



## MINUTES OF THE REGULAR MEETING OF THE RIDGECREST CITY COUNCIL

**City Council Chambers  
100 West California Avenue  
Ridgecrest, California 93555**

**October 1, 2014  
5:30 pm**

This meeting was recorded and will be on file in the Office of the City Clerk for a certain period of time from date of approval by City Council. Meetings are recorded for the purpose of preparation of minutes.

### **CALL TO ORDER – 5:30 p.m.**

### **CALL TO ORDER**

### **ROLL CALL**

Council Present: Mayor Daniel O. Clark; Council Members James Sanders, and Steven Morgan

Council Absent: Vice-Mayor Marshall 'Chip' Holloway; Council Member Lori Acton

Staff Present: City Manager Dennis Speer; City Clerk Rachel J. Ford; City; City Attorney Keith Lemieux (via teleconference) and other staff

### **APPROVAL OF AGENDA**

- Pulled item number two of closed session GC54956.9 (d)(4) Conference with Legal Counsel – Existing Litigation – Eva Balfour v. City of Ridgecrest

*Motion To Approve Agenda (As Amended) Made By Council Member Morgan, Second By Council Member Sanders. Motion Carried By Voice Vote Of 3 Ayes (Mayor Clark, Council Members Sanders And Morgan); 0 Noes; 0 Abstain; 2 Absent (Council Members Holloway And Acton)*

### **REGULAR SESSION – 6:00 p.m.**

- Pledge Of Allegiance
- Invocation

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**CLOSED SESSION**

GC54956.9 (d)(4) Conference With Legal Counsel – Existing Litigation – City Of Ridgecrest v. William Dale Howard

GC54956.9 (d)(4) Conference with Legal Counsel – Existing Litigation – Eva Balfour v. City of Ridgecrest

**REGULAR SESSION – 6:00 p.m.**

- Pledge Of Allegiance
- Invocation

**CITY ATTORNEY REPORT**

- Closed Session
  - Conference With Legal Counsel – City Of Ridgecrest v. William Dale Howard, received report, no reportable action taken
  - Conference With Legal Counsel – Eva Balfour v. City Of Ridgecrest. Item pulled from closed session prior to approval of the agenda.
- Other
  - None

**PUBLIC COMMENT at 6:09 p.m.**

Randy Jenkins

- Spoke on the two local newspapers and the past misstatements published.
- Spoke on the constitution, freedom of press, and freedom of speech.
- Reviewed the five questions issued to candidates by the Daily Independent and responded to them verbally.
- Responded to the News Review with scripture from the Bible referencing judging others and treating others as you want to be treated.

Cooper Jenkins

- Encouraged public to elect Randy Jenkins for Mayor.
- Read passages from the Bible referencing creation, law, John the Baptist, and God.

Marcie Jenkins

- Encouraged public to elect Randy Jenkins for Mayor.
- Read Proverbs 13:34 and John chapter 3 from the Bible referencing Nicodemus discussion with Jesus about being born again.

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Laura Jenkins

- Read a poem she wrote encouraging the public to elect Randy Jenkins for Mayor.
- Read passages from the Bible referencing first Corinthians chapter 3 referencing charity.

Christina Witt

- Informed community of veteran's fund run November 1 at 11:00 a.m. for Motorcycles, bicycles, and cars.

Bob Barnes

- Spoke on \$450,000 offer to City for purchase City property at Sand Canyon
- Commented on doing their due diligence for protection of water resources for the community of Ridgecrest
- Requested a final meeting between all parties after the due diligence studies are completed.
- Highlighted positive points for City selling this land to the Mojave Desert Land Trust.
- Provided written copy of statements.

