



City of Roswell

38 Hill Street
Roswell, Georgia 30075

Meeting Minutes Mayor and City Council

Mayor Jere Wood
Council Member Nancy Diamond
Council Member Rich Dippolito
Council Member Kent Igleheart
Council Member Jerry Orlans
Council Member Betty Price
Council Member Becky Wynn

Monday, April 28, 2014

7:00 PM

City Hall

WELCOME

Present: 6 - Mayor Jere Wood, Council Member Nancy Diamond, Council Member Rich Dippolito, Council Member Jerry Orlans, Council Member Betty Price, and Council Member Becky Wynn

Absent: 1 - Council Member Kent Igleheart

Staff Present: City Administrator Kay Love; Deputy City Administrator Michael Fischer; City Attorney David Davidson; Police Chief Rusty Grant; Community Development Director Alice Wakefield; Environmental/Public Works Director Stu Moring; Finance Director Keith Lee; Recreation and Parks Assistant Director Morgan Rodgers; Transportation Director Steve Acenbrak; Community Relations Manager Julie Brechbill; Grants Specialist Charles Alford; Water Resources Manager Alice Champagne; Environmental Programs Manager Janet Liberman; Environmental Education Coordinator Vicki Culbreth; Water Operations Manager Mike Leonard; Risk Manager Wendy Ademy; Senior Transportation Engineer Robert Dell-Ross; Building Operations Technician Timothy Thompson; Digital Media Designer Joel Vazquez; Deputy City Clerk Betsy Branch.

Pledge of Allegiance - Carter and Olivia Ries - Founders of One More Generation

Olivia Ries said she and her brother participated in an adopt a Cheetah program when they were younger and realize how important it is to save endangered species, so they created the One More Generation Foundation. They visit schools to teach students the importance of keeping the environment clean and protecting endangered species.

CONSENT AGENDA

1. **Approval of the March 31, 2014 Mayor and Council Open Forum Minutes (to replace the Council Brief approved on April 14, 2014); Approval of the April 14, 2014 Mayor and Council Meeting Brief.**

Administration

Approved

2. **Approval of a Resolution to submit an application for the FY2014 Bulletproof Vest Partnership (BVP) Grant.**

Public Safety

Approved

Enactment No: R2014-04-13

Approval of the Consent Agenda

A motion was made by Council Member Orlans, seconded by Council Member Price, to Approve the Consent Agenda. The motion carried by the following vote:

In Favor: 5

REGULAR AGENDA**Mayor's Report**

1. **Recognition of the winners of the 2014 Drippy Dropperson Calendar Contest.**

Councilmember Dippolito stated this is in recognition of the winners of the 2014 Drippy Dropperson Calendar Contest.

Environmental/Public Works Director Stu Moring noted that a number of young people were in attendance who participated in the calendar drawing contest; the contestants demonstrated their knowledge of water conservation and other things to improve the environment. He said Advanced Disposal is the corporate sponsor for the program. Mr. Charlie Slade, representative from Advanced Disposal was present to assist Mr. Moring in presenting the awards to the children.

Environmental Education Coordinator Vicki Culbreth came forward to announce the winners. Ms. Culbreth explained that this is the sixth year for this contest; they changed the theme this year to match with National Drinking Water Week. The students were asked to draw pictures depicting the drinking water process, which is difficult because they had to draw corrosion control and flocculation. She said there

were fewer entries this year because some of the students may have been intimidated. Ms. Culbreth congratulated everyone who embraced the challenge and said they had drawn many great pictures. Each winner was announced and came forward for recognition; each winner received a T-shirt depicting their individual drawing. Nine of the twelve winners were present at the meeting.

The 2014 Drippy Dropperson Calendar Contest winners are as follows:

*Shriya Nayak, Fulton Sunshine Academy
Evan Mowrey, Queen of Angels Catholic School (not present at the meeting)
Holden Rohrer, River Eves Elementary
Sarah Cayaffa, River Eves Elementary (not present at the meeting)
Lillie Davenport, Mountain Park Elementary
Michaela Harper, River Eves Elementary
Anvitha Suram, Fulton Sunshine Academy
Paris Pappas, Mountain Park Elementary
Reagan Eudy, Roswell North Elementary (not present at the meeting)
Anna Marie Meer, Roswell North Elementary
Maura Ryan, Queen of Angels Catholic School
Simone Dudar, Queen of Angels Catholic School*

2. Recognition of Keep Roswell Beautiful (KRB) being awarded the 2013 Keep America Beautiful (KAB) President's Circle Award.

