

# Order of Business

# City Commission Meeting

Monday, May 5, 2014

4:30 PM

Dickinson City Hall – 99 2<sup>nd</sup> Street East

**Type of meeting:**

Regular Meeting of the Dickinson City Commission

**Presiding Officer:**

President of Commission (Vice President in absence of President)

## Opening of Meeting

Call to Order

Roll Call

President: Dennis W. Johnson

Vice President: Gene Jackson

Commissioners: Carson Steiner

Klayton Oltmanns

Shirley Dukart

1. **ORDER OF BUSINESS:** Consideration for approval

2. **CONSENT AGENDA**

A. Approval of meeting minutes dated April 21, 2014 (Enc.);

B. Approval of Accounts Payable (via email);

C. Approval of Energy Infrastructure and Impact Office Request for Reimbursement – Bearcat (Enc.);

D. Approval of Energy Infrastructure and Impact Office Request for Reimbursement – Public Safety Ctr. (Enc.);

E. Approval of Wells Fargo Deposit Account (Enc.);

F. Approval of Twin Engine Scraper Financing with US Bank (Enc.)

G. Approval of Roll Off Truck for Refuse Financing with US Bank (Enc.)

H. Approval of Tobacco Dealer License for HOB dba House of Booze (Enc.);

I. Approval of Sewer Truck Finance Agreement (Enc.);

J. Approval of Wheel Loader Finance Agreement (Enc.);

K. Approval of Fire Truck Finance Agreement (Enc.);

*Persons desiring to attend the meeting who require special accommodations are asked to contact the City Administrator by the Friday preceding the meeting.*

Next Resolution No: 28-2014

Next Ordinance No: 1548

<b>3.</b>	<b>Timetable Agenda</b>	<b><u>INTRODUCTION</u></b>
5:00 p.m.	<b>ND DOT Presentation</b>	<b>Director Grant Levi</b>
5:30 p.m.	<b>Dickinson Municipal Court Presentation (Enc.)</b>	<b>Attorney Bekki Grant</b>
5:40 p.m.	<b>DLN Consulting Presentation</b>	<b>Deb Nelson</b>
5:45 p.m.	<b>Theodore Roosevelt Center Planning Process</b>	<b>Sharon Kilzer</b>
6:00 p.m.	<b>Special Use Permit</b> 1. <b>Rod's Hot Oil Service</b> Consideration to approve special use permit (Enc.)	<b>Comm. Dev. Dir. Courton</b>
6:05 p.m.	<b>Rezoning Petitions</b> <b>1. Prairie Creek</b> Consideration to approve first reading of Ordinance No. ____ (Ordinance No. ____ ) (Enc.)	<b>Comm. Dev. Dir. Courton</b>
6:10 p.m.	<b>Future Land Use Map Amendments</b> <b>1. Holiday Station Store - 33<sup>rd</sup> Street SW and ND Highway 22 Corner</b> Consideration to approve Resolution (Next Resolution No. ____ ) (Enc.) <b>2. Ryan Haught - 2200 State Avenue</b> Consideration to approve Resolution (Next Resolution No. ____ ) (Enc.)	<b>Comm. Dev. Dir. Courton</b>
6:15 p.m.	<b>Dakota Outdoor Advertising Sign Appeal (Enc.)</b>	<b>Attorney Kolling</b>
<b>4.</b>	<b>Non-Timetable Agenda</b>	
	<b><u>ADMINISTRATION/FINANCE</u></b>	
A.	<b>Dickinson Water Supply Projects</b> Approval of cost-share reimbursement agreement (Enc.)	<b>Admin. Kessel</b>
B.	<b>State Water Commission Allocation Agreement</b> Consideration to approve Agreement (Enc.)	<b>Attorney Kolling</b>
C.	<b>Public Works Plat Annexation</b> Consideration to approve first reading of Ordinance No. ____ (Ordinance No. ____ ) (Enc.)	<b>Attorney Kolling</b>
D.	<b>40<sup>th</sup> Street Update (Enc.)</b> Consideration to approve Resolution (Next Resolution No. ____ ) (Enc.)	<b>Attorney Kolling</b>
E.	<b>Reports:</b> <b>1. Thank you notes - Sunset Senior Center; Able in Bowman; Amidon Prairie Senior Citizens (Enc.)</b> <b>2. Debris pickup (Enc.)</b> <b>3. Capital Improvement Plan (Enc.)</b>	<b>Admin. Kessel</b>
<b>5.</b>	<b><u>PUBLIC SAFETY</u></b>	
A.	<b>Reports:</b> 1. None	
<b>6.</b>	<b><u>ENGINEERING</u></b>	
A.	<b>Reports:</b> <b>1. Armstrong Corporation Oil Well Application (Enc.)</b> <b>2. East Broadway 24" Watermain Bid</b> <b>3. Data Collection</b> <b>4. Project Updates</b> <b>5. Flood Plain Administration</b>	<b>City Engineer Kubas</b> <b>Eng. Spec. Marshik</b> <b>Eng. Spec. Marshik</b> <b>City Engineer Kubas</b> <b>Eng. Spec. Marshik</b>
<b>7.</b>	<b><u>PUBLIC WORKS</u></b>	
A.	<b>National Public Works Week Proclamation (Enc.)</b>	<b>PW Director Zuroff</b>
B.	<b>Lift Station #12 Bid</b> Consideration to approve bid (Enc.)	<b>PW Director Zuroff</b>
C.	<b>Montana Dakota Utilities – Underground Easement – Lift Station Site</b> Consideration to approve easement (Enc.)	<b>PW Director Zuroff</b>

