

**CITY OF UNION, KENTUCKY
REGULAR BUSINESS MEETING
MINUTES
Monday, November 7, 2011**

LOCATION: Warren S. Moore Union City Building, 1843 Mt. Zion Road, Union, KY 41091

CALL TO ORDER: Mayor Don Kirby called the Public Hearing to order at 7:00 PM.

ROLL CALL: The following members were present:

Mayor Don Kirby
Public Works Commissioner Bob Kelly
Commissioner John Adams
Commissioner Bryan Miller
City Engineer Barry J. Burke, PE PLS
Attorney David Steele, Esq.
Union Assistant Misty Ezell

The following members were not in attendance: Commissioner John Mefford, City Events Coordinator Karen Franxman, Attorney Greg D. Voss, Esq., and City Clerk Kathy Porter.

CALL TO ORDER:

Mayor Kirby called the Regular Business Meeting of the Union City Commission to order at 7:00 p.m. Monday, November 7, 2011.

APPROVAL OF MINUTES:

All City Commissioners were provided a copy prior to tonight's meeting.

Commissioner Adams made a motion to accept the minutes from the October 3, 2011 Commission Meeting and the motion was seconded by Commissioner Miller. **Motion carried.**

Commissioner Kelly made a motion to accept the minutes of the October 24, 2011 Union Village Street Lights Public Hearing and the motion was seconded by Commissioner Adams. **Motion Carried.**

ADMINISTRATIVE REPORTS:

City Clerk/Treasurer Kathy Porter: Commissioner Miller moved to accept the Treasurer's Report as of October 31, 2011, and Commissioner Adams seconded the motion. **Motion Carried.**

CITY AUDIT REPORT: Paul Maddox, CPA, with Maddox & Associates Inc., reviewed the Independent Auditor's Report for the fiscal year ending June 30, 2011. Mr. Maddox reviewed a letter addressed to the Mayor and City Commission. Mr. Maddox stated that the opinion for the Independent Auditor's Report, is a clean opinion, which means that the auditor feels the financial statements were presented fairly in all material respects. The second report is on internal controls and compliance. There are three (3) findings within this report. Mr. Maddox stated that these findings are in the report every year and in almost all of the cities that he completes the report for. The first finding is segregation of duties. With only two (2) people working in the office, it is hard to segregate duties. The second finding is a purchase order policy. No formal policy is in place. The third finding is Maddox & Associates Inc. prepares the financial statement and audit report for the city. The city is supposed to prepare them. Mr. Maddox said most small cities do not prepare the report themselves.

Mayor Kirby asked the commissioners if they have any questions that they might have for the auditor. Commissioner Miller stated that he had not had a chance to review the report and Mayor Kirby told him that he could review it and if he had any questions he could ask the auditor at a later time.

Commissioner Kelly asked about the segregation of duties. He would like to know what would be

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acceptable. Mr. Maddox said three (3) people would be the amount needed to do accurate segregation.

A person in the audience asked if this is the same audit firm that was used last year. And Mayor Kirby said yes this is the same firm.

GUEST WISHING TO SPEAK:

Mr. William Montour who lives on Lancashire Drive addressed the commission concerning the on-going traffic issues in the Plantation Pointe/Lancashire Subdivision. He stated he had addressed the commission earlier in June concerning this request. Mr. Montour and Mr. Burke, the City Engineer has spoken prior to the meeting concerning his request. Mr. Montour is requesting a speed study to see if there is a need for more traffic calming devices (e.g., speed hump or table, etc.) and, also is requesting more stop signs. Mr. Montour would like stop signs that would mirror the other subdivisions in Union. He would like to have five (5) stop signs total. Mr. Montour also asked the city to move forward with the speed study. Mayor Kirby said to move forward with the speed study and for Mr. Burke to work with Mr. Kelly and Boone County Sign Dept. on placing the stop signs, prior to the results of the spot speed study. Commissioner Miller asked about the five (5) locations, new stop signs requested. Mr. Montour said there are two (2) main intersections where they are needed, at Capri Court / Lancashire Drive and Lancashire Drive / Cherbourg Drive. As Harmony Estates has opened up and Wilshire Court is now interconnected, more and more traffic is starting to come through. Commissioner Kelly asked City Engineer Barry Burke if he was aware of the locations that Mr. Montour was talking about. Mr. Burke stated that he had been in contact with Mr. Montour and he has talked with Boone County Sign Division's, Greg Martin, concerning the industry standard traffic code or manual. Mr. Burke feels that a new stop sign at Lancashire Drive / Capri Court would be too close to the intersection at Cherbourg Drive. Mr. Burke feels that at Cherbourg Drive, a three-way stop sign system is needed. With Mr. Montour's input per the manual, Mr. Burke also suggested placing warning signage on Lancashire Drive warning drivers of children near the neighborhood park. Mr. Burke stated he and Mr. Martin do not feel a stop sign is needed at every cross street. Mr. Burke also stated that he suggested putting three-way stop signs along Cherbourg Drive at Abbingdon Drive; and, a four-way stop signage at Wilshire Court, now that Wilshire Court has opened to Harmony Estates, a direct result of more traffic and safety concerns.