Environmental/Public Works Director Stu Moring introduced this item.

Janet Liberman, Environmental Programs Manager and Executive Director of Keep Roswell Beautiful announced the award. Ms. Liberman explained that this is the fourteenth year that Keep Roswell Beautiful (KRB) has received the President's Circle Award from Keep America Beautiful (KAB). This award is presented to KAB Affiliates who successfully fulfill all outreach responsibilities of KAB affiliates and fully participate in KAB activities such as the Great American Cleanup, America Recycles Day, and who provide training for their board members and Executive Director. Other activities included Bring One for the Chipper and the river clean up. Ms. Liberman announced that Councilmember Wynn was also representing Keep Roswell Beautiful.

3. Recognition of Keep Roswell Beautiful (KRB) being awarded the 2013 Governor's Circle Award.

Janet Liberman, Environmental Programs Manager and Executive Director of Keep Roswell Beautiful announced the award. She explained that Governor Nathan Deal created the Governor's Circle Award for Keep Georgia Beautiful affiliates and that Keep Roswell Beautiful (KRB) is the recipient of the first ever Governor's Circle Award. This award is in recognition of efforts to engage Georgians in taking greater responsibility for their community environments while maintaining the highest level of organizational standards. Ms. Liberman said Keep America Beautiful is great because it is national, but they are very proud to have received this award because this is "home."

Mayor Wood expressed appreciation to Ms. Liberman and Councilmember Wynn for representing the City and receiving this award.

4. Recognition of The City of Roswell by Keep America Beautiful for being a Recycling at Work Pledge Partner.

Janet Liberman, Environmental Programs Manager and Executive Director of Keep Roswell Beautiful said this award came about because of the Sustainability Task Force that asked the City to partner in The Recycling At Work Pledge Partner program with Keep America Beautiful. That meant that everything had to be tracked that was recycled from all city facilities beginning July 1, 2013. The Roswell recycling center collects from all city facilities including the parks and buildings up to twice a week. This award was received because of the City's leadership and commitment to increasing recycling in the work place; since July 1, 2013 the City has recycled over 42,000 pounds of recyclable material from City facilities.

Ms. Liberman presented the award to Deputy City Administrator Michael Fischer on behalf of the City.

5. Presentation of the Georgia Association of Water Professionals (GAWP) 2013 Gold Award honoring the Cecil Wood Water Treatment Plant.

Environmental/Public Works Director Stu Moring introduced this item and noted that Pam Burnett, the Deputy Director of the Georgia Association of Water Professionals (GAWP), would make this presentation. Mr. Moring invited Water Resources Manager Alice Champagne and Water Operations Manager Mike Leonard to come forward.

Pam Burnett said it was a great honor to present this award. She said the Georgia Association of Water Professionals has been here before because the City of Roswell's system is award winning all the time. She said that the GAWP is a statewide association dealing with all of the utilities from all over the state. The awards program is very competitive, and the Gold Award Program is the hardest. To receive a Gold Award, you must have achieved perfect regulatory compliance for a full year. Thousands of water samples are taken every year and every sample must pass muster, there must be perfection. This honor is important and notable, the City of Roswell can be proud to have a gold award winning system that stands above other utilities; others will look to this City for leadership. She thanked Mayor and Council for supporting the water system and the community, and said it underpins everything they do; you cannot be a community without safe healthy abundant drinking water. She presented the award and congratulated the staff for their achievement. She noted that this award had been announced at the GAWP spring conference about two weeks ago that is represented by over 500 water professionals.

Mayor Wood congratulated Mike Leonard and the entire Public Works Department staff for winning this award and said "once you become perfect, it's hard to do better than that." The Mayor said this department has achieved perfection. He said they had done a blind test at Alive After Five again this year with bottled water versus Roswell water and once again Roswell won out.

Water Hut, a short video on home water delivery was shown for the audience.

