

**MINUTES OF THE
MIDWAY CITY COUNCIL
(Regular Meeting)**

**Tuesday, 17 December 2019, 6:00 p.m.
Midway Community Center, City Council Chambers
160 West Main Street, Midway, Utah**

Note: Notices/agendas were posted at 7-Eleven, Ridley's Express, the United States Post Office, the Midway City Office Building, and the Midway Community Center. Notices/agendas were provided to the City Council, City Engineer, City Attorney, Planning Director, Public Works Assistant Crew Chief, and The Wasatch Wave. The public notice/agenda was published on the Utah State Public Notice Website and the City's website. A copy of the public notice/agenda is contained in the supplemental file.

1. Call to Order; Pledge of Allegiance; Prayer and/or Inspirational Message

Mayor Johnson called the meeting to order at 6:00 p.m.

Members Present:

Celeste Johnson, Mayor
Jeff Drury, Council Member (Participated Electronically)
Lisa Orme, Council Member
Bob Probst, Council Member
JC Simonsen, Council Member
Ken Van Wagoner, Council Member (Participated Electronically)

Staff Present:

Corbin Gordon, Attorney
Michael Henke, Planning Director
Wes Johnson, Engineer
Brad Wilson, Recorder/Financial Officer

Note: A copy of the meeting roll is contained in the supplemental file.

Mayor Johnson led the Council and meeting attendees in the pledge of allegiance. She offered condolences to Council Member Probst whose father had passed away. She noted that Gene Probst had served on the Midway City Council and was a Midway mayor for three terms.

2. Consent Calendar

- a. Agenda for the 17 December 2019 City Council Regular Meeting
- b. Warrants
- c. Minutes of the 3 December 2019 City Council Regular Meeting
- d. Minutes of the 3 December 2019 City Council Closed Meeting
- e. One-year extension of final approval for the LaBarge Subdivision located at 922 North Pine Canyon Road

- f. Release the construction bond, minus 10% and any amount for landscaping, and begin the one-year warranty period for the Indian Summer Subdivision located at 200 North and 400 East

Note: Copies of items 2a, 2b, 2c, 2e, and 2f are contained in the supplemental file.

Motion: Council Member Probst moved to approve the consent calendar as presented.

Second: Council Member Simonsen seconded the motion.

Discussion: None

Vote: The motion was approved with the Council voting as follows:

Council Member Drury	Aye
Council Member Orme	Aye
Council Member Probst	Aye
Council Member Simonsen	Aye
Council Member Van Wagoner	Aye

3. Public Comment – Comments were taken for items not on the agenda.

Mayor Johnson asked if there were any comments from the public for items not on the agenda. No comments were offered.

4. Department Reports

HVRR / North Pole Express

Mayor Johnson reported that the North Pole Express, operated by the Heber Valley Railroad, was sold out.

Swiss Days / Regulations

Council Member Drury reported that the City would review proposed regulations, that effected Swiss Days, with the Midway Boosters.

Ice Rink / Chiller

Council Member Drury reported that the chiller for the City's ice rink had been repaired and the facility was now open.

5. Rocky Mountain Power / Conditional Use Permit for Transmission Line (City Planner –

Approximately 2 hours) – Discuss and possibly approve a conditional use permit for Rocky Mountain Power to improve a transmission line along 970 South, Stringtown Road and Wards Lane.

Mayor Johnson explained that the item had not been noticed for public comment. She said that the City Council would ask questions and discuss the proposal.

Michael Henke gave a presentation regarding the conditional use permit (CUP) and reviewed the following items:

- Proposed route of the transmission line
- Methodology of the recent survey regarding burying the line
- Survey results

Mr. Henke also made the following comments:

- He met with Wasatch County regarding the CUP that it granted for the transmission line and options to alter it.
- The County wanted to see the results of the survey and get direction from the Council before it made a decision.

Note: A copy of Mr. Henke’s presentation is contained in the supplemental file.

Brad Wilson read the script and questions that were part of the survey. Mayor Johnson indicated that the response options were alternated with each call.

Corbin Gordon explained that the Mayor had Gary Sackett, with Jones Waldo and who had experience before the State’s facilities review board, respond in writing to several questions. Mr. Gordon read the following sections of the response:

Can the Board impose costs for “delay” that are solely caused by Midway City’s exercising its right to appear before it?

No. There are no provisions in the Act that give the Board any such authority to award “damages” to RMP (and there is no case that addresses this point). “Excess costs,” as used in the Act, involve only facility costs that would be incurred by the utility in connection with a project. The Act does not give the Board any authority to assess “delay costs.”

