

A Regular Meeting of the Troy City Council was held Monday, June 6, 2005, at City Hall, 500 W. Big Beaver Road. Mayor Schilling called the Meeting to order at 7:31 PM.

Mayor Pro Tem Beltramini gave the Invocation and the Pledge of Allegiance to the Flag was given.

**ROLL CALL**

**PRESENT:**

Mayor Louise E. Schilling  
Robin E. Beltramini  
Cristina Broomfield  
David Eisenbacher  
Martin F. Howrylak  
David A. Lambert  
Jeanne M. Stine

**CERTIFICATES OF RECOGNITION:**

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**A-1 Presentations:**

Mayor Schilling presented proclamations on behalf of the City of Troy in recognition of Theresa Harrison as 2004 Police Officer of the Year; Pat Gladysz as 2004 Non-Sworn Police Department Employee of the Year; and Greg Latka as 2005 Fire Fighter of the Year.

Mayor Schilling presented a proclamation to Jamie Martone recognizing him as the 2005 State Swimming Champion in the 50 Yard Freestyle Division on behalf of the City of Troy (Resolution #2005-05-219-E-3).

**CARRYOVER ITEMS:**

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**B-1 No Carryover Items**

**PUBLIC HEARINGS:**

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**C-1 Standard Resolution #4 for Olympia Paving**

Resolution #2005-06-268  
Moved by Beltramini  
Seconded by Stine

WHEREAS, The City Council has caused Special Assessment Roll No. 05.201.1 to be prepared for the purpose of defraying the Special Assessment District's portion of the following described public improvement in the City of Troy;

Bituminous Paving of Olympia Street

WHEREAS, The City Council and the City Assessor have met after due legal notice and have reviewed said Special Assessment Roll and have heard all persons interested in said Special Assessment Roll appearing at said hearing;

WHEREAS, The City Council is satisfied with said Special Assessment Roll as prepared by the City Assessor.

THEREFORE, BE IT RESOLVED, That Special Assessment Roll No. 05.201.1 in the amount of \$46,000.00 is hereby **CONFIRMED** as prepared by the City Assessor, a copy of which shall be **ATTACHED** to, and become a part of the Minutes of this meeting.

Yes: All-7

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### C-2 Standard Resolution #4 for Tacoma Paving

Resolution #2005-06-269

Moved by Eisenbacher

Seconded by Beltramini

WHEREAS, The City Council has caused Special Assessment Roll No. 05.202.1 to be prepared for the purpose of defraying the Special Assessment District's portion of the following described public improvement in the City of Troy;

Bituminous Paving of Tacoma Street

WHEREAS, The City Council and the City Assessor have met after due legal notice and have reviewed said Special Assessment Roll and have heard all persons interested in said Special Assessment Roll appearing at said hearing;

WHEREAS, The City Council is satisfied with said Special Assessment Roll as prepared by the City Assessor.

THEREFORE, BE IT RESOLVED, That Special Assessment Roll No. 05.202.1 in the amount of \$46,000.00 is hereby **CONFIRMED** as prepared by the City Assessor, a copy of which shall be **ATTACHED** to, and become a part of the Minutes of this meeting.

Yes: All-7

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### C-3 Acceptance of Edward J. Byrne Memorial Justice Assistance Grant Program Grant

Resolution #2005-06-270

Moved by Stine

Seconded by Eisenbacher

RESOLVED, That the Troy City Council does hereby **AUTHORIZE** the Troy Police Department to receive a grant and expend funds for the purchase of digital cameras and accessories for the Evidence Technician and Traffic Safety Units; and

BE IT FURTHER RESOLVED, That acceptance of the Local Law Enforcement Block Grant in the amount of \$11,875.00 is hereby **APPROVED** and there is no required City match.

Yes: All-7

## POSTPONED ITEMS:

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### D-1 Rezoning Application – South Side of Henrietta Avenue, South of Big Beaver Road and East of Rochester Road, Section 27 – R-1E to P-1 (Z-695)

Resolution #2005-06-271  
Moved by Eisenbacher  
Seconded by Stine

RESOLVED, That the R-1E to P-1 rezoning request, located on the south side of Henrietta Avenue, south of Big Beaver Road and east of Rochester Road, Section 27, being 10,880 square feet in size, is hereby **GRANTED**, as recommended by City Management and the Planning Commission.

