

MARYSVILLE CITY COUNCIL MINUTES

00223

NOVEMBER 5, 1990

7:30 p.m.

Council Chambers

Present: Rita Matheny, Mayor  
Councilmembers:  
Ken Baxter, Mayor Pro Tem  
Dave McGee  
Dave Weiser  
Donna Pedersen  
Donna Wright  
Bob Lashua  
Lee Cundiff  
Administrative Staff:  
Carolyn Sanden, City Administrator  
Phil Dexter, Finance Director  
Dave Zabell, Public Works Director  
Mike Corcoran, City Planner  
Jim Allendoerfer, City Attorney  
Bob Dyer, City Police Chief  
Jim Ballew, Parks & Recreation Supt.  
Wanda Iverson, Recording Secretary

CALL TO ORDER:

Mayor Matheny called the meeting to order at 7:30 p.m. and led the flag salute.

ROLL CALL:

City Clerk/Finance Director Dexter called the roll with all members present/absent as indicated above.

MINUTES OF THE PREVIOUS MEETING:

Councilor Pedersen moved and Councilor Wright seconded to approve the minutes of the 10/22/90 meeting as written. Passed.

AUDIENCE PARTICIPATION FOR NON-AGENDA ITEMS:

None.

PRESENTATIONS:

None.

PETITIONS & COMMUNICATIONS:

None.

PUBLIC HEARINGS:

1. Griffore Annexation.

Councilor Pedersen explained that in keeping with her previous position and because of having property in the proposed annexation, she would step down.

It was explained that there would have to be a three minute time limit for each speaker in order to allow everyone a chance to speak.

City Planner Corcoran reviewed the location and the history of the original annexation proposal to the present boundaries. He noted that the Boundary Review Board added 165 acres including a area north of Sunnyside, which a group of citizens appealed however, the courts ruled in favor of the Boundary Review Board for the additional area. He stated that copies of the DNS, SEPA, Order Dismissing Appeal, vicinity map, etc. are in the packets.

Someone in the audience asked for an explanation of why the Boundary Review Board Appeal was dismissed and City Attorney Allendoerfer stated the court dismissed the appeal because the names of the people appealing were incorrect and also, the statute of limitations had run out on the action.

The same man in the audience asked if this wasn't really the same as being thrown out on a technicality and City Attorney Allendoerfer explained that this is neither the time nor the place to be cutting down courts, judges and/or attorneys.

Roque Willard, 5622 60th Dr. NE, Marysville, then addressed the Council. He said he didn't think anyone was appreciative of the way the Boundary Review Board went about processing this annexation and the way the court appeal came out however, "vigilance is the price of liberty" and he said he felt what happened was a lot of residents were asleep "at the switch" when this came up. He added that the Boundary Review Board acted within its authority, even though most of the citizens did not know what was going on, but also, that annexation would afford those annexed a better watch on City government and who's in charge.

Bill Roberts, 4210 Sunnyside Blvd., addressed Council, stating he was one of the original petitioners and when this was originally petitioned, Sunnyside Hills was not included in the proposed annexation. The people who signed the petition are not all developers and/or builders, he noted; they are property owners who want to be in the City of Marysville. He also pointed out that land developers are still going to be in Marysville whether this annexation is approved or not and basically, the two governments (City and county) are run the same except Marysville's CityHall is only one story high and the county's is six, denoting a government in the City which is easier and less time consuming to deal with for its residents.

Bud Darling, 1916 Grove St., also spoke in favor of the annexation. He stated he has been a property owner in Marysville for 37 years and he owns a piece of property in Sunnyside, as well as being one of the original petitioners. He said he feels he just wants to be part of Marysville "officially", continuing to enjoy its services and protection.

Those that were against the annexation were then invited to speak.

Michael Conway, #184 Glenwood Mobile Home Estates, addressed the Council and stated he was neither for or against the annexation, but against the process. He said they had no idea this was happening and asked that City Council look at the process more closely. He pointed out that the annexed residents are now going to have to pay a 6% surcharge on telephone and PUD bills and this is going to affect a lot of senior citizens and people who are on social security. He said he thinks the annexation should have been done on the election system. He reiterated that the Council needed to examine their conscience on this issue and restated that the citizens' concern is mainly with the undemocratic process.

