

EDMOND CITY COUNCIL MINUTES

August 13, 2007

Mayor Dan O'Neil called the regular meeting of the Edmond City Council to order at 5:30 p.m., Monday, August 13, 2007, in the City Council Chambers.

2. Approval of Minutes. Motion by Lamb, seconded by Miller, to approve July 23, 2007, Minutes. **Motion carried** as followed:

AYES: Mayor O'Neil, Councilmembers Page, Waner, Lamb and Miller
NAYS: None

3. City Council Presentations:

A. **City Manager's Progress Report.** Larry Stevens addressed Council and stated the contractor anticipated the OSBI Forensic Science Center will be substantially completed by November 2nd. He stated the Fretz Road improvements project (4th to 10th Streets) is behind schedule due to the earlier rainy weather and is scheduled for completion by the end of October. Mr. Stevens stated the 15th Street and Coltrane signal project is scheduled to be bid by the Oklahoma Department of Transportation (ODOT) by the end of this month. The entire project will be paid by Federal funds because of safety considerations. He stated the City is having problems finding a contractor who can move the house in an appropriate time frame. He noted the footings and piers will be installed in Stephenson Park after the house is moved. Mr. Stevens stated a Notice to Proceed regarding the intersection improvements at Vista Lane and Bradbury Lane on 2nd Street was issued last month. The initial construction began this week and involves drainage structures for the project. He noted the entire project is funded by the City through the 2000 Capital Improvements Sales Tax. Mr. Stevens stated staff is currently reviewing deliverables submitted by four firms for a potential public safety center. He stated a recommendation will be made to the Needs Assessment Committee in the near future and those recommendations will then be submitted to the Public Works Committee on August 29th and submitted to City Council on September 10th for formal consideration.

4. Appointments to Boards and Commissions:

- A. **Appointment to the Parks and Recreation Advisory Board.**
Councilmember Page nominated Steve Ancik for re-appointment to serve a term expiring in July, 2011.
- B. **Appointment to the Central Edmond Urban Development Board.**
Councilmember Lamb nominated Dyke Hoppe for appointment to serve a term expiring in August, 2010.
- C. **Appointment to the Employee Pension and Retirement Board.**
The Board nominated Johnny Carter and Travis Sallee for re-appointment to serve a term expiring in September, 2009.
- D. **Appointment to the Employee Pension and Retirement Board.**
The Board nominated Roberta Smith for re-appointment to serve a term expiring in July, 2009.
- E. **Appointment to the Parks and Recreation Advisory Board.** The Board nominated Ed Cunliff for appointment to serve a term expiring in July 2010.

Motion by Waner, seconded by Lamb, to approve Items 4.A. through 4.E. **Motion carried** as follows:

AYES: Mayor O'Neil, Councilmembers Page, Waner, Lamb and Miller
NAYS: None

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

A. **Approval of Administrative Items:**

- 1) **Approval of Resolution No. 28-07 establishing the 9-1-1 Emergency Telephone fee rate for calendar year 2008.**
- 2) **Approval of Resolution No. 29-07 to program a transportation project at 33rd Street and Broadway in the amount of \$545,156.26, for the City's 20% share of costs.**
- 3) **Approval of new ground Hangar Lease Agreement with Capulet, LLC for hangar Site No. 16 located at the Guthrie/Edmond Regional Airport.**
- 4) **Approval to amend Ron and Toni Jewell's ground hangar lease agreement for Site No. 16 located at the Guthrie/Edmond Regional Airport allowing the sale of one of their two hangars to Capulet, LLC.**

- 5) Acceptance of electric easement from Anthony and Marian Moon for electric service at 2401 Westminister.
- 6) Acknowledge receipt of construction permits from the Oklahoma Department of Environmental Quality to serve Cheyenne Springs Business Park.
- 7) Acceptance of utility easement from Ho C. and Young W. Kang to serve Cheyenne Springs Business Park
- 8) Approval to negotiate and finalize a contract with Fox Lawson and Associates to assist in reviewing and developing an employee performance management system, not to exceed \$75,000.
- 9) Approval of a Conditional Letter of Map Revision (CLOMR) application to the Federal Emergency Management Agency (FEMA), a floodplain development permit, and a Title 23 variance for Coffee Creek Tributary 2, located north of Covell Road.
- 10) Approval of contract with Francis Tuttle Technology Center for on-site facilitation services for management planning meetings for FY 2007/08 as a sole source vendor in the annual estimated amount of \$10,000.