Penelope LePome

- Referenced previous suggestions regarding IWV Groundwater Management Group and City participation and asked for update on progress.
- Commented on water conservation and increased costs with possibility of state of California forcing conservation.
  - Keith Lemieux – responded with letter overview of the water act and requested a discussion item at the next Council meeting.
- Asked for participation at the next meeting workshop which is invite only

Brenda Burnette

- Commented on previous experience as City Council member and read a written statement regarding the Sand Canyon history and purchase by the City.
- Purpose was originally for mitigation for water conservation and protection of the Mojave Ground Squirrel. Ultimately was to go to BLM to complete a wilderness area.
- Land should end up with BLM and vote to use to promote thoughtfulness and any money exchanged be used for library. (statement came from Mr. Gregory)
- Concerned about this item sitting on the back burner due to staffing shortages until the offer is no longer available.
- Asked that Robert Ellison be remembered

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**Hector Villalobos**

- Retired BLM
- Knows how boundaries are drawn for BLM holdings with in-holding created around private lands.
- Development does not occur in the in-holdings and they usually become wilderness without management.
- Some attempts to develop the land by owners such as mineral and timber development, ranches. However access to the land needed to be developed and after application for right of way was made, approval rarely if ever occurred.
- Spoke on NEPA compliance issues.
- Commented on wise owners who used the in-holdings as a tax benefit by way of donation to BLM
- Commented on the wisest owners being those who sold the land to conservancy.
- Remarked on positive dealing with conservancies.

**Frazier Henning**

- Works with the Mojave trust
- Appreciates City need to do due diligence and offer is standing by for completion of the studies.
- Provided printed copies.

**Roger Brower**

- Represents Tepatitlan Sister City Association
- Requested funds from the City to assist with delegate visit to Ridgecrest
  - Dan Clark – distributed letter to Council requesting a visit to Mexico
- Commented that delegates from Mexico are coming to Ridgecrest the end of the month.
  - Dan Clark – Confirmed the City has participated in the sister City partnership for 39 years.

**Mike Neel**

- Refreshing to see articulate, well-spoken young adults speaking before Council and hope they keep up the good work.
- Provided copies of photos to Council of trailers and equipment parked at the business park property and asked why this is ok but not Mr. Howard's sea vans.
- Commented on the recycling facility on Ridgecrest Blvd. having to put up a fence but these other locations are considered alright.
- Spoke on the trial against Mr. Howard and in light of the poor outcome of the last trial stated the City is not going to win this.
- Commented on Mr. Howard standing up for his property rights.
- Spoke on determination of past people standing up to government and winning. Predicts Ridgecrest will lose this one and have lost thousands of wasted dollars.
- Requested City leave Mr. Howard alone and stop wasting public money and using police to solicit complaints about Mr. Howard.

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Tom Wiknich

- Glad to hear about agenda item discussion of Sand Canyon
- Announced candidate forums tomorrow and Tuesday night on TV station at 7:30 p.m.
- Live broadcast format with call-in questions from the public.
- Stated public can Email questions online to [forums@kzgn.net](mailto:forums@kzgn.net)
- Stated there will be 3 questioners and one host to guide the process.

Dave Matthews

- Liked Randy's idea about a zoo.
- 83 years old, born in the depression, and conservation was a way of life. Is a conservationist and has been during his entire life.
- Regarding in-holdings at Sand Canyon, urged Council not to sell to Mojave Desert Land Trust because what they do is turn the land over to BLM and one stipulation is that it remain wilderness conservation forever. There is no chance to ever do anything else with the land.
- Recalled that the in-holdings, which are private property, cannot be denied access so City needs to look into this.
- Remembered the mitigation process Mr. Gregory had to go thru, which is a process he should not have had to do, but regardless the property went to the City and not sure I want to see the property go back to BLM the way things are going.
- When I retired I wanted to go out and explore and I can't go into this wilderness area.
- Spoke on how he uses plastic bags to line trash cans and other things and if he can't get them at the grocery store will have to go buy them.

Speaker

- Asked how to get the local television station for those who have satellite and asked if there was a public venue that could be used.
  - Tom Wiknich – KZGN on Mediacom or over the air antenna at the house. Stated this is a small antenna which is simple to install. Will be recorded and rebroadcast on U-Tube. Still developing live streaming capability. Cost to do this forum was \$4000.

Dave Matthews

- West Ridgecrest Blvd looks great. Cruised from Balsam to Mahan and truck didn't have to go into 4x4.
- Commented on suggestion of businesses suffering during construction and suggested City give them a one month extension on business license.

Public Comment closed at 7:11 p.m.

