

City Council of Peachtree City
Minutes of Meeting
October 16, 2008
7:00 p.m.

The City Council of Peachtree City met Thursday, October 16, 2008, in the City Hall Council Chambers. Mayor Logsdon called the meeting to order at 7:00 p.m. Other Council Members present: Steve Boone, Don Haddix, Cyndi Plunkett, and Doug Sturbaum.

Announcements, Awards, Special Recognition

Mayor Logsdon recognized Fire Captain Tom Hughey for 30 years of service to the City. Hughey was the first City employee to reach the 30-year mark. Betty Harrah, president of the Thomas Wingfield chapter of the Colonial Dames 17th Century, accepted the Colonial Heritage Month proclamation from Mayor Logsdon. Logsdon announced that Sany America had given the Recreation Department \$2,000 to help with expenses for the City's 50th Anniversary celebration in 2009.

Public Comment

Daniel Gray, the youth minister at Atlanta City Church, noted that staff had turned down the church's request to use a searchlight on October 31 based on the City's lighting ordinance. He asked Council to consider making an exception for the church's activities on Halloween night since they would be providing an alternative for youth.

Al Yougel, director of Keep Peachtree City Beautiful, introduced a new program for placing temporary recycling bins for cans and bottles at events in the City. Yougel said that two-thirds of beverage containers were emptied at home, and he asked what happened to the other one-third. Individual participation was the key. The program would start at the Peachtree City Classic on October 18.

Agenda Changes

There were none.

Minutes

Boone moved to approve the September 4, 2008, regular meeting minutes; September 18, 2008, regular meeting minutes; and the October 7, 2008, special called meeting minutes as written. Sturbaum seconded. The motion carried unanimously.

Monthly Reports

There were no comments.

Consent Agenda

1. Consider Amendment to Fire Sprinkler Ordinance
2. Consider Appointments to PCTA – Eva Durham, Veronica Ross (Alternate)
3. Consider Appointments to Planning Commission – Larry Sussberg, Joe Frazar, Lynda Wojcik (Alternate)
4. Consider Appointments to DAPC – Tom Hamall, Greg Durham (Alternate)
5. Consider Acceptance of Sany America Donation to City's 50th Anniversary Celebration

6. Request to Surplus Goods Purged by Superior Court Judge
7. Consider Stormwater Drainage Easement
8. Consider Budget Amendments – FY 2009

Haddix moved to approve Consent Agenda items 1–8. Boone seconded. Plunkett referred to Consent Agenda #6 and directed that any goods determined to have significant value be placed on govdeals.com. The motion carried unanimously.

Old Agenda Items

There were no items.

New Agenda Items

10-08-01 Citizen Request to Address Council – Rules for LSMVs

Glen Allen addressed Council regarding allowing low speed motor vehicles (LSMVs) to cross state highways. Allen noted that he had purchased his LSMV six months ago, and it was licensed for use on streets with 35 miles per hour or less speed limits. He read a copy of his letter to Council dated September 22, noting that LSMVs were only allowed to cross GA 54, GA 74, Peachtree Parkway, and Crosstown Drive at designated crossings. (A copy of the letter is included in the official meeting file.) Allen said it was unreasonable and illogical that the LSMVs were not able to cross GA 54, GA 74, Peachtree Parkway, and Crosstown Drive at intersections with streets on which the LSMVs were allowed to travel. The routes to get to the authorized crossings were often extended and circuitous.

Allen continued that he had spoken recently with Major Mike Dupree at the Police Department, who told Allen that he was waiting on word from the state regarding LSMVs crossing the state highways at intersections. There was also some mystery regarding where the authorized cart crossings were located. He noted that the speed limit on Dividend Drive was 40 miles per hour, but there were a lot of golf carts using Dividend Drive. The rules needed work and were more restrictive than they should be.