D.	<b>Reports:</b> 1. 2013 Consumer Confidence Report (Enc.) 2. Project Updates	PW Director Zuroff
8.	<b><u>COMMUNITY DEVELOPMENT</u></b>	
A.	<b>Reports</b> 1. Discussion of Erosion Control & Property Maintenance Code	Comm. Dev. Dir. Courton
9.	<b><u>COMMISSION</u></b>	
10.	<b><u>PUBLIC ISSUES OF CITY CONCERN NOT ON THE AGENDA</u></b>	
	<b><u>ADJOURNMENT</u></b>	

**I. CALL TO ORDER**

President Dennis W. Johnson called the meeting to order at 4:30 PM.

**II. ROLL CALL**

Present were: President Dennis W. Johnson, Commissioners Gene Jackson, Klayton Oltmanns, Carson Steiner and Shirley Dukart

Absent: None

**STANDARD MOTIONS**

**1. ORDER OF BUSINESS**

MOTION BY: Shirley Dukart                      SECONDED BY: Klayton Oltmanns  
To approve the May 5, 2014 Order of Business as presented.  
DISPOSITION: Motion carried unanimously.

**2. CONSENT AGENDA**

MOTION BY: Gene Jackson                      SECONDED BY: Shirley Dukart  
A. Approval of meeting minutes dated April 21, 2014;  
B. Approval of Accounts Payable (via email);  
C. Approval of Energy Infrastructure and impact Office request for Reimbursement – Bearcat;  
D. Approval of Energy Infrastructure and Impact Office Request for Reimbursement – Public Safety Center  
E. Approval of Wells Fargo Deposit Account;  
F. Approval of Twin Engine Scraper Financing with US Bank;  
G. Approval of Roll off Truck for Refuse Financing with US Bank;  
H. Approval of Tobacco Dealer License for HOB dba House of Booze;  
I. Approval of Sewer Truck Finance Agreement;  
J. Approval of Wheel Loader Finance Agreement;  
K. Approval of Fire Truck Finance Agreement.  
DISPOSITION: Roll call vote...Aye 5, Nay 0, Absent 0  
Motion declared duly passed.

**TIMETABLE AGENDA**

**5:00 PM**

**ND DOT PRESENTATION**

ND DOT Director Grant Levi states North Dakota has been blessed with a very strong economy and is built on a number of pillars. Levi states agriculture still remains the largest industry in North Dakota. Levi states there is also strong manufacturing growth since 2000. Levi discusses the traffic increase from 2008 to 2012. The traffic has grown 22% from 2010-2012. There has been an increase of 53% in western ND traffic from 2010-2012 and in 2013 a slight decrease. Levi anticipates the traffic will continue to grow. The State has appropriated \$2.3 billion dollars for repairing roads, highways, etc. He states \$1.5 billion will be spend in the western region. He states federal funding remains flat or has seen a decrease. He is concerned the federal highway trust fund will run out of funds this summer. This is very concerning for North Dakota and will cause delay of some road improvements. Levi states if Congress does not take any action there will be no federal highway funding in 2015. Levi does state Dickinson will receive \$875,000 for urban roads projects. Mr. Levi thanks all the people on the City's team for working with the NDDOT. Levi discusses upcoming projects for 2014. Traffic safety is a big concern in ND. In 2013 there were 148 fatalities as compared to 170 in 2012. Contributing factors is 46% alcohol and 59% no seatbelts, 40% of these accidents occurred on county and city roadways.

