MINUTES
EAGLE MOUNTAIN CITY COUNCIL MEETING

November 20, 2007

Eagle Mountain City Council Chambers, 1650 East Stagecoach Run, Eagle Mountain, Utah 84005

4:00 P.M. WORK SESSION – CITY COUNCIL CHAMBERS

Mayor Don D. Richardson called the meeting to order at 4:20 p.m.

CONDUCTING: Mayor Don D. Richardson

ELECTED OFFICIALS PRESENT: Councilmembers David Blackburn, Heather Jackson, Vincent Liddiard, David Lifferth and Linn Strouse.

CITY STAFF PRESENT: John Hendrickson, City Administrator; Gerald Kinghorn, City Attorney; Gordon Burt, City Treasurer; DeAnna Whitney, Human Resources Coordinator; Linda Peterson, Public Information Coordinator; Melanie Lahman, Deputy Recorder; Steve Mumford, Senior Planner; Chris Trusty, City Engineer; Adam Ferre, Energy Division Manager; Kent Partridge, Building Official; Rand Andrus, Fire Chief; Eric McDowell, Sergeant.

DISCUSSION/REVIEW ITEMS

DISCUSSION – Proposed changes to Policies and Procedures Manual

AGENDA REVIEW

The City Council reviewed items on the consent agenda and policy session agenda.

CITY ADMINISTRATOR INFORMATION ITEMS

ADJOURN TO A CLOSED EXECUTIVE SESSION

The City Council adjourned to a closed executive session at 6:43 p.m. for the purpose of discussing reasonably imminent litigation and the purchase of real property, pursuant to Section 52-4-205(1) of the Utah Code, Annotated.

ADJOURNMENT

Mayor Richardson adjourned the closed session and the work session at approximately 7:05 p.m.

7:00 P.M. POLICY SESSION – CITY COUNCIL CHAMBERS

Mayor Don D. Richardson called the meeting to order at 7:21 p.m. Vincent Liddiard led the Pledge of Allegiance.

CONDUCTING: Mayor Don D. Richardson

ELECTED OFFICIALS PRESENT: Councilmembers David Blackburn, Heather Jackson, Vincent Liddiard, David Lifferth and Linn Strouse.

CITY STAFF PRESENT: John Hendrickson, City Administrator; Gerald Kinghorn, City Attorney; Gordon Burt, City Treasurer; Linda Peterson, Public Information Coordinator; Melanie Lahman, Deputy Recorder; Steve Mumford, Senior Planner; Chris Trusty, City Engineer; Dave Norman, Staff Engineer; Adam Ferre, Energy Division Manager; Kent Partridge, Building Official; Rand Andrus, Fire Chief; Eric McDowell, Sergeant.

INFORMATION ITEMS/UPCOMING EVENTS

- Mayor Richardson wished everyone a happy Thanksgiving.
- Senior Advisory Council Thanksgiving Dinner, November 28, 5:00 p.m., City Council Chamber.
- Christmas Tree Lighting, November 29, 6:30 p.m., City Hall.
- The MountainView Corridor public comment period ends December 24.
- An Eagle Mountain Town Hall meeting was held on November 15.
- A concert benefiting the Home for a Hero program was held last week.

CITY COUNCIL/MAYOR ITEMS

CITY COUNCIL COMMENTS

Councilmember David Blackburn

Councilmember Blackburn wished everyone safe and happy holidays. He requested that residents be cautious with indoor fires, courteous while driving and park off of the streets when streets need to be plowed. He encouraged residents to comment on the MountainView Corridor during the comment period. He thanked the election winners and those who ran for office and wished them well. He asked the Mayor and staff when a City Recorder would be hired. Mr. Hendrickson responded that it should be done next week.

Councilmember David Lifferth

Councilmember Lifferth noted that Utah County Commissioner Larry Ellertson was attending the meeting and expressed appreciation for the County Commissioners' support of Eagle Mountain. He said it was important that everyone comment on the MountainView Corridor by email, phone, website or U.S. mail. He congratulated those who were elected and expressed appreciation for their willingness to serve and help Eagle Mountain be a great place to live. He noted the passing of Heidi Hildreth, who served the community tirelessly. He read a poem which described the many freedoms provided to the nation by veterans. He appreciated everyone who was involved in Referendum 1 (school vouchers) on either side. Eagle Mountain was one of the cities that was most supportive of Referendum 1.

Councilmember Linn Strouse

Councilmember Strouse reminded everyone who received a mailing from the Mayor of Saratoga Springs regarding the MountainView Corridor to read the information and comment on the Corridor.

Councilmember Vincent Liddiard

Councilmember Liddiard congratulated the winners of the election: Ms. Jackson, Ms. Burnham, Mr. Cieslak and Mr. Ireland. He echoed the other Councilmembers' comments on the MountainView Corridor. Those who don't comment will have to abide by decisions made by others. On December 15,

Santa will ride through town on a BRT (big red truck). He asked residents to handle indoor heat sources carefully and be careful climbing ladders.

Councilmember Heather Jackson

Councilmember Jackson said it was very important that everyone make their voices heard regarding the MountainView Corridor and ask their friends and families to do the same. The Home for the Hero concert was a very nice event. Eagle Mountain employee Angie Ferre sang the National Anthem beautifully. She noted the passing of another resident of the community: Mrs. Melba Carter passed away after a long illness. Her husband asked Councilmember Jackson to pass on his thanks to the Fire and Sheriff's Departments for their help on many occasions.

Mayor Don Richardson

Mayor Richardson expressed appreciation to Commissioner Ellertson for attending the meeting and for his support of Eagle Mountain.

PUBLIC COMMENTS

Public comments are reported verbatim at the request of Councilmember Strouse.

Mr. Greg Jeppson: Hi. My name is Greg Jeppson. My address is 5134 N. Lake Mountain Road. I'm here tonight, like to start by saying that I oppose the construction of the high-voltage transmission line project, PR 11, that's going to be crossing my property. The reasons why I oppose it are simple. I believe that the high voltage transmission line anywhere near a home is a bad idea. It has been rumored to cause many bad problems with exposure to it on a prolonged amount of time. That is why you don't put them in schoolyards or parks and that is also why many times they are put in controlled corridors where they do not pose a threat to human health and where they will cause less, less damage to the value and marketability of your home or land. We already have such a corridor in Eagle Mountain. Many of you have probably noticed it on your way in and out of The Ranches. It is very wide and has no homes or parks or structures in its path. But in order for the new line to go into and follow the corridor, there are two homes that our, that our utility company knew that they would have to buy out, that are in the way. These homes are already influenced by two huge power lines, two gas mains. These people are already being exposed to dangerous electrical fields on their land, but instead of doing what is right, I hope that Eagle, Eagle Mountain is proposing to move the lines out of the corridor and put them in our neighbors' yards instead of paying the extra cost to buy these homes and get these people out of these bad areas. I feel that Eagle Mountain is settling, is selling the people out in this town once again for its own benefit and for the benefit of some developers. It saddens me to think that this is the best idea that we can come up with to install this line without any concerns for the property values and rights and safety of our citizens. I would like to also note that, besides the two homes that are in the way, there are no other buildings or properties or developments that are currently in place where the line should have gone in the existing corridor. I would like to, I would like you guys to rethink your placement of this line and show us that you do care about our citizens and our health and our safety, no matter the cost. Thank you.