Is there a way to go to the Board and ask for additional time to raise the money to bury...?

The Act does not provide the Board with any authority to vary or expand the timetable of the process. Further, a petition solely to seek a delay appears not to be an issue that is covered by the Act. That is, in order to get the Board to exercise its jurisdiction, the City would have to first file a petition under one of the provisions of § 54-14-303(1)(b). It might be possible to describe a request for delay as a dispute that falls under subsection 303(1)(b)(ii), although that would be a stretch.

How much input do we have with the Board vs. RMP?

The respondent will have a full opportunity to prepare a response to an RMP request, including the presentation of witnesses and exhibits—in the same way as any administrative adjudicative proceeding.

Even though the law requires a hearing within 120 days, it appears the Board can move faster. What is the shortest time frame you have seen from referral to the Board and the Board's holding a hearing?

The Act provides 50 days to schedule an initial hearing and a hearing on the merits within 60 days after the initial hearing—110 days total. In the Wasatch County case referenced below, the scheduling hearing was held 15 days after the RMP filing, and the hearing began 33 days after the filing.

...in the Tooele case. The Board scheduled the initial hearing 15 days after RMP filed; it could have taken 50 days. The hearing was held 21 days after the scheduling conference; it could have taken up to 60 days. The Board decision ordering the issuance of a CUP was 40 days after the hearing was closed; it could have been as long as 75 days. Thus, a maximum of about six months was compressed to about 4½ months.

Do you know of any case where RMP was compelled to pay to bury a transmission line?

There are no Board decisions that required RMP to bury a high-voltage transmission line.

Council Member Simonsen made the following comments:

- Quoted a section of the Utah State Code which allowed a local government to request competitive bids if it issued a CUP for a transmission line.
- The City needed to know the actual cost to bury the line and competitive bids was the best way to do that.

Council Member Simonsen asked if any council members wanted to wait until January to decide on the CUP. No council members wanted to wait.

Council Member Simonsen read a motion that he had prepared regarding the CUP.

Note: A copy of the proposed motion is contained in the supplemental file.

The Council and staff discussed the following items and changes to the motion:

- The City should not be between the landowners and the CUP applicants when they negotiated easements.
- The cost of the easements, for those willing to participate, should be deducted from the burying costs.
- Severance costs were included in the standard cost for the project. The easement cost,

that property owners were willing to donate, should be subtracted from the standard cost.

- Private money as it was raised should not be donated directly to the City.
- The value of the easements could not be determined at that time. The value submitted by the applicants was in dispute.
- The line should not be buried if the cost would be over a certain amount. An agreement to pay for burying the line would not be signed with Heber Light & Power Company (HL&P) if the Council felt the cost was too high.
- A minimal acceptable distance of 350 feet from Hwy 113 should be established for the dip poles. It would be more difficult if the dip poles were in the fish hatchery which was state property.
- The Wasatch County Planning Commission was the County's land use authority for transmission line CUPs.
- HL&P customers not the applicants would pay the cost for burying the distribution lines.
- The City Council should approve the final costs for the project when they were determined.
- VOLT or other private organizations should raise the money for the entire project if HL&P did not approve loaning the City the needed funds.
- The City should not compel anyone to donate the money they received for an easement.

Motion: Council Member Simonsen moved that Midway City hereby approves, with the following conditions, the CUP for proposed construction of new transmission lines to carry power coming through Midway from roughly the direction of Heber City and ending at the substation near the Cemetery off 500 S. Furthermore,

We accept the staff report.

We accept the following findings:

- The proposal is an administrative review.
- The proposed use is a conditional use, and the city may impose reasonable conditions to mitigate identified negative impacts.
- The proposal will create a second point of power access that will benefit residents of the entire valley.
- The proposal will allow more power to enter the valley that will benefit the entire valley and meet present and future community needs.
- The proposal benefits neighboring areas and the entire power grid by providing more connectivity and redundancy to support better function of the system as a whole.
- It is known that strong EMF signals (electromagnetic fields) are emitted by all energized conductors, including underground and overhead power lines. These fields can induce a current in other disconnected nearby conductors and therefore can have negative effects on some electronic devices. Of particular concern to the city are devices that are used for personal health purposes, such as cochlear implants. Whereas the city is aware of residents within the service area that rely on such devices it is of concern to the city to mitigate any potential negative impacts related to these devices. It has come to the attention of the city that there is a technology (GIL) that could help mitigate this impact, and the city desires this to be considered as well as any other applicable technologies of which we may be unaware.
- The Midway City General Plan contains many statements that establish objectives related to the preservation of open space, our rural atmosphere, and the beauty of our

entry corridors. Our general plan also encourages our local economy to embrace and support our assets as a “resort” city. By definition and extension, careful management of these assets is a key factor in securing our city’s financial future and our sales tax base. We find that overhead power lines raise concerns related to these items that require us to carefully consider how to mitigate visual impacts related to this proposal.

