
Ripon City Council Minutes

TUESDAY, SEPTEMBER 1, 2009

WORKSHOP:

The City of Ripon workshop was called to order at 6:00 p.m.

ROLL CALL: Council Members Garry Krebbs, Dean Uecker, Vice Mayor Elden R. Nutt, Mayor Chuck Winn

Absent: Council Member Charlie Gay

Others Present: City Administrator Leon Compton, City Attorney Tom Terpstra, Director of Planning Ken Zuidervaart, City Engineer Kevin Werner, Director of Public Works Ted Johnston, Police Chief Richard Bull, City Clerk Lynette Van Laar, Deputy City Clerk Jeanne D. Hall, Information Systems Technician Dan Brannon, Leo Zuber.

SUBJECT: Main Street Phase 2 (Acacia Avenue to Nourse Street)

City Engineer Werner stated that the project was originally two separate projects. He explained the benefits of advancing the construction to save money and shortening the disruption to local businesses.

Council discussed working with businesses to mitigate the impact.

Council also discussed the different designs to handle drainage. Chief Bull said that the current design of inverted crowns has not caused any accidents.

Werner said that changing the design to a raised crown would increase the cost by \$1/2 million, and it would take two additional weeks to install.

The workshop was adjourned at 7:10 p.m.

REGULAR MEETING

PLEDGE OF ALLEGIANCE: The meeting was called to order at 7:10 p.m. with Council Member Uecker leading in the Pledge Allegiance to the Flag.

INVOCATION: Pastor Chuck Roots gave the invocation.

ROLL CALL: Council Members Dean Uecker, Garry Krebbs, Vice-Mayor Elden “Red” Nutt, Mayor Chuck Winn

Absent: Council Member Charlie Gay

OTHERS PRESENT: City Administrator Leon Compton, City Attorney Tom Terpstra, City Engineer Kevin Werner, Planning Director Ken Zuidervaart, Recreation Director Kye Stevens, Director of Public Works Ted Johnston, Police Chief Richard Bull, City Clerk Lynette Van Laar, Deputy City Clerk Jeanne D. Hall, Information Systems Technician Dan Brannon, Chuck Roots, Helen Caetano, Leo Zuber, Mike Dillman, Gaynl Trotter.

PUBLIC DISCUSSION: No one from the public wished to speak at this time.

APPROVAL OF MINUTES: **MOTION:** MOVED, SECONDED (UECKER, NUTT) AND CARRIED BY A VOTE OF 4-0 (GAY ABSENT) TO APPROVE THE MINUTES OF THE REGULAR RIPON CITY COUNCIL MEETING OF AUGUST 18, 2009.

APPROVAL OF AGENDA AS POSTED (OR AMENDED):

Council Member Nutt requested that Item 3A be pulled from the City Council Consent Calendar for discussion, and to pull Item 3B from the Redevelopment Agency Consent Calendar for discussion.

MOTION: MOVED, SECONDED (NUTT, KREBBS) AND CARRIED BY A VOTE OF 4-0 (GAY ABSENT) TO APPROVE THE AGENDA AS AMENDED.

CONSENT CALENDAR

Notes:

1. Income

A. COUNTY OF SAN JOAQUIN

Municipal Sewer \$29.00

Ripon Lighting District \$119.00

General \$18,816.71

TOTAL \$18,964.71

B. RUDY BONZI, INC.

Franchise Fee \$595.73

C. CHARTER COMMUNICATIONS

Franchise Fees \$19,828.09

2. Bills, Invoices, Payments

A. LSC TRANSPORTATION CONSULTANTS, INC.

Short Range Transit Plan
Progress Payment \$1,105.00

B. INTERWEST CONSULTING GROUP

Transportation Planning
Progress Payment \$1,000.00

C. CITY OF RIPON PENSION PLAN

Fee Listing \$23,875.07

CONSENT CALENDAR:

2. Bills, Invoices, Payments, continued:

D. CALIFORNIA ASSOCIATION FOR LOCAL ECONOMIC DEVELOPMENT

Annual Membership
Director of Planning & Economic Development,
Ken Zuidervaart **\$465.00**

E. LEGACY RIPON PARTNERS

Horizon Business Park Landscaping
Progress Payment **\$2,995.00**

F. THOMAS H. TERPSTRA – LAW

Professional Services **\$12,464.00**

3. Resolutions

A. RESOLUTION NO. 09-69

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF RIPON FOR THE
DEPARTMENT OF TRANSPORTATION
MASTER AGREEMENT WILMA AVENUE
AND SECOND STREET
ROUNDBOUTS

Item 3A was pulled for discussion.