Motion by Lamb, seconded by Miller, to approve General Consent Items 5.A.(1-10). Motion carried as follows:

AYES: Mayor O'Neil, Councilmembers Page, Waner, Lamb and Miller
NAYS: None

B. Approval of Purchases:

- 1) Approval for Crawford & Associates, P.C. to provide the preparation of the Comprehensive Annual Financial Statements (CAFR) and annual Performeter analysis for fiscal year ending June 30, 2007 in the amount of \$42,000.
- 2) Approval for John M. Arledge and Associates, P.C. to provide audit services of FY 2006/07 Financial Statements in the amount of \$32,000.
- 3) Approval of disposition by the Purchasing Manager for printing of monthly newsletter and optional inserts

(including renewal options) for the Marketing Department in the annual estimated amount of \$30,000.

- 4) Approval of funding of design services to provide exterior renderings of original core Central Business District (CBD) buildings as requested by the Central Edmond Urban Development Board in the amount of \$10,000.
- 5) Approval of budgeted funds for capital and operating expenditures for the Guthrie/Edmond Regional Airport in the amount of \$13,994.79.
- 6) Approval of recommendations by the Airport Board to approve FY 2007/08 operational expenses for Guthrie/Edmond Regional Airport in the amount of \$85,000; and approval of supplemental appropriations for capital improvements budget in the estimated maximum amount of \$59,275.
- 7) Award of bid for automated side load units (3) for the Fleet Management Department. Purchasing Manager recommended accepting bid from United Engines in the amount of \$595,508.21.
- 8) Approval of Change Order No. 1 with Miller-Tippins Construction Company for the Kickingbird Tennis Center project in the amount of \$15,960.
- 9) Approval of Change Order No. 1 with Weaver Contracting, Inc. for the Bickham-Rudkin Community Park, Phase II project in the amount of \$12,775.
- 10) Award of bid to L.G. Construction for rehabilitation of owner-occupied house located at 212 E. 4th Street in the amount of \$39,716 for the Community Development Block Grant (CDBG) program.

Motion by Miller, seconded by Page, to approve General Consent Items 5.B.(1-10). **Motion carried** as follows:

AYES: Mayor O'Neil, Councilmembers Page, Waner, Lamb and Miller

NAYS: None

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

AYES: Mayor O'Neil, Councilmembers Page, Waner, Lamb and
Miller
NAYS: None

Mayor O'Neil reconvened the City Council meeting.

8. Public Hearing and Consideration of Specific Use Permit for the Oasis Church, 322 S. Santa Fe in the Willow Creek Shopping Center, located on the east side of Santa Fe, south of W. Edmond Road (James Fortune, applicant) Case No. U070011/SP070037 The building contains approximately 2,400 square feet. The shopping center is developed and no new construction is required. No additional ground sign will be installed for use by the church. Planning Commission recommended approval.

Councilmember Miller stated in the past approval has been tied to the term of the lease.

Councilmember Lamb stated in the past the term of the Specific Use Permit has been approved for one to two years. He stated even though Council has been willing to extend the term, he would prefer to stay with a short term limit that is not tied to the lease term.

Rich Burkholder addressed Council representing the applicant and stated the lease was for three years. He stated the church attempted to get a shorter lease but the owner was not agreeable to anything under three years.

General discussion was held and consensus of Council was to set a two-year limit. Due to the possibility that an applicant may have a longer lease in the future, Council did not want to tie the approval to the lease term. It was noted that the applicant can re-apply after two years.

Motion by Lamb, seconded by Waner, to approve Item 8 for a term of two years. **Motion carried** as follows:

AYES: Mayor O'Neil, Councilmembers Page, Waner, Lamb and
Miller
NAYS: None

9. Public Hearing and Consideration of Ordinance No. 3103 rezoning from "A" Single Family Dwelling to "E-2" Open Display Commercial District, generally located at 216 W. Edmond Road (Jimmy R. Mitchell, applicant) Case No. Z070015. The property contains 7,000 square feet and consists of two vacant lots, Lots 10 and 11. The property is projected for open display commercial

land use on Edmond Plan IV and no Plan Amendment is required. Planning Commission and the Central Edmond Urban Development Board recommended approval.