6. Reading of a Proclamation in recognition of National Drinking Water Week, May 4-10, 2014.

Mayor Wood read a Proclamation in recognition of NATIONAL DRINKING WATER WEEK stating, whereas water is a defining part of our past, present and future; water is a basic and essential need of every living creature and our health, comfort, and standard of living depend upon an abundant supply of safe drinking water. We are all stewards of the water infrastructure upon which future generations depend and the citizens of the City of Roswell should have a safe and dependable supply of water both now and in the future. The City received the Georgia Association of Water Professionals Water Plant Gold Award for 2013 for meeting and exceeding Safe Drinking Water Act standards. The City of Roswell Water Resources Division will hold its 3rd Annual Water Plant Open House and Drinking Water Week Festival on Saturday, May 3, 2014. We are calling upon each citizen to help protect our sources of water from pollution, practice water conservation, and recognize the importance of a safe, convenient and sustainable water system. On behalf of the City of Roswell, Mayor Wood proclaimed May 4th – 10th, 2014 as National Drinking Water Week and asked all the citizens of the City of Roswell to recognize and participate in this national event.

Mayor Wood said Roswell has the best water department and the best water in the state.

Stu Moring said thanks to Mayor Wood, the City has joined the Wyland Foundation Mayor's Challenge for Water Conservation. He presented a certificate from the Foundation awarded to Mayor Wood in recognition and appreciation for leadership in water conservation. The purpose of the Mayor's Challenge is to engage citizens in taking a pledge to demonstrate the things they will do to preserve the quality and quantity of water that is available. The citizens of Roswell are encouraged to demonstrate their appreciation of water, and water conservation, by taking a pledge via the City's website link to My Water Pledge, or go directly to: www.mywaterpledge.com. Mr. Moring said the City of Roswell was #3 in the nation last year in water conservation efforts, and we want to beat that this year. The challenge runs through the month of April.

Administration and Finance Department - Councilmember Kent Igleheart

7. Approval of a Resolution to accept the 2014 Community Development Block Grant (CDBG) Award from the U.S. Department of Housing and Urban Development (HUD) and approval of Budget Amendment 22570101-04-28-14 increasing the 2014 Community Development Block Grant (CDBG) budget from \$417,613 to \$431,921.

Presented by Michael Fischer, Deputy City Administrator

City Administrator Kay Love introduced this item on behalf of Councilmember Igleheart.

Deputy City Administrator Michael Fischer presented this item stating the City of Roswell took over administering the CDBG grant rather than being in a partnership as they had previously done. One of the overwhelming comments they have heard from the non-profits was that they wanted outstanding communication and customer service in regards to education and the application process. He said that Grants

Manager Danny Blitch and Grants Specialist Charles Alford had done a tremendous job in doing that. He said the application process is now on-line; he noted that Charles puts forth a personal touch with every one of the non-profits by going out and educating them on the process of the application, and has moved that to a new level. The amount of applications that have been received with what has been happening in the community with this CDBG grant has been phenomenal. He congratulated Charles and Danny for their hard work and dedication to not only taking on a very complex grant process but also for taking it to another level of customer service to the City's non-profits.

Mr. Fischer explained that there is a budgeted amount they have to work with every year; after the federal government goes through their budget process, there was additional funding of \$14,308 that needs to be appropriated. It was decided at the committee meeting that the additional funds would be distributed using the same pro-rata share as the initial award for each organization.

A summary of the proposed appropriated amounts was displayed on the overhead screen. Mr. Fischer pointed out the initial allocations and the breakdown of the new allocations with the additional funds. He said this item is a request for approval to accept the additional funds and for approval of a budget amendment for the revenues for those funds.

Council Comment:

Councilmember Price referred to the City of Roswell – Public Works item on the summary list and said when this was originally approved, the City of Roswell portion was based on a request; she asked if that was not funded fully. She said when they talked about it at committee they decided to take the additional funds and prorate it among all the entities but she thought they had fully funded the Roswell portion prior to that division.

Mr. Fischer said the City of Roswell portion is based on the total amount of the grant that is a percentage. The total amount of that grant went up but that portion goes up accordingly; he asked Charles Alford to address the question.

Mr. Alford said they initially submitted three different projects and then were asked to itemize each one. He thought the first project was Myrtle Street that came out to \$193,000 and so they increased that prorate share just as they did the rest of the subrecipients. So the whole project was actually a request for Myrtle Street, Bush Street, and Grove Way.

Mayor Wood said it did not fund all three projects. Mr. Alford said it did not fully fund; that was a quarter of a million dollars...(remainder of comment inaudible). Mayor Wood said "the other project." Mr. Alford replied yes.

Councilmember Price asked how we are making up the difference.

