

NOTE: These minutes are subject to Council approval and are not verbatim; however, tapes are available for public review.

**MINUTES OF THE ALBANY CITY COUNCIL**  
**IN REGULAR SESSION,**  
**COMMUNITY CENTER, 1249 MARIN AVENUE**  
**MONDAY, FEBRUARY 2, 2009**

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**CLOSED SESSION**

**OPPORTUNITY FOR THE PUBLIC TO SPEAK ON CLOSED SESSION ITEMS**

Closed session to discuss real property pursuant to Government Code Section 54956.8

Property: 842 Masonic Avenue, Albany  
Negotiating Parties: City Administrator and Rebecca Nemeth, Berkeley Hills Realty, on behalf of the City; Rita Smith, Rita Smith Realty, on behalf of property owner.

**ADJOURN TO CLOSED SESSION**

**7:30 p.m.**

Mayor Atkinson, who led the Pledge of Allegiance to the Flag, called the regular meeting of the Albany City Council to order on the above date.

**ROLL CALL**

Present: Council Members Javandel, Lieber, Thomsen, Wile & Mayor Atkinson  
Absent: None

**STAFF PRESENT**

Beth Pollard, City Administrator; Robert Zweben, City Attorney; Jacqueline Bucholz, City Clerk; Ann Chaney, Community Development Director; Jeff Bond, Planning Manager; Rich Cunningham, Public Works Manager; Charles Adams, Finance Director; Marc McGinn, Fire Chief, Jay Jorgensen & Jim Boito, Fire Department; Penelope Leach, Recreation & Community Services Director.

**3. REPORT ON ACTION TAKEN IN CLOSED SESSION, IF ANY**

The City Administrator reported that staff was given instructions.

**4. CONSENT CALENDAR**

(Consent Calendar items are considered to be routine by the City Council and will be enacted by one motion. By approval of the Consent Calendar, the staff recommendations will be adopted unless otherwise modified by the City Council. There will be no separate discussion on these items unless a Council Member or a member of the audience requests removal of the items from the Consent Calendar.)

**4-1. Council Minutes, January 21, 2009.**

Staff recommendation: Approve.

**4-2. a.** Ratification of City of Albany net payroll in the amount of \$193,008.79; taxes, benefits & withholdings in the amount of \$260,675.06. Total payroll in the amount of \$453,683.85. Payroll period: 01/16/09.

b. Ratification of Albany Municipal Services JPA net payroll in the amount of \$55,790.64; taxes, benefits & withholdings in the amount of \$59,493.64. Total payroll in the amount of \$115,284.28. Payroll period: 01/16/09.

Staff recommendation: Ratify.

**4-3. a.** Ratification of bills, claims & demands against the City of Albany in the amount of \$50,764.40. Period: 01/01/09.

b. Ratification of bills, claims & demands against the City of Albany in the amount of \$142,730.43. Period: 01/09/09.

c. Ratification of bills, claims & demands against the City of Albany JPA in the amount of \$66.94. Period: 01/09/09.

(File #300-40)

Staff recommendation: Ratify.

**4-4. a.** Ratification of pension payments for the month of December, 2008 in the amount of \$112,195.98.

b. Ratification of pension payments for the month of January, 2009 in the amount of \$112,581.34.

Staff recommendation: Ratify.

**4. CONSENT CALENDAR**

- 4-5.** A rendering of the quarterly Cash and Investments Treasury Report of the City of Albany as of December 31, 2008, as required by Section 53646 of the California Government Code.  
(File #300-10)

Staff recommendation: Information only.

- 4-6.** Green Building/Bay Friendly Landscaping Grant for the Civic Center Project in an amount up to \$50,000.  
(File #405-35)

Staff recommendation: Approve.

- 4-7.** Solano Avenue Association request for an Encroachment Permit for a Lunar New Year Parade on Saturday, February 7, 2009.  
(File #820-50)

Staff recommendation: 1) Approve an Encroachment Permit – Street Event application subject to special conditions, as requested by Solano Avenue Association to: a) Temporarily close the westbound lane of Solano Avenue, from Santa Fe Avenue to Kains Avenue on Saturday, February 7, 2009, from 11:00 a.m. to 12:00 noon for a Lunar New Year Parade; and b) Eliminate parking on the south side of Solano Avenue between Talbot and Cornell Streets on February 7, 2009, from 10:00 a.m. to 3:00 p.m.

