

## EDMOND CITY COUNCIL MINUTES

December 11, 2006

Mayor Sandra Naifeh called the regular meeting of the Edmond City Council to order at 5:30 p.m., Monday, December 11, 2006, in the City Council Chambers. Councilmember David Miller was absent.

**2. Approval of Minutes.** Randel Shadid addressed Council and stated he misrepresented the number of trees that will be preserved on Item Nos. 7 and 8 regarding Grace Living Center's Plan Amendment and Rezoning ordinances. Mr. Shadid requested the Minutes be amended to reflect that 23 trees rather than 60 trees will be preserved and the total number of new trees is 200. Motion by Page, seconded by Lamb, to approve November 27, 2006, Minutes as amended. **Motion carried** as followed:

AYES: Mayor Naifeh, Councilmembers Page,  
Sanford and Lamb  
NAYS: None

### **3. City Council Presentations:**

A. **City Manager's Monthly Progress Report.** Larry Stevens addressed Council and stated progress continues on the Regional Forensics Science Center and the project is still on target for substantial completion by the end of August, 2007. He stated widening of 33<sup>rd</sup> Street, Kelly to Santa Fe, is continuing. He noted the drainage structures and grading on the north side are approximately 70% complete and installation of the sewer line is approximately 50% complete. The City's share of this project is 20%, approximately \$970,000. Mr. Stevens stated work continues on the western section of the Fink Park to Hafer Park trail and should be completed around the end of January, 2007. He noted construction on the eastern section should begin in the next few months and the pedestrian bridge at Hafer Park has been ordered. Phase II is estimated to be complete by the end of May, 2007. He stated Phase II of the Fire Training Facility at Cross Timbers is expected to be complete by the end of this year. Mr. Stevens stated all but \$55,000 of the construction budget of \$2.7M was funded from the Fire Public Safety Limited Tax Fund. He stated a primary concept plan for potential Arcadia Lake improvements at 33<sup>rd</sup> Street has been developed and the Parks

and Recreation staff are working with the Fish and Game Commission regarding this area. Staff is planning to utilize 75% grant funding from the Sports Fisheries Restoration program through the Oklahoma Department of Wildlife Conservation for the fishing related amenities. He noted staff is currently considering a recommendation of a firm for design services for the initial phase of the project. Mr. Stevens stated staff is ready to move forward with bidding the City's improvements at the intersections of Vista Lane and Bradbury Lane on Edmond Road. He stated it has come to their attention that The Falls residential development will require an eastbound right turn lane and a westbound left turn lane into their development so as not to impede traffic on 2<sup>nd</sup> Street. The developer is also planning to widen Vista Lane further south to accommodate traffic into their development. Mr. Stevens stated the developer estimates the project will take at least 90 days to complete and obtain approval from the Oklahoma Department of Transportation. He stated staff and the developers have agreed the best solution to this problem would be to delay the City's project and bid both projects at the same time to minimize the traffic disruptions on 2<sup>nd</sup> Street.

Councilmember Sanford stated a few years ago the City had discussions with the Oklahoma County Commissioners regarding resurfacing the street to the Corp of Engineers gate at Arcadia Lake on 33<sup>rd</sup> Street and she asked if staff has had any further discussions with the County Commissioners' office regarding participating in a partnership to improve the street due to it's dismal condition.

Jim Bowlin, Director of Parks and Recreation, addressed Council and stated at the last Fish and Game Commission meeting that idea was discussed. He stated they are pursuing the idea and a member of the Commission will attempt to contact the County Commissioners' office since a new commissioner was elected in November. Mr. Bowlin stated they hope with the new commissioner in place that they will receive positive feedback on improvements to 33<sup>rd</sup> Street and also replacement of the gate.

- B. **Presentation and discussion on purpose based budgeting by Mike Crawford with Crawford & Associates, P.C.** Mr. Crawford addressed Council and stated he wrote new legislation that was adopted by the Oklahoma Legislature

this year that went into effect on July 1, 2006, regarding purpose based budgeting. He noted this was a change from the fund based budgeting that municipalities have prepared for many years. Mr. Crawford stated he has had several meetings with staff and the consensus of all involved was that it was too early to move to the purpose based budgeting due to the many changes that were instituted in the last year. He stated the Financial Services staff prepared the documentation of the FY 2006/2007 budget into a format that he felt allowed more transparency and readability for the public. He stated the purpose based format would be a supplement to the fund based budget and would be provided to citizens who requested a copy of the budget and also included on the City's website.

