

Meeting of 2010-10-26 Regular Meeting

MINUTES
LAWTON CITY COUNCIL REGULAR MEETING
OCTOBER 26, 2010 6:00 P.M.
WAYNE GILLEY CITY HALL COUNCIL CHAMBER

Mayor Fred L. Fitch Also Present:
Presiding Larry Mitchell, City Manager
 Frank V. Jensen, City Attorney
 Traci Hushbeck, City Clerk
COL Fred Erst, Fort Sill Liaison

Mayor Fitch called the meeting to order at 6:00 p.m. Notice of meeting and agenda were posted on the City Hall notice board as required by law. Invocation was given by Reverend Wayne Chaplin, First Presbyterian Church, followed by the Pledge of Allegiance.

ROLL CALL

PRESENT: Bill Shoemate, Ward One
Michael Tennis, Ward Two
Jay Burk, Ward Four
Janice Drewry, Ward Three
Robert Shanklin, Ward Five
Richard Zarle, Ward Six
Stanley Haywood, Ward Seven
 Doug Wells, Ward Eight

ABSENT: None

PRESENTATION OF PROCLAMATION FOR PANCREATIC CANCER AWARENESS MONTH

Mayor Fitch proclaimed November 2010 as Pancreatic Cancer Awareness month.

AUDIENCE PARTICIPATION:

Billie Whipp, Arts and Humanities Division, gave a brief overview of the activities of the 2010 International Festival. She recognized the members of the International Festival Committee.

CONSIDER APPROVAL OF MINUTES OF LAWTON CITY COUNCIL REGULAR MEETINGS OF SEPTEMBER 14 AND OCTOBER 12, 2010.

MOVED by Shanklin, SECOND by Tennis, to approve the minutes of the Lawton City Council regulars meetings of September 14 and October 12, 2010. AYE: Tennis, Drewry, Burk, Shanklin, Zarle, Haywood, Wells, Shoemate. NAY: None. MOTION CARRIED.

CONSENT AGENDA: The following items are considered to be routine by the City Council and will be enacted with one motion. Should discussion be desired on an item, that item will be removed from the Consent Agenda prior to action and considered separately.

Mayor Fitch requested item #10 and Shanklin requested item #11 be considered separately.

MOVED by Drewry, SECOND by Shoemate, to approve the consent agenda with the exception of items #10 and #11. AYE: Drewry, Burk, Shanklin, Zarle, Haywood, Wells, Shoemate, Tennis. NAY: None. MOTION CARRIED.

1. Consider the following damage claims recommended for approval: Paul Ellwanger in the amount of \$9,519.25 (**Res. 10-102**), Mikel and Susan Dodson in the amount of \$82.00, Phyllis Young in the amount of \$482.40 (**Res. 10-103**) and Serita and Leonard Bryan in the amount of \$725.00 (**Res. 10-104**). Exhibits: Legal Opinions/Recommendations, Resolution No. ____, Resolution No. __ and Resolution No. ____.

2. Consider adopting a resolution approving the settlement by a joint petition and making payment in the workers compensation claim of Brandon Goss. Exhibits: **Resolution No. 2010-1-5.**

3. Consider accepting the loan of 40 computer systems, installation, maintenance, and networking from the Great Plains Technology Center (GPTC) to the Lawton Public Library. Exhibits: Loan agreement on file in City Clerk s office.

Mayor Fitch requested item #10 and Shanklin requested item #11 be considered separately.

David Snyder, Library Director, introduced Jim Bishop and Carl Wicks from Great Plains Technology Center.

Mr. Bishop stated GPTC would like to loan 40 computers to the Lawton Library. They received these computers through a federal program that has guidelines that dictate how they dispose of the computers.

Mr. Wicks stated they receive the computers from either military sources or federal agencies. They are allowed to have these computers to donate to local schools or non profits with an educational mission. He stated they cannot give them to the City of Lawton because they cannot be disposed of in the landfill or sold at auction. He stated they will conduct the maintenance on these computers.

Snyder stated they should have everything set up before Thanksgiving. He stated they will be able to expand their computer lab from approximately 17 computers to 40 computers. He recognized Patty Neuwirth, Friends of the Library, for coordinating this donation.

4. Consider accepting a grant of \$500 from the Oklahoma Department of Libraries for Computer Software Training for three library employees. Exhibits: Computer Software Training contracts are on file in the City Clerk s office.