Mayor Wood said there was funding requested for the City of Roswell for three projects. He asked Stu Moring how the other projects that are not fully funded would be completed.

Mr. Moring said there is a surplus of unspent funds from prior projects; they have typically been able to generate about \$20,000 or \$30,000 per project so those funds would be available to be transferred to cover whatever short fall would be on these CDBG projects. Alternatively, they could adjust the timing until there is a new cycle of funding.

Mayor Wood said these should be postponed until we get more money. Mr. Moring replied yes sir.

There was no further Council comment. Public comment invited. None were made.

A motion was made by Council Member Orlans, seconded by Council Member Dippolito, that this Item be Approved. The motion carried by the following vote:

In Favor: 5

Enactment No: R2014-04-14

Community Development - Councilmember Becky Wynn

8. Approval of a variance to the septic buffer setback pursuant to Sections 21.1.8(b), (c) and 21.1.1.9(c) of the City of Roswell Zoning Ordinance.

Presented by Alice Wakefield, Community Development Director

Community Development Director Alice Wakefield stated that Lennar Georgia, Inc. is requesting a variance to the zoning ordinance Section 21.1.8(b), (c) and 21.1.1.9(c). She explained that the request is to vary the 150 feet setback from a septic tank and septic fields from the perennial stream or a flowing stream. She referred to a graphic on the overhead screen and said Lennar proposes to develop Phase 3 of the Litchfield Subdivision; the subdivision is bisected by a stream; the property is approximately 144 acres with 74 lots. They are not asking for a variance for all the lots, only for those lots that would be rendered unbuildable if this particular setback was applied. They are asking to vary 39 of the lots; 24 of those lots to be varied from 75 feet setback for the primary and secondary system; 15 of those lots to be 75 feet setbacks for the primary system, and 50 feet for the secondary system. This request is in alignment with Fulton County and the State. Fulton County is the issuing authority with regards to septic tanks. She noted that Lennar representatives were present at the meeting to address any questions. This request has been reviewed by the City Engineer, and the Public Works Department along with Planning and Zoning. Staff can support the request as submitted.

Council Comment:

Councilmember Wynn said she and Ms. Wakefield talked today about some type of administrative approval for any issue on any of the lots if for some reason the survey of this septic should find bad soil or rock or whatever. Staff would have the right to approve anything encroaching up to a maximum of 10 feet into this 75 foot buffer; anything above that would come before Mayor and Council for approval. She referred to City Engineer Jean Rearick's Comment #2 and said perhaps they could add language to that to be a maximum of 10 feet. She asked for Ms. Wakefield's suggestion for some type of amendment to add to that condition.

Ms. Wakefield said that staff has no problem with that and understands that the project has not been fully engineered so there may be a need for flexibility on some of the lots as long as the variations do not exceed the 39 lots that the applicant is requesting for a variance.

Councilmember Wynn said that is what she was requesting; it is just for what they are looking at tonight and they would only allow a flexibility of a maximum of 10 feet. Ms. Wakefield said she was comfortable with that.

There was no further Council comments.

Motion: Councilmember Wynn made a motion for Approval of a variance to the septic buffer setback pursuant to Sections 21.1.8(b), (c) and 21.1.1.9(c) of the City of Roswell Zoning Ordinance as stated in Alice Wakefield's memo to Mayor and Council dated April 28, 2014 with the provision that if any of the septic's primary or secondary systems encroach into the 75 foot buffer no more than 10 feet would have staff approval; anything over 10 feet would be approved by Mayor and Council. Councilmember Orlans seconded.

Further Council Comment:

Councilmember Dippolito said the motion is for 39 lots. Based on the preliminary engineering that looks like that is what is going to be impacted. He said that Ms. Rearick also mentioned in her comments that there may be some additional impacts once they do the steep slope analysis. What he does not want to happen is for them to discover they might have more than 39 lots. He asked if it is possible to have some flexibility. He asked if they know at this point if 39 is the total number or has enough engineering been done to this point.

Ms. Wakefield said she would rely on the applicant to answer that question but this is based on the applicant's request, for which staff is making their recommendation. The applicant is well aware that the steep slope analysis has to be completed and that may impact their lot yield.