Plunkett asked if the issue should be looked at by the state. City Manager Bernard McMullen said staff had started looking at the issue of carts crossing the state highways a few months ago. A lot more people were using their golf carts and LSMVs due to gas prices. They were no longer recreational vehicles. Another meeting was scheduled on October 17. Logsdon told Allen that the City was working on the issue and would get back to him with a resolution.

10-08-02 Consider Modification to City FY 2009 Budget

Leisure Services Director Randy Gaddo told Council that Team Fred was ready to manage the Amphitheater. He gave an overview of what had happened since the September 2, 2008, workshop. (A copy of the PowerPoint presentation is included in the official meeting file.) He continued that staff had reviewed the Amphitheater budget, staffing, and operations, and had discussed details with the Amphitheater staff. Many applications were received for the manager position, and seven candidates were interviewed. One had been chosen for recommendation.

Gaddo continued that the proposed funding plan was based on 10 one-night shows or two series of five shows each, which could vary depending on the manager's input. Gaddo said that more

community-based events were being considered. The staffing level included a manager, box office supervisor, a part-time maintenance person, and other part-time assistants as needed, which included ushers and ticket sales. Gaddo noted that the staff requirements could change in time based on the level of facility use and manager review. The amphitheater manager would be on the same hierarchy level in Leisure Services as the recreation facilities manager, the recreation program manager, and the Kedron manager, all supervised by the Recreation Administrator and Leisure Services Director.

Gaddo said that, to provide stability in a key area, staff recommended brand-naming the sound and lighting contracts to The Show Business on a one-year basis. He added that the intent was to maintain Ticketmaster for ticket sales, but the contract would be renegotiated to provide more local control. There would be a discussion with the new manager prior to a final decision.

November 1 was the target transition turnover date. After this meeting, the team would meet with the sponsors and talk with ticket holders and the public. The past surveys would be reviewed. There would be discussions on how to handle one-night versus two-night shows and how to accommodate season ticket holders, sponsors, and general admission tickets. The Ticketmaster contract would be renegotiated. Shows would be booked. The current concessions contract would be reviewed for renewal, and a formal public information plan would be put into action. Gaddo said everyone would know what was being done and why, public input would be sought, and they would speak to groups and the media.

Gaddo asked Council to consider the resolution for the FY 2009 budget amendment, which would establish an enterprise fund for the Amphitheater. The total estimated revenue was \$968,916, and the total projected expense was \$869,336.

Logsdon asked Financial Services Director Paul Salvatore what the modification to the budget would do. Salvatore said the budget amendment established the enterprise fund. Approval would allow the City to move forward with any expenses to be able to hire employees, which could not be done without budgetary authorization. Plunkett asked Salvatore to explain what an enterprise fund was. Salvatore said enterprise funds operated more as a business activity. Most utilities were set up as enterprise funds. Plunkett noted that money to pay for acts and employees would go out before money started coming in. Salvatore explained that the baseline budget was based on what the Peachtree City Tourism Association (PCTA) budgeted for 10 one-night shows. The budget included the sponsorships. The budget was very flexible, and Salvatore said he expected to work with the new manager and the Recreation staff to mold it into what they envisioned. It was possible they would have to come back with another amendment.

Plunkett moved to adopt the modification to the City's FY 2009 budget. Sturbaum seconded. The motion carried unanimously.

10-08-03 Consider Modifications to PCTA Lease and Hotel/Motel Tax Agreements

McMullen said the lease and the hotel/motel tax agreement between the City and the PCTA needed to be modified to take out the management responsibility for the Amphitheater.

Plunkett moved to approve the modifications to the PCTA lease and the hotel/motel tax agreement. Boone seconded. The motion carried unanimously.

10-08-04 Consider Acceptance of Amphitheater Manager Contract

Logsdon noted there was a copy of the contract on the dais. Gaddo asked Council to authorize the City Manager to accept and sign the contract with Nancy Price as the amphitheater manager for a one-year term, renewable annually on January 1, contingent upon agreement between the City and the contract employee. A three-person panel compared the applicants in several areas, including direct experience with the position requirements, familiarity with the audience demographics, their general approach to the tasks at hand, familiarity with the venue, their perspective on the subject of the venue as a revenue center versus an amenity, and enthusiasm for the job. Gaddo said all the candidates had credible strengths, but Price stood out as the most qualified across the board.

