

Regular Meeting of the Sandy Springs City Council was held on Tuesday, May 7, 2013, at 6:00 p.m., Mayor pro tempore Tibby DeJulio presiding.

INVOCATION

Rabbi Josh Heller, B’Nai Torah, offered the invocation.

CALL TO ORDER

Mayor pro tempore Tibby DeJulio called the meeting to order at 6:07 p.m.

ROLL CALL AND GENERAL ANNOUNCEMENTS

City Clerk Michael Casey reminded everyone to silence all electronic devices at this time. Additionally, those wishing to provide public comment during either a Public Hearing or the Public Comment segment of the meeting are required to complete a public comment card. The cards are located at the back counter and need to be turned in to the City Clerk.

City Clerk Casey called the roll.

Mayor: Mayor Eva Galambos absent. Mayor pro tempore Tibby DeJulio was present.

Councilmembers: Councilmember John Paulson, Councilmember Dianne Fries, Councilmember Chip Collins, Councilmember Gabriel Sterling, and Councilmember Karen Meinzen McEnerny present.

PLEDGE OF ALLEGIANCE

Mayor pro tempore Tibby DeJulio led the Pledge of Allegiance

PUBLIC COMMENT

Elizabeth Jayes, 74 Osner Drive, stated at the budget meeting there was discussion about sidewalks being installed in the Glenridge connector area. A current proposed sidewalk plan would extend sidewalk from the City limits to Long Island Drive. She resides in between these two locations. She asked Council to consider spending money for the beautification and sidewalks from Glenridge connector to Long Island Drive.

John Terry, 4525 Powers Ferry Rd. N.W., stated his comments are about the gateway project on Wieuca and Roswell Road. He has a concern regarding traffic, cost of the project, and the amount of infrastructure that will take place. He asked Council to take a close look at the project to determine what the real cost will be. He has concerns with Sandy Springs collaborating with the City of Atlanta regarding Wieuca Road. The traffic from the apartments and retail will gridlock the area as people try to enter Chastain Park.

APPROVAL OF MEETING AGENDA

Motion and Vote: Councilmember Fries moved to approve the Regular Meeting agenda for May 7, 2013. Councilmember Sterling seconded the motion. The motion carried unanimously.

CONSENT AGENDA

(Agenda Item No. 13-061)

1. Meeting Minutes:
 - a) April 16, 2013 Regular Meeting
 - b) April 16, 2013 Work Session

(Michael Casey, City Clerk)

(Agenda Item No. 13-062)

2. Consideration of Approval of the Georgia Department of Transportation (GDOT) Lighting Agreement for SR9 from Johnson Ferry Road to Abernathy Streetscape Project (CIP T-0012)
(Garrin Coleman, Director of Public Works)

Resolution No. 2013-05-27

Motion and Vote: Councilmember Sterling moved to approve the Consent Agenda for May 7, 2013. Councilmember Fries seconded the motion. The motion carried unanimously

PRESENTATIONS

1. Fulton County Tax Assessors Chief Appraiser - David Fitzgibbon

David Fitzgibbon, Chief Appraiser for Fulton County Tax Assessor, stated the Fulton County Tax Assessors office has been working on the projected tax numbers. Until today, he did not have very much news, because his office has been running behind. He met with senior staff today and they came up with numbers that will be close to the final figure. Since 2009, all the tax digests have decreased. In 2012, the tax digest was \$6,254,665,708. After the appeals were received, this number decreased to \$6,159,251,666. All of the appeals have been handled at the Board of Assessors level. There are about 12,000 appeals with the Board of Equalization. Only 500 appeals per week are able to be processed. This year there is a projection of \$6,216,520,000, which is about a 1% increase from last year. The Tax Assessors office completed a review of commercial property located south of I-20 while reviewing the land values. Many of the parcels in that area are overvalued. Value has increased in all areas for some of the office and Class A apartments. The change of assessment notices will be mailed out in June.