- 4-8.** Polk Street & Madison Street Sewer Replacement Project-CIP Project P58.  
(File #600-30)

Staff recommendation: Award the contract in the amount of \$149,688 for the Polk Street & Madison Street Sewer Replacement Project (Contract No. C08-28) to McNamara & Smallman Construction Inc., of Livermore, CA.

- 4-9.** Consideration of Claim #AL589; Almendares v. City of Albany.  
(File #170-60)

Staff recommendation: Reject claim and authorize the City Clerk to send out rejection letter.

**4. CONSENT CALENDAR**

**4-10.** Ordinances for Second Reading:

- a. No. 09-01 – An Ordinance of the Albany City Council Incorporating Article 1-11 Administrative Citations into Chapter 1 of the Albany Municipal Code.
- b. No. 09-02 – An Ordinance of the Albany City Council Incorporating Article 5-24 Tobacco Retailer Licensing Program into Chapter 5 of the Albany Municipal Code.
- c. No 09-03 – An Ordinance of the Albany City Council Incorporating Tobacco Retailer Land Use Regulations into Chapter 20 of the Albany Municipal Code.

Staff recommendation: Adopt Ordinance #09-01, #09-02 & #09-03 for Second Reading – Pass-to-Print.

**4-11.** Resolution No. 09-3 – A Resolution of the Albany City Council Authorizing the City of Albany Fire Department to Purchase a Pierce 75-Foot Heavy Duty Quint Aerial Apparatus for \$583,000. (File #170-60)

Staff recommendation: Adopt Resolution No. 09-3.

**4-12.** Council Appointments: Mayor Atkinson appointing Ellen Toomey to the Community Media Access Committee. Council Member Lieber appointing Luke Lucas to the Traffic & Safety Commission. Council Member Wile appointing Amy St. George to the Arts Committee; Jackie Hermes, Community Media Access Committee.

Staff recommendation: Information only.

**MOTION:**

Moved by Council Member Javandel, seconded by Council Member Thomsen to approve the Consent Calendar, as submitted.

AYES: Council Members Javandel, Lieber, Thomsen, Wile & Mayor Atkinson

NOES: None

ABSENT: None

Motion carried and so ordered.

**5. GOOD OF THE CITY/PUBLIC FORUM/ANNOUNCEMENTS**

The City Administrator announced that the City Newsletter would be coming out soon.

Mayor Atkinson announced that her neighbor Fred Oyle passed away and that she would be adjourning the meeting in his memory.

## **6. PRESENTATION/PUBLIC HEARING**

### **6-1. Presentation of Certificate of Thanks**

Mayor Atkinson stated that would be giving out Certificate of Thanks to the volunteers that worked on the Walking Bus Program.

Susan Silber, coordinator, reported that this program encourages students to walk or bike to school on a designated route with volunteers in charge. The program decreases traffic pollution and adds more exercise for the students. Currently, the program is at Marin Elementary but Cornell School is having training on Saturday, February 7<sup>th</sup> and the hope is to have this program in all the schools in Albany.

Mayor Atkinson presented the Certificate of Thanks to the following people: Wendy Rogers-Jodation, Wayne Shipman, Heather Cunningham, Yael Blook, Claudia Thio, Julie Burke, Joannie Albee-Good, Ken McCroskey, Jill Cooper, Susan Silber, Ann Chaney and Laura Casdia.

## **7. UNFINISHED BUSINESS**

### **7-1. Cumulative Voting**

(File #100-20)

Council Member Javandel stated that the idea for cumulative voting came from three (3) members of the Charter Review Committee. The suggestion was raised to consider this method in an effort to weigh the appointments in a manner that reflects the full spectrum of the City Council. This method would be applicable when there are two or more positions to be filled, and defined as follows: 1) Each Council member may cast as many votes as there are vacant positions to be filled. 2) A Council member may cast all their votes for one candidate or distribute their votes to multiple candidates. 3) All votes are cast by means of written ballots, which will be read by the City Clerk. 4) Vacant positions will be filled by the candidates with the most votes. 5) In the event that a tie must be broken, the entire voting process is repeated until the tie is resolved.

Council Member Javandel commented that significant ramifications of implementing cumulative voting can be summarized, as follows: 1) Distribution of committee members will more closely match the distribution of Council Members. 2) The majority of Council Members will retain the majority of positions on any committee. 3) The minority of Council Members will not be able to achieve the majority of positions on any committee through cumulative voting. 4) Council Members retain the ability to discuss their voting intent at the public meeting prior to actually casting votes. This alleviates possible concern over surprise outcomes if there are many more candidates than open positions.