Applicant:

Jim Bowersox, representing Lennar Homes, said they have done some preliminary engineering in their due diligence. It started with the stream crossings and then got into the septic setbacks. At the request of staff at their first meeting, they had their soil consultant look at the lay of the lots and the lay of the septic systems one more time to see if any of them could be adjusted. The reason they have asked for a little bit of flexibility with a variance is because they have not gotten into full engineering and obviously with steep slope analysis there is a possibility that some of it can move. He said they are somewhat comfortable with the fact that the lots that they are not showing out of the 74 will work within the 150 foot City of Roswell setback. That is why they are not showing those.

Mayor Wood clarified that right now a variance is shown for 39 lots and that could be extended to up to within 10 feet of the 75 foot buffer of Fulton County on those 39 lots. Mr. Bowersox agreed. Mayor Wood said he believed Councilmember Dippolito's question was "is there a possible need for anymore variances?" He asked Councilmember Dippolito if that is correct.

Councilmember Dippolito replied, no his question was what happens if there are 40 lots, would the applicant need to come back in front of the Council to have that looked at as well.

Mayor Wood said as he understands under the current motion, the applicant would have to come back if they went beyond 39 lots.

Councilmember Dippolito said his comment and question to that is if they are okay with providing the variance on those 39, then would there be an issue with approving it for the property in general. Because his understanding is this is really just for the septic system and it would be consistent with state code. He said he is trying to not cause the applicant to have to come back an additional time.

Councilmember Wynn said her understanding with Lennar group is that these are the

only lots that they are going to need the variance on. That is why they did it that way. She said she thinks the applicant first came in with a blanket variance but they got it down to 39 lots, and the applicant is comfortable with this. She said she had talked to Mr. Bowersox about the 10 foot maximum variance if that is needed for these 39 lots and he was comfortable with that also. She said she is really going with what the developer and the applicant and the spokesperson of Lennar are agreeing to.

Councilmember Dippolito said he is comfortable with that if the applicant is comfortable with it. He just did not want him to unnecessarily come back a second time.

Councilmember Wynn said then her motion is with the amendment to the condition for the 10 feet maximum.

Mayor Wood asked Mr. Bowersox if he is comfortable with that motion.

Mr. Bowersox replied "At this time I am, yes sir."

There was no further Council comment. Public comment invited. None were made.

A motion was made by Council Member Wynn, seconded by Council Member Orland, that this Item be Approved. The motion carried by the following vote:

In Favor: 5

Environmental / Public Works Department - Councilmember Rich Dippolito

9. Approval of Budget Amendment 50544300-04-28-14 in the amount of \$87,618.93 for Materials Testing and Special Inspections related to the construction of the Water Treatment Plant for a total project cost of \$118,868.

Presented by Stuart Moring, Director of Public Works/Environmental

Director of Public Works/Environmental Stu Moring stated that in connection with the water plant construction as was noted, there is a need for specialty inspections particularly including materials testing, geotechnical work and things of that nature. Under the building code, this is required to be handled under a separate contract. Most of the testing is done by the contractor directly but this is to ensure independent oversight of those things. Quotes were received from the City's on call engineering firms; the most responsive responsible bid was from Engineering Strategies, Inc. (ESI). The quote was for \$87,618.93, and for budgeting purposes, they have added a 20% contingency allowance to that for a total budget line item of \$ 118,868. Those funds are available from the Water Treatment Plant project budget and surplus funds from another water supply project, the Groundwater Supply Option. Between those two, there is money as is shown in the financial impact statement that would total the funding amount of \$118,868. This is a reliable firm that the City has had good success with; staff is recommending this contract and the budget amendment for approval.

There was no Council comment. Public comment invited. None were made.

A motion was made by Council Member Dippolito, seconded by Council Member Orland, that this Item be Approved. The motion carried by the following vote:

In Favor: 5

****At this point in the meeting, Mayor Wood recognized two Boy Scouts who were in attendance at the meeting and asked them to come forward and introduce themselves. They were from Troop #713 and were attending for a government class for a political experience.**

10. Approval of an Amendment to the Code of Ordinances, Chapter 8, Health and Public Safety, Article 8.8.3, Types of Nuisances (First Reading)

Presented by Stuart Moring, Director of Public Works/Environmental

Director of Public Works/Environmental Stu Moring presented this item. He explained that this relates to blockage of drainage easements. They were of the belief that if someone should cause a problem with a drainage easement, the City could take action against them but it was decided that it was better to specifically call out blockage of a drainage easement under the ordinance; the Legal department crafted language to add that to the ordinance.