Councilmember Sanford stated she was in favor of the new format because it is easier to understand. She noted the new format shows how funds are being spent and she felt it was a great improvement.

Councilmember Lamb stated he liked the addition of the new format but still using the fund based budget for appropriations. He stated this new format with the section on performance and demographic data allows the public to see community assets and just how much the Council is responsible for.

Mayor Naifeh expressed her appreciation to Mr. Crawford for his presentation and stated she felt a workshop would need to be scheduled early in 2007 as the Council is beginning to set their priorities for the next year.

**4. GENERAL CONSENT ITEMS:** (General Consent Items were voted on collectively except where noted.)

**A. Approval of Administrative Items:**

1) **Approval of transfer of appropriations for 2000 Capital Improvement Tax Fund and Park Tax Fund - \$20,809.93.** Ordinance 2.96 requires that 1% of construction costs be transferred to the Art in Public Places Fund at the end of the fiscal year. Staff determined 1% of two projects that were under contract but not completed failed to be transferred. Councilmember Lamb requested Council consider a different method for applying the 1% of construction costs. He recommended the percent be applied when the

contract is issued and on any following change order s. He stated this has been a concern of several members of the Capital Improvements and Financing Task Force and would allow the City to capture the 1% earlier and move forward on City projects. He requested this issue be addressed in the future.

2) **Approval of FY 2005 Community Development Block Grant (CDBG) Consolidated Annual Performance and Evaluation Report "CAPER".**

3) **Approval of Ordinance No. 3069 repealing Chapter 4.56 of the Edmond Municipal Code providing for Taxicab regulation; providing for Repealer, Severability and Declaring an Emergency.**

Motion by Lamb, seconded by Page, to attach Emergency Clause to Ordinance No. 3069. **Motion carried** as follows and Ordinance No. 3069 is in effect immediately:

AYES: Mayor Naifeh, Councilmembers Page,  
Sanford and Lamb  
NAYS: None

B. **Approval of Purchases:**

1) **Approval of maintenance and support agreement renewal with Motorola for the Motorola radio infrastructure in the annual amount of \$63,695.64.**

2) **Approval of revised Resolution No. 31-06 with the Oklahoma Department of Transportation for the 2<sup>nd</sup> Street widening and signals, Vista Lane and Bradbury Drive in the amount of \$1,300,000.**

3) **Approval of Change Order No. 2 with Weaver Contracting, Inc. for the 3<sup>rd</sup> Community Park, 33<sup>rd</sup> Street and Boulevard, Phase 1, in the decreased final amount of \$677,514.70.**

4) **Approval of contract with MGR, Inc. for design of the north section of Fretz Road Extension project in the amount of \$38,800.**

5) **Award of bid and approval of agreement and Resolution No. 32-06 appointing Purchasing Agent for the 33<sup>rd</sup> Street Waterline Improvements, Coltrane to I-**

**35, for the Engineering Department.** Purchasing Agent recommended accepting bid from Luckinbill, Inc. in the amount of \$459,067.20.

6) **Approval of budgeted funds for capital and operating expenditures for the Guthrie/Edmond Regional Airport in the amount of \$14,700.78.** Mayor Naifeh requested signage be placed in the City noting that Edmond is a partner in the regional airport in Guthrie.

Motion by Lamb, seconded by Sanford, to approve General Consent Items 4.A.(1-3) and 4.B.(1-6). **Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Page,  
Sanford and Lamb  
NAYS: None

**5. Public Hearing and Consideration of Ordinance No. 3070 amending Chapter 8.08 of the Edmond Municipal Code to add new section 8.08.295, Permitting or Allowing Gatherings where Minors are consuming alcoholic beverages; providing for Repealer and Severability.** The proposed ordinance will provide an enforcement tool for the Police Department to hold persons responsible who provide alcoholic beverages to minors at parties and other gatherings.

Mayor Naifeh expressed her appreciation to the task force that she formed to address the issue of underage drinking in the community. She stated the task force recommended adoption of the ordinance known as a Social Host Ordinance. She stated as a member of a state under-age drinking task force appointed by Oklahoma Governor Brad Henry, this issue is very important to her and she urged Council to approve the ordinance.

