

Regular Meeting of the City Council, City of Farmington, New Mexico, held in the Council Chamber at City Hall at 7:00 p.m. on Tuesday, June 28, 2011. The open regular session was held in full conformity with the laws and ordinances and rules of the Municipality.

Upon roll call, the following were found to be present, constituting a quorum:

MAYOR	Tommy Roberts
COUNCILORS	Dan Darnell Mary M. Fischer Gayla McCulloch Jason Sandel

constituting all the members of said Governing Body.

Also present were:

ASSISTANT CITY MANAGER	Bob Campbell
DEPUTY CITY ATTORNEY	Bill Cooke
CITY CLERK	Dianne Fuhrman

The meeting was convened by the Mayor. Thereupon the following proceedings were duly had and taken, to wit:

INVOCATION: The invocation was offered by Men's Pastor Steve Thomas of World Harvest Center.

Frank Stimac, Assistant Superintendent in charge of Campus Programs for the Farmington School District, led the Pledge of Allegiance.

CONSENT AGENDA: The Mayor announced that those items on the agenda that are marked with an asterisk (*) have been placed on the Consent Agenda and will be voted on by one motion. He stated that if any item did not meet with approval of all Councilors or if a citizen so requested, that item would be removed from the Consent Agenda and heard under Business from the Floor.

*MINUTES: The minutes of the Regular Meeting of the City Council held June 14, 2011 and the minutes of the Regular Work Session of the City Council held June 7, 2011.

*DECLARATION OF SURPLUS PROPERTY: The Purchasing Officer requested that worn-out, unusable or obsolete printing and binding equipment (Administrative Services, Central Warehouse, General Service and Print Shop) be declared surplus to the needs of the City and not essential for municipal purposes, and that the City Manager or his designee be authorized to dispose of such surplus property pursuant to State Statutes.

*BID: The Purchasing Officer recommended that the bid for purchase of a cab and chassis with digger derrick (Electric Line/Vehicle Maintenance) be awarded to Inland Kenworth US, Inc. on its low alternate bid meeting specifications after application of five percent in-state preference of \$208,436.21, and that the primary bid received from Inland Kenworth US, Inc. be rejected for not being in the best interest of the City. Bids opened May 19, 2011 with four bidders participating.

*BID: The Purchasing Officer recommended that the bid for 2011 annual municipal utilities improvements (Public Works) be awarded to TRC Construction Inc. on its low bid of \$2,337,587.50. Bids opened June 21, 2011 with three bidders participating.

*BID: The Purchasing Officer recommended that the bid for 2011 annual street maintenance (Public Works) be awarded to Consolidated Constructors, Inc. on its low bid of \$1,620,342.50. Bids opened June 21, 2011 with two bidders participating.

*AGREEMENT between the City and PATH (People Assisting the Homeless) providing for payment by the City of \$15,000 annually for emergency shelter services (one-year term with automatic renewal for three additional one-year consecutive periods, subject to the appropriation of funds by the Council). Letters of Interest were received until June 14, 2011 with one Letter of Interest being submitted.

*AGREEMENT between the City and Presbyterian Medical Services providing for payment by the City of \$20,000.04 annually for rehabilitation services for developmentally disabled adults and children (one-year term with automatic renewal for three additional one-year consecutive periods, subject to the appropriation of funds by the Council). Letters of Interest were received until June 14, 2011 with one Letter of Interest being submitted.

*AGREEMENT between the City and Valley Water and Sanitation District for treatment and disposal of wastewater (term to 2051).

*GRANT AWARD NUMBER G11SN0010A for funding in the amount of \$146,878 for the Region II High Intensity Drug Trafficking Area (HIDTA) Narcotics Task Force Initiative from January 1, 2011 to December 31, 2012.

*WARRANTS PAYABLE for the time period of June 12, 2011 through June 25, 2011, for current and prior years, in the amount of \$12,490,709.68.

At the request of Councilor Sandel, Purchasing Officer Eddie Smylie stated that he will provide him with a copy of the safety certification form that is required by bidders for construction projects.

