City of Scottsbluff, Nebraska

Monday, December 6, 2021

Regular Meeting

Item Subdiv.1

Council to discuss and consider action on the Preliminary and Final Plats for Lot 4A, Block 2, Cottonwood Glen and authorize the Mayor to sign the Resolution.

Staff Contact: Zachary Glaubius, Planning Administrator

Agenda Statement

Item No.

For Meeting of: December 6, 2021

AGENDA TITLE: Council to discuss and consider action on the Preliminary and Final Plats of Lot 4A, Block 2, Cottonwood Glen, Scottsbluff, NE and authorize the Mayor to sign the Resolution

SUBMITTED BY DEPARTMENT/ORGANIZATION: Department of Development Services

PRESENTATION BY: Zachary Glaubius, Planning Administrator

SUMMARY EXPLANATION: Proposed subdivision is located in the City of Scottsbluff Extra-Territorial Jurisdiction. Applicant is combining to existing lots in order to build an accessory structure.

BOARD/COMMISSION RECOMMENDATION: Planning Commission made a positive recommendation on the approval of the preliminary and final plats to City Council at the 11/8/2021 P.C. regular meeting.

STAFF RECOMMENDATION: Staff recommends approval of the Preliiminary and Final Plats of Lot 4A, Block 2, Cottonwood Glen

EXHIBITS

Resolution ☐ Ordinance ☐ Contract ☐ Minutes ✓ Plan/Map ☐

Other (specify) Planning Commission Staff Report Packet

NOTIFICATION LIST: Yes ☐ No ☐ Further Instructions ☐
Please list names and addresses required for notification.

Rev: 11/15/12 City Clerk

APPROVAL FOR SUBMITTAL: _____
City Manager

Rev: 11/15/12 City Clerk

City of Scottsbluff, Nebraska
Application for a Preliminary Plat Subdivision

Date: 10/8/2021			**DO NOT WRITE IN THIS BLOCK**
Address (Location): 90088 Riverview Drive Scottsbluff, NE 69361			**Permit Number:**
Applicant's Name: Chris & Sarah Stillahn			**Plat** Approved Denied
Applicant's Address: 90088 Riverview Drive			**Date Issued:**
City: Scottsbluff	State: Nebraska	Zip: 69361	Comp. Plan Land Use: / Zone:
Telephone: 308-641-8197	Mobile:	Email: stillahn@gmail.com	**Attached:** Plot Plan; Legal Description (in Word); $100.00 filing fee; $3.00 per property owner within 300-feet; Receipt # _____
Property Owner: Chris & Sarah Stillahn			
Property Owner's Address: 90088 Riverview Drive			
City: Scottsbluff	State: Nebraska	Zip: 69361	
Telephone: 308-641-8197	Mobile:	Email: stillahn@gmail.com	
Engineer or Surveyor: Dustin Beaudette			Total Acreage: 1.74 acres
Engineer or Surveyor Address: 818 South Beltline Hwy East			Proposed number of lots: 1
City: Scottsbluff	State: Nebraska	Zip: 69361	Present Use of Property: residential
Telephone: 308-635-1926	Mobile:	Email: dbeaudette@mcschaff.com	Proposed Use of Property: residential
Location of property: West of intersection of Fairway Dr. and Riverview Dr. Scottsbluff			Present Zoning: R-1B

Please provide the following:

Copy of Preliminary Plan (showing future & current property lines, fence lines, irrigation canals, future street widths, dimensions, existing structures, proposed structures, easements, etc..)

Legal Description on a CD/Disk (in Word)