Mr. James Taylor: James Taylor, 4972 Lake Mountain Road. It's been a long time since I've been to a town meeting. Me and my wife have been chased out for questioning the Councilmembers' and the zoning members' integrity, have been threatened to be escorted out because we brought that up. And maybe we've gone about things the wrong way. Maybe we've gone about things the wrong way. Maybe we've been a little bit over emotional on things and I agree 100% with what Greg has said. I also am just totally amazed that the O'Donnells is gonna have a 90-foot power line pole right in front of

their living room window, no more than 100 feet away. Now all of our papers say, oh, 500, 600, but see when I built my own place, I actually measured from where my property line was to where my house is and that was 295 feet, so I know that the appraisals and the information there is not right and I gotta not get emotional because I'm an idiot. We've been here seven years now. We've watched City Center be developed with unfinished parks, unfinished open areas, smaller and smaller lots and the reason why we were here in the beginning was to make this place somewhere that we wanted to live. I don't tell anybody where I live anymore. It's dang embarrassing. You guys know as well as I do that in another ten years Eagle Mountain City Center will be a very low income, high crime area. You, you know how the mayor of New York cleaned up New York, Giuliani, when he was there? He started cleaning things up and when people said, "Oh, that's clean and that's nice," then they started caring. No more of that. We have construction fences keeping kids out of water hazards from our drainage. I just think it's about time John Walden started, can't say promises because Tom and the zoning commission told us that he did not want to hear about any promises from people that have lived here for years, before it was a town, so I can't use promises when this town was first developed. These lines are no surprise to me.

Mr. Kim O'Donnell: My name is Kim O'Donnell. I live at 5194 North Lake Mountain Road. As the neighbors have stated, we will be devastated by this project. I can't believe that the city of Eagle Mountain even dares to have the audacity to place this type of power line in the middle of our front yard and then, not to mention the fact that it destroys the value of our home. OK, totally. I have, I know no one on the planet Earth that would buy our home after this is put in there. Everything we had worked so hard for, to get, what we planned on selling, we planned on taking our animal rescue organization to more land, so all the equity that we have is gone just like that, without probably not even a second thought to this council.

Ms. Rose Bonnell: Hi. Thank you. My address is 9286 North 3277 East. I'm, I've been a volunteer for Eagle Mountain safety issues in 2003, 2004 and 2005 and I have a public, I thought I was done with that. I had no desire to be in a public situation, but I do have an update for you. I'm wondering how many of you are aware that we had two very serious car accidents on SR 73 the first two weeks of November requiring Life Flight. Picture being there on November 4th in the evening, first day of Daylight Savings Time, as this young couple is coming home. A horse's head and forelegs came crashing through the windshield, hit the young mother in the face and the lap – sorry – required a Caesarian to deliver the baby safely, required fourteen hours of facial reconstruction surgery for the mom to implant metal plates where the bones had been crushed beyond recognition, try to save her eye and her vision. On November 14th, we had a 16-year-old had her forehead and scalp laid open, requiring plastic surgery and 68 stitches. I'm also wondering if you're aware of all the road usage out here besides residential, besides business. According to Camp Williams Base Commander Scott Olsen, we are the live ammunitions transport route for the military. The live ammunition goes in between Meadow Ranch and North Ranch through the Tickville Gate. We're also a high hazmat traffic zone, according to Utah State Hazmat instructor Jim Sturdikas. We are the spillover for I-15 freeway anytime that's shut down for any kind of hazardous reason or wreck. We're also the evacuation corridor for the Tooele chemical depot and we are the test exercise area for the chemical stockpile emergency preparedness program [timer: "30 seconds"] – whoa, I really did bad. There's more here. Basically, I went to a meeting the 22nd of March, 2004, with UDOT and MAG for MountainView Corridor and they, when I brought these things to their attention and the importance of our roads out here and how we don't have other alternates in and out of this valley, what can we do for our population, their response to me was shocking. They said, 'Your cities are creating this problem by giving too many building permits beyond what the roads will, the infrastructure will bear and they said that we're doing that knowing that we can't possibly get funding for almost 30 years out. We've got MountainView Corridor, which could come over the mountain and into the valley and wrap around near the lake, but that's not even being

considered, but that would solve our problem of needing an alternate road in and out of this valley. We don't have anything north and south at all, we only have east and west and we need, we need you guys to function as a safety valve for the citizens by considering first the human safety issues by curtailing building permits to a responsible level of growth equal to the infrastructure available to support it, maintaining buffer requirements for existing population centers, keep adequate roads and water and sewer progressing at the same pace as business and residential growth and I'd like to specifically ask that you approve a public safety issues correspondence to encourage media coverage of the type of accidents that we're having out here. Publicity is our friend. It's the only way to get us raised in priority on the roads, on inviting medical facilities out here. Here we are in northern Utah with nothing west of the freeway as far as a hospital is concerned and I would invite a hospital out here, somewhere, somehow, even at the city entrance as they're coming in on SR 73.

Mayor Richardson: Rose.

Ms. Bonnell: Yes.

Mayor Richardson: You're past time.

Ms. Bonnell: Sorry.

Mayor Richardson: Did you have those, your comments written?

Ms. Bonnell: I do.

Mayor Richardson: Did you make copies of that, or did . . .?

Ms. Bonnell: There are 10 copies. There's a longer letter for each of the City Councilmembers. There's also individual copies of what I was trying to take notes, or speak from.

Mayor Richardson: Let's do this. If you would give the City Recorder those comments and she'll distribute it to the Council . . .

Ms. Bonnell: Sure.

Mayor Richardson: . . . as well as if you'd like to say some more than what you haven't been able to say, I'd invite you to email me and I could distribute it to the Council, also.

Ms. Bonnell: Okay. Do you have copies from the public hearing that was just held here at Willow Creek? I picked an extra copy up and also an extra DVD if it's needed.

Mayor Richardson: That'd be great. Thank you, Rose.

Councilmember Strouse: Rose worked very hard on doing petitions and not just on transportation, but also to get medical facilities out here. I, I honestly believe that she is personally responsible for the fact that we have an Instacare right down on the four corners. It was her hard work and effort. She was involved in the transportation task force that I was involved with a couple years ago and she, she took her time to do an incredible report for the city. So somewhere around the city there should be a copy of Rose's report on transportation and medical facilities and I think it would be really nice for people to revisit it. She put months into that. Thank you.

Mayor Richardson: Thank you again, Rose.

[Comment from Ms. Bonnell in the audience, not at the mike, so inaudible]

Mayor Richardson: We'll have Melanie look into that. It should be in our archives. I appreciate that.