Margaret McKelvey-Biddle, 6721 52nd St. NE, addressed Council, stating that her concern is that the people who originally signed the petition are now no longer living in the area or are deceased. She said she questions the validity of the petition, noting that the last signature was affixed in October 1989.

City Attorney Allendoerfer pointed out that these signatures were still current and valid at the time of the annexation petition.

Mrs. Biddle referred to an earlier comment regarding the zoning staying the same once the area is annexed and pointed out that the property owners feel they have no control. With the minimum lot size in the City of 7200, she said her concern is about what is going to happen to the property and said she believed things are being misrepresented to the citizens and that she would like to go on record as being against the annexation because the City can't

afford it, for example, the sewer system is going to cost millions, police and fire protection (additional) will also be needed, she said. She said they presently have county protection and are happy with it and already feel a part of Marysville. Her main concern is about development of the area, she concluded.

City Attorney Allendoerfer commented that the original annexation petition was filed 11/6/89 and signatures were valid for six months after that.

Shannon McKelvey, 6721 52nd St. NE, then addressed Council, pointing out that most of the people pushing for this annexation are developers. He said he grew up in this area and sees the problem the City is now having with water conservation and he added that Marysville doesn't need any more houses. He said he sees a lot of houses with no one living in them and added that he thinks we have enough development already and the people should have the last say.

Mike Kuntz, 5730 60th Dr. NE, addressed City Council, stating he objects to this because someone is saying he owns some property and he is worried that he is going to develop more. Mr. Kuntz said he had a problem with the man who said he had no home in the annexation area and now he does.

Dean Wescooper, 5716 64th NE, addressed City Council, stating he has put together a dossier of zoning violations that the county will not enforce because of the proposed development/annexation. He said it has taken him 10 years to put this information together and that he would like some kind of guarantee that if this annexation is approved, the City of Marysville will enforce these natural environmental violations.

Lynn Frye, 5610 60th Dr. NE, addressed Council, stating she has lived in the area for 12 years and feels this a very unfair process with so many people involved that don't want to be involved. She said they would like to have the final "no" vote based on the fact that there are problems with the City sewer, water, etc. and she added that they encourage the City Council to take a closer look and vote "no". She said she is also concerned that someone on the Council pointed out that they are using Marysville water and sewer, but they also pay for these utilities, too, she pointed out.

Bob Bunch, 6432 58th NE, addressed Council, stating he is a veteran who has fought for the right to have the freedom of choice. He said he didn't want to see that freedom taken away in this situation.

Laverne Clark, 6510 60th Pl. NE, addressed Council, stating he felt there was unfair advantage being taken of this group of homeowners. He pointed out that those in favor of the annexation--Bud Darling, Bill Roberts and the owner of the Griffore property all want to develop the land and further, the City Attorney makes the residents feel they have no say or right in the matter. He said their appeal was thrown out on a technicality but they weren't notified of the original annexation at all. He concluded that he fails to see the "justice for all" here.

Bill Werner, 5808 60th Dr. NE, addressed Council, noting that it is very confusing--before it was referred to as the Griffore Annexation and now several people tonight have referred to it as Sunnyside Hills. Further, he said his home is on the creek and that's a sensitive area but the creek turns to dark mud every time it rains now because of all the building on the hill. He has always tried to keep the creek nice and clean for the fish to spawn in, he explained, and has a concern here.

Don Eaglecroft, 5625 Sunnyside, addressed Council, stating he sees two issues--a lack of fairness (people in the area not having a chance to participate) and secondly, he said he feels the annexation is going to lead to higher housing costs and development in the area.

John Bates, 5715 64th NE, addressed Council, thanking the City for posting their area this time. He said he feels the problem is with the Planning Commission because there was no one at their meeting. He urged City Council to allow the residents the opportunity to vote yes or no.

Pete Methros, 5832 64th NE, addressed Council and said he is concerned about the lawsuit problem and asked how it could take so long as to have the statute of limitations run out.

City Attorney Allendoerfer stated he didn't think this is the place to slander other judges and/or attorneys and be discussing the court decision.

City Administrator Sanden stated a letter had been received by the City from Alice Sloane, dated 10/25/90 who has been a resident of Marysville since 1953 and who is against the annexation. Finance Director Dexter read the letter aloud.