Commissioner Jackson states it is a worry sometimes that Dickinson is not getting any attention. Jackson states NDDOT has been very responsive to the needs of Stark County, Dickinson and the surrounding areas.

Commissioner Steiner states the cost of doing business in western ND is twice as much as doing business in eastern ND.

**5:30 PM**

**DICKINSON MUNICIPAL COURT PRESENTATION**

Attorney Bekki Grant updates the Commissioner's on the first quarter of 2014 in municipal court. Grant states 1655 files have been opened and there are 561 active files at the end of the first quarter. Grant states criminal citations have increased for the first quarter, 2014. Grant reports last Friday a misdemeanor jury trial was held and the individual was convicted of aggravated DUI charge. There were 293 remanded cases since January, 2012 which has brought in a revenue of \$144,370.00. Seventeen cases were remanded for the first quarter of 2014 and has generated \$10,070.

**5:40 PM**

**DLN CONSULTING**

DLN Consultant Deb Nelson updates the Commissioners on the City's website which allows citizens to check live posts for delays in traffic due to construction. At this time the site shows maps with delays and alternate routes. Ms. Nelson thanks IT Coordinator Aaron Meyer for his help in creating this information. Nelson states her weekly meetings with City staff are very informative in updating the website.

**5:45 PM**

**THEODORE ROOSEVELT CENTER PLANNING PROCESS**

Sharon Kilzer, Theodore Roosevelt Center Project Manager updates the Commissioners on the Theodore Roosevelt Center and Presidential Library. There are now 21,000 documents that are updated on the TR Center website. Ms. Kilzer also states several books have been written in regards to Theodore Roosevelt which have made use of the TR Center. Ms. Kilzer states NFL and BBC have connected with the TR Center in regards to Theodore Roosevelt.

Clay Jenkinson, Theodore Roosevelt Humanities Scholar, states the construction of a presidential library is good news for Dickinson and Western ND. This would be one of 13 presidential libraries in US. Jenkinson states there are over a million pages digitized and 21,000 pages processed on the website which are searchable. He states the State Legislature has committed to contributing \$15 million dollars if \$3 million dollars could be raised from private funding. Jenkinson is asking the City for \$1 million dollars over a number of years.

President Johnson thanks Ms. Kilzer and Mr. Jenkinson for the good presentation. Johnson states there is an opportunity here at the City to use the sales tax to support this project. Johnson welcomes the updates and reports. Johnson feels this is very significant and a real opportunity for DSU and western ND. Johnson is hopeful that the public sector, city, county and private sector will support this project.

**6:00 PM**

**SPECIAL USE PERMIT**

**1. Rod's Hot Oil Service**

Community Development Director Ed Courton presents a request for a Special Use Permit for a propane storage tank. The site is located at 3205 110K Avenue SW. The site is zoned General Industrial and is +/-1.80 acres. The Planning and Zoning Commission and City staff recommend approval subject to five (5) conditions of approval.

MOTION BY: Shirley Dukart  
To adopt Resolution 30-2014.

SECONDED BY: Klayton Oltmanns

**RESOLUTION NO: 30 - 2014**

**A RESOLUTION APPROVING A SPECIAL USE PERMIT TO ROD'S HOT OIL SERVICE, INC. FOR A 6,000 GALLON PROPANE STORAGE TANK WITHIN A GENERAL INDUSTRIAL ZONING DISTRICT**

DISPOSITION: Roll call vote...Aye 5, Nay 0, Absent 0  
Motion declared duly passed.

**6:05 PM**

**Rezoning Petition**

**1. Prairie Creek**

Community Development Director Ed Courton presents a Rezoning Petition from Low Density Residential to Medium Density (R2) & High Density (R3) Residential and Community Commercial (CC) for the recently approved Prairie Creek Subdivision situated at the SE corner of State Avenue and 21<sup>st</sup> Street West. The R2 lots are Block 4, Lots 1 & 2 and the one (1) R3 lot is Block 3, Lot 2. The CC lots are Blocks 1 & 2 and Block 3, Lot 1. The Planning and Zoning Commission and City staff recommend approval.