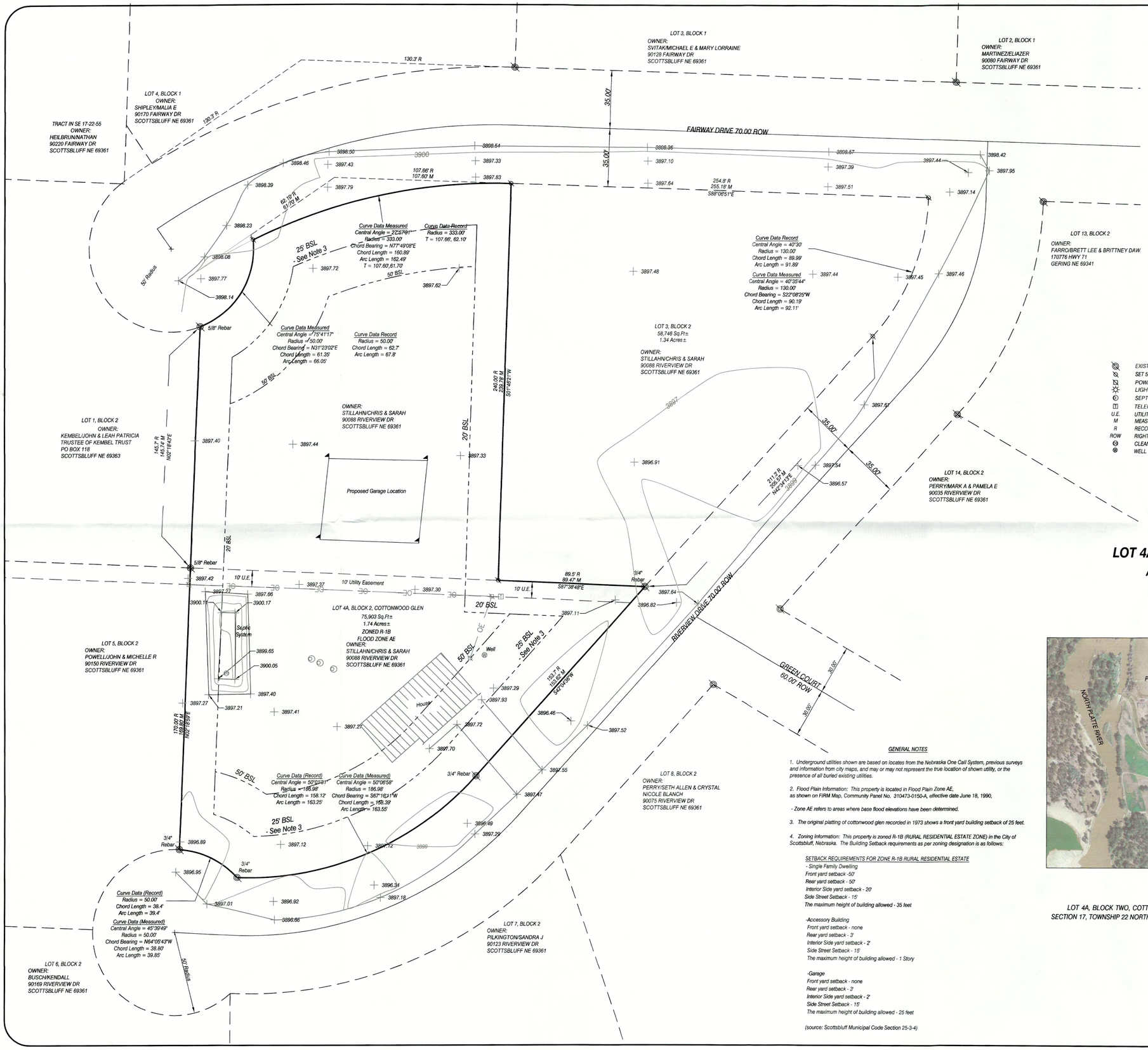
$100.00 filing fee

Proof of Ownership of Property (See 21-1-50, Title Insurance, Attorney's opinion, Certificate of registered abstracter)

The undersigned, hereby certify that he/she is familiar with all the requirements of Ordinance No. 3410 and amendments thereto, estrablishing minimum subdivision design standards to be installed by the subdivision and that he/she has caused said preliminary plat and plan to be prepared. He/she certifies that all requirements of Ordinance No. 3410 and amendments there to have been met and submits this application for approval subject to the requirements of said ordinance. I have also read and am familiar with the City Ordinances and will comply with these requirements; and that the statements herein contained are true and correct to the best of my knowledge and belief.

Applicant's Signature: Stephanie Stillahn Sarah Stillahn Date: 10/12/21

Remarks: (Insert here any information not covered above)

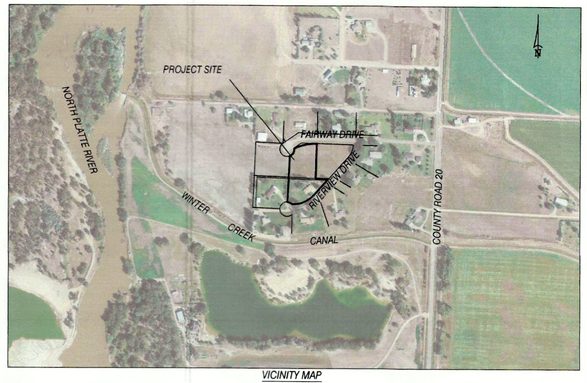


PRELIMINARY PLAT

LOT 4A, BLOCK 2, COTTONWOOD GLEN

A REPLAT OF LOTS 2 AND 4, BLOCK 2, COTTONWOOD GLEN

AN ADDITION SITUATED IN THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 22 NORTH, RANGE 55 WEST OF THE 6TH P.M., SCOTTS BLUFF COUNTY, NEBRASKA



VICINITY MAP

LEGAL DESCRIPTION

LOT 4A, BLOCK TWO, COTTONWOOD GLEN, A REPLAT OF AN ADDITION SITUATED IN THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 22 NORTH, RANGE 55 WEST OF THE 6TH P.M., SCOTTS BLUFF COUNTY, NEBRASKA,

GENERAL NOTES

1. Underground utilities shown are based on locates from the Nebraska One Call System, previous surveys and information from city maps, and may or may not represent the true location of shown utility, or the presence of all buried existing utilities.

2. Flood Plain Information: This property is located in Flood Plain Zone AE, as shown on FIRM Map, Community Panel No. 310473-0150-A, effective date June 18, 1990,

- Zone AE refers to areas where base flood elevations have been determined.