Haddix moved to accept the amphitheater manager contract with Nancy Price for a term of one year, renewable annually on January 1, contingent upon agreement between the City and the contract employee. Boone seconded.

Sturbaum asked Price if the terms of the contract were acceptable to her. Price said they were.

The motion carried unanimously. Price thanked Council and said she looked forward to bringing the fun back to The Fred.

10-08-05 Consider Update to CAR 8-2, Travel Expenses

Salvatore noted there were additional documents on the dais.

Plunkett moved to approve the modifications to CAR 8-2, Travel Expenses. Sturbaum seconded. The motion carried unanimously.

10-08-06 Consider Update to CAR 7-3, Credit Card Policy

Salvatore said CAR 7-3 was actually a new policy. The City had started using credit cards for certain things that could only be purchased online. The systems administrator had been ordering software online and using his personal credit card, so the decision was made to get a credit card. Credit cards were also useful for making travel arrangements and for purchases that could not be planned for. Credit cards were not a replacement for the normal procedures and were not a purchasing card system. They allowed more flexibility for City staff to make purchases. The policy would provide guidelines for the use of the cards.

Sturbaum moved to approve CAR 7-3, Credit Card Policy. Haddix seconded.

Plunkett said the City should keep in mind the trouble the County had with credit cards to ensure the City did not have any problems. Salvatore said employees would be limited to one to two transactions per month other than routine travel.

The motion carried unanimously.

10-08-07 Consider Reclassification of Training Lieutenant

Fire Chief Ed Eiswerth requested Council approve the reclassification of the training lieutenant to assistant fire chief of training and special operations. The reasons included the growth of the department in both part-time and full-time positions, the number of classes that were going on, and the supervision of financial input and the four special operations team. He noted that Capt. Hughey, who was honored earlier in the meeting for 30 years of service, had taken over the Emergency Operations Center and kept the plan updated. The officer in the new position would take over that responsibility. The effective date would be November 1.

Logsdon noted that the budget impact was approximately \$5,700. Eiswerth said the increase would be covered by the retirement.

Boone moved to approve the reclassification of the fire training lieutenant position to assistant fire chief of training and special operations. Sturbaum seconded. The motion carried unanimously.

10-08-08 Request from Civic Association to Address Council Regarding Buffer Standards

Walter Gammell, president of the Peachtree City Civic Association read the following position paper regarding buffer standards and the site plan modifications to the new commercial development on GA 74 South:

Position: Due to the recent development to require additional utility easement acreage, that subsequently negates the 60 acre tree save buffer that was mandated in the rezoning and planning of Wilshire Village, PTCCA requests that steps be taken to prevent future loss of such buffer, and a system of checks and balances put into place to handle site plan modifications, whether requested or mandated by outside jurisdictions.

Background Research: The following excerpts are taken directly from PTC Article VII "General Development Standard and Design Guidelines," adopted May 18, 2006, to support this necessary action. Clearly from the excerpt outlined below the intent for follow up on site plan modification is indicated, specifically tree-save/landscape buffer modification.

Sec 723 Arterial Highways, "Nonresidential buffers. A continuous 60-foot-wide tree-save/landscape buffer shall be established for any nonresidential development adjacent to an arterial highway.

(c) Special conditions and exceptions.

(1) The required tree-save/landscape buffer for any nonresidential property may be reduced as follows, subject to the approval of the city landscape architect and the planning commission:"

The following excerpt indicates that if a change comes along that is beyond the owner's control (i.e. utility easement changes) that these changes be the responsibility of the property owner and not the city, unless previously arranged. It also indicates that ANY modification to ANY element of the site plan requires review and approval by the planning commission.

