

**HASTINGS CITY COUNCIL
WORKSESSION AGENDA**

**Council Chambers – City Hall
220 North Hastings Avenue
April 18, 2022
5:30 PM**

ROLL CALL:

PLEDGE OF ALLEGIANCE:

MOTION TO ADOPT CURRENT AGENDA for April 18, 2022 Worksession.

PUBLIC NOTICE - Official Notice of the Worksession was published in the Hastings Tribune on Friday, April 15, 2022. Pursuant to Nebraska Revised Statute Section 84-1412, the public is advised that a copy of today's agenda and all reproducible written material which will be discussed at today's meeting is available. Also, a current copy of the Nebraska Open Meetings Act is posted and accessible to members of the public.

DISCUSSION ITEMS

1. Update on Delegated Authority and changes to Chapter 13, Fire Protection, of the Hastings City Code - Hastings Fire and Rescue.
2. Discussion of proposed Water Department City Code changes.

ADJOURN:

The Mayor and City Council reserve the right to enter into an executive session at any time during the meeting, in accordance with the Nebraska Open Meetings Act, even though the closed session may not be indicated on the agenda.

It is the intention of the Mayor and City Council to take up the items on the agenda in sequential order. However, the Mayor and City Council reserve the right to take up matters in a different order to accommodate the schedules of the city council members, person having items on the agenda, and the public.



EXECUTIVE SUMMARY

Delegated Authority Request and Associated Updates to Chapter 13 of the Hastings Municipal Code

In keeping with department mission “to protect life, property, and environment through...inspection and education programs”, Hastings Fire & Rescue (HFR) desires a delegation of authority from the Nebraska State Fire Marshal’s Office. This delegation will allow HFR to provide a higher level of services by streamlining the development and fire code inspection processes in our community. Additionally, our core value of Duty requires that we be proactive and responsive to the needs of contractors, license holders, and business owners in the community. Working closely with Development Services, we’ve already begun to modify workflows and our permitting process in efforts to be more of a one-stop-shop for contractors and developers with improved turnaround times. To enhance these efforts, we are proposing:

- modifications to our municipal code that allow for increased transparency and safety
- fee schedule changes to more closely align with comparable cities and provide cost recovery for services
- increasing staffing of fire prevention to account for the increased workload that delegated authority and the associated responsibilities of inspection bring

What is “Delegated Authority?”

The process of code adoptions, plan reviews, and inspections is vitally important to ensure the resiliency of our buildings and safety of their occupants. As required by statute, there is adopted a statewide fire code. We also have a local fire code adopted with amendments to address needs specific to Hastings. As a result, every project is subject to duplicated efforts in the areas of: building code-related reviews and inspections, two fire plan reviewers and their interpretations of code, two fire inspectors and their interpretations of code, and substantial variations on turnaround time to obtain all required answers and inspections. The design of the current process leads to inefficient use of time, unresolved conflicts, and items falling through the cracks.

State statute allows the State Fire Marshal to delegate his/her authority to enforce the statewide fire code to qualified local personnel—or in other words, delegated authority. On a practical level, this consolidates the functions of duplicate state and local processes into a single, local one. Our city fire marshal would be a single point of contact for all fire- and life safety code-related questions and permit processes, both state and local. By obtaining delegated authority, we are removing duplicated efforts and unnecessary delays in the permitting and inspection process currently being felt by developers and contractors alike. Hastings would be joining the University of Nebraska and nine other cities of the first class in becoming a delegated authority.

Is there a “down-side?”

While the fire department does have a certain amount of obligation by our currently-adopted fire code to conduct regular walk-through inspections of commercial occupancies in Hastings, delegated authority

does shift the expectations from *should inspect* to *must inspect* certain properties on a regular basis. At a minimum, the expected workload increase includes mandatory inspections of: 42 in-service or out-of-use underground tank facilities, 14 childcare centers, 4 health clinics, 5 mental health and/or substance abuse treatment centers, 1 center for developmentally disabled facility, all new liquor licenses, and 3 assisted living facilities. While this may not sound like a large increase in workload, these are in addition to the many other duties currently being performed by the fire marshal, such as: youth firesetter screenings and interventions, new construction plan reviews, fire investigations, public education, responding to citizen complaints of code violations, and various other meetings, trainings, and inspections. Recommended inspection frequencies for existing buildings can be found in national standards, which indicate every building should be inspected every one to three years, depending on the level of hazard. Based upon the Novak Study and more recent informal studies, there are several areas of needed improvement:

