

**MINUTES**  
**Troutdale City Council – Regular Meeting**  
**Troutdale City Hall – Council Chambers**  
**104 SE Kibling Avenue**  
**Troutdale, OR 97060-2099**

**June 11, 2002**

**1. PLEDGE OF ALLEGIANCE, ROLL CALL, AGENDA UPDATE**

Mayor Thalhofer called the meeting to order at 7:00pm.

**PRESENT:** Mayor Thalhofer, Councilor Smith, Councilor Thompson, Councilor Kight, Councilor Rabe and Councilor Daoust.

**ABSENT:** Councilor Ripma (excused).

**STAFF:** Galloway, Faith, McCallum, Kvarsten, Allen and Stickney.

**GUESTS:** See Attached List.

Mayor Thalhofer asked are there any agenda updates?

Jim Galloway replied you have at your places an addition to the consent agenda. Item 2.5, a motion for an intergovernmental agreement for mediation services.

**2. CONSENT AGENDA:**

- 2.1 Motion: A Motion authorizing the Mayor and City Administrator to enter into an Intergovernmental Agreement with the City of Gresham for fire and emergency services.**
- 2.2 Motion: A Motion authorizing the Mayor and Chief of Police to enter into an Intergovernmental Agreement with the City of Portland regarding the use and fees of the Portland Police Data System (PPDS).**
- 2.3 Resolution: A Resolution regarding the election of City Council Position with terms expiring at the first regular council meeting in January 2003.**
- 2.4 Resolution: A Resolution authorizing the Mayor to enter into an intergovernmental agreement with Multnomah County to transfer land use planning responsibilities within the Urban Planning Area.**
- 2.5 Motion: A Motion authorizing the Mayor and City Administrator to enter into an Intergovernmental agreement between Gresham, Fairview, Troutdale and Wood Village for mediation services.**

Mayor Thalhofer read the consent agenda.

**MOTION: Councilor Thompson moved to adopt the consent agenda. Seconded by Councilor Kight. Motion passed unanimously.**

**3. PUBLIC COMMENT: Please restrict comments to non-agenda items at this time.**

Mayor Thalhofler asked is there anyone here that would like to speak to us on a non-agenda item?

No public comment received.

**4. PUBLIC HEARING / ORDINANCE (Introduced 5/28/02): An Ordinance rescinding the conditional vacation of a portion of NW Graham Circle and repealing Ordinance No. 629.**

Mayor Thalhofler read the ordinance title and opened the Public Hearing at 7:06pm.

Jim Galloway, Public Works Director, stated back in 1995 the Toyo Tanso Company had some expansion plans. A portion of those plans involved a possible realignment of Graham Circle. They came to the planning commission and received a favorable recommendation from the planning commission that the Council later adopted, which called for the vacation of a portion of that street right-of-way subject to a number of conditions. Those conditions have never been met so we inquired of Toyo Tanso asking if their plans have changed. We received a letter from Toyo Tanso, which is included in your packet, indicating that their plans had changed and they did not intend to go forward with that expansion and that the vacation of the right-of-way was no longer required. We are proposing enacting the ordinance before you, which would repeal the previous ordinance and withdraw that conditional vacation of right-of-way.

Councilor Kight stated I assume that this is a result of the economic decline that we are going through.

Galloway replied I don't know the reason for their actions.

Councilor Kight asked is this reversible if things do change?

Galloway replied not reversible. If they have some other plans in the future and want to re-open this issue they would have to go back through the process again.

Mayor Thalhofler asked is there anyone here that would like to speak to us on this issue?

No public comment received.

Mayor Thalhofler closed the public hearing at 7:09pm.

**MOTION: Councilor Daoust moved to adopt the ordinance rescinding the conditional vacation of a portion of NW Graham Circle and repealing ordinance number 629. Seconded by Councilor Kight.**

**Councilor Daoust stated this is just a common sense ordinance.**

Councilor Kight stated this is a housekeeping issue. It is unfortunate that Toyo Tanso is not able to go forward in making the economic expansion. I think this is just endemic of what is happening within our economic climate not only in Troutdale but throughout the State of Oregon, so that is why I am supporting this.

Councilor Smith stated I think we should do this since they are not going to be using it.

Mayor Thalsofer stated I am also in favor of this. A company like Toyo Tanso knows what they are doing and if this is the direction that they want to go that is fine. They can always start over again if they want to.