City Administrator Sanden pointed out that as far as utility costs, water and sewer rates are actually lower within City limits, as are property taxes; the 6% utility tax would be applied to the lower utility costs, she pointed out. As far as zoning, the Comp Plan would adopt single family 12,500, low density multiple family (for Glenwood Mobile Homes), Neighborhood Commercial for one lot and single family 9600 for the balance of the annexation area, she said. She pointed out that overall, property owners' costs will go down and will be mostly spent locally versus at the county level. She concluded by countering the point regarding the lack of posting of notices, stating that was the Boundary Review Board who failed to do so, not the Marysville Planning Commission.

Jean Willard, 5622 60th Dr. NE, addressed Council (in rebuttal), stating that she and her husband (who spoke earlier in favor of the annexation) looked into the annexation issue and went door to door in their neighborhood passing out information sheets. She said they heard back from a lot of people who were in favor of the annexation and who were not in attendance at tonight's meeting --she said she speaks for them--at least eight property owners.

Michael Conway asked the difference in property taxes between the City and the County rate and Finance Director Dexter admitted it will only be 1.1¢ per \$1,000 of valuation less in the City for the year 1990, however there would be a \$7.00 per month savings on the utilities.

Mr. Conway pointed out that the difference in property taxes is not substantial and also pointed out that Glenwood Mobile Homes represents 230 homeowners, almost half of the total homes to be annexed in the Griffore Annexation.

The audience participation portion of the public hearing was closed.

Councilor Cundiff said he could empathize with the lack of communication but noted that the responsibility for posting was that of the Boundary Review Board, not the Planning Commission. He also pointed out that the Boundary Review Board reports signs were posted and based on that report, he is in favor of the annexation, he said.

Councilor Baxter noted that a 61.8% petition for annexation is probably what the Boundary Review Board is basing their decision on and that's the way the annexation program works. Further, he pointed out that zoning in Sunnyside is 7200, 9600 and 12,500 and that residents of Glenwood Mobile Home Estates should have signed no protest agreements when they signed up for water and sewer. He added that he agrees with the veteran regarding freedom of choice and he noted that he was a veteran twice but if you become part of Marysville, you can become part of City government also.

Councilor Baxter then moved for approval of the Griffore Annexation and Councilor McGee seconded. The motion passed 5-1 with Councilor Lashua against.

Councilor Cundiff then moved to adopt Ordinance 1806 relating to the Griffore Annexation. Councilor McGee seconded the motion and it passed. Councilor Lashua was against the motion and Councilor Pedersen did not vote.

2. Ordinance Relating to Water Conservation (cont. from 10/22/90).

City Attorney Allendoerfer explained revisions in the packets, including Alternative A and Alternative B. He noted that Alternative B changes the 125% rule into an advisory policy because it was determined that it would cost approximately \$30,000 per year to monitor when meter readings had exceeded 125% of the previous year's readings. Also, in paragraph 1 on the first page, he noted the word "shall" has been changed to "may" have an audit. He pointed out some other changes and recommended Council consider a backup ordinance with regard to the overage rates.

Councilor Pedersen asked about economic incentives for commercial or industrial purposes (exclusion) and City Attorney Allendoerfer explained they may get rebates but it applies to domestic facilities/uses only and retrofitting of a fixture for commercial uses would not qualify for the rebate.

Councilor Baxter noted that the \$50 incentive was on a one time only basis and City Attorney Allendoerfer stated this calculates out very closely to four months of utilities.

Councilor Cundiff noted that if people want to conserve water, they should want to help the situation without the economic incentive.

Councilor Weiser asked about the hand held metering devices and how they would determine whether the reading is for an "abnormal amount".

Finance Director Dexter explained that "abnormal" is relative and computer programming can be purchased to search the previous year's usage in order to monitor if it's over 125% of the previous year. Discussion followed regarding different families using different amounts and what other factors may cause a difference, enforcement in the event of violation, developing programs for the computer to search through records, time consumption of the search (all night, eg.).

Councilor Weiser asked about the companion (backup) ordinance, noting that in surcharging for additional water used, there may be some problems where there are extra days in the billing cycle.

Finance Director Dexter agreed the rate structures need more work and he said he would like to see an average daily rate with a base rate per day and daily overage rate, just as PUD does for a KWH. He added that this would eliminate the worry of having to read meters on Sundays, holidays, etc.