3. The original platting of cottonwood glen recorded in 1973 shows a front yard building setback of 25 feet.

4. Zoning Information: This property is zoned R-1B (RURAL RESIDENTIAL ESTATE ZONE) in the City of Scottsbluff, Nebraska. The Building Setback requirements as per zoning designation is as follows:

SETBACK REQUIREMENTS FOR ZONE R-1B RURAL RESIDENTIAL ESTATE
- Single Family Dwelling
Front yard setback -50'
Rear yard setback - 50'
Interior Side yard setback - 20'
Side Street Setback - 15'
The maximum height of building allowed - 35 feet

-Accessory Building
Front yard setback - none
Rear yard setback - 3'
Interior Side yard setback - 2'
Side Street Setback - 15'
The maximum height of building allowed - 1 Story

-Garage
Front yard setback - none
Rear yard setback - 3'
Interior Side yard setback - 2'
Side Street Setback - 15'
The maximum height of building allowed - 25 feet

(source: Scottsbluff Municipal Code Section 25-3-4)

M. C. SCHAFF & ASSOCIATES, INC.
818 SOUTH BELTLINE HIGHWAY EAST
SCOTTSBLUFF, NEBRASKA 69361
ENGINEERS ◆ PLANNERS ◆ DESIGNERS ◆ LAND SURVEYORS
PH: 308-635-1926 FAX: 308-635-7807 INTERNET: WWW.MCSCHAFF.COM

PROJECT: LOT 4A, BLOCK 2, COTTONWOOD GLEN SUB. SITUATED IN THE NEQ OF THE SEQ OF SECTION 17, T22N-R55W OF 6TH P.M. SCOTTS BLUFF COUNTY, NE

CLIENT: CHRIS STILLAHN

PROJECT NUMBER:	RM210266-00
PROJECT DATE:	SEPT 8, 2021
PROJECT MGR:	DPS
PROJECT TEAM:	DB-TD

SEAL

DATE	REVISION

SHEET 1 OF 1

PRE-1

LEGAL DESCRIPTION

LOT 4A, BLOCK 2, COTTONWOOD GLEN, A REPLAT OF LOTS 2 AND 4, BLOCK 2, COTTONWOOD GLEN, an addition situated in the Southeast Quarter of Section 17, Township 22 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska.

SURVIVORSHIP WARRANTY DEED

Chris Stillahn and Sarah Stillahn, a married couple, GRANTOR, in consideration of One Dollar and other good and valuable consideration received from **Chris Stillahn and Sarah Stillahn, a married couple**, GRANTEES, hereby conveys to GRANTEES, as joint tenants with right of survivorship and not as tenants in common, the following described real estate (as defined in Neb. Rev. Stat. 76-201)

Lots Two (2) and Three (3), Block Two (2), COTTONWOOD GLEN, an adddition situated in the SE1/4 of Section 17, Township 22 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska.

GRANTOR covenant with GRANTEES that GRANTOR:

(1) is lawfully seized of such real estate and that it is free from encumbrances, except encumbrances, liens, easements and restrictions of record;

(2) has legal power and lawful authority to convey the same; and

(3) warrants and will defend title to the real estate against the lawful claims of all persons.

Dated 11/1/2021

Chris Stillahn

Sarah Stillahn

STATE OF Nebraska

COUNTY OF ScottsBluff

The foregoing instrument was acknowledged before me this 1 day of November, 2021 by **Chris Stillahn and Sarah Stillahn, a married couple**.

GENERAL NOTARY - State of Nebraska
ALISSA SALAS
My Comm. Exp. November 17, 2021

Notary Public

SB0007356

Please Return recorded document to:
Nebraska Title Company
1620 Avenue A
Scottsbluff, NE 69361

City of Scottsbluff, Nebraska
Application for a Final Plat Subdivision

Date: 10/8/2021			**DO NOT WRITE IN THIS BLOCK**
Address (Location): 90088 Riverview Drive Scottsbluff,NE 69361			**Permit Number:**
Applicant's Name Chris & Sarah Stillahn			**Plat** Approved Denied
Applicant's Address: 90088 Riverview Drive			**Date Issued:**
City: Scottsbluff	State: Nebraska	Zip: 69361	Comp. Plan Land Use: / Zone:
Telephone: 308-641-8197	Mobile:	Email: stillahn@gmail.com	**Attached:** Final Plat; Legal Description (in Word); $100.00 filing fee; Letter of transmittal; Receipt # _____
Property Owner: Chris & Sarah Stillahn			
Property Owner's Address: 90088 Riverview Drive			
City: Scottsbluff	State: Nebraska	Zip: 69361	
Telephone: 308-641-8197	Mobile:	Email: stillahn@gmail.com	
Engineer or Surveyor: Dustin Beaudette			Total Acreage: 1.74 acres
Engineer or Surveyor Address: 818 South Beltline Hwy East			Proposed number of lots: 1
City: Scottsbluff	State: Nebraska	Zip: 69361	Present Use of Property: residential
Telephone: 308-635-1926	Mobile:	Email: dbeaudette@mcschaff.com	Proposed Use of Property: residential
Location of property: West of intersection of Fairway Dr. and Riverview Dr. Scottsbluff			Present Zoning: R-1B

Please provide the following:

Copy of Final Plat (Mylar and 3.5" diskette or CD-ROM in AutoCAD format)

Copy of Preliminary Plat (showing future & current property lines, fence lines, irrigation canals, future street widths, dimensions, existing structures, proposed structures, easements, etc..)