Mayor Richardson: Richard Steinkopf. Would you come forward, Richard?

Mr. Steinkopf: Green. Your tool.

Mayor Richardson: Is this a familiar face?

Councilmember Liddiard: Weber State or something?

Mr. Steinkopf: Richard Steinkopf, 3459 Appaloosa Way. Mr. Mayor and Councilmembers, this evening I'd like to make the city aware of a street that is in dire need of attention. Appaloosa Way has become a very unsafe street to drive on, to ride bicycles and walk on due to many sunken depressions in the street, manholes that are not flush with the street, street shoulders that are damaged and do not match street height, sidewalk curbing that is damaged, missing street lights that have been removed or damaged and not replaced and there' even one water can cover that is missing, so there's a water can that has no cover on it, so in approximately a quarter of a mile on this street there are as least five severe – this is according to my scientific deductions – there are approximately five severe and dangerous depressions and seven depressions that can be called dips in the road, eleven or more non-matching shoulder heights and three manhole cover heights that are not to street level with one that is very high and extremely dangerous, two missing street lights and many areas of broken concrete on the street shoulder curbing. As cars travel on this street and swerve to avoid these dips and inverted speed bumps, as that damage has now been called, some people call it, and many manholes, the manhole covers that this creates a real safety hazard for our car drivers, pedestrians, mothers pushing baby carriages and children riding their bicycles on the street and if everyone is not paying, anyone is not paying attention anymore, there would be a serious accident there some day. There have already been more close calls than there should have been. For example, recently, it may have been oh, probably six weeks ago now, I was walking Appaloosa Way and not paying attention to where I was walking and put my foot in one of those depressions and fell, sprained my ankle, bruised my ribs, scraped my elbow and bruised my ego. As the Stonebridge project begins construction of homes and various cement trucks, heavy equipment and subcontractor vehicles start using Appaloosa Way for a street to get into their project, there will be these depressions and unsafe areas of this gonna get worse and worse, the safety factor is there, the risk of a serious accident is going to be increased once again. I respectfully ask the City Council to take the necessary steps to bring this street up to the City Code and improve the safety for the residents as soon as good weather conditions prevail, because it's gonna be worse and worse. I have taken some pictures of some of the conditions. I would be happy to leave them with you, if you'd like to see them.

Mayor Richardson: Yes. Thank you, Richard.

Mr. Steinkopf: Thank you for your time.

End of verbatim transcription

CONSENT AGENDA

Councilmember Liddiard **moved** to approve the consent agenda as follows. Councilmember Blackburn **seconded** the motion.

MINUTES

August 7, 2007 – Regular City Council Meeting
August 21, 2007 – Regular City Council Meeting
September 4, 2007 – Regular City Council Meeting
September 18, 2007 – Regular City Council Meeting

FINAL PAYMENT – ACE Landscaping – Pony Express Trail

Those voting aye: David Blackburn, Heather Jackson, Vincent Liddiard, David Lifferth and Linn Strouse. The motion **passed** with a unanimous vote.

SCHEDULED ITEMS

7:00 P.M. PUBLIC HEARING – FY 2008 budget amendment
ORDINANCE – Consideration and adoption of amendment #2 to the fiscal year 2008 budget

City Administrator John Hendrickson explained that a budget amendment is presented when the City Council directs the City to move forward with an item not yet budgeted or when a necessary expense is discovered which was not included in the original budget. Amendment #2 includes equipment for the Street Department, postage, and expenditure of water bond funds which were acquired after the budget was adopted. Those funds will be used for City wells and water tanks. All funds required for the amendment are already in the City's accounts. The expenditures have to be approved by the Council.

Mayor Richardson opened the public hearing at 8:03 p.m.

Ms. Jennifer Konold, 9467 Sunset Drive, asked why the Brush Hog vehicle was going to cost $35,000. Mr. Hendrickson said it was a very large vehicle for cutting big areas of weeds.

Mayor Richardson closed the public hearing at 8:05 p.m.

Councilmember Blackburn asked if the water expenditures were going to include arsenic removal in well #2. Mr. Hendrickson responded that they would. Mr. Trusty said arsenic removal would cost approximately $750,000.

Councilmember Blackburn stated an arsenic study had been mentioned a couple of years ago and wondered if that was carried out. No one could recall who was to conduct the study, but Mayor Richardson said it would be looked into.

Councilmember Lifferth asked how arsenic is removed from water. Mr. Trusty responded there is more than one type of system. Engineering will study what method will work best for the city. The well's arsenic level is only slightly above acceptable levels.

Councilmember Lifferth **moved** to adopt Ordinance O-22-2007, approving amendment #2 to the fiscal year 2008 budget. Councilmember Jackson **seconded** the motion. Those voting aye: David Blackburn, Heather Jackson, Vincent Liddiard, David Lifferth and Linn Strouse. The motion **passed** with a unanimous vote.

MOTION – Formal certification of the election canvass from the 2007 municipal general election, including additional votes from provisional ballots

Deputy Recorder Melanie Lahman presented the canvass of the 2007 municipal general election. Pursuant to State law, it is necessary that the City Council, as the Board of Canvassers, canvass the 2007 municipal general election no later than fourteen days after the election, certify vote totals and declare newly-elected city officials. Because there was a statewide referendum on the ballot, the County Elections Office was responsible to conduct the general election. Therefore, the Council is only required to certify numbers provided by the County, rather than count or tally votes. The numbers were provided by the County Elections Office Monday afternoon.

Councilmember Blackburn **moved** to certify the election canvass of the 2007 municipal general election. Councilmember Liddiard **seconded** the motion.

Councilmember Lifferth asked why, with electronic voting equipment, results took so long to be certified by the County Elections Office. Ms. Lahman responded that the County Elections Office had to certify and count all the provisional ballots manually.

Councilmember Blackburn and Councilmember Lifferth asked if feedback could be given to the County Elections Office about the extremely long lines at the polling place at Pony Express Elementary School. Ms. Lahman said that the County Elections Office had received extensive feedback on that point. The problem was that the database could only print one election register for each physical location, not for more than one polling place located in one building. This caused three precincts to be combined at Pony Express School. The problem was discovered too late to be fixed for this year's election, but will be fixed before the next election, probably by establishing a third voting location.

Councilmember Strouse said she had heard that polling places had run out of provisional ballots. Ms. Lahman said it had been a problem in some locations and would need to be discussed with the County Elections Office before the next election.

Councilmember Liddiard called the question.

Mayor Richardson called for a vote on the motion. Those voting aye: David Blackburn, Heather Jackson, Vincent Liddiard, David Lifferth and Linn Strouse. The motion **passed** with a unanimous vote.

MOTION – Consideration and approval of confidential purchase offers and authorization to proceed to acquire power line easements and substation parcels as presented in the closed executive session

This item is reported verbatim at the request of Councilmember Strouse.

Mayor Richardson: Let's go to item number eleven. This is a motion of consideration and approval of confidential purchase offers and authorization to proceed to acquire power line easements and Jerry has that presentation.