Yes: Eisenbacher, Howrylak, Lambert, Stine, Schilling, Beltramini  
No: Broomfield

## MOTION CARRIED

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### D-2 Facilitation of a Futuring and Strategic Planning Process for the City of Troy by Mr. Ed Barlow

Resolution #2005-06-272  
Moved by Stine  
Seconded by Broomfield

RESOLVED, That the proposed “Facilitation of a Futuring and Strategic Planning Process for the City of Troy by Mr. Ed Barlow” be **POSTPONED** until the June 20, 2005 Regular City Council Meeting.

Yes: All-7

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### D-3 City Council Appointments: Charter Revision Committee

Postponed Resolution  
Resolution  
Moved by Beltramini  
Seconded by Lambert

RESOLVED, That the following persons are hereby **APPOINTED BY THE CITY COUNCIL** to serve on the Boards and Committees as indicated:

**Charter Revision Committee**  
Appointed by Council (7) – 3 years

Cynthia A. Wilsher Term Expires April 30, 2008

William Weisgerber Term Expires April 30, 2008

### **Vote on Resolution to Amend**

Resolution #2005-06-273

Moved by Howrylak

Seconded by Stine

RESOLVED, That the Resolution be **AMENDED** by **INSERTING** Mark Solomon for consideration of reappointment to the Charter Revision Committee with a term expiring April 30, 2008.

Yes: All-7

### **Roll Call Vote for Consideration of Appointment to the Charter Revision Committee**

Mark R. Solomon:	Stine, Broomfield, Eisenbacher, Howrylak, Lambert
William Weisgerber	Schilling, Beltramini, Lambert
Cynthia A. Wilsher:	Stine, Schilling, Beltramini, Broomfield, Eisenbacher, Howrylak

### **Vote on Postponed Resolution**

Resolution #2005-06-274

Moved by Beltramini

Seconded by Lambert

RESOLVED, That the following persons are hereby **APPOINTED BY THE CITY COUNCIL** to serve on the Boards and Committees as indicated:

#### **Charter Revision Committee**

Appointed by Council (7) – 3 years

Cynthia A. Wilsher Term Expires April 30, 2008

Mark R. Solomon Term Expires April 30, 2008

Yes: All-7

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**CONSENT AGENDA:**

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**E-1a Approval of "E" Items NOT Removed for Discussion**

Resolution #2005-06-275  
Moved by Stine  
Seconded by Lambert

RESOLVED, That all items as presented on the Consent Agenda are hereby **APPROVED** as presented with the exception of Item E-3, which shall be considered after Consent Agenda (E) items, as printed.

Yes: All-7

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**E-2 Approval of City Council Minutes**

Resolution #2005-06-275-E-2

RESOLVED, That the Minutes of the Regular City Council Meeting of May 16, 2005 at 7:30 PM, the Minutes of the Regular City Council Meeting of May 23, 2005 at 7:30 PM, and the Minutes of the Special/Study City Council Meeting of May 23, 2005 at 7:30 PM be **APPROVED** as submitted.

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**E-4 Temporary Trailer – Hyundai Dealership – 1810 Maplelawn**

Resolution #2005-06-275-E-4

RESOLVED, That the request from Tim LeRoy, Secretary –Treasurer of the Suburban Collection, to place an office trailer at 1810 Maplelawn to be used for temporary office space is hereby **APPROVED** for a period not to exceed 12 months, in accordance with Chapter 47, House Trailers and Trailer Courts, Section 6.41(2), of the Code of the City of Troy.

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**E-5 Approval of Funding Agreement – Troy Boys and Girls Club**

Resolution #2005-06-275-E-5

RESOLVED, That the funding agreement between the City of Troy and Boys and Girls Club of Troy for July 1, 2005 through June 30, 2006 is hereby **APPROVED** and the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** the documents, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

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**E-6 Private Agreement for Tepel Brothers Printing – Project No. 05.903.3**

Resolution #2005-06-275-E-6

RESOLVED, That the Contract for the Installation of Municipal Improvements (Private Agreement) between the City of Troy and Tepel Brothers Printing is hereby **APPROVED** for the installation of water main, storm sewer and paving on the site and in the adjacent right of way,

and the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** the documents, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