- only three to seven percent of commercial buildings are being inspected each year
- some of our schools have not been inspected in 22 years, with an average last inspection of ten years ago and a mode of six years ago
- no records for inspections in the extraterritorial jurisdiction (ETJ)
- businesses are opening their doors to the public without a single inspection

What will it take to make this happen?

Our fire marshal exceeds the minimum qualifications for delegation of authority as set forth by the State Fire Marshal's Office. We are confident in our ability to streamline and be a single point of contact. However, the additional workload imposed on a single person would not meet expectations for improved turnaround times, which would now effect daycare licensing, assisted living licensure, all liquor licenses, and the like. We are requesting certain modifications to the municipal code to add one FTE to the fire department's prevention office. This position will be funded through the proposed changes in fees for service of plan reviews and occupancy permits. The proposed improvements will also assist in our comprehensive approach to reduce the economic, life safety, and environmental impacts that emergency incidents have on our community by implementing the Novak Study recommendations 65 (Launch a comprehensive false alarm reduction program, including alarm registration and false alarm fee) and 66 (Establish performance expectations and targets for the Fire Prevention function). Since the Novak Study in 2015, the City of Hastings has experienced over \$6.7M in fire losses, nearly \$1M lost every year due to fire. Due to extensive training and equipment improvements, over \$130M was saved in that same time span, or \$18M per year. With small adjustments in ordinances and the fee schedule, we hope to have an immediate impact on the million dollars burned every year and countless other "close-calls" through more frequent visits to each commercial occupancy. The proposed fee schedule changes are still a fraction of those charged by our nearest neighboring cities. We are actively researching grant opportunities to assist in offsetting the startup costs of these service improvements.

We look forward to implementing these improvements to bring us up to speed with other cities of the first class and improve our efficiency and service to the public.

Respectfully Submitted,

Anthony J Murphy
Fire Marshal, Hastings Fire & Rescue

Sec. 13-101. Adoption of International Fire Code.

Chapter 4 and § 603 and § 604 of the 2018 International Urban-Wildland Interface Code and the entire International Fire Code, 2018 Edition, including appendices B, C, D, I, and J, as published by the International Code Council, Inc., are hereby adopted as the Fire Code for the City of Hastings, Nebraska. Each and all of the regulations, provisions, fees, penalties, conditions, and terms of the Fire Code are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions, and changes, if any, prescribed in this ordinance. The Fire Code, printed in book or pamphlet form, is hereby incorporated by reference in addition to all amended editions as though printed in full herein insofar as such Code does not conflict with the Statutes of the State of Nebraska or other specific model codes previously adopted by the City of Hastings. One copy of the Fire Code is on file at the office of the City Clerk and is available for public inspection during normal business hours. The provisions of the Fire Code shall be controlling throughout the City of Hastings and the extraterritorial zoning jurisdiction.

The geographic limits referenced in the following sections of the 2018 International Fire Code shall mean the Fire Limits as defined in 13-301:

5704.2.9.6.1

5706.2.4.4

5806.2

6104.2

The following sections of Chapter 4 of the 2018 International Urban-Wildland Interface Code are hereby amended as follows:

- (1) § 402.2.2(1) Is not adopted.
- (2) § 404.1 General. An approved water source shall have an adequate water supply for the use of the fire protection service to protect buildings and structures from exterior fire sources or to suppress structure fires within the urban-wildland interface area of the jurisdiction in accordance with this section.

The following sections of the International Fire Code, 2018 Edition, are hereby revised, amended or added:

- (1) §101.1 Insert: City of Hastings, Nebraska.

- (2) Section 102.7 shall read as follows:

The codes and standards referenced in this code shall be those that are listed in Chapter 80, and such codes and standards shall be considered to be part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections 102.7.1 and 102.7.2. The referenced International Code Council (ICC), National Fire Protection Association (NFPA), and International Kitchen Exhaust Cleaning Association (IKECA) codes and standards shall be adopted in their full text unless otherwise restricted or amended by this article or other city ordinance.