After a few more comments and City Administrator Sanden noting that a letter from Dave Aldrich was included regarding the Water Conservation Ordinance in the packets (in favor of the ordinance), Councilor Wright moved to accept/approve Ordinance 1807 (Alternative B), effective 12/1/90. Councilor Baxter seconded and there was brief discussion following concerning computer monitoring again. It was determined that in order to implement a program for monitoring, it would take approximately 20 hours. The motion passed unanimously.

Councilor Pedersen commented again about the importance of public education and City Administrator Sanden mentioned that one of her ideas would be for a computer to put together flyers; the water conservation program could also be promoted on Channel 18 and as a City Newsletter insert.

CONSENT AGENDA: None.

REVIEW BIDS: None.

NEW BUSINESS:

**2. Survey regarding Recreation District and Community Center.**

Parks & Recreation Supt. Ballew referred to a report in the last Council packet and said the task force is proposing another survey (similar to the one that was done over a year ago), one within City boundaries and one including the Marysville School District service area, to find out if the community is still interested in a community center. Also, should a recreation district be formed? He said they hoped to bring back results and at that time the decision could be made regarding the next step of the project, the survey to be completed in time for next year's November elections so the issue could be put on the ballot. He noted that Cheyne & Assoc. have submitted a proposal for a survey to be sent out to about 6600 people, with return postage prepaid. The Parks Dept. has the money in the Professional Services budget, he added.

Councilor Cundiff pointed out that outside City limits has approx. 16,000 households but Parks & Recreation Supt. Ballew noted that each survey will cost about \$2.00 to process and so in order to be cost effective, they want to get an accurate "sampling" only. He said they could get it published in the Marysville Globe again, also. The Marysville School District will not allow the survey to be included in their Community Education brochure, he noted.

City Administrator Sanden pointed out that this survey would be for the community center only and not include the City Hall issue.

Mayor Matheny asked about grants and Parks & Recreation Supt. Ballew noted that Marysville came in third place on the Waterfront project.

Councilor Lashua moved and Councilor McGee seconded to approve the proposal to have another survey done by Cheyne & Assoc., NTE \$5,000 cost. Passed unanimously.

ORDINANCES & RESOLUTIONS:

**3. Resolution Declaring Surplus Property.**

Police Chief Dyer briefly reviewed the list of surplus equipment from the police department and Councilor Baxter asked if this would be disposed of by the bid or public auction process.

Discussion followed regarding getting an auctioneer, other City departments having a possible use for items, used vehicles and radar units, public announcements, time line, collection process, setting minimum dollar amounts for auction.

Councilor Cundiff moved and Councilor Weiser seconded items on both lists be sold at public auction after being declared surplus property under Resolution 1451. Passed unanimously.

CURRENT BUSINESS:

**1. Dry Sewer Line Ordinance.**

City Administrator Sanden explained that the draft ordinance was forwarded to DOE but nothing has been heard back from them yet.

City Attorney Allendoerfer commented that the ordinance has been circulated around the development community for about 4 weeks and nothing has been heard for or against from developers. He noted that the proposed ordinance requires the developer to sign a covenant agreeing that he would not sue the City in the event the sewer moratorium is not lifted or is not lifted in the time frame they may expect.

Councilor Weiser asked how many subdivisions or parcels this would affect and Public Works Director Zabell said there are only 30 lots at this time with approved plans by both DOE and the City.

City Attorney Allendoerfer was quick to point out, however, that there are a number of lots that will be going to DOE with plans in the event this ordinance is passed.

Councilor Lashua asked if this gives the developer the right to construct a dry sewer line and City Attorney Allendoerfer said no, they must get approval from DOE first and this ordinance actually will amend Ordinance 1795.

City Administrator Sanden said she talked with DOE about this and originally they gave approval for something a little different.

City Attorney Allendoerfer pointed out that this ordinance will not help the Leifers, eg. because they need DOE approval first but this ordinance does as much as we can do to help Leifers.

After pointing out that we can't do anything really without DOE approval/blessing first, Councilor Baxter moved and Councilor Lashua seconded that Ordinance 1808 be adopted/approved.

Public Works Director Zabell clarified whether this would amend 2.2 and 2.3 of Ordinance 1795 and whether staff would review the sewer plan. City Attorney Allendoerfer responded in the affirmative. The motion passed with Councilor McGee against.