5. Consider and take appropriate action to amend Council Policy 9-2, City Council Parade and Assembly Policy A-General Policy, paragraph 6 to include the Spirit of Survival Walk/Marathon held annually in October and the Lawton Toy Run also held annually in November as official city co-sponsored events waiving all city permit fees for both entities as prescribed and in accordance with Chapter 7-31-1-3101-3112 as long as all indemnity insurance bonds/certificates have been procured as required and proof of such is provided. Exhibits: Proposed Amendment to Council Policy 9-2.

6. Consider approving Change Order # 3 for the Intermodal Transportation Museum Project (F.A. Project No. STP-116E(130)EH). Exhibits: Change order request from Meyer Architecture Plus, Project Construction Cost/Funding Tracker.

7. Consider a request for an extension of time for the escrow agreement for the drainage improvements in Dove Creek Addition, Part 3. Exhibits: Letter from Developer and List of Deficiencies.

8. Consider approving the record plat for MacArthur Park, Part 8 and accepting the improvements, maintenance bonds, and easements. Exhibits: Plat Map
Maintenance Bonds and Easements on file in City Clerk s Office.

9. Consider approving the record plat for Rolling Hills Development, Part 4B; accepting street and public drainage improvements and maintenance bonds. Exhibits: Plat Map.
Maintenance Bonds on file in City Clerk s Office.

10. Consider releasing the performance bond for drainage improvements in Scissortail, Part 1, and accepting the water, sewer, and public drainage improvements, escrow agreement in lieu of incomplete minor improvements, and maintenance bonds. Exhibits: Plat Map.
Escrow Agreement and Maintenance Bonds on file in City Clerk s Office.

Richard Rogalski, Planning Director, stated Scissortail, Part 1, is located on the west side of NE Flower Mound Road, approximately mile north of East Gore Boulevard. He stated on February 12, 2009, the City Planning Commission approved the record plat subject to conditions. The developer opted to post a performance bond for public drainage improvements that had not been completed prior to approval of the record plat by the City Council. On February 24, 2009, the City Council approved the record plat and accepted the performance bond and easements outside the platted area. The performance bond has been extended nine times by City Council. The latest extension will terminate on October 30, 2010. An inspection was performed on October 12, 2010 and 14 deficiencies were noted on drainage improvements. Water and sewer improvements have been inspected and found to be acceptable. He stated they put this item on the agenda because they anticipated that this would be ready to finalize. While there has been some progress on a number of items, none have gotten done. He stated they are

not sure which way to go.

Mayor Fitch questioned the time frame on the bond itself.

Rogalski stated the bond expires in February, 2011. The question is how long the council wants staff to go on with this.

Warren Waggoner, developer, stated he has been struggling with a particular engineer to get the as-builds completed to get accepted. He initially started scissortail with a different engineer out of Oklahoma City who failed to complete the project. He brought the project to a local engineer who is struggling to get everything switched over. He has done everything he can possibly do that was on the list other than what he has to get from the engineer. He has even requested planning staff call the engineer. He does not mind putting up an escrow account. They have done everything he can do but he is at the mercy of the engineer.

Burk stated there are thirteen things on the list, he questioned how many are done.

Mr. Waggoner stated a lot of the items have been completed. He stated six of the items are done, they just need inspection.

Burk questioned how long it will take to get this finalized. He questioned if the engineer is giving him any kind of timeline.

Mr. Waggoner stated he is not getting a direct answer.

Burk stated he is willing to give one more extension to get this done, but everyone is at the end of their rope. He questioned if they could do a ninety day extension.

Mr. Waggoner stated he could work with sixty.

Wells questioned if the engineer would even get things done in the sixty days.

Mayor Fitch questioned if planning staff had talked with the engineer.

Rogalski stated the engineer is doing everything in town and it is not a pleasant task to pick up after another engineer. He had the impression that the engineer was going to get them the as-builds later this week. He feels it is just a matter of a few days.

Burk questioned if thirty days would be sufficient.

Zarle questioned why it is so important to release the performance bond if it is good until February.

Jensen stated they are not going to release it tonight, they are going to table the item for thirty or sixty days.

Burk suggested they table this for thirty days.

Rogalski stated if they table this for thirty days he is not sure they can bring it back if he gets it done earlier.

