

City of Grand Island

Tuesday, June 10, 2014 Council Session

Item G-1

Approving Minutes of May 27, 2014 City Council Regular Meeting

Staff Contact: RaNae Edwards

CITY OF GRAND ISLAND, NEBRASKA

MINUTES OF CITY COUNCIL REGULAR MEETING May 27, 2014

Pursuant to due call and notice thereof, a Regular Meeting of the City Council of the City of Grand Island, Nebraska was conducted in the Council Chambers of City Hall, 100 East First Street, on May 27, 2014. Notice of the meeting was given in *The Grand Island Independent* on May 21, 2014.

Mayor Jay Vavricek called the meeting to order at 7:00 p.m. The following City Council members were present: Kent Mann, Linna Dee Donaldson, Chuck Haase, Mitch Nickerson, Peg Gilbert, John Gericke, Mark Stelk, Mike Paulick, and Vaughn Minton. Councilmember Julie Hehnke was absent. The following City Officials were present: City Administrator Mary Lou Brown, City Clerk RaNae Edwards, Treasurer and Finance Director Jaye Monter, City Attorney Robert Sivick, and City Engineer and Public Works Director John Collins.

<u>INVOCATION</u> was given by Pastor Francois Erasmus, Seventh Day Adventist, 636 South Shady Bend Road followed by the <u>PLEDGE OF ALLEGIANCE</u>.

Mayor Vavricek introduced Community Youth Council member Allie Richardson.

PRESENTATIONS AND PROCLAMATIONS:

<u>Overland Trails Council, Boy Scouts of America Presentation of the North Star Award to Officer</u> <u>Butch Hurst.</u> David Plond and Ron Vonderohe representing the Overland Trails Council, Boy Scouts of America presented the North Star Award to Officer Butch Hurst. Officer Hurst was present for the recognition.

<u>Proclamation "Pandemic 2014 – Zombies in the Heartland" May 29 – June 1, 2014.</u> Mayor Vavricek proclaimed May 29 – June 1, 2014 as "Pandemic 2014 – Zombies in the Heartland". Parks and Recreation Director Todd McCoy explained the Zombie week events and recognized several partners and volunteers who make this event successful. Heartland Public Shooting Park Superintendent Bill Starkey was present to receive the proclamation.

PUBLIC HEARINGS:

<u>Public Hearing on Request from Hooker Bros. Sand & Gravel, Inc. for a Conditional Use Permit</u> for a Sand and Gravel Operation located at 3860 South Locust Street. Building Department Director Craig Lewis reported that Hooker Bros. Sand & Gravel, Inc. had requested the continuance of a Conditional Use Permit for a Sand and Gravel Operation located at 3860 South Locust Street for the operation of maintenance equipment, storage and stock piling of product and aggregate. Staff recommended approval with the following conditions:

1). USE: The proposed uses are limited to those listed in the application, accessory uses to the sand and gravel permit approved for 3947 S. Locust street, sand and gravel processing, storage, stocking piling, distribution, and sales, both wholesale and retail. Retail sale may also include the sale of black dirt, river rock, and similar landscaping materials. The storage, recycling, or processing of other aggregate materials, such as asphalt or concrete is not allowable unless

specifically listed, nor are the operation of concrete or asphalt batch plants. Equipment storage and maintenance for the sand and gravel operation.

2). CLOSURE: Closure of the mining operation has begun with leveling of the stock piles and distribution of top soil around the lake.

3). PRIMARY CONDITIONS: (a). The permit shall be granted for a period not to exceed 10 years with the possibility of renewal for an additional time at the end of the 10 year period.

(b).Pumping of product shall not be allowed. The finished width of developable property adjacent to the public right of way shall be 300 feet at the time of termination of the operation. A setback of 100 feet from any adjacent property line shall be maintained from the lake edge.

(c). Activities (including lighting) at the site shall be limited to daylight hours (15) minutes before sunrise and (15) minutes after sunset Mondays through Saturdays. No processing activities shall be permitted on Sundays or from fifteen minutes after sunset to fifteen minutes before sunrise. Two exceptions to this condition shall be in the months of March, April, October, and November activities may operate from 6:00a.m. to 10:00p.m.to allow for winter condition. The second exception shall be that trucking of the product shall be allowed on Sundays from 7:00 a.m. to 12:00 noon to allow for contracted sales.