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

AYES: Mayor O'Neil, Councilmembers Page, Waner, Lamb and Miller
NAYS: None

Mayor O'Neil stated Items 10 and 11 will be discussed at the same time.

10. Public Hearing and Consideration of Specific Use permit for a retail liquor store, located north of Danforth, east of Ketch Acres (Kop Kang/Cheyenne Springs Business Park, applicant) Case No. U070010. The Site Plan for the shopping center was approved by Council on May 14, 2007, and the liquor store will be the center tenant. There is no change to any of the previous site plan criteria. The Site Plan application was submitted prior to the effective date of the new Title 22 so the sensitive border setback requirements shown in the revised Title 22 were not required at that time. During the Site Plan review process, the applicant agreed to install a six-foot brick fence along the west side of the property next to the Ketch Acres Addition. Planning Commission recommended approval.

Randel Shadid, attorney representing the applicant, addressed Council and stated the applicant will grant 10 additional feet of right-of-way on Danforth if the Specific Use Permit is approved. He noted plans to widen Danforth are not part of the transportation plan in the foreseeable future. Mr. Shadid stated if the additional right-of-way is used it will reduce the detention area. He stated the applicant has agreed, if requested by Council, to install an eight foot brick fence next to the Ketch Acres Addition although he felt a six-foot fence would provide adequate screening and better aesthetics for the homeowners. He noted the application far exceeds landscaping requirements. Mr. Shadid stated the building is being constructed at this time since the Site Plan has previously been approved. He stated the applicant is planning to move his business from it's present location into the new building owned by his parents.

Lydia Lee addressed Council and stated when the property was rezoned and the Site Plan was approved a liquor store was not discussed for this location. She stated when the Site Plan was considered, there was no requirement for a sensitive border since it was not noted by the applicant that a liquor store was planned.

Ms Lee stated Title 22 requires a sensitive border for any Specific Use Permit that abuts residential property. She felt since the application was filed after Title 22 went into effect, the applicant should be required to comply with the sensitive border requirements. She noted Title 22 does not contain any provisions for waiving or modifying the standards unless an eight foot masonry fence or a ten foot landscaping buffer is installed. Ms. Lee stated in her opinion the application can not be approved unless they comply with the sensitive border standards.

Randel Shadid addressed Council and stated the adjacent property owners have not opposed the application. He stated if Ms. Lee's theory is adopted then no existing shopping center abutting single family homes would allow approval of a Specific Use Permit, even if for a church, without removing part of the shopping center.

General discussion was held regarding the height of the fence and Councilmember Miller stated he did not feel that an eight foot fence is appropriate in this instance.

Councilmember Lamb stated since the Site Plan was previously approved under the previous Title 22, he felt this application was appropriate. He noted the new Title 22 specifically notes "new construction" regarding sensitive border for Specific Use Permits. Councilmember Lamb stated he felt the current application did not involve new construction since the applicant has already began construction of the building approved under the previous standards. He noted if the building was already constructed, the sensitive border issue would be a moot point.

Councilmember Waner stated there has been some concern about approving "D-1" zoning on Danforth due to increased traffic. She noted a Specific Use Permit is required for a liquor store due to the high volume of traffic that is generated from this type of business. She stated this area has been discussed several times and she felt the applicant knew all along that he was going to move his liquor store business to this location. She stated she would have preferred to know that a liquor store was planned during the Site plan approval process. Councilmember Waner stated because of the high traffic from this type of business, she would not be able to support the application.

Mr. Shadid stated he felt the only reason a liquor store is categorized for a Specific Use Permit is because of the alcohol issue and not increased traffic. He noted a liquor store would not generate as much traffic as a restaurant. Mr. Shadid stated a restaurant could be constructed on this site by right of the zoning category.

Motion by Lamb, seconded by Miller, to approve Item 10 as submitted. **Motion carried** as follows:

AYES: Mayor O'Neil, Councilmembers Page, Lamb and Miller
NAYS: Councilmember Waner

11. Consideration of Final Plat of Cheyenne Springs Addition, located north of Danforth Road just over 1000 feet west of Kelly (Kop Kang, applicant) Case No. PR070009. The Final Plat includes one lot and utility easements are shown on the east and west sides of the property. A 25 foot drive easement was previously closed and the applicant provided an easement allowing the City and the commercial development access to the property. The property contains an ONG easement on the west side of the property and an additional 10 foot utility easement is being granted. A 50 foot right-of-way easement along Danforth is identified on the plat and the owner is willing to grant 10 additional feet. A sanitary sewer easement has also been granted by the property owner to the north for an off-site extension of the sanitary sewer line. Planning Commission recommended approval.

