

COUNCIL MEMBERS:

SHAWN BARIGAR	DON HALL	SUZANNE HAWKINS	GREGORY LANTING	JIM MUNN, JR.	REBECCA MILLS SOJKA	CHRIS TALKINGTON
	<i>Mayor</i>	<i>Vice - Mayor</i>				



MINUTES

Meeting of the Twin Falls City Council
Monday, January 13, 2014
City Council Chambers
305 3rd Avenue East - Twin Falls, Idaho

GENERAL PUBLIC INPUT

AGENDA ITEMS

I. CONSENT CALENDAR:

OLD BUSINESS:

1. Consideration of a request to approve the December 23, 2013, City Council Minutes.

I. CONSENT CALENDAR:

NEW BUSINESS:

1. Consideration of a request to approve the accounts payable for January 7 – 13, 2014.
2. Consideration of a request to approve a Beer and Wine License for Maverick Inc. #492 located at 883 Blue Lakes Blvd.

II. ITEMS FOR CONSIDERATION:

1. Consideration of a request to adopt Ordinance 3059, amending City Code 3-18 regarding City issued permits for mobile food concessions.
2. Presentation on the use of Synthetic Turf to meet City landscape requirements.
3. Consideration of a request to accept the bid from Boise Mobile Equipment for a Spartan Gladiator - Custom Pumper at the total bid price of \$425,765.00.
4. Discussion of the first draft of the Agreement with Beckley Media to use Twin Falls City property in his effort to jump the Snake River Canyon. *This will not be an action item.*
5. General update on Canyon Jump process to include public safety and possible compensation.
6. Public input and/or items from the City Manager and City Council.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

IV. PUBLIC HEARINGS: 6:00

1. Request for a Zoning Title Amendment to amend Twin Falls City Code Title 10; Chapter 7; Section 6(a), to reduce the front yard building setback to 52' from centerline on Bridgeview Boulevard from Blue Lakes Boulevard North to Pole Line Road East.
2. Request for a Zoning Title Amendment to amend Twin Falls City Code 10-9-9(K); Real Estate Signs, to allow temporary real estate open house signs in the public right of way under specific conditions. **WITHDRAWN BY THE APPLICANT. TO BE RESCHEDULED.**

V. ADJOURNMENT:

Any person(s) needing special accommodations to participate in the above noticed meeting could contact Leila Sanchez at (208) 735-7287 at least two working days before the meeting. Si desea esta información en español, llame Leila Sanchez (208)735-7287.

Present: Suzanne Hawkins, Jim Munn, Shawn Barigar, Chris Talkington, Gregory Lanting, Don Hall, Rebecca Mills Sojka

Staff Present: City Manager Travis Rothweiler, City Attorney Fritz Wonderlich, Community Development Director Mitchel Humble, Parks & Recreation Director Dennis Bowyer, Chief Brian Pike, Lt. Craig Stotts, Planner 1 Jonathan Spendlove, Deputy City Clerk Sharon Bryan, Deputy City Clerk/Recording Secretary Leila A. Sanchez.

Mayor Hall called the meeting to order at 5:00 p.m. He then invited all present, who wished to, to recite the pledge of Allegiance to the Flag. Cub Scouts from Pack 68 led the Pledge of Allegiance. A quorum is present.

Vice Mayor Hawkins reported that the Youth Council has been active with recycling, alternative energy, and anti-suicide campaign. Vice President Nolan Stroup introduced members of the Youth Council.

CONSIDERATION OF THE AMENDMENTS TO THE AGENDA: None
PROCLAMATIONS: NONE

GENERAL PUBLIC INPUT: None

AGENDA ITEMS

I. CONSENT CALENDAR:

OLD BUSINESS:

1. Consideration of a request to approve the December 23, 2013, City Council Minutes.

CONSENT CALENDAR:

NEW BUSINESS:

1. Consideration of a request to approve the accounts payable for January 7 – 13, 2014, for December 24, 2013 – January 13, 2014, total: \$950,608.01 and January 8, 2014, Payroll, total: \$118,610.05.
2. Consideration of a request to approve a Beer and Wine License for Maverick Inc. #492 located at 883 Blue Lakes Blvd.