**VOTE: Councilor Smith – Yes; Councilor Thompson – Yes; Mayor Thalsofer – Yes; Councilor Kight – Yes; Councilor Rabe – Yes; Councilor Daoust – Yes.**

**Approved by a vote of 6-0.**

**5. PUBLIC HEARING / APPEAL (Continued from 5/28/02): An Appeal of the rear yard setback variance on Lot 12 of Sandy Heights Subdivision.**

Mayor Thalsofer called this item.

Beth McCallum, Senior Planner, stated this is a continuation of the appeal hearing for the rear yard setback granted by the Planning Commission for Lot 12 of the Sandy Heights Subdivision. As you can tell from my transmittal report and the draft findings of fact and final order, I have drafted a recommendation for approval with a reduction in the size of the deck and the amount of the variance and with conditions. I have drafted the findings of fact unique to the facts that came out of the hearing held on May 28<sup>th</sup>, different from the Planning Commission's findings. I would like you to turn to page 3 of Exhibit B-1, which are the draft findings of fact and final order. There is a correction that needs to be made to the numbering, finding of fact #7, I have two letter B's; I am recommending that we change this to B-1 and B-2. The exhibit attached to the draft finding of fact and final order is a drawing showing the scope of the area of the encroachment and the dimensions of the proposed deck. This is a drawing that I prepared based upon what Mr. Hockert provided to me last week.

Mayor Thalsofer asked has there been an agreement reached?

McCallum replied it is my understanding that they have agreed on the drawing.

Marnie Allen, City Attorney, stated before you open the public hearing, since this is a quasi-judicial land use hearing there are certain procedures in state law that we need to announce for the record. The item on the agenda that is being discussed right now is a quasi-judicial land use hearing, so it is governed by procedures that are set forth in state law and they require an announcement of the procedures at the beginning of the hearing. The staff report

that Ms. McCallum has just reviewed has been prepared and was available seven days before the hearing tonight. It identifies the criteria that apply to the applicant's proposal and analyzes those criteria. If you want the Mayor to read those criteria, please let him know. The staff has presented the staff report and we are now at the phase of the process where the Mayor will open the public hearing. The applicant is given the opportunity to present testimony in support of the application. Anyone else who wishes to testify in support of the application will then have an opportunity to speak. Then those who want to testify in opposition will have an opportunity to address the Council. The applicant is then given the right to present any rebuttal to the testimony that is provided in opposition. After all the testimony is presented then the Mayor closes the public hearing and the City Council will deliberate and adopt a decision. If you are going to testify please sign in and be sure to give your name for the record. If you are going to enter any exhibits please identify those for the record. Your testimony and exhibits should address the applicable approval criteria. If you think that there are any criteria that are not addressed in the staff report, you need to raise that in your testimony. The Mayor may reasonably limit any oral presentations depending on time constraints, but any party may submit written testimony if you make a request to the Mayor and Council before the record closes. If the City Council makes a decision tonight that you disagree with, any issue that you want to raise on appeal has to have been raised for the City Council's consideration or you will be precluded from appealing to the Land Use Board of Appeals or Circuit Court on that issue. That summarizes the procedure. If the Mayor or Council has had any ex-parte contacts, bias, or conflicts of interest now would be the time to disclose those.

Mayor Thalhoffer stated I had an ex-parte contact with Mr. Dorrough. I visited the site of his neighbor's house, Mr. Hockert, I disclosed this information at the May 28<sup>th</sup> hearing and I have had no further contact with either party.

Councilor Kight stated I was in the home of the Dorrough's. I disclosed this at the May 28<sup>th</sup> hearing and I have had no further contact.

Mayor Thalhoffer opened the Public Hearing at 7:18pm.

Greg Hockert stated after the May 28<sup>th</sup> meeting the following Sunday I met with Mr. Dorrough at my house on the back deck and we discussed what was talked about at the meeting. I had written down some numbers and put some red marks on the deck that summarized what we had talked about at the meeting. I showed those to Mr. Dorrough and he agreed that those were satisfactory. I drafted a diagram with those dimensions. As far as I know Mr. Dorrough is satisfied with this.

Mayor Thalhoffer asked so you have reached an agreement?

Hockert replied as far as I know.

Councilor Daoust asked the one thing I noticed that was an addition is a deed restriction. It is listed as a condition of approval, were you aware of that?