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**E-7 Transfer Ownership of a Class C Liquor License – Morton’s of Chicago/Troy, LLC - 888 W. Big Beaver Road**

**(a) License Transfer**

Resolution #2005-06-275-E-7a

RESOLVED, That the request from Morton’s of Chicago/Troy, LLC (A Delaware Limited Liability Company), to transfer ownership of a 2004 Class C licensed business with official permit (food), located in escrow at 25938 Middlebelt, Farmington Hills, MI 48336, Oakland County, from Stearn & Company, L.L.C.; transfer location (governmental unit), (MCL 436.1531) to 888 W. Big Beaver Rd, Troy, MI 48084, Oakland County, and request for a new SDM license to be held in conjunction, be **CONSIDERED** for **APPROVAL**.

It is the consensus of this legislative body that the application be recommended “above all others” for issuance.

**(b) Agreement**

Resolution #2005-06-275-E-7b

WHEREAS, The City Council of the City of Troy deems it necessary to enter agreements with applicants for liquor licenses for the purpose of providing civil remedies to the City of Troy in the event licensees fail to adhere to Troy Codes and Ordinances.

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Troy hereby **APPROVES** an agreement with Morton’s of Chicago/Troy, LLC (A Delaware Limited Liability Company), to transfer ownership of a 2004 Class C licensed business with official permit (food), located in escrow at 25938 Middlebelt, Farmington Hills, MI 48336, Oakland County, from Stearn & Company, L.L.C.; transfer location (governmental unit), (MCL 436.1531) to 888 W. Big Beaver Rd, Troy, MI 48084, Oakland County, and request for a new SDM license to be held in conjunction; and the Mayor and City Clerk are **AUTHORIZED TO EXECUTE** the document, a copy of which shall be **ATTACHED** to the original Minutes of this meeting.

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**E-1b Address of “E” Items Removed for Discussion by City Council and/or the Public**

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**E-3 City of Troy Proclamations**

Resolution #2005-06-276

Moved by Beltramini

Seconded by Broomfield

- a) Theresa Harrison - 2004 Police Officer of the Year
- b) Greg Latka - 2005 Fire Fighter of the Year
- c) Pat Gladysz - 2004 Non-Sworn Police Department Employee of the Year
- d) Proclamation Honoring the People of Lebanon and Their Pursuit of Freedom, Sovereignty and Independence
- e) Proclamation in Recognition of James F. Connelly on the Occasion of His Retirement from DTE Energy

Yes: All-7

**PUBLIC COMMENT: Limited to Items Not on the Agenda**

**REGULAR BUSINESS:**

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**F-1 Appointments to Boards and Committees: a) Mayoral Appointments: No Appointments Scheduled; b) City Council Appointments: Historical Commission; Youth Council**

**(a) Mayoral Appointments - No Appointments Scheduled**

**(b) City Council Appointments**

Resolution #2005-06-277  
 Moved by Beltramini  
 Seconded by Eisenbacher

RESOLVED, That the following persons are hereby **APPOINTED BY THE CITY COUNCIL** to serve on the Boards and Committees as indicated:

**Historical Commission**

Appointed by Council – 1 year

Rayma Gopal	Term Expires 07/01/06 (Student)
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**Youth Council**

Appointed by Council (13) – 1 year

Alexandra Bozimowski	Term Expires (Student) 06/01/06
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Rishi Joshi	Term Expires (Student) 06/01/06
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Jessica Kraft	Term Expires (Student) 06/01/06
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Nicole Vitale	Term Expires (Student) 06/01/06
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Karen Wullaert	Term Expires (Student) 06/01/06
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<u>Andrew Corey</u>	Term Expires (Student) 06/01/06
<u>Maxine D'Amico</u>	Term Expires (Student) 06/01/06
<u>Lisa Luo (Jia)</u>	Term Expires (Student) 06/01/06
<u>Aswin Natarajan</u>	Term Expires (Student) 06/01/06
<u>Anupama Prasad</u>	Term Expires (Student) 06/01/06
<u>Kristin Randall</u>	Term Expires (Student) 06/01/06
<u>Neil Shaw</u>	Term Expires (Student) 06/01/06
<u>Katie Thoenes</u>	Term Expires (Student) 06/01/06

Yes: All-7

The meeting **RECESSED** at 10:07 PM.