Mayor Roberts requested that the minutes for the Regular Meeting of the City Council held June 14, 2011 be removed from the Consent Agenda.

Thereupon, a motion was made by Councilor Sandel, seconded by Councilor Darnell to approve the Consent Agenda, with the exception of the June 14, 2011 Regular City Council meeting minutes, and upon voice vote the motion carried unanimously.

VALEDICTORIAN AND SALUTATORIAN RECOGNITION DAY PROCLAMATION

The Mayor presented the Class of 2011 Valedictorians and Salutatorians from Farmington High School, Piedra Vista High School and Navajo Preparatory School with Proclamations declaring June 28, 2011 as "Valedictorian and Salutatorian Recognition Day".

NATIONAL RECREATION TRAIL AWARD

The Mayor presented Parks, Recreation and Cultural Affairs Director Jeff Bowman and River Reach Foundation Board Members Damon Weems, Debbie Braff, Dr. Robert Lehmer and Walter Gage with a plaque recognizing the Berg/Animas Trail as a National Recreation Trail ("NRT"). Reading from a letter from Ken Salazar, Secretary of the Interior, Mayor Roberts proudly reported that the Berg/Animal Trail is one of 40 newly designated NRT's across the United States.

RECOMMENDATIONS FROM THE PLANNING AND ZONING COMMISSION:

CONSENT AGENDA: Community Development Director Mary Holton requested that those Planning and Zoning Commission recommendations marked with an asterisk () be placed on the Planning and Zoning Commission Consent Agenda and voted on by one motion. She asked that if any item proposed did not meet with approval of all Councilors or if a citizen so requested, that item would be removed from the Consent Agenda and heard in regular order.

*(1) Adoption of the recommendation from the Planning and Zoning Commission, as contained within the Community Development Department Petition Report, to approve Petition No. SUP 11-03 from Eternal Color Tattoo, represented by Cristie Massey, requesting renewal of a Special Use Permit to operate a body art establishment at 221 West Main Street in the CB, Central Business, District, with a waiver to Section 8-15-3 of the

City Code concerning the distance from a church, school or residence, and subject to:

- (a) the building maintaining the appearance of a downtown street frontage; and
 - (b) the body art establishment maintaining reasonable hours of operation during regularly-scheduled church services for My Father's House located at 308 West Broadway.
- * (2) Adoption of the recommendation from the Planning and Zoning Commission, as contained within the Community Development Department Petition Report, to approve Petition No. SP 11-13 from William Cillessen, represented by George Walters, requesting abandonment of a right-of-way and a street name change from Hicks Street to Cillessen Court within the Watson Commercial Subdivision, Replat F, in the GC, General Commercial, District.

There being no requests to remove any items, a motion was made by Councilor Darnell, seconded by Councilor Sandel to approve the Planning and Zoning Commission Consent Agenda, as presented, and upon voice vote the motion carried unanimously.

Associate Planner Fran Fillerup presented the following recommendation from the Planning and Zoning Commission:

- (3) Adoption of the recommendation from the Planning and Zoning Commission, as contained within the Community Development Department Petition Report, to approve Petition No. SUP 11-04 from Phillip and Sandy Efird requesting a Special Use Permit to allow an accessory apartment as an accessory use at 5805 Carl Street in the SF-10, Single-Family Residential, District.

Directing the Council's attention to page 12.1 of the agenda materials, Mr. Fillerup noted that staff and the Planning and Zoning Commission have both recommended approval of the subject petition since it meets the criteria of Section 2.5.4 of the Unified Development Code ("UDC").

Councilor Fischer provided the Council with a copy of the Restrictive Covenants for Greenacres Subdivision. She noted that Paragraphs 4 and 14 explicitly prohibit garages from being used as a residence and restricts the use of the property to one family. She asked Deputy City Attorney Bill Cooke for a legal opinion on whether these covenants are binding on the Council. Mr. Cooke asked that he be given additional time to research the matter.

