

**Minutes of Regular City Council Meeting
held Monday, June 17, 2013, at 7:00 P.M.
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida.**



CALL TO ORDER:

Mayor Charlie Latham called the meeting to order.

OPENING CEREMONIES:

Invocation was by Council Member Taylor; followed by the Salute to the Flag.

ROLL CALL:

Mayor: Charlie Latham

Council Members: Keith Doherty Steve Hartkemeyer Christine Hoffman
Tom Taylor Phil Vogelsang Jeanell Wilson

Also present was City Manager George Forbes, City Department Directors, and City Clerk Judy Bullock.

APPROVAL OF MINUTES

It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, and passed, to approve the following minutes, as presented:

- Regular City Council Meeting held June 3, 2013

ANNOUNCEMENTS

Councilmember Keith Doherty

- Mr. Doherty advised that he had received many e-mails regarding the closing of the Beaches Branch Library and stated that the council should do everything they can to prevent the closure.
- He also said that he had attended a meeting of business owners and residents offering ideas on ways to improve the image of Jacksonville Beach, and make it more welcoming and family friendly. The group had many ideas to make the City more welcoming, such as naming the downtown area with a catchy name, instead of the CBD [Central Business District]. He stated that suggestions for the name could be sent to him at his city e-mail address.

Councilmember Tom Taylor

- Mr. Taylor shared that he had attended a retirement reception for Fletcher Middle School Science Teacher Kathy Poe. He also urged citizens to view the Solar System on display.

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Councilmember Chris Hoffman

- Ms. Hoffman advised that she had recently visited the BEAM vegetable garden and that it is doing very well. She added that there would be a blessing of the garden later in the summer.
- She explained that BEAM had received a grant to provide services to low income seniors, should they need immediate service.

Mayor Latham

- Mayor Latham advised that he, Mayor Borno and Mayor Pruette wrote a joint letter regarding the plans to close the Beaches Branch Library that will be signed by the three Mayors and sent to City of Jacksonville Mayor Brown. Mayor Latham also read the letter into the record (copy on file).

Councilmember Jeanell Wilson

- Ms. Wilson supported the Mayor's efforts concerning the Beaches Branch Library and recommended that the Council adopt a Resolution to keep the library open.

COURTESY OF THE FLOOR TO VISITORS

Speakers:

- Christa Murphy, 519 North 6th Street, Jacksonville Beach
Ms. Murphy shared her concerns about the condition of the retention pond at Paws Dog Park. She advised that the pond has been taken over by mosquitos and added that she is in favor of charging persons to use the Dog Park.
- Ken Marsh, 2027 Gail Avenue, Jacksonville Beach
Mr. Marsh addressed the Council concerning the oil stains on the pavers on North 1st Street and suggested that the City develop a plan to clean the pavers as needed. (photos on file)
- Jim Overby, 21 Burling Way, Jacksonville Beach
Mr. Overby urged the Council to do everything they can to keep the Beaches Branch Library open.
- Bob Welton, 1032 South 1st Street, #2, Jacksonville Beach
Mr. Welton advised that the site line at 11th Street South and 2nd Street is blocked and requested that four way stop signs be installed.
- Bruce Thomason, former Police Chief, Jacksonville Beach
Mr. Thomason commended the Mayor on the letter he wrote concerning the "Pub Crawl" on the 4th of July. He also encouraged the Council and Staff to review the Alcohol Ordinance in the Code of Ordinances to see if any of the provisions could help with the "Pub Crawl".

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- Jon McGowan, 5 North 17th Avenue, #401, Jacksonville Beach
Mr. McGowan addressed the Council regarding the “Better Jacksonville Beach” organization being formed and explained that participants would be business owners in the Central Business District, Community Leaders, and Volunteers to help improve the image of Jacksonville Beach. Mr. McGowan added that a contest would be held to help find an appropriate name for the downtown business district.
- Sam Veal, 502 3rd Avenue South, Jacksonville Beach
Mr. Veal also addressed the stained pavers and advised that they would be cleaned later that evening, at no cost to the City.

He provided a report on the Sea Walk Music Festival, which received extremely positive coverage by the press. It was also well attended without any incidents. He advised that the fireworks fund raising efforts are continuing. Businesses are donating items to be raffled off to help fund the fireworks.

Mr. Veal provided an update on the 4th of July Celebration and presented a check in the amount of \$1,395.00. He assured the Council that the celebration would be a family-oriented event with the Navy Band Southeast playing the 1812 Overture leading into the fireworks display. Country music artist Craig Campbell and the Sassy Tappers will also be appearing.

City Manager George Forbes advised that the following funds have been raised for the fireworks display:

- City of Atlantic Beach - \$5,000
- City of Jacksonville - \$5,000
- Donations and the check presented by Mr. Veal - \$4,300

Mr. Forbes commented on the condition of the beach and festival area following the Sea Walk Music Festival. He stated that the entire downtown area was completely clean and extended his appreciation to Mr. Veal and the City staff.