MOTION:

Councilperson Barigar made the motion to approve the Consent Calendars as presented. The motion was seconded by Councilperson Talkington and roll call vote showed all members present voted in favor of the motion. Approved 7 to 0.

II. ITEMS FOR CONSIDERATION:

1. Consideration of a request to adopt Ordinance 3059, amending City Code 3-18 regarding City issued permits for mobile food concessions.

Community Development Director Humble explained the proposed ordinance has been changed to include the Council's comments.

1. 3-18-3(A): changed the 20 day permit turn-around time to 10 business days
2. 3-18-4(A): struck the requirement for a food truck to be accessory to another use on the property
3. 3-18-4(B): split former paragraph B into several sections
 - a. New (B): a public health permit is required
 - b. New (C): a City food concessionaire permit is required
 - c. New (C), 1: annual permits
 - d. New (C), 2: 10 business day application turn-around
 - e. New (C), 3: permit fee of \$100
 - f. New (C), 4: application to include site plan and property owner permission, the detailed site plan with list of what to include and the access to restrooms have been removed
 - g. New (C), 5: application to include trash, wastewater, and grease disposal plan
4. 3-18-4(C): the former (C) dealing with locations of lots with existing permanent businesses has been removed
5. 3-18-4(D): the new (D) establishes setbacks for food trucks, was included in the former (B)
6. 3-18-4(E): the new (E) prohibits drive-throughs, was included in the former (B)
7. 3-18-4(F): the new (F) electrical connection approval, was included in the former (B)
8. 3-18-4(G): the remaining items in 3-18-4 from (G) to (M) have only changed in their numbering, they were the former (D) to (J)

Discussion followed.

-Public input

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Community Development Director Humble stated that staff will contact the four mobile food vendors who are currently parking on private property and make them aware of the proposed ordinance. Currently the permits are issued quarterly and with the proposed ordinance the permits will be issued annually.

Mayor Hall opened up the meeting for public comment.

Justin Abramowski, owner of Big Fatty, spoke in favor of the proposed ordinance.

Rosalie Dingwall stated that she has not had the opportunity to review the proposed ordinance and could not comment on the proposed changes.

Council directed staff to notify existing permitted food vendors of the proposed changes in the ordinance and to contact the City's media partners on the upcoming public hearing on the proposed ordinance.

A public hearing on the proposed ordinance will be conducted at the City Council meeting scheduled for January 21, 2014, at 6:00 p.m.

2. Presentation on the use of Synthetic Turf to meet City landscape requirements.

Parks & Recreation Director Bowyer stated that Hailey Barnes, representing Final Cut Synthetic Turf, will make the presentation.

Hailey Barnes gave the presentation and explained the different types of the synthetic turf.

Discussion followed.

- Product weight
- How to clean the product
- ADA accessible

Parks & Recreation Director Bowyer stated staff is seeking Council's direction on allowing synthetic turf to be an approved alternate landscaping option.

Community Development Director Humble stated that Hailey Barnes gave the presentation to the Planning and Zoning Commission at their June 2013 meeting, and the Commission recommended a review of the product and specific applications for use of the product. The Zoning Ordinance Amendment Committee (ZOAC) is planning to review alternate landscaping and xeriscaping.

Councilperson Talkington stated that he does not want to see the alternate landscaping of synthetic turf in lieu of trees.

Community Development Director Humble stated that City Code requires a tree and a bush count.

Mayor Hall stated that he is in support of having the Zoning Ordinance Amendment Committee (ZOAC) review the quality, weight, material, etc., of the artificial turf and to affirm that the synthetic turf will not replace the tree and bush count.

Parks & Recreation Director Bowyer stated wood fibers placed at playgrounds meet ADA requirements.

3. Consideration of a request to accept the bid from Boise Mobile Equipment for a Spartan Gladiator - Custom Pumper at the total bid price of \$425,765.00.

Fire Chief Clark explained the request. The \$500,000 line item will cover the cost of the new engine and all needed equipment for the truck.

Discussion followed.

- Cost of additional equipment

Fire Chief Clark stated that the cost of the truck is \$425,765 and the cost to equip is an additional \$50,000.

MOTION:

Councilperson Mills Sojka made the motion to accept the bid from Boise Mobile Equipment for 1500 gallons per minute fire engine at the total bid price of \$425,765.00. The motion was seconded by Councilperson Barigar and roll call vote showed all members present voted in favor of the motion.