Pointing out that Greenacres Subdivision was established in 1957, Petitioner Sandy Efird stated that there are a number of protective covenants that are being violated, particularly with regard to the construction of two-story houses, the operation of home-based businesses and the construction of over-sized garages.

Following further discussion, a motion was made by Councilor McCulloch, seconded by Councilor Sandel to table action upon Petition No. SUP 11-04 to the July 12, 2011 regular City Council meeting to afford the Legal Department additional time to determine whether restrictive covenants are binding upon the Council, and upon voice vote the motion carried unanimously.

METROPOLITAN PLANNING ORGANIZATION MAJOR THOROUGHFARE PLAN

Providing opening remarks, MPO Planner Joe Delmagori explained that the purpose of the proposed Metropolitan Planning Organization ("MPO") Major Thoroughfare Plan ("MTP") is to identify existing roads; to preserve the corridors for future road projects necessary for local and regional needs; ensure that roads function in the manner that they were intended; and serve as a regional planning tool for San Juan County and the cities of Aztec, Bloomfield and Farmington. He directed the Council's attention to a series of maps that include the originally proposed MPO MTP and four alternatives that were developed from a series of public meetings. He announced that the MPO Policy Committee has recommended Alternative 1. Directing the Council's attention to pages 13.0 and 13.1 of the agenda materials, Mr. Delmagori reviewed in detail each of the proposed MTPs.

Councilor Sandel contended that it would be in the City's best interest to postpone action on the proposed MPO MTP until the Bureau of Land Management ("BLM") has completed its Recreation Area Management Plan. He also stated that it is his understanding that the extension of English Road had been deleted as an alternative route to Lakewood from Crestwood Estates. He also explained that his objection to the proposed plan deals with the manner in which the northern area of the City interacts with the overall needs of the community.

Lengthy discussion followed concerning the proposed alternatives. Mr. Delmagori pointed out that the MPO MTP is a fluid document that can be amended at any time and noted that Alternative 3 most closely addresses the concerns of the Council.

Councilor Fischer stated that she would prefer to postpone action on the proposed MPO MTP until the Recreation Area Management Plan has been completed.

Addressing the Council on behalf of the off-road vehicle community, Darryl Dunlap contended that if the roads in the Glade area are paved it will create safety hazards for motorcyclists and ATV riders. He also stated that they strongly support the preservation of the Glade Road Run area as a recreational use and requested that it be excluded from the proposed MPO MTP. In response to comments from Councilor Sandel, Mr. Dunlap stated that he is aware that the BLM has proposed some paved roads in the Glade Road Run area, but simply asked that they be mindful of the various recreational uses in the area.

Announcing that he is addressing the Council on behalf of the four-wheeling community, Rick Jenkins voiced his support for the comments that were made by Mr. Dunlap.

Janelle Alleman, Outdoor Recreation Planner for the BLM, confirmed that it will take approximately 18 months to complete the proposed Recreation Area Management Plan.

Following further consideration, a motion was made by Councilor McCulloch, seconded by Councilor Darnell to adopt the Metropolitan Planning Organization Major Thoroughfare Plan Alternative #3.

Councilor Sandel made a motion to amend the original motion to eliminate the northernmost proposed minor arterial from Alternative #3. Mayor Roberts seconded the motion.

He also made a motion to further amend the original motion to eliminate the extension of English Drive to Lakewood Drive. Mayor Roberts seconded the motion.

Public Works Director Jeff Smaka pointed out that if the northernmost minor arterial is deleted it will affect the response times of the Fire Department once Fire Station #7 is constructed because the only ingress/egress to Crestwood Estates will be from Foothills Drive. Also, Mr. Delmagori pointed out that if the northernmost section is eliminated, then it would affect the extension of College Boulevard.

The Mayor called for the vote upon the first proposed amendment to eliminate the northernmost proposed minor arterial from Alternative #3. The roll was called with the following result:

Those voting aye:	Jason Sandel
Those voting nay:	Dan Darnell Mary M. Fischer Gayla McCulloch

The presiding officer thereupon declared that one Councilor having voted in favor thereof, the said motion failed.