This resolution authorizes the City Administrator or the City Engineer to execute all Master Agreements, Program Supplemental Agreements, Fund Exchange Agreements, Fund Transfer Agreements and /or any amendments thereto with the California Department of Transportation.

B. RESOLUTION NO. 09-68

A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF RIPON, CALIFORNIA
SUPPORTING THE SOUTH SAN JOAQUIN
IRRIGATION DISTRICT’S APPLICATION FOR
COMMUNITY RENEWABLE ENERGY
DEPLOYMENT FUNDING

This resolution supports the SSJID application for community renewable energy deployment funding. If adopted, Ripon will receive funding to help construct a pipeline to interconnect to the SSJID surface water system.

CONSENT CALENDAR, continued:

4. Miscellaneous Items

A. CITY OF RIPON INVESTMENT POLICY

Annual Review (July 2008 - June 2009)

Accept the City of Ripon investment policy annual statement.

☪ End of Consent Calendar ☪

MOTION: MOVED, SECONDED (UECKER, NUTT) AND CARRIED BY A VOTE OF 4-0 (GAY ABSENT) TO APPROVE THE CONSENT CALENDAR.

Discussion on Item 3A.

RESOLUTION NO. 09-69

Council Member Nutt asked where the local matching funds would come from.

City Engineer Werner said that the extension of a non-potable water line between Canal Street Grill and the Wilma Roundabout would come from the Water Fund, and the elements of the Second Street roundabout would come from the Streets and Road Funds

MOTION: MOVED, SECONDED (KREBBS, NUTT) AND CARRIED BY A VOTE OF 4-0 (GAY ABSENT) TO APPROVE RESOLUTION NO. 09-69.

5. PUBLIC HEARINGS

Notes:

A. REZONE (Z09-01)

1191 S. Mohler Road
APN 257-270-70
PEA09-18

This is a public hearing on a request to rezone property from *Urban Reserve* to *Single Family Residential - Estate*. The property is located at 1191 S. Mohler Road. **A Negative Declaration (PEA09-18) is recommended for this project.**

Planning Director Zuidervaart introduced the report stating that the property is near what was to be Irongate West. Since the Irongate West project has gone away, the owner would like to develop his own property which now needs to be rezoned so he can subdivide it into two lots.

MOTION: MOVED, SECONDED (KREBBS, UECKER) AND CARRIED BY A VOTE OF 4-0 (GAY ABSENT) TO APPROVE THE REZONE (Z09-01) FOR PROPERTY LOCATED AT 1191 S. MOHLER ROAD (APN 257-270-70).

6. ORDINANCES

Notes:

First Reading and Introduction

A. ORDINANCE NO. 776

AN ORDINANCE OF THE CITY
COUNCIL OF THE CITY OF RIPON
AMENDING CHAPTER 13.08 OF THE
RIPON MUNICIPAL CODE RELATING
TO SEWER CONNECTIONS

This ordinance amends Chapter 13.08 of the Ripon Municipal Code to ensure the City's legal authority obligation is provided as required by the state mandated General Waste Discharge Requirements (WDR).

City Engineer Werner said that this amendment is a state requirement.

MOTION: MOVED, SECONDED (NUTT, UECKER) AND CARRIED BY THE FOLLOWING VOTE TO WAIVE THE FIRST READING AND INTRODUCE ORDINANCE NO. 776.