Jim Carlisle (Director of Alternative Education and Principal of Boulevard Academy), Lt. Tom Custer (Edmond Police Department) and Pat Nichols (Parents Helping Parents) all addressed Council in support of the ordinance.

Motion by Sanford, seconded by Lamb, to approve Ordinance No. 3070 as read by title by City Attorney. **Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Page,  
Sanford and Lamb

NAYS: None

Motion by Lamb, seconded by Page, to recess the City Council meeting in order to convene the Edmond Public Works Authority meeting. **Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Page,  
Sanford and Lamb

NAYS: None

9. **PLANNING CONSENT ITEMS:**

- A. **Public Hearing and Consideration of Site Plan approval for an Acacia Fraternity House, located on the east side of Chowning, east of University Drive (Acacia Alumnae Association, applicant) Case No. SP060054.**
- B. **Public Hearing and Consideration of commercial Site Plan approval for a two-story office building, located on the east side of Boulevard, one-eighth mile north of Smiling Hills Boulevard, south of Fisher Drive (Turner and Company, Inc., applicant) Case No. PR060055.**
- C. **Consideration of Final Plat of Fisher Hall South, located south of Fisher Drive, east side of S. Boulevard (Turner and Company, Inc., applicant) Case No. PR060027.**
- D. **Public Hearing and Consideration of Site Plan approval for apartments, located west of Kelly, south of Covell Road, northwest side of Covell Village Drive (Enclave Apartments, SC Bondner Company, applicant) Case No. SP060053.** The applicant is planning 149 units. The lights will be standard residential lights 20 feet in height and two driveways are proposed on Covell Village Drive. No sight proof fencing is required. The exterior walls will be a combination of brick and vinyl siding. The refuse facilities will be collected from an interior location in the buildings. Planning Commission recommended approval.

Councilmember Page asked how the number of units was determined.

Bob Schiermeyer, City Planner, addressed Council and stated the applicant was able to count the detention facility under the PUD as part of the land use area. He noted the detention area cannot be counted for landscaping because the pond currently contains water since it serves as a

project wide detention facility. He noted the application complies with the landscaping requirements.

Earnest Isch, project engineer, addressed Council and stated building entrances are secured and the apartment complex has an indoor pool, community room, billiards room and a workout facility. He noted that immediately to the east is commercially zoned property on which could be constructed some "big box" stores. He felt the height of the apartment buildings would help screen the back of some of the future commercial property as it develops. Stormwater will be detained by the existing detention facility for this development as well as the future commercial development.

Dan O'Neil, representing the Edmond Neighborhood Alliance, addressed Council and stated the apartment complex is located on five acres that is not part of the detention facility and the detention facility is located five acres. He stated in the past Council has not allowed a regional detention facility to be counted to determine the number of units allowed. Mr. O'Neil stated they are being allowed to double count by using land that was intended for other uses as part of this development. He also stated he felt residents should not be responsible for maintenance of the detention facility that would also be used by the entire area. He noted that although the applicant has suggested that the detention facility would be jointly maintained by the residents and commercial development, he felt if the detention facility is platted with the residential development, those residents would end up being responsible for maintenance costs. Mr. O'Neil also asked who would maintain the proposed swimming pool on the northwest corner of the property and if it would be jointly used by apartment residents or the entire area.

Derek Turner addressed Council and stated he would be developing the remainder of the property in that area. He noted the PUD was approved in advance for 150 apartment units. He stated the community center would be owned and maintained by the homeowners association. He stated the multi-family project as well as the other projects will have access to the homeowners association common property which is outlined in the PUD document. Mr. Turner stated the maintenance costs for all the commonly used facilities and the detention facility will be weighted more heavily for the multi-family and commercial uses. He noted this

project is similar to other projects in the City and this type of cluster PUD development is typically done on a regular basis.