**CONSENT CALENDAR**

1. Adopt A Resolution To Approve The Professional Service Agreement With The Engineering Firm Of Willdan Engineering Provide The Construction Management For Installation Of Access Ramps Signing And Striping For Twelve (12) Intersections At Various Locations And Authorizing The City Manager, Dennis Speer, To Execute The Agreement Contingent Upon The City Attorney's Review And Approval Of The Agreement Culp
2. Adopt A Resolution To Approve the Professional Service Agreement With The Firm Of Willdan Engineering To Provide the Construction Management for Seven (7) Traffic Signal Modifications And Traffic Signal Timing At Various Locations and Authorizing the City Manager, Dennis Speer, To Execute the Agreement Contingent Upon The City Attorney's Review And Approval Of The Agreement Culp
3. Adopt A Resolution To Approve The Proposal With The Engineering Firm Of Quad Knopf To Provide Environmental, Design Engineering, And Construction Management For a Congestion Mitigation and Air Quality Program (CMAQ) Project Graaf Avenue from North Sierra View Avenue to North Norma Street And Authorize The City Manager, Dennis Speer, To Sign The Agreement Upon The City Attorney's Review Speer
4. Adopt A Resolution Allocating \$70,000.00 Of Tab Funds from the West Ridgecrest Boulevard Project For The Power Pole Relocation Associated With The West Ridgecrest Boulevard Project And Authorize The City Manager, Dennis Speer, To Sign The Southern California Edison Utility Relocation Agreement Speer
5. Adopt A Resolution Of The Ridgecrest City Council Authorizing The Destruction Of Certain Accounting Records McQuiston
6. Adopt A Resolution Of The Ridgecrest City Council Adopting And Reaffirming The City's Annual Statement Of Investments And Delegating The Authority To Make Such Investments To The City Treasurer McQuiston
7. Approve Draft Minutes Of The Ridgecrest City Council/Successor Redevelopment Agency/Housing Authority/Financing Authority For Meeting Dated September 17, 2014 Ford

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Items Pulled From Consent Calendar

- Item Nos. 1, 2, 3, and 4

*Motion To Approve Item Nos. 5, 6, and 7 Of Consent Calendar Made By Council Member Morgan, Second By Council Member Sanders. Motion Carried By Roll Call Vote Of 3 Ayes (Mayor Clark, Council Members Sanders And Morgan); 0 Noes; 0 Abstain; And 2 Absent (Council Members Holloway And Acton)*

Item No. 1 Discussion

Dave Matthews

- Asked about the Scope of Work
  - Loren Culp – Confirmed this item is for enhanced light balls from 8 inch to 12 inch, new pedestrian push buttons; and review of all timing segments within an intersection

Item No. 2 Discussion

Christina Witt

- Concerned about the pressure points at intersections with motorcycles
  - Loren Culp – Confirmed City is addressing the issue with better triggering mechanisms

Item No. 3 Discussion

Dave Matthews

- Didn't think there was any dirt left on Graaf Street
  - Loren Culp – Confirmed the location is in front of apartments on North Graaf which residents are currently using as parking space and forcing traffic to merge into one lane.

Item No. 4 Discussion

Jim Sanders

- Inquired if this was a new allocation or previously allocated
  - Loren Culp – Confirmed it has already been allocated.
  - Dennis Speer – Stated the funding amount exceeds City Manager authority therefore requires Council approval.

*Motion To Approve Item Nos. 1, 2, 3, and 4 Of Consent Calendar Made By Council Member Sanders, Second By Council Member Morgan. Motion Carried By Roll Call Vote Of 3 Ayes (Mayor Clark, Council Members Sanders And Morgan); 0 Noes; 0 Abstain; And 2 Absent (Council Members Holloway And Acton)*

## DISCUSSION AND OTHER ACTION ITEMS

### **8. Approve By Minute Motion A Project Proposal From Justin O'Neill For The Ridgecrest Communications Platform Clark**

Justin O'Neill

- Presented staff report
- Provided spreadsheet of activities and timelines.
- Presented budget calculated at fair market value.

Steve Morgan

- Thanked Justin for being open with the document
- Confirmed that tasks and fair market value is not a group of people, just Justin
- Depending on our IT capability to assist may lower the costs.
- Concept behind increasing technological advancement for government is a no-brainer, getting someone to do it is a big deal.
- Believes this is a very good, but open ended product and could change as we move into the process and identify resources and volunteerism.
- Appreciates the effort and great project to start with
- If successful in gathering public information then will greatly help the City.