Councilmember Karen Meinzen McEnerny asked if the numbers cited are for Sandy Springs.

Mr. Fitzgibbon responded yes.

Councilmember John Paulson stated last year \$6.254 billion was budgeted and the numbers ended up at \$6.159 billion. This year the Tax Assessor's office is budgeting \$6.216 billion. There is a \$95 million decrease in budgeted versus actual numbers. He asked if the numbers will decrease again this year.

Mr. Fitzgibbon stated his staff believes the numbers will not decrease. The trend for 2009 through 2011 was the percentage decreased at the appeals level at the Board of Equalization and Board of Assessors. In 2011, this number was slightly over a 5% reduction in total tax digest that was presented to the tax commissioner. In 2012, the number decreased to 1.53% and the projected figures will be closer after all the appeals.

Councilmember Meinzen McEnerny stated staff may want to use Mr. Fitzgibbon's figures to calculate the budget.

Councilmember Gabriel Sterling asked how many Sandy Springs parcels are currently in the appeals process and not adjudicated through the Board of Equalization.

Mr. Fitzgibbon stated he asked staff that question before this meeting. They did not have time to run the report, but are working on it. He will get this information back to Council.

Councilmember Sterling stated when a property goes through the process with the Board of Equalization the value of the property stays the same for three years. He asked about the eighty-five percent and how long does it take to review the appeals.

Mr. Fitzgibbon stated the law states the Board of Assessors cannot change the value for the current year or the two following years following an appeal from the Board of Equalization or court. The value of the property for appeals filed in 2010 would be for 2010 through 2012. In 2013, the value could be changed, since the freeze period will have ended. The law was passed to avoid the Board of Assessors vindictively going back and not agreeing with the values and changing the values every year. Income changes on some commercial properties. An agreement may be made with the commercial property owner, in which the Board of Equalization may renegotiate the property value each year based on the income.

Councilmember Meinzen McEnery stated Council and staff has had conversations about the amount of revenue the City will receive from the vehicle and licensing tag fee. She asked for the projections for that line item and if there is a decrease.

Mr. Fitzgibbon stated that item is strictly the tax commissioner's responsibility as far as collecting the revenue. The Tax Assessor's office only handles the appeals of the vehicle fees. The information he has received is this item is revenue neutral. Due to the number of new cars versus old cars, the numbers will change over the next two to three years. The law states there is an allowance for the percentage to change.

Councilmember Meinzen McEnery asked if the number of \$6,216,520 includes stable revenue for the vehicle tag fee.

Mr. Fitzgibbon responded yes.

Mayor pro tempore Tibby DeJulio thanked Mr. Fitzgibbon and asked him to relay the information that Councilmember Sterling asked for to the City Finance Department.

Mr. Fitzgibbon stated there were 38,000 appeals for 2011 and 28,000 appeals for 2012. One thing the Tax Assessors office is doing this year is online appeals. He hopes that the media can assist in relaying the message that if one files an appeal online the appeal can be tracked online. An individual that files online will receive a confirmation and tracking number. There is a separate program where the appeal can be tracked. If additional information is needed to add to the appeal, the information can be accepted online. Appeals that are submitted online can streamline the process. Information regarding submitting appeals online is on the website www.fultonassessor.org.

Councilmember Meinzen McEnery asked if an individual files online, will it give the property owner the same protection for the three year period.

Mr. Fitzgibbon stated the law states the Tax Assessor's office can agree to that.

Councilmember Meinzen McEnery asked if the individual applying online should ask for form 4829 c.

Mr. Fitzgibbon responded yes.

Mayor pro tempore Tibby DeJulio called City Clerk Michael Casey and Assistant City Clerk Kelly Bogner to the front to be recognized for Municipal Clerks Week. He read the proclamation which states, "The Office of the Municipal Clerk, a vital part of local government, is one of the oldest offices in public service. It provides the professional link between citizens and local governing bodies and agencies. Municipal clerks have pledged their neutrality and impartiality rendering equal service to all. The Office of Municipal Clerk serves as the information center on functions of local government and community.