Legal Description on a CD/Disk (in Word)

$100.00 filing fee (if not submitted with approval of Preliminary Plat)

Letter of transmittal

The undersigned, hereby certify that he/she is familiar with all the requirements of Ordinance No. 3410 and amendments thereto, establishing minimum subdivision design standards to be installed by the subdivision and that he/she has caused said preliminary plat and plan to be prepared. He/she certifies that all requirements of Ordinance No. 3410 and amendments there to have been met and submits this application for approval subject to the requirements of said ordinance. I have also read and am familiar with the City Ordinances and will comply with these requirements; and that the statements herein contained are true and correct to the best of my knowledge and belief.

Applicant's Signature: Chris Stillahn Sarah Stillahn Date: 10/12/21

Remarks: (Insert here any information not covered above)

LOT 4A, BLOCK 2
COTTONWOOD GLEN
IN SE1/4 SEC.17, T22N-R55W
SCOTTS BLUFF COUNTY, NE
JOB# RM210266-00
SHEET 2 OF 2

SURVEYOR'S CERTIFICATE

I, Dustin L. Beaudette, a Nebraska Registered Land Surveyor, hereby certify that I, or under my direct supervision, have surveyed and prepared a plat of **LOT 4A, BLOCK 2, COTTONWOOD GLEN, A REPLAT OF LOTS 2 AND 4, BLOCK 2, COTTONWOOD GLEN,** an addition situated in the Southeast Quarter of Section 17, Township 22 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska.

That the accompanying plat is a true delineation of such survey drawn to a scale of 60 feet to the inch. That all dimensions are in feet and decimals. That each lot and block has its own number and that the boundary of the plat is shown with a heavy solid line with dashed lines being for orientation purposes only. That all corners found or set are marked as shown.

WITNESS MY HAND AND SEAL THIS 11th DAY OF OCTOBER, 2021.
FOR THE FIRM OF M. C. SCHAFF AND ASSOCIATES, INC.

Dustin L. Beaudette, Nebraska Registered Land Surveyor, L. S. 799

NEBRASKA REGISTERED LS-799 10/11/21 LAND SURVEYOR DUSTIN L. BEAUDETTE

OWNER'S STATEMENT

We, the undersigned, being the owners of Lots 2 and 4, Block 2, Cottonwood Glen, an addition situated in the Southeast Quarter of Section 17, Township 22 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska as described in the foregoing `Surveyor's Certificate' and shown on the accompanying plat have caused such real estate to be platted as **LOT 4A, BLOCK 2, COTTONWOOD GLEN, A REPLAT OF LOTS 2 AND 4, BLOCK 2, COTTONWOOD GLEN,** AN ADDITION SITUATED IN THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 22 NORTH, RANGE 55 WEST OF THE 6TH P.M., SCOTTS BLUFF COUNTY, NEBRASKA.

That the foregoing plat is made with the free consent and in accordance with the desires of the undersigned owners.

We hereby dedicate these easements shown for the use and benefit of the public.
Dated this 12th day of October, 2021.

Owners:

By Christopher Stillahn, Husband

By Sarah Stillahn, Wife

ACKNOWLEDGEMENT

STATE OF NEBRASKA)
COUNTY OF SCOTTS BLUFF)

Before me, a Notary Public, qualified and acting in said County, personally came Christopher Stillahn, Husband, to me known to be the identical person whose signature is affixed to the foregoing `Owner's Statement' and acknowledged the execution thereof to be his voluntary act and deed.

WITNESS MY HAND AND SEAL THIS 12th DAY OF October, 2021.

GENERAL NOTARY - State of Nebraska
DENNIS P. SULLIVAN
My Comm. Exp. August 26, 2022

Notary Public

My Commission Expires August 26, 2022

ACKNOWLEDGEMENT

STATE OF NEBRASKA)
COUNTY OF SCOTTS BLUFF)

Before me, a Notary Public, qualified and acting in said County, personally came Sarah Stillahn, Wife, to me known to be the identical person whose signature is affixed to the foregoing `Owner's Statement' and acknowledged the execution thereof to be her voluntary act and deed.

WITNESS MY HAND AND SEAL THIS 12th DAY OF October, 2021.

GENERAL NOTARY - State of Nebraska
DENNIS P. SULLIVAN
My Comm. Exp. August 26, 2022

Notary Public

My Commission Expires August 26, 2022

APPROVAL AND ACCEPTANCE

The foregoing plat of LOT 4A, BLOCK 2, COTTONWOOD GLEN, A REPLAT OF LOTS 2 AND 4, BLOCK 2, COTTONWOOD GLEN, AN ADDITION SITUATED IN THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 22 NORTH, RANGE 55 WEST OF THE 6TH P.M., SCOTTS BLUFF COUNTY, NEBRASKA is hereby approved by the Mayor and City Council of the City of Scottsbluff, Scotts Bluff County, Nebraska, by resolution duly passed

this _____ day of _____, 2021.