Jim Sanders

- Appreciate the project and thanked Steve for identifying this as an open ended project.
- Like the ideas, including the City hall progress bar.
- Not sure this can be done for Economic Development but very good for public works progress.
- Asked if we need to discuss staff time overlap
  - Dennis Speer – Stated that staff have their own assignments and could not give this first priority. Did send proposal to management team and gathering input.

Justin O'Neill

- Willing to come back to Council with regular updates as the plan changes.

Dennis Speer

- Stated the basic rule of thumb is staff does not do consultants work.

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**Jim Sanders**

- Current proposal utilizes City website
  - Justin O'Neill – for the beginning until a new website can be developed
- Regarding social media, requested example of how this will work.
  - Justin O'Neill – need to talk with legal about issues that may arise but could gather public comments about items not on the agenda. May not be able to bring every comment to Council but they will exist online and anyone can access and view the comments. Suggest selecting a sampling of comments to be read at Council.
- For public benefit, Brown Act is a minimum standard for transparency and this is allowing more transparency to the public that we currently are not accessing.
- Appreciate the idea of trying to gain public insight but not a fan of surveys. Boils down to the purpose of the survey and how we are going to use it. Do not like the idea of public servants using a survey to make policy. We are a democracy and should make wise decisions and not just popular decisions.
  - Justin O'Neill – difficult decisions can often be unpopular. Looking at the survey's as a data collection mechanism. A good decision is a knowledgeable decision rather than a popular decision. Looking to use the data such as how many people will show up if we do a street fair.

**Dan Clark**

- Appreciate the spreadsheet and support all areas brought before the Council
- Concerned about Facebook because of the keyboard warriors who can say anything negative about a person and don't have the guts to say it face to face. Looking for filters. No audio.
- Facebook has good aspects but also has a lot of negatives.
  - Justin O'Neill – did send question to Keith about violations. Will need divisions. There is a lot of negativity but the Council has to engage constituents even if difficult. Message is being steered by individuals who are not elected officials. Have talked with other communities and reviewed how they handle these issues. Commented on a post for old timer's reunion on their events page. Rumors and opinions circulating without being addressed begin to grow.
- Concerned about filtering people who are not hard on issues but hard on people. Nobody likes a bully and wants to eliminate this concern. Want credible questions rather than demeaning and attacking people.
  - Justin O'Neill – Can set up a set of rules about the language which can be used as far as rules of civility. Posts can be eliminated if content does not adhere to the rules and the poster would receive a letter and opportunity to revamp their question or comment.

Public Comment for Item No. 8

Christina Witt

- Asked about size of current staff and website server
- Already have a website established which was done in-house.
- IT is a never ending cycle and to reduce cost there is a young talent pool coming up. Lack of experience makes it hard to get into the field and suggested getting the IT students at high school to assist. Gives them experience and gives the City additional staffing assistance.
- Facebook and twitter has a filter for attacks on personal character.
- Comments get busy so may need more people to catch them all.
  - Dan Clark – primary use for this media is for public input on City business. Concerned about the length of some Council meetings and public who ask questions online need to have those questions answered.
- Spoke on costs for this type of plan and asked if Justin would be the only person working on this.
  - Justin O'Neill – will be some overlap with staff but need permission before utilizing staff. Commented on other projects that this funding could help get started so hoping to give the hours away as much as possible to preserve funds for the other projects. Need to sit down with IT to determine what they are able to do. Further discussions are needed.
- Works with cybersecurity. Is everything secure in developing this website?
  - Justin O'Neill – plan on consulting with IT as much as possible to identify security needs.
- Spoke on option of paying advertising costs to have Ridgecrest pop up when googling or searching.
  - Justin O'Neill – believe this is already done by IT. Want to work with them to move forward.
- If elected, can I volunteer services on this project?
  - Keith Lemieux – unpaid without contract, probably ok but if it comes up want to take a look at it.
- Will definitely volunteer.
  - Justin O'Neill – want to involve as many people in the community as possible. Specifically younger people.

Dave Matthews

- Regards social media as the electronic adaptation of the backyard over the fence grapevine. Seems like there have been too many instances where people really got into or made trouble. Would not like to see public dollars go into something like that. If we can be assured these types of things won't happen then can see the benefits.