The following person spoke: Preston Jordan, Albany resident. A summary of the comments is as follows: Stated that this is an important issue and does give proportionate representation.

Council Member Lieber stated that he does support Instant Runoff Voting (IRV); however, does not support changing the current way of electing people to represent the

**7-1. Cumulative Voting**

Council. Council Member Lieber noted that democracy is about the majority ruling not the minority.

Council Member Lieber stated that he does believe it appropriate to talk about the issue and that it should be sent to the Social & Economic Justice Commission for their review and recommendation.

Council Member Thomsen commented that Council Members should look at skills and knowledge when making appointments and would prefer that each Council Member have two appointees. Council Member Thomsen believes that this item should be referred back to the Charter Review Committee.

Council Member Wile agreed that appointments should be made on skills and knowledge and the Commission/Committee have broad representation if possible. Council Member Wile noted that appointees should only serve on one Commission or Committee.

Mayor Atkinson stated that she likes the way the appointments are currently made and noted that she liked the way the Council voted for Waterfront Committee at-large members by writing down the names. Mayor Atkinson disagreed with sending this issue back to a Committee.

**MOTION:**

Moved by Council Member Javandel, seconded by Council Member Thomsen that the issue of cumulative voting be sent back to the Charter Review Committee to evaluate how the City handles the at-large appointments. The recommendation to come back to Council no later than June, 2009.

AYES: Council Members Javandel, Thomsen & Wile

NOES: Council Member Lieber & Mayor Atkinson                      ABSENT: None

Motion carried and so ordered.

**7-2. At-Large Appointment to Sustainability Committee**

(File #110-20)

The City Administrator stated that the Sustainability Committee has one at-large appointment and one applicant who served as the at-large member.

Mayor Atkinson asked if the applicant was present he was not, therefore, Council Member Wile spoke in his favor. Council Member Wile noted that the applicant was an original member of the Green Task Force who is very knowledgeable about sustainability and is a valuable resource to the City.

Council Member Javandel agreed that it is in the best interest of the City to get people on committees who have expertise and supports the appointment.

**MOTION:**

Moved by Council Member Javandel, seconded by Council Member Wile to appoint Dan Lieberman as the at-large member on the Sustainability Committee.

Motion carried and so ordered.

### **7-3. Progress Report – Economic Development Working Group**

Mayor Atkinson announced that the Economic Development Working Group meet every two (2) weeks at 979 San Pablo Avenue and the next meeting is scheduled for February 10, 2009.

Mayor Atkinson reported that this Group does have a transparency process with agendas posted and the minutes put on the City website. Mayor Atkinson thanked Council Members Thomsen & Wile for their involvement in a workshop to help the small businessperson during these tough economic times.

The Workshop is scheduled for February 11, 6-8 p.m. at the Senior Center.

### **7-4. Policy for the Naming of City Property**

(File #100-30)

The City Administrator reported that the City has a policy on the approval and acceptance of memorials and other capital gifts to the City, including those in honor of individuals. It contains reference to benches, plaques, trees and capital projects or gifts to the City on City property, including parks, recreational or other facilities, open space, public right-of-way and medians. The policy does not include specific reference to the naming of City property.

There has been interest in the community to name City property in honor residents, for example, the Bill Lewis Teen Center, Catherine's Walk. The Parks & Recreation Commission has recommended to the City Council that Terrace Park be renamed Jewel's Terrace Park to honor former Council Member and lifetime community resident and volunteer Jewel Okawachi.

Council Member Lieber stated that he supports having a policy and would like to see it referred to the Planning & Zoning Commission, Traffic & Safety, Parks & Recreation Commission and the Social Justice & Economic Commission.

The following people spoke: John Kindle, Parks & Recreation Commissioner; Francesco Papalia, Albany resident; Bob Outis, Albany resident.

A summary of the comments is as follows: Reiterated the fact that there are plaques and buildings already named for an individual. Any naming of a City facility should be done very carefully and that it is done for a person who has had a long term of service to the City. Agreed that a renaming should be done infrequently and a policy should be explored.

Council Member Javandel stated that he agrees that a policy should be on the naming of City property and should be done without impacting any proposal before Council.