Mayor: Jeanne McKerrigan

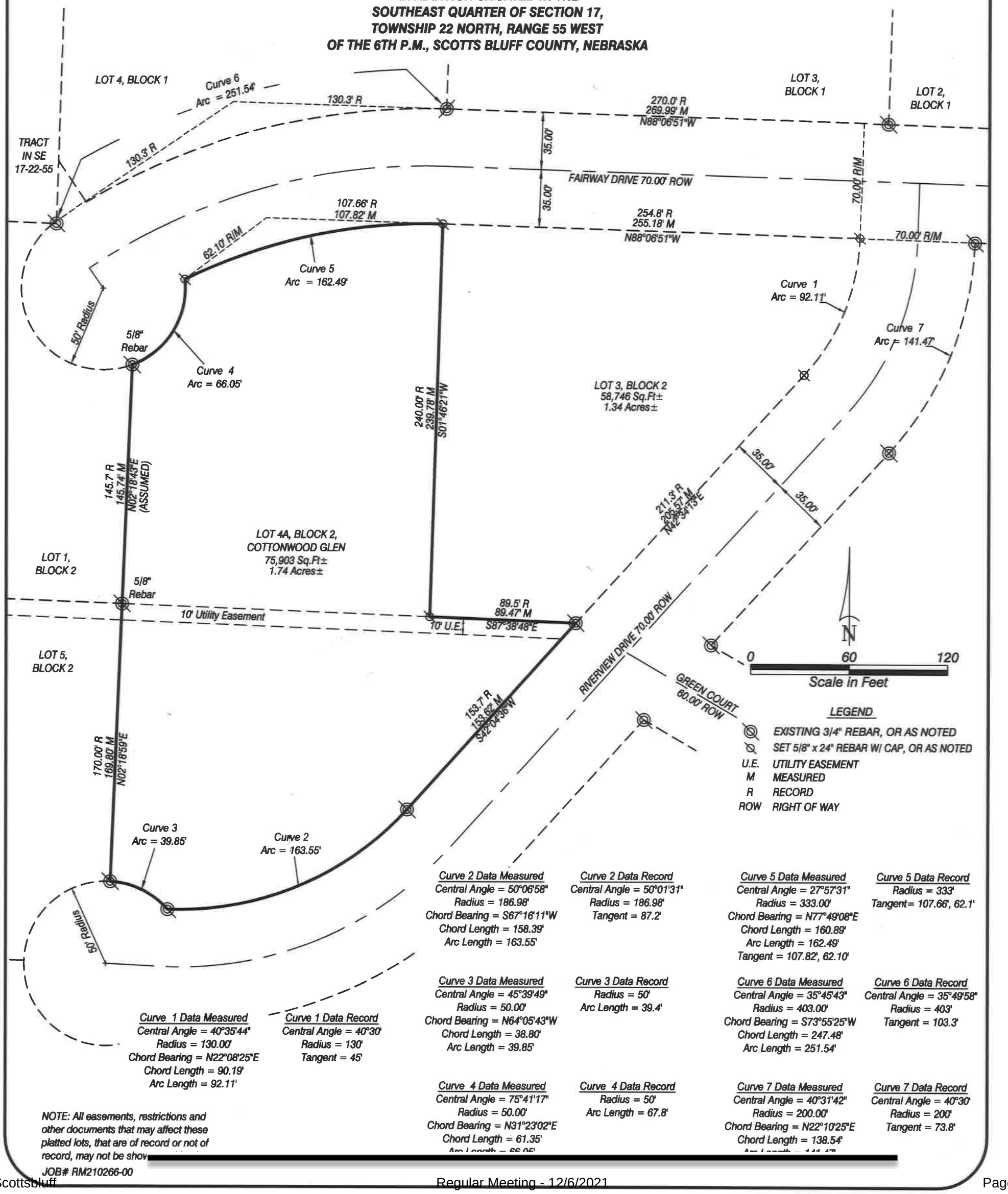
ATTEST: _____
City Clerk

FINAL PLAT

LOT 4A, BLOCK 2, COTTONWOOD GLEN

A REPLAT OF LOTS 2 AND 4, BLOCK 2, COTTONWOOD GLEN

AN ADDITION SITUATED IN THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 22 NORTH, RANGE 55 WEST OF THE 6TH P.M., SCOTTS BLUFF COUNTY, NEBRASKA



LEGEND

◎	EXISTING 3/4" REBAR, OR AS NOTED
⊗	SET 5/8" x 24" REBAR W/ CAP, OR AS NOTED
U.E.	UTILITY EASEMENT
M	MEASURED
R	RECORD
ROW	RIGHT OF WAY

Curve 1 Data Measured
Central Angle = 40°35'44"
Radius = 130.00'
Chord Bearing = N22°08'25"E
Chord Length = 90.19'
Arc Length = 92.11'

Curve 1 Data Record
Central Angle = 40°30'
Radius = 130'
Tangent = 45'

Curve 2 Data Measured
Central Angle = 50°06'58"
Radius = 186.98'
Chord Bearing = S67°16'11"W
Chord Length = 158.39'
Arc Length = 163.55'

Curve 2 Data Record
Central Angle = 50°01'31"
Radius = 186.98'
Tangent = 87.2'

Curve 3 Data Measured
Central Angle = 45°39'49"
Radius = 50.00'
Chord Bearing = N64°05'43"W
Chord Length = 38.80'
Arc Length = 39.85'