(d). Any internal combustion pump motors utilized shall be equipped with a functioning "hospital grade muffler" designed to reduce exhaust noise by 32 to 40 decibels.

(e). Materials and equipment shall not be stored on the property within any easements or the regulated floodway as determined by the Federal Emergency Management Agency or its successor and the entity with jurisdiction and authority to enforce floodplain regulations. No product, material or equipment shall be stored within any easement or in such a manor that it would violate any safety provisions of the National Electric Safety Code.

(f). All dead trees, rubbish, and debris, if any must be cleared from the real estate as soon as practical and such real estate must, at all times, be kept in a clean and neat condition.

(g). No trash, rubbish, debris, dead trees, lumber, bricks, refuse or junk material of any nature whatsoever shall be dumped, placed or located upon such real estate.

(h). Applicant shall not use the real estate in any way so as to create or result in an unreasonable hazard or nuisance to adjacent land owners or to the general public.

(i). Applicant shall maintain any and all drainage ditches that may be located upon the real property.

(j). Applicant shall not permit the hauling of sand and gravel form the premises and over and across any public highway or road unless said sand and gravel is complete dry and free from water or is hauled in trucks which are designed and equipped so as to prevent water from leaking onto the traveled portion of the roadbed.

(k). All water accumulated upon the premises by virtue of any pumping operations shall be retained upon the premises and shall not flow upon or encroach upon any adjacent land. Only surface waters that have historically flowed from the premises shall be permitted to leave the same through historical natural drainage ways.

(1). Applicant shall continue accessory operations. If at any time during the life of the permit issued the operations shall cease for a period of a continuous 18 months the permit shall become null and void and subject to reapplication and rehearing. Additionally if at anytime during the life of the permit issued the operation shall cease for a period of a continuous 18 months the permit shall become void and a renewal shall be obtained before becoming once again operational.

No public testimony was heard.

<u>Public Hearing on Acquisition of Utility Easement Located at 2705 W. Highway 30 (BTW Properties, Inc.).</u> Utilities Director Tim Luchsinger reported that acquisition of a utility easement located at 2705 W. Highway 30 was needed in order to have access to install, upgrade, maintain, and repair power appurtenances, including lines and transformers for the purpose of placing underground conduit, cable, and a pad-mounted transformer to supply electric power to a new building. Staff recommended approval. No public testimony was heard.

<u>Public Hearing on Redevelopment Plan for Property Located at 217 N. Locust Street, the former</u> <u>Masonic Temple Building.</u> Regional Planning Director Chad Nabity reported that Anson Investment and Development, the owner of Tower 217 (Masonic Temple Building) had submitted a proposed amendment to the redevelopment plan (Area #1) that would provide for the use of Tax Increment Financing (TIF) for the renovation and redevelopment of this property for mixed use commercial, office and residential space. Staff recommended approval. No public testimony was heard.

<u>Public Hearing on Acquisition of Utility Easement located at 418 N. Webb Road (Mid Plains Construction Co.).</u> Public Works Director John Collins reported that acquisition of a utility easement located at 418 N. Webb Road was needed in order to allow for the construction, operation, maintenance, extension, repair, replacement, and removal of utilities within the easement. Staff recommended approval. No public testimony was heard.

<u>Public Hearing on Acquisition of Utility Easement for Sanitary Sewer Tap District No. 530T – Sanitary Sewer Extension to Interstate 80 (Bosselman Pump & Pantry, Inc.).</u> Public Works Director John Collins reported that acquisition of a utility easement was needed to accommodate the extension of sanitary sewer to Interstate 80 and would allow for the construction, operation, maintenance, extension, repair, replacement, and removal of utilities within the easement. Staff recommended approval. No public testimony was heard.