Jensen stated they can table for up to thirty days. This can be brought back when they are ready.

MOVED by Burk, SECOND by Drewry, to table for up to 30 days. AYE: Burk, Shanklin, Haywood, Wells, Shoemate, Tennis, Drewry. NAY: Zarle. MOTION CARRIED.

11. Consider approving the agreement for receiving pre-treated wastewater at the Wastewater Treatment Plant from the City of Geronimo and authorizing the Mayor and City Clerk to execute the agreement. Exhibits: Agreement is on file with the City Clerk.

Shanklin stated that we are trying to help our outlying communities and this is a good example.

Wells questioned how long the contract has been in effect.

Afsaneh Jabbar, Water/Wastewater Assistant Director, stated since 1997.

Haywood questioned when we met them half way with the water.

Mitchell stated two to three years ago we extended that water line.

MOVED by Shanklin, SECOND by Zarle, approve the agreement for receiving pre-treated wastewater at the Wastewater Treatment Plant from the City of Geronimo. AYE: Shanklin, Zarle, Haywood, Wells, Shoemate, Tennis, Drewry, Burk. NAY: None. MOTION CARRIED.

12. Consider approving the Proposed Cooperative Program and Memorandum Agreement between the Oklahoma Water Resources Board and the City of Lawton and authorizing the Mayor and City Clerk to execute the agreement. Exhibits: Proposed Cooperative Program and Memorandum Agreement is on file with the City Clerk.

13. Consider accepting a permanent utility easement from KJ Hotel Properties, LLC for right of way needed for the NW 38th Street (Gore Blvd. to Cache Road) Project #2006-7, authorizing the Mayor and City Clerk to execute the document and authorizing the Mayor to sign a thank you letter. Exhibits: Easement is on file in the City Clerk's office.

14. Consider accepting a permanent easement and a temporary easement from Most Reverend Eusebius J. Beltran, as Archbishop for Holy Family Church for right of way needed for the NW 82nd Street Sewer Line Project #2010-4, authorizing the Mayor and City Clerk to execute the documents and authorizing payment for the same. Exhibits: Documents are on file in the City Clerk's office.

15. Consider awarding a contract for a fixed asset bar code system to RVB Systems Group of Cary, NC. Exhibits: Abstract of Bids.

16. Consider a month to month contract for (RFPCL07-054) Life Insurance to Lincoln National Life Insurance Company of Omaha, Nebraska. Exhibits: Memo from Human Resources, Letter from Lincoln National Life, Contract Extension Form.

17. Consider extending the contract (CL09-016) Portable Litter Fence to Metta Technologies of Toledo, OH. Exhibits: Department Recommendation, Price Sheet, Contract Extension Form.

18. Consider approval of payroll for the period of October 4 - 17, 2010.

NEW BUSINESS ITEMS:

19. Hold a public hearing and consider an ordinance changing the zoning from Temporary A-1 (General Agricultural District) to R-1 (Single-Family Dwelling District) zoning classification on a tract of land located approximately mile south of SW Lee Boulevard and mile east of SW 67th Street. Exhibits: Ordinance No. 10-___, Location Map, Application and CPC Minutes.

Rogalski stated this request is for a 9.150 acre tract to be platted as part of Oak Ridge Addition. The property owner and applicant is Brentwood Development, Inc. The zoning of the surrounding area is Temporary A-1 to the north, east, and west and R-1 to the south. The land use of the surrounding area is agriculture to the north, east, and west and vacant (proposed single-family residential) to the south. The 2030 Land Use Plan designates this area as Residential/Low Density. On September 30, 2010, the City Planning Commission held a public hearing on this request. No one spoke for or against the request during the public hearing. The CPC, by a vote of 6 0, recommended approval of the rezoning. Notice of public hearing was mailed to one property owner within 300 feet of the requested area on October 5, 2010, and proper notice was published in *The Lawton Constitution* on October 10, 2010. This tract is proposed to be developed as part of Oak Ridge Addition, Part 2. A site plan is not required for the rezoning request; however, development will be reviewed through the subdivision process.

PUBLIC HEARING OPENED. No one appeared to speak and the public hearing was closed.

MOVED by Haywood, SECOND by Drewry, to adopt **Ordinance 10-35**, waive the reading of the ordinance, read the title only.