Council Comment:

Councilmember Dippolito said the wording of the ordinance is "The filling or blocking of a drainage easement" which seems fairly straightforward. He asked if that would be an intentional act by the property owner. He asked if it would be a violation if something occurred on the property if a property owner has an easement and somehow it filled or blocked the waterway without their knowledge. He asked again if it would have to be an intentional act by the property owner.

City Attorney David Davidson clarified that the intent would be that it is an intentional act by the property owner. This would not address normal erosion or sedimentation. Councilmember Dippolito thanked Mr. Davidson.

City Attorney David Davidson conducted the first reading of AN ORDINANCE TO AMEND CHAPTER 8.8.3, TYPES OF NUISANCES, TO DECLARE FILLING OR BLOCKING A DRAINAGE EASEMENT TO BE A PUBLIC NUISANCE stating: pursuant to their authority, the Mayor and City Council adopt the following ordinance to amend Chapter 8.8.3, Types of Nuisances, as follows:

1.

Section (b) is hereby amended by renumbering the existing section (b) as (b) (1) and by adding a new subsection (b) (2), so that the new (b) reads as follows:

8.8.3

(b) (1) The presence of debris or other material on sidewalks or the public right-of-way which impedes safe passage or otherwise creates a hazardous condition;

(b) (2) The filling or blocking of a drainage easement.

Mr. Davidson noted that if approved this would be the first reading.

There was no Council comment. Public comment invited. None were made.

A motion was made by Council Member Dippolito, seconded by Council Member Wynn, that this Item be Approved on First Reading placed on the Mayor and City Council agenda for 5/12/2014. The motion carried by the following vote:

In Favor: 5

Enactment No: ORD 2014-05-05

Transportation Department - Councilmember Nancy Diamond

11. **Approval for the Mayor and/or City Administrator to accept Right of Way Options for the Houze Road and Hembree Road Intersection Improvement Project in an amount not to exceed \$440,000 and approval of Budget Amendment**

BA23042101-04-28-14 in the amount of \$152,080.

Presented by Steve Acenbrak, Director of Transportation

Director of Transportation Steve Acenbrak asked Senior Transportation Engineer Robert Dell-Ross to present this item.

Robert Dell-Ross said this item is for staff to move forward with the Right of Way acquisition for the Houze Road and Hembree Road roundabout project. He said staff has been working hard on this; six of twenty parcels options are signed, and they have a very aggressive schedule with GDOT. They are actively moving forward with the other remaining fourteen parcels and have about two months remaining to clear those. Tonight staff is asking for a blanket approval to close on these parcels. They are asking for the GDOT funding for the project which is \$290,000 plus a budget amendment for \$152,080. This represents the sum of the appraised value of all twenty parcels with a 10% contingency added.

Council Comment:

Councilmember Dippolito said the diagram provided in the Council packet did not break out construction easements of temporary versus permanent but it looks like there are some fairly extensive limits of the acquisition; he asked if many of those are temporary construction easements or slope easements.

Mr. Dell-Ross replied that about 80 to 90 percent of the easements shown on the graphic are temporary that would revert back to the property owner. Councilmember Dippolito thanked Mr. Dell-Ross.

There was no further Council comment. Public comment invited. None were made.

A motion was made by Council Member Diamond, seconded by Council Member Wynn, that this Item be Approved. The motion carried by the following vote:

In Favor: 5

City Attorney's Report

12. **Approval for the Mayor and/or City Administrator to sign a renewal contract with Trident Insurance Services, LLC for property and casualty insurance for the period May 1, 2014 to April 30, 2015 in the amount of \$725,551 and \$10,000 to American Bankers Insurance Company of Florida for National Flood Insurance Program coverage.**

City Attorney David Davidson presented this item stating that the City put out requests for quotes and three were received. One quote was lower than Trident but it split the coverage among six different carriers and staff was not comfortable with that. Of the other two quotes; Trident Insurance Services was the lowest quote at \$725,551. Staff recommends moving forward with this contract.

There were no questions from Council. Public comment invited. None were made.

A motion was made by Council Member Wynn, seconded by Council Member Diamond, that this Item be Approved. The motion carried by the following vote:

In Favor: 5

13. **Recommendation for closure to discuss litigation and real estate.**

A motion was made by Council Member Dippolito, seconded by Council Member Price, that this Item be Approved. The motion carried by the following vote:

In Favor: 5

Adjournment - 7:52 p.m.