Mr. Kinghorn: Mayor and members of the Council, we have presented to you in executive session, as the law allows, appraisal information, parcel identification and property owners who are involved in the easements that are necessary for the construction of the 138 kV line that some of the folks commented

about tonight. We are at a process in, we are at a point in this process where it has become necessary for us to ask you to authorize further negotiations with the property owners based on these appraisals or based on other appraisals that may come up. So what we need tonight is a motion to authorize the staff and legal council to go forward with negotiations with the property owners based on the initial appraisals and other appraisals that may come to our attention during the negotiation process. We would request that the motion make reference to those materials that were presented in the closed session so that we would have numbers and documents to refer to if the motion passes.

Mayor Richardson: Okay, do I hear a motion, Council?

Councilmember Liddiard: Question for you, Jerry. We talked a little bit about a time line of events and I know several things have taken place and there's a certain sequence and ramifications if that sequence of events does not take place. There were some comments made by Mr. Ferre with regards to need for power in the City Center and also that this was not a final determination of necessarily, but this is one of the steps in the process, but there are several steps to go beyond this in order to complete this.

Mr. Kinghorn: Yes, yes it's possible that some of these parcel acquisitions will go to mediation. Some may go to arbitration. If you find it's in the public interest, we will be back here asking for authorization to file the necessary documents to get an order of immediate occupancy from the court so that we can begin construction on the power line so that we can make sure we meet the needs of the city in the future. But, there are a series of steps. This is just the initial step authorizing us to go forward with the negotiations.

Councilmember Liddiard: Mr. Mayor, I move that the Mayor and staff be authorized for consideration and approval of confidential purchase offers and authorization to proceed to acquire power line easements in substation parcels as requested in the closed executive session.

Mayor Richardson: Motion has been made. Is there a second?

Councilmember Jackson: I'll second that.

Mayor Richardson: Is there any discussion?

Councilmember Lifferth: I guess the discussion I would like to have is that there is still some information that we have requested so that we, as a Council, can make an informed decision on if we are doing the right thing or not and I think it is important that we do have that information made available to us as quickly as possible so that we as a Council can make a truly informed decision on all options and alternatives throughout there, as well, and just from a philosophical standpoint I'd like to opine a bit that I do believe strongly in property rights and personal property rights and I know that that is one of the great things that makes America great to be able to own property and to choose what you do on that property and I know that that has been a very highly debated issue here in Eagle Mountain throughout our history. I understand the importance of the city being in the utility business and things the city has to do but, you know, I will have a really difficult time taking away anyone's personal property rights. That is something that I do not want to have on my permanent record.

Councilmember Strouse: I will ditto that. I also, I would also like to add that I'm just feeling really uncomfortable about this whole thing. I'm, I, I know that the city needs the power. I, I know that just somewhere along the line I would like some kind of a, a somebody to check out what exactly happened

step to step to see to make sure that the process right from the beginning was the way it was supposed to be and I would, that's all I have to say.

Mr. Hendrickson: Your comments, Mr. Lifferth, were the same that echoed in the closed session. Thank you.

Mayor Richardson: Is there any other discussion, Council?

Councilmember Liddiard: I'd like to make kind of a quick comment, partly based on public comments that were made. I don't think it is the wish of anybody to put anybody out in regards to corridor placement and power and that kind of stuff, but this is, I think where we are at now and, believe it or not, I do not think there is anyone here who knows exactly where those power poles go. I mean we have an idea, but we don't know exactly which pole goes in which little spot and that type of thing but this is a culmination of quite a long period of effort from the, the power portion of our city utilities to ensure that we have adequate capacity for this end of the city and, and in trying to do that, I think the staff, I believe, has been trying to do it in the least invasive way and the comments that we had is the desire to do it in the least invasive way. So that's why there is this comment that we've had about we're searching for more information and stuff. So the desire is to do what is right for everybody, so I think again it's not to pontificate.

Councilmember Lifferth: Can I ask one more clarification question about the presentations made here tonight? All we are authorizing is for the ability for the Mayor and staff to enter into additional negotiations for price.

Mr. Kinghorn: Well . . .

Councilmember Lifferth: What beyond that are we approving tonight?

Mr. Hendrickson: Nothing more than that really, but we are talking about the entire route, not just a few parcels.

Mr. Kinghorn: Let me, let me, let me make it clear that there are people that say fine, people want to agree to sell us an easement, we would go ahead and acquire those easements but, but that's as far as it goes. It's just we are entering . . .

Councilmember Lifferth: Any further steps beyond that will have to go back to the Council.

Mr. Kinghorn: Yes.

Councilmember Lifferth: For authorization?

Mr. Kinghorn: Yes.

Mr. Hendrickson: That's correct.

Mayor Richardson: Council, if I do not hear any more discussion, then I will ask for a vote. I'll close discussion. All those in favor, we will start with a roll call with Ms. Jackson if we could.

Councilmember Jackson: Yes.

Councilmember Liddiard: Yes.

Councilmember Strouse: I abstain.

Councilmember Blackburn: Yes.

Councilmember Lifferth: Keep in mind that we are only approving additional negotiations, then my answer is yes. I will approve additional negotiations. but that's, that's all.

Mayor Richardson: Motion passes with one abstaining.

End of verbatim transcription.

Mr. Kinghorn was excused at 8:30 p.m.

BID AWARD – Consideration and approval of a bid award for materials for construction of a 12.47 kV transmission line along Bobby Wren Boulevard

The bid award for materials for the 12 kV underground main feeder along Bobby Wren Boulevard from Lake Mountain Road to Sweetwater Road was presented by Energy Division Manager Adam Ferre. Bids for the materials were received from three suppliers. The lowest bid was submitted by Codale Electric for $353,884.00. Codale Electric's delivery times are generally equal to or shorter than those of the other bidders.

Councilmember Liddiard **moved** to approve the bid award for materials for the 12kV transmission line to Codale Electric in the amount of $353,884.00. Councilmember Blackburn **seconded** the motion.

Councilmember Lifferth called the question.

Mayor Richardson called for a vote on the motion. Those voting aye: David Blackburn, Heather Jackson, Vincent Liddiard, David Lifferth and Linn Strouse. The motion **passed** with a unanimous vote.

BID AWARD – Consideration and approval of a bid award for construction of the 138 kV transmission line

The bid award for construction of the 138 kV transmission line was presented by Energy Division Manager Adam Ferre. Bid documents were provided to seven contractors. The low bidder was Sturgeon Electric Company at $560,027, excluding materials furnished by Eagle Mountain City.

Councilmember Blackburn **moved** to approve the bid award for construction of the 138 kV transmission line to Sturgeon Electric Company in the amount of $560,027, excluding materials furnished by Eagle Mountain City. Councilmember Liddiard **seconded** the motion.

Councilmember Jackson called the question.

Mayor Richardson called for a vote on the motion. Those voting aye: David Blackburn, Heather Jackson, Vincent Liddiard, David Lifferth and Linn Strouse. The motion **passed** with a unanimous vote.