The meeting **RECONVENED** at 10:19 PM.

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## **F-2 Sewer Benefit Fee District Options for Charnwood Subdivision Area, Section 6**

Resolution #2005-06-278

Moved by Broomfield

Seconded by Beltramini

RESOLVED, That the Sewer Benefit Fee as provided in Chapter 20 – Water and Sewer Rates, Section 8 of the Troy City Code, last amended on April 18, 2005 shall be \$15,720.00 per parcel based on the total estimated cost of sanitary sewer construction in Charnwood District “D” divided by the number of properties benefiting from the sewer, as described in a report by the City Manager dated May 17, 2005, a copy of which shall be **ATTACHED** to and made a part of the Minutes of this meeting; and

BE IT FURTHER RESOLVED, That the Engineering Department shall **PROCEED** with plans and specifications for sanitary sewers to be constructed within the Charnwood District “D” in the summer of 2006.

Yes: Stine, Schilling, Beltramini, Broomfield

No: Eisenbacher, Howrylak, Lambert

**MOTION CARRIED**

**Vote on Resolution to Direct City Staff to Prepare Draft Ordinance Language for Chapter 19 - Sanitary Sewer Service**

Resolution #2005-06-279

Moved by Eisenbacher

Seconded by Broomfield

RESOLVED, That Troy City Council hereby **DIRECTS** City Staff to prepare the necessary ordinance changes to affect the change where residents are not required to connect to a sewer system within the 18-month period unless there is a failure of their existing system; and

BE IT FURTHER RESOLVED, That if drafting such language is not possible, Troy City Council hereby **DIRECTS** City Staff to draft language indicating that residents do not have to connect to a sewer system and then the City of Troy will submit a **REQUEST** to Oakland County to modify their permitting process for septic systems; and

BE IT FINALLY RESOLVED, That the draft ordinance language will be **SUBMITTED** to Troy City Council at the Regular City Council Meeting scheduled for Monday, July 11, 2005.

Yes: All-7

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**F-3 Waiver of Chapter 26-3.4 and Chapter 78.14. for Troy Soccer City Classic – Removed by City Administration**

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**F-4 Oakland County's Urban County Community Development Block Grant Cooperation Agreement for Program Years 2006-2008**

Resolution #2005-06-280

Moved by Beltramini

Seconded by Howrylak

WHEREAS, The City of Troy has been participating in Oakland County's Urban County Community Development Block Grant Program since 1982;

WHEREAS, Since 2002, participation in Oakland County's Urban County Community Development Block Grant Program has afforded Troy homeowners the opportunity to receive \$593,429 in Oakland County Home Improvement Program funds;

WHEREAS, Currently, Oakland County handles the majority of the federal paperwork involved in administering the Community Development Block Grant Program, helping to maximize the benefit of each dollar received at the local level.

NOW, THEREFORE, BE IT RESOLVED, That the City of Troy **CONTINUE** its participation in Oakland County's Urban County Community Development Block Grant Program for program years 2006-2008.

Yes: All-7

**F-5 City of Troy Downtown Development Authority Budget**

Resolution #2005-06-281  
Moved by Stine  
Seconded by Beltramini

WHEREAS, The Troy Downtown Development Authority has adopted and recommends that City Council approve its 2005/06 Annual Budget.

NOW, THEREFORE, BE IT RESOLVED, That the Troy Downtown Development Authority's Annual Budget for fiscal year July 1, 2005 through June 30, 2006 is hereby **APPROVED**.

Yes: Stine, Schilling, Beltramini, Broomfield, Lambert  
No: Eisenbacher, Howrylak

**MOTION CARRIED**

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**F-6 City of Troy Brownfield Redevelopment Authority Budget**

Resolution #2005-06-282  
Moved by Beltramini  
Seconded by Broomfield

WHEREAS, The Troy Brownfield Redevelopment Authority has adopted and recommends that City Council approve its 2005/06 Annual Budget.

NOW, THEREFORE, BE IT RESOLVED, That the Troy Brownfield Redevelopment Authority's Annual Budget for fiscal year July 1, 2005 through June 30, 2006 is hereby **APPROVED**.