Sec 734 "Changes beyond the owner's control shall be restored by the owner, unless otherwise provided. Any modifications to any element of the site plan, building design or lighting initially

approved by the planning commission will require subsequent review and approval by the planning commission."

Recommendation: Unfortunately, due to either time constraint, or for the nature of expediency, changes to site plans do not always come before planning commission before they are enacted or decided upon. In the case of Wilshire Village, the utility easement widening to eliminate the 60 ft of tree save is a huge change to the original plan. It will no doubt impact the feel and intent of the entire development. Yet it was never before brought before planning commission to determine the best course of action. Now the trees are gone, and we are being asked to make the most out of what otherwise could have been a preventable situation.

In order to prevent future developments from deviating from the site plan in such a drastic manner without the approval of either the planning commission or city council we recommend the following amendments to our Design Standards for Retail, Commercial and Industrial Building Design:

1. Deviations from the site plan with respect to location of water retention, utilities, utility easements, or GDOT easements must be approved by planning commission and city council.
2. Deviations from any site plan with respect to location of roadways, access roads, and/or traffic circles within the development must be approved by planning commission and city council.
3. Deviations with respect to removal of large trees within a tree-save buffer and within the development itself must be approved by planning commission and city council.
4. Any buffer changes at all must be approved by both planning commission and city council.
5. Significant changes to architectural renderings must be approved by both planning commission and city council.
6. Changes in size and quantity of buildings, as well as their locations on the site plan must be approved by both planning commission and city council.
7. Deviations with respect to low lying shrubs, small trees, or other small plantings must be approved by planning commission.
8. Color scheme variations must be approved by planning commission.
9. Any changes made to the site plan without proper approval as outlined above will result in a stop work action and fines assessed in an amount to be determined by the city on a case by case basis.

All developers should be made aware of these additional requirements prior to submitting a final site plan.

PTCCA believes that adherence to these amendments will protect future developments from becoming anything other than what was planned. It will also encourage developers to plan carefully, and not deviate from any approved plan unless absolutely necessary. It should also keep the city involved in the development progress, to prevent unforeseen mistakes and last minute changes that could affect the overall quality of the development.

Summary: The PTCCA asks that the planning commission and city council take immediate action to incorporate a system of checks and balances in our design standards to ensure that site plans are carried out according to the conditions of their approval. Any changes either requested or mandated are the responsibility of the developer to bring to the attention of planning commission and/or council before progress continues on the project. Peachtree City needs to protect itself for future

development and redevelopment, in the event that approved site plans need to be modified. If we work together to make these changes, PTCCA feels strongly that each development will be successfully planned, carried out, and completed to the high standard that is Peachtree City.

Plunkett said that she, Haddix, and Sturbaum had been asking the same questions. She asked the Council Members if they agreed to have the City Attorney look at what could be done to the ordinances and put the issue on a future agenda. Boone said that it was a good idea. Plunkett said she did not want the same thing to happen again if it could be avoided. Logsdon noted that the City Planner would be going over some of the topics later in the meeting.

Lori Farmer of the Wilshire Estates Homeowners Association (HOA) said it had taken one and one-half years of building relationships and trying to come to a win-win agreement for the development on the property. It had been upsetting to see what had happened to the buffer and the ordinance in the newspaper. The ordinance had required a 60-foot buffer. She would like to stop any further development in the area until there was a plan. At the Planning Commission meeting, she had asked if the zoning was still valid and whether the development could be pushed further toward the back of the parcel, and she had not gotten an answer. They were willing to compromise on some level, but they still wanted a six-foot berm with landscaping. She asked Council to keep in mind that whatever was done would set a precedent. Keeping the City beautiful meant keeping the greenery and blocking the view of developments from the roads.

Phyllis Aguayo asked if there would be an opportunity for the residents to speak about the issue. Logsdon said there probably would be as the City worked on the issue.