MAYOR AND CITY COUNCIL

- (a) Mayor’s Letter Requesting Businesses Cancel the Pub Crawl on the 4th of July

The Mayor advised that the Council is pro-business and several meetings have been held with the business owners. He stated that two years ago the fireworks celebration was cancelled due to the number of visitors and it reached a point where the police were having problems with visitors’ safety.

He explained that the current 4th of July event will begin at 4:00 p.m. and will have music; it will honor our veterans, and create a family friendly atmosphere with hotdogs, hamburgers, and waving of American Flags.

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Mayor Latham advised that approximately one week ago an independent promoter contacted area businesses for a “Pub Crawl” on the fourth. It was discovered that four of the area restaurants with liquor licenses had elected to participate in the “Pub Crawl” and 200 tickets had been sold.

He added that Blue Water Grill had contacted him and decided not to participate in the “Pub Crawl” event.

Mayor Latham read the letter into the record (copy on file) and opened the floor for comments from the Council.

Council Comments

Mr. Doherty stated that he felt the letter was directed at bars and it indicated that they were not responsible business owners. He advised that after the Mayor’s explanation he was comfortable with the letter.

Ms. Hoffman extended her appreciation for the explanation. However, she is not in favor of targeting a certain type of business and asking them to turn away business. Ms. Hoffman added that the letter was also in a threatening tone.

Mayor Latham responded to Ms. Hoffman’s comments and stated that he did not ask businesses to turn away customers. He asked that the businesses not publish and celebrate the “Pub Crawl” event. Mayor Latham added that the intent of the letter was not to be threatening, but to lay the facts out so everyone would understand that this year’s 4th of July is to be a safe, family friendly event.

Ms. Wilson stated that she was in favor of the letter; however, she understood Ms. Hoffman’s concern about discouraging business.

Mr. Vogelsang remarked instead of the letter, a representative should have contacted the businesses involved. He concurred with Ms. Hoffman’s interpretation of the letter being threatening.

Mayor Latham advised that the letter was not meant to be threatening and when it was written, it was a blanket statement because none of the restaurants had signed up to be part of the “Pub Crawl”.

Mr. Hartkemeyer stated that he was totally in favor of the letter and the portion about not having a celebration next year if there are problems this year. He commented that Council had discussed whether or not to have a celebration this year, as a result of previous problems.

CITY CLERK

- (a) Appointment of a Fifth Member to Serve on the General Employees’ Pension Board of Trustees.

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Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to reappoint Mr. Brandon Maresma, to serve as a trustee as the fifth member on the General Employees' Pension Board, new term to expire February 12, 2015.

Mr. Forbes explained that the fifth member of the pension boards are appointed by the other four members of the Board, and then the Council approves the appointment as a ministerial act.

Roll call vote: Ayes: Doherty, Hartkemeyer, Hoffman, Taylor, Vogelsang, Wilson, and Mayor Latham; motion carried unanimously.

(b) Appointment of Two Members to the Community Redevelopment Agency.

Motion #1: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, for the Council to consider reappointment of Mr. Fisher and Mr. Simmons to the Community Redevelopment Agency for a four-year term to expire on June 17, 2017. Their expertise and knowledge with the redevelopment projects has proven invaluable to Jacksonville Beach.

Also for Council consideration, attached are the applications for Scott Cummings, Lloyd Hyatt, Cory Nichols, and Frances Povloski.

Mr. Forbes explained that the Redevelopment Agency is a five-member board that oversees two redevelopment areas.

Ms. Wilson initiated a discussion on the need for term limits on City Boards. She stressed that she was not opposed to any of the persons up for reappointment, and added that their service is greatly appreciated. Ms. Wilson suggested that Council hold a workshop on term limits on City Boards in the near future.

Ms. Hoffman remarked that they have several new applicants with outstanding credentials and while she appreciates the current members' service, the Council should consider the applicants.

Mr. Doherty concurred with Ms. Wilson's and Ms. Hoffman's comments and stated that it is good to have new persons with new perspectives on the Boards.

Mr. Vogelsang agreed with Ms. Wilson's statements and stated that applicant Corey Nichols has an outstanding resume and he has tried to get on this Board for some time.

Mr. Doherty asked why the Community Redevelopment Agency did not have alternates.

Mr. Forbes explained that the Board is governed by state law, and the statute requires a five-member board.

Mr. Taylor stated that serving on a City Board is a good stepping-stone to become involved in the City. He added that he had served on the Codes Enforcement Board for eight years.

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Mayor Latham advised that the motion on the floor was to reappoint Mr. Fisher and Mr. Simmons.