- (3) Section 103 title shall read as follows:

Section 103 Division of Fire Prevention.

- (4) [A] 103.1 shall read as follows:

[A] *103.1 General.* The Division of Fire Prevention is established within the jurisdiction under the direction of the Fire Code Official. The function of the division shall be the implementation, administration, and enforcement of the provisions of this Code.

- (5) Section 105.2.2 shall read as follows:

105.2.2 Inspection authorized. Before a new operational permit is approved, the fire code official is authorized to inspect the receptacles, vehicles, buildings, devices, premises, storage spaces or areas to be used to determine compliance with this code or any operational constraints required. The permit fee for any inspections requiring extensive assessment, research, or consultation by the Fire Code Official shall be accompanied by a special site assessment fee in accordance with the fee schedule as established by the applicable governing authority.

(6) Add section 105.2.5 to read as follows:

Where it is determined that the plans submitted are of such deficiency that a revision and re-submittal is required, said re-submittal shall be accompanied by the applicable re-submittal fee in accordance with the fee schedule as established by the applicable governing authority.

(7) Section 105.6.37 shall read as follows:

Places of assembly ~~or business~~. An operational permit is required to operate a ~~Group-A place of assembly~~, ~~Group-B business~~, ~~Group-E education~~, ~~Group-F factory/industrial~~, ~~Group-H high-hazard~~, ~~Group-I institutional~~, ~~Group-M mercantile~~, ~~Group-R residential (other than 1-or 2-family dwellings)~~, or ~~Group-S storage occupancy~~, as defined in Chapter 2.

(8) Add section 108.3.1 to read as follows:

Records of all system inspections, tests, and maintenance shall be submitted to the Division of Fire Prevention in a manner and format as prescribed by the Fire Code Official within fifteen (15) working days after the inspections, tests, and maintenance are completed. System impairments shall be reported to the Fire Code Official without delay.

(9) Add section 108.3.2 to read as follows:

Following written notice of nuisance fire alarms, fire alarm system owners must submit documentation to the Fire Code Official within 15 days as evidence the system has been examined by a qualified technician and efforts made to find and fix the probable cause of the nuisance alarm.

(10) Add Section 109.1 to read as follows:

The appeal shall be made in a writing which shall state the decision appealed and the alleged grounds of error, and shall be filed with the City Clerk within thirty (30) days after the date of the decision appealed

(11) § [A] 110.4 shall read as follows:

[A] *110.4 Violation Penalties.* Persons who shall violate a provision of this Code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the Fire Code Official, or of a permit or certificate used under provisions of this Code, shall be guilty of a misdemeanor punishable by a fine of not more than \$100.00. Each day that a violation continues after due notice has been served shall be deemed a separate offense. In all cases of violation of each of the chapters, articles or sections of this Code or of any other ordinance of this City where a fine is imposed upon any persons found guilty of the violation thereof, such person so found guilty shall pay the costs of prosecution and, in default of payment thereof, shall be adjudged to stand committed to the county jail until such fine and costs are paid. Each judgment finding a person guilty under any chapter, article or section of this Code or of any ordinance of this City shall specify in terms that the person found guilty stand committed until such fine and costs are paid, secured or satisfied, or unless the prisoner is sooner discharged by the due process of law.

(12) § [A] 112.4 Shall read as follows:

Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation of unsafe condition, shall be liable to a fine of not less than \$100.00 and shall be a continuing violation.

(13) § 307.1 shall read as follows:

§ 307.1 General. A person shall not kindle or maintain or authorize to be kindled or maintained any open burning unless conducted and approved in accordance with Sections 307.1.1 through 307.5, and in accordance with Neb. Rev. Stats. §§ 81-520.01 to 81-520.05.

(14) Add Section 307.1.2 to read as follows:

§ 307.1.2 Authorized times. Open burning may be granted only between the hours of 8:00 a.m. and 7:00 p.m. on Tuesdays and Thursdays, and 12:00 noon and 7:00 p.m. on Saturdays, unless alternate dates and/or times are specifically authorized by the Fire Chief or his designee, and included within the permit.