10-08-09 Consider Position Reclassification

Logsdon noted there was an additional document on the dais – a memo to Mayor and Council from the Police Chief dated October 15, 2008, with the subject, "Consider Position Reclassification." Police Chief H.C. "Skip" Clark explained that the department currently had an Administrative Assistant and two Staff Assistants; however, the duties of the Administrative Assistant had changed and no longer corresponded to the Administrative Assistant classification. He asked Council to reclassify the position back to Staff Assistant. Clark noted that the change was not a reflection of how the employee was doing the job.

Plunkett said she had a problem with lowering someone's pay, even though it was not a significant amount. Clark said he had the same problem, but one of the reasons the reclassification was requested now was that because the merit raise and the cost of living allowance would help to make up for the decrease in pay. McMullen added that the reclassification would take effect when the employee received her annual evaluation.

Boone moved to approve the position reclassification from administrative assistant to staff assistant. Haddix seconded. The motion carried unanimously.

Council/Staff Topics

Update on Buffers for Wilshire Commercial Area

City Planner David Rast provided a chronology of events (a copy of the PowerPoint presentation is included in the official meeting file) involving the commercial project and the buffers. In February 2006, the City received a copy of the conceptual road widening plans, which did not show any utilities, from the Georgia Department of Transportation (GDOT). Rast noted that a tree survey had been part of Columbia Properties' rezoning application. The date on the survey had been November 19, 2006, and it had identified the existing boundaries of the tract and the existing 20-foot water line easement that was located just behind the right-of-way line. The City also received the conceptual layout of the proposed retail component, and the City had stipulated that any development on the site had to incorporate the new proposed right-of-way for GA 74 and any buffers or setbacks had to be measured from the proposed right-of-way. Columbia's plan was based on those requirements, but the utility easements were not shown on the plat approved as part of the rezoning. On November 7, 2007, the City received two sets of preliminary road construction plans from GDOT. One set, prepared by Mulkey Engineers and Associates (GDOT's lead designer), identified a 20-foot "easement for construction and maintenance of slopes and Fayette County water." The other set, prepared by the TBE Group, included the same 20-foot easement as, well as an additional 25-foot easement designated as "proposed GPC Transmission."

Rast continued that Columbia and Dominion Partners had hired Eberly Brothers to prepare the engineering plans for the commercial development and the Somerby development. Those plans took the future right-of-way into account, as well as the 20-foot water line easement and a construction and slope maintenance easement required by GDOT to build the road. The conceptual site plan for the development was approved February 11, 2008. On April 28, the Planning Commission approved the first site plan for an outparcel – the Walgreen's located at the intersection of GA 74 and the realigned Rockaway Road. On June 6, GDOT acquired the deed to the 20-foot easement for construction and maintenance of slopes and the water line. On July 17, staff met with representatives from Walgreen's who informed staff that Georgia Power was negotiating an easement with Columbia Properties. Following that meeting, staff requested guidance from the City Manager, who scheduled a meeting with staff and representatives from Georgia Power and Columbia Properties. The City Manager, City Planner, Steve Hart of Georgia Power, and Andy Campbell of Columbia Properties met to discuss proposed easement and impact on proposed development/ tree save and landscape buffer on August 4.

On August 19, Rast said the City received drawings from Georgia Power identifying the proposed transmission line easement along GA 74 South. The drawings were dated March 27, 2008. The Planning Commission approved the conceptual site plans for Delta Community Credit Union, AutoZone, and Discovery Point Child Development Center on October 13. Staff was setting up another meeting with the representatives for the week of October 20.

Rast showed a slide that had an overlay of the August 19 Georgia Power drawings on an aerial photograph of the GA 74 South corridor to provide a better understanding of how the additional easement would affect the area. It would impact more than the Wilshire Village development, Rast pointed out. He added that staff and Columbia Properties had come up with a plan of what they would like the easement to look like. The plan still needed work, and staff would work with Columbia's landscape architect to refine the plan, then take the plan back to the Planning

Commission for approval. Rast noted that, even without the transmission line easement, there would not be much vegetation remaining in the 60-foot treesave and landscape buffer.