Mr. Burke stated a preliminary spot speed observation was made about two and one-half years ago. At that time, traffic volumes observed did not qualify for a full spot speed study. Based upon ITE Guidelines, additional traffic controls could be required if the speed study results indicated that at least eighty-five percent (85%) of all vehicles are tested to be going at least five (5) MPH or greater than the posted speed limit of 20 MPH. Also, the street would need enough traffic volumes to justify the speed study and the added controls.

Mr. Montour stated that other subdivisions have stop signs at approximately the same distance as the requested sign at Capri Court. Mr. Burke stated that with the commission's approval he would move forward with the spot speed study and have more detailed results and a recommendation at the next meeting.

Mayor Kirby said to move forward with the spot speed study and with the stop signs per the manual that are not in question.

Mayor Kirby asked if there any other guests wishing to speak. Commissioner Kelly introduced Wes Nelson who lives on Hempsteade Drive. Mr. Nelson is having issues with coyotes on his property. Mr. Nelson asked the commission for approval to discharge a firearm within the city limits. Mayor Kirby asked if Attorney Voss had looked into the situation. In response, via an email from Attorney Voss sent to City Clerk Kathy Porter, there are no regulations against discharging a firearm within the city limits. Mayor Kirby gave Mr. Nelson the approval to fire upon the animals when they encroach upon his property.

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Commissioner Kelly stated he had checked with the Kentucky Department of Fish and Wildlife and they said it is the property owner's right to destroy, trap, or leave the animals alone.

Correspondence:

Mayor Kirby read the commission a letter from Boone County Planning Commission concerning the term expiration of Mr. Jim Longano. Mr. Longano's term will be expiring on December 31, 2011. The position will be posted on the website if anyone is interested. Commissioner Miller asked what Mr. Longano's role is. Mayor Kirby stated that the position is a voting member on the Boone County Planning Commission's Board. Commissioner Miller asked if there are any specific credentials needed for this position. Mayor Kirby said no specific qualifications are necessary, but the appointee does attend training classes. The appointee will only need to come to city commission meetings if there is something specific for Union that needs discussed. Commissioner Miller asked if the appointee has to live within the city limits. Mayor Kirby said typically since the decisions are being made for the city, the appointee is from Union.

EVENTS COORDINATOR:

City Events Coordinator Karen Franxman, Ms. Franxman was not in attendance. Mayor Kirby briefly summarized her report.

Fall-For-All was held on October 22, 2011 at the Community Center Building. The event was a fundraiser for the Union Adopt a Unit and the raised \$1,200.

On Saturday December 3, 2011 the City will be hosting the "Open House and Tree Lighting" at the Union City Building. The event will be from 6:30 pm to 8:30 pm.

On Saturday, December 10, 2011 the City will be hosting the Pancake Breakfast with Santa.

The city will be selling discounted ticket to Perfect North Slopes again this year. The Voucher should be arriving at the City Building within the next week.

Union Cares for November is the Vineyard Food Pantry. A wish list is located on the city's website. The Union Cares is a program that collects items to be donated to a charity. Items can be dropped off at the city building, or if needed, someone can pick up the items for you.

The Union Community Theater is presenting "All Shook Up". This show is a youth show. The show dates are November 10th-12th at Ryle High School.