AYES: Nutt, Uecker, Krebbs, Winn
NOES: None
ABSENT: Gay
ABSTAIN: None

7. RESOLUTIONS

Notes:

A. RESOLUTION NO. 09-70

A RESOLUTION OF THE CITY
COUNCIL OF THE CITY OF RIPON TO
ACCEPT THE CITY OF RIPON'S SEWER
SYSTEM MANAGEMENT PLAN (SSMP)

This resolution accepts the Sewer
System Management Plan in
compliance with the statewide general
waste discharge requirements for
sanitary sewer systems.

MOTION: MOVED, SECONDED (NUTT, UECKER) AND CARRIED BY A VOTE OF 4-0 (GAY
ABSENT) TO APPROVE RESOLUTION NO. 09-70.

8. DISCUSSION ITEMS

Notes:

A. RENAME THE SKATE PARK

Curt Pernice Skate Park
Discussion/Action

Curt Pernice has requested that the skate park be renamed in honor of Justin Henry.

Mayor Winn said that Curt Pernice does not want the park named after him, and Pernice wants to honor Justin Henry. He said that the past Council named the park after him because they believed that the park would not have happened without him. Pernice was the driving force behind the skate park – it was his passion. Winn said that the community would not have a skate park without him, but he does not want the recognition. He did it for the kids, so they would have a safe place to skate.

Krebbs said that Pernice was a youth pastor at the time, and he had built a small skate park behind the church. He wanted to have a positive influence on the kids. Krebbs said that the skate park is used every day. He said the City has lots of nice parks, but Mistlin Park is the only park used as much as the skate park. He said he is willing to honor Pernice’s request.

Council Member Nutt said that people felt it should it be named after him, and we should not change the name now. We can add a plaque to honor Justin Henry.

Council Member Uecker said he agrees with Council Member Nutt. Uecker said he wants to keep the name the same, and add the plaque.

Mayor Winn said that we could add a skate park memorial. He said that other parks hold tournaments, set up foundations, or have contests to honor people.

Krebbs said that Henry’s name could be on a bench.

Winn said that the skate park is known around the world as the Curt Pernice Skate Park, and to change the name now would be too difficult.

MOTION: MOVED, SECONDED (KREBBS, NUTT) AND CARRIED BY A VOTE OF 4-0 (GAY ABSENT) TO KEEP THE NAME ‘CURT PERNICE SKATE PARK,’ AND TO AUTHORIZE COUNCIL MEMBER UECKER AND MAYOR WINN TO MEET WITH CURT PERNICE TO DETERMINE WHAT TYPE OF MEMORIAL SHOULD BE CREATED FOR JUSTIN HENRY.

8. DISCUSSION ITEMS, continued:

B. FARMERS MARKET / FAMILY NIGHT

Mayor Winn
Council Member Krebbs
Discussion/Action

Consider the plans for a future farmers market and/or family night.

Mayor Winn said that the goal is to revitalize the down town area, increase consumer traffic, provide greater publicity, expand shopping opportunities, and improve sales. He said that he has learned that running a farmers' market is more involved than he anticipated. He said he is leaning toward a certified market. Winn said that the Downtown Development Committee met to discuss a street fair, and the business owners were very enthused. They believe that this will benefit all the businesses.

Winn said that the farmer's market will be scheduled for May through September of next year. He said the market will also include special events through the season. Winn said that the City needs to begin advertizing early.

Council Member Nutt said that vendors come to make money, and whoever manages the market needs to be able to handle people issues.

Council Member Krebbs said he went to the Lodi farmers market and it was a lot of fun. He said it was only about two blocks long, but there were at least 500 people there. He said that the market was also good for local businesses.

MOTION: MOVED, SECONDED (KREBBS, UECKER) AND CARRIED BY A VOTE OF 4-0 (GAY ABSENT) TO APPROVE MOVING FORWARD WITH A FARMERS MARKET.

REPORTS

City Administrator: No Report

City Attorney: No Report

City Engineer: No Report

Planning Director: No Report

Recreation Director: Stevens reminded everyone that the Hot Air Balloon Festival is this weekend.