Rast reported that the primary reason the City lost so much buffer on the first phase of the highway widening was that GDOT would not allow utilities to relocate within their right-of-way on new construction. All the power lines had to be located just outside of the GDOT right-of-way, which required an additional 15-20-foot clearing. The same held true for the Fayette County water line, which was currently within the GDOT right-of-way. The road construction would be primarily along the Wilshire Village side of GA 74, so the water line easement would have to move further into the property. Georgia Power could not locate its transmission lines within the water line easement, which created a domino effect with the utilities and encroached into the buffer the City had required for the Wilshire Village development. Rast briefly went over the various plans submitted by Columbia Properties and GDOT, showing the easements and buffers.

Sturbaum noted this was a sensitive issue for a lot of people, and a lot of work and time had gone into the plan. He asked if the zoning was still valid if the buffer requirements were not met. Plunkett asked, if the zoning was still valid, if there was anything the City had in its deck of cards to get the 60-foot buffers back.

McMullen said he and Rast began meeting with Georgia Power in August. The landowners had not finalized the easements with Georgia Power, and they were trying to schedule another meeting to see if there were other options for placement of the transmission line. They met with the City Attorney and some Planning Commissioners during the last week to look at other options for the transmission line location.

Boone said Georgia Power had to know about this situation a long time ago. It was unconscionable that the utility did not notify the City. Haddix agreed. It seemed to Haddix that the whole plan should be nullified since it did not fit the site anymore. Meeker said that the zoning still fit. Haddix said his concern was the plan itself, not the zoning, when the buffer requirements were considered. Meeker said there were two reasons. One was Georgia's law on vested rights. The plan was vested if it met the standards at the time it was approved. Haddix questioned if the law was meant for a given, or fixed, asset. The asset had changed. Meeker said yes, but the change in the asset was not the fault of the property owner. He compared the situation to what happened with the Ethan Allen store when GA 54 was widened. The widening had wiped out the landscaping and the berm, but that did not make the plan non-compliant. It was outside of the owner's control. Haddix said the City was not at fault either, so why was it not invalidated because of the City's buffer ordinance. Meeker said it would not invalidate the rezoning. Requiring the easements were a power given to GDOT and Georgia Power. They were superior agencies. The courts had consistently shot down attempts by any city or county to try to have the agencies meet their ordinances. Haddix asked why the changes did not override the entire plan. Meeker said they were still looking at options. They were not throwing in the towel yet.

Plunkett noted that site plans for outparcels were still being approved, and asked whether they should be delayed until everything was finalized. It was difficult to take back an approval. Rast said that, on the plans themselves, the 60-foot buffer was still intact. It was the existing vegetation that would be the issue when Georgia Power acquired the easements and took out the trees.

Boone asked McMullen if one of the alternatives would be to move the transmission line deeper into the property. McMullen said that would be discussed at the meeting. The first response to that option had been to point out the additional expense. Staff wanted to know what would make it more expensive. After looking at the route of the lines, which went along GA 74, then turned west along Rockaway Road to Senoia, it was the same distance. Logsdon said the linear feet might be the same, but there would be three corners instead of one. Corners for power lines were more expensive. Rast said they wanted to discuss running the transmission line along the back of the project.

Haddix asked Rast if his questions had been answered about the radial clearance required around the pole. Rast said he had gotten conflicting answers.

Logsdon went over the worst case scenario, which he did not want to see happen, including the power line easement, the water line easement, then a six-foot landscaped berm with the maximum amount of vegetation with trees that would not grow into the power lines. He asked staff if that would be the worst case. McMullen said that staff had been told by Georgia Power that berms and landscaping could be underneath the transmission lines. Rast confirmed that the height was 15 to 20 feet depending on the topography and the height of the poles. Georgia Power only allowed certain types of plants to be planted underneath the lines. Plunkett said it would look like what had been done behind Centennial, and the City did not want that on a major highway.