PUBLIC WORKS/UNION VISIONING COMMITTEE:

Commissioner Kelly reviewed the bids that were received for snow removal. The city received one bid. The current contract ends on 12/31/2011. Mr. Kelly let Mr. Spillman explain to the commission the differences on amounts from the previous contract. Mr. Spillman said the largest difference in the price per push was that the city has added thirty (30) new streets since the previous bid in 2007. Mr. Spillman stated that it also takes several types of equipment, including trucks and skid steers and bobcats. Each cul-de-sac within the city limits has to be cleared by either a skid steer or a bobcat. On an average snow of three (3) inches or more, it takes the crew about twelve to fifteen hours to remove the snow. Any snow under two (2) inches, the crew will put out salt which takes the crew about six (6) to seven (7) hours to complete. Each snow storm is different. Mayor Kirby asked Commissioner Kelly if a better communication system where the crew can get information from the residents directly to the contractor would be beneficial. Mr. Spillman said that the city could direct the residents directly to him.

Mr. Spillman suggested to the city to build a salt storage building in order to have salt in case of an early snow. Commissioner Miller asked if the city stored salt at the Union pool property. Mr. Spillman stated

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that he has stored salt there previously; and, will store salt there again this year.

Mr. Burke asked if the contractor has always used salt or sodium chloride as opposed to calcium chloride. Mr. Spillman said that sodium chloride is used; calcium chloride expensive and is not very productive.

Mayor Kirby asked what the trigger is for the contractor to come out. Mr. Spillman said he relies on the Boone County dispatch for the emergencies. Further, that is, when the county public works and Florence is called out.

Commissioner Miller asked about the pre-treating with Brine. Mr. Spillman said he did not use any pre-treatment. The delivery system is too expensive.

Mr. Spillman also asked the commission about possibly renting out a bay at the Community Center Building. He would rent the bay throughout the winter session. Mayor Kirby said he would look into the possibility.

Mayor Kirby asked if any of the Commissioners had any discussions based on the bid that was received.

Mayor Kirby asked for a motion to accept the bid of Spillman Lawncare, Inc. to handle the snow removal for the City of Union for the next calendar year 2012. Commissioner Kelly made the motion and Commissioner Adams seconded the Motion. **Motion Carried.**

Commissioner Kelly stated that money was moved from the Municipal Road Aid Fund for the project at Plantation Pointe / Hampshire Street Improvement. The amount moved was \$122,305.38.

Commissioner Kelly discussed the white board fencing at Lassing Green Subdivision. The Spillman Lawncare bid for the board repairs and painting of the fence was \$3,600; \$1,000 of this is included in the current landscaping contract. Commissioner Kelly asked if we should get bids on the repair of the fence. Mr. Burke said most of the fence is in pretty good shape. Mr. Spillman said about fifty to sixty boards need to be removed, replaced and painted. His bid also included a full painting of the fence. Mayor Kirby asked Commissioner Miller what his thoughts were on the estimate. Commissioner Miller stated that the fence is about a quarter of a mile long. Commissioner Miller said the estimate seems like a lot, but there is a lot of fence and work that would need to be done. Commissioner Adams asked if we should wait till spring. Mr. Spillman said paint application is better in the spring or summer. Mayor Kirby said we should wait and have the work completed in the spring, which was acknowledged.

CITY ENGINEER REPORT: Mr. Burke referenced his detailed City Engineering Report totaling 18 Items. Mr. Burke stated that the commission has previously received the Report, and if there were any questions, he could respond. Mr. Burke provided an overview with an emphasis on the City Action Items to follow.

Under a newly added item 8. D. (2), Mr. Burke stated that the edge/side drain work that was done on Brandsteade Drive is complete, with the city contractor's TMS Construction, Inc. Invoice recommended for payment. However, one (1) traffic warning sign was put back up in a slightly different spot about 12-12 feet away from a lot corner. The resident, Mr. Wardlow (10069), would like to have the sign moved back to its original position. Mr. Burke said he will request Boone County Public Works to move the sign to its original location.

Under new item 18, Mr. Burke had received a complaint from Harmony Estates resident Mr. Charles Bedel about cars parking beyond the stubbed street off Sycamore Drive, contiguous to his property. Mr. Burke has observed the issue and copied the license plates to be forwarded to city staff and Mr. Brad Horn in Code Enforcement.

