes that take place in Clinton and Syracuse City. To achieve this goal she works to identify victims and inform them of the dynamics of domestic violence, victims' rights, and services that are available to them. Objectives of this goal include increasing victim safety in case of domestic violence by helping victims apply for civil protective and no contact orders or civil stalking injunctions; and assisting victims in accessing Crime Victims Reparations (CVR) funds to help them receive financial assistance for losses that result from the crime. Goal two is to help engage the community in victim outreach through the use of volunteers and connective victims with law enforcement and community resources. The objectives of goal two include to recruit, train, and utilize victim support volunteers; communicate with law enforcement agencies and advocate for victims in individual cases and identify potential programmatic improvements; and identify and provide assistance for victims of crime in accessing community resources. Goal three is to provide advocacy for victims related to crimes prosecuted in the municipalities' justice courts. Objectives for this goal include providing advocacy with city prosecutors regarding victim's status and wishes by providing Victim Impact Statements to victims and following up with them to submit the statements to the prosecution; providing notification to victims of court proceedings; and helping victim's access criminal no contact orders in justice courts.

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Ms. Smith then engaged in discussion with the Council regarding topics such as volunteer recruitment and services and resources provided to victims. The Council thanked Ms. Smith for the valuable service she provides.

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4. Public comment.

Mark Ellard referenced the agenda item dealing with design standards for accessory buildings. He stated he is concerned about the setback requirement that would require a greater setback for someone who is building an accessory building that may be more than 20-feet in height. He stated that those greater setbacks will become wasted space upon a property and it is likely that space will be unkempt and contain weeds or other items.

The Council engaged in brief discussion with Mr. Ellard to gain a greater understanding of his request and asked specific questions regarding the specifications for the accessory building he desires to build on his property. Mr. Ellard clarified that he would like to adhere to the three-foot setback requirement, though according to the ordinance he would need to adhere to a five or six-foot setback based upon his building size.

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5. Approval of Minutes:

The following minutes were reviewed by the City Council: Joint Work Session with Clearfield City Council of January 30, 2018 and Regular Meeting of February 13, 2018.

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COUNCILMEMBER PETERSON MADE A MOTION TO APPROVE THE MINUTES LISTED ON THE AGENDA AS PRESENTED. COUNCILMEMBER ANDERSON SECONDED THE MOTION.

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6a. Common Consent: Approval of recreation field/facility rental fee adjustment requests.

This item was pulled from the common consent agenda and renamed item 10 on the regular meeting agenda.

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6b. Common Consent: Authorize Administration to execute Real Estate Purchase Contract (REPC) for property located at 555 W. 2525 S.

A staff memo from the Community and Economic Development (CED) Department explained the City is planning on expanding 500 West in the next five to ten years. A portion of this home's driveway and side yard is within the proposed expanded right of way. In order to preserve the right of way now as the opportunity is available with the home being on the market, the city would like to purchase the home. This will prevent the possibility of having to use eminent domain on this home in the future, which is costly and time consuming. The home is listed for \$379,900 and we offered \$368,503.00 which is a discount of 3% since we do not have a realtor. The offer was accepted by the seller. Closing is anticipated to happen on March 14th. The Planning Commission reviewed this item at their meeting on March 5, 2018.

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COUNCILMEMBER MAUGHAN MOVED TO AUTHORIZE ADMINISTRATION TO EXECUTE REAL ESTATE PURCHASE CONTRACT (REPC) FOR PROPERTY LOCATED AT 555 W. 2525 S. COUNCILMEMBER PETERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

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6c. Common Consent: Proposed Ordinance 2018-04 amending the Syracuse City Zoning Map by rezoning property located at approximately 1532 W. 1700 S. from Agricultural (A-1) to General Commercial (GC) – applicant Nate Doxey.