MOTION BY: Shirley Dukart  
To approve first reading of Ordinance No. 1549.

SECONDED BY: Gene Jackson

**ORDINANCE NO. 1549**

**AN ORDINANCE AMENDING THE DISTRICT ZONING MAP FOR REZONING AND RECLASSIFYING DESIGNATED LOTS, BLOCKS OR TRACTS OF LAND WITHIN THE ZONING JURISDICTION OF THE**

**CITY OF DICKINSON, NORTH DAKOTA.**

DISPOSITION: Roll call vote...Aye 5, Nay 0, Absent 0  
Motion declared duly passed

**6:10 PM**

**Future Land Use Map Amendments**

**1. Holiday Station store – 33<sup>rd</sup> Street SW and ND Highway 22 Corner**

Community Development Director Ed Courton presents an amendment to the Future Land Use Map of the Dickinson Comprehensive Plan from Mixed Use to Commercial. The site is generally located in the NE4 of Section 21, Township 140N, and Range 96 W on the southwest corner of 33rd Street SW and North Dakota Highway 22. The site is +/-38.80 acres. The Planning and Zoning Commission and City staff recommend approval.

President Dennis Johnson asks for public comment. Hearing none the following motion is made.

MOTION BY: Shirley Dukart                      SECONDED BY: Gene Jackson  
To approve first reading of Ordinance No. 1550.

**ORDINANCE NO. 1550**

**AN ORDINANCE AMENDING THE FUTURE LAND USE MAP**

DISPOSITION: Roll call vote...Aye 5, Nay 0, Absent 0  
Motion declared duly passed

**2. Ryan Haught – 2200 State Avenue**

Community Development Director Ed Courton presents an amendment to the Future Land Use Map of the Dickinson Comprehensive Plan from Residential to Commercial. The parcel is located at 2200 State Avenue North. The parcel is +/- 5.83 acres. The Planning and Zoning Commission and City staff recommend approval.

President Johnsons asks for public comment. Hearing none the following motion is made.

MOTION BY: Gene Jackson                      SECONDED BY: Klayton Oltmanns  
To approve first reading of Ordinance No. 1551.

**ORDINANCE NO. 1551**

**AN ORDINANCE AMENDING THE FUTURE LAND USE MAP**



DISPOSITION: Roll call vote...Aye 5, Nay 0, Absent 0  
Motion declared duly passed

**6:15 PM**

**Dakota Outdoor Advertising Sign Appeal**

Attorney Kolling presents an appeal for a sign permit by Dakota Outdoor Advertising. Kolling has been in contact with Dakota Outdoors's attorney and is trying to address the new sign ordinance and work out an agreement. The City has agreed with Dakota Outdoor to continue the appeal hearing until the next City Commission meeting to see if a settlement can be reached with the applicant. Kolling does believe this will be resolved within the next two weeks without objection. The Dakota Outdoor Advertising appeal is continued to the next City Commission Meeting.

**4. GENERAL ISSUES/FINANCE**

**A. Dickinson Water Supply Projects**

City Administrator Shawn Kessel presents an \$18.4 million dollar grant that Dickinson has received from the State Water Commission. This would pay for 35% of engineering cost and 60% of construction cost. Projects included in this agreement would be water pump station, west 18" water main, etc.

MOTION BY: Klayton Oltmanns                      SECONDED BY: Shirley Dukart  
To approve the cost share agreement with North Dakota State Water Commission up to \$18.4 million.

DISPOSITION: Roll call vote...Aye 5, Nay 0, Absent 0  
Motion declared duly passed

**B. State Water Commission Allocation Agreement**

City Attorney Matt Kolling presents the amendment to an existing agreement with State Water Commission for potable water. This increases the City's allocation of potable water to 6 million gallons per day. It also provides the City with an emergency connection to SW Water Pipeline for additional emergency fire flows; includes also industrial water rate of \$20 per 1,000 gallons. The current rate is \$3.61 per 1,000.

City Administrator Shawn Kessel is hoping to have a water vendor outside of Dickinson. The impact of the water depot is well beyond the expense. Kessel states it might be in the best interest of Dickinson to close the water depot. Mr. Kessel does state SW Water does have a raw water site on the east side of Dickinson. This rate also applies to bulk water permits and the City would lose revenue also.