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4. Discussion of the first draft of the Agreement with Beckley Media to use Twin Falls City property in his effort to jump the Snake River Canyon. *This will not be an action item.*

City Manager Rothweiler explained the changes on the draft Agreement as directed by Council.

Section 4, Sublease and Assignment, of the working draft Agreement has been changed to not allow "subleasing" or "assigning" of the Agreement.

Beckley Media has offered to provide the City the following as compensation for use of the city-owned Evel Knievel Jump Site:

- \$25,000 to lease the land, payable upon the execution of the Lease
- \$10,000 for the special events permitting fee
- \$51,000 cash to complete the canyon rim trail. This amount would be paid at the conclusion of the Event, and payment would be secured by a separate performance bond.

In addition to the foregoing monetary payments, Beckley Media will also:

- Construct the approach to the jump ramp
- Complete fine grading around the historic ramp site to clean and level the area
- Provide excavation and grading work necessary to complete our parking area
- Provide fencing along designated areas of the South Canyon Rim on the property we are leasing

Ed Beckley explained his plans for the jump site take off area. The plan is to place scaffolding over the hump, design and build a road according to his specifications, meaning it will not be crowned like a city road or a highway. The land is 50' to 60' wide of which he needs 20' to 30' feet wide. He plans to level the site for a parking area. Room will be needed for four or five semis. The plan is to use the chip asphalt to bond with the dirt surface at the jump site.

Discussion followed.

Councilperson Talkington asked what modifications are planned for the ramp and if it will be the same ramp (hump) as before.

Ed Beckley answered in the affirmative. No dirt work will be done to the ramp.

Jon Simmons, representing Beckley Media, reviewed the following highpoints of today's contract discussions.

- Connection of the scaffolding. The approach will go directly to the hump and when the scaffolding is removed the approach will be straight on.
- Sublease and assignment. The intent has been for Mr. Beckley to do the jump. There is a safety issue and an issue that relates to the media companies' requirements. If, for example, Ed Beckley steps out of a coffee shop and gets hit by a truck, the plan has been to have backup riders, trained by Beckley Media. The concept is to provide full disclosure to the Council of the backup riders.
- Beckley Media stated their concern of where the ownership of the property line lies. The issue will be a non-issue over the course of a couple of weeks. A survey team will identify property line locations.
- Beckley Media will reach out to the court system and the prosecutor's office and engage in a dialog regarding law enforcement costs and things that may happen some period of time after Beckley Media has left the community event site.
- Fencing. The survey team will identify locations where fencing will be placed.

Discussion followed.

-Sublease and assignment

Councilperson Barigar stated the Council received communication from Beckley Media showing \$35,000 for financial compensation and \$55,000 for the trail piece across the front of the property. He asked if the \$35,000 includes compensation for staff time for completing the application process and paying for the additional public safety activities.

Jon Simmons stated no. In the contract there is a provision for staff billing of time and for the increase of law enforcement time. In addition, he stated that trail will be paid. Beckley Media is trying to avoid putting all the cost items on the front end because it makes it difficult for the media companies to look at it as financially viable. It is easier to split it in the front end and then bond for the eventuality of nonpayment and pay some of it on the backend. This is what the plan is for completion of the trail system and is in the presentation that was sent to the Council. In addition, the parking area identified in the draft agreement is estimated at \$100,000, for the dirt work necessary for Beckley Media, clean up, and to bring the parking area for City use.

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Councilperson Barigar stated that he understands that Beckley Media's safety standards are different from City road standards but he would hope that both can work together to have a road that can be used.

Ed Beckley explained his plans for the road.

Mayor Hall stated that he would like to have the names of the substitute pilot/jumpers in the event of an unforeseen emergency.

Ed Beckley stated that his substitute pilot/jumpers are Bubba Blackwell and Gene Sullivan.

Mayor Hall asked the Council to consider allowing substitute pilot/jumpers.

Councilpersons Talkington and Barigar stated they are not in favor of substitute pilot/jumpers.

Councilpersons Lanting, Hawkins, Hall, Munn, and Mills Sojka spoke in favor of allowing emergency backups for the jump.