NEW BUSINESS:

1. Marysville Lutheran Brethren Church, Variance to Ord. 1795.

Public Works Director Zabell explained that the septic has failed several times for the residence attached to the church. Section 8 of Ordinance 1795 does allow a variance however the City is still under the Consent Order with the DOE and we have not had a 30 day monthly average for October BOD as yet (it should be out later this week), he said. He added that his interpretation is that no one can be hooked up to sewer until the sewer lagoon is expanded and the outfall is changed.

City Attorney Allendoerfer said he believed that the Consent Order says that as soon as the ratio is back in line for the influent and effluent, new hookups can be allowed.

Public Works Director Zabell reported that the effluent may not be in line but the influent is OK at this point.

City Attorney Allendoerfer stated that the influent moratorium (Section 2.1 of Ordinance 1795) may be lifted (he believed) in one week, when the monthly average BOD readings come in and they are in line with the DOE requirements.

After a brief discussion, it was decided that it would be better to deny the request without prejudice rather than continue it to next meeting. The applicant can then reapply once the readings are in.

Councilor Lashua moved and Councilor Weiser seconded to deny the request without prejudice. The motion passed unanimously.

LEGAL MATTERS:

1. Public Defender Contract (continued from 10/22/90).

City Attorney Allendoerfer explained that the contract still has not been returned signed by the public defender and so it was decided to continue this matter.

**2. Gateway Shopping Center, No Net Increase Proposal.**

Councilor Weiser moved to continue this matter to 11/13/90 and Councilor Cundiff seconded. Passed unanimously. (The applicant was not present.)

**3. Emergency Vehicle Operations Training Interlocal Agreement.**

City Attorney Allendoerfer explained this is for annual training at the Monroe Fairgrounds.

Councilor Weiser moved and Councilor Wright seconded to authorize the Mayor to sign the agreement. Passed unanimously.

**4. Dismissal of R/L Associates Lawsuit.**

City Attorney Allendoerfer explained that Superior Court dismissed the lawsuit against the City.

**5. Snohomish County Recycling Program Extension.**

City Administrator Sanden explained this is a contract/grant amendment to extend the term to 12/31/91. The grant cannot be spent by 12/31/90 and therefore the term is being extended for the \$50,000 allowance.

Councilor Baxter moved and Councilor McGee seconded to approve extension of the contract. Passed unanimously.

ORDINANCES & RESOLUTIONS:

**1. Ordinance Amending Water and Sewer Rate Definition.**

Finance Director Dexter explained this takes away the requirement from first to first of month meter reading period.

Councilor Lashua moved and Councilor Weiser seconded to approve/adopt Ordinance #1809. Passed unanimously.

**2. Ordinance Prohibiting and/or Forfeiting Utility Connections for Unoccupied Properties.**

City Attorney Allendoerfer explained that this would prevent hook-ups to vacant properties where people are afraid of a water moratorium and put in meters on vacant property.

Councilor Baxter expressed a concern about vacant lots without water and the dry grass fire hazard that might develop.

City Attorney Allendoerfer suggested that the grass might be simply cut because the concern is for vested rights and a vacant property owner hoarding water rights by virtue of the meter put in.

Councilor Lashua noted that in eastern Washington hoarding water is a serious problem and he added that Marysville does not need this same problem.

City Attorney Allendoerfer offered to put in a sunset clause (once Everett water goes in). He pointed out that paragraph B is a "use it or lose it" clause for a 2" or greater water line, eg. Reinell who didn't use their lines for 3 years. This paragraph limits the rights to 12 months without a new connection fee, he said.

City Planner Corcoran asked if this would be 12 months from the date of the approval of the ordinance and City Attorney Allendoerfer responded in the affirmative.

There was discussion about the many old (obsolete) ordinances and resolutions on the books at this point.

Councilor Wright moved and Councilor Baxter seconded to approve/adopt Ordinance 1810 prohibiting and/or forfeiting utility connections for unoccupied properties until such time as the Everett water comes to Marysville. The motion passed with Councilors Weiser and Pedersen opposed.

**4. Ordinance Levying Annual Property Taxes for the Year 1991.**

After it was noted that there were two typos: Under Section 1, \$1,518,750,000 should be \$1,518,750 and under Section 3, 1990 should be 1991, Councilor Weiser moved and Councilor Wright seconded to approve/adopt Ordinance 1811. Passed unanimously.

STAFF'S BUSINESS:

City Administrator Sanden stated revised estimates for carpet and interior paint for City Hall have been received in the amount of \$10-12,000 and it is felt there will be money in the budget either under building maintenance or professional services, depending on the desires of City Council as to which fund it should come out of.