BID AWARD – Consideration and approval of a bid award for installation of a Huber screen in the South Service Area wastewater treatment plant

City Engineer Chris Trusty presented a bid award for installation of a Huber screen in the South Service Area wastewater treatment plant. The City purchased a Huber Technology headworks screen system in 2005. Due to the installation cost and the anticipation of construction of a new wastewater treatment facility, installation of the screen was postponed. The existing headworks screen is not functioning properly due to the high flow rate in the collection system. It is anticipated that the Huber Screen system will allow for better operation and increased capacity of the treatment plant. Stantec recommended Pierucci & Siaperas to do the work, because of their experience doing this type of work and because they were the lowest responsive bidder.

Councilmember Jackson **moved** to approve a bid award for installation of a Huber Screen in the South Service Area wastewater treatment plant for $49,725 to Pierucci & Siaperas. Councilmember Liddiard **seconded** the motion.

Councilmember Lifferth asked when the Huber screen would be installed. Mr. Trusty responded it will begin in approximately four weeks.

Councilmember Strouse asked if these were the headworks purchased by former Public Works Director Mark Sovine. Mr. Trusty responded they were. She asked if they were the ones that had been authorized to be sold for salvage. Councilmember Liddiard said they were, but they can now be used in the treatment plant.

Those voting aye: David Blackburn, Heather Jackson, Vincent Liddiard, David Lifferth and Linn Strouse. The motion **passed** with a unanimous vote.

DISCUSSION – Eagle Mountain South Service Area wastewater treatment plant update

Mayor Richardson, Mr. Hendrickson, Mr. Trusty, Staff Engineer David Norman and Stantec met with State Division of Water Quality (DWQ) personnel on Monday. They discussed the facilities plan memorandum, which describes the project's compliance with smart growth principles and FONSI (findings of no significant impact). This is an EPA requirement before funds from the STAG grant can be released. Mr. Darrel Dixon of Stantec has revised and resubmitted that letter to DWQ, which will submit it to the EPA. The EPA will review it, verify FONSI, advertise for 30 days and then give the City notice of approval. Once the STAG grant money is released, the bid can be awarded.

The timeline is still on schedule. The emergency interim treatment plan has been approved by the DWQ, the geotechnical report is due to the City this week and chemical flocculent has been added to the system for the past two weeks. Mr. Trusty suggested the schedule might be modified by pre-qualifying contractors in January, which will shorten the bid review time. DWQ has offered to reserve a review time, which is very encouraging. It is possible the bid award could be made on April 21.

Councilmember Liddiard asked the status of winter storage capability. Mr. Trusty said there is enough capacity to last until winter 2009, but the rapid infiltration basins will enable the storage to last longer.

Councilmember Liddiard asked if the existing system will exceed its capacity. Mr. Trusty responded that the City is no longer in violation of State standards.

Councilmember Blackburn stated that he has asked for specific, long-term cost calculations for the system and has not received them. Mayor Richardson said the DWQ has asked the Engineering Department not to take the time to make those calculations while the treatment plant is being designed and approved.

This item was a discussion item only and did not require a vote of the City Council.

BID AWARD – Consideration and approval of a bid award for a storm drain at Friday's Station

City Engineer Chris Trusty presented a bid award for a storm drain at Friday's Station. The City advertised for the construction of a 24-inch HDPE storm drain line to be rerouted around a residential unit located in Friday's Station. The existing pipe under the residential unit will be filled with concrete to prevent compromising the integrity of the foundation. After review of the submitted bids, it is recommended that the bid be awarded to TNT Construction.

Councilmember Liddiard **moved** to award the bid for the Friday's Station storm drain to TNT Construction in an amount of $27,270. Councilmember Jackson **seconded** the motion.

Councilmember Liddiard, Councilmember Lifferth and Councilmember Blackburn commented that the road in Friday's Station is the worst road in Eagle Mountain, even worse than dirt roads.

Councilmember Jackson called the question.

Mayor Richardson called for a vote on the motion. Those voting aye: David Blackburn, Heather Jackson, Vincent Liddiard, David Lifferth and Linn Strouse. The motion **passed** with a unanimous vote.

RECOMMENDATION – Consideration and approval of a contractor for construction of the City website

Management Analyst Jason Walker presented the bids submitted for construction of the City's website. The bids are for reconstruction of the website; hosting; and training and support for City employees who will use and update the website. Mr. Walker analyzed long-term costs over several years. GovOffice was the most cost-effective contractor in the long term. GovOffice is a website contractor which caters to municipalities and is a partner with the International City Managers' Association, tailoring their products to the needs of small-to-medium-size cities. They have designed websites for over 1,000 municipalities.

Councilmember Strouse asked if the quality of the website would improve over several years of continuous service. Mr. Walker said it would be updated regularly.

Councilmember Strouse **moved** to approve a bid award for construction and maintenance of the City website to GovOffice. Councilmember Jackson **seconded** the motion.

Councilmember Liddiard said he considered the website to be the window to the city and it needs functionality. He was concerned that it would be updated inconsistently. Mr. Hendrickson responded that Linda Peterson, Public Communications Coordinator, will coordinate website content.

Councilmember Jackson asked for Councilmember-elect Ryan Ireland's opinion on the website. Mr. Ireland responded that Councilmember Liddiard is correct about the goal of the website. When asked

about website funding, he said it could be funded by City funds or by transaction fees paid by users for transactions such as bill paying or sports registration.

Councilmember Liddiard called the question.

Mayor Richardson called for a vote on the motion. Those voting aye: David Blackburn, Heather Jackson, Vincent Liddiard, David Lifferth and Linn Strouse. The motion **passed** with a unanimous vote.

MOTION – Consideration and approval of the December shut-off policy

This item is reported verbatim at the request of Councilmember Strouse.

Mayor Richardson: We'll now move on to item number 17. This is a motion, consideration and approval of the December shut-off policy and we have our Treasurer, Gordon Burt, making that presentation. Gordon.

Councilmember Liddiard: Mr. Mayor, I move that we approve the motion to proceed with the utility shut-off in December and open it for discussion.

Mayor Richardson: Is there a second?

Councilmember Strouse: I second it.

Mayor Richardson: OK, is there any discussion?

[Muffled voices in background]

Council: Yes.

Mayor Richardson: OK, let's have some discussion.

Councilmember Strouse: I'm puzzled, I'm frankly puzzled. I'm trying to remember when this was ever a big issue for us.

Mr. Burt: Every year. Yeah, last year I think last year we didn't do . . .

Councilmember Strouse: Well, as far as a Council, as far as a Council. I mean, even using the word "political" bothers me a little bit, because that should have nothing to do with it. We're supposed to do what's right in the best interests of the people we serve, so I really don't like the word.

Councilmember Liddiard: I think that was, I think that was a, was a typo. I think it was supposed to be "perception," not political.

Councilmember Strouse: That's a big difference.