Director of Public Works: No Report

Chief of Police: No Report

City Council: Krebbs said that the Business Improvement Committee met on Monday, and he was very happy with the turnout. He said that the restaurant owners want to do something, and appointed people to decide what to do. They want to provide weekly entertainment at different restaurants, and to offer coupon books.

Winn said that the businesses are committed to each other.

There being no further business, the meeting adjourned at 8:02 p.m.

(Signed) Chuck Winn

Mayor

ATTEST:

(Signed) Jeanne D. Hall

Deputy City Clerk

REDEVELOPMENT AGENCY:

There being no further business, the meeting adjourned at 9:08 p.m.

(Signed) Chuck Winn

Chairman

ATTEST:

(Signed) Jeanne D. Hall

Deputy City Clerk

CLOSED SESSION: The meeting was called to order at 9:10 p.m.

ROLL CALL: Council Members Dean Uecker, Garry Krebbs, Vice-Mayor Elden “Red” Nutt, Mayor Chuck Winn

Absent: Council Member Charlie Gay

OTHERS PRESENT: City Administrator Leon Compton, City Attorney Tom Terpstra, City Clerk Lynette Van Laar, Director of Planning Ken Zuidervaart.

IN THE MATTER OF:

Property Negotiations pursuant to Section 54956.8 of the California Government Code.

APN: 259-274-11

APN: 259-274-12

APN: 250-274-13

There being no further business, the meeting adjourned at 9:20 p.m.

Ripon Community Redevelopment Agency Minutes

TUESDAY, SEPTEMBER 1, 2009

AFTER COUNCIL MEETING

ROLL CALL: Directors Dean Uecker, Garry Krebs, Vice-Chairman Elden “Red” Nutt, Chairman Chuck Winn.

Absent: Director Charlie Gay

OTHERS PRESENT: Executive Director Leon Compton, City Engineer Kevin Werner, City Attorney Tom Terpstra, Secretary Ken Zuidervaart, City Clerk Lynette Van Laar, Deputy City Clerk Jeanne D. Hall, Information Systems Technician Dan Brannon, Director of Public Works Ted Johnston, Police Chief Richard Bull, Recreation Director Kye Stevens, Chuck Roots, Helen Caetano, Leo Zuber, Mike Dillman, Gaynl Trotter.

PUBLIC DISCUSSION: No one from the public wished to speak at this time.

APPROVE THE MINUTES: MOTION: MOVED, SECONDED (UECKER, NUTT) AND CARRIED BY A VOTE OF 4-0 (GAY ABSENT) TO APPROVE THE REDEVELOPMENT AGENCY MEETING OF AUGUST 18, 2009.

CONSENT CALENDAR

1. Income

A. COUNTY OF SAN JOAQUIN

Redevelopment

\$2,492.00

CONSENT CALENDAR, continued:

2. Bills, Invoices, Payments

A. URBAN FUTURES

Redevelopment Agency Plan

Invoice #0709-028 \$8,252.50

Invoice #0809-032 \$16,262.54

Invoice #0809-033 \$1,800.00

TOTAL \$26,315.04

B. BRUMMELL, MYRICK & ASSOCIATES

Police Department Dispatch Center

Air Conditioning \$3,120.00

C. RIPON GRACE CHURCH

Main Street/Stockton Avenue

Reimbursement Agreement

Progress Payment \$10,968.02

D. THOMAS H. TERPSTRA – LAW

Redevelopment Matters \$480.00

E. THOMA ELECTRIC

Police Dispatch

Design Services \$546.00

CONSENT CALENDAR, continued:

3. Miscellaneous Items

A. ROSS F. CARROLL, INC.

Change Order No. 26
Main Street/Stockton Avenue Rehab Project

Approve Change Order No. 26 to tie adjacent private properties into the newly constructed improvements.
(Cost: \$11,814.85)

B. ROSS F. CARROLL, INC.

Change Order No. 28
Main Street/Stockton Avenue Rehab Project

Item 3B was pulled for discussion.