ORDINANCES:

Councilmember Gilbert moved "that the statutory rules requiring ordinances to be read by title on three different days are suspended and that ordinances numbered:

#9488 - Consideration of Amending Chapter 16 of the Grand Island City Code Relative to Fire Protection
#9489 - Consideration of Approving Bond Anticipation Notes for Street Improvement Districts
#9490 - Consideration of Amending Salary Ordinance
#9491 - Consideration of Amending Chapter 10 of the Grand Island City Code Relative to Allowing Upright Markers in Section J

be considered for passage on the same day upon reading by number only and that the City Clerk be permitted to call out the number of these ordinances on first and second reading and then upon final passage and call for a roll call vote on each reading and then upon final passage." Councilmember Nickerson seconded the motion. Upon roll call vote, all voted aye. Motion adopted. #9488 - Consideration of Amending Chapter 16 of the Grand Island City Code Relative to Fire Protection

Fire Division Captain Fred Hotz stated the approval of Ordinance #9488 would update the International Fire Code (IFC) to the 2012 most current addition, clarify Sections 16-13, 16-15, 16-16.1 and 16-22 relating to fireworks, update Sections 16-6, 16-7 and 16-8 regarding false alarm language and add two new provisions to Chapter 16 that govern in-home daycares.

Discussion was held regarding Home Day-care deficiencies. Mr. Hotz stated the most common deficiencies were that smoke detectors were lacking along with egress in basements. Home Day-cares would have to meet requirements before opening for business.

Motion by Donaldson, second by Mann to approve Ordinance #9488.

City Clerk: Ordinance #9488 on first reading. All those in favor of the passage of this ordinance on first reading, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

City Clerk: Ordinance #9488 on final passage. All those in favor of the passage of this ordinance on final passage, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

Mayor Vavricek: By reason of the roll call votes on first reading and then upon final passage, Ordinance #9488 is declared to be lawfully adopted upon publication as required by law.

#9489 - Consideration of Approving Bond Anticipation Notes for Street Improvement Districts

Finance Director Jaye Monter reported Bond Anticipation Notes (BANs) would be issued in the amount of \$2,230,000 for a two year term allowing for short term interest rates for the funding of the Webb Road Street Improvement District No. 1260 and Westgate Road Paving District No. 1261. Bond Counsel Bruce Lefler with Ameritas was present to explain the terms.

Discussion was held regarding cost of assessments to the City and how this would be paid. Ms. Monter stated the City's portion would be paid out of the 400 Fund and debt financing. Interest rates were mentioned.

Motion by Gilbert, second by Minton to approve Ordinance #9489.

City Clerk: Ordinance #9489 on first reading. All those in favor of the passage of this ordinance on first reading, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

City Clerk: Ordinance #9489 on final passage. All those in favor of the passage of this ordinance on final passage, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

Mayor Vavricek: By reason of the roll call votes on first reading and then upon final passage, Ordinance #9489 is declared to be lawfully adopted upon publication as required by law.

#9491 - Consideration of Amending Chapter 10 of the Grand Island City Code Relative to Allowing Upright Markers in Section J

Parks and Recreation Director Todd McCoy reported that Ordinance #9491 would allow upright markers in Section J of the City Cemetery to increase upright selection by 320 spaces.

Motion by Donaldson, second by Haase to approve Ordinance #9491.

City Clerk: Ordinance #9491 on first reading. All those in favor of the passage of this ordinance on first reading, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

City Clerk: Ordinance #9491 on final passage. All those in favor of the passage of this ordinance on final passage, answer roll call vote. Upon roll call vote, all voted aye. Motion adopted.

Mayor Vavricek: By reason of the roll call votes on first reading and then upon final passage, Ordinance #9491 is declared to be lawfully adopted upon publication as required by law.

<u>CONSENT AGENDA</u>: Consent Agenda items G-15, G-16, and G-21 were pulled from the agenda for further discussion. Motion by Minton, second by Haase to approve the Consent Agenda excluding items G-15, G-16, and G-21. Upon roll call vote, all voted aye. Motion adopted.

Approving Minutes of May 13, 2014 City Council Regular Meeting.

Approving Minutes of May 20, 2014 City Council Study Session.

Approving Re-Appointments of Julie Connelly, Karen Bredthauer, and Dennis McCarty to the Interjurisdictional Planning Commission.

Approving Re-Appointment of Paul Leeper to the Civil Service Commission.

#2014-114 - Approving Final Plat and Subdivision Agreement for Little Angel Subdivision. It was noted that Michael Galvin, owner had submitted the Final Plat and Subdivision Agreement for Little Angel Subdivision for the purpose of creating 2 lots located east of Congdon Avenue and south of East 7th Street containing .920 acres.