Municipal clerks continually strive to improve the Office of the Municipal Clerk through participation in education program, seminars, workshops, and the annual meetings of their state, province, county, and international professional organizations.” He proclaimed May 5-11, 2013 as Municipal Clerks Week, and further extended appreciation to the City Clerks.

PUBLIC HEARINGS

City Clerk Michael Casey read the rules for the Public Hearings segment of the meeting.

(Agenda Item No. 13-063)

1. **TA13-001** - An Ordinance to Create Section 105-23, Commercial Car Wash Water Recycling, of the Code of the City of Sandy Springs

Manager of Planning and Zoning Patrice Dickerson stated this amendment was presented at the previous Work Session. Staff is recommending approval, as this is a required ordinance for the State of Georgia.

Mayor pro tempore Tibby DeJulio called for public comments in support or opposition to the application. There were no public comments. Mayor pro tempore DeJulio closed the public hearing.

Motion and Vote: Councilmember Sterling moved to approve Agenda Item No. 13-063, TA13-001 - An Ordinance to Create Section 105-23, Commercial Car Wash Water Recycling, of the Code of the City of Sandy Springs. Councilmember Fries seconded the motion. The motion carried unanimously.

Ordinance No. 2013-05-05

(Agenda Item No. 13-064)

2. Resolution Authorizing the Adoption of the City of Sandy Springs 2013-17 Consolidated Plan and 2013 Annual Action Plan for Submission to the U.S. Department of Housing and Urban Development (HUD) for Participation in the Community Development Block Grant (CDBG) Program

Manager of Planning and Zoning Patrice Dickerson stated staff has completed the public involvement process for the CDBG program to adopt the next five year plan and the 2013 action plan. Staff recommends approval of this item for submittal to HUD.

Mayor pro tempore Tibby DeJulio called for public comments in support or opposition to the application. There were no public comments. Mayor pro tempore DeJulio closed the public hearing.

Motion and Second: Councilmember Fries moved to approve Agenda Item No. 13-064, a Resolution Authorizing the Adoption of the City of Sandy Springs 2013-17 Consolidated Plan and 2013 Annual Action Plan for Submission to the U.S. Department of Housing and Urban Development (HUD) for Participation in the Community Development Block Grant (CDBG) Program. Councilmember Paulson seconded the motion.

Councilmember Karen Meinzen McEnery stated she understands that CDBG works by moving forward the projected anticipated annual revenues and the City receives about \$400,000 to \$500,000 a year.

Councilmember Dianne Fries stated the first section of sidewalk to be constructed is from Dalrymple Road to the Chattahoochee River. Only Phase I of that project has been completed, which is Dalrymple to North Spring. The next phase is North Springs to the river and then the project will come back south.

Councilmember Meinzen McEnerny stated the first five year plan has not been completed. It appears that the first five year plan did not extend to the river.

Mayor pro tempore DeJulio stated the plan was not intended to go all the way to the river.

Councilmember Meinzen McEnerny stated the first phase of the first five year plan has been completed. This evening Council is being asked to agree to continue for the next phase north of I-285. There are other areas in the City that qualify for the CDBG funds. Based on the last census the area south of I-285 at Northwoods now includes sidewalks all the way from the City limits.

Councilmember Fries stated she asked Director of Public Works Garrin Coleman to compare the CDBG funds used for the project, along with T-0019 improvements and the HAWK, in order to know how much will be actually funded. The first plan was to construct sidewalks from Dalrymple to the Chattahoochee River.

Director of Public Works Garrin Coleman stated there is also the Hightower Trail section that was added to the first phase of the project.

Councilmember Meinzen McEnerny asked what Council is being asked to do on this five year plan. She asked what other sidewalks will be constructed when the City receives the funds.