Council directed staff to add the names of the alternative jumpers to the agreement.

Recess: 6:24 P.M.

Reconvened: 6:38 P.M.

5. General update on Canyon Jump process to include public safety and possible compensation.

City Manager Rothweiler stated that the majority of the conversation on compensation was covered by Beckley Media. He asked if Council had any additional questions or concerns.

Information was sent to Beckley Media on the funding to complete the portion of the canyon rim trail that is in close proximity to the jump site and recommended that improvements to the trail not be made until after the jump has occurred.

Council discussion followed on the use of money to be received from Beckley Media for staff time.

Councilperson Mills Sojka suggested applying funds to the Canyon Trail area.

City Manager Rothweiler stated that it would make sense to take the resources and apply them to the area. Staff will send bills to Beckley Media for staff time per Council's direction. The process is to receive the revenues as unanticipated revenues. The Council can shift the revenues to the City's park budget. This can be done through a budgetary amendment process or have monies placed into the budget from a cash reserve position and have allocated in the fiscal year 2015 budget. The non-exempt employees will primarily be in Community Development and Police Department. The members of the Management Team are exempt employees.

Councilperson Talkington asked the City Attorney if the money (currently \$86,000) is not to be escrowed, will it be covered under the City's protection of bonding. City Attorney Wonderlich stated that a payment bond will be required. Council will need to decide the down payment and how much the Council is willing to accept in the backend.

Councilperson Barigar stated that the access to the site, road, trail, fencing, restrooms, and concession was estimated at a cost of \$1,800,000. He asked if there was a way to determine the scope of improvements that Beckley Media needs to make and what the City will need to complete. He emphasized that one of the goals is not cash in the coffers but to create access to the site and trailhead.

City Manager Rothweiler stated that the Engineering Team will review Beckley Media's plan for the jump site.

Community Development Director Humble stated that the width of the property the City owns is a 50' wide strip, and from a roadway standpoint, the City is looking at a 32' paved roadway which is 12' lanes and a 4' shoulder on either side. He also stated that drainage may be an issue at the site.

Ed Beckley stated that he only needs 20' of paved road, but he also needs to get media trucks, fire trucks, ambulance, etc., in and out of the area. He stated that when he gets to the final grade for the road, the road will be pretty close to the 32' width spoken of by Community Development Director Humble.

Vice Mayor Hawkins asked if bonuses could be given to salaried (exempt) employees.

City Manager Rothweiler explained the advantages and disadvantages of an exempt employee. It may be appropriate to apply the funds to a public process. Bonuses can be provided to public employees but not to local government employees.

City Attorney Wonderlich stated that bonuses are a compensation issue.

Mayor Hall explained that it is difficult to give bonuses to public employees. The whole idea of being an exempt employee is generally for the benefit of the employer, not the employee. Councilpersons Munn and Lanting stated that they would not support a bonus for exempt employees in this regard.

Captain Barnhart stated that last week a public safety meeting was conducted with all law enforcement agencies, fire agencies, representatives from St. Lukes, including Jerome County Sherriff's Department, Jerome City Police Department, Jerome Fire Department, Twin Falls County Sherriff's Department, and Idaho State Police. Discussion was made on providing public safety. Today he met with Jim Walczak, Event Advisor, and Manager.

Discussion followed.

- Possible road closures of private roads
- Possible protection of surrounding neighborhoods
- Restriction of sections of Canyon Rim trail
- Time span of road closure of roads
- Closure of public areas during the event
- Clean up at site

Captain Barnhart stated that at special events the event organizers are requested to hire private security and professional traffic flow managers. Beckley Media stated that Northside parking will not be available for viewing and they plan to use remote parking to alleviate traffic flow problems. The intersection of Falls and Hankins will need to be controlled. Flaggers will be at the intersection allowing only residential traffic. Falls Avenue between Hankins and Eastland will also need to be controlled.

There are locations on the Canyon Rim trail that need to be controlled and in speaking with Jim Walczak, the plan is to place barriers along the trail and have private security monitoring the area.

Jim Walczak explained that he plans to meet with different agencies. Life safety and public safety is paramount to Beckley Media. He stated that he plans to leave the area as clean as possible. He also will be working with Road Work Ahead.