The Mayor called for the vote upon the second proposed amendment to eliminate the extension of English Drive to Lakewood Drive from Alternative #3. The roll was called with the following result:

Those voting aye:	Jason Sandel
Those voting nay:	Dan Darnell

Mary M. Fischer
Gayla McCulloch

The presiding officer thereupon declared that one Councilor having voted in favor thereof, the said motion failed.

The Mayor called for the vote upon the original motion to adopt the Metropolitan Planning Organization Major Thoroughfare Plan Alternative #3. The roll was called with the following result:

Those voting aye: Dan Darnell
Gayla McCulloch

Those voting nay: Mary M. Fischer
Jason Sandel

The Mayor voted against the motion and declared the motion failed.

A motion was made by Councilor Darnell, seconded by Councilor McCulloch to adopt Metropolitan Planning Organization Major Thoroughfare Plan Alternative #3, except for the northernmost proposed minor arterial pending the adoption of the Bureau of Land Management's Recreation Area Management Plan. The roll was called with the following result:

Those voting aye: Dan Darnell

Those voting nay: Mary M. Fischer
Gayla McCulloch
Jason Sandel

The presiding officer thereupon declared that one Councilor having voted in favor thereof, the said motion failed.

Mayor Roberts announced that he is feeling conflicted on this issue, explaining that he supports Alternative #3 but is concerned that it includes the extension of English Road. He stated that it may be more prudent for the Council to postpone action on the proposed MPO MTP until the BLM completes the Recreation Area Management Plan.

Following further consideration, a motion was made by Councilor Sandel, seconded by Mayor Roberts to table action upon the proposed Metropolitan Planning Organization Major Thoroughfare Plan to the July 12, 2011 regular City Council Meeting. The roll was called with the following result:

Those voting aye: Mary M. Fischer
Gayla McCulloch
Jason Sandel

Those voting nay: Dan Darnell

The presiding officer thereupon declared that three Councilors having voted in favor thereof, the said motion carried.

Deputy City Attorney Bill Cooke presented and read by title Resolution No. 2011-1400 establishing regular meeting days, times and places for the various commissions, boards, public bodies and the City Council. The title of the resolution being:

A RESOLUTION RATIFYING, CONFIRMING AND ESTABLISHING REGULAR MEETING DAYS, TIMES AND PLACES OF THE VARIOUS COMMISSIONS, BOARDS, PUBLIC BODIES AND THE CITY COUNCIL OF THE CITY OF FARMINGTON IN ACCORDANCE WITH RESOLUTION NO. 96-844.

After consideration of Resolution No. 2011-1400, a motion was made by Councilor Sandel, seconded by Councilor Darnell that said resolution be passed and adopted as presented. The roll was called with the following result:

Those voting aye: Dan Darnell
Mary M. Fischer
Gayla McCulloch
Jason Sandel

Those voting nay: None

The presiding officer thereupon declared that four Councilors having voted in favor thereof, the said motion carried and Resolution No. 2011-1400 was duly passed and adopted.

Mr. Cooke presented for discussion a proposed ordinance amending certain sections of the Unified Development Code. The title of such proposed ordinance being:

AN ORDINANCE AMENDING CERTAIN SECTIONS OF THE UNIFIED DEVELOPMENT CODE.

There being no response to the Mayor's call for discussion, Mr. Cooke announced that the proposed ordinance will be presented for final action at the July 12, 2011 regular City Council meeting.

Lastly, Mr. Cooke presented a proposed ordinance prohibiting the sale or possession of substances listed on Schedule I of the Federal Schedules of Controlled Substances and stated that notice of intent to consider said ordinance has been published two weeks prior to final action upon the ordinance as required by Section 3-17-3 NMSA 1978 Compilation. He recommended the ordinance, if adopted, be given the number 2011-1246. The title of the ordinance being:

AN ORDINANCE MAKING IT A VIOLATION OF THE FARMINGTON CITY CODE TO SELL OR POSSESS A SUBSTANCE LISTED ON SCHEDULE I OF THE FEDERAL SCHEDULES OF CONTROLLED SUBSTANCES.