A staff memo from the Community and Economic Development (CED) Department provided the following information about the application:

Location: 1532 West 1700 South
Current Zoning: A-1
Proposed Zoning: General Commercial
General Plan: General Commercial
Property Area: 0.397 Acres
Number of Lots: 1

The Planning Commission unanimously recommended approval during their regular meeting on February 20, 2018. The applicant is requesting a rezone from the A-1 Zone to the General Commercial Zone on a property containing 0.397 acres. The property currently has one house which has served as a residence. The applicant intends to convert the home into a real estate office which is a permitted use in the General Commercial zone as a Professional Office. The applicant also expressed an interest in trailer storage on the property which is not a permitted use in the General Commercial Zone. He has been made aware of the prohibition on outdoor storage in this zone. The property fronts 1700 South and has a General Plan map designation of General Commercial. Its position on 1700 South makes the current residential use undesirable. The Utah Department of Transportation has expressed concern with residents backing out onto 1700 South and the applicant has expressed that he will build a parking lot as required on the property in connection with a site plan application to convert the home into a real estate office. This will eliminate backing out onto 1700 South. The memo concluded because the proposed zoning change matches the General Plan for the property and the proposed use is anticipated to improve access to 1700 South, staff recommends approval.

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COUNCILMEMBER MAUGHAN MOVED TO ADOPT ORDINANCE 2018-04 AMENDING THE SYRACUSE CITY ZONING MAP BY REZONING PROPERTY LOCATED AT APPROXIMATELY 1532 W. 1700 S. FROM

AGRICULTURAL (A-1) TO GENERAL COMMERCIAL (GC) – APPLICANT NATE DOXEY. COUNCILMEMBER PETERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

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6d. Common Consent: Proposed Ordinance 2018-03 amending Section 10.110.020 of the Syracuse City Code pertaining to Data Centers in the Business Park Zone.

A staff memo from the Community and Economic Development (CED) Department explained the Planning Commission held a public hearing and discussed the proposed amendment to the Business Park Zone on February 20, 2018. The amendment proposed by the Planning Commission will clarify the permitted uses in the Business Park Zone concerning data centers. The Commission voted unanimously to recommend approval of the text amendment to the Syracuse Municipal Code Section 10.110.020, Permitted uses.

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COUNCILMEMBER MAUGHAN MOVED TO ADOPT ORDINANCE 2018-03 AMENDING SECTION 10.110.020 OF THE SYRACUSE CITY CODE PERTAINING TO DATA CENTERS IN THE BUSINESS PARK ZONE. COUNCILMEMBER PETERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

6e. Common Consent: Proposed Ordinance 2018-05 amending Section 10.30.010(C) of the Syracuse City Municipal Code pertaining to accessory structures

This item was pulled from the common consent agenda and renamed item 11 on the regular meeting agenda.

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7. Concurrence of award of contract for 500 West Environmental Evaluation.

A staff memo from the Public Works Department explained Syracuse and Clearfield have been working together on the extension of 500 West between Antelope Drive and 2010 South. Funding was approved for this project in 2022 for \$4,352,629. To program the funding, the environmental evaluation must be completed at the city's cost. Once the environmental is complete, it is possible that construction may be advanced sooner than 2022. Clearfield and Syracuse will share the cost of the environmental 50/50. Clearfield City drafted an RFP with the shared input from Syracuse City and Utah Department of Transportation's (UDOT) environmental group. The RFP was advertised and posted on both cities sites on Jan 11, 2018. Four bidders responded on Jan 26 and a summary of the responses was provided to the City Council. Evaluations were made based upon price, quality, experience, schedule, references, and UDOT pool. The total budget for the project is \$100,000, but the City's shared costs based on completion of the RFP is \$39,442.50.

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Public Works Director Whiteley reviewed his staff memo and noted staff recommends the Council support the award to CRS Engineers subject to Clearfield City Council approval of the award.