Councilmember Blackburn: Gordon, this seems to be more of kind of a Santa clause rather than a December clause and obviously, if they can't make the payment in November or December, they're probably gonna have problems with January, too.

Mr. Burt: Exactly.

Councilmember Blackburn: So this is really just the City's December option for those struggling and, I mean, what system does the City have in place so if somebody says, "I'm having problems." Do we immediately give them contact information for State assistance?

Mr. Burt: We do have that option. We give them that information in the office.

Mayor Richardson: It's the HEAT program, yeah.

Councilmember Liddiard: Gordon, what I'd like to see in the month of December is the late fee is waived. It was not part of your proposal, here, but . . .

Mr. Burt: No it wasn't, late fee or the – well, we don't call it a shutoff fee because, in some cases, it's a – well, we call it the administrative fee, which is the $50 fee. Is that what you want to see . . .

Councilmember Liddiard: I, I would propose that we waive that for the month of December, either the late payment fee or the shutoff fee type of thing, but you kind of continue, you need to continue to do business, I think that is a good-will option, to allow people to make sure that, that they have that type of, of, of capability. Anyway, I, I, I wanted to at least get people percolated about the thoughts and proceed forward.

Councilmember Jackson: I think that's a good idea. Also, it would seem to me, like you said, it creates the hardship in January.

Mr. Burt: It does.

Councilmember Jackson: January is usually the colder month than December, and so . . .

Councilmember Blackburn: Bah, humbug!

Councilmember Jackson: Well, no I'm just making an actual point, you know, I mean, all of a sudden you have, you're double your bill. You have December and January and you have all those Christmas bills coming in and you're, and it's the really cold month, so you know, I think that's, that's really what creates the hardship so, you know, I have to agree with the thought of what Councilmember Liddiard was saying is, you know, maybe we waive our late fee or something in the December.

Councilmember Strouse: Why would we do that? I mean, if we're gonna do that, we should do it any, every other month. I mean, I don't understand that.

Councilmember Blackburn: Christmas spirit.

Councilmember Liddiard: Ho ho ho.

Councilmember Strouse: It's not our place to use the taxpayers' money to be, you know . . .

Councilmember Jackson: In the past, we've waived shutting it off, so . . .

Mr. Hendrickson: Well, now you know why I wanted to come to you, because I, I wasn't familiar with their processes and somebody said, "Well, every year the Council considers this." So I said, "Well, then, let's let them get a chance again, because I'm not gonna make that decision alone."

Councilmember Liddiard: Mr. Mayor, I'd like to amend my motion to allow that we continue with the staff recommendation to proceed with the utility shutoff in December, but waive the utility shutoff fee and late fee.

Mayor Richardson: The shutoff fee and the late fee? OK, what are we talking, as far as fees, Gordon?

Mr. Burt: The utility fee that we have is $50 – that's the administrative fee on the shutoff day. The late fee, if it's not paid, if their utilities are not paid by the end of November, we would assess a late fee of $25 within that, so it's $75.

Councilmember Blackburn: So potentially, with two months, we're talking $150.

Mr. Burt: Exactly, if that's what you decided to do.

Councilmember Liddiard: Can I ask the Council members if they would be interested in seconding that motion?

Councilmember Strouse: Maybe, could, I'll second it just for the sake of, so that we can be appropriate in our discussions.

Councilmember Liddiard: Oh, thank you.

Mayor Richardson: Doesn't it have to be seconded by the other person? Otherwise, the motion fails. We have to let the motion fail, or he changed his motion, but it needs to be seconded by the same person that seconded the first motion.

Councilmember Strouse: Oh, wait, wait, wait, wait a minute.

Mayor Richardson: So let's hold on a second. So, was it you, Heather, that seconded?

Councilmember Jackson: No.

Mayor Richardson: No, it was Linn.

Councilmember Strouse: It was Dave.

Mayor Richardson: It was Dave. So Dave, will you second the amended motion?

Councilmember Liddiard: Do you accept the amendment of the motion?

Councilmember Blackburn: If I was the one who did it, yes. I don't know that I did it.

Councilmember Liddiard: OK.

Mayor Richardson: It was between Dave and Heather.

Councilmember Strouse: Well, actually – what did I second, then?

Mayor Richardson: You both seconded it at the same time, I thought – you and Heather. I thought it was Heather and, who was it? Who did you have down, Melanie?

??: That was the one before this.

Ms. Lahman: I actually didn't write that one down.

Councilmember Liddiard: Are we good to go forward, though?

Councilmember Blackburn: All in favor say aye?

Councilmember Strouse: Well.

Mr. Hendrickson: There's a question, there's a question on that, though.

Mayor Richardson: Wait a minute, wait a minute. Let's, let's, let's stop and just clarify what we have on the floor.

Councilmember Jackson: Yeah, I want, I want to understand what we're talking about waiving. We're talking about $75 for which month? This is for anybody late in November that in December would be shut off? That's what we're talking about? So it would be a fee that would be accrued during the month of December?

Mr. Hendrickson: Well, that's November shutoff. Is the December – kind of explain this cycle, Gordon.

Councilmember Jackson: That's, that's what I'm trying to get.

Councilmember Liddiard: It would be, it would be waiving the fees that would be collected during the month of December, and those two fees are the shutoff fee and the late fee, and those would be the fees they would have to pay during that month.

Mr. Burt: That's right.

Councilmember Jackson: Which is reflective from the November bill.

Mayor Richardson: It's the late, it's the late fee of the November bill and the shutoff fee in December.

Councilmember Liddiard: That's correct.

Councilmember Blackburn: Gordon, how, how much does the City tend to collect in fees on a monthly basis that we're essentially waiving at this point?

Mr. Burt: On the, on the shutoff it varies, it's usually about $7,000 a month on the $50 one.

Councilmember Blackburn: So the City's looking to give away $7,000. OK.

Mr. Burt: Yes. Now that's just the shutoff. The late, I don't know.

Councilmember Liddiard: We're not giving that away. That was unanticipated revenues.

Mayor Richardson: No, there's a cost to this. How much overtime do we spend every month?

Mr. Burt: We, we looked at that. Adam, I don't know how many hours of overtime your guys spend on this one. I do know about on my Utility staff, that some of them are there the Thursday night, sometimes maybe come in early on the Friday, but not usually, but they might be there four hours, two or three staff members four hours on a Monday night and then they come in early on, on a, on a Tuesday, as well, which is the general shutoff day. So four hours of overtime plus maybe another couple, three, four hours of that. Plus whatever staff that we have, which is, we have, usually have three teams of people going out on the day of shutoff. We only have one person from our department able to do that.

Councilmember Blackburn: Do you wear Christmas hats during that time?

Mr. Burt: Do we what?

Councilmember Blackburn: No, never mind. At the same time, we've suggested several times as a Council that we have a system in place where people can make monthly payments over the course of the entire year, say $50 a month installment payments, to build up for utilities so it's not such a big hit when it is a cold season. Is anything, any progress made toward that type of a bill payment process?