Hockert replied no.

Councilor Daoust stated the conditions of approval number 1 states that this would be part of a deed restriction for your lot and the intent is to assure that the current owner and all future owners are aware of this variance. Is this something that was discussed?

Hockert replied this was not discussed but I don't have any problems with it.

Mayor Thalhofer asked is there anyone here that would like to speak on behalf of applicant?

No testimony received.

Mayor Thalhofer called on Mr. Dorrough.

Mark Dorrough stated Mr. Hockert and I did meet and a compromise has been reached. I would like to thank the City for hearing this matter and I would like to thank Mr. Hockert for resolving the issue in a fair and neighborly manner.

Mayor Thalhofer asked is there anyone here that would like to speak on behalf of the appellant?

No testimony received.

Mayor Thalhofer asked do you have any rebuttal Mr. Hockert?

Hockert replied no.

Mayor Thalhofer closed the Public Hearing at 7:22pm.

**MOTION: Councilor Daoust moved to adopt the Findings of Fact and Final Order, that is before us as Exhibit B-1, for this Type III Special Variance de novo Hearing on Appeal for Case File 02-012, Hockert, Sandy Heights - Lot 12 Deck Setback Variance. Seconded by Councilor Kight.**

**Councilor Daoust stated at the last hearing we had a lot of questions and a lot of comments went back and forth between all parties. At this hearing we don't have any questions because it was worked out between the two parties. I am very pleased that we have people like this in Troutdale that can work things out between themselves. I couldn't wait to make a motion to approve this. Thank you to both of you.**

**Councilor Kight stated I just want to reiterate what Councilor Daoust said. It is heartwarming to see two neighbors come before us and have a harmonious resolution to a difficult problem.**

**Councilor Thompson stated it is a good resolution. I am pleased with the whole process.**

Mayor Thalsofer stated usually compromises that people work out themselves are better than any governmental agency can order. It really speaks well of both of you gentleman that you were able to do this. I am very pleased with the outcome.

**VOTE: Councilor Smith – Yes; Councilor Thompson – Yes; Mayor Thalsofer – Yes; Councilor Kight – Yes; Councilor Rabe – Yes; Councilor Daoust – Yes.**

**Motion approved by a vote of 6-0.**

#### **6. REQUEST: Request for a refund of the appeal fee.**

Mayor Thalsofer called this item.

Beth McCallum, Senior Planner, stated Dr. Dorrough, who was the appellant in the matter we just heard regarding the deck variance, did request that the city consider refunding their appeal fee, which was \$500.00. Staff is recommending that the refund not be given because we have processed the appeal. We went through our normal procedures for processing the application for the variance and we took the ownership list prepared by the title company at face value, which was provided to us by Mr. Hockert. We processed the appeal through the normal procedures and staff's time and energy has been expended on the preparation of the appeal. Staff is recommending that the appeal fee not be refunded.

Mayor Thalsofer asked could you briefly go through the sequence of events that took place?

McCallum replied the development code for a variance application requires that property owners within 250' of the affected property be notified. The applicants are responsible for providing that list of owners. The ownership list is to be off of the Multnomah County Tax Assessors Rolls. We have allowed that list to be provided through the applicant from a title company, in this instance it was provided by Mr. Hockert through a title companies list. We use that list to notify the affected property owners. Part of the basis for the appeal of the planning commission's decision was that owners had not been notified of that variance application. Evidently the title company's records were not up-to-date and that was unknown to staff and to Mr. Hockert.

Councilor Kight stated I understand why they are trying to get their \$500.00 appeal fee refunded because of improper notification. Wouldn't the proper course of action be to file a claim against the title company? We don't have any responsibility because the wrong person was notified because we went off the information provided by the title company.

McCallum replied my understanding of the development code is that failure to receive notification doesn't nullify an action.

Councilor Kight asked Marnie Allen, what recourse do the folks have in this particular case, they are asking the city to refund the \$500.00. Ultimately isn't that something they should take up with the title company?

Marnie Allen stated if the title company provided inaccurate information about who owned the property on that date, then they may have some recourse with the title company. If the title company provided the name of the owner on the date that the application was filed and after that date the property was transferred to a new owner, then typically the burden falls on the new owner to do due diligence in buying the property to see what pending land use applications are out there that affect the property they are buying. I am not real sure when the title company provided that information and if it was accurate as of the date it was provided or not.