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Regarding Item #4 (2), Mr. Burke received a request from Gunpowder Greens resident Sue Lambert at 1066 Tudor Lane. She requests the bridge railings, need to be sealed or painted. The city went in a couple of years ago and replaced the deteriorated timber railings and now they just need finished. The bridge railings are within a public right-of-way. Ms. Lambert also would like the entrance sign to the subdivision repainted. The entrance sign is within the right-of-way of the state highway; and, not the city right-of-way. Mr. Burke asked for further interpretation regarding the city's earlier involvement in the matter. Mayor Kirby said years ago the city went in and painted the sign for the entrance; and, to continue the same service. Mr. Burke has estimated that both the sign and bridge can be painted for roughly under \$700.

Regarding Item #8 (c) the Open Centered Cul-de-sacs. Mr. Burke asked the commission if the city desires to take some action to add the two (2) cul-de-sacs on Whispering Trails and Windsor Way into the existing maintenance contract or for the future. Mayor Kirby asked what the incremental difference would be and then the city could go from there. Mr. Spillman stated he has performed some rutting maintenance on these open areas; but has not mowed the grass. Mr. Burke advised that residents usually cut the grass. It was concluded since the incremental difference was small to leave the issue as it presently exists, that is on a case-by-case basis.

Regarding Item #8 (d) (4) Edge drains within Hempsteade/Ashton Court, Mr. Sal Carnevale. Mr. Burke advised that Mr. Carnevale has three (3) irrigation heads within the public right-of-way in close proximity to the curb. Mr. Burke stated that Mr. Carnevale previously questioned why the street in front of his home was always wet and not repaired. Mr. Burke advised Mr. Carnevale that water irrigation heads were not permitted, the cause of the problem; and, the city's contractor on the project adding the edge drains, would not be replacing any irrigation heads that were within the right-of-way and near the curb. Following completion of the city's project, counter to the city's position, Mr. Carnevale had re-installed the irrigation heads and according to Mr. Burke which will continue to deteriorate the street subgrade. This is a violation that needs to be forwarded to Mr. Brad Horn with Code Enforcement. Mr. Burke stated he would forward the required information to the city clerk.

Regarding Item #8 (d) (3) Clarkston Lane, the roadway starts in Union and about halfway up the street becomes half-county and half-City of Florence. In April 2011, Boone County repaved the section of the road outside of Union. They offered to partner with the City of Union for a resurfacing cost to the city of about \$15,900. Mr. Burke reviewed his list of streets in need of repair and Clarkston was not among the ones in immediate need and respectfully declined their offer. We have now received complaints from residents that if you are not very careful as you come down the narrow roadway in a vehicle you could very easily drop off from the edge of pavements without sufficient shoulders and damage your vehicle. It is a safety problem. Mr. Burke received an estimate from a qualified contractor to have some large rock stone base placed along both sides of the roadway for shoulder safety. This shoulder work including about 120 tons of class II channel liner was estimated to cost \$5,400. Mr. Burke also received other costs to further bring the narrow street up to minimum standard. The estimate to widen the road is \$12,750 and, to repave the roadway would be an additional \$9,000. Mayor Kirby asked if the county had brought their portion of the road up to code or standard. Mr. Burke stated they did not, just re-surface it. At present, Mr. Burke recommends at least having the shoulders built up to prevent safety hazards the other repairs can wait till later. Mayor Kirby said to go ahead and do the shoulder portion for the cost, as estimated.

Mayor Kirby asked Mr. Burke to put together a paragraph or so describing the situation on Clarkston Road. He will then forward a letter to Judge Moore. Mr. Burke acknowledged he would email the appropriate wordage.

Regarding Item #11 Phase II Storm water Management & Pollution Prevention Plans. According to the federal water quality laws, it is EPA, SD1, and the city's responsibility is to work with local communities as

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a co-permittee to improve water quality to the best practicable extent as possible. Using a boiler plate template provided by SD1, Mr. Burke has prepared a Storm Water Pollution Prevention Plan (SWPPP) for the city of Union. The SWPPP is comprised of on-site audits performed on the city's properties including the city building, community center, salt storage, landscaping areas, and the city's approximate 98 streets.. Mr. Burke has completed the SWPPP, comprised of 52 pages including mapping, etc., and thought he forwarded it to the commission for review during the middle of the month. Commissioner Miller and others stated they haven't received a copy. Mr. Burke apologized that there may have been a problem with the electronic transmission. The Plan has numerous recommendations for how the city should work to improve water quality. In summary, the current plan will not require any changes, except for perhaps replacing the roof gutters on the Community Center Building. The SWPPP plan should be accepted by the commission and turned into SD1 by November 9. Mayor Kirby advised Mr. Burke to forward a copy of the completed SWPPP to the commissioners; and, he will review and forward his comments back to Mr. Burke in time to meet the deadline for submission.