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Councilmember Peterson inquired as to how the City's portion of the project cost has been calculated. Mr. Whiteley reported that the costs were split evenly between Clearfield and Syracuse City. The City budgeted \$100,000, but that exceeds the actual costs to be incurred by the City; any excess funds will be allocated to the City's General Fund balance.

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Councilmember Anderson inquired as to the scope of the project relative to traffic signalization. Mr. Whiteley stated that an existing traffic signal at 300 West and Antelope Drive will likely be relocated to 500 West, which would be the half mile mark between Main Street in Clearfield and 1000 West.

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Discussion then centered on the scoring system used by Clearfield City to rank the proposals received. Mr. Whiteley indicated the point system to be used was included in the RFP published by Clearfield City and all bidders were aware of how their responses would be scored. Mr. Whiteley indicated he is confident in the recommendation that has been made regarding the contractor to be selected, even though their total bid price was not the lowest.

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COUNCILMEMBER PETERSON MOVED TO OFFER SUPPORT FOR CLEARFIELD CITY'S AWARD OF CONTRACT FOR 500 WEST ENVIRONMENTAL EVALUATION TO CRS ENGINEERS. COUNCILMEMBER MAUGHAN SECONDED THE MOTION; ALL VOTED IN FAVOR.

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8. Review scope/creation of task force for Parks Committee.

An administrative staff memo explained Mayor Gailey added this item to the agenda to provide the Council with clarification of discussion during the February 27 work session meeting regarding the creation of a task force created to investigate the potential reinstatement of the Parks Advisory Committee.

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The Council engaged in philosophical discussion and debate, led by Councilmembers Bolduc and Peterson, regarding the perceived need for a task force assigned to investigate the potential reinstatement of the City's defunct Parks Advisory Committee. Topics of discussion centered upon the need for public input from all areas of the City; a Committee's assistance in developing a Parks Master Plan, which will be helpful to the City when seeking various grant awards; the fact that the Committee would not be a decision making body, but would simply make recommendations to the Council for final action; and an appropriate meeting schedule for the Committee if it is reinstated.

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Mayor Gailey called for a motion on this item.

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COUNCILMEMBER MAUGHAN MOVED TO CONTINUE DISCUSSION OF THE SCOPE AND CREATION OF A PARKS COMMITTEE TO A FUTURE WORK SESSION MEETING. COUNCILMEMBER ANDERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

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9. Task force report: splash pad project fundraising.

An administrative staff memo explained this item was added to the agenda by Councilmembers Maughan and Savage, who met as assigned at the last Council meeting to brainstorm what should be done to fund raise and recognize contributors to the water feature in Centennial Park. Their conclusions and suggestions are below.

Conclusions:

1. It is in our best financial interest not to do anything that would delay completion of the project.
2. More time to raise money is desirable.
3. To use the 'bricks' in a prominent place we are either leaving part of the project undone or re-doing a section. Neither is a good fit.
4. To use the Buffalo has the same problem as the bricks and would be best just installed as designed.