McCallum stated Mr. Steven Yates was the owner of the property at the time the application was filed and he was not notified. He is one of the appellants.

Councilor Kight stated Mr. Yates held legal title to the property at the time of the notification, is that right?

McCallum replied that is what we learned afterwards, yes.

Councilor Kight stated so it would be up to him to file action against the title company, is that correct?

Marnie Allen replied correct.

Councilor Daoust stated we have some language and procedures for mailed notices that refers to the fact that we can take this list that is provided by the title company but is also has language that a good faith attempt could be made by the director to comply with the requirements of the code to notify people if he has reason to believe that there are other folks involved. I just want to make sure that we pursued a good faith attempt or was there reason to?

McCallum replied at the staff level we had no reason to doubt that list.

Mark Dorrrough stated our position on this is that this hearing would have never taken place if the title company had accurate information. The title company should have an up-to-date list. My position could have been stated at the planning commission hearing if we would have been notified. We do understand that the city is not liable for this and it is the title company that provided the incorrect information.

Greg Hockert stated since I was the one that asked Fidelity National for this list, I will do my best to help Mr. Dorrrough with this process.

**MOTION: Councilor Kight moved that the City not refund the \$500.00 appeal fee and that the folks seek redress through the title company. Seconded by Councilor Daoust.**

**Councilor Kight stated I think I would like to blame the title company but I don't have all the information. We don't know when the title was recorded. I think it will be up to these two parties to work this out and talk with Fidelity Title Company.**

**Councilor Daoust stated I was ready to give you your money back but I analyzed the situation a little better. Refunding your money is going under the assumption that you would not of had to appeal the planning commission's decision. I don't know if that is even a good assumption. Even if you were notified and went to the planning commission's hearing and they didn't come up with an answer satisfactory to what you desired, you may have still decided to appeal the decision. There are a lot of things going on here that turned me around and I decided that you could pursue it with the title company.**

**Mayor Thalhofler stated I think this is clearly a case to take up with the title company.**

**Councilor Rabe stated it does seem that the title company might be the one that you would want to pursue.**

**VOTE: Councilor Smith – Yes; Councilor Thompson – Yes; Mayor Thalhofler – Yes; Councilor Kight – Yes; Councilor Rabe – Yes; Councilor Daoust – Yes.**

**Motion approved by a vote of 6-0.**

**7. RESOLUTION: A Resolution authorizing a change in control of a cable franchise held by AT&T Broadband to AT&T Comcast Corporation.**

Mayor Thalhofler called this item.

Norm Thomas stated tonight we are bringing forth a resolution to transfer the control of the current AT&T Cable franchise over to AT&T Comcast. In this process we went through several steps. Among those was a public hearing. We arrived at this recommendation after careful study and public input and lengthy negotiations with cable operators. Our recommendation is not only based on our review process but also on our commitment from the company to certain key positions, including the INET. The INET interconnection was completed on June 5<sup>th</sup>. Without the INET interconnection and operating agreement, the Mt. Hood Cable Regulatory Commission would have been extremely reluctant to send this favorable recommendation to you. With that agreement in hand, however, we believe it is now reasonable for each jurisdiction to consent with total change of control. We are sure that we have done everything possible to the extent of our legal abilities to make certain that your existing franchise will continue without exception. We concluded from the information submitted from the company, the merger should not itself adversely affect finances of the franchises or management operation of the local system or compliance with the terms of your franchises. We held a televised public hearing on April 29<sup>th</sup> and received a lot of valuable input from the public and interested parties. As a result of this input we were able to address a number of critical issues separately. We did this through separate letters of agreement with