<u>#2014-115</u> - Approving Final Plat and Subdivision Agreement for Ummelville Second Subdivision. It was noted that Tommy Ummel Sr. had submitted the Final Plat and Subdivision Agreement for Ummelville Second Subdivision for the purpose of creating 3 lots located south of East 4th Street and west of Sky Park Road containing 10.571 acres.

#2014-116 - Approving Acquisition of Utility Easement - 2705 W. Highway 30 - BTW Properties, Inc..

#2014-117 - Approving Bid Award for Water Main Project 2014-W-6 at Old Fair Road and Highway 30 with Van Kirk Bros. Contracting of Sutton, NE in an Amount of \$57,455.05.

#2014-118 - Approving Bid Award for Truck Chassis with Service Crane Body & PTO Driven Under Deck Air Compressor - Water Shop Unit 903 with Sid Dillon Ford of Crete, NE in an Amount of \$123,300.00 and a \$7,000.00 Trade-in Amount. #2014-119 - Approving Change Order #2 for Air Quality Control Project at Platte Generating Station with AMEC of Tucker, GA for an Increase of \$54,401.00 and a Revised Contract Amount of \$42,140,242.00.

#2014-120 - Approving Certificate of Final Completion for Stagecoach Detention Cell Improvement Project No. 2013-D-1 with Hooker Brothers Construction Co. of Grand Island, NE.

#2014-121 - Approving Certificate of Final Completion for Fire Station No. 4 (3690 West State Street) & No. 3 (2310 South Webb Road) Concrete Pavement Replacement – 2013 with The Diamond Engineering Company of Grand Island, NE.

#2014-122 - Approving Supplemental Agreement No. 1 with Kirkham Michael & Associates for Construction Engineering Services for the US Highway 30 Drainage Improvement Project in an Amount of \$16,725.99 for a Total Cost of \$216,192.92.

#2014-123 - Approving Acquisition of Utility Easement located at 418 North Webb Road (Mid Plains Construction Co.).

#2014-124 - Approving Acquisition of Utility Easement for Sanitary Sewer Tap District No. 530T – Sanitary Sewer Extension to Interstate 80 (Bosselman Pump & Pantry, Inc.) in an Amount of \$146,267.00. Public Works Director John Collins stated a utility easement was needed for the sanitary sewer extension to Interstate 80. Discussion was held regarding the cost of the easements. Mr. Collins stated they were comparable.

Motion by Gilbert, second by Nickerson to approve Resolution #2014-124. Upon roll call vote, all voted aye. Motion adopted.

#2014-125 - Approving Temporary Construction Easement for Sanitary Sewer Tap District No. 530T – Sanitary Sewer Extension to Interstate 80 (Bosselman Pump & Pantry, Inc.) in an Amount of \$53,733.00. Public Works Director John Collins stated a utility easement was needed for the sanitary sewer extension to Interstate 80. Discussion was held regarding the cost of the easements. Mr. Collins stated they were comparable.

Motion by Gilbert, second by Nickerson to approve Resolution #2014-125. Upon roll call vote, all voted aye. Motion adopted.

#2014-126 - Approving Agreement with The Schemmer Associates, Inc. of Lincoln, NE for Construction Engineering Services for the State Street and Capital Avenue Connector Trail Project in an Amount of \$82,738.85.

#2014-127 - Approving Use of Land Owned by the City of Grand Island (Capital and Webb Mini-Park) for Facilities to be Constructed on the Capital Avenue - Webb Road to Broadwell Avenue Project.

#2014-128 - Approving Bid Award for City Hall Parking Lot Pavement Replacement; Project No. 2014-P-3 with Bigzby's, Inc. of Grand Island, NE in an Amount of \$69,848.00.

#2014-129 - Approving Purchase of Police Department Specialty Vehicle with Lynch Diversified Vehicles of Burlington, WI in an Amount of \$59,525.00.

#2014-130 - Approving Designated Depositories and City Treasurer Authorizations. Finance Director Jaye Monter reported this item was for the approval of a list of designated depositories that would allow the City Treasurer to deposit City funds into. Discussion was held concerning the 17 banks the city was doing business with. All investments were covered with pledged securities in each bank.

Motion by Gericke, second by Haase to approve Resolution #2014-130. Upon roll call vote, all voted aye. Motion adopted.

#2014-131 - Approving Bid Award - Vinyl Sea Wall Construction at Sucks Lake with Inland Marine Construction of Nebraska City, NE in an Amount of \$80,850.00.