Curve 3 Data Record
Radius = 50'
Arc Length = 39.4'

Curve 4 Data Measured
Central Angle = 75°41'17"
Radius = 50.00'
Chord Bearing = N31°23'02"E
Chord Length = 61.35'
Arc Length = 66.05'

Curve 4 Data Record
Radius = 50'
Arc Length = 67.8'

Curve 5 Data Measured
Central Angle = 27°57'31"
Radius = 333.00'
Chord Bearing = N77°49'08"E
Chord Length = 160.89'
Arc Length = 162.49'
Tangent = 107.82', 62.10'

Curve 5 Data Record
Radius = 333'
Tangent= 107.66', 62.1'

Curve 6 Data Measured
Central Angle = 35°45'43"
Radius = 403.00'
Chord Bearing = S73°55'25"W
Chord Length = 247.48'
Arc Length = 251.54'

Curve 6 Data Record
Central Angle = 35°49'58"
Radius = 403'
Tangent = 103.3'

Curve 7 Data Measured
Central Angle = 40°31'42"
Radius = 200.00'
Chord Bearing = N22°10'25"E
Chord Length = 138.54'
Arc Length = 141.47'

Curve 7 Data Record
Central Angle = 40°30'
Radius = 200'
Tangent = 73.8'

NOTE: All easements, restrictions and other documents that may affect these platted lots, that are of record or not of record, may not be shov

JOB# RM210266-00

City of Scottsbluff Planning Commission

Development Services Staff Report – Zachary Glaubius

Prepared on: October 22,2021 **For Hearing of:** November 8, 2021

I. **GENERAL INFORMATION**

A. **Applicant:** Chris and Sarah Stillahn
90088 Riverview Drive
Scottsbluff, NE 69361

B. **Property Owner:** Same as Applicant

C. **Proposal:** Request to consolidate Lots 2 and 4 into Lot 4A to have area for an accessory structure (garage).

D. **Legal Description:** Lot 4A, Block 2, Cottonwood Glen

E. **Location:** 90088 Riverview Drive in the City of Scottsbluff Extra-Territorial Jurisdiction (ETJ)

F. **Existing Zoning & Land Use:** R-1B -Floodplain and single- family dwelling

Size of Site: Approximately 1.74 Acres

II. **BACKGROUND INFORMATION**

A. **General Neighborhood/Area Land Uses and Zoning:**

Direction From Subject Site	Future Land Use Designation	Current Zoning Designation	Surrounding Development
North	Rural	R-1B Rural Residential Estate	Single-Family Dwelling
East	Rural	R-1B Rural Residential Estate	Single-Family Dwelling
South	Rural	R-1B Rural Residential Estate	Single-Family Dwelling
West	Rural	R-1B Rural Residential Estate	Single-Family Dwelling

B. **Relevant Case History**

1. Cottonwood Glen was platted in 1973.

III. **ANALYSIS**

A. **Comprehensive Plan:** The Future Land Use Map of the Comprehensive Plan currently shows the site as Rural.

B. **Traffic & Access:**

1. Current access to the existing lots is via frontage along Fairway Drive and Riverview Drive.

C. Utilities:

1. The subdivision is located in the ETJ and is not required to be connected to City utilities per Chapter 21.
2. The existing 10 foot utility easement will remain on the lot.

IV. STAFF COMMENTS

A. The proposed Lot 4A does not meet the minimum area requirements of the R-1B District. The minimum area for an R-1B Lot is 3 acres and the proposed lot is 1.74 acres.

B. While the existing lots and proposed lots are not in conformance with the R-1B District, they are in conformance with the lot sizes of the surrounding neighborhood.

V. FINDINGS OF FACT

A. Findings of Fact to Recommend Its Approval May Include:

1. The Comprehensive Plan identifies the area as rural and the area will remain rural
2. The replat will result in an existing lot becoming closer to compliance.

B. Findings of Fact to Not Recommend Approval May Include:

1. Lot 4A does not meet the 3 acres minimum area of the R-1B Rural Residential Estate District.

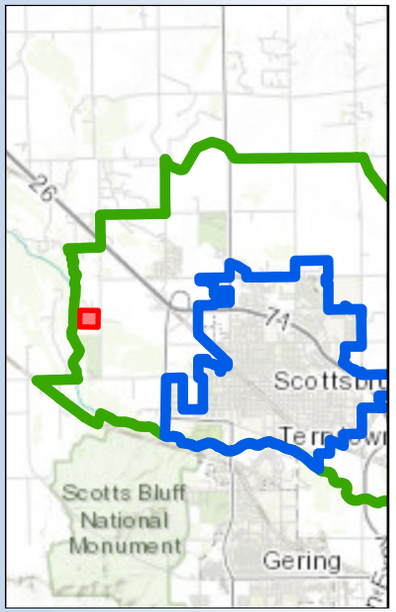
VI. STAFF RECCOMENDATION

A. Staff recommends Planning Commission recommend the approval of the Preliminary and Final Plat of Lot 4A, Block 2, Cottonwood Glen to City Council.