the company and a separate commission resolution, which we laid out specific action plans and direction to our staff with follow-up on almost all of the significant issues that arose through the process. Although the commission and the cable company do not completely agree on all items and whether each issue that came up should be addressed in the consent process, we worked hard to address all the major issues that arose. In doing this we have recognized that like us, you yourselves might be unwilling to approve change of control without conditions or action plans on the major issues. With this in mind we believe that we can assure you that the following issues among others will be properly addressed or are being pursued with the appropriate action. These issues are: The interconnection with I-net/IRNE, which is well at hand; AT&T customer service issues must keep in compliance with franchise customer service standards; AT&T's notice of action regarding no longer collecting or paying franchise fees on high speed modem internet services; resolution of the cable access issue, including signal qualities, there were some labor related concerns that came up; Issues related to continue local management and physical facilities; privacy concerns. In most instances we have been able to reach agreement with AT&T and trust mutual satisfactory resolution of these and other issues identified in the process separately and independently from the process for consenting to the changing control. In some instances where no agreement can be reached, we remain on tract with regulatory and legal solutions and most of these issues are covered in separate agreements and resolutions and are part of the record. Ultimately we are satisfied that the way is clear for you to consent to the change of control and with the conditions described. Because of the FCC deadlines requiring actions by jurisdictions by the end of this month, we urge you to pass the resolution as submitted. We appreciate your consideration of our recommendation and your continued ongoing support for the work of the Mt. Hood Cable Regulatory Commission and their staff.

Councilor Thompson asked this is not a device to allow them to get out of fulfilling the terms of the agreement, is that right?

Thomas replied no, all existing terms of the agreements remain.

Mayor Thalhoffer asked and customer service will be good again?

Thomas replied they have actually done a great job of improving. The first quarter of this year AT&T was in compliance and I believe they are on tract for the second quarter.

Mayor Thalhoffer asked what about Comcast?

David Olson, MHCRRC, stated Comcast is a company with a good reputation for customer service and actually a better one than AT&T Broadband. We are looking forward to a continued improvement with this merger.

Mayor Thalhoffer asked where are the headquarters for Comcast?

Olson replied they are family owned company that is headquartered in Philadelphia. They are the 3<sup>rd</sup> largest, in size, cable operator in the Country. AT&T Broadband is the largest, in terms of subscribers.

Mayor Thalhoffer asked what about the rates?

Thomas asked as far as what we have control over or what is going to happen?

Mayor Thalhoffer replied both.

Thomas replied the part we have control over is the basic rate. Anything over and above that is controlled at the national level.

Councilor Kight asked are we going to see any equipment changes? Does the budget change for the local access stations? We have had to deal with these directional microphones for a number of years.

Thomas replied I have spoken with the sound engineer a couple of times and you want directional microphones. I don't believe the microphones are owned by MCTV, so it would be up to the city if they wanted to upgrade the microphones.

Councilor Kight asked they have been involved in construction on Historic Columbia River Highway at the transmission center. That area has been torn up for the last 18 months and doesn't look like they are making any progress. Do you know where they are in that process?

Jeanne Benecke, Director of Franchise for AT&T, stated I don't know what the construction is over there but I will make a few phone calls tomorrow and find out.

Councilor Kight asked could you get back with the Council.

Jeanne Benecke replied yes.

Councilor Rabe asked what is the renewal date for the franchise?

Thomas replied around 2010.

Councilor Rabe asked there are no changes to the conditions of the franchise, is that correct?

Thomas replied at the local level, that is correct.

Keith Eisile, Technology Coordinator for Reynolds School District, stated I would like to share with you the impact that this merger will have on the schools. My original intent was to come before you tonight to urge you not to support the merger between AT&T and Comcast. My position has changed as of June 5<sup>th</sup> because we finally have resolved some of the issues that we were working on with AT&T for some time regarding the start-up of I-net/IRNE. An agreement has been reached and we would now urge you to approve the merger. The emphasis that I heard tonight has been on the cable portion, there is a whole other facet that will also affect municipal governments as well as educational institutions and that is other

broadband services. Those broadband services include internet connection. Our projected costs for this year, to provide internet access for all schools in just East Multnomah County, will exceed over \$500,000. We have been waiting for this promise of a much higher bandwidth at a reduced cost. What does this mean? It means that in the classroom we are going to be able to go on a simple internet connection. We will have much faster connection speeds, which will allow video streaming; we are working with MCTV to provide student authentic work projects, on-demand video and on-demand training.

Eisile discussed the cost savings to the school districts (copy of the handout is in the packet).