Mr. Burt: Not yet on that. You're talking about the equalized payment where we, where we stretch it out over that? No, we've not done anything on that recently at all.

Councilmember Blackburn: What would be needed to do that?

Mr. Burt: I know that the Springbrook system allows us to set that up and I don't know exactly what's involved with setting that up at this point.

Councilmember Blackburn: Why don't we get some training? I mean, if it means money comes into our city early, in advance, so we avoid this type of a giveaway of several thousands of dollars in the spirit of good cheer, when that person probably could have budgeted for it for the entire year, and we have a system we've already paid that should allow that, we're not using our system.

Mr. Burt: One of the things, if I may, one of the things is I think the people who are on the shutoff list on a monthly basis, because many of them are on there every month, that they may not take advantage and may not be able to take advantage of the equalized bill pay, as well, because we did have, I believe we had for this process, the fact that they needed to be kept current with their bill. They, they had to be paying their bill every month and many of these people either are late consistently or they don't pay on time and are on the shutoff list.

Councilmember Strouse: That leads me to my next question, without Jerry being here to give me a legal opinion. Is there a way that, that we can, if somebody keeps having a problem with late bills, we can send them information on how to better handle their finances or something? I, I, I mean I'm just, I don't feel that it's our proper role to play Santa Claus with the taxpayers' money. If, you know, the person

that didn't get their fee waived in November is going to wonder why the people in December did and I don't know how we can be fair about this.

Mr. Burt: That's a good point that you raise. The only thing that we do, like I say, is provide them with the HEAT documentation or other things where they can go. And I know HEAT does provide them and say, "How are you going to not become a, you know, have this on consistent basis?" and things like that. Other than that, I don't know of any other agencies, I'm sure there are some out there that would do financial planning for people in this type of a thing.

Mayor Richardson: Gordon, what I, I'm sorry, what I'd like to just kind of ask is what kind of costs are we actually hitting for every shutoff between you, the power department, as well as the accounting department.

Councilmember Liddiard: I may be able to save us a little bit of time this evening if Mr. Blackburn would entertain yet a third amendment to the motion, and that is how about we, business as usual, save this exception: we waive only the late payment fee and the rest of the shutoff stuff all remains the same. That way we're not entertaining the whole, or all the rest of the problem, but yet we still have that air of charity that we'd like to be able to extend a helping hand where we can, so that it would only be to waive that late payment fee for the month of December.

Councilmember Strouse: Well, as I was saying, and you guys were talking, so I don't know if you heard me, how fair is that to the person in November that wanted their stuff waived?

Councilmember Liddiard: That's a great question. Would you second that, Mr. Blackburn, or not? Cause there's really no point in having a discussion about it unless there's going to be a second.

Councilmember Blackburn: It's like a game of ping pong.

Councilmember Liddiard: It's the difference of $25 and it doesn't carry the large labor portion of it.

Mayor Richardson: Let's, if you're hesitant of that we can make the motion fail and vote on it and we can make another motion.

Councilmember Blackburn: We have an original motion on the table right now. Let's let that stand, at this point.

Mayor Richardson: I still would like to know what the costs are involved here, so that we know what we're, what you're doing.

Mr. Ferre: If I can, two things: One, we have one shutoff day a month, usually it takes four of my employees one full day, one full day out of the month, four of my employees, you know, so it takes them away from their regular duty and from doing their jobs, you know, that they're hired to do, just to do shutoffs, which is part of their duty, but, you know, you add that cost in, then what you have an employee that makes twenty bucks an hour or $25 an hour, he gets called out because I get called out on shutoff night, you know, I get called by different people, you know, I've had calls from Council members, Mayors, you know, their neighbor's been shut off, could you come turn them on, and, and, and that's where it kind of, you know, then you call an employee out that makes $25 an hour, two hours minimum, $50, plus his overtime is another $25, so right there you're paying that employee that much, and sometimes it's two, three, four times a night, you know at midnight. Then, then you pay all these

multiple overtime calls and it's, you know, all these people that take advantage of the system and it costs more than that $75 or $50.

Mr. Hendrickson: But we haven't done an analysis, the simple answer is we haven't done a close analysis whether shutoff fees, at this point, are paying for that, but it's assumed that it is. So that if you waive those, we won't pay for those shutoffs, for those extra costs. It won't cover it.

Mr. Burt: I know that, as a staff, Adam and I and some others have talked about doing an actual analysis to see how much the actual cost is on this basis, to see if the fees we're covering, or collecting, are recovering our costs and you know, so at this point I don't have an answer for that.

Mr. Ferre: I think, too, in other cities, not to waste it, are different utilities like Rocky Mountain Power and different, when you're shut off, you're shut off until another business day, you know, and we do try to accommodate that way and we've tried to been a little friendly and we figure, you might only have 100 that are shut off, but you're going out after hours for 25, you know, that $50 for each person pretty much cover for those 25, because there was an analysis done at first, but with wages gone up and, you know, more employees involved, it's . . .

Councilmember Liddiard: Call the question.

Councilmember Lifferth: Hold on, there's still some discussion going on here.

Councilmember Liddiard: My apologies.

Mayor Richardson: The question's been called. You can, Council, I can just, what I'd like to do is just have the motion restated. You can vote it down, you can table this, you can . . .

Councilmember Liddiard: Let's call the question and vote it down so we can introduce a new motion.

Mayor Richardson: The question's been called.

Councilmember Strouse: Who called it? Who actually, who actually did the first . . .

Councilmember Liddiard: Me.

Mayor Richardson: Vincent, will you restate the, the motion and then we'll just vote on that?

Councilmember Liddiard: The original motion was modified. In its current stance, the motion on the table is the following: that the fees for the month of December, these would be funds that would be collected in the month of December, would be waived. Those would be the $25 late payment fee and the shutoff/reconnect fee of $50. These would be for fees collected in the month of December, so if you made a late payment in you, and then that's how that would go. So it's a total of $75 that you would forgo that financial opportunity in the month of December.

Mayor Richardson: OK, we'll do a roll call. We'll start with Ms. Jackson.

Councilmember Jackson: No.

Councilmember Liddiard: No.

Councilmember Strouse: No.

Councilmember Blackburn: No.

Councilmember Lifferth: Unanimous no.

Mayor Richardson: Unanimous no. Is there any other motion that we'd like to make at this time?

Councilmember Liddiard: Not me. [laughter] I would love to do another one, but . . .

Mayor Richardson: Would Council like to table this and get more information for next . . .

Councilmember Jackson: I don't think we should table it. We're dealing with the December billing issue.

Councilmember Lifferth: We do meet one more time before December 11, though.

Councilmember Liddiard: OK, I move that we forgo the late payment fee for the month of December in an act of goodwill for our citizens. Those who would normally be charged a late payment fee in the month of December would not have to pay that fee.

Mr. Hendrickson: That's the $25 fee.

Councilmember Liddiard: That's $25.

Mayor Richardson: But it's incurred in November, correct?

Councilmember Liddiard: That's correct. But it would be collected in the month of December.