Council Member Wile stated that she is interested in other people's views and expressed concern about any costs to the City that a renaming would involve.

Mayor Atkinson agreed that other Commissions/Committees should review a policy.

Council Member Thomsen noted that there are Administrative Policies on the books that indicate a donor should pay for all costs.

**7-4. Policy for the Naming of City Property**

**MOTION:**

Moved by Council Member Lieber, seconded by Council Member Thomsen to refer to the Planning & Zoning Commission the study of an Ordinance for a renaming policy. The draft should be circulated to the Parks & Recreation Commission, the Traffic & Safety Commission and the Social and Economic Justice Commission. When the process is completed, it should be returned back to the City Council for action.

**ON THE QUESTION:**

The City Administrator suggested that the policy be done by resolution rather than ordinance. Mayor Lieber stated that his preference is for an ordinance, as that is the norm with other cities; however, would like to see what the Social & Economic Justice Commission recommend.

**AMENDED MOTION:**

Moved by Council Member Thomsen, seconded by Council Member Lieber that the Planning & Zoning Commission explores the possibility of an ordinance or a resolution.

AYES: Council Members Javandel, Lieber, Thomsen, Wile & Mayor Atkinson

NOES: None

ABSENT: None

Motion carried and so ordered.

**8. NEW BUSINESS**

**8-1. Resolution No. 09-4 – Renaming of City Property**

(File #920-60)

The Recreation & Community Services Director reported that the Parks & Recreation Commission voted to recommend to the City Council that Terrace Park be renamed in honor of former Council Member Okawachi.

The following people spoke: John Kindle, Parks & Recreation Commission; Caryl O’Keefe, Albany resident; Michael Wallace, Albany resident; Allan Maris, Albany resident; Brian Parsley, Albany resident; Francesco Papalia, Albany resident; Jewel Okawachi, Albany resident; Jim Cleveland, Albany resident.

A summary of the comments is as follows: Supported the park being renamed to honor Jewel Okawachi. Suggested that the residents within 300’ of the park be notified of the name change so that they can have some input. Noted that the Parks & Recreation Commission agenda was posted and put on the City website so that anyone could see what was being discussed. Agreed that the item should be postponed until the residents have been notified. Spoke about the honor of having the park renamed in her name and noted that her feelings would not be hurt if this were discussed further.

Council Member Javandel agreed that providing notice to the residents around the park area is a good idea and does not think it would change the outcome. Council Member Javandel stated that he couldn’t think of a better person for a park to be named after.



### **8-1. Resolution No. 09-4 – Renaming of City Property**

Council Member Thomsen spoke in favor of the recommendation from the Parks & Recreation Commission; however, believes that alerting the residents is a compromise and that she would make a motion at the next meeting to approve the recommendation.

Council Member Wile noted that she likes the idea of noticing the residents in the park area and asked if there was a law that would prevent a park being named after a Council Member.

Council Member Lieber stated that Council Member Okawachi does have a compelling and important story even larger than a single person, but believes there should be a process and issues need to be discussed. Council Member Lieber noted that former Council Member Okawachi is a political person and that the Social & Economic Justice Commission should discuss that issue as it relates to the possibility of someone for whom property is named later running for office.

Mayor Atkinson stated that she believes the Council should proceed and to invite the public to a celebration for the renaming of the park and does not think there is a need to delay this issue.

Council Member Thomsen presented Resolution No. 09-4 – A Resolution of the Albany City Council Renaming Terrace Park to “Jewel’s Terrace Park” in honor of former Council Member Jewel Okawachi.

**MOTION:**

Moved by Council Member Thomsen to adopt Resolution No. 09-4. No second.

Motion Failed

**ON THE QUESTION:**

Council Member Javandel stated that he would like to wait two weeks so that the public could have input.

**MOTION:**

Moved by Council Member Javandel, seconded by Council Member Thomsen that flyers are sent to residents within 300’ of Terrace Park notifying that Resolution No. 09-4 would be on the February 17<sup>th</sup> agenda for action by the Council.

AYES: Council Members Javandel, Thomsen, Wile & Mayor Atkinson

NOES: None

ABSENT: None

ABSTAIN: Council Member Lieber

Motion carried and so ordered.