Approve Change Order No. 28 for the installation of sidewalk and storm drain pipeline near the north-east corner of Stockton Avenue and Second Street.
(Cost: \$18,150.00)

End of Consent Calendar

MOTION: MOVED, SECONDED (NUTT, UECKER) AND CARRIED BY A VOTE OF 4-0 (GAY ABSENT) TO APPROVE THE CONSENT CALENDAR.

Discussion on Item 3B.

Council Member Nutt said he was surprised that the sidewalk did not go the full length, and why was this not in the original project.

City Engineer Werner said it was left out because it required some storm drain issues and coordination with Caltrans. This part was originally in the next phase of the project.

Nutt noted that this will correct the problem and the sidewalk will be completed.

MOTION: MOVED, SECONDED (NUTT, UECKER) AND CARRIED BY A VOTE OF 4-0 (GAY ABSENT) TO APPROVE THE ROSS F. CARROLL CHANGE ORDER NO. 28.

4. RESOLUTIONS

Notes:

A. RESOLUTION NO. 09-13

A RESOLUTION OF THE RIPON
REDEVELOPMENT AGENCY OF THE
CITY OF RIPON TO APPROVE AND TO
AUTHORIZE THE CITY ADMINISTRATOR
OR CITY ENGINEER TO ACT ON BEHALF
OF THE APPLICATION FOR TECHNICAL
ASSISTANCE FOR THE ENERGY
EFFICIENCY AND CONSERVATION
BLOCK GRANT, CALIFORNIA
ENERGY COMMISSION

This resolution authorizes the City Administrator or the City Engineer to execute all required documents for the Ripon Police Department Dispatch center and the old library site regarding the Energy Efficiency and Conservation Block Grant, California Energy Commission.

City Engineer Werner said that this block grant is giving money to small cities, and Ripon's share is \$80,000.00 to install energy efficient upgrades. The two projects are to provide a split HVAC unit in dispatch and various improvements in the old library.

MOTION: MOVED, SECONDED (UECKER, NUTT) AND CARRIED BY A VOTE OF 4-0 (GAY ABSENT) TO APPROVE RESOLUTION NO. 09-13.

5. DISCUSSION ITEMS

A. NEXUS ENGINEERING, INC.

Proposal
Energy Efficient Block Grant (EEBG)
Old Library
Discussion/Action

Accept the proposal from Nexus Engineering to evaluate the old library and determine any energy efficient upgrades needed that could possibly be paid for as part of the California Energy Commission Energy Efficiency Block Grant.
(Cost of Study not to exceed: \$3,400.00)

City Engineer Werner said that this study needs to be done, but the cost cannot come from the block grant.

MOTION: MOVED, SECONDED (KREBBS, UECKER) AND CARRIED BY A VOTE OF 4-0 (GAY ABSENT) TO APPROVE THE PROPOSAL FROM NEXUS ENGINEERING FOR AN ENERGY STUDY OF THE OLD LIBRARY FOR THE BLOCK GRANT.

B. ROSS F. CARROLL, INC.

Change Order No. 29
Madsen Sunrise Dairy
Discussion/Action

Provide direction to staff regarding Change Order No. 29 to demolition the underground storage tanks and to demolish the building.
(Cost to demolish the tanks: \$15,000.00)
(Cost to demolish the building: \$17,000.00)

City Engineer Werner presented the options.

Council Member Uecker asked if the occupant of Madsen Dairy has been notified.

Werner said he called him and City Administrator Compton has talked to him. It is not a problem.

Gaynl Trotter, Ripon, said she is against demolishing the dairy. She said it could be used as a restaurant with outdoor tables.

MOTION: MOVED, SECONDED (KREBBS, UECKER) AND CARRIED BY A VOTE OF 4-0 (GAY ABSENT) TO APPROVE CHANGE ORDER NO. 29 TO DEMOLISH THE TANKS AND THE BUILDING.