Dave Matthews *(continued)*

- Personally use the internet and order items online but don't like it because I like to go to the store and physically see what I am buying. Do like getting information from the internet so if these concepts being proposed are an extension of the internet to personal communication devices then would consider some use of it.
- Concern on surveys is we are not a democracy we are a republic because if you get to a democracy, they can easily degrade into anarchy.
- As long as the concerns are kept in check then say go forward.
- Like the progress bars on the website.
- Want it secure and to serve the purpose.
- When applying for a grant that comes thru the government then still spending tax dollars. Suggested going for private grants first.

Tom Wiknich

- Responded to Jim Sanders comment about survey's and as an elected official you are constantly surveying the people.
- Internet and designing requires artistic quality. Asked who will monitor and approve the design.
  - Steve Morgan – process is approved thru IT, City Manager, and Council.
- Commented on SEM (Social Engineering Manager) as a new employee classification. Suggested as City grows, someone may have to manage this as a regular job.
  - Justin O'Neill – that has been included in the proposal as a monthly cost.

Mike Neel

- Asked about the Community Economic Development Manager in this proposal
  - Justin O'Neill – used for fair market value based on the task of interacting with the community such as museum.
- Regarding integration with other groups such as Chamber Of Commerce.
  - Justin O'Neill – that is the goal to integrate with everyone possible. A fantastic website equates to more business and visitors coming to the community. Use the tools to show everything happening in our area.
- Citizens protest because they are a group of business owners and my tax dollars should not be used to get them more business. They need to do their own website.
  - Justin O'Neill – more outside tax money coming in. Goal is to increase tourism budget. Minimal amount of work.

Mike Neel *(continued)*

- Grant Program Manager costs reviewed. Initial cost is getting some form of grant then the monthly cost is the same every month, giving you more money so you can get more money. Grant opportunity that is going to give you more money should be your own cost.
  - Steve Morgan – City is looking at increasing the amount of funds we would have to supplement a program we wish to continue. Money will not go into Justin's pocket but into City budget to be allocated for further expansion to this program.
- Commented on getting paid to obtain the grant. Against government grants which are our tax dollars. Becomes a monthly payment to get more money so he can get more money. Asked Council to look at this.
- Online survey, does it take 10 hours per month to take care of this?
  - Justin O'Neill – hopes not, allotted time based on initial month. Went thru each task and tried to determine what this would take. Design is a particular type of work at the beginning. This is not a tool for Council to use to justify what they want but to be used by the public to address their concerns.
- Regarding social media concerns about people dumping on Council. Suggest thickening your skin because this comes with the job. Take it as it comes. We have all been bullied and you can get stronger by it.

Peggy Breeden

- When you include Chamber Of Commerce or Maturango Museum where money is spent here, it benefits the community. Applaud this idea
- If things come up in Facebook, gave example, it doesn't leave Facebook. Don't like seeing this kind of thing.
  - Justin O'Neill – can go thru and delete comments on your own webpage.

Public Comment closed at 8:34 p.m.

*Minute Motion To Approve A Communication Platform Project Made By Council Member Morgan, Second By Council Member Sanders. Motion Carried By Roll Call Vote Of 3 Ayes (Mayor Clark, Council Members Morgan And Sanders); 0 Noes; 0 Abstain; And 2 Absent (Council Members Holloway And Acton)*

**9. Approve By Minute Motion, A Project Proposal From Justin O'Neill For The West Ridgecrest Boulevard Ribbon Cutting Ceremony Clark**

Dan Clark

- Reviewed the construction project for West Ridgecrest Blvd. and idea of having a ribbon cutting ceremony suggested by Mr. Culp and that Justin O'Neill put the event together.

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Justin O'Neill

- Presented staff report
- Marketing plan to get community members to come down and see the open street and the shops in the area.
- Outlined event ideas such as food carts, sweet Adeline's; music, etc.
- One staff time project is a story board or presentation of the project from start to finish.
- Date selected is tentative set at October 31. Have a conference during that time and won't be present unless date is changed. Planning will be completed but will need to have volunteers to coordinate event.