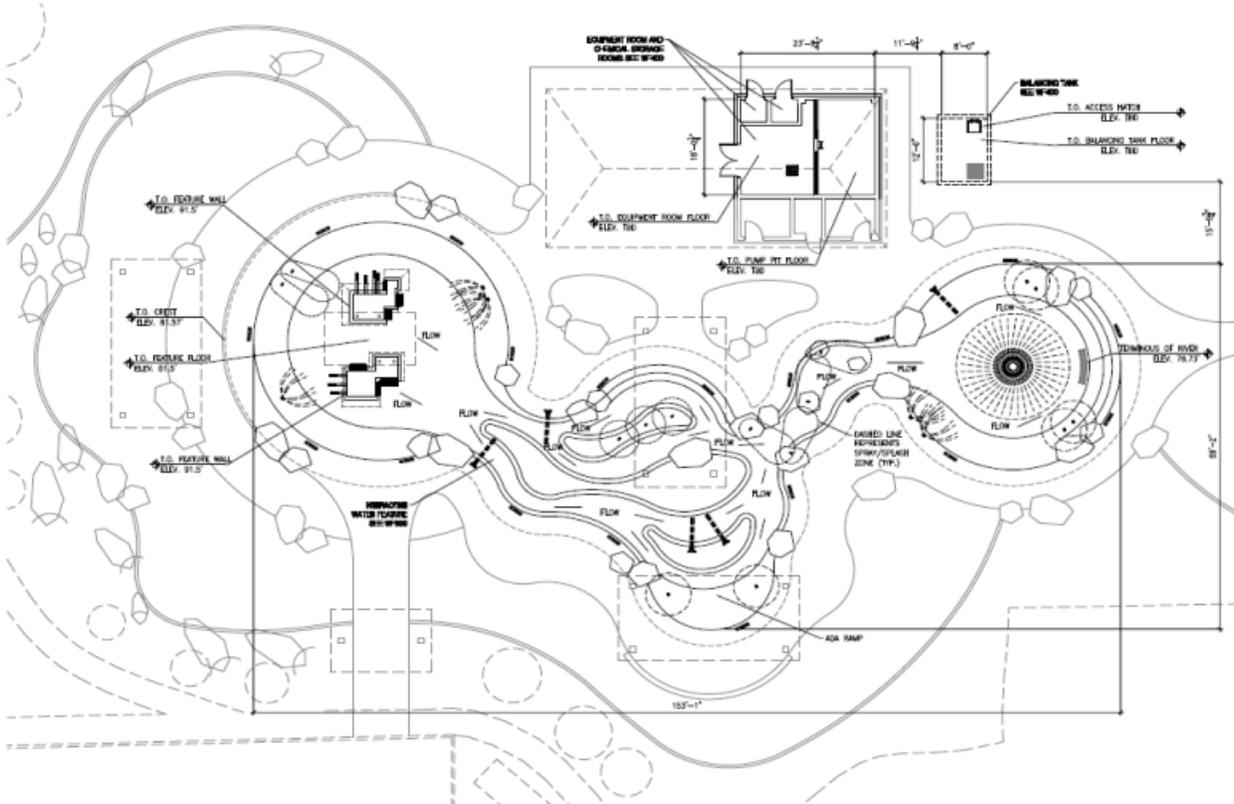
Suggestion: by using the blank wall on the east side of the pump house we could create a metal nature scene using animals from Antelope Island to represent donation levels and park contributors. Names would be etched on the animals representing different donation level sponsors. I have attached a *ROUGH* idea of what that might look like. I think Jordan and I pictured in our head more detail to make the whole think more of a picture that could include different metals for vegetation. (maybe aluminum, copper, and other metals against blackened steel for animals done in raised metal standing and inch off the wall) Before spending too much time on the artwork, it is suggested the council should agree to the concept of using an animal scene first.

One advantage of the animal scene is that we could install this on that wall at the first full season opening giving us a full year to accept contributions. Specifically installing the animal scene on the east wall next spring recognizing donations. We would begin advertising in the next newsletter with something similar to the mock up that Jordan provided. The animal arrangement is just a rough suggestion at this point for concept approval.

“Syracuse Parks and Recreation is accepting contributions to have your name engraved in the I.S.L.A.N.D.-scape that will be incorporated in the Syracuse ISLAND Pavilion. Donation levels are follows:

- **Buffalo club sponsor- \$150**
- **Antelope club sponsor- \$500**
- **Big Horn club sponsor- \$1,000**
- **Owl club sponsor- \$5,000**

- **Eagle club sponsor– Champion Level Contributor**
Welcome to the I.S.L.A.N.D (Interactive Splash Lovers All-abilities Native Destination).”



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Councilmembers Maughan and Savage reviewed the data included in the memo.