DISCUSSION ITEMS. continued:

C. MAIN STREET IMPROVEMENTS

Phase 2 (originally a 2-part project)

Discussion/Action

Request City Council approval to construct the Main Street Phase 2 Project as a single project in FY 09/10. Also, request City Council to approve the project design elements. Advancing the project would take advantage of lower bid prices, completion of Phase 2 in one fiscal year, provide jobs now, and reduce disruption.

City Engineer Werner said that there are two items that were discussed in the workshop, and he is seeking direction from the Council. The first is the Construction Schedule and the second is the Design Elements. He said that the total cost for this project is \$2 million. The outside funding that we have been able to obtain is \$1.2 million. The shortfall of \$800,000.00 would come from the Redevelopment Fund.

Werner said that the Council needs to determine if the street should have inverted or a raised crown and should the asphalt be replaced with pavers. The design calls for a turn-around at the east end of Main Street, new foundations for the pots in key intersections, demolishes the car wash, center island landscaping, expand the parking lot behind the Ripon Road House, adding arbors, columns, and lighting with twin lights.

Council Member Krebbs said that this project can only happen if we get the \$1.2 million.

Council Member Nutt said he likes the arbors and the pavers in the turn around, but he wants to keep the asphalt in the street. He said he will not approve a project with pavers in the street.

Mayor Winn asked if kiosks could be included.

Werner said that should be a separate project.

Winn also asked if landscaping could be continued around the corner to Industrial, or should that be done in a separate project.

Werner said it should be a separate project also.

Werner said that the design concept should be done now so the sidewalk, curb and gutter will match.

Krebbs said that project is contingent on getting the \$1.2 million.

Werner said all the money has been committed to the project. With the STIP-TE money, we are getting that advance now.

Nutt asked if the \$1.2 million will pay for everything.

DISCUSSION ITEMS. continued:

City Engineer Werner said the project will cost between \$2 million and \$2.5 million depending on which crown you pick.

Council Member Nutt said that the street will still be good for another 10 to 15 years, so it does not need pavers.

Council Member Krebbs said that the \$1.2 million will not come again. This is not City money, and if we don't do this project, we will lose the funding. It would be foolish to not do a project that we will want done sooner or later. We have an opportunity to do the project now. We may not have this opportunity again.

Nutt said that saying it is not our money is wrong. It is the tax payers' money.

Leo Zuber, Ripon, said that \$400,000 is coming from the Feds.

Werner said the \$800,000 is coming from the Feds. \$400,000 is STIP-TE money.

Zuber, Ripon, said that COG is advancing the \$400,000 assuming the City is getting it one or two years from now. This was originally a three-year project. Now you are compressing it to one year. You are borrowing money against yourself. He said he is not worried about the \$1.2 million. He said he is worried about the other \$1.3 million – the \$800,000 in Redevelopment Funds assuming you leave the crown alone, or \$1.3 million you will have to put in if you change the crown. You are not spending very much money to fix things that qualify the City for Redevelopment money, and the more of it you spend on stuff like this, the less you have to fix the things that Redevelopment money is for. As it is now, the trees don't match, the pots don't match, the parking bulbs don't match, so why does the crown have to match. He said that pavers are OK. He said that the City needs to do a \$2 million project and move on. Where do you want to spend the \$500,000 – now, or later to finish the project around the corner? The project makes sense, but the crown does not make sense to increase the cost of the project by 25%.

Danielle Pierce, Ripon, said she is concerned about the crown being changed. In the past, the street would flood almost to the doorway of the bank. The current design works better. Why change it back to a way that did not function well? She also commented that the Crepe Myrtle trees look beautiful and she would like them to stay. She asked when the businesses be included in the planning.

Mayor Winn said that it was discussed at length during the workshop about communicating with the businesses. He said that the Council is very concerned about the downtown businesses.

Werner said that staff needs direction to prepare the plans and create a schedule to work with Caltrans and Federal Highway, and to do the public outreach. There are certain major elements that we cannot change, but there are smaller elements that we can change.

City Administrator Compton said that the original design was an inadequate line size that ran from downtown to the river. It cost about \$1 million to fix the line from Main Street to a retention basin on Doak so we can do recharge. The increased line size has fixed the problem, so the street design will not affect the drainage problem.

