

Barnesville City Council
Regular Meeting
January 8, 2007

Mayor Ken Bauer called this regular meeting to order at 7:00 p.m. Present were Mayor Bauer and Council members Roger Cooper, Larry Davis, Jr., Del Ellefson, Chad Hagen, Kim Simonsen, and Merlin Strom. Also in attendance were City Clerk Jeri Reep, City Attorney John Shockley, EDA Director Karen Lauer, Police Chief Dean Ernst, Public Works Supt. Dave Riddering, Ambulance Manager Ginny Jacobson, Gary Giltner with People Service, TEC Coordinator Guy Swenson, Mary Soma with Ulteig Engineers, and Pam Aakre with the Record Review.

City Clerk Jeri Reep took roll call. Mayor Bauer stated the first item on the agenda was the pledge of allegiance. All rose to recite the pledge of allegiance.

Mayor Bauer asked if there were any additions to the agenda. City Clerk Jeri Reep informed council members that the vacuum cleaner purchase will be used for the Administration cleaning. City Clerk Jeri Reep stated the starting salary for Janitorial services for Kari Fankhanel will be at \$7.00 per hour for the Liquor Store.

1.8.7.1 Motion by Mr. Ellefson and second by Mr. Strom to approve the consent agenda and regular agenda as presented. Motion carried. The following items were included in the consent agenda:

1. Approval of the minutes of the regular council meeting held on December 11, 2006.
2. Department Head Reports
3. Finance Report-Approval of check numbers 60222-60380 in the amount of \$1,008,509.32 and EFT payments in the amount of \$104,980.44.
4. Approval to hire Kori Krause as Skating Rink Attendant for \$6.15 per hour.
5. Approval to hire Adam Borchert as the full time police officer at \$19.10 per hour.
6. Approval of the MTA Annual dues of \$2460.00.
7. Approval of the MACTA 2007 Annual Membership Dues of \$200.00.
8. Approval of the Regional Ethernet Network meeting in Fergus Falls.
9. Approval of the SAIFI, SAIDI, and CAIDI report
10. Accept Finance Director Joel Haugrud resignation effective January 4, 2007.

11. Approval to hire Amber Votava as part-time Customer Service Representative at \$10.27 per hour.
12. Approval of salary adjustments for Lori Haick, and Jeri Reep to receive an additional \$2.00 per hour and Shana Cihak to receive an additional \$1.75 per hour until the finance officer position is filled.
13. Approval to purchase a vacuum cleaner for the Administration Dept.
14. Approval to appoint Margaret Follingstad as the Planning Commission with her term to expire 2011.
15. Approval to appoint Eric Newell to the EDA Board with his term to expire 2011.

Mayor Bauer stated the next item on the agenda was the board and commission reports. Council member Merlin Strom stated that they just appointed Margaret Follingstad to the Planning and Zoning Commission. Council member Larry Davis, Jr. stated that they are looking for another Park Board Member.

- 1.8.7.2** Motion by Mr. Davis and second by Mr. Ellefson to approve the Board and Commission reports as presented. Motion carried.

Mayor Bauer next asked if there were any citizens present to be heard. There were none.

Mayor Bauer stated the next item on the agenda was the Oath of Office. City Clerk Jeri Reep gave the Oath of Office to Council Member Merlin Strom.

Mayor Bauer stated the next item on the agenda was the 2nd reading of Ordinance 2007-2 an Ordinance revising the electrical rates.

- 1.8.7.3** Motion by Mr. Strom and second by Mr. Ellefson to approve the 2nd reading of Ordinance 2007-2. Councilmember Kim Simonsen wanted to go on record as being concerned about the rates for electricity. Council member Davis stated we are just passing the rate increase onto the customers. Council member Ellefson stated that the City absorbed the rate increase last time, and we need to pass this increase onto the customers. Those voting in favor of were Council members Cooper, Ellefson, Strom, Hagen and Davis. Voting against the rate increase was council member Simonsen. Motion carried.