Regarding Item #4 (4) Whispering Trails Storm Drainage Report, another meeting was held with four (4) of the six (6) property owners that desire to move forward with their own repairs of the drainage culvert pipes impacting their driveways. The residents attending were George Raybourne, Campbell, Bell, Hodges and another neighbor Shirley. The new plans were prepared by a local engineer, Brandon Raybourne, PE. Also, it was discussed that SD1 is moving forward with a Request For Proposal (RFP) for the entire approximate 15 square miles of watershed instead of separating out Whispering Trails for a later than sooner later study. This may put the larger project off for at least one (1) to five (5) years perhaps longer. Mayor Kirby said he is just wishing to move forward with the immediate repairs. Coomer Contracting (i.e., Greg Spillman) is working with the local engineer and homeowners to make the necessary repairs. Since the last meeting, the city has sent a letter to three (3) residents including Vice, Haynes, and Moldt concerning the repairs for a response that they have chosen not to move forward with the city's help. Mayor Kirby asked what the response was. Mayor Kirby was advised that no response has been received.

Mr. Spillman said he had six (6) properties on his list for estimated costs for repairs. Mayor Kirby said that originally there was six (6), but Mr. Haynes and Mr. Vice have opted to not have the repairs done.

Mayor Kirby said during the meeting it was discussed and the city was ready to move forward with the repairs at the city's cost being 15% or roughly \$7,000 to repair the four (4) properties having the most severe problem culverts. An estimate was given for the remaining two (2) in case they would like to have the repairs completed as well, with the city's help.

Based upon the most recent meeting with the residents, Mr. Burke's recommendation was as follows: (1) That the city's public assistance be limited to 15% of the total bids received; or, the actual construction cost plus any extra work, whichever is less; (2) That Julie Moldt having another "pinch point" culvert further downstream, in addition to the original six (6), be contacted and included in the city's offer to share in the work; (3) That the final plans prepared by the property owner's engineer for the contractor be submitted to the City Engineer for public record. Since the city is participating financially, any private project questions from the public may have to be answered; (4) That a formal application be made to SD1 and the Boone County Planning Commission for zoning and/or building permits. Mr. Burke advised that the culvert pipes are being increased in size, in his opinion requiring a Permit, rather than just maintenance if not upsized and not requiring a Permit. With input from the local engineer the residents of the area stated they were under the impression that no Permits would be required. Mr. Burke further advised that if no Permits are required then sufficient written response should be provided by SD1 and the county agencies responsible for these actions; (5) That the city of Union assume no further legal liability or other interrelated responsibilities regarding the plans, including the design, construction or inspections, etc. for the property owners agreeing to have the repair work performed as well as those who choose to opt out. Property owner George Raybourne stated that if the city is no longer in the project,

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then why are they placing conditions on the project. Mr. Burke stated that since public funds are being used, the city is still involved; and (6) That formal application be made to the Clean Water State Revolving Fund (CWSRF), in A call for 2013 projects. This KIA loan application may be necessary in the event that total funds from SD1 fall short for the larger project. Mayor Kirby asked how complex is the application. Mr. Burke stated the application is not complex and nearly complete and can be turned in at the city's request.

Mayor Kirby reviewed the recommendations and the city has already completed two (2) of the six (6) conditions. Mayor Kirby asked if the property owners have finalized the plans. The residents have emailed the plans to Mayor Kirby. Mr. Burke is simply asking for a copy of the same plans and the details.

The resident's engineer and contractor stated to the commission concerning their desire to work with permitting agencies to insure that all required Permits are obtained.

Another resident of Whispering Trails asked what is being done on his property regarding the project. Mr. Burke advised the commission and resident Mr. Trout that the city's Storm Water Report prepared in July 2010, was sent to 21 property owners impacted for information; and, that only the most critical culverts, which may collapse, were being considered at this time. Mr. Trout's culvert is excluded.

Mayor Kirby said he has reviewed Mr. Burke's recommendations and advised the commission to modify recommendation (1) to require the 15% of public assistance based only upon the total bids; and to not make (6) a condition but a comment, as authorized to be submitted to the KIA. The only items outstanding would be the amount that the city would be liable for and the others remaining.