A motion was made by Councilor Sandel, seconded by Councilor Darnell to pass and adopt Ordinance No. 2011-1246.

Mayor Roberts pointed out an inconsistency in the verbiage of the ordinance and asked the Council to consider amending the ordinance to prohibit the sale, possession and use of any substance listed on Schedule I of the Federal Schedules of Controlled Substances.

Following consideration, a motion was made by Councilor Sandel, seconded by Councilor Darnell to amend the proposed ordinance to prohibit the sale, possession and use of all substances listed on Schedule I of the Federal Schedules of Controlled Substances and upon voice vote the motion carried unanimously.

Thereupon, the Mayor called for the vote upon the motion to pass and adopt Ordinance No. 2011-1246 as amended. The roll was called with the following result:

Those voting aye:	Mary M. Fischer Dan Darnell Gayla McCulloch Jason Sandel
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Those voting nay:	None
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The presiding officer thereupon declared that four Councilors having voted in favor thereof, the said motion carried and ordinance No. 2010-1246 was duly passed and adopted.

BID/MISCELLANEOUS TRANSMISSION LINE MATERIAL

Councilor Sandel briefly left the meeting.

Purchasing Supervisor Kristi Benson announced that a bid opening for the purchase of miscellaneous transmission line material (Electric Utility/Warehouse) opened on June 24, 2011 with five offerors participating. She recommended that the bid be awarded to the lowest and best responsible bidder per category meeting specifications after application of five percent in-state preference (Categories 1 & 2 - Western United Electric Supply Corp. \$24,878.03; Categories 3 & 4 - Wesco Distribution, Inc. \$16,426) and that the bids received for Category 1 from Wesco Distribution, Inc., Border States Electric and Stuart C. Irby Company and the alternate bid received from Western United Electric Supply Corporation be rejected for not meeting specifications.

Following consideration, a motion was made by Councilor Darnell, seconded by Councilor Fischer to award the bid for purchase of miscellaneous transmission line material to Western United Electric Supply Corporation (Categories 1 & 2 - \$24,878.03) and to Wesco

Distribution, Inc. (Categories 3 & 4 - \$16,426) as the lowest and best bidders meeting specifications and to reject the bids received for Category 1 from Wesco Distribution, Inc., Border States Electric and Stuart C. Irby Company and the alternate bid received from Western United Electric Supply Corporation, as recommended by the Purchasing Supervisor, and upon voice vote the motion carried unanimously.

DISCUSSION AND ACTION UPON ITEM REMOVED FROM THE CONSENT AGENDA:

- (1) Approval of minutes for the Regular Meeting of the City Council held June 14, 2011.

Mayor Roberts announced that he wants his comments concerning City Manager Rob Mayes to be verbatim in the minutes of the June 14, 2011 Regular City Council meeting. As a result, he requested that the entire discussion be included verbatim in the minutes.

Thereupon, a motion was made by Councilor Darnell, seconded by Councilor Sandel to direct the City Clerk to amend the minutes from the June 14, 2011 Regular City Council meeting to include verbatim the discussion regarding City Manager Rob Mayes, and upon voice vote the motion carried unanimously.

BUSINESS FROM THE FLOOR:

Councilor Sandel returned to the meeting.

Introduction of Waste Management District Manager Greg Freitag

Alberto Guardado, Director of Operations for Waste Management of New Mexico, introduced newly-appointed District Manager Greg Freitag.

Speeding and Littering on Monterey Avenue

Woody Moore, relayed traffic concerns that he has for Monterey Avenue. He complained that students from Farmington High School race up and down the street during the lunch hour and on weekends and throw litter into his yard and on the street. He attributed some of the littering problems to the skateboarders who utilize the Brookside Park Skate Park. In response to his comments, Mayor Roberts announced that the Farmington School District has decided to close the campus for the upcoming school year, but suggested that Mr. Moore talk to Public Works Director Jeff Smaka about the possibility of installing speed humps to slow traffic and encourage alternate routes.