(Title read by City Attorney)

Ordinance 10-35

An ordinance changing the zoning classification from the existing classification of Temporary A-1 (General Agricultural District) to R-1 (Single-Family Dwelling District) zoning classification on the tract of land which is hereinafter more particularly described in section one (1) hereof; authorizing changes to be made upon the official zoning map in accordance with this ordinance.

Wells stated that during development, public works has had to patch the road from 52nd from Lee to Bishop Road. He questioned if there was anything in the code that says we can go back to these companies that are driving heavy cement trucks and tearing up these roads and ask them to help pay for these repairs.

Mitchell stated there have been circumstances where a project is conditional that they have to make improvements

after the project is completed. He does not think there is a requirement in the code that deals with repairing roads.

Haywood stated the Public Works Director told him there was nothing on the books that would make the developer repair those streets.

Jensen stated there are provisions in the city code that address this issue.

Rogalski stated there is a code section that talks about asphalt roads and local asphalt streets cannot be use for construction traffic. It does not mention concrete streets. Currently the subdivision code does not address section line roads and there is not a great provision for reconstructing or improving those roads. We don t have a great way to deal with construction traffic because who can determine who tore it up because it is an open road.

Drewry stated she thought they addressed this when the hospital changed the airport pad from one side to the other and there was a lot of damage to 36th street.

Mitchell stated those are individual agreements, it is not a general provision in the ordinance. It is a case by case condition on a particular development.

Drewry stated at that time the council approved an ordinance to protect the City from having to cover the cost.

Jensen stated staff will have to look at this and they may have to broaden it.

Rogalski stated he felt this was just for local streets.

Wells stated he has seen public works crews go out and repair 52nd Street four or five times.

Rogalski stated as part of approving a subdivision, the City could enter into an agreement with the developer to maintain that road. This is something that the City Council and the City Planning Commission could require.

Wells stated he would recommend staff look at this issue.

Rogalski stated this is a difficult issue, but it would come down to the subdivision process where the City Council can control this.

Burk stated it is not fair for the rest of the citizens to have to pay for the roads to be redone over and over because of new subdivisions.

Rogalski stated that staff can come up with a piece of code that should be able to solve this problem.

Wells stated he would like to see something that would cover the entire city.

VOTE ON MOTION: AYE: Zarle, Haywood, Wells, Shoemate, Tennis, Drewry, Burk, Shanklin. NAY: None. MOTION CARRIED.

Mayor Fitch stated that from the discussion the Council has agreed to direct staff to address this issue for the whole community.

Rogalski stated he will take this back to the City Planning Commission and they will probably set up a committee with members from the City Council and the City Planning Commission who will go through the city code and draft an ordinance.

Burk, Wells and Haywood volunteered to sit on a committee to look at this issue.

20. Consider adopting an ordinance declaring as nonessential and surplus, and authorizing the sale by sealed bid of approximately 50 acres, more or less, of City-owned real property in the vicinity of NW 67th Street and Rogers Lane, the value of the property exceeding Fifty Thousand Dollars (\$50,000), said land being legally described hereinafter; providing all potential bidders may make an environmental inspection of said property after receiving permission from the Real Property Administrator; providing City staff to set a minimum bid(s) for and other conditions of this sale; providing an effective date and making provisions for a vote thereon if a valid referendum petition as required by the Lawton City Charter is filed; providing for publication of the full text of this ordinance; and authorizing the Mayor and City Clerk to execute all documents necessary for conveyance of said property after it is sold by sealed bid(s). Exhibits: Ordinance No. 2010-____ and Plat Drawing Showing Location of Tracts 1-3.

Mitchell stated over the past year the City Council has had some discussion about selling surplus property and they feel the time is right to offer this particular piece of property for sale. He stated once they go through the surplus

property process, staff will draft an RFP which would include a proposal for properly zoning that property. It is currently zone PF and the east portion is zoned CO. He stated they need to look at the zoning before they secure an appraisal and once they do that bring a package back for Council consideration before the property is offered for sale. He stated it is up to the Council to determine what they would do with the proceeds. In this case he would recommend that the proceeds be placed in a designated fund and use part of the proceeds to pay off the bridge loan and the balance could be used for capital improvements or some other project.

MOVED by Wells, SECOND by Zarle, to adopt **Ordinance 10-36**, waive the reading of the ordinance, read the title only. AYE: Haywood, Wells, Shoemate, Tennis, Drewry, Burk, Shanklin, Zarle. NAY: None. MOTION CARRIED.