Captain Barnhart stated that the intersections and roadways will be closed during the time of the event. The Police Department has the authority to close the roads.

Mayor Hall opened up to the public:

Councilperson Talkington asked Jim Walczak if he concurs with the estimate of 50,000 to 70,000 people at the event.

Ed Beckley stated that he is planning to have a crowd of 40,000 at the event and plans to track advance ticket sales.

Public input:

Katie Breckenridge stated that she has heard discussion of the Twin Falls property and private lands in Twin Falls and has read Beckley Media's proposal. She asked how the Northside of the rim will be controlled, who is in charge of controlling the State lands, and who is in charge of controlling the private lands inside the State lands. Her second area of concern is fire.

City Manager Rothweiler stated that this is not a City of Twin Falls sponsored event and he encouraged Ms. Breckenridge to speak to Beckley Media and Jerome County Commissioner Roger Morley.

The public safety plan that is being built and constructed is for the City of Twin Falls. The Police Department is working in conjunction with surrounding cities to build a comprehensive public safety plan for the area. He does not envision this document or process done by the City of Twin Falls to be an all-inclusive document to speak for Jerome County or to speak for the State lands. The City of Twin Falls has contacted County Commissioner Roger Morley and Jerome Commissioners and has forwarded the working draft agreements and has pledged to work with them. The ordinances that drive Jerome County in terms of what is required will be described by Jerome County. The City of Twin Falls lacks jurisdiction. It is understood that Jerome County has or will complete the special event ordinance that will lay out what is required of Mr. Beckley and his team as they utilize property on the Northside.

Katie Breckenridge stated that she came to the meeting tonight to make Beckley Media aware of her concerns.

Ed Beckley introduced himself to Ms. Breckenridge.

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Wayne Frantz, 1930 Sherry, stated his concern of the crowd the event will attract. The population of the City of Twin Falls will double the day of the jump creating tremendous public safety concerns. He spoke against allowing the jump.

Councilperson Barigar stated that he is concerned that the Council has not received information on the media component, the positive marketing opportunities and the City's role. He would like to hear from the Beckley team what opportunities are in the works.

City Manager Rothweiler stated that the current draft agreement does not deal with the media aspect. He requested Council direction.

Discussion followed.

-City of Twin Falls opportunity for positive media to promote the community

City Manager Rothweiler stated that Jon Simmons, Beckley Media attorney, can put into the agreement allowing the City of Twin Falls access to showcase and market the community. Mr. Beckley has stated that he is currently in negotiation with four different parties.

Ed Beckley stated that he will promote Twin Falls.

6. Public input and/or items from the City Manager and City Council.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

IV. PUBLIC HEARINGS: 6:00

1. Request for a Zoning Title Amendment to amend Twin Falls City Code Title 10; Chapter 7; Section 6(a), to reduce the front yard building setback to 52' from centerline on Bridgeview Boulevard from Blue Lakes Boulevard North to Pole Line Road East.

Hailey Barnes, EHM Engineers, explained the request. Bridgeview Estates would like to modify the current setback to do a modification to their approach and to construct a porte-cochere.

Planner I Spendlove explained the request.

On December 13, 2013, the Planning & Zoning Commission unanimously recommended approval of this request as presented.

Staff believes that the amendment to City Code 10-7-6, as presented, would satisfy the future needs of the City while maintaining the safe visibility corridors of vehicles that use the roadway.

Discussion followed.

- Change of setback impacting other properties
- Impact on the building code requirements
- Concerns on the on-street parking issues on Bridgeview Blvd
- Pedestrian safety
- Pioneer Club
- Placing addition to the back of building
- Inadequacies in the design of boulevard

Planner I Spendlove stated that as far as a code standpoint it is easier to define as a section of roadway between two separate roadways instead of the length of one property owner. This benefits most of the properties. It increases their building footprint while maintaining the area that engineering will need to expand the roadway. By changing the setback it may help the traffic in the area. A centerline setback was approved on Blue Lakes for the Anchor Bistro.

The parking requirements for Bridgeview Estates would not be reduced in any way. When Bridgeview Estates expanded, they were not required to expand parking. The Engineering Department did not feel that corridor along Bridgeview would not be compromised.