ORDINANCE 2007-2

AN ORDINANCE REVISING RATES FOR ELECTRICITY

The City Council of the City of Barnesville does hereby ordain as follows:

WHEREAS, Ordinance 2005-11 sets forth rates for electricity for the Barnesville Municipal Power utility and;

WHEREAS, the City Council did previously enact Ordinance 2005-11 and;

WHEREAS, the Telephone/Electric/Cable TV (T.E.C.) Advisory Board for the City has recommended that Section 8 and Section 9 of Ordinance 2005-11 be replaced;

NOW, THEREFORE, Section 8 and Section 9 of Ordinance 2005-11 is hereby replaced as follows:

Section 8 Electric Rate Schedules

A. RATE SCHEDULE #1:

GENERAL SINGLE PHASE service Residential: (RL1 & AR1)

Base Charge \$11.00

Energy Charge \$.068 per kwh

\$.072 per kwh effective February billing 2007

Available to all residential customers.

B. RATE SCHEDULE #2:

GENERAL SINGLE PHASE service Commercial: (RC1 & DI1)

Base Charge \$12.00

Energy Charge \$.075 per kwh

\$.079 per kwh effective February billing 2007

Available to commercial customers for single phase service

C. RATE SCHEDULE #3

GENERAL THREE PHASE SERVICE: (GS6 & DI9)

Base Charge	\$16.00
Energy Charge	\$.075 per kwh
	\$.079 per kwh effective February billing 2007
Demand Charge	
0-35 kw	no charge
over 35 kw	\$8.00/kw

Section 8 C continued

Available to all customers for three phase service only when kwh of energy used is less than 10,000 kwh during any billing period. Available as an alternate to Rate Schedule #4.

D. RATE SCHEDULE #4:

GENERAL THREE PHASE SERVICE: (GS1)

Base Charge	\$15.00
Energy Charge	\$.045 per kwh
	\$.049 per kwh effective February billing 2007
Demand Charge	\$7.00/kw

Available to all customers for three phase service, with less than 15 kw demand measured during any 15 minute interval. This rate will also be available to customers who chose to purchase and install individual demand controllers to limit their demand measured to 15 kw or less during any 15 minute interval, even if these customers have already been placed in the large power rate group. Available as an alternate to Rate Schedule #3.

E. RATE SCHEDULE #5

LARGE POWER THREE PHASE SERVICE (LP1 & DI1)

Base Charge	\$20.00
Demand Charge	
First 50 kw	\$7.00/kw
Excess kw	\$5.20/kw
Energy Charge	
All kwh	\$.044 per kwh
	\$.049 per kwh effective February billing 2007

Available to all customers for three phase service. Billing demand to be the maximum measured during any 15 minute interval during the billing period.

F. RATE SCHEDULE #6

SECURITY LIGHTS: (YL1)

Charge per light \$12.25 per month

Available to all customers for un-metered lights, 200 watts or less, owned, installed and maintained by the customer.

Section 8 continued

G. DEFINITION OF TERMS:

1. Residential Customers: any electric service which includes the primary residence of any person or people.
2. Commercial Customers: any electric service which does not include the primary RESIDENCE of any person or people.
3. Base Charge: Applies to all services where a meter is required to measure energy or demand usage. The base charge does not apply to those meters installed where the only purpose is to measure energy utilized by dual fuel or off peak heating sources.

H. RULES FOR CHOICE OF OPTIONAL RATES

1. Any of the alternate rates available to the customer may be selected. The customer shall have 90 days from the effective date of this ordinance to select the rate he/she wishes to use. Upon selection of a rate alternate, the customer shall be required to use that option for one year.

I. CHARGE TO DELIVER DISCONNECT NOTICES

1. A charge of \$25.00 will be applied to utility accounts when in the process of collecting past due charges for electricity it is necessary to hand carry and post a disconnect notice at the customer premise.
2. This charge will be waived one time per customer account.
3. This charge does not apply to notices delivered by mail.

Section 9 Electric Rate Incentives

A Dual Fuel Services

Dual Fuel Service Rate: \$.0365 per kwh
\$.0405 per kwh effective February billing 2007

This rate is available to all customers with a dual fuel heating system controlled by the city's load management system. To qualify:

1. A heating system must use electricity as its primary source of heat; and
2. The secondary source of heat must be fossil fuel, thermostatically controlled and capable of heating the structure to 68 degrees and maintaining that temperature; and

Section 9A continued

3. The dual fuel load shall be metered separately. Metering may be subtractive or directed metered
4. The customer must make a five year commitment to the program.