(Title read by City Attorney)

Ordinance 10-36

A special, non-emergency ordinance authorizing the sale by sealed bid of approximately 50 acres, more or less, of city-owned real property which is hereby declared nonessential and surplus in the vicinity of NW 67th street and Rogers Lane, the value of the property exceeding fifty thousand dollars (\$50,000), said land being legally described hereinafter; providing all potential bidders may make an environmental inspection of said property after receiving permission from the real property administrator; providing city staff to set a minimum bid(s) for and other conditions of this sale; providing an effective date and making provisions for a vote thereon if a valid referendum petition as required by the Lawton city charter is filed; providing for publication of the full text of this ordinance; and authorizing the mayor and city clerk to execute all documents necessary for conveyance of said property after it is sold by sealed bid.

21. Consider repealing Section 2-3-2-316, Division 2-3-2, Article 2-3, Chapter 2, Lawton City Code, 2005, pertaining to the City Planning Commission which provides for commission governance and excusing members absences from meetings; and providing for severability and declaring an emergency. Exhibits: Ordinance No. 2010-____.

Jensen stated this ordinance is needed to close out the process that they went through with the City Planning Commission where the City Council approved an ordinance that not only controlled the CPC but also other boards, commissions and agencies. Everyone will now fall under the same policy.

MOVED by Wells, SECOND by Tennis, to adopt **Ordinance 10-37**, waive the reading of the ordinance, read the title only and declaring an emergency. AYE: Wells, Shoemate, Tennis, Drewry, Burk, Shanklin, Zarle, Haywood. NAY: None. MOTION CARRIED.

(Title read by City Attorney)

Ordinance 10-37

An ordinance rescinding Section 2-3-2-316.

22. Consider an ordinance pertaining to low point beer amending Section 4-2-1-204, Division 4-2-1, Article 4-2, Chapter 4, Lawton City Code, 2005, by amending the eligibility requirements for a retail dealer s license, amending Section 4-2-1-213, Division 4-2-1, Article 4-2, Chapter 4, Lawton City Code, 2005, by providing clarification by updating internal references and amending Section 4-3-1-304 by amending the sanctions on a retail beer license for the illegal sale of low point beer to minors, providing for severability, and establishing an effective date. Exhibits: Ordinance No. 2010-____.

Jensen stated last October a number of stores were facing sanctions in the form of suspension or revocation of their retail beer license and it started with the four Stripes stores. City staff was authorized to negotiate settlement agreements with those four Stripes stores. After the initial settlement agreements with Stripes, there were a total of twelve more stores that ended up with settlement agreements with the same kind of terms. He stated the Stripes stores have had no additional violation for the entire year. There have been four other stores that have had an additional violation and paid their administrative fines and there has been one store that has had two additional violations during the settlement agreement period and they are facing serious action. He stated it is time to let the settlement agreements expire or incorporate the sanction provisions from the settlement agreements into the Lawton City Code. He stated that is what they are proposing to do by this ordinance. They think this program worked very well.

Wells questioned if the sanction agreements go along with state law.

Jensen stated yes, as far as the amount of the suspension for a first, second and third violation, but for a fourth violation revocation is mandatory.

Carey Johnson, EZ Go, stated he sees this ordinance as a step forward and would support it. He stated one of the problems before was the disconnect between Lawton s ordinance and provisions in state law and this will bring them together.

MOVED by Wells, SECOND by Drewry, to adopt **Ordinance 10-38**, waive the reading of the ordinance, read the title only and establishing an effective date.

SUBSTITUTE MOTION by Tennis, to table.

Tennis stated he was not on the council when this was discussed before and he would like to make sure he is absolutely clear on what we are doing. He agrees with the overall policy but he is a little concerned about the state portion versus what we are doing. He stated in Section 4. Severability, this is a caveat that says that we may not be right.

Jensen stated he does not view it that way at all. This is a standard clause that they put in almost all the ordinances that they enact. We could have a portion of an ordinance declared unconstitutional by a judge, but he or she may declare only a portion of that ordinance unconstitutional, but we save the rest by that provisions that says we can severe that bad portion from the good portion.

Wells stated this is also in state laws.

Jensen stated they are not trying to trick anyone and he feels they are cleaning up state law. He stated they have not changed anything else of substance except to say that if someone appeals to district court, the suspension or revocation being proposed will be stayed during that appeal process.