Manager of Planning and Zoning Dickerson stated the City is not set for the whole five years. The way the plan is written the City will complete Phase II of the project that was discussed under the first five years. Staff anticipates the first three years funds of this five year plan would be needed to complete that project. The remaining funding could be used for other projects. HUD requires the City to have a five year master plan and an annual action plan. The 2013 plan will continue the Phase II project. Staff anticipates 2014 and 2015 funds will be needed to complete the project. In 2016 and 2017, staff will have the opportunity to look at other areas to complete similar projects.

Councilmember Meinzen McEnerny asked if Council has already approved Phase II of the project.

Manager of Planning and Zoning Dickerson responded yes.

Mayor pro tempore DeJulio stated the project has not been completed.

Councilmember Fries stated Council approved the whole project from Dalrymple to the Chattahoochee River.

Director of Public Works Coleman stated the money for the project has to be drawn down. There cannot be more than 1 ½ years' worth of money in the account. That is what precipitated the phases.

Councilmember Meinzen McEnerny stated there is MARTA money in an under privileged area that installed sidewalks. The City is now going to commit eight years' worth of CDBG money north of I-285. She supports CDBG qualified money being used to construct sidewalks south of I-285.

Mayor pro tempore DeJulio stated the project the City has already started has to be completed first.

Vote on the Motion: The motion carried unanimously.

Resolution No. 2013-05-28

UNFINISHED BUSINESS

(Agenda Item No. 13-065)

1. Authorize the Mayor to Sign the GDOT Project Framework Agreement (PFA) for the SR 9 ATMS Project (T-0044), Phase II (PI 0012629)

Director of Public Works Garrin Coleman stated this agreement is for the extension of the first phase to upgrade the ATMS project. The first phase of the ATMS from Abernathy north will be completed in late May or early June 2013. To accept the money, this agreement has to be signed and also a match provided. The City has \$270,000 in match funds that was set aside last year in hopes of getting awarded this funding, which the City did receive. The City received an additional \$60,000.

Motion and Vote: Councilmember Meinzen McEnerny moved to approve Agenda Item No. 13-065, Authorizing the Mayor to Sign the GDOT Project Framework Agreement (PFA) for the SR 9 ATMS Project (T-0044), Phase II (PI 0012629). Councilmember Sterling seconded the motion. The motion carried unanimously.

Resolution No. 2013-05-29

(Agenda Item No. 13-066)

2. Authorize the Mayor to Sign the GDOT Local State Route Acceptance Resolution and the Contract for Maintenance of Highways on the Proposed State Highway System Revisions in the City of Sandy Springs, Fulton County: State Route 1254, Project PI 751580 (Widening of Northridge Road, NH000-0056-01(061)); CIP T-0037

Director of Public Works Garrin Coleman stated this item is in reference to the Northridge interchange project. GDOT has to take a local road under temporary State Route, similar to what was done at Abernathy and Johnson Ferry Road, for them to be able to spend Federal funds. The agreement needs to be signed in order to move forward with right-of-way acquisitions.

Motion and Second: Councilmember Sterling moved to approve Agenda Item No. 13-066, Authorizing the Mayor to Sign the GDOT Local State Route Acceptance Resolution and the Contract for Maintenance of Highways on the Proposed State Highway System Revisions in the City of Sandy Springs, Fulton County: State Route 1254, Project PI 751580 (Widening of Northridge Road, NH000-0056-01(061)); CIP T-0037. Councilmember Fries seconded the motion.

Councilmember John Paulson asked if the temporary road will extend all the way to Huntington. He asked why it has to go that far.

Director of Public Works Coleman stated this is the plan that GDOT sent to staff. They want to extend the road to that area and GDOT will be responsible for maintenance of that area.

Councilmember Paulson stated he has seen no plans for construction work past this area, so why does GDOT need more than where the boundaries are.

Director of Public Works Coleman stated he does not know the answer to that question, but will research it and get back to Council.

Councilmember Paulson stated the extending of the project boundaries is on the west side all the way to where the apartment complex is located.