Whereas the city has conducted an independent randomized poll that has found approximately 70% of respondents are in favor of burying these power lines within the city limits, the preferred method of construction is underground. Midway City intends that the lines will be buried with the following conditions:

- *Recognizing that the city is required by law to pay the difference between the cost of overhead lines and the cost of underground lines (in State Code referred to as “excess costs”), and also recognizing that the City Council has a fiduciary duty to manage financial interests of the citizens appropriately, and with reference to Utah State Code 54-14-203, we do not accept the estimated costs provided by the applicant as sufficient information upon which to base funding decisions. Furthermore, we require the applicant to provide 3 actual competitive construction bids, prepared by qualified, bonded, and insured 3rd party entities, in accordance with standard city policy, to establish the actual cost of this construction. These bids must be submitted to Midway City no later than Feb 15, 2020. Failure to deliver these bids on time will cause the city to be unable to fulfill its fiduciary duty to the citizens of Midway by no fault of its own. To be clear: If these bids are not submitted by the applicant, it does not cause the construction to revert to overhead. It is the obligation of the applicant to provide this information in a timely manner and therefore the reasonable remedy for lateness of this information is to adjust any other deadlines by an amount equal to the lateness of this information.*
- *The bids provided by the applicant will include the **base cost** of burying the line from Center Street to the end of Wards lane, using current standard materials and practices. The **costs of the dip poles at each end** must be itemized. In addition, the bids must include the following itemized additional options:*
 - *Continuing underground from Wards Lane to the substation (**Additional end of line cost**) and*
 - *upgrading components (IE “rack”, etc) inside the substation to accommodate raising the underground line (**Substation Option 1**)*
 - *placing dip poles immediately outside the substation to raise the line outside the substation (**Substation Option 2**)*
 - *Going underground immediately west of the Fish Hatchery, at least 350’ or greater from Center Street/ HWY 113 (**Additional Entry Cost**)*
 - *An itemized option to use GIL (Gas Insulated Lines) as the transmission line conductor that will be buried. (**Alternative Conductor Option**)**Using the cost information the bids will provide, Midway City will then choose the options that meet our needs in terms of cost and function.*
- *Whereas private citizens (represented by the organization known as VOLT) have recognized an underground transmission line project that must be paid by citizens presents a significant financial burden on the citizens of Midway, and have stated they want to help mitigate this burden, and whereas the City Council is significantly concerned about the citizen impact of the full cost of underground construction, the city hereby requires that in order to proceed with underground construction a minimum of 1.5 Million US dollars in “donation” funds must be presented to the city in the form of contractual authorization to use these funds for the purpose of the burial of transmission lines, from an escrow bank account serviced by a qualified escrow service. If VOLT is able to raise more than \$1.5M and the underground project costs exceed \$1.5M, the City*

is delighted to accept more help from VOLT. If the final cost of the construction is less than \$1.5M, any excess donations will be retained by the donating entity (IE "VOLT"). It is up to VOLT to return the amount to the rightful owners. We officially express our deep gratitude to the VOLT organization for their hard work and dedication in the service of our town in potentially making actual private funds available.