Krebbs stated that the decisions we need to make are – do we want a raised crown, or do we want pavers

DISCUSSION ITEMS. continued:

and the parking lot. He said he really wants the raised crown, but because of the money situation, the \$500,000.00 can be better used somewhere else.

Council Member Uecker said he prefers the raised crown, but it costs a lot of money. He said that we need the pavers so the look is consistent. He said that change orders will happen, so there will be more costs.

Mayor Winn said he attended the meeting with the down town merchants, and he did not hear anyone complaining. He said he has talked to a lot of people and they love the pavers, lights, and landscaping. He has gotten comments about the noise, though. This money is available to Ripon because other cities do not have a project 'shovel ready,' and this is a tribute to our staff. He said that the window of opportunity is now. The federal government will not have any more money after this. For the sake of beautification, continuation, and making our downtown the most attractive in the central valley, he does not want to strive for mediocrity, and sometimes there is a tendency to do that. We need to make a conscious decision to make something attractive for businesses, residents and visitors.

Council Member Nutt said he does not like the pavers. They were put in on a street that needed to be replaced. But to tear up a perfectly good street just because we want it to look pretty is not a good idea, when just dressing it up will save a lot of money.

MOTION:

Council Member Krebbs made a motion to approve the project, and retain the inverted crown.

Council Member Uecker said he would second the motion if he can add installing pavers on the whole street

Discussion before the vote:

City Engineer Werner asked for clarification. He said there are two parts – first is the construction schedule – advancing the project, and second is approving the other design elements. He asked if Council wants to split the vote.

Krebbs said he made the motion on the whole project and choosing the inverted crown.

Nutt said that the Council acts as a Council, and whatever the vote is, he will support it but he is going to vote No.

MOTION: MOVED, SECONDED (KREBBS, UECKER) AND FAILED BY A VOTE OF 2-2 (NUTT - NO, WINN - NO, GAY - ABSENT) TO APPROVE THE WHOLE PROJECT WITH PAVERS, AND RETAIN THE INVERTED CROWN.

City Administrator Compton reminded the Council that there is \$1.2 million available, and they need to vote to use it or lose it.

Werner said that the environmental document needs to be submitted before the next council meeting.

Winn said that they can hold a special council meeting if necessary.

DISCUSSION ITEMS. continued:

City Engineer Werner said he needs the construction schedule right away.

MOTION: MOVED, SECONDED (UECKER, NUTT) AND CARRIED BY A VOTE OF 4-0 (GAY ABSENT) TO APPROVE ADVANCING THE CONSTRUCTION SCHEDULE.

City Administrator Compton said that it sounds like the major issue is a decision on the crown. He asked Council if they can agree on all the other issues, and come back later about the crown.

Council agreed to consider the crown design issue at another meeting.

MOTION: MOVED, SECONDED (UECKER, KREBBS) AND CARRIED BY A VOTE OF 3-1 (NUTT, NO - GAY ABSENT) TO APPROVE ALL THE DESIGN ISSUES EXCEPT THE CROWN.

Council Member Uecker noted that this motion includes installing all the pavers.

Council Member Nutt said he will support the decision, but he does not agree with it.

City Administrator Compton said he understands that the motion includes doing all the improvements from the railroad tracks to Acacia – including pavers.

Mayor Winn said that the point of contention is the first item on the list which is two parts – the pavers and the crown. There is agreement on all the rest of the design elements.

Nutt said he just disagrees with replacing the pavers.

Werner said that to clarify the discussion, pavers will be installed from Acacia to the turn around. The only thing left for discussion is the raised or inverted crown.

Council concurred.

MOTION:

Council Member Uecker made a motion to approve the inverted crown.

Winn requested that the decision be held over until the whole council could vote.

Uecker withdrew his motion.

There being no further business, the meeting adjourned at 9:08 p.m.

(Signed) Chuck Winn

Chairman

ATTEST:

(Signed) Jeanne D. Hall

Deputy City Clerk