President Johnson states it does make sense to shut this depot down. If the summer is hot and dry restriction on sales would occur. Johnson is not happy with this provision of this agreement. Johnson states the City will have to increase the wastewater fee in order to pay for increased expenses.

MOTION BY: Gene Jackson                      SECONDED BY: Shirley Dukart  
To approve agreement with SW Water and the State Water Commission.

DISPOSITION:      Roll call vote...Aye 5, Nay 0, Absent 0  
Motion declared duly passed

### **C. Public Works Plat Annexation**

City Attorney Matt Kolling presents an Ordinance for annexation of the Public Works Facility plat. This ordinance would bring the property into the City limits.

President Dennis Johnson asks for public comment. Hearing none the following motion was made.

MOTION BY: Shirley Dukart                      SECONDED BY: Klayton Oltmanns  
To approve first reading of Ordinance No. 1548.

### **ORDINANCE NO.    1548**

#### **AN ORDINANCE EXTENDING THE BOUNDARIES OF THE CITY OF DICKINSON, NORTH DAKOTA, AND ANNEXING CERTAIN TRACTS OF LAND ADJACENT TO THE BOUNDARIES OF THE PRESENT CITY LIMITS**

DISPOSITION:      Roll call vote...Aye 5, Nay 0, Absent 0  
Motion declared duly passed

#### **D. 40th Street Update**

City Attorney Matt Kolling presents a resolution to create a special assessment district. The plans anticipated cost for this road is \$7 million. This project is not bid as of yet. The City will provide \$5 million and is asking for the property owners in the area to contribute \$2 million in the form of special assessments. Landowners were sent a draft petition to sign if they wished to endorse the district, only one land owner signed the petition. If the resolution is adopted the process would be to publish the resolution for 30 days' time period and the affected land owners could protest.

MOTION BY: Gene Jackson  
To adopt Resolution 29-2014.

SECONDED BY: Shirley Dukart

#### **RESOLUTION NO: 29 - 2014**

**A RESOLUTION CREATING THE 40TH STREET WEST SPECIAL ASSESSMENT IMPROVEMENT DISTRICT NO. 2014-01, DIRECTING THE FILING OF AN ENGINEER'S REPORT REGARDING THE SAME, APPROVING PLANS AND SPECIFICATIONS, AND DECLARING THAT IT IS NECESSARY TO MAKE THE IMPROVEMENTS DESCRIBED THEREIN.**

DISPOSITION: Roll call vote...Aye 5, Nay 0, Absent 0  
Motion declared duly passed.

#### **E. Reports:**

##### **1. Thank you notes**

Provided for informational purposes only.

##### **2. Debris pickup**

City Administrator states the City has engaged the New England Correctional Facility to provide inmates to pick up the garbage around Dickinson. Kessel states every Monday the inmates will be given a prioritized street area in Dickinson to clean. Kessel states there are still several streets available for adoption.

President Johnson is very concerned about the debris from construction site and is looking for current ordinance and regulation requiring construction sites to maintain cleaner sites and if not clean up the site action be taken.

**3. Capital Improvement Plan**

No report at this time.

**4. Diversity Picnic**

Administrator Kessel states a Diversity Picnic was held on May 4, 2014 at the Rec Center.

**5. Hookah Bar**

City Administrator Shawn Kessel states a request has been made to the City to allow a Hookah Bar in the City limits. North Dakota does not allow smoking tobacco. Kessel asks that an ordinance to prohibit these bars be created.

President Johnson asks to draft an ordinance denying Hookah Bars.

Commissioner Oltmanns would like for the public to decide if they would allow the bars here.

Commissioner Dukart is in favor of denying the bars.

Commission Jackson likes President Johnson's suggestion. Jackson states the Commissioners owe it to the community to get informed and make some good decisions about this.

- 6.** City Administrator Shawn Kessel states the bid date for the Public Safety Center is June 13, 2014.

**5. PUBLIC SAFETY**

**A. None**

**6. ENGINEERING**

**A. Reports**

**1. Armstrong Corporation Oil Well Application**

City Engineer Craig Kubas presents an oil well application from Armstrong Corporation to drill a well south of Heart River. This would be a fresh water well. The City's recommendation is to allow the well to be drilled and require

the cuttings to be placed in an offsite disposal location. Kubas states a public hearing will be held on May 19, 2014.