REQUESTS AND REFERRALS:

Consideration of Approving Request from Hooker Bros. Sand & Gravel, Inc. for a Conditional Use Permit for a Sand and Gravel Operation located at 3860 South Locust Street. This item related to the aforementioned Public Hearing. Questions were raised if there were any concerns or complaints from neighbors. Mr. Lewis said he had received no complaints or concerns.

Motion by Nickerson, second by Donaldson to approve the request as presented with conditions. Upon roll call vote, all voted aye. Motion adopted.

RESOLUTIONS:

<u>#2014-132</u> - Consideration of Approving Professional Services for Library Bioinfiltration Garden Greener Nebraska Towns Grant. Finance Director Jaye Monter reported that the City of Grand Island had received a Greener Nebraska Towns grant in the amount of \$48,000.00 to be used for a water wise project. One bid was received from Vlcek Gardens of Chapman, NE. Library Director Steve Fosselman explained the water project. Staff recommended approval of a contract to Vlcek Gardens in an amount of \$42,885.19.

Comments were made concerning the location, use of grant money, and losing eight parking spaces for this project. Mr. Fosselman stated the maintenance would be taken care of by library staff. Comments were made that this would enhance the library and was the right place as it was in an educational area. Ms. Monter stated the grant funds would be lost if this was not approved.

Motion by Minton, second by Nickerson to approve Resolution #2014-132. Upon roll call vote, Councilmembers Minton, Paulick, Stelk, Gericke, Nickerson, Donaldson, and Mann voted aye. Councilmembers Gilbert and Haase voted no. Motion adopted.

<u>#2014-133 - Consideration of Approving FTE Amendment for the Finance Department.</u> Finance Director Jaye Monter reported that with an upcoming retirement and implementation of the new utility billing and customer information system followed by the implementation of the utilities department management software system, the Finance Department was requesting a change in FTEs which would result in the elimination of the Utilities Service Manager position and the addition of a Finance Department Operations Supervisor to better serve both the internal and external customers. This reorganization would provide better service at a lower cost for the Finance Department.

Councilmember Haase suggested this item needed more discussion before a decision was made and that it be made after the General Election when there would be a change in administration. Mentioned was the concern of changing the organization based on one retirement. Discussion was held regarding an internal auditor. Ms. Monter stated this would be a future position but not in the 2014/2015 budget.

Comments were made regarding the salary range. Ms. Monter explained that 78% of this salary was from the Utilities funds to pay back the Finance Department. Human Resource Director Brenda Sutherland explained the comparability for this position. City Administrator Mary Lou Brown stated they had studied this issue with different alternatives and this was the best. Also mentioned was succession planning.

Motion by Haase, second by Paulick to postpone Resolution #2014-133 indefinitely. Upon roll call vote, Councilmembers Paulick, Gericke, and Haase voted aye. Councilmembers Minton, Stelk, Gilbert, Nickerson, Donaldson, and Mann voted no. Motion failed.

Motion by Stelk, second by Nickerson to approve Resolution #2014-133. Upon roll call vote, Councilmembers Minton, Stelk, Gilbert, Nickerson, Donaldson and Mann voted aye. Councilmembers Paulick, Gericke, and Haase voted no. Motion adopted.

ORDINANCE:

#9490 - Consideration of Amending Salary Ordinance

Human Resources Director Brenda Sutherland reported that Ordinance #9490 was needed to update the Salary Ordinance to eliminate the Utilities Service Manager position and add the new position of Finance Operations Manager in the Finance Department.

Motion by Gilbert, second by Minton to approve Ordinance #9490.

City Clerk: Ordinance #9490 on first reading. All those in favor of the passage of this ordinance on first reading, answer roll call vote. Upon roll call vote, Councilmembers Minton, Stelk, Gilbert, Nickerson, Donaldson, and Mann voted aye. Councilmember Paulick, Gericke, and Haase voted no. Motion adopted.

City Clerk: Ordinance #9490 on final passage. All those in favor of the passage of this ordinance on final passage, answer roll call vote. Upon roll call vote, Councilmembers Minton, Stelk, Gilbert, Nickerson, Donaldson, and Mann voted aye. Councilmember Paulick, Gericke, and Haase voted no. Motion adopted.

