

RANSOM CANYON CITY COUNCIL  
CALLED MEETING  
MAY 16, 2005  
MINUTES

This meeting of the city council was called to order by mayor Robert Englund. This meeting was held at the Ransom Canyon party House, located on the Island in Ransom Canyon. The meeting was at 7:00 P.M., May 16, 2005. Council members present were Ron Cox, David Peterson, Donna Clarke and Dick Hulslander. Earl Starks was absent. Robert called the meeting to order and called for a moment of silence, as is customary in city council meetings.

This meeting was held concurrent with the regularly scheduled meeting of the Board of Directors of the Property Owners Association. Helen Musiak called the POA board meeting to order. The Board members present in addition to Helen Musiak were: Tom Musiak, Carol Hulslander, Lynn Opheim, Andy Wilson and Pat Sykora.

Helen announced that the first item on their agenda was to discuss new construction on the party island with the city council.

Mayor Englund outlined the list of issues:

POA Fiduciary Fund: City Attorney John Sims told the council that this would be a legal activity for the city. The purpose would be to receive tax-deductible donations from the public, and make disbursements to the Property Owners Association to be used for new construction. Once the money has been donated to the city, unless the POA uses it for construction, the money will remain in the city's accounts. There will be no refunds to donors if the POA does not use it for new construction.

Andy Wilson reported that a tax attorney had been contacted by the POA, and he expects to have an answer in time for a formal request which he will make at the June City Council meeting. Andy commented that the big fundraising activities will be after the groundbreaking ceremony to be held on July 4. Pending receipt of the POA's formal request, this item will be put on the June council agenda. No council action was taken on this item at this time.

Plat requirements: Mayor Englund explained that the POA Deed to the Island restricted future uses to "recreational". He explained that the council was concerned about the future viability of the Property Owners Association, and that the council would like to guarantee that the land would go to the city in the event that the POA were to dissolve. There is concern that maintenance expenses in the future will be more than the \$60 per lot revenue cap that the current POA operates under. There have been discussions about POA reorganization, but the city would like to try to guarantee that the land stays in the ownership of the people.

It will cost \$4300 to plat the island. The city council could waive the plat requirement.

Andy Wilson made a motion to the Property Owners Board that they approve the drafting of a letter providing that the POA give the land to the City in the event the board decides to dissolve. POA board member Tom Musiak seconded the motion, and the board members approved.

City Council Mayor Pro-Tem David Peterson made a motion to waive the plat requirement for the POA, providing that the POA is able to give the land to the city in the event of their demise, and the City will pay City Attorney John Sims to draft a letter so stating this contract. Donna Clarke seconded this motion. Ron Cox, David Peterson and Donna Clarke voted aye. Dick Hulslander did not vote, abstention based on conflict of interest, so stated because his wife, Carol, is a board member of the POA. Motion to waive the plat carried.

Mowing the island and the meadows. Robert Englund commented that the city already mows the park in front of city hall, which is owned by the POA. Andy Wilson stated that the POA board had purchased a riding mower and will manage the mowing and maintenance of the island. They only needed help to mow the meadow. New board member Pat Sykora asked if baling the grass would be a suitable alternative. David Peterson explained some of the historic problems with baling the grass. The wet material was mosquito breeding ground, while the cut grass would dry. The cut grass would be trimmed closer than a baler could cut. But free cutting would be a good thing.

The groups agreed that the city council would mow free of charge as a community fire abatement effort, if Pat Sykora's contact did not wish to take on the project. Donna Clarke made a motion to mow the meadow one time, when it will be ready to mow in approximately two weeks time, free of charge to the POA. David Peterson seconded the motion. The vote was three in favor, with one abstention. The abstention was Dick Hulslander, reason so stated previously.

Andy Wilson reported that plans for the new building will go before the Building Committee June 13.

The conference adjourned at this point.

#### Water Tank Change Order:

The council had one more agenda item. The water tank was awarded to the low bidder. The low bidder told the engineer that significant savings, (\$77,000) could be achieved if the style of the tank were changed from a spheroid to a four-legged tank-style. Attorney Sims confirmed prior to the May City Council meeting that no open bid laws would be violated if the council issued this change order after the bid was awarded to the low bidder.

Dick Hulslander moved to approve this change order to build a four legged tank style. Ron Cox seconded the motion. Donna Clarke stated she is satisfied. David Peterson approved. There was some discussion about some savings that might be achieved if the tank were not painted. Ron Cox commented that the base paint would be necessary for

long-term maintenance. More information would be needed in order to make a decision about painting. The council voted to approve the change in tank style. The vote that was taken was unanimous in favor of the change order to approve the four-legged style.

Mayor Englund thanked Dr. Cox for all of his hard work on this project.

With no further business the meeting adjourned on a motion from Dick Hulslander and second from David Peterson.

Melissa Verett