B. Dual Fuel Incentive for Existing Buildings

An incentive will be offered for all customers converting to a dual fuel system. All potential dual fuel commercial customers will require prior approval of the T.E.C. Advisory Board or City Council

This incentive will be calculated using the following formula:

number of gallons of fuel used during the previous heating season multiplied by BTU's per gallon (per fuel chart) then multiply by furnace efficiency percentage then divided by 3412 then multiply by dual fuel rate then multiply by 0.39 = Incentive to install dual fuel

Example 1

Fuel oil: _____ gallons x 137,520 x .75 divided by 3412 x appropriate dual fuel rate x .039 = this amount is the incentive.

Example 2

Propane: _____ gallons x 91,600 x .75 divided by 3412 x appropriate dual fuel rate x .039 = this amount is the incentive

An additional \$100.00 incentive will be paid to the contractor selling and promoting, the dual fuel system.

C. Dual Fuel Incentive for New Construction

A \$200.00 one-time payment will be made to the general contractor.

D. Financing for Dual Fuel Installations

All new approved dual fuel heating installations are eligible for a 5 year, 6% annual interest loan of up to \$2,000.00. This loan will be paid back in equal monthly installments on the customer's utility bill. Loans for commercial customers will require prior approval by the T.E.C. Advisory Board or the City Council.

Section 9 continued

E. Off Peak Services

Off Peak Service Rate: \$.0365 per kwh
\$.0405 per kwh effective February billing

2007

This rate is available for electric thermal storage (ETS) space heaters, under concrete slab electric heating systems and electric heated liquid filled under concrete slab heating systems. Off Peak Services must be metered separately and controlled by the city's load management system.

F. Water Heater Incentive Program

All customers shall be eligible for a rebate of \$2.00 per gallon for the installation of a new electric water heater with a storage capacity of at least 50 gallons. This rebate increases to \$3.00 per gallon for new water heaters with a minimum storage capacity of 80 gallons. Water heaters must be controlled by the city's load management. The rebate shall be credited on the customer's utility bill as soon as the following are provided:

1. Proof of purchase and installation of a qualifying water heater; and
2. Verification by electric utility personnel that the load controls have been installed and properly wired.

This incentive is limited to one rebate per address during any 5-year period.

EFFECTIVE DATE: This ordinance shall become effective upon its passage and enactment, followed by publication according to law.

PASSED AND ADOPTED by the Barnesville City Council this 8th day of January, 2007.

APPROVED:

Kenneth J. Bauer
Mayor

Attest:

Jeri L.Reep
City Clerk

Mayor Bauer stated the next item on the agenda was the FOX News Affiliation Agreement Renewal.

TEC Coordinator Guy Swenson informed council members that this is a 5 year agreement. The increase from .40 cents pr sub for 2006, and .65 per sub in 2007 up to .87 per sub in the year 2011.

1.8.7.4 Motion by Mr. Davis and second by Mr. Ellefson to approve TEC Coordinator Guy Swenson to sign and return the FOX News Affiliation Agreement Renewal. Motion carried.

Mayor Bauer stated the next item on the agenda was the T-1 purchase request, for the DSL Bandwidth increase. TEC Coordinator Guy Swenson informed council members that he recommends approving the purchase of two additional T-1 lines to increase our DSL bandwidth speed.

01-08-07-05 Motion by Mr. Davis and second by Mr. Cooper to approve the purchase of two additional T-1 lines for \$1725.20 per month to increase the DSL bandwidth to 6.0 Meg. Motion carried.

Mayor Bauer stated the next item on the agenda was the tree trimming project discussion. TEC Coordinator Guy Swenson informed council members that quotes were received, and Carr's Tree Service was the apparent low bidder for tree trimming.

01-08-07-06 Motion by Mr. Ellefson and second by Mr. Davis to approve the bid from Carr's Tree Service for tree trimming in the amount of \$8970.00, with the funding to be from the excess funds from the pond feeder update account. Motion carried.

Mayor Bauer stated the next item on the agenda was the discussion of the security fence by the Power Plant. TEC Coordinator Guy Swenson informed council members that there has been an increase in wire theft for copper materials. Mr. Swenson was asking approval to fence the area where cooper wiring was stored.

1.8.7.7 Motion by Mr. Ellefson and second by Mr. Simonsen to approve the purchase of fencing material for the Downtown Sub Station in the amount of \$4696.00, funds is to be from the pond feeder project. The fence will be installed in 2007. Motion carried.

Mayor Bauer stated the next item on the agenda was the discussion of the load management controllers. TEC Coordinator Guy Swenson was requesting to purchase an additional 36 load controllers at a cost of \$128.00 per controller. Mr. Swenson informed council that this is a budget item for 2006.