Councilmember Dianne Fries stated GDOT will need a staging area for the project.

Councilmember Paulson stated GDOT owns eleven acres to the north of the proposed project. He does not understand why GDOT wants to extend the project all the way to Huntington to the east, and all the

way to the west. He will support this, provided staff gets clarification that there are no plans to do any work in the area.

Councilmember Gabriel Sterling asked if it is ok to defer this item until the information can be obtained.

Director of Public Works Coleman stated deferring this item will delay the right-of-way acquisition. He can get an answer to the question of how far the project will extend and email the answer to Council.

Councilmember Paulson stated that is acceptable to him.

Councilmember Meinzen McEnery stated before Council takes action on this item, staff should communicate to Council why GDOT has those drawings extending into Huntington.

Substitute Motion and Second: Councilmember Meinzen McEnery moved to defer Agenda Item No. 13-066, Authorizing the Mayor to Sign the GDOT Local State Route Acceptance Resolution and the Contract for Maintenance of Highways on the Proposed State Highway System Revisions in the City of Sandy Springs, Fulton County: State Route 1254, Project PI 751580 (Widening of Northridge Road, NH000-0056-01(061)); CIP T-0037, to the May 21, 2013, City Council meeting. Councilmember Paulson seconded the motion.

Councilmember Chip Collins asked if the City can negotiate with GDOT on this project.

Director of Public Works Coleman stated it would be a modification to GDOT's exhibits, which he assumes GDOT will make. GDOT's right-of-way office may have prepared the exhibit, but did not review the design drawings, which could be why the construction extends so far.

Councilmember Sterling stated GDOT basically took an overview of the whole area when creating the exhibit. He does not like projects being delayed. He would rather not defer this item, but instead get the information on why the exhibit looks the way it does.

Councilmember Paulson stated this neighborhood has active plans to improve the entrance to the neighborhood. These plans reside in the area that GDOT has taken control over.

Director of Public Works Coleman stated staff has a meeting with C.W. Matthews, GDOT, and the neighborhood to review the entry monument plans. All of these parties have exchanged digital files and have sited the improvements for the neighborhood on the plans.

Councilmember Paulson stated it was made clear that GDOT has no responsibility for the neighborhood improvements. The boundary places the improvements within the territory boundaries of GDOT. There is an inconsistency in what GDOT approved and what is shown on the plan.

Vote on the Substitute Motion: The substitute motion failed on a vote of 3-3, with Councilmembers Fries, Sterling, and DeJulio voting in opposition.

Vote on the Original Motion: The motion failed on a vote of 3-3, with Councilmembers Collins, Paulson, and Meinzen McEnery voting in opposition.

Mayor pro tempore Tibby DeJulio asked the City Attorney if this item is defeated or tabled to the next City Council meeting.

City Attorney Wendell Willard stated the item is deferred until there can be another vote with another party potentially present, which is the Mayor.

NEW BUSINESS

(Agenda Item No. 13-067)

1. Appeal of the City's Denial of Certain Permits Related to the Artsapalooza Event

City Attorney Wendell Willard stated this is an appeal that was filed regarding denials of two applications for a special events permit. He asked if there is anyone in attendance representing the applicants, which are the Atlanta Foundation for Public Spaces and the Georgia Foundation for Public Spaces. There were no representatives present. The applications were filed beginning on February 11, 2013, for a special events permit for a location on Sandy Springs Circle north and Sandy Springs Circle south. Staff began the review process, found numerous items missing, and denied the application. Businesses would have been affected by the applicant's desired use of the right-of-way. Staff felt it was not in the best interest of the City for that purpose. Another application was filed for a use permit on Lake Forest Road on March 11, 2013. This permit was granted. Because the two other applications were being denied, the applicants required a letter for the denial given on March 15, 2013. An appeal to the denials was filed on March 26, 2013. Staff has incurred difficulty with the applicant seeking the permits. As a result of the denial of the two applications, Mr. Randall Fox has filed 59 open records requests to the City since February 5, 2013. The City was required by law to respond to each of them. During this time there have been over 500 emails submitted to the City, which when printed over 1,600 pages to accommodate the number of emails sent by the requestor. The City Attorney notified staff how the emails and further open records requests would be handled, because the applicant failed to make payment as required for the information requested. The applicant received a use permit and did hold the event on April 21, 2013 on Lake Forest Road. He asked Council to deny the appeal filed in this matter in order to have a record of this action.