Planning Commission

Replat Lots 2 and 4, Block 2 Cottonwood Glen Subdivision

Aerial Overview



Proposed Changes

Street Centerlines

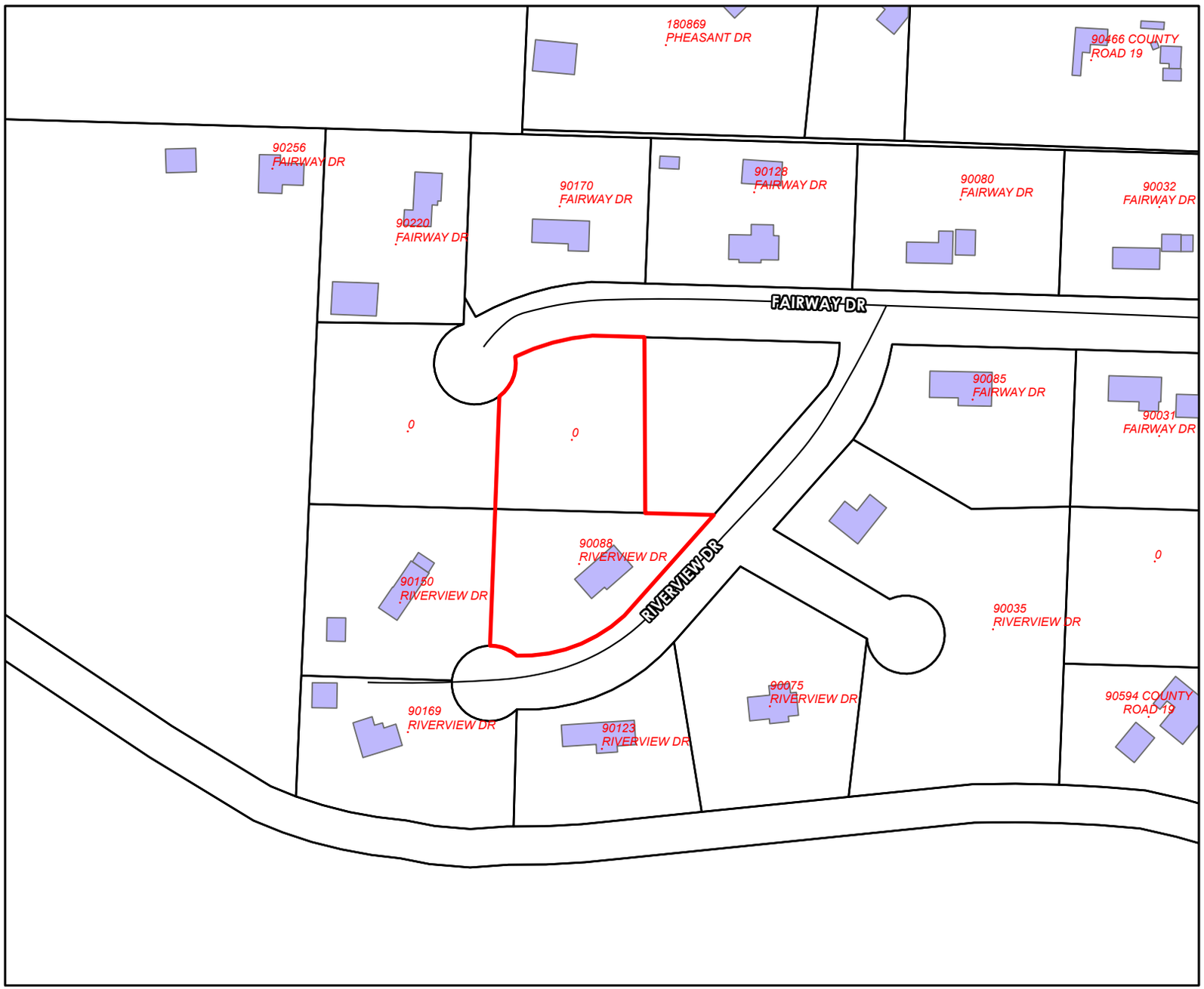
CLASS

- Highway
- Main Road
- Residential/Rural

Taylor Stephens
City of Scottsbluff GIS
Created on October 28, 2021
Coordinate System:
NAD 1983 State Plane Nebraska FIPS 2600 Feet
Lambert Conformal Conic

The City makes no representation or warranty as to the accuracy, timeliness, or completeness, and in particular, its accuracy in labeling or displaying dimensions, contours, property boundaries, or placement or location of any map features thereon.