CLOSED MEETING

A motion was made by Councilor Darnell, seconded by Councilor McCulloch to close the meeting to discuss requests for proposals for the Community Development Block Grant Downtown Façade Improvement Program and the Community Development Block Grant (CDBG) Annual Action Plan Projects. The roll was called with the following result:

Those voting aye:	Dan Darnell Mary M. Fischer Gayla McCulloch Jason Sandel
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Those voting nay:	None
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The presiding officer thereupon declared that four Councilors having voted in favor thereof, the said motion carried.

The Mayor convened the closed meeting at 9:10 p.m. with all members of the Council being present.

Following the closed meeting, during which meeting the matters discussed were limited only to those specified in the motion for closure, a motion was made by Councilor Darnell, seconded by Councilor McCulloch to open the meeting for further business, and upon voice vote the motion carried unanimously.

The open meeting was reconvened by the Mayor at 9:16 p.m. with all members of the Council being present.

REQUEST FOR PROPOSALS FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT
DOWNTOWN FAÇADE IMPROVEMENT PROGRAM

Purchasing Supervisor Kristi Benson announced that proposals for the Community Development Block Grant Downtown Façade Improvement Program (Community Development) opened on May 11, 2011. She recommended that contracts be awarded to Davis Enterprise (829.63), Independent Energy Center (\$15,585.22) and Patchwork Pig (\$17,800) as the best evaluated firms.

Thereupon, a motion was made by Councilor Sandel, seconded by Councilor Darnell to award the proposal for Community Development Block Grant Downtown Façade Improvements to Davis Enterprise (829.63), Independent Energy Center (\$15,585.22) and Patchwork Pig (\$17,800) as recommended by the Purchasing Supervisor, and upon voice vote the motion carried unanimously.

REQUEST FOR PROPOSALS FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
ANNUAL ACTION PLAN PROJECTS

Purchasing Supervisor Kristi Benson announced that proposals for the Community Development Block Grant ("CDBG") Annual Action Plan opened on June 2, 2011 with five offerors participating. She asked the Council for direction on how to proceed with awarding the contracts.

Directing the Council's attention to a handout titled, 2011 Annual Action Plan Project Budgets, CDBG Associate Planner Jay Peterman reported that there is \$60,692.32 available to fund public service projects, noting that the four service providers have requested a total of \$70,000. He presented the Council with three alternatives for consideration: 1) divide the funding equally (\$15,173.09) amongst the four offerors; 2) grant \$15,692.34 to the highest ranked offeror and \$15,000 to the other three offerors; or 3) reject the proposal from the lowest ranked offeror and equally fund the top three offerors (\$20,230.78).

Mayor Roberts announced that he supports the proposal that equally divides the funding to each of the four public service providers.

Thereupon, a motion was made by Councilor Darnell, seconded by Councilor McCulloch to direct staff to equally divide the funding amount amongst the four offerors (\$15,173.09).

Councilor Sandel questioned whether it would be more prudent to simply cap the amount of funding distributed to the community service providers at \$15,000 and to reallocate the remaining \$692.34 to the proposed capital projects. Following consideration, Councilor Darnell withdrew his motion and Councilor McCulloch withdrew her second.

A motion was made by Councilor Darnell, seconded by Councilor McCulloch to grant \$15,692.34 to San Juan County Partnership (rental assistance program) as the highest evaluated offeror and to grant \$15,000 each to Childhaven (daycare for children in transitional housing), Northwest New Mexico Seniors (home and respite care) and San Juan College (daycare assistance for students). The roll was called with the following result:

Those voting aye:	Dan Darnell Mary M. Fischer Gayla McCulloch
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Those voting nay:	Jason Sandel
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The presiding officer thereupon declared that three Councilors having voted in favor thereof, the said motion carried.