Yes: Schilling, Beltramini, Broomfield, Eisenbacher, Lambert, Stine  
No: Howrylak

**MOTION CARRIED**

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**F-7 Establishing Fee for On Site Sewage Disposal System Inspections**

Resolution #2005-06-283  
Moved by Lambert  
Seconded by Beltramini

RESOLVED; That the fee for the on site sewage disposal system inspection, as required by Section 19.03.03 of the Troy City Code, **SHALL BE** \$200.00.

Yes: All-7

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**F-8 Standard Purchasing Resolution 3: Option to Renew – General Consulting Engineering Services Contract**

Resolution #2005-06-284  
Moved by Beltramini  
Seconded by Lambert

WHEREAS, On June 17, 2002, City Council approved a three (3) year contract, effective July 1, 2002 through June 30, 2005, with the option to renew the contract for an additional three (3) year period under the same terms and conditions, based on mutual consent of both parties, with each consultant, to provide General Consulting Engineering Services as required by the City and to assist the Engineering Department as needed (Resolution #2002-06-379);

WHEREAS, Hubbell, Roth & Clark, Inc. has offered to renew their contract for three (3) additional years under the same terms and conditions as the 2002 contract;

WHEREAS, Spalding DeDecker Associates, Inc. has offered to renew their contract for three (3) additional years with a provision that overtime by Construction Technicians be billed at rate equal to 1.3 times their regular hourly rate, consistent with the same provision for other field personnel and all other terms and conditions remaining the same as the 2002 contract.

NOW, THEREFORE, BE IT RESOLVED, That the three-year option to renew the contracts with Hubbell, Roth & Clark, Inc. and Spalding DeDecker Associates, Inc. are hereby **EXERCISED** under the same terms and conditions as the 2002 contract, effective July 1, 2005 through June 30, 2008 with no rate increases over the next three (3) years despite a provision for an increase once each year of 3% or the difference in the urban Consumer Price Index for the Detroit/Ann Arbor area for the current year and the previous year, whichever is lower.

Yes: All-7

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**F-9 Preliminary Site Condominium Review – Longfellow Site Condominium, West Side of Rochester Road, North Side of Longfellow, Section 15- R-1C**

Resolution #2005-06-285  
Moved by Beltramini  
Seconded by Eisenbacher

RESOLVED, That the Preliminary Plan as submitted under Section 34.30.00 of the Zoning Ordinance (Unplatted One-Family Residential Development) for the development of a One-Family Residential Site Condominium known as Longfellow Site Condominium, as recommended for approval by City Management and the Planning Commission, located on the west side of Rochester and the north side of Longfellow, including 5 home sites, within the R-1C zoning district, being 1.85 acres in size, is hereby **APPROVED**, subject to the following conditions:

1. That Unit #5 has an access easement for future access to the property to the north. This would allow the elimination of the existing driveway on Rochester Road.

2. That the Master Deed be amended to include the access easement and require a future driveway connection with the property to the north to be constructed at that time that the property to the north is redeveloped.
3. That a bond be posted by the petitioner for future construction of a driveway to the road to the north and removal of the existing driveway on Rochester Road.

Yes: All-7

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**F-10 Preliminary Site Condominium Review – Athens Parc Site Condominium, North of Wattles, on the North Side of Rockfield Between John R and Eleanor, Section 14 – R-1C**

Resolution #2005-06-286  
 Moved by Lambert  
 Seconded by Broomfield

RESOLVED, That the Preliminary Plan, Alternate 1B, as submitted under Section 34.30.00 of the Zoning Ordinance (Unplatted One-Family Residential Development) for the development of a One-Family Residential Site Condominium known as Athens Parc Site Condominium, as recommended for approval by City Management and the Planning Commission, located north of Wattles, on the north side of Rockfield between John R and Eleanor, including 12 home sites, within the R-1C zoning district, being 4.7 acres in size, is hereby **APPROVED**.