- *Midway City must secure sufficient funds to cover the cost of construction. If financing is needed then the board of HLP must approve the issuance of bonds sufficient to cover the remaining final cost of construction, as determined by the bids, and after adjusting for the "base" cost of overhead and any other adjustments. Midway City will also work with the HLP board to determine the best mechanism for the bonds to be repaid (IE per-meter charge, per Kwh charge, etc), considering also that the bond issuer may have requirements. Furthermore Midway City Council may, at its discretion, enter into a contract with HL&P that establishes that these funds are to be used by the City to pay for the underground construction costs related to the new construction in Midway, including costs related to any small portions that extend slightly but contiguously out of city limits as part of completing this project.*
- *The appropriate Wasatch County Land Use Authority must approve a change in the plan for construction of the portion of the line that is within County jurisdiction and under the existing county CUP that will allow the dip poles (as needed for transition from overhead to underground) near HWY 113 to be moved to a location that is acceptable to the City Council. As guidance for this process, at this time the Council envisions a location near the Fish Hatchery, but we are open to discussion of the best alternatives that will achieve our goals of mitigating visual impacts near to our entry corridor.*
- *Prior to construction, the applicant will submit "visual mitigation" landscaping plans and simulations, that show a reasonable use of vegetation following national standards to mitigate the visual impact of any large diameter (> 24" at ground level) dip poles that are used. The intent is to obscure the base of the poles as much as possible with vegetation, while following accepted industry overhead line construction standards and accommodating safety and access requirements.*
- *The Midway City attorney will conduct a thorough review of this motion and the related requirements, with the intent of ensuring the city is acting in good faith and following all applicable laws regarding use of City funds and the issuance of a CUP.*
- *As applicable to underground construction, the route followed will be the Alternate Route "B", allowing for possible future full width construction of 970 S should that ever come to pass.*
- *Whereas many private citizens have expressed in written form submitted by VOLT that they would donate the value of their easements to reduce the cost burden borne by the City, these amounts will be subtracted from the underground cost the City will pay.*
- *All distribution lines along the route shall also be buried at the cost of HL&P.*
- *HL&P shall install at its own cost conduit sufficient to allow communication lines to also be placed underground.*
- *The applicant will obtain all necessary property rights and easements prior to the commencement of construction.*
- *The applicant shall contact all property owners whose properties are directly affected by changes to the line(s) prior to beginning construction.*
- *In the event a final determination is made by a court with jurisdiction that any existing property rights are not sufficient for the project, the applicant will acquire legally sufficient property rights for the project, which may include negotiated agreements with the property owners or the use of eminent domain. As a part of this process and in accordance with Utah law, the applicant will pay compensation for the properties either as negotiated with the property owner or determined by the court.*

- *Once construction is finished on the underground line, the actual costs will be trued-up and either the applicant shall refund the over-payment to the City, or the City shall pay the difference to the applicant.*
- *The City will pay the difference between the standard cost (which includes engineering cost, the cost to install the line, all easement costs, all severance damages that RMP would have been required to pay had the line gone above ground) and the actual cost of the buried line.*

With regard to an underground project, we add the following additional findings:

- Midway City conducted an independent randomized poll and it was reported that 70.1% of respondents expressed willingness to bear the cost burden of burying the line.
- The City is relying on representations made by property owners along the line route that they will donate the amounts paid for easements and severance damages to the City in order to reduce the cost of burying the lines.
- The City is relying on representations made by the "VOLT" group that they can raise a substantial amount of money to help pay for an underground project.

If the **applicant has met all of the city's request's** given in this motion in a timely manner, but the city has not been able to secure ALL of the following 3 items:

a) sufficient funding to pay for the project either through private donations or a vote by the HLP board to approve a sufficient issuance of bonds to make up the difference, and reasonable assurance that related bond funds will be obtainable and usable by the City for this purpose

AND

b) the required minimum in "donation" fund dollars

AND

c) a vote by the Wasatch County Council to approve a location for the dip poles that would otherwise be alongside HWY 113 that is acceptable to the Midway City Council

... by March 1, 2020, then the applicant may proceed with overhead construction with the following conditions:

- The route followed will be the "Alternate Route B", allowing for possible future full width construction of 970 S should that ever come to pass.
- *All distribution lines along the route shall also be buried at the cost of HL&P.*
- *HL&P shall install at its own cost conduit sufficient to allow communication lines to also be placed underground.*
- The applicant will obtain all necessary property rights and easements prior to the commencement of construction.
- The applicant shall contact all property owners whose properties are directly affected by changes to the line(s) prior to beginning construction.
- In the event a final determination is made by a court with jurisdiction that any existing property rights are not sufficient for the project, the applicant will acquire legally sufficient property rights for the project, which may include negotiated agreements with the property owners or the use of eminent domain. As a part of this process and in

accordance with Utah law, the applicant will pay compensation for the properties either as negotiated with the property owner or determined by the court.