Motion by Lamb, seconded by Miller, to approve Item 11 subject to the 10 foot right-of-way easement on Danforth. **Motion carried** as follows:

AYES: Mayor O'Neil, Councilmembers Page, Waner, Lamb and Miller
NAYS: None

12. Public Hearing and Consideration of amendment to the Spring Creek Village Planned Unit Development (PUD) Design Statement to allow a boutique winery/vintner's cellar, located north of 15th Street, west of Bryant (Charles Ballenger, applicant) Case No. Z060083. The building will contain a maximum of 2,750 square feet. The conditions of the boutique winery will eliminate bar or tavern uses and sales of other alcoholic beverages including beer and liquor. Planning Commission recommended approval.

Randel Shadid addressed Council representing the applicant. He stated the applicant researched several locations in the metro area and determined this was the best location for his business. Mr. Shadid stated the proposed application is for a single use only and if the winery ceases to be used for six months, the property reverts back to only the uses allowed in "D-1" Restricted Commercial zoning. He stated the remainder of the PUD remains the same.

Councilmember Lamb stated City staff researched this matter thoroughly in order to assist the applicant in finding a place for

this unique business. He noted the "E-LU zoning district is best because this district was created around the manufacturing aspect of a business to address an issue that occurred some years ago regarding a candle shop. He stated after much discussion staff felt the "E-LU" district was needed to address these types of businesses. He noted he felt it would add interest to the area.

Motion by Lamb, seconded by Page, to approve Item 12. **Motion carried** as follows:

AYES: Mayor O'Neil, Councilmembers Page, Waner, Lamb and Miller
NAYS: None

13. Public Hearing and Consideration of Ordinance No. 3104 rezoning from "D-1" Restricted Commercial Planned Unit Development (PUD) to "E-LU" Heavy Commercial Limited usage for a boutique winery in the Spring Creek Village Center, located north of 15th Street, west of Bryant (Todd Hall/Vintner's Cellar, applicant) Case No. Z070016. This is a companion to the above item. The applicant is requesting to rezone only the tenant area containing a 50 foot wide by 278 foot deep portion of the existing shopping center. The proposed business is a winery without the vineyard and is a make your own wine store. Bottled wine made at the store will be for sale and possibly gift baskets of various products. Title 22 does not have a definition for a winery but in checking with other municipalities this type of business is located in general commercial or community zoning districts, not a neighborhood zoning category under which Spring Creek Village falls. There are no exterior building or site changes proposed other than a sign. Planning Commission recommended approval.

Motion by Miller, seconded by Lamb, to approve Ordinance No. 3104 as read by title by City Planner. **Motion carried** as follows:

AYES: Mayor O'Neil, Councilmembers Page, Waner, Lamb and Miller
NAYS: None

14. Public Hearing and Consideration of Ordinance amending Edmond Plan III from Single Family Residential to Restricted Commercial Planned Unit Development (PUD) usage, located south of Coffee Creek Road between Douglas and Post Roads (62.7 acres) (Caliber Development, applicant) Case No. Z060089. The applicant requested this item be continued to September 24, 2007.

15. Public Hearing and Consideration of Ordinance rezoning from "R-2" Urban Estate Dwelling District to "D-1" Restricted Commercial Planned Unit Development (PUD), located south of Coffee

Creek Road between Douglas and Post Roads (62.7 acres) (Caliber Development, applicant) Case No. Z060092. This is a companion to the above item and the applicant also requested it be continued to September 24, 2007.

16. Public Hearing and Consideration of Ordinance amending Edmond Plan III from Single Family Residential to Single Family Planned Unit Development (PUD) usage, extending from Sorghum Mill Road south to Covell between Douglas and Post Roads including a tract of land west of Douglas north of Covell Road (698.61 acres) (Caliber Development, applicant) Case No. Z060083. The applicant requested this item be continued to September 24, 2007.

17. Public Hearing and Consideration of Ordinance rezoning from "R-2" Urban Estate Dwelling Planned Unit Development (PUD) and "R-2" Urban Estate Dwelling District to "A" Single Family PUD, extending from Sorghum Mill Road south to Covell between Douglas and Post Roads including a tract of land west of Douglas north of Covell Road (698.61 acres) (Caliber Development, applicant) Case No. Z060084. This is a companion to the above item and the applicant also requested it be continued to September 24, 2007.