### **8-2. East Bay Regional Parks District Measure WW**

(File #920-80)

The Recreation and Community Services Director reported that the voters approve Measure WW in the November, 2008 election. Measure WW is an extension of Measure AA, which was passed by the voters 20 years ago to help preserve 34,000 acres of open space, developed over 100 miles of new trails, and funded hundreds of local parks and recreation projects. Measure WW would be used to continue to restore urban creeks, preserve wildlife purchase and save open space, wetlands and bay shoreline. It would also be used to acquire, develop and improve local and regional parks, trails and recreational facilities for East Bay residents.

## 8-2. East Bay Regional Parks District Measure WW

The Measure allocates funds to cities based on population and Albany would be allocated \$771,363 and has up to 20 years to use the funds. Before Council is Resolution No. 09-2, which authorizes the City to enter into a Master Contract with East Bay Regional Parks District (EBRPD) regarding the allocation of Measure WW funds. It was noted that the City does not need to be identify projects at this time.

Council Member Thomsen asked the Council to separate the two recommended actions due to a potential conflict, as she lives within the 500' of a potential project. Council Member Javandel stated that he also lives within the 500' and Mayor Atkinson stated that she also lives within 500' of a potential project.

Council Member Thomsen stated that according to the Fair Political Practices Commission if a majority of the Council has a conflict then all could discuss the item.

The following people spoke: Preston Jordan, Albany resident; Francesco Papalia, Albany resident; Brian Parsley, Albany resident; Allan Maris, Albany resident; Robert Uhrhammer, Albany resident.

A summary of the comments is as follows: Noted that a group of Albany citizens are concerned about the School District pool project and suggested that the City support the School District in monies for sustainable projects (staff noted that the City can not use the funds on that project). Urged the City to have a plan ready so that the money is not lost. Expressed concern about Albany bulb and the fact that EBRPD is not willing to it over. Supported the idea that a plan needs to be made so that when the money is available the City can use it immediately and would like to see the Waterfront Committee come up with a plan. Noted that many residents of Pierce Street have been before Council regarding the Pierce Street Park.

Council Member Thomsen presented Resolution No. 09-2 – A Resolution of the Albany City Council Regarding the Master Contract between the City of Albany and the East Bay Regional Park District for the Allocation of the City's Share of Measure WW funds.

### **MOTION:**

After reading the title, and waiving reading of entire Resolution, it was moved by Council Member Thomsen and seconded by Council Member Lieber to adopt Resolution No. 09-2.

AYES: Council Members Javandel, Lieber, Thomsen, Wile & Mayor Atkinson

NOES: None

ABSENT: None

Motion carried and so ordered.

The following people spoke: Kathy Diehl, Waterfront Committee Chair; Caryl O'Keefe, Albany resident; Brian Parsley, Albany resident; Allan Maris, Albany resident.

A summary of the comments is as follows: Expressed concerns about the wording of the staff recommendation to refer to the Parks & Recreation Commission with advice from the Waterfront Committee. The Chair noted that the Waterfront Committee has equal involvement and expertise and the recommendation should be reworded so that the Waterfront Committee has an equal role. Supported the recommendation the way it is

worded on the agenda. Noted that the Waterfront Trail Park is not listed on the Park Master Plan (Staff noted that it is on the Plan).

**MOTION:**

**8-2. East Bay Regional Parks District Measure WW**

Moved by Council Member Lieber, seconded by Council Member Javandel to refer to the Parks & Recreation Commission for discussion, deliberation and recommendation regarding the use of the City of Albany's per capita portion of Measure WW funds, and to also refer to the Waterfront Committee for its recommendation, which is to be forwarded to the Parks & Recreation Commission before its final recommendation to the City Council by June, 2009.

Also that the Waterfront Committee discuss and look at other means available within the East Bay Regional Parks District Measure WW funds for land acquisition and improvements, for recommendation to the City Council with at least an interim report due back to the City Council in June, 2009.

AYES: Council Members Javandel, Lieber, Thomsen, Wile & Mayor Atkinson

NOES: None

ABSENT: None

Motion carried and so ordered.

**8-3. Use of Measure R Funds for Ocean View Sports Field Improvements  
(File #920-60)**

The Recreation & Community Services Director reported that there were two factors considered when the Commission made its recommendation to use Measure R funds for the Ocean View Sports Field Project. First, when the RobertZ'berg grant is released the City would have a completed project to submit for reimbursement. Secondly, it has become apparent that there is a need to ensure that Albany's sports fields are compatible. By improving Ocean View Sports Field that is compatible with the amenities at Memorial Sports Field, the City is taking important steps to make the two facilities equal. However, it should be noted that at this time there is not enough information to determine if the City would be reimbursed for the project and that the Measure R funds could be a permanent funding source.