Jim Sanders

- Clarified this is the same project previously suggested

Steve Morgan

- October 31 is a brilliant day, celebration of new street. Suggested Halloween downtown street fair with businesses providing candy and costume contest for children. A lot of people may bring their children to a safe environment sponsored by the City.
- Commented on past Halloween carnivals held by the City. Can guarantee a \$500 donation from Lions club and possibly other non-profits. Great way to get people downtown. Looking at daytime. October 31 is a Friday, suggested early afternoon.
  - Justin O'Neill – this could be 3:00 p.m.-5:00 p.m. and would not conflict with local church functions.

Public Comment

Dave Matthews

- Wanted to remind Council the USO building has their haunted house that evening.

Clarissa Cash

- Think the ribbon cutting is perfect opportunity to get content for social media. Positive for the City and positive for the public to see, short video (6 second) such as Vine.
- Just took a picture of the Council meeting and have already received several likes and comments.
- More people need to see what is going on and there is already interest.

Public Comment closed at 8:49 p.m.

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Jim Sanders

- Asked about some construction elements that would still need to be completed
  - Loren – some items such as light posts will still need to be done.

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**COMMITTEE REPORTS**

**Activate Community Talents And Interventions For Optimal Neighborhoods Task Force (ACTION)**

Members: Jim Sanders, Dan Clark

Meetings: 3<sup>rd</sup> Tuesday of the Month at 4:00 P.M., Kerr-McGee Center

Next Meeting: To Be Announced

- No report

**Veterans Advisory Committee**

Members: Dan Clark

Meetings: 1<sup>st</sup> and 3<sup>rd</sup> Tuesday of the Month At 6:00 p.m., Kerr McGee Center

Next Meeting: To Be Announced

Dan Clark

- Veterans Stand Down had 250 veterans attend. Was a huge success.
- Hats off to everyone who worked on the Stand Down.

**Ridgecrest Area Convention And Visitors Bureau (RACVB)**

Members: Chip Holloway

Meetings: 1<sup>st</sup> Wednesday Of The Month, 8:00 A.M.

Next Meeting: To Be Announced

- No Report

**OTHER COMMITTEES, BOARDS, OR COMMISSIONS**

- None

## CITY MANAGER REPORT

Dennis Speer

- Hard closure of West Ridgecrest Blvd should be opened by October 15

## MAYOR AND COUNCIL COMMENTS

Steve Morgan

- Did not know the viewfinders races were happening this weekend. If you are in town you can go.
- October 11, destruction derby is at the old motorcycle track.
- Trona Gem-O-Rama is coming. Huge gem and mineral event
- Fair is coming up October 16-19. Most candidates will have a booth and public will have the opportunity to speak to them.
- Candidate events are being held, check with the paper for schedules.
- Encouraged public to involve themselves in community events and upcoming election.

Jim Sanders

- Looking forward to the social media comments at the meeting
- When first elected, tried to find ways to engage the public and have enjoyed the last few months having discussions with members of the community without taking time away from my family. Very beneficial and excited to see it take an institutional hold.
- Discussions have been helpful to hear people's opinions. Huge value in the process of the discussion. Hearing a person's opinion isn't enough; need to have a discussion with them.
- Beginning to see the petroglyph art on buildings and they look awesome.

Dan Clark

- Doug Lueck and Mike Thomas went to the Board of Realtors meeting who became very excited about what is happening. Very positive response.
- Put together radio campaign with Howard Laire to be aired up and down the 395 corridor.
- Candidates attending Council meetings are serious about serving this community. Peggy Breeden, Randy Jenkins, Mike Mower, Tom Wiknich, and Christina Witt, thank you for attending.
- Read article entitled Silver Tsunami about baby boomers celebrating 65<sup>th</sup> birthdays and retiring at a rate of ¼ million per month, which may cripple the workforce. Article encouraged mentorship and getting young people involved in government. Encouraged community to look at seniors in terms of economic development. Asked if we had senior housing, medical, walkable community, etc. If we don't address senior issues then missing the boat and expendable income will leave the community.

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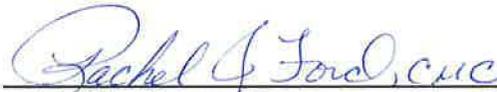
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Dan Clark *(continued)*

- Thanked everyone for attending.

**ADJOURNMENT at 9:02 p.m.**

A handwritten signature in blue ink that reads "Rachel J. Ford, CMC". The signature is written in a cursive style and is positioned above a horizontal line.

Rachel J. Ford, CMC  
City Clerk