Hailey Barnes explained the building is currently in the setback by 2' and is non-conforming. The porte-cochere will be built an additional 7' into the current setback.

Planner 1 Spendlove stated that Bridgeview Estates, during the building permit process, will be required to follow the code as it is written. Parking will not be allowed to be reduced.

Community Development Director Humble stating that a porte-cochere will not add a parking requirement because there is no occupied square footage. If the parking on the street is an issue, the Council may request that "no parking" signs be placed. Bridgeview Estates leases parking from Woodbury to the north.

The Pioneer Club did not have a change of use.

Hailey Barnes stated that she will discuss the possibility of adding the addition to the back of the building with the owner and architect.

Mayor Hall opened and closed the public hearing with no input.

MOTION:

Councilperson Talkington made the motion to approve the amendment reducing the front yard building setback to 52' from centerline on Bridgeview Boulevard from Blue Lakes Boulevard North to Pole Line Road East. The motion was seconded by Councilperson Munn.

Deliberations.

-Parking requirements for assisted living facilities

Roll call vote showed Councilpersons Munn, Barigar, Lanting, and Hall voted in favor of the motion. Councilperson Hawkins, Talkington, and Mills Sojka voted against the motion. Approved 4 to 3.

III. ADVISORY BOARD REPORTS/ANNOUNCEMENTS:

Councilperson Talkington stated that we are in severe drought. He requested the Council encourage City administration to start an aggressive advertising campaign with monthly water bills and media streaming to enforce the concept the City will be ticketing if regulations are not followed.

Vice Mayor Hawkins stated that the Senior Center is accepting applications for their Board of Directors.

Councilperson Mills Sojka stated there is an issue of on-street parking at an assisted living facility located on North College between Blue Lakes and Locust and on Canyon Crest Drive.

Mayor Hall stated that he believes there is adequate parking on Canyon Crest Drive. It is convenient for the residents at the apartments to park on Canyon Crest Drive.

Community Development Director Humble stated that the buildings on North College between Blue Lakes and Locust and on Canyon Crest Drive are apartments. Approximately three years ago the multi-family parking requirement was amended. The ZOAC has reviewed City Code Title 10 to address parking and will be going through the public hearing process in the near future.

Mayor Hall discussed the Council liaison positions. After Council discussion the following changes were made:

-Eliminated the liaison positions to City Departments, Council Finance Committee, Recreation Center Task Force, and Southern Idaho Waste District.

Council serving in a quasi-judicial role to the Planning & Zoning Commission was discussed.

Vice Mayor Hawkins will serve on the Economic Development Ready Team (Alternate), Reimbursement Improvement Commission, Southern Idaho Economic Development Organization (Alternate), Twin Falls Youth Council.

Councilperson Talkington will serve on the Airport Advisory Board, Development Impact Fee Advisory Committee, Zoning Ordinance Amendment Committee, Urban Renewal Downtown/Old Towne Infrastructure Sub-Committee (A URA Sub - Committee)

Councilperson Lanting will serve on the Golf Advisory Committee, Traffic Safety Commission. Urban Renewal Agency, Urban Renewal Downtown/Old Towne Infrastructure Sub-Committee (Guest) (A URA Sub-Committee)

Mayor Hall will serve on The Chamber of Commerce, The Economic Development Ready Team, and Southern Idaho Economic Development Organization (SIEDO) and Southern Idaho Magistrate Commission.

Councilperson Mills Sojka will serve on the Greater Twin Falls Area Transportation Committee (GTFATC), Zoning Ordinance Amendment Committee, Planning & Zoning Commission, and Urban Renewal Downtown/Old Towne Infrastructure Sub-Committee.

Councilperson Munn will serve on the Historic Preservation Commission and Twin Falls Public Library.

Councilperson Barigar will serve on the Parks & Recreation Commission and Building Advisory Board/Building Inspections Department.

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2. ~~Request for a Zoning Title Amendment to amend Twin Falls City Code 10-9-9(K); Real Estate Signs, to allow temporary real estate open house signs in the public right of way under specific conditions.~~ **WITHDRAWN BY THE APPLICANT. TO BE RESCHEDULED.**

V. **ADJOURNMENT**: The meeting adjourned at 8:24 P.M.

Leila A. Sanchez

Deputy City Clerk/Recording Secretary