Mayor Roberts asked the Council to consider the proposals submitted for capital project funding from CDBG.

In response to inquiry from Mayor Roberts, Dr. Matt DeKay reminded the Council that he will be asking the City to donate or sell a portion of its property for the construction of the proposed "A Path Home" project. He explained that if the land acquisition can be expedited, he plans to start construction in the spring. Mr. Peterman cautioned the Council about allocating funding to projects that cannot meet the CDBG expenditure guidelines.

Councilor Darnell suggested that in the future, the request for proposal process include options that allow the offerors to present their proposed projects in phases.

Councilor Sandel stated that he supports A Path Home because it will be adding new services to the community, but stated that he also supports allocating \$100,000 to the downtown façade improvement program.

Councilor Fischer stated that she supports funding Childhaven's proposed expansion and remodel project because of the critical service that Childhaven provides. She also expressed support for allocating funds to A Path Home.

Councilor McCulloch announced that she is most supportive of A Path Home because it will have the most impact on the community.

Following further consideration, a motion was made by Councilor Darnell to allocate \$50,000 to the downtown façade improvement program, \$108,000 to Childhaven for their expansion and remodel project and \$108,000 to A Path Home. The motion died for lack of a second.

A motion was made by Councilor Sandel, seconded by Councilor McCulloch to allocate \$50,000 to the downtown façade improvement program and \$216,591.44 to A Path Home. The roll was called with the following result:

Those voting aye:	Gayla McCulloch Jason Sandel
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Those voting nay:	Dan Darnell Mary M. Fischer
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The Mayor voted against the motion and declared the motion failed.

A motion was made by Councilor Sandel, seconded by Mayor Roberts to allocate \$50,000 to the downtown façade improvement program, \$50,000 to Childhaven for their expansion and remodel project and \$166,591.44 to A Path Home. The roll was called with the following result:

Those voting aye:	Jason Sandel
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Those voting nay:	Dan Darnell Mary M. Fischer Gayla McCulloch
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The presiding officer thereupon declared that one Councilor having voted in favor thereof, the said motion failed.

A motion was made by Councilor Darnell, seconded by Mayor Roberts to allocate \$50,000 to the downtown façade improvement program, \$75,000 to Childhaven for their expansion and remodel project and \$141,000 to A Path Home. The roll was called with the following result:

Those voting aye:	Dan Darnell
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Those voting nay:	Mary M. Fischer Gayla McCulloch Jason Sandel
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The presiding officer thereupon declared that one Councilor having voted in favor thereof, the said motion failed.

A motion was then made by Councilor Sandel, seconded by Councilor Fischer to table action upon this item to the July 12, 2011 regular City Council meeting. The roll was called with the following result:

Those voting aye:	Mary M. Fischer Jason Sandel
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Those voting nay:	Dan Darnell Gayla McCulloch
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The Mayor voted against the motion and declared the motion failed.

Councilor Fischer questioned whether it would be possible to allocate \$10,000 of CDBG funds to assist low-income residents with the

costs of spaying or neutering their pets. In response, Mr. Peterman stated that the Council is bound to consider the offers that were submitted through proposal process.

Councilor McCulloch made a motion to allocate \$50,000 to the downtown façade improvement program, \$50,000 to Childhaven for their expansion and remodel project and \$166,591 to A Path Home. The roll was called with the following result:

Those voting aye:	Dan Darnell Gayla McCulloch Jason Sandel
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Those voting nay:	Mary M. Fischer
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The presiding officer thereupon declared that three Councilors having voted in favor thereof, the said motion carried.

There being no further business to come before the Council, the meeting was adjourned at 9:52 p.m.

The City Clerk certified that notice of the foregoing meeting was given by posting pursuant to Resolution No. 96-844, et seq.

Approved this 12th day of July, 2011.

Entered in the permanent record book this 13th day of July, 2011.

Tommy Roberts, Mayor

SEAL

ATTEST:

Dianne Fuhrman, City Clerk