1.8.7.8 Motion by Mr. Ellefson and second by Mr. Simonsen to approve the purchase of 36 load controllers at a cost of \$128.00 per controller, total cost with shipping is \$5005.67. Motion carried.

The next item on the agenda was the Electric budget carry-over request. TEC Coordinator Guy Swenson was asking to carry over \$5,500 from the from the system upgrade fund, and to carry over \$14,500 from the capital equipment fund. The carry-over funds would be used to purchase Sensus AMR meters.

1.8.7.9 Motion by Mr. Simonsen and second by Mr. Strom to approve the carry over request of \$5,500 from the system upgrade account and \$14,500 from the capital improvement fund. The balance of the capital improvement fund of \$14,500 will be used for the purchase of Sensus AMR meters. Motion carried.

Mayor Bauer stated the next item on the agenda was the Visser Scraper Service Pay Request No. 7. Mayor Bauer asked Mr. Marty Soma with Ulteig Engineers the status of the rocks that were at the lagoons. Mr. Soma will report back at the February council meeting.

1.8.7.10 Motion by Mr. Cooper and second by Mr.Ellefson to approve the Partial Payment No. 7 to Visser Scraper Service in the amount of \$202,976.82. Motion carried.

Mayor Bauer stated the next item on the agenda was the Substantial Completion Acceptance for the Main Lift Station, Primary Pond No. 1, Holland Lift Station and Triangle Lift Station. Mr. Soma with Ulteig Engineers recommended to council members to accept the substantial completion acceptance for these projects.

1.8.7.11 Motion by Mr. Cooper and second by Mr. Strom to approve the Certificate of Substantial Completion for the Holland Lift Station, Triangle Lift Station, Primary Pond No. 1 and the Main Lift Station and to authorize staff to sign the acceptance. Motion carried.

Mayor Bauer stated the next item on the agenda was the discussion of the EMT Basic Employee position. Ambulance Manger Ginny Jacobson informed council members that she would like to hire an employee for three days a week, for ten hours a day, at a rate of pay of \$6.15 per hour. This person would not be eligible for on call time, or ambulance run time while working this shift. This employee would assist in the daily operations of the ambulance. Council member Kim Simonsen stated he would like to move forward with this position. Council member Chad Hagen questioned if there was any feedback from the other EMT's. Mrs. Jacobson stated that the department is aware of this position, and has received a favorable feedback from the other EMT's.

1.8.7.12 Motion by Mr. Simonsen and second by Mr. Ellefson to approve this position as an EMT Basic employee, for three days a week, ten hour days at a rate of pay of \$6.15 per hour.

1.8.7.13 Motion by Mr. Simonsen and second by Mr. Ellefson to amend the motion, to hire an EMT Basic Employee, to state that this position is contingent upon the February 8, 2007 council meeting for final approval. Motion carried.

Mayor Bauer stated the next item on the agenda was the 2nd Reading of Ordinance 2007-1, a Zoning Ordinance Enforcement.

1.8.7.14 Motion by Mr. Strom and second by Mr. Ellefson to approve the 2nd reading of Ordinance 2007-1. Motion carried.

ORDINANCE NO. 2007-1 ____

AN ORDINANCE TO AMEND AND REENACT SECTION 11.80 OF THE BARNESVILLE CITY CODE RELATING TO ZONING ADMINISTRATION AND ENFORCEMENT, AND TO AMEND AND REENACT SECTION 11.99 RELATING TO ZONING VIOLATIONS AND PENALTIES.

BE IT ORDAINED by the City Council of the City of Barnesville, as follows:

SECTION 1. Section 11.80 of the Barnesville City Code is hereby amended and reenacted to read as follows:

SEC. 11.80. ADMINISTRATION AND ENFORCEMENT.

Subd. 1. Enforcement by City. This Title shall be administered and enforced by the City. The City may institute in the name of the City of Barnesville any appropriate actions or proceedings against a violator as provided by statute, charter, ordinance, or code.

If the provisions of this Title are being violated, the City shall notify, in writing, the person responsible for such violations, indicating the nature of the violation, and ordering the action necessary to correct it. The City shall order discontinuance of illegal use of land, buildings, or structures; removal of illegal buildings or structures, or of additions, alterations, or structural changes thereto; discontinuance of any illegal work being done; or shall take any other action authorized by this Title to ensure compliance with or to prevent the violation of its provisions.