Owner Kelly Armstrong states he has advertised this oil well application and notified the landowners in this area and there has been no objections as of date. Armstrong states the well will not affect Patterson Lake, it is not potable water, and not a commercial injection well. The operator will increase the thickness of the liner, which would be a more preferred method than disposing of the cuttings offsite.

#### **7. East Broadway 24" Watermain**

Public Works Director Gary Zuroff states the bid opening for the 24" water main was held on April 30, 2014.

#### **8. Data Collection**

Public Works Director Gary Zuroff has invited several firms to supply us with proposals for obtaining data throughout the city, including the data required for HDR to move forward with their Drainage Master Plan. The City was fortunate to receive 6 proposals, which city staff has evaluated, and are currently working on an agreement with KLJ, Inc. The City anticipates returning with a recommendation and contract for approval at our May 19<sup>th</sup> meeting.

#### **9. Project Updates**

None at this time.

#### **10. Flood Plan Administration**

Public Works Director Gary Zuroff states City staff met with members of the State Water Commission and FEMA on Thursday, May 1<sup>st</sup>, to review the City's policies on Floodplain Administration and for guidance on policies and regulations regarding floodplain management. The meeting opened additional lines of communication and broadened staff's understanding of our role as floodplain administrators.

### **7. PUBLIC WORKS**

#### **A. National Public Works Week Proclamation**

President Dennis Johnson reads the National Public Works Week Proclamation which identifies the week of May 18-24, 2014 as National Public Works Week.

#### **B. Lift Station #12 Bid**

Mike Berg from Apex presents the bids for Lift Station #12. Berg states the bids were opened last week. The design estimate was \$12.7 million. Berg states the

lowest bid came in at \$11.5 million. The total cost of the project is approximately \$13,000,000 with a final completion date of July, 2015.

MOTION BY: Klayton Oltmanns                      SECONDED BY: Shirley Dukart  
To award Lift Station #12 bid to Rice Lake Construction, Central Mechanical and John's Registration and Electric contingent upon final approval by the North Dakota Department of Health.

DISPOSITION:                      Motion carried unanimously.

**C. Montana Dakota Utilities- Underground Easement – Lift Station Site**

Public Works Director Gary Zuroff presents an underground easement for the west lift station site. The easement is 10" right-of-way.

Commissioner Gene Jackson asks for public comment. Hearing none the following motion was made.

President Johnson abstains from the vote.

MOTION BY: Shirley Dukart                      SECONDED BY: Carson Steiner  
Approve the MDU underground easement for lift station site.

DISPOSITION:                      Roll call vote... Aye 4, Nay 0, Absent 0, Abstain 1  
Motion declared duly passed

**D. Reports:**

**1. 2013 Consumer Confidence Report**

Provided for informational purposes only.

**2. Project Updates**

No updates at this time.

**8. COMMUNITY DEVELOPMENT**

**A. Reports**

**1. Discussion of Erosion Control and Property Maintenance Code**

Community Development Director Ed Courton states he understands the Commissioners concerns about the community cleanliness. Courton states he is well aware of the erosion control problem and cleanliness of Dickinson. Courton will be bringing a better way to augment City Code in order to address the situation in a more prompt matter. Courton presents an idea if the City is called out to an inspection and the site is unkempt the City staff would have the ability to stop inspections and

services until the issue is corrected. Courton states the City's code and needs to be updated in regards to this.

All Commissioners express support for this revision.

President Dennis Johnson states Dickinson is a nice community and has been commended on how clean it is. However, this year when the snow melted it wasn't near as clean as in the past. Johnson feels there is quite a bit of construction material debris and looks forward to an ordinance change.

9. **COMMISSION**  
None

10. **PUBLIC ISSUES OF CITY CONCERN NOT ON THE AGENDA**  
None

11. **ADJOURNMENT**

MOTION BY: Shirley Dukart                      SECONDED BY: Klayton Oltmanns  
Adjournment of the meeting at approximately 7:10 PM.

DISPOSITION:              Roll call vote... Aye 5, Nay 0, Absent 0  
Motion declared duly passed.

OFFICIAL MINUTES PREPARED BY:

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Rita Binstock, Assistant to City Administrator

APPROVED BY:

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Shawn Kessel, City Administrator

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Dennis W. Johnson, President

Board of City Commissioners

Date: April 21, 2014