Motion by Waner, seconded by Page, to continue Items 14-17 as requested by the applicant. **Motion carried** as follows:

AYES: Mayor O'Neil, Councilmembers Page, Waner, Lamb and Miller
NAYS: None

18. Consideration of request to reconsider the commercial Site Plan for two new buildings, located on the south side of Campbell, west of Littler (Pete Reeser, applicant) Case No. SP070034. Mayor O'Neil stated this item was previously denied by the Council. He noted since that time the applicant has agreed to make some changes to the Site Plan and he felt it would perhaps be appropriate to reconsider the item.

Mary Ann Karns, attorney representing the applicant, addressed Council and stated Mr. Reeser has only agreed to consider making the changes requested by Council. She noted that Mr. Reeser has not reviewed the changes proposed but felt this was an opportunity to further discuss the issues. Ms. Karns stated some issues have been resolved but other issues need further review and discussion.

Motion by Waner, seconded by Page, to reconsider the application at the September 10, 2007, meeting. **Motion carried** as follows:

AYES: Mayor O'Neil, Councilmembers Page, Waner, Lamb and Miller

NAYS: None

19. Discussion and consideration of possible regulation of Municipal election campaigns. Councilmember Page stated he requested this item be placed on the agenda for discussion. He stated he believes the citizens want full accountability during elections as to who is supporting certain candidates or issues. Councilmember Page stated he felt this issue should be addressed on the State level or in the City Charter. He noted that if a citizen in Edmond has a problem with non-disclosure, they must address it at the state level which he felt is not the best way to resolve municipal issues. He stated perhaps one way to address this problem is requiring all donations, regardless of the amount, to campaigns for either individuals or issues to be disclosed on the ethics forms. Councilmember Page stated he wanted to guard against outside influence and he felt full disclosure was an appropriate method to resolve this issue. He noted at the last election there were major concerns of who was behind several negative brochures that were mailed to citizens. He stated allowing outside entities to become involved in the City's elections by donating hundreds of thousands of dollars without full disclosure is misrepresenting the citizens of Edmond. Councilmember Page stated he felt the citizens should have the right to vote on changing the Charter if that is the direction that Council wants to take.

Mayor O'Neil stated the Charter Review Committee met last Monday to discuss possible changes to the Charter and this issue was discussed. He noted there is a void in state law regarding campaign regulations. He stated state law gives authority to the Ethics Commission to monitor ethics issues but specifically excludes the authority to monitor municipal elections. Mayor O'Neil stated there are rules on the books but no one has the authority to enforce them which creates confusion by the public as to whether the rules are being enforced.

Nancy Nichols, Director of Governmental Relations/City Clerk, addressed Council and stated the ethics reports are filed with her office but there is no penalty for not filing. She stated the Ethics Commission informed her that if there is a problem then it should be referred to the District Attorney. Ms. Nichols stated the District Attorney's office was unwilling to get involved in this matter which gives cities no recourse for further action. She noted both she and the City Attorney have been doing research on the IRS rules regarding 527 organizations. She noted a new ruling was instituted in July which they are still researching. Ms. Nichols agreed that the Charter Review Committee was interested in addressing this issue.

Councilmember Page stated the District Attorney probably felt that the City needed to govern itself. He noted the City does not have any regulations in the Charter or elsewhere that stipulates if a citizen donates to a campaign they must abide by certain rules.

Councilmember Lamb cautioned against making ethics rules so restrictive that individuals will not want to step forward to provide service to their community. He stated the nice thing about the municipal level of service is that there is no party affiliation and anyone can participate and run for election on the Council. He stated he felt that the Council should not mandate regulations that will make it so difficult that candidates are unable to raise funds for campaigning. He noted the negative campaign ads from the last election had the opposite effect than they were intended to have.

Councilmember Waner stated she agreed with Councilmember Page that citizens should be allowed to know who is supporting certain candidates or issues. She also felt Council should be cautious regarding the dollar amounts of contributions and that the Charter Review Committee should further study that issue. She noted she would be interested in what the City Attorney's research determines and how he might guide the Council as well as the Charter Review Committee regarding this issue.