Motion by Lamb, seconded by Page, to approve Planning Consent Item 9.D. **Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Page,  
Sanford and Lamb  
NAYS: None

**E. Consideration of approval of Correction of Plat Certificate for Lots 6 and 7, Block 2, Hunter's Creek IV Addition, located west of Kelly, south of Coffee Creek Road.**

Motion by Lamb, seconded by Page, to approve Planning Consent Items 9.A. through 9.C. and 9.E. **Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Page,  
Sanford and Lamb  
NAYS: None

**10. Public Hearing and Consideration of Site Plan approval for an office building, located north of 33<sup>rd</sup> Street, west of Kelly (Melton Parke/Omni Eye Center, applicant) Case No. SP060052.** The site contains .80 acres and a one-story building is planned. Two driveways are planned, one onto 33<sup>rd</sup> Street and one onto Hidden Prairie Way. Two off-site driveway easements will be needed in order to provide for shared driveways in the future and driveway separation. No fencing is required except for the dumpster enclosure. Sanitary sewer will be extended off site and 37 parking spaces are provided. Planning Commission recommended approval.

Doug Klassen, MKEC Engineering, addressed Council and stated the applicant has reduced the parking spaces to 30 by expanding most of the parking spaces to a 10 foot width. He stated the parking lot is also slightly smaller than originally planned.

Motion by Lamb, seconded by Page, to approve Item No. 10. **Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Page,  
Sanford and Lamb  
NAYS: None



**11. Consideration of Final Plat of office building, locate north of 33<sup>rd</sup> Street, west of Kelly (Melton Parke, Omni Eye Center, applicant) Case No. PR060026.** This is a companion to the above item and was discussed at that time.

Motion by Lamb, seconded by Page, to approve Item No. 11.  
**Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Page,  
Sanford and Lamb  
NAYS: None

**12. Public Hearing and Consideration of Ordinance No. 3071 amending Edmond Plan III from General Commercial Planned Unit Development (PUD) to Restricted Commercial PUD, located on northeast corner of Broadway and Blanch (Hope Center of Edmond, applicant) Case No. Z060034.** The applicant plans a resale or thrift store use of the property. The building will be similar to the design of the Hope Center office to the northwest of this location on Broadway. The alley will need to be improved on the north side of the property and parking will be located off the alley. Diagonal parking is also planned on Blanch and at the back of the building connecting the alley with the curb cut on Blanch. The majority of the landscaping will be along Blanch. The Central Edmond Urban Development Board recommended the applicant amend their PUD Design Statement to this lesser zoning category. The original plan was for a two-story building with office/retail on the lower level and apartments on the top floor. Planning Commission and Central Edmond Urban Development Board recommended approval.

Councilmember Lamb stated the Urban Board approved the original proposal due to the mixed residential and retail uses of the building. He stated the proposed project does not require the residential feature and in order to avoid setting precedent along Broadway for further general commercial development, the Board requested the Hope Center to revise their application.

Motion by Lamb, seconded by Page, to approve Ordinance No. 3071 as read by title by City Planner. **Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Page,  
Sanford and Lamb  
NAYS: None

Motion by Lamb, seconded by Page, to attach Emergency Clause to Ordinance No. 3071. **Motion carried** as follows and Ordinance No.

3071 is in effect immediately:

AYES: Mayor Naifeh, Councilmembers Page,  
Sanford and Lamb  
NAYS: None

**13. Public Hearing and Consideration of Ordinance No. 3072 rezoning from "E-1" General Commercial Planned Unit Development (PUD) to "D-1" Restricted Commercial PUD, located on northeast corner of Broadway and Blanch (Hope Center of Edmond, applicant) Case No. Z060034.** This is a companion to the above item and was discussed at that time.

Motion by Lamb, seconded by Page, to approve Ordinance No. 3072 as read by title by City Planner. **Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Page,  
Sanford and Lamb  
NAYS: None

**14. Public Hearing and Consideration of extension of the existing Planned Unit Development (PUD) known as Edmonton North, located south of 15<sup>th</sup> Street, east of I-35 (Land Improvement, LLC, applicant) Case No. Z060082.** The original PUD was approved in 1985 and extensions were approved on December 10, 1990, and December 11, 1995. The Council has not taken action to reverse any PUD in over 30 years. The Edmond Plan map has shown this property as "L-4" PUD since the original PUD was approved in 1985. Planning Commission recommended approval.

Dennis Box, attorney representing the applicants, addressed Council and stated the landscaping will comply with the 30% requirement in the I-35 Corridor. He stated if the PUD is extended, the applicant will submit a site specific plan for approval. He stated the applicant will continue to meet with residents as the project develops.