Subd. 2. Zoning Officer. The City Clerk, or the City Clerk's designee, shall serve as the Zoning Officer and shall be responsible for enforcing this Chapter. In carrying out this general authority, the Zoning Officer shall:

- A. Administer and enforce the provisions of this Chapter in accordance with Subdivision 1 of this Section.
- B. Issue Zoning Certificates.
- C. Maintain permanent and current records pertaining to this Chapter, including, but not limited to, maps, amendments, special uses, variances, appeals, planned unit developments, zoning, changes, and applications thereof.
- D. Receive, file, and forward applications for appeals, variances, special use permits, and other action to the appropriate official bodies.
- E. Provide clerical and technical assistance to the Board of Adjustment.

Subd. 3. Zoning Certificate. Application for a Zoning Certificate shall be accompanied by a plat showing clearly and completely the location, dimensions, and nature of any structure involved and such other information as the Zoning Officer may require for administration of this Chapter, together with a filing fee of \$2.00. A Zoning Certificate shall be obtained before any person may:

- A. Occupy or use any vacant land except for the purpose of agriculture; or
- B. Occupy or use any structure hereafter constructed, reconstructed, moved, or enlarged; or
- C. Change the use of a structure or land to a different use; or
- D. Change a nonconforming use.

Subd. 3. Method of Appeal. ~~Any person or City official aggrieved by any provision of this Chapter or by any decision of the decision of the Zoning Officer may~~

~~appeal to the Board of Adjustment within thirty (30) days by filing a notice of appeal specifying the grounds thereof with the Board of Adjustment.~~

Subd. 4. Appeals and Adjustments. Appeals to the Board of Adjustments may be taken by any person aggrieved by any provision of this Chapter or by any decision of the Barnesville Zoning Officer within thirty (30) days by filing a written notice of appeal specifying the grounds thereof with the Board of Adjustment.

Subd. 5. Authority of Board of Adjustment. The Barnesville Board of Adjustment has the Authority to hear and decide appeals where it is alleged there is an error in any order, requirement, decision, or determination made by any Barnesville City Official in the enforcement of the Barnesville Zoning Ordinances.

Subd. 4 6. Validity of Zoning Certificate. A Zoning Certificate shall remain valid for a period of one (1) year from the date of issue.

SECTION 2. Section 11.99 of the Barnesville City Code is hereby amended and reenacted to read as follows:

SEC. 11.99. VIOLATIONS AND PENALTIES, VIOLATIONS, AND ENFORCEMENT. ~~A violation of this Chapter shall be a petty misdemeanor, punishable by a fine of up to \$200.00. A violation of this Chapter shall be a misdemeanor punishable by up to 90 days in jail and a \$700.00 fine when preceded by two or more convictions under this Chapter within the immediate preceding 12-month period.~~

Subd. 1. Penalty. Any person violating any provision of this Chapter shall, upon conviction, be guilty of a petty misdemeanor, punishable by a fine of up to \$200. Each day such violation continues or occurs constitutes a separate offense and may be prosecuted as such. A violation of this Chapter shall be a misdemeanor punishable by up to 90 days in jail and a \$700 fine when preceded by two or more convictions under this Chapter within the immediate preceding 12-month period.

Subd. 2. Violations. Violations of the provisions of this Chapter shall include, by way of example and not limitation:

A. The owner or tenant of any building, structure, premises, or part thereof, and any architect, builder, contractor, agent, or other person who commits, participates in, assists in, or maintains a violation may each be found guilty of a separate offense and suffer the penalties herein provided of the provisions of this Chapter.

B. Failure to comply with a condition in a conditional use permit shall be a violation of this Chapter. Each day such violation continues or occurs shall constitute a separate offense and may be prosecuted as such.

Subd. 3. Enforcement. Nothing herein contained shall prevent the City from taking any other appropriate actions or proceedings against a violator as provided by law or City ordinance to prevent or remedy the violation or penalize the violator.

SECTION 3. This ordinance shall take effect upon publication in accordance with the Barnesville City Charter.

PASSED by the City Council of the City of Barnesville this 8th day of January, 2007.

APPROVED BY:

Kenneth J. Bauer
Mayor

Attest:

Jeri L. Reep
City Clerk

Mayor Bauer stated the next item on the agenda was the Public Hearing-Preparation and Submission of the 2007 Small Cities Grant Application.