- The applicant will use the taller poles, with fewer poles and longer spans.
- The applicant will use the minimum possible diameter of poles in all locations. The applicant will use wood tangent poles wherever possible, and the applicant will work with property owners and the city in considering guyed structures versus large diameter structures as a possible construction method at “corners”. The Midway City Council will ultimately decide which option is best, while complying with all applicable laws and construction standards.
- Where metal poles are used, the applicant will use the self weathering rust colored steel poles.
- Prior to construction, the applicant will submit “visual mitigation” simulations, that show a reasonable use of vegetation following national standards to mitigate the visual impact of any large diameter (> 24” at ground level) poles that are used. The intent is to obscure the base of the poles as much as possible with vegetation, while following accepted industry overhead line construction standards and accommodating safety and access requirements.
- While following national construction standards, in order to mitigate the possible negative affects of EMF on personal health electronic devices that may be used by nearby residents (such as unwanted noises caused in cochlear implants for example) the applicant will make a reasonable attempt at minimizing EMF emissions near overhead lines as measured on the ground underneath the line by using the most current available technologies for such purpose.
- The transmission lines used shall be non-specular or low-reflective so as to reduce visual impact.
- In general the applicant shall mitigate the visual impacts of the construction to the maximum extent possible while following all relevant safety and construction standards.

Second: Council Member Van Wagoner seconded the motion.

Discussion: None

Vote: The motion was approved with the Council voting as follows:

Council Member Drury	Aye
Council Member Orme	Aye
Council Member Probst	Aye
Council Member Simonsen	Aye
Council Member Van Wagoner	Aye

- 6. Ordinance 2019-13 / Off-Street Parking and Loading** (City Planner – Approximately 30 minutes) – Discuss and possibly adopt Ordinance 2019-13 amending Section 16.13.39(A)(11) (Off-Street Parking and Loading) of the Midway City Municipal Code. Recommended for approval by the Midway City Planning Commission. **Public Hearing**

Michael Henke gave a presentation regarding the proposal and reviewed the following items:

- History of the parking issue
- Recent changes to parking requirements in the Municipal Code
- Parking for outside dining

- Examples of outside dining codes from other municipalities
- Parking analysis for three current restaurants

Mr. Henke also made the following comments:

- The Council asked him to consider parking requirements for outside dining.
- The current municipal code allowed for off-site parking but only at a parking area controlled by the City.
- A business would only have to comply with new parking regulations when the use changed.

Note: A copy of Mr. Henke's presentation is contained in the supplemental file.

The Council, staff and meeting attendees discussed the following items:

- Some restaurants like Café Galleria had more outdoor than indoor seating.
- There was no requirement for more parking because of outdoor seating.
- Parking space requirements were recently increased. There should be a balance to avoid discouraging new restaurants.
- Outside seating was seasonal.
- Should qualifying off-site parking be expanded beyond lots controlled by the City?

Public Hearing

Mayor Johnson opened the hearing and asked if there were any comments from the public.

Kevin Payne

Mr. Payne made the following comments:

- Was speaking as a resident and not as a member of the Planning Commission.
- The required amount of parking was recently increased by 66%.
- Unintended consequences should be avoided.
- Each restaurant was unique.
- A lot of the parking problem was drivers wanting to park as close as possible to restaurants.
- There could be a parking structure across Main Street from the Midway Mercantile and there would still be a parking problem.
- Increased parking requirements would prevent other restaurants.
- There was a transition area with commercial and older homes.
- A threshold could be set to consider additional parking for a restaurant.
- Main Street should be reviewed to determine where to put parking.

Steve Dougherty

Mr. Dougherty made the following comments:

- Had represented a lot of restaurants that had outdoor dining.
- The City should respect residential properties but enable businesses. This was not done by tweaking the Municipal Code but by finding the real problem.
- People needed to be educated regarding parking to help solve any problem.
- A parking ombudsman could help businesses find parking.
- Main Street should not be a UDOT road.
- Any solutions would be multifaceted.
- There should not be barriers in the Municipal Code.
- Potential business owners avoided cities based on their codes.
- Businesses could enter into reciprocating parking agreements.
- Having commercial parking as a CUP allowed flexibility.

Mayor Johnson closed the hearing when no further public comment was offered.

The Council, staff and meeting attendees discussed the following items:

- There was no incentive for businesses to obtain additional parking because the City's parking requirements were low and not enforced. Private landowners were trying to enforce the requirements.
- The current code allowed cross-parking agreements.
- More parking, which was visible from Main Street, diminished the look and feel of Midway.
- Part of the solution was directing drivers to the right locations.
- The parking code for Westminster, CA should be applied to the three restaurants used as examples by Mr. Henke.
- A packet could be given to potential business owners with requirements and resources for parking.
- Had any potential businesses gone away because of the recent change to the parking requirements?
- The City should not be heavy handed.

Motion: Council Member Simonsen moved to continue the item, until the next meeting, so that Mr. Henke could present more examples of how to address parking before it became a significant problem without being too restrictive.