Another resident asked what the 15% is. Mayor Kirby said that it is based on the amount that the public water is contributing to the damage to the culvert/driveway that the city is willing to contribute a maximum of 15%.

Commissioner Kelly asked about the resident's meeting appeal that was made to the Boone County Fiscal Court. Mayor Kirby stated he had contacted Judge Moore and the county is offering no money to help the residents.

Resident David Shirley (1842 Whispering Trails) showed the commission pictures of flooding that occurred in his yard this past spring. A drain that was put in is not adequate to remove all water that is pooling and backing up in his front yard. There are no culverts running under his driveway. Mayor Kirby asked Mr. Burke what his thoughts are on this problem. Mr. Burke stated that the storm sewer system crossing Shirley's yard is undersized; and, unable to handle the intense flows from the watershed. Further, according to the SD1 mapping to date, none of the storm sewer systems within Whispering Trails have been accepted as public systems. Thus, these systems are all private storm sewers. Mr. Burke advised that Mr. Shirley's problem is different from the others. His driveway has back water flooding; and will not collapse. Commissioner Adams asked Mr. Burke what would be the solution for Mr. Shirley. Mr. Burke responded that the undersized piping within Shirley's front yard needs to be upsized as part of the larger project studied by SD1. However, storm water detention (dry) must be included to control the increased water flows further downstream.

Another resident Mr. Bell stated he reviewed the city's minutes from past meetings and this issue was brought before the commission in the year 2005. They were told that when the road was repaved a larger pipe would be placed. And now in year 2011 the problem is just getting worse. Also SD1 was supposed to look at it in 1998. Mr. Burke stated that SD1 on several occasions at the request of the city including on-site field inspection with their staff has looked at the storm sewers. The storm sewers in Whispering Trails had never been dedicated to public use; are not currently part of any master plan; and remain private. Another resident, Mr. Hodges asked if the city's offer of 15% would remain in effect, if the project

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is delayed. Mayor Kirby indicated that it would remain in effect.

Commissioner Miller concurred a copy of the specifications for the repair work should be submitted.

PLANNING AND ZONING: Mr. Jim Longano was not present and had no report for the City of Union this month.

Commissioner Miller asked Mr. Spillman about a letter that was sent concerning the contractors mowing over trash. Mr. Spillman will talk with his crew.

NEW BUSINESS:

- **First reading ORDINANCE NO. 2011-008** – AN ORDINANCE ADOPTING THE PROCEDURE AND NECESSARY TERMS REQUIRED BY K.R.S. 91A.260 PURSUANT TO THE UNION CITY COMMISSION'S DECISION AND DETERMINATION TO PROCEED BY SPECIAL ASSESSMENT WITH THE CONSTRUCTION OF THE UNION VILLAGE STREETLIGHT PROJECT LOCATED IN THE CITY OF UNION, KENTUCKY. Commissioner Adams moved to approve and Commissioner Miller seconded the motion. **Motion Carried.**

Mr. Burke acknowledged some previous revisions and had some additional concerns regarding SECTION 1 (last sentence); SECTION III (Exhibit "B"); and SECTION IV. (re-mailing Notices to property owners). Mayor Kirby advised that this was only the first reading.

Mayor Kirby said he would have Attorney Voss look at it.

The city commission was advised that at present, at total of three (3) payments have already been received for the Union Village Street Lights Project.

Commissioner Miller asked about the 2015 Comprehensive Report that was presented by the Boone County Planning Commission. The report had a design for the entrance that they proposed to add trees and a sign. Commissioner Miller suggested we contact Ryle High School Agriculture Department. Mayor Kirby said to prepare a report and present it to them.

ANNOUNCEMENTS:

Next City Commission Meeting: Monday, December 5, 2011

City offices will be closed on November 11 for Veterans Day.

City offices will be closed on November 24th and 25th for Thanksgiving.

City Tree lighting will be held on December 3, 2011 from 6:30 – 8:30 p.m.

No further business came before the Commission. Commissioner Miller moved to adjourn the meeting at 8:50 p.m. Commissioner Adams seconded the motion. **Motion carried.**

Signed this 5th day of December 2011

APPROVED:

ATTEST:

Don Kirby, Mayor

Kathy Porter, City Clerk/Treasurer