Motion and Second: Councilmember Paulson moved to uphold the City Manager's decision to deny both of the applications for certain permits related to the Artsapalooza event due to the disruption to neighboring businesses. Councilmember Sterling seconded the motion.

Councilmember Karen Meinzen McEnery stated she finds it offensive that anyone that applies for a permit in the community believes it is appropriate to be verbally abusive to staff on two separate occasions. She supports the denial of the appeal based on the reason of interfering with City businesses.

Vote on the Motion: The motion carried unanimously.

Councilmember Chip Collins asked what the remedy was from the appeal.

City Attorney Willard stated there would be no remedy, but instead potentially set a precedent to override the decisions of the administration of the City. The basis for denying these appeals was the disruption of the existing businesses that would be open during the time of the events at the particular location.

(Agenda Item No. 13-059)

2. Amendment of Vehicle Immobilization (Booting) Ordinance

Director of Public Safety Terry Sult stated there are two minor changes that need to be made in order to administer the booting ordinance. One change is the language that will give the City the flexibility to perform the appropriate background check. The City used a similar sign ordinance from a neighboring City to create its ordinance. In working with the booting companies, the sign specified is too large with

extra language that is not required. The sign has been modified to be more user friendly, which is the second change.

Motion and Vote: Councilmember Sterling moved to approve Agenda Item No. 13-059, Amendment of Vehicle Immobilization (Booting) Ordinance. Councilmember Paulson seconded the motion. The motion carried unanimously.

Ordinance No. 2013-05-26

(Agenda Item No. 13-068)

3. Resolution for GDOT Revive 285 Impact on Allen Park

Director of Public Works Garrin Coleman stated on April 16, 2013, staff brought a draft letter to Council for consideration of a de minimis determination on impacts due to Revive 285 on Allen Park. There was discussion that resulted from the letter. GDOT and Arcadis gave a presentation to Council on April 30th. This item is a draft resolution that captures the elements that precipitated on April 30th. Some of the discussions include no connection to Sandy Springs Circle being the preferred alternative, a desire to mitigate and minimize impacts to the surrounding community in the City Center investment, and also that repairs to Allen Park would be acceptable based on the mitigation plans currently presented.

Councilmember Gabriel Sterling stated the resolution does capture some of the items discussed and it does not address alternative 6a versus alternative 4. There would be a large amount of property taken if alternative 6a were chosen and it will be costly for just a 2 minute decrease in traffic time. Anything Council can do to slow down alternative 6a is an appropriate step for the City. Alternative 4 would not require the taking of land, connection to Sandy Springs Circle, or impact on Allen Road Park.

Councilmember Karen Meinzen McEnery stated the "whereas" clauses in a document are informational, but the resolution clause is binding. Nowhere in the paragraph does it say that GDOT understands that the City does not want any connection to Sandy Springs Circle. If Council were to support the resolution, it needs to state that Council does not want the managed lane to intersect in anyway with Sandy Springs Circle. The managed lanes will take forty to fifty feet off both sides of I-285. She does not want to support a resolution that tells GDOT that Sandy Springs City Council supports managed lanes. Alternative 4 would work well to relieve the safety congestion.

Councilmember Dianne Fries stated regarding the ramp that would connect to Sandy Springs Circle she wonders why GDOT would place a ramp that is less than 200 yards away from the ramp on Roswell Road. She suggested the language "no ramp other than Roswell Road" be added to the resolution.