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Discussion regarding the proposal centered on the design of the artwork and metal cut-outs to be placed at the park to recognize sponsors and whether that artwork will fit with the design of the existing Chloe’s Playground nearby. The Council concluded they were comfortable with the preliminary design and consented to advertising the sponsorship

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10. (6a) Approval of recreation field/facility rental fee adjustment requests.

A staff memo from the Parks and Recreation Department explained This item was discussed during the February 27 work session meeting; the Council indicated their support of the fee adjustments and directed that an item be added to the consent agenda for March 13. David Hall, Syracuse Youth Lacrosse representative, and Chad Barney, Utah Rebels Baseball representative, have reached out to the council and the Parks and Recreation Department with a proposal regarding park reservation fees. This year, rather than asking for concession on the price, they are hoping the council would be willing to work out a trade for service. The following cost for field reservation requests are as follows:

- Syracuse Youth Lacrosse...\$2565.00
- Utah Rebels Baseball.....\$1900.00

Approximate cost for materials, repairs and labor associated with proposed rentals.

- Syracuse Youth Lacrosse
 - Labor..... \$440.00
 - Materials.....\$280.00
 - Total.....\$720.00
- Utah Rebels Baseball

- Labor..... \$180.00
- Materials.....\$280.00
- Total.....\$460.00

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Councilmember Maughan clarified that he asked for this item to be removed from the common consent to gain assurance that the action before the Council tonight is simply to approve the fee adjustment requests that the City has received this year and that City Administration will work with the Council to develop a policy to address future similar requests. Parks and Recreation Director Robinson stated that was her understanding of this agenda item following the Council's discussion during the February 27 work session meeting.

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COUNCILMEMBER MAUGHAN MOVED TO APPROVE RECREATION FIELD/FACILITY RENTAL FEE ADJUSTMENT REQUESTS, WITH THE CONDITION THAT THE FEES ARE TIED TO THE APPLICANT'S COMPLETING A SERVICE PROJECT APPROVED BY THE PARKS AND RECREATION DEPARTMENT AT THE FACILITY FOR WHICH THE ADJUSTMENT WAS REQUESTED. COUNCILMEMBER BOLDOC SECONDED THE MOTION; ALL VOTED IN FAVOR.

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11. (6e) Proposed Ordinance 2018-05 amending Section 10.30.010(C) of the Syracuse City Municipal Code pertaining to accessory structures.

A staff memo from the Community and Economic Development (CED) Department explained that following the guidance provided by the City Council, the Planning Commission has been working on an amendment to the ordinance concerning accessory structures for the last several months. The intent of the amendment is to address existing non-conforming accessory structures, re-examine setback requirements, and clarify the regulations for other structures such as pergolas and temporary car ports. On 9/19/17 the PC voted to forward you the following proposed ordinance. City Council reviewed the proposed ordinance on September 26th, October 24th, November 14, December 12, January 23, and February 27 during work sessions.

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CED Director Mellor reviewed the staff memo and referenced the discussion that took place earlier in the meeting during the public comment period. He noted that he has no objection to reducing the side and rear yard setback for larger buildings given that such buildings must have fire rated walls.

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The Council again discussed Mr. Ellard's request with him, with a focus on the impact a larger accessory building could have on neighboring property owners, thus the reason for the recommendation for greater setbacks. Mr. Ellard stated that he needs a larger building because he intends to use it for storage or tall vehicles or trailers and he does not want to be penalized for that need by adhering to a great setback. He argued that fires may be more likely in a wider setback because those setbacks will likely be unkempt and contain dead weeds that will burn easily. He stated he would like for the three-foot setback to apply to all accessory buildings. Mr. Mellor reminded the Council that the greatest concern associated with setbacks for taller buildings is not related to fire or snow shedding from the roof onto a neighbor's property; rather, the greatest concern is the shadow a taller accessory building will cast on a neighbor's property and that will be greater if setbacks are reduced as Mr. Ellard has proposed.