Mayor Vavricek: By reason of the roll call votes on first reading and then upon final passage, Ordinance #9490 is declared to be lawfully adopted upon publication as required by law.

RESOLUTIONS:

#2014-134 - Consideration of Approving Amendment to Redevelopment Plan Area #1 for Property Located at 217 N. Locust Street, the former Masonic Temple Building. This item related to the aforementioned Public Hearing. Discussion was held regarding parking. Regional Planning Director Chad Nabity stated this was part of the downtown parking district. Comments were made regarding the importance of this project. Mentioned was that fire escapes would be built internally. Amos Anson commented on working with City staff regarding life safety issues.

Motion by Donaldson, second by Mann to approve Resolution #2014-134. Upon roll call vote, all voted aye. Motion adopted.

#2014-135 - Consideration of Approving Award of Proposal for Engineering & Consulting Services for Step 7 Detailed Site Assessment at the Former Grand Island Disposal Area. Public Works Director John Collins reported that the Nebraska Department of Environmental Quality (NDEQ) conducted a preliminary assessment and site investigation of approximately 47.5 acres of land leased by the City from July 1966 through February 1984 as a landfill disposal facility. The NDEQ was requiring the City to perform a Step 7 Detailed Site Assessment (DSA). Requests for Proposals were received and city staff is recommending G.N. Kuhn Engineering of Omaha, NE be awarded the contract in an amount not to exceed \$79,950.00. Question was asked concerning the previous owners and liability issues. Mr. Collins stated the previous owners had used the property for grazing cattle.

Motion by Gilbert, second by Paulick to approve Resolution #2014-135. Upon roll call vote, all voted aye. Motion adopted.

<u>#2014-136</u> - Consideration of Approving RFP for Cemetery Consulting Services. Parks and Recreation Director Todd McCoy reported that Requests for Proposals were received from five firms for the Cemetery Expansion Site Options Evaluation and Master Planning. City staff recommended approving the contract with Confluence of Des Moines, IA in an amount of \$29,670.00. Discussion was held concerning payment out of the Cemetery Perpetual Trust Fund.

Motion by Paulick, second by Minton to approve Resolution #2014-136. Upon roll call vote, Councilmembers Minton, Paulick, Stelk, Gericke, Gilbert, Nickerson, Donaldson, and Mann voted aye. Councilmember Haase voted no. Motion adopted.

Councilmember Gericke recused himself from the meeting at 9:35 p.m.

<u>#2014-137</u> - Consideration of Approving Settlement for Pre-84 Police Officers. City Attorney Robert Sivick reported that five current Grand Island Police Officers hired prior to 1984 (Jerry L. Atwell, Kerry S. Mehlin, Danny D. Dubbs, Kelly J. Mossman, and Scott B. Arnold) filed complaints with the United States Equal Employment Opportunity Commission (USEEOC) alleging they would face gender discrimination when they retired. Rather than litigating the matters, the City entered into settlement negotiations with the police officers named above and the USEEOC. City legal staff negotiated terms which included a provision the City would not admit violating any provision of Title VII of the Civil Rights Act of 1964 which prohibits various forms of discrimination. In addition, City legal staff negotiated terms in which any payments would not include monetary damages but be limited to attorney's fees in the amount of \$715.35 per police officer for a combined total of \$3,576.75.

Motion by Gilbert, second by Stelk to approve Resolution #2014-137. Upon roll call vote, Councilmembers Minton, Stelk, Gilbert, Nickerson, Donaldson, and Mann voted aye. Councilmembers Paulick and Haase voted no. Motion adopted.

Councilmember Gericke returned to the meeting at 9:38 p.m.

PAYMENT OF CLAIMS:

Motion by Donaldson, second by Mann to approve the Claims for the period of May 14, 2014 through May 27, 2014, for a total amount of \$3,676,960.82. Unanimously approved.

<u>ADJOURN TO EXECUTIVE SESSION:</u> Motion by Paulick, second by Haase to adjourn to Executive Session at 9:40 p.m. for the purpose of a strategy session with respect to threatened litigation. Unanimously approved.

<u>RETURN TO REGULAR SESSION:</u> Motion by Gilbert, second by Minton to return to Regular Session at 9:57 p.m. Unanimously approved.

ADJOURNMENT: The meeting was adjourned at 9:57 p.m.

RaNae Edwards City Clerk