Parcels and Buildings Overview



Proposed Changes

Building

Parcel Boundaries

Street Centerlines

CLASS

Highway

Main Road

Residential/Rural

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Planning Commission

Replat Lots 2 and 4, Block 2 Cottonwood Glen Subdivision

Zoning Overview

Proposed Changes
Parcel Boundaries

Zoning
- A
- AR
- C-1
- C-2
- C-3
- M-1
- M-2
- O&P
- PBC
- R-1
- R-1A
- R-1B
- R-4
- R-6
- GEODATA.GISMGR.Corporate_Limits
- GEODATA.GISMGR.Extended_Jurisdiction

Street Centerlines

CLASS
- Highway
- Main Road
- Residential/Rural

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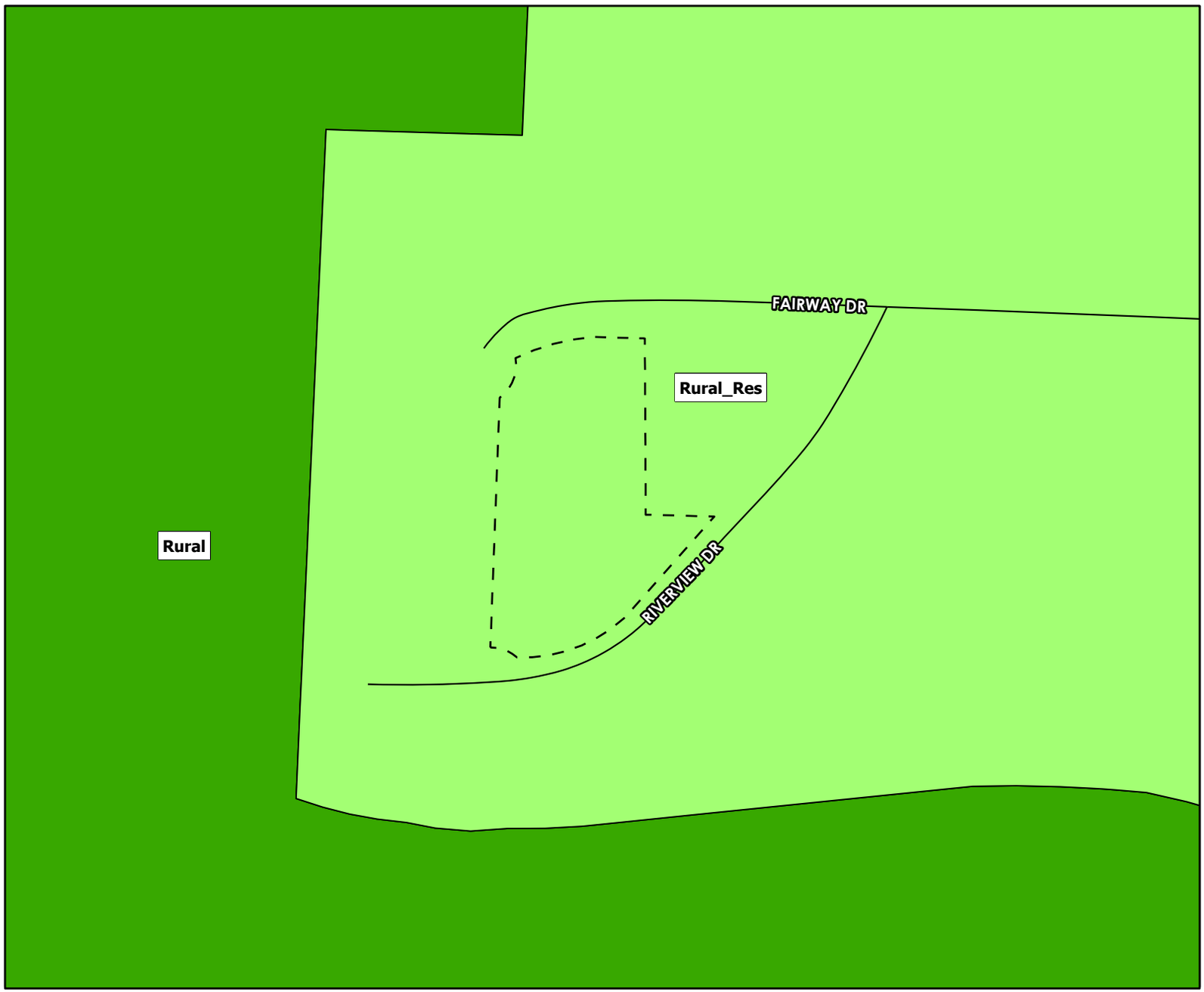
Planning Commission

Replat Lots 2 and 4, Block 2 Cottonwood Glen Subdivision

2016 Comp. Plan Future Land Use Overview



Proposed Changes

2016 Comp. Plan Land Use

- Automobile Commercial
- Avenue B and Hospial Campus
- Central Business District
- East Overland
- Highway 26 Commercial
- Northwest Commercial
- Residential
- Rural
- Rural Residential
- Southeast Industrial and Commercial
- South Broadway
- WNCC and Surrouding Area

Street Centerlines

CLASS

- Highway
- Main Road
- Residential/Rural

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Lambert Conformal Conic

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RESOLUTION NO. 21-___

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SCOTTSBLUFF, NEBRASKA:

WHEREAS, BE IT RESOLVED, the preliminary and final plat of Lot 4A, Block 2, Cottonwood Glen, a Replat of Lots 2 and 4, Block 2, Cottonwood Glen, an addition situated in the SE¼ of Section 17, Township 22 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska, dated October 11, 2021, duly made, acknowledged and certified, is approved and the Mayor is authorized to sign the Plat on behalf of the City of Scottsbluff, Nebraska. Such Plat is ordered filed and recorded in the office of the Register of Deeds, Scotts Bluff County, Nebraska.

Passed and approved this 6th day of December, 2021.

_____
Mayor

ATTEST:

_____
City Clerk