David Silverstein, one of the applicants, addressed Council and presented a short slide show of existing developments in other states and stated the proposed development would be consistent with those developments. He stated the development would be an amenity to the City of Edmond. Mr. Silverstein noted the applicants are not speculators and will not move forward with the project until they have leases in place.

Eric Groves, attorney representing a Lake Highlands resident and the non-profit group East Edmond Forestry, Inc., addressed

Council in opposition. He stated the Municipal Code does not contain a provision to allow Council to extend or renew a PUD that has expired. He stated the only time a PUD can be extended or renewed is if the PUD has been partially developed. He noted the proposed PUD has not been developed at all. He requested Council follow City code and require the property to revert back to the original zoning designation. Mr. Groves stated the extensions of the PUD approved in 1990 and 1995 do not comply with the law and are not valid. He stated he felt the applicant should be required to start the process over with the zoning, PUD and plan review.

Tim Reese, attorney representing the Edmond Neighborhood Alliance, also addressed Council in opposition. He noted the ENA does not support or oppose the extension but felt Council should follow the law. He noted there have been many changes in the City since 1985 and he felt the applicant should be required to go back through the process and follow the new standards that are now in place.

It was noted by City staff that the applicant will be required to comply with all current code requirements.

Sandy Lichtenwalter (Lake Highlands Addition) and David Lashley (Fountain Gate Estates) also addressed Council in opposition. The opponents felt the large development would change their lifestyle and surroundings. Mr. Lashley requested the property revert back to "R-2" Rural Estate Dwelling to allow the residents the opportunity for input into any proposed development for that area. He stated he was concerned about increased traffic and crime and other environmental impacts from a development of that size.

Steve Murdock stated his opinion was that City codes did not prohibit Council from extending the PUD. He stated he has advised past Councils that if a PUD extension is denied, they take action to revert the property back to the original zoning by sending legal notices to the applicant. He stated the applicant would then be required to show cause to Council why the property should not revert back. Mr. Murdock stated this has not been done in over 30 years by any Council and it has been the practice to approve PUD extensions.

Motion by Lamb, seconded by Sanford, to approve Item No. 14.

**Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Sanford

and Lamb  
NAYS: Councilmember Page

15. **Public Hearing and Consideration of Ordinance No. 3073 amending Edmond Plan III from Neighborhood Commercial to High Density Residential and Commercial Services usage, located east of the southeast corner of Bryant and Kickingbird Boulevard (Place Properties, applicant) Case No. Z060079.** The site contains 7.09 acres and 112 apartments are possible. Apartments and townhomes are located to the west and southwest. A medical office building is located to the north and retail and office uses are located on the west side of Bryant. The property will need to be platted and a site plan submitted for approval. Planning Commission recommended approval.

Randel Shadid, attorney representing the applicant, addressed Council and stated the target market for the development is students who attend the University of Central Oklahoma. He stated the application is compatible with the area and adjoining uses and is within walking distance of bus services and the Eddy trolley service. Mr. Shadid stated the buildings will not exceed three-stories in height. He stated the allowable density of the apartments is 16 units per acre.

Dan O'Neil, representing residents of Woodcreek Townhomes, addressed Council and requested the property be rezoned to "C-2" Medium Density Residential Dwelling which only allows for 8 units per acre. He stated the lesser density would be more compatible with the surrounding area.

Mayor Naifeh stated she would prefer that the current zoning be maintained due to the depletion of inventory in the Neighborhood Commercial zoning category along Bryant. She stated the current zoning allows for retail and office developments which provides funds for infrastructure needs in the City. Mayor Naifeh stated she felt it was important to keep a portion along Bryant for commercial development.

Motion by Lamb, seconded by Sanford, to approve Ordinance No. 3073 as read by title by City Planner. **Motion carried** as follows:

AYES: Councilmembers Page, Sanford and Lamb  
NAYS: Mayor Naifeh

Motion by Lamb, seconded by Page, to attach Emergency Clause to Ordinance No. 3073. **Motion carried** as follows and Ordinance No.