Yes: All-7

**MEMORANDUMS AND FUTURE COUNCIL AGENDA ITEMS:**

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**G-1 Announcement of Public Hearings:**

- a) Commercial Vehicle Appeal – 1820 E. Wattles – Scheduled for June 20, 2005
- b) Rezoning Application – From R-1E and E-P to P-1 and E-P, Al-Zouhayli Office Building (Z-683-B), North Side of Big Beaver Between Rochester Road and John R Road, Section 23 – Scheduled for June 20, 2005
- c) Rezoning Application – Proposed Buscemi's Party Shoppe, Northeast Corner of Hartland and Rochester Road, Section 23 – R-1E and B-3 to B-1 (Z-701) – Scheduled for June 20, 2005

Noted and Filed

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**G-2 Green Memorandums:**

- a) Proposed Revisions to Chapter 30 – Municipal Golf Course(s)
- b) Bid Waiver – Contract Extension – Banking Services

Noted and Filed

**COUNCIL REFERRALS: Items Advanced to the City Manager by Individual City Council Members for Placement on the Agenda**

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**H-1 No Council Referrals**

**COUNCIL COMMENTS:**

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**I-1 No Council Comments****REPORTS:**

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**J-1 Minutes – Boards and Committees:**

- a) Parks and Recreation Advisory Board/Final – March 10, 2005
  - b) Ethnic Issues Advisory Board/Final – April 5, 2005
  - c) Liquor Advisory Committee/Final – April 11, 2005
  - d) Employees' Retirement System Board of Trustees/Final – April 13, 2005
  - e) Parks and Recreation Advisory Board/Final – April 14, 2005
  - f) Board of Zoning Appeals/Draft – April 19, 2005
  - g) Board of Zoning Appeals/Final – April 19, 2005
  - h) Troy Historic District Commission/Final – April 20, 2005
  - i) Troy Local Development Finance Authority/Draft – April 25, 2005
  - j) Planning Commission Special/Study Meeting/Final – April 26, 2005
  - k) Troy Daze Advisory Committee/Final – April 26, 2005
  - l) Troy Youth Council/Final – April 27, 2005
  - m) Planning Commission Special/Study Meeting/Draft – May 3, 2005
  - n) Planning Commission Special/Study Meeting/Final – May 3, 2005
  - o) Building Code Board of Appeals/Draft – May 4, 2005
  - p) Liquor Advisory Committee/Draft – May 9, 2005
  - q) Ethnic Issues Advisory Board/Draft – May 10, 2005
  - r) Parks and Recreation Advisory Board/Draft – May 12, 2005
  - s) Downtown Development Authority/Final – May 18, 2005
  - t) Troy Youth Council/Draft – May 18, 2005
  - u) Troy Daze Advisory Committee/Draft – May 24, 2005
- Noted and Filed

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**J-2 Department Reports:**

- a) 2005 1<sup>st</sup> Quarter Crime and Police Calls for Service Report
  - b) City of Troy Monthly Financial Report – April 30, 2005
- Noted and Filed

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**J-3 Letters of Appreciation:**

- a) Letter of Thanks to the Troy Police Officers' Association from Troy People Concerned
  - b) Letter of Thanks to Cindy Stewart from Margie Kelly with Weir, Manuel, Snyder & Ranke Realtors
  - c) Letter of Thanks to Marlene Struckman from Nancy Johnson
  - d) Letter of Appreciation to the DPW and Engineering Departments from Robert McCliment
  - e) Letter of Appreciation to DPW Regarding the Construction to Coolidge Highway from Marc Higginbotham
  - f) Letter of Appreciation from Sanjay M. Shah Regarding Mark Riley
- Noted and Filed

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**J-4 Proposed Proclamations/Resolutions from Other Organizations:**

- a) Resolution from Charter Township of Oxford Regarding Local Control of Liquor Licenses
- b) Resolution from Charter Township of Springfield Regarding Local Control of Liquor Licenses

Noted and Filed

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**J-5 Calendar**

Noted and Filed

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**J-6 Correspondence from Senator Carl Levin Regarding The CDBG Block Grant Program**

Noted and Filed

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**J-7 Detroit News/Free Press 50<sup>th</sup> Anniversary Supplement**

Noted and Filed

**STUDY ITEMS:**

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**K-1 No Study Items Submitted**

**PUBLIC COMMENT: Address of “K” Items**

**CLOSED SESSION:**

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**L-1 Closed Session – No Closed Session**

The meeting **ADJOURNED** at 11:53 PM.

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Louise E. Schilling, Mayor

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Tonni L. Bartholomew, City Clerk