Haddix asked about the maintenance crews and what they had to do to get to the lines. Rast said they were trying to find the right person to talk to, Steve Hart was in right-of-way acquisition, another person was in marketing. Logsdon noted it could be a public relations nightmare for Georgia Power. Rast said he had a list of planting materials and some very loose guidelines, but the proximity of the plant material and the berms to the poles was not addressed. Dan O'Neal of Columbia Properties had authorized staff to meet with their landscape architect. Columbia Properties wanted a planting plan they could include in their negotiations with Georgia Power.

Sturbaum asked Rast if the development could be moved back. Rast said the property had already been graded, and there was a demarcation between the commercial development and Somersby component. The infrastructure had already started. Moving the development back would increase the cleared area between the development and GA 74.

Plunkett asked what happened if Council decided to invalidate the zoning. Meeker said they could start the process to try to invalidate the zoning. Council could vote. Plunkett asked what would happen. Meeker said the City would be sued. He was not willing to concede defeat this early. Plunkett said people needed to understand what the City would be up against. Meeker

said there were layers of issues, starting with the approval of the conceptual site plan. The conceptual site plan was a fixed point under Georgia's vested rights laws. Logsdon asked what would happen if the project was already built, and businesses were open. Meeker said that, from a vested rights standpoint, the issues were the same. Plunkett asked what if developer had known about the additional easements when negotiating the treesave buffers. Meeker said that would murk up the water a little, but from everything staff had been told, the developer told the City when they found out.

Logsdon said the next step was the meeting with Georgia Power the following week. Plunkett said the Wilshire HOA president should also attend so Georgia Power would understand their issues. The other Council Members agreed.

McMullen reported an agreement in principle had been reached with Cousins Properties regarding the easement for the tunnel under GA 54. He continued that Cousins had agreed to accept the City's appraisal of the property, and staff hoped to sign the easement within week. The next step was to submit the documents to GDOT for a notice to proceed.

Plunkett said she had spoken with Meeker regarding ordinances adopted in other cities that had withstood challenge about non-related people living in one house.

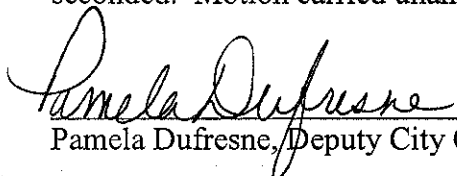
Plunkett said that the Line Creek Nature Center was one of the finalists in the Nature's Valley Save the Trails program, which provided grants to preserve nature trails throughout the country. If selected as one of 10 winners, Line Creek would receive a \$5,000 grant to help secure volunteers, tools, and materials to help protect the area. The last day to vote was October 31.

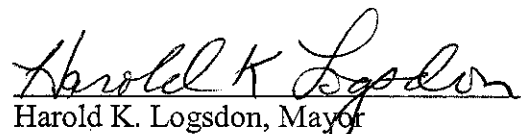
Haddix said he received a call from a resident who offered to paint over the graffiti in the tunnel near his residence. McMullen said staff needed to know where the graffiti was located. Normally, it would be taken care of within 24 hours of getting a call about it. The Police Department needed to take pictures of the graffiti before it was covered up. Haddix asked that something be put in the *Update* regarding what residents should do when they see graffiti.

Plunkett moved to convene in executive session to discuss pending and threatened litigation at 8:37 p.m. Sturbaum seconded. Motion carried unanimously.

Sturbaum moved to reconvene in regular session. Boone seconded. Motion carried unanimously.

There being no further business to discuss, Sturbaum moved to adjourn the meeting. Haddix seconded. Motion carried unanimously. The meeting adjourned at 8:47 p.m.


Pamela Dufresne, Deputy City Clerk


Harold K. Logsdon, Mayor