Councilmember Jackson: It's incurred by not paying within the month of November. It's incurred in December, actually.

Councilmember Blackburn: Resultant of the activities of November, yes.

Councilmember Jackson: Correct.

Councilmember Liddiard: But it's on the December bill.

Mayor Richardson: Does everybody understand the motion?

Councilmember Jackson: And I'll be glad to second your motion.

Mayor Richardson: Motion's been seconded. Is there any discussion?

Councilmember Blackburn: I think that the question has been raised and, and it's valid that, you know, sure it's a, it's a difficult time of the year, budgets are stretched a little tight, but for people in that type of financial situation, every month is a difficult time of the month and year and I mean, if we're, if we're setting ourselves up for this type of policy and I, I mean, I'm, I'm excited to help people when and

where I can, but somebody who says, "Well, maybe I don't celebrate Christmas, but I celebrate something in July," what kind of precedent are we setting, you know, and I just, in that scheme of [off-mike response]. No, I didn't say, "bah, humbug," but now that I've said it, you know, we just, we need to make sure that, you know, in the realm of being P.C. and everything else, that we should try to do the best we can for our clients and our residents year-round, not just one month, so I appreciate that Ms. Strouse has brought up a little more in the way of the financial awareness that we're just so happily tripping along to give away.

Councilmember Liddiard: Can't we just do the right thing? I mean, can't we just be a little nice? I mean, I know that we want to consider the whole realm of human beings and everything else. I just see this as an opportunity to do something a little bit nice. Not, not trying to think of all the other different kinds of ideologies that exist out there, recognizing that they exist, we may not be able to do it every time and I'm aware of that and I'm not trying to necessarily be politically correct. I'm trying to say, "Look, it's the holidays. There's still the New Year coming up. Whatever. Let's do something nice."

Councilmember Strouse: I just disagree that it's our proper role to do that. Maybe we need to just look at the whole system and see if we can really afford it, maybe we should be reducing the fees, then, if that's the issue, so I, I, anyway.

Mayor Richardson: Mr. Lifferth has been waiting patiently.

Councilmember Lifferth: Let me share a few personal experiences with you on this subject. I had the opportunity to be Mayor of this city two years ago in December and on a weekly basis I would do a thing called "Let me speak to the Mayor," where I would open the conference room here and let anyone in the city with any beef or any issue come talk to me and we would see what we could do. [Long pause] Sorry about that. I had a single mother with four children came and talked to me about how her heat would be shut off in a matter of a week or so and I know what people say about me how hard hearted I am, how cruel I am, but I could not let the heat be shut off on that woman and a man came to me who had just been laid off. I could not turn off his heat. Vote however you will on this tonight but just recognize that there are people who are seriously impacted by the decisions that we make and I ask you to look inside yourselves and think what it would be like. Maybe it has happened to you before, I don't know. Think what it would be like putting yourself in that situation.

Councilmember Strouse: I think I can conclude from your point that the Mayor already has that prerogative. You have just demonstrated that, so why do we need to make it an official policy?

Councilmember Lifferth: I broke out my check book and wrote a check to the Utility Department.

Mayor Richardson: Any other discussion, Council? I am sorry, we are a little late this evening and do not have much time. [A resident asked to speak.] Nikki, you have one minute. You need to come up to the microphone. It is not a public hearing.

Ms. Wickman: It seems to me that if you just cancel the shutoff for just one day, one time a year, you don't use the labor money, so you are saving money. You collect all of your late fees and the chance to shut them off in January, in which case it is the coldest month and HEAT will help with them. You get all the money for the city, you don't cost the taxpayers anything, in fact you save them money on labor costs if you just cancel the one day that you shut off the power. That's all I have to say.

Mayor Richardson: Thank you.

Councilmember Strouse: Awesome. That's the reason why we were going to wait and have it be studied.

Mayor Richardson: Council, there is a motion on the floor. We will restate it and I would like to vote. If there's no other, if there's no other discussion, so Vincent will you re . . .

Councilmember Liddiard: The act of the City Recorder will be played today by Mr. Vincent Liddiard. Motion on the table is the following: to waive the fee collected as a late payment fee for the month incurred in November but be paid in December. It's a fee of twenty five dollars.

Mayor Richardson: And that was seconded by who?

Councilmember Liddiard: Ms. Jackson.

Mayor Richardson: Ms. Jackson. We'll start with Mr. Lifferth. All those in favor say yes or no and we will do a roll call. Mr. Lifferth?

Councilmember Lifferth: I do think that Vincent's motion is better than it currently stands and so I will vote yes, even though we should not do a December shutoff.

Councilmember Blackburn: Not to be called "bah, humbug," I'll say yes.

Councilmember Strouse: I'm concerned about principle and for the heart, also for the heart for everybody all year round and not just at Christmas. So I'm going to vote no. I hope that we can have a change in the system. In the study we need to evaluate where we are on this because we need to, cause we still are responsible for the taxpayers' money. I don't believe it is our job to give away money. I, I, I'd be giving it away to everybody if I did that.

Councilmember Liddiard: I agree with Mr. Lifferth's comment. Yes.

Councilmember Jackson: As do I, so I will vote yes.

Mayor Richardson: Okay, motion passes.

Councilmember Strouse: Can I make a motion that we have a Thanksgiving discount every year, too, for utility bills and maybe even an Easter one?

Councilmember Liddiard: This wasn't an in perpetuity policy. This is only applying to this particular year.

Mayor Richardson: Okay, the motion passes. Council, it has been a good evening tonight. There has been some very hard issues that you have dealt with. Now is the City Council and Mayor business items and we will start with Mr. Lifferth and then go down the row.

End of verbatim transcription.

CITY COUNCIL/MAYOR'S BUSINESS

Councilmember Lifferth

Councilmember Lifferth had no comments.

Councilmember Blackburn

Councilmember Blackburn stated that City government is responsible for maintaining City utilities. He apologized for seeming harsh to the City Engineers. He noted the importance of having all financial questions about construction and operation of the new wastewater treatment plant answered before it is operational. All financial decisions by City government should be studied carefully because it is the taxpayers' money the City spends. He thought that a master-planned community should have complete plans for future construction.

Councilmember Strouse

Councilmember Strouse had no comment.

Councilmember Liddiard

Councilmember Liddiard echoed Councilmember Strouse's comment that it is unfortunate that the City cannot always avoid shutoffs and fees. He wished everyone a good Thanksgiving.

Councilmember Jackson

Councilmember Jackson requested that all the Councilmembers-elect receive full agenda packets before the next meeting.

Mayor Richardson

Mayor Richardson asked that the Council review all of the information items in their packets. He expressed appreciation for the Council's and staff's hard work for the people. He wished everyone a great Thanksgiving.

ADJOURNMENT

Councilmember Blackburn **moved** to adjourn the meeting at 9:50 p.m.

APPROVED BY CITY COUNCIL JANUARY 8, 2008

Fionnuala Kofoed, City Recorder