Councilmember Sterling stated GDOT is trying to get the environmental study done by Council stating they see no adverse impact. He sees an adverse impact that would be on Allen Park and Sandy Springs Circle.

Motion and Second: Councilmember Sterling moved to deny Agenda Item No. 13-068, a resolution regarding the GDOT Revive 285 impact on Allen Park. Councilmember Meinzen McEnery seconded the motion.

Councilmember Meinzen McEnery asked staff if they foresee any adverse repercussions if Council does not facilitate GDOT's request for the managed lane and a connection to Sandy Springs Circle.

Mayor pro tempore Tibby DeJulio asked who wrote the resolution.

Director of Public Works Coleman stated the resolution was written by staff.

City Manager John McDonough stated even if Council denies the resolution, the City owes GDOT some type of feedback. He recommends that Council go on record whether they agree or do not agree with the proposed plan.

Mayor pro tempore DeJulio stated by Council denying the resolution, Council is opposing the plan.

Councilmember Sterling stated the only reason GDOT is requesting feedback is due to Allen Park being involved in the proposed plans. He asked if GDOT would care either way if Council passes a resolution.

City Manager McDonough stated GDOT wants Sandy Springs input. GDOT would like to know what option Council prefers and what impacts Council wants to see or does not want to see.

Mayor pro tempore DeJulio stated not all of the members were present when GDOT gave the presentation to Council. He suggested scheduling this item on a Work Session in early June when all of the Councilmembers are present, so everyone can give input, and then Council can give GDOT input.

City Manager McDonough stated staff will create a new resolution that Council can consider at an upcoming Work Session.

Vote on the Motion: The motion carried unanimously.

REPORTS

1. Mayor and Council Reports

Councilmember Dianne Fries stated for the Taste of Sandy Springs twenty-four restaurants registered, twenty of those participated in the events and 4,000 taste tickets were sold. The 6th Annual Global Imports Sandy Springs Cycling Challenge went well. The Police and Fire Department competed in a bicycle race in which was won by Police Officer Ellis. Officer Ellis is going to contribute \$500 to the Sandy Springs Benevolent Fund.

2. Staff Reports

- a) March Financial Report – Finance Director, Karen Ellis

PUBLIC COMMENT

There were no public comments.

EXECUTIVE SESSION – Litigation and Real Estate

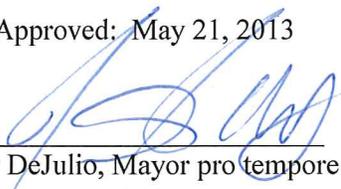
Motion and Vote: Councilmember Sterling moved to enter into Executive Session to discuss litigation and real estate matters. Councilmember Fries seconded the motion. The motion carried unanimously, with Councilmember Paulson, Councilmember Fries, Councilmember Collins, Councilmember Sterling, Councilmember DeJulio, and Councilmember Meinzen McEnergy voting in favor of the motion. Executive Session began at 7:13 p.m.

Motion and Vote: Councilmember Collins moved to adjourn Executive Session. Councilmember Paulson seconded the motion. The motion carried unanimously, with Councilmember Paulson, Councilmember Fries, Councilmember Collins, Councilmember Sterling, Councilmember DeJulio, and Councilmember Meinzen McEnergy voting in favor of the motion. Executive session adjourned at 7:47 p.m.

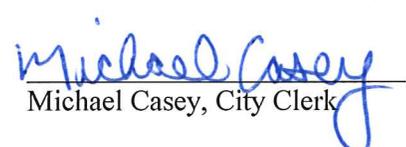
ADJOURNMENT

Motion and Vote: Councilmember Collins moved to adjourn the meeting. Councilmember Fries seconded the motion. The motion carried unanimously. The meeting adjourned at 7:48 p.m.

Date Approved: May 21, 2013



Tibby DeJulio, Mayor pro tempore



Michael Casey, City Clerk