Tennis questioned if they would go to municipal court or district court.

Jensen stated the initial hearing goes to municipal court.

Mayor Fitch stated that the motion made by Tennis dies due to a lack of a second.

VOTE ON ORIGINAL MOTION: AYE: Shoemate, Tennis, Drewry, Burk, Shanklin, Zarle, Haywood, Wells. NAY: None. MOTION CARRIED.

(Title read by City Attorney)

Ordinance 10-38

An ordinance pertaining to low point beer amending Section 4-2-1-204, Division 4-2-1, Article 4-2, Chapter 4, Lawton City Code, 2005, by specifying the circumstances prohibiting an applicant from obtaining a city retail dealer s license; amending Section 4-2-1-213, Division 4-2-1, Article 4-2, Chapter 4, Lawton City Code, 2005, by recognizing particular sanctions on a retail dealer s license applicable only to providing low point beer to persons under twenty-one (21); and amending Section 4-3-1-304, Division 4-3-1, Article 4-3, Chapter 4, Lawton City Code, 2005, by imposing particular sanctions on a retail dealer s license for illegally providing low point beer to persons under twenty-one (21), providing for severability, and establishing an effective date.

23. Receive a report on the City s financial condition for the 1st Quarter of Fiscal Year 2010-2011, and provide direction to staff. Exhibits: None.

Rick Endicott, Finance Director, stated the finance report was distributed with the Council agenda packets. He stated sales tax is down \$24,795 from last year, but we have collected almost 25% of our budgeted revenue. He stated franchise tax is up \$55,125 compared to last year and we have collected almost 25% of our franchise tax.

Police fines and bonds are up \$83,000 compared to last year and we have collected 22.3% to our budget this year. All other general fund revenue is down \$53,000 and we have collected about 26%. Enterprise revenue is up \$163,000 from last year and we have collected 28% of our budget. Sewer revenue is also up \$27,617 and we have collected 24.2% and refuse collection revenue is down \$69,000 and we have collected almost 23%. Landfill revenue is down \$270,138 from last year and our budget is right at 23%. On expenditure side, we have spent almost 28% of general fund expenditures. We have spent 29.12% of enterprise fund and all other is 28.10%.

Wells stated it looks like staff did not over project the budget.

Endicott stated the first three months look good.

Mayor Fitch stated the annual payment to Waurika is made in September and that skews the expenses for the first quarter but that will average out as the year goes on.

Mitchell stated they try to break down the capital outlay budget by quarters and try to schedule it so that the big items are not purchased in the first half of the year. This helps them manage the revenue stream for the first six months.

REPORTS: MAYOR/CITY COUNCIL/CITY MANAGER

COL. Erst stated the Oklahoma Nation Guard has their shadow unmanned aerial vehicle training which has been going on since October 19th. He stated trick or treating on Fort Sill will be held on Saturday, October 30th from 6:00 p.m. to 8:00 p.m. He stated on November 4th they will hold the CG Challenge Walk Run at 1:30 p.m. on the polo field.

Shoemate stated the Armed Forces YMCA will hold a chicken and fish dinner on November 8th and 9th at the Great Plains Coliseum from 5:00 p.m. to 8:00 p.m. He stated he has tickets for sale.

Mayor Fitch stated the City Charter Review Committee met last week and have sent their final draft to the City Attorney's office. He stated he expects to receive the final version next week. He stated he will pass this out to the members of the City Council and then call a special meeting on December 7, 2010 to discuss the recommendations.

The Mayor and Council convened in executive session at 7:24 p.m. and reconvened in regular, open session at 7:46 p.m. Roll call reflected all members present.

BUSINESS ITEMS: EXECUTIVE SESSION ITEMS

24. Pursuant to Section 307B.4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the case styled IAFF Local 1882 and Timothy Taylor vs. The City of Lawton, Case No. FMCS 10-55739-8, and if necessary, take appropriate action in open session. Exhibits: None.

Jensen read the title of item #24. He stated no action is needed at this time.

There being no further business to consider, the meeting adjourned at 7:46 p.m. upon motion, second and roll call vote.

/s/ Fred L. Fitch

FRED L. FITCH, MAYOR

ATTEST:

/s/ Traci L. Hushbeck

TRACI HUSHBECK, CITY CLERK