Second: Council Member Probst seconded the motion.

Discussion: Council Member Probst thought that Mr. Payne and Mr. Dougherty had some good ideas and more time was needed to consider the issue.

Vote: The motion was approved with the Council voting as follows:

Council Member Drury	Aye
Council Member Orme	Aye
Council Member Probst	Aye
Council Member Simonsen	Aye
Council Member Van Wagoner	Aye

7. **Resolution 2019-30 / Renting and Scheduling City Facilities** (City Mayor - Approximately 60 minutes) – Discuss Resolution 2019-30 amending the Midway City Policies and Procedures regarding the renting and scheduling of city facilities.

Mayor Johnson indicated that the resolution was not ready for consideration.

8. **Phone System / Contract** (City Recorder – Approximately 20 minutes) – Discuss and possibly approve a contract to replace or repair the phone system for the Midway City Office Building.

Council Member Drury recused himself from consideration of the item because he made the introduction between one of the bidders and the City.

Note: Council Member Drury temporarily discontinued participating at 8:45 p.m.

Brad Wilson gave a presentation on the phone system bids. He recommended that upgrading the City's infrastructure for the internet no longer be a consideration. He found no reason to not recommend Jive, which was the low bidder, and indicated that the bid included all the features requested by staff.

Council Member Simonsen expressed concern with the cost for the City's current internet access. Mr. Wilson said that he would again discuss the cost with the provider to determine why it was so high. Council Member Simonsen recommended researching other internet providers.

Council Member Orme and Council Member Simonsen noted that many phone systems were now internet based.

Motion: Council Member Simonsen moved to approve a contract for the Jive system with the following findings:

- Jive was the low bidder.
- Its bid was reviewed and recommended by the City Recorder.
- The bid met all the City's needs.
- There would be no long-term contract
- The current phone lines could be discontinued which would save money.

Second: Council Member Orme seconded the motion.

Discussion: None

Vote: The motion was approved with the Council voting as follows:

Council Member Drury	Recused
Council Member Orme	Aye
Council Member Probst	Aye
Council Member Simonsen	Aye

Motion: Without objection, Mayor Johnson recessed the meeting at 8:45 p.m. She reconvened the meeting at 8:56 p.m.

Note: Council Member Drury continued participating at 8:56 p.m.

9. Parking / Main Street (Mayor Johnson – Approximately 30 minutes) – Discuss parking along Midway Main Street.

Wes Johnson reported that he and Mayor Johnson would meet with UDOT in January to discuss several parking items.

Corbin Gordon reported that he would have the owner of the parcel at 70 East Main Street, which would be used for public parking, sign an agreement at the beginning of the year.

10. Gene Probst Family

Council Member Van Wagoner acknowledged Gene Probst, Council Member Probst and their family for their public service. Council Member Probst responded that it had been a highlight to serve on the Council and would be happy to continue helping the City.

11. Closed Meeting to Discuss the Character, Professional Competence, or Physical or Mental Health of an Individual

Motion: Council Member Van Wagoner moved to go into a closed meeting.

Second: Council Member Simonsen seconded the motion.

Discussion: None

Vote: The motion was approved with the Council voting as follows:

Council Member Drury	Aye
Council Member Orme	Aye
Council Member Probst	Aye
Council Member Simonsen	Aye
Council Member Van Wagoner	Aye

Note: Closed meeting minutes are sealed and strictly confidential. Access to such minutes must be obtained through a court of law.

Motion: Council Member Simonsen moved to go out of the closed meeting.

Second: Council Member Probst seconded the motion.

Discussion: None

Vote: The motion was approved with the Council voting as follows:

Council Member Drury	Aye
Council Member Orme	Aye
Council Member Probst	Aye
Council Member Simonsen	Aye
Council Member Van Wagoner	Aye

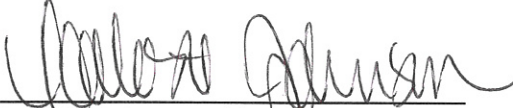
12. Christmas and New Year's Eves / Holiday

Council Member Van Wagoner explained that city employees had usually been given at least half a day off with pay on Christmas and New Year's eves. Mayor Johnson responded that she would take care of the issue.

13. Adjournment

Motion: Council Member Van Wagoner moved to adjourn the meeting. Council Member Probst seconded the motion. The motion passed unanimously.

The meeting was adjourned at 9:18 p.m.



Celeste Johnson, Mayor



Brad Wilson, Recorder