The following people spoke: Clay Larson, Albany resident; Brian Parsley, Albany resident; Thelma Rubin, Albany resident.

A summary of the comments is as follows: The issue of field equity should be vetted through the City Attorney. Agreed the use of Measure R was appropriate and that both fields should be equal. Questioned if the City is tracking the Measure R funds noting that 50% of the money is to be used for the purchase of open space and noted the 11 acres on Albany Hill that could be purchased.

Council Member Lieber stated that the City must move forward to make both fields equal and noted that the City is not exempt from Title 9.

**MOTION:**

Moved by Council Member Lieber, seconded by Council Member Javandel to approve the use of Measure R funds of up to \$94,000 for Ocean View Sports Field Improvements.

AYES: Council Members Javandel, Lieber, Thomsen, Wile & Mayor Atkinson

NOES: None

ABSENT: None

Motion carried and so ordered.

#### **8-4. Financial Statements and Projections**

(File #330-20)

The Finance Director reported that he does have good news that the revenues appear to be on track due to property taxes being better than what was projected. Golden Gate Fields has increased its racing days and the City was reimbursed for costs related to the November 2007 oil spill in the amount of \$43,000.

On the expenditure side the City has spent a little more than what was projected in the revised budget; However, the transfers ended better than what was budgeted.

The Finance Director recommended that the City stay its course and would hope that the cuts made to the reserves be restored.

Council Member Thomsen commented that she is pleased to see that the City is in the black.

Council Member Lieber stated that the City has been lucky and should continue to be careful.

Mayor Atkinson asked about the oil spill reimbursement and the Finance Director responded that the \$43,000 was for staff time and expenses.

The following people spoke: Allan Maris, Albany resident; Caryl O'Keefe, Albany resident.

A summary of the comments is as follows: Expressed concern about the State taking away local revenues and asked if there had been any threats (staff noted that at this time no proposals are on the table). Noted that she supports the recommended action to replenish the reserve account.

No Council action required.

#### **8-5. Status Report on Economic Stimulus Benefits**

(File #330-20)

The Public Works Manager reported that the current development of a large-scale Economic Recovery Act at the Federal level is anticipated to include a substantial public infrastructure improvement component.

Caltrans and the Metropolitan Transportation Commission are administering the transportation portion. The State Water Resources Board and the State Revolving Fund are managing the water infrastructure portion that would benefit Albany.

The emphasis of all the administering agencies is on making funds available for what is being termed "shovel-ready" projects, which means that plans, specs and environmental clearances have been developed and obtained. It should also be noted that parks and sustainability projects are being looked at to include incentives for green projects.

The following people spoke: Preston Jordan, Albany resident; Allan Maris, Albany resident.

A summary of the comments is as follows: Expressed gratitude that there are bicycle projects on the list and spoke about other projects. Asked that staff look into getting water out to the Waterfront area and that gray water could be used at the strip park.

No Council action required.

**9. OTHER BUSINESS/REPORTS ON MEETINGS ATTENDED, ANNOUNCEMENT OF EVENTS/ FUTURE AGENDA ITEMS**

The following announcements were made: Council Member Thomsen announced that attended the Congestion Management Agency meeting where projects were discussed. Council Member Wile noted that she would like to welcome the following businesses to Albany: Bayshore Supply and Gathering Tribes. Announced the Lunar New Year Parade on February 7<sup>th</sup> with a parade from 11 a.m. – Noon. Mayor Atkinson noted that she attended a dinner with discussions on green house gases and the Mayor’s Conference with discussions on the State budget crises.

The City Clerk read the following announcements: 1) A State of the City Finances Report will be presented at the City Council meeting of Tuesday, February 17, 2009. 2) City offices will be closed on Monday, February 16, 2009, in observance of President’s Day. The next regular scheduled Council meeting will be on Tuesday, February 17, 2009, due to the President’s Day holiday.

**10. ADJOURNMENT**

10:20 p.m. – There being no further business before the City Council is was moved and seconded to adjourn the meeting in memory of Fred Oyle and a moment of silence was observed.

Minutes submitted by Jacqueline L. Bucholz, CMC, City Clerk.

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MARGE ATKINSON  
MAYOR

ATTEST:

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JACQUELINE L. BUCHOLZ, CMC  
CITY CLERK