(15) Add Section 307.2.2 to read as follows:

§ 307.2.2 Permit timeframes and fees. The permit may be granted for a single burning event or a series of burning events over a period of time not exceeding 30 days. The fee for such permit shall be in the amount established by the City Council's Fee Resolution.

(16) § 307.3 shall read as follows:

§ 307.3 Extinguishment authority. Where open burning, recreational fires, portable or permanent outdoor fireplaces, or cooking fires create or add to a hazardous situation, or a required permit for open burning has not been obtained, the Fire Code Official is authorized to order extinguishment of the burning operation. Any person who refuses to comply with the order or requirement of the Fire Chief or any member of the Fire Department to extinguish a fire shall be guilty of an ordinance violation.

(17) § 307.4 shall read as follows:

§ 307.4 Location. The location for open burning shall not be less than 50 feet from any structure, shall not be less than 15 feet from any property line, and provisions shall be made to prevent the fire from spreading to within 50 feet of any structure.

(18) § 307.5 shall read as follows:

§ 307.5 Attendance. Open burning, bonfires, recreational fires, and use of portable outdoor fireplaces shall be constantly attended by a competent person of legal age until the fire is extinguished. No fewer than one portable fire extinguisher complying with section 906 with a minimum 4-A rating or other approved on-site fire-extinguishing equipment, such as dirt, sand, water barrel, garden hose or water truck, shall be available for immediate utilization.

(19) § 903.2.8 shall read as follows:

§ 903.2.8. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area.

Exception 1: Group R-3 occupancies shall not be required to be provided with an automatic sprinkler system. Where installed, the design and installation of fire sprinkler systems in one- and two-family dwellings and townhouses shall comply with Section 903.3.

Exception 2: Care facilities located in a single family dwelling shall not be required to be provided with an automatic fire sprinkler system, where the number of persons receiving care is fewer than 13.

(20) Section 907.6.3.1 shall read as follows:

The initiating device status shall be annunciated at an approved on-site location. Sprinkler systems with more than one zone must have a fire alarm annunciator present in the vicinity of the main sprinkler riser zone valves in addition to any others required by code.

(21) Section 907.8.5.1 shall be added to read as follows:

Upon receipt of four (4) or more nuisance alarms in any six (6) month period, the owner of the fire alarm system shall be assessed fees for each nuisance alarm in accordance with the hourly rates of the responding apparatus and personnel per the fee schedule as established by the applicable governing authority. The fee for six (6) or more nuisance alarms shall be double the rate of the responding apparatus and personnel. These fee shall apply regardless of whether or not the response is cancelled by the owner or occupant. The Fire Code Official may order the system disconnected or deactivated and a fire watch initiated at the owner's expense due to repetitive alarms. The Fire Code Official may revoke the Certificate of Occupancy if requirements are not met and fees not paid.

(22) Section 907.8.5.2 shall be added to read as follows:

Failure of a qualified fire alarm service technician to notify the alarm monitoring company/agency of work being performed on the system and resulting in a fire department response shall constitute a false alarm. The company servicing the fire alarm system shall be assessed fees for each false alarm in accordance with the hourly rates of the responding apparatus and personnel per the fee schedule as established by the applicable governing authority. These fee shall apply regardless of whether or not the response is cancelled by the owner or occupant.

(23) Chapter 80 shall be amended as follows:

NFPA 1124 Code for the Manufacture, Transportation, Storage and Retail Sales of Fireworks and Pyrotechnic Articles **2006** edition.

Add: NFPA 291 Recommended Practice for Water Flow Testing and Marking of Hydrants 2019 edition

The adoption of NFPA 1221 Standard for the Installation, Maintenance and Use of Emergency Services Communications Systems 2016 edition shall be limited to the extents prescribed in sections 510.4.2 and 510.5

The following sections of NFPA 96 Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations, 2017 Edition, are hereby revised, amended or added:

(1) Section 7.5.2.1.2 shall read as follows:

Prior to the use of or concealment of any portion of a grease duct system, a water pressure leakage test shall be performed to determine that all welded joints and seams are liquidtight.