Councilor Weiser asked how this would affect the carryover and Finance Director Dexter explained it will affect the actual carryover but not the budget.

Councilor Baxter expressed a concern that interior work would be done before the roof is fixed and its leaking may just defeat the whole thing.

City Administrator Sanden explained that the roof is in the 1991 budget (for patching the roof) and she is just looking for some immediate paint and carpet needs to improve the employees' comfort zone. She added that a new roof would cost about \$50,000 whereas the preliminary estimate for the patching job was only \$4,000.

There were more comments regarding flood insurance and getting the roof fixed before the interior.

Finance Director Dexter said they expect to have the Preliminary Budget by Wednesday evening and he said he would encourage Council to look very critically at it and see if they can find \$50,000 for a new roof for City Hall, other than having to use money from the reserve fund.

Councilor Weiser asked if the \$50,000 included a new heating system and City Administrator Sanden said no, a new heating system would be an additional \$15,000.

Councilor Lashua asked if a design was drawn up and City Administrator Sanden said it was based on a new metal pitched roof--it was a quote/estimate from the architects with no formal plan. She said she would check further on that, however. She then reminded Council that the next meeting will be 11/13 (Tuesday) because of Veterans Day on Monday, 11/12/90. Also, she reported on the Cruising Task Force, stating that the students were to have come back with ideas/recommendations but they haven't as yet. She said there are some alternatives/meeting ideas in the works. She reported that one of the boys involved was stopped for doing fish tails in a parking lot last weekend and got another ticket.

CALL ON COUNCILMEMBERS:

Councilor Weiser mentioned that the striping on 4th St. is eliminating a couple of parking places and Public Works Director Zabell said he would look into this.

Councilor Weiser asked about the traffic plan and speed plan on 64th from the State and Public Works Director Zabell said he would follow up on this.

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Councilor Weiser asked about the three sewer/BOD violators and Public Works Director Zabell reported that the feather company and egg are both working on improvement and/or a water recycling plan but with no specific date that this will be completed. City Administrator Sanden said she would follow up on this.

Councilor Baxter reported on the recent Joint Fire District meeting and said it was a good meeting. He said next meeting they will be working further on sensitive areas. He asked about State clean up on 4th St. and Public Works Director Zabell said he would get an update for next meeting on this.

Councilor Baxter reported there will be another water meeting on Wednesday. City Administrator Sanden proposed using Bob Ovenell as a negotiator on behalf of the City of Marysville.

Councilor Baxter moved to approve the hiring and expense of Bob Ovenell as a water negotiator, as proposed by the City Administrator. Councilor Weiser seconded and the motion passed unanimously.

Councilor Pedersen questioned the City Christmas Party being in Arlington and there was discussion about the location being reasonable in cost, the size of the facility, etc. having been considered.

Councilor Wright reminded everyone to vote tomorrow.

Councilor Cundiff asked about the City being liable if a City sign falls down or otherwise lands on and damages private property. It was determined that the City would not be liable. He asked about staff's position on City Hall.

City Administrator Sanden stated it appears to staff that it will be a period of time before any kind of relocation.

Councilor Lashua noted the typo with regards to the operation expenses contained in the property tax levy ordinance wording. He reported that he had a good vacation. He asked about the lack of meter reading at his property at 1528 9th St. and Public Works Director Zabell said he would check into the matter.

Jim Brennick then arrived in Council Chambers, having just come from the Marysville School District Board meeting (10:40 p.m.). He invited the Council to the upcoming Marysville Rotary 6th Annual Auction to be held 11/17/90 at the Everett Golf & Country Club. He noted that the Rotary has returned at least \$125,000 back into the community in the last six years and he gave recognition to fellow Marysville Rotary members and City employees--Carolyn Sanden, Bob Dyer and Mike Corcoran. He added that the Rotary just recently approved a basketball court to be put in at the park at 64th & 67th, also.

ADJOURNMENT INTO EXECUTIVE SESSION: 10:45 p.m.

1. Personnel.
2. Real Estate.
3. Pending Litigation.

RECONVENE AND ADJOURN: Approx. 11:45 p.m.

Accepted this 13 day of November, 1990.

Lita Matheny  
 MAYOR

Phillip E. Dyster  
 CITY CLERK

Nanda A. Iverson  
 RECORDING SECRETARY