**MOTION: Councilor Kight moved to adopt the resolution authorizing a change in control of a cable franchise held by AT&T Broadband to AT&T Comcast Corporation. Seconded by Councilor Daoust.**

**Councilor Kight stated it appears that they have worked out all the details and everybody is happy and satisfied.**

**Councilor Daoust stated I like the fact that we are getting a faster and better product.**

**Mayor Thalhoffer stated it sounds good in so many different ways, especially to reduce costs and increase productivity. You can't go wrong with that.**

**VOTE: Councilor Smith – Yes; Councilor Thompson – Yes; Mayor Thalhoffer – Yes; Councilor Kight – Yes; Councilor Rabe – Yes; Councilor Daoust – Yes.**

**Motion approved by a vote of 6-0.**

**8. MOTION: A Motion approving the Mt. Hood Cable Regulatory Commission's Fiscal-Year 2002-03 Proposed Budget.**

Mayor Thalhoffer called this item.

Norm Thomas, Troutdale's Representative on the MHCRC, stated some of the accomplishments for the last year have been: the transfer of AT&T Broadband to AT&T Comcast; continued to work on the development of the community institutional network (I-Net/IRNE); established and enforced a county-wide customer service standards for cable; participating in court case and FCC procedures which are threatening the ability of cities to collect fees from the company for use of the public right-of-ways; responsible for developing an annual budget and making a proposal to each jurisdiction. The budget documents include the proposed budget and detailed supporting information.

Councilor Kight stated it looks like your proposed budget is less than last years budget.

Thomas replied it is about \$400.00 less.

Councilor Daoust asked on page 7, your expenditures include access corporation capital payments, so you make payments to MCTV and PCA in the amount of \$994,000. Do you pay for the total operation of MCTV?

David Olson, MHCRC Staff, replied no. That amount is the capital money that is above and beyond the 5% franchise fee. A portion of that, one-third of the capital money is set aside for the capital equipment needs of MCTV and PCA. The operating funds that are provided to both of those organizations typically do come from franchise fees. Generally they represent the largest single line item in the budget as a pass through of those franchise fees to those organizations. Having said that, neither organizations operations are 100% dependent on the franchise fees alone. Both organizations have been very resourceful in applying for grants and in fund raising.

Councilor Daoust stated on page 8, you talk about the financial summary for 2002-03 and you list your requirements. One of the categories is community access capital grants – prior years, you list under this years budget \$1,173,410. Why is there such a large contingency when normally during a year your capital grants are \$600,00 to \$700,00?

Thomas replied the capital grants are awarded and they essentially have three years to complete them and not all of the money is expended upfront when you get the grant. They will get paid portions of it as they complete part of the project so a lot of that money is carryover from previous years that hasn't been used.

Olson stated it is committed but carried over. Sometimes there are reporting requirements to show they have reached the next phase and the funds can be release. It tends to build up, particularly in multi-year grants.

Councilor Daoust asked on page 12, you talk about your operating budget, at the bottom you list overhead of \$8,800. The items that are listed above appear to cover what one would consider overhead, so what is the additional \$8,000 for?

Olson replied that is the amount that is paid to have our staffing and process housed at the City of Portland. There is overhead associated with the fact that our agency is housed there. It is less than it would be if we were to lease space elsewhere.

**MOTION: Councilor Kight moved to accept the MT. Hood Cable Regulatory Commission's proposed budget for fiscal year 2002-03. Seconded by Councilor Daoust.**

**Councilor Kight stated it looks like you have done a good job.**

**Councilor Daoust stated I would like to commend you for answering the budget questions and I would also commend your staff for the way that they display the budget and summarize it. It is very easy to go through.**

**Mayor Thalsofer stated you have done a wonderful job as always.**

**VOTE: Councilor Smith – Yes; Councilor Thompson – Yes; Mayor Thalhofer – Yes; Councilor Kight – Yes; Councilor Rabe – Yes; Councilor Daoust – Yes.**

**Motion approved by a vote of 6-0.**

#### **9. COUNCIL CONCERNS AND INITIATIVES:**

Councilor Daoust stated tomorrow we are going to say goodbye to Val Lantz at 5:05pm at the City Conference Building. I am glad that she has landed a job in Klamath Falls, which is good for her and Klamath Falls.

Mayor Thalhofer stated that is a step up for her. Klamath Falls is a larger city than Troutdale. She will be the Director of Parks and Recreation. We will miss her a lot and I want to wish her well.

#### **10. ADJOURNMENT:**

**MOTION: Councilor Thompson moved to adjourn. Seconded by Councilor Kight. Motion passed unanimously.**

Meeting adjourned at 8:40pm.

**Paul Thalhofer, Mayor**

**August 27, 2002**

**ATTEST:**

**Debbie Stickney, City Recorder**