The following sections of NFPA 291 Recommended Practice for Fire Flow Testing and Marking of Hydrants, 2019 Edition, are hereby revised, amended or added:

(1) Section 5.2.1.1 shall read as follows:

All barrels of private hydrants are to be chrome yellow and all barrels of public hydrants are to be Rustoleum Aluminum (silver), or an approved equivalent. Non-steamer caps and bonnets shall be color-coded per the direction of City Utilities.

(2) Add section 5.2.5.3 to read as follows:

All private hydrants shall have affixed and legible a unique, sequential identification tag prior to final approval. Such tag(s) shall be issued by the Fire Department for installation by the owner or owner's representative. Actual costs for such tag(s) shall be reimbursed to the Fire Department prior to issuance.

The following sections of NFPA 101 Life Safety Code, 2018 Edition, are hereby revised, amended or added:

(1) Section 24.3.5.1 shall be removed

(Code 1973, 14-1; Ord. Nos. 2632, 2874, 3011-4/87, 3155-1/90, 3440-12/94, 3962-8/2004, 3976-11/2004, 4581 - 3/2019)

Sec. 13-222. Possession of fire keys.

It shall be unlawful for any person to have in his possession, or make or cause to be made, any keys of any fire engine, Knox Box, vehicle or the fire station, or use or cause the same to be used, without the consent of the Fire Chief.

(Code 1973, 14-38)

~~Sec. 13-223. Tampering with, defacing, etc., fire alarm apparatus.~~

~~It shall be unlawful for any person, except those connected with the management of the same, to open any signal box unless it be to give an alarm of fire, or break, cut, injure, deface, derange or in any manner meddle or interfere with any signal box or fire alarm system.~~

(Code 1973, 14-40)

Sec. 13-301. Fire Limits

Primary Fire limits are hereby prescribed and established in the City of Hastings, Nebraska as detailed in the fire limits map. All references to streets are intended to reference street centerlines, and all references to rail lines and/or railroad properties are intended to reference railroad right-of-way. Any fringe parcel shall be considered within the primary fire limits if the centroid of the parcel falls within the lines of said map.

Fee Schedule Updates:

FIRE SERVICES

9.	Tier I and Environmental Clearance Reviews	\$	200.00
10.	Underground tank installation and/or closure fee per tank	\$	100.00
11.	Aboveground tank installation and or closure fee per tank	\$	100.00
12.	Temporary aboveground petroleum storage fee per tank	\$	50.00
9.	Tents over 200 square feet	\$	30.00
10.	Canopies over 400 square feet	\$	30.00

FIRE PREVENTION

4. Plan Reviews

\$1 - \$5,000	\$	5.00
\$5,001 - \$25,000	\$5 for the first \$5,000 plus \$2 for each additional \$5,000 or fraction thereof	
\$25,001 - \$50,000	\$15 for the first \$25,000 plus \$2 for each additional \$5,000 or fraction thereof	
\$50,001 - \$100,000	\$25 for the first \$50,000 plus \$1 for each additional \$5,000 or fraction thereof	
\$100,001 - \$200,000	\$35 for the first \$100,000 plus \$1 for each additional \$10,000 or fraction thereof	
\$200,001 or more	\$50 for the first \$200,000 plus \$1 for each additional \$10,000 or fraction thereof, total fee shall not exceed \$500	

State Fire Code Review

2.50 per \$10,000.00 (or portion thereof) of estimated project cost. Total review fee for compliance with State codes shall not exceed \$500.00

Local Fire Code Review

2.50 per \$10,000.00 (or portion thereof) of estimated project cost, \$15.00 minimum

Re-submittal		20%
Alarm System	\$	125.00
<u>Standpipe or</u> Sprinkler System	\$	100.00/riser
	\$	50.00/design area
<u>Commercial Kitchen or Vapor Hood System (Hood/duct/fan)</u>	\$	100.00
Suppression System (other)	\$	100.00

For expedited plan reviews (guaranteed 5 business day turnaround), add 50% to the total review fee