Councilmember Miller stated he agreed with comments from the other Councilmembers but felt by revising the \$200 limit for disclosure Council would be excluding citizens from participating who want to contribute but not have their name appear on a candidate's contribution report. He noted he also did not want to make it easy for out of town/state organizations or individuals to influence elections.

Councilmember Page stated during the last election, an outside entity spent \$185,000 on campaign ads/brochures and he felt citizens had a right to know who was supporting those issues/candidates. He stated he felt there were many citizens who would like to run for elective office but do not want to put their families through a negative campaign such as was the case at the last election. He stated he felt the City needs to raise the election standards to uphold the standards of the community that are already in place. He noted not having formalized rules and regulations are allowing the quality of the City's leadership to be dumbed-down.

Mayor O'Neil stated a consensus needs to be reached as to whether the Council wants to proceed with this issue and request either the Council or the Charter Review Committee to seriously consider this matter as an important issue.

Councilmember Miller stated he would prefer to wait until the Charter Review Committee and the City Attorney have researched this issue before taking any action.

Carl Reherman addressed Council and encouraged them to speak with Edmond's representatives in the State Legislature regarding legislation granting authority to the Ethics Commission to eliminate outside entities from campaigning without filing the proper paperwork. He noted if the Council is not careful, the result could be a lawsuit from the ACLU regarding first amendment rights of citizens to participate in the election process. He stated he felt receiving the authority to change the rules is just as important as actually changing them. Mr. Reherman stated he would be happy to work with Council regarding this issue.

Lydia Lee addressed Council and stated the City has the authority if they provide by charter oversight rights of campaign contributions. She stated the citizens have a right to know who is behind certain groups and organizations who are supporting either candidates or issues. She noted that each person who runs for election is required to periodically submit reports of contributions and also how the money was disbursed. Ms. Lee stated during the last election campaign negative brochures were mailed to citizens and ads placed in the newspapers by a stealth group that did not file any paperwork on who they were, where they lived, who their contributors were or how they disbursed their money. She encouraged Council to address stealth organizations who try to influence municipal elections and keep it from happening again.

Mary Ann Karns addressed Council as a member of the Charter Review Committee, and stated she hoped the City Attorney would be able to provide information that would give the City the right to prohibit 527 organizations from municipal elections. She stated as a charter municipality she felt the City does have the right to approve restrictions regarding their elections. Ms. Karns stated the Charter Review Committee is in a gathering phase and she encouraged citizens to contact a member of the Committee and relay their thoughts on changes to the Charter.

Steve Murdock, City Attorney stated he would research this matter and submit the information to Council.

20. Executive Session to discuss the following pending claims (Executive Session authorized pursuant to 25 Okla. State. Sec. 307 (B)(4)):

Villareal vs. City of Edmond
Correa vs. City of Edmond

21. Executive Session to discuss the purchase of real property located at Post Road and Highway 66 (Executive Session authorized pursuant to 25 Okla. State. Sec. 307 (B)(3)):

Motion by Miller, seconded by Page, to meet in Executive Session to discuss the above items. **Motion carried** as follows:

AYES: Mayor O'Neil, Councilmembers Page, Waner, Lamb and Miller
NAYS: None

Mayor and Councilmembers recessed to the City Council Conference Room at 6:55 p.m. and returned to the City Council Chambers at 7.12 p.m.

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

AYES: Mayor O'Neil, Councilmembers Page, Waner, Lamb and Miller
NAYS: None

22. Consideration of action regarding the above pending claims.

Motion by Lamb, seconded by Miller, to authorize staff to proceed with settlement negotiations on the pending claims. **Motion carried** as follows:

AYES: Mayor O'Neil, Councilmembers Page, Waner, Lamb and Miller
NAYS: None

23. Consideration of action regarding the purchase of real property located at Post Road and Highway 66.

Motion by Lamb, seconded by Miller, to authorize staff to proceed with purchase negotiations on the above property in the amount of \$1.5 million plus closing costs. **Motion carried** as follows:

AYES: Mayor O'Neil, Councilmembers Page, Waner, Lamb and Miller
NAYS: None

24. NEW BUSINESS:

Councilmember Waner stated the Arcadia Lake sweep this past Saturday was a success and she expressed appreciation to all the citizens who participated.

Mayor O'Neil reminded citizens that schools will begin next week and to be attentive to school zones.

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

AYES: Mayor O'Neil, Councilmembers Page, Waner, Lamb and
Miller
NAYS: None

City Clerk

Mayor