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Councilmember Peterson suggested that the three-foot setback be applied to any accessory building that is as tall or shorter than the primary residence; any accessory structure taller than the primary residence should be setback 10-feet in height. Councilmember Bolduc stated that would allow property owners with two-story houses to build taller accessory buildings than those with ramblers or single-story houses.

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Councilmember Savage stated that he has briefly researched the issue and found that the average height of accessory structures is 16-feet; he wondered why it is necessary to build a taller building. Mr. Ellard stated that he would like to build a 22-foot building to allow for a 14-foot tall garage door, two feet of clearance for the door, and then a nine-foot span from the garage clearance to the peak of the roof; otherwise, roof pitches would be flat, which is not attractive.

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Philosophical debate of the appropriate setbacks continued and the Council ultimately concluded to support the recommendation of the Planning Commission.

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COUNCILMEMBER MAUGHAN MOVED TO ADOPT ORDINANCE 2018-05 AMENDING SECTION 10.30.010(C) OF THE SYRACUSE CITY MUNICIPAL CODE PERTAINING TO ACCESSORY STRUCTURES. COUNCILMEMBER SAVAGE SECONDED THE MOTION; ALL VOTED IN FAVOR.

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COUNCILMEMBER BOLDUC OFFERED AN ALTERNATE MOTION TO ADOPT ORDINANCE 2018-05 AMENDING SECTION 10.30.010(C) OF THE SYRACUSE CITY MUNICIPAL CODE PERTAINING TO ACCESSORY STRUCTURES, WITH THE FOLLOWING AMENDMENT:

FOR ACCESSORY BUILDINGS LARGER THAN 200 SQUARE FEET IN SIZE, BUILDINGS WITH A ROOF HEIGHT BETWEEN 20 AND 23 FEET SHALL ADHERE TO A MINIMUM SETBACK OF FOUR (4) FEET.

Councilmember Bolduc's alternate motion was not seconded.

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Mayor Gailey called for a vote on the motion to adopt ordinance 2018-05 as presented. VOTING "AYE" – COUNCILMEMBERS MAUGHAN, PETERSON, AND SAVAGE. VOTING "NAY" – COUNCILMEMBERS ANDERSON AND BOLDUC.

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12. Public comment.

There were no public comments.

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13. Discussion of future Council meeting agenda items.

The Council asked that items be included on future Council meeting agendas to discuss the following issues:

- Safety concerns raised by a resident regarding traffic and parking issues.
- Potential Parks Committee reinstatement.
- Business meeting agenda structure specific to the removal of Council/Mayor reports from the agenda.
 - City Manager Bovero reported that in the attempt to redesign the City's website, there has been discussion about including a section that could be dedicated to Council reports on their various assignments in the community.

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14. Consideration of adjourning into Closed Executive Session pursuant to the provisions of Section 52-4-205 of the Open and Public Meetings Law for the purpose of discussing the character, professional competence, or physical or mental health of an individual; pending or reasonably imminent litigation; or the purchase, exchange, or lease of real property (if necessary).

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COUNCILMEMBER SAVAGE MADE A MOTION TO CONVENE IN A CLOSED EXECUTIVE SESSION PURSUANT TO THE PROVISIONS OF SECTION 52-4-205 OF THE OPEN AND PUBLIC MEETINGS LAW FOR THE PURPOSE OF DISCUSSING THE PURCHASE, EXCHANGE, OR LEASE OR REAL PROPERTY AND PENDING OR REASONABLY IMMINENT LITIGATION. COUNCILMEMBER PETERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

The closed session began at 7:26 p.m.

The meeting reconvened at 8:06 p.m.

At 8:19 p.m. COUNCILMEMBER MAUGHAN MADE A MOTION TO ADJOURN. COUNCILMEMBER PETERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

City Council Regular Meeting
March 13, 2018

Mike Gailey
Mayor

Cassie Z. Brown, MMC
City Recorder

Date approved: May 8, 2018