Mayor Bauer opened the Public Hearing at 7:44 p.m. EDA Director Karen Lauer informed council members that all proper notices had been met, and that she had submitted a pre-application in October 2006, and that we now had been invited to submit a full application. Mrs. Lauer stated that we are applying for funds for both commercial rehabilitation and owner occupied rehabilitation. Mrs. Lauer stated that the building owners pay a portion up front for the improvement, and the residential portion of the program is income based. Mrs. Lauer stated that if the City receives this grant, that Mr. Stan Thurlow would administer the grant. There were no other questions for Mrs. Lauer.

Mayor Bauer closed the public hearing at 7:48 p.m.

1.8.7.15 Motion by Mr. Simonsen and second by Mr. Hagen to approve the following resolution of Sponsorship. Motion carried.

**City of Barnesville
Of Clay County, Minnesota
Resolution of Sponsorship**

BE IT RESOLVED that the City of Barnesville act as the legal sponsor for the project contained in the Application to be submitted February 1,2007 and that the Mayor and the City Clerk are hereby authorized to apply to the Department of Employment and Economic Development for funding of this project on behalf of the City of Barnesville, Minnesota,

BE IT FURTHER RESOLVED that the City of Barnesville, Minnesota has the legal authority to apply for financial assistance, and the institutional, managerial and financial capability to ensure adequate construction, operation, maintenance and replacement of the proposed project for its design life,

BE IT FURTHER RESOLVED that the City of Barnesville has not violated any Federal, State or local laws pertaining to fraud, bribery, graft, kickbacks, collusion, conflict of interest or other unlawful or corrupt practice,

BE IT FURTHER RESOLVED that upon approval of its application by the State, the City of Barnesville may enter into an agreement with the State of Minnesota for the approved project, and that the City of Barnesville certifies that it will comply with all applicable laws and regulations as stated in all contract agreements,

NOW THEREFORE BE IT RESVOLVED that the Mayor and the City Clerk, or their successors in office, are hereby authorized to execute such agreements and amendments thereto, as are necessary to implement the project on behalf of the Applicant.

I CERTIFY THAT the above resolution was adopted by the City Council of Barnesville, Minnesota on January 8, 2007.

Signed:

Witnessed:

Kenneth J. Bauer
Mayor

Jeri L. Reep
City Clerk

Mayor Bauer stated the next item on the agenda was the League of MN Cities insurance dividend. City Clerk Jeri Reep informed council members that the 2006 insurance dividend is \$6,759.00.

Mayor Bauer stated the next item on the agenda was the Cris Mortensen case discussion. Mayor Bauer informed council members that there has been a decision on the judgment. Mayor Bauer was relaying information from Mr. Mortensen's attorney, and had two questions for the council. The first is if Mr. Mortensen can display a finished product on the South side of his property. Police Chief Dean Ernst questioned on how many dealer plates Mr. Mortensen has. Mr. Ernst stated that all vehicles should be licensed, and should be displayed inside the finished vehicle.

1.8.7.16 Motion by Mr. Hagen and second by Mr. Simonsen to allow Mr. Cris Mortensen to display a finished product on the South side of his property located at Front Street North with the dealer license to be displayed inside the finished vehicle. Motion carried.

Mayor Bauer stated the next question was if Mr. Cris Mortensen be allowed to store parts, frames, bodies, ect. on the North side of his property. EDA Director Karen Lauer stated that she thinks that Mr. Mortensen owns this property. Council member Roger Cooper questioned if the purpose of this was to have Mr. Mortensen clean up his property.

1.8.7.17 Motion by Mr. Simonsen and second by Mr. Ellefson to not allow Mr. Cris Mortensen to store any parts, frames, bodies, ect. On the property at Front Street North, on the North side of the property. EDA Director Karen Lauer questioned if Mr. Mortensen would install a fence, if it would be allowed then. City Attorney John Schockley recommended to council to stay consistent with the court order. Motion carried.

Mayor Bauer next stated if any council member is interested in attending the 2007 Intergovernmental Retreat and the Avian & Pandemic Influenza Regional Business Symposium to let City Clerk Jeri Reep know.

Mayor Bauer adjourned the meeting at 8:15 p.m.

Submitted by:

Attest:

Jeri L. Reep
City Clerk

Kenneth J. Bauer
Mayor