3073 is in effect immediately:

AYES: Mayor Naifeh, Councilmembers Page,  
Sanford and Lamb  
NAYS: None

**16. Public Hearing and Consideration of Ordinance No. 3074 rezoning from "D-2" Neighborhood Commercial to "C-3" High Density Residential and Commercial Services, located east of the southeast corner of Bryant and Kickingbird Boulevard (Place Properties, applicant) Case No. Z060080.** This is a companion to the above item and was discussed at that time.

Motion by Lamb, seconded by Sanford, to approve Ordinance No. 3074 as read by title by City Planner. **Motion carried** as follows:

AYES: Councilmembers Page, Sanford and Lamb  
NAYS: Mayor Naifeh,

**17. Public Hearing and Consideration of commercial Site Plan approval for a house conversion, located on the southwest corner of Wayne and Jackson, 525 N. Jackson (Marianna Lloyd, applicant) Case No. SP060048.** The lot contains 21,000 square feet and the existing home is three-story. The 3<sup>rd</sup> floor of the building has been sealed off with no stairway to the top floor and cannot be used without a fire sprinkler system. Light poles are not provided but will be included on the house as it is converted. One driveway on Jackson is planned and no fencing is proposed or required. Planning Commission recommended approval.

Motion by Lamb, seconded by Page, to approve Item No. 17. **Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Page,  
Sanford and Lamb  
NAYS: None

**18. Public Hearing and Consideration of commercial Site Plan approval for Allstar Mercedes, located south of 15<sup>th</sup> Street, east side of Kelly Avenue, north of Time Tool Rental (Patti and Rodney Hester, applicants) Case No. SP060049.** The lot contains 72,000 square feet. The front of the building will be constructed with a combination of metal panels and EFIS. No light poles are planned, only wall pack lights. One driveway will be constructed on Kelly and will be shared with future buildings to the south or east. No fencing is proposed and 22

parking spaces are planned. The site will contain one ground sign on Kelly. Planning Commission recommended approval.

Motion by Lamb, seconded by Sanford, to approve Item No. 18. **Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Page,  
Sanford and Lamb  
NAYS: None

19. Public Hearing and Consideration of commercial Site Plan approval for a new restaurant, located north of Danforth, west of Kelly, south of Tinker Federal Credit Union (Carl's Jr., applicant) Case No. SP060035. Mayor Naifeh stated this item would be continued to January 8, 2007, at the request of the applicant.

20. Public Hearing and Consideration of Special Use Permit to include Site Plan approval for a car wash, located on the northwest corner of Danforth and Kelly, 905 W. Danforth (Auto Spa Car Wash/Brent Niles, applicant) Case No. U060007. Mayor Naifeh stated this item would be continued to January 8, 2007, at the request of the applicant.

21. Public Hearing and Consideration of commercial Site Plan approval for a five-story building, located on the southwest corner of 5<sup>th</sup> Street and Littler (Mark Neighbors, applicant) Case No. Z060075. Mayor Naifeh stated this item would be continued to January 22, 2007, at the request of the applicant.

22. Executive Session to discuss the following pending claim/litigation (Executive Session authorized pursuant to 25 Okla. Stat. Section 307(B)(4)):

Browning vs. City of Edmond

Motion by Sanford, seconded by Page, to meet in Executive Session to discuss the above pending claim. **Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Page,  
Sanford and Lamb  
NAYS: None

Mayor and Councilmembers recessed to the City Council Conference Room at 8:06 p.m. and returned to the City Council Chambers at 8:15 p.m.

Motion by Lamb, seconded by Page, to adjourn Executive Session.  
**Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Page,  
Sanford and Lamb  
NAYS: None

**23. Consideration of action with regard to the above claim/  
litigation.**

Motion by Page, seconded by Lamb, to authorize City Attorney to proceed with settlement negotiations on the above claim. **Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Page,  
Sanford and Lamb  
NAYS: None

**24. NEW BUSINESS:**

Mayor Naifeh stated the Parade of Lights held on December 8<sup>th</sup> was a success and she thanked all the citizens for attending.

Mayor Naifeh announced the next meeting will be held on Thursday, December 21<sup>st</sup> due to the holiday season.

**25. Motion by Lamb, seconded by Page, to adjourn meeting.  
Motion carried** as follows:

AYES: Mayor Naifeh, Councilmembers Page,  
Sanford and Lamb  
NAYS: None

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City Clerk

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Mayor