3. Fireworks/Pyrotechnics

Sales	\$	<u>200.00</u>
Displays	\$	200.00

5. Permit Fees

Occupancy Use

Initial -- All Hazards	\$	150.00
Renewal – High Hazard (annual)	\$	50.00
Renewal – Moderate Hazard (biennial)	\$	100.00
Renewal – Low Hazard (triennial)	\$	150.00
<u>Enclosed</u> tents over 200 square feet	\$	30.00
Canopies over 400 square feet	\$	30.00
Mobile Food Preparation	\$	30.00

<u>Work commencing prior to permit issuance</u>	<u>5% of the total project cost</u>
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ORDINANCE NO. 4701

AN ORDINANCE OF THE CITY OF HASTINGS, NEBRASKA, TO AMEND SECTIONS 30-109, 30-112, AND SECTION 32-602 OF THE OFFICIAL CITY CODE OF THE CITY OF HASTINGS, NEBRASKA, TO AMEND PROVISIONS RELATING TO LOCATION OF STOP BOXES AND CURB STOPS, BYPASS LINES AND RESPONSIBILITIES FOR MAINTENANCE AND REPLACEMENT OF WATER SERVICE LINES; TO REPEAL ANY ORDINANCE IN CONFLICT HERewith; TO PROVIDE WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT; AND TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HASTINGS, NEBRASKA:

SECTION 1. That Section 30-109 of the Official City Code of the City of Hastings, Nebraska, be and the same is hereby amended to read as follows:

30-109. Protection of water distribution and service pipes from freezing; curb stops.

Water distribution pipes and water service pipes shall be protected from freezing. Water service pipes shall be laid at a depth of not less than five feet below finish grade. An all brass, plug type, round way curb stop with T handle shall be placed in the water service within eighteen inches of the water main or at a location approved by the City. A stop box shall be installed at the curb stop, with the top of the box level with the finish grade.

SECTION 2. That Section 30-112 of the Official City Code of the City of Hastings, Nebraska, be and the same is hereby amended to read as follows.

30-112. Water meter installation.

Water meters shall be installed in a horizontal (not vertical) position as near as practical to the point where the service enters the building and shall be so located as to be readily accessible for examination, reading and replacement. A water meter shall not be placed where it will be subjected to excessive corrosion. There shall be a hand shut-off valve installed immediately upstream and downstream on all water meters.

Except for a water service only providing water for yard irrigation, water meters one and one-half inches and larger shall also have a bypass line and a hand operated bypass valve. The hand operated bypass valve must be the same size as the water service and must be lockable.

SECTION 3. That Section 32-602 of the Official City Code of the City of Hastings, Nebraska, be and the same is hereby amended to read as follows:

32-602. Responsibility for installing, repairing, etc., supply pipes.

When application is made for water service, the applicant shall perform all work necessary for the installation thereof and shall bear all cost and expense for bringing the service from the water main to and upon the premises of the applicant. An owner and/or customer receiving water service through piping on property within the City shall maintain and immediately repair any broken or leaking portions of the said service on private property from the corporation on the water main, and shall bear all costs and expense thereof.

If neither the owner or customer receiving water service on their private property makes or causes the required repairs to the water service located their private property to be made, then the Manager of Utilities, or the Manager's duly authorized representative, shall serve written notice by certified mail, notifying the owner and/or customer that seven days after the notice is sent, holidays and weekends excluded, the City shall disconnect the water service to the said property unless either the owner and/or customer completes the required repairs to the satisfaction of the City Plumbing Inspector or the owner of the property enters into a written agreement authorizing the City to make the necessary repair, and agreeing that the owner shall reimburse the City for the reasonable cost of such repair. Such costs shall be considered as part of the water service furnished the property and if not paid shall constitute a lien against the property pursuant to Neb. Rev. Stat. §16-682, as the same may from time to time be amended.

In the event that water service is provided by a lead service line, City shall be solely responsible for replacement of the lead service line in the event of a leak or damaged service line. City shall have and execute a plan to annually remove lead water service lines from its system.

PASSED AND APPROVED by the Mayor and City Council of the City of Hastings, Nebraska, this _____ day of _____, 2022.

Corey Stutte, Mayor

ATTEST:

Kimberly S. Jacobitz, City Clerk

(S E A L)

APPROVED TO FORM:

Clint Schukei, City Attorney