Roll call vote: Ayes: Hartkemeyer, Mayor Latham
Nays: Hoffman, Taylor, Vogelsang, Wilson, Doherty
Motion failed by a vote of 5-2.

Motion #2: It was moved by Ms. Hoffman, seconded by Mr. Vogelsang, to appoint Mr. Cory Nichols and Ms. Frances Povloski to the Community Redevelopment Agency for four-year terms, to expire on June 17, 2017.

Roll call vote: Ayes: Hoffman, Taylor, Vogelsang, Wilson, Doherty, Hartkemeyer, and Mayor Latham; motion carried unanimously.

Mr. Forbes advised that the Council appoints the Chairperson of the Redevelopment Agency and that the appointment will be on the next agenda for consideration.

(c) Appointment of Two Members to the Planning Commission.

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, for the Council to appoint two members to the Planning Commission for a four term to expire on June 30, 2017.

Should the Council appoint the two alternates as the members, it is requested that the Council also appoint two new alternates to the Planning Commission to complete the unexpired terms, expiring on January 31, 2015.

Mr. Vogelsang expressed his concern about appointing Mr. Hyatt since he has declared his intent to run for council again.

Mr. Doherty advised that none of the remaining applicants chose the Planning Commission as their first choice.

Ms. Wilson commented that the current members have not served in excess of twenty years on the Planning Commission.

Motion #1: It was moved by Mr. Taylor, seconded by Mr. Doherty, to reappoint Mr. Terry De Loach for a new four-year term to expire on June 30, 2017.

Roll call vote: Ayes: Taylor, Vogelsang, Wilson, Doherty, Hartkemeyer, Hoffman, and Mayor Latham; motion carried unanimously.

Motion #2: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to appoint Ms. Georgette Dumont as a regular member, term to expire June 30, 2017.

Roll call vote: Ayes: Vogelsang, Wilson, Doherty, Hartkemeyer, Hoffman, Taylor, and Mayor Latham; motion carried unanimously.

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Motion #3: It was moved by Mr. Taylor, seconded by Ms. Hoffman, to appoint Mr. Rick Knight as First Alternate to complete an unexpired term expiring January 31, 2015.

Roll call vote: Ayes: Wilson, Doherty, Hartkemeyer, Hoffman, Taylor, Vogelsang, and Mayor Latham; motion carried unanimously.

Motion #3: It was moved by Mr. Taylor, seconded by Ms. Hoffman, to appoint Mr. Lee Dorson as Second Alternate to complete an unexpired term expiring January 31, 2015.

Roll call vote: Ayes: Doherty, Hartkemeyer, Hoffman, Taylor, Vogelsang, Wilson, and Mayor Latham; motion carried unanimously.

CITY MANAGER

(a) Monthly Financial Reports – Month of May 2013

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to approve the Monthly Financial Reports for the Month of May 2013.

Roll call vote: Ayes: Hartkemeyer, Hoffman, Taylor, Vogelsang, Wilson, Doherty, and Mayor Latham; motion carried unanimously.

(b) Approve an Agreement to Lease Land in Jarboe Park, Owned by the City of Jacksonville Beach to Neptune Beach.

Mr. Forbes explained that Jacksonville Beach owns land at Jarboe Park, in Neptune Beach that was once used as an electric substation. When the electric distribution system was rebuilt, this substation was no longer needed. Since that time, the land has been used for storage of Beaches Energy equipment.

He added that Neptune Beach has requested to use this property to expand parking, which is greatly needed. The request has been reviewed, and the City has no objections to leasing the land.

Mr. Forbes reviewed the lease. It is for a period of 20 years; can only be used for public purposes related to Jarboe Park, such as parking. No construction of buildings or structures are permitted; parking and landscaping is permissible and must be maintained in good condition during the term of the lease; the City of Neptune Beach must maintain liability insurance on the property and co-insure the City of Jacksonville Beach; and either party can cancel the lease with one year's advance notice.

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to authorize the Mayor and City Manager to execute an agreement between the City of Jacksonville Beach and Neptune Beach for land in Jarboe Park.

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Roll call vote: Ayes: Hoffman, Taylor, Vogelsang, Wilson, Doherty, Hartkemeyer and Mayor Latham; motion carried unanimously.

- (c) Approve a Contract Extension for the Golf Course Concessionaire for a Period of Three Years, Starting April 1, 2014 through March 31, 2017.

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to approve the extension of the contract with Hero's 19th Hole, Inc. to operate the golf course concessions for a period of three years, as described in a memo from the Recreation and Parks Director, Gary Meadors, dated June 7, 2013.

Mr. Forbes explained that the Jacksonville Beach Golf Course has a contract with Hero's 19th Hole, Inc. to operate the golf course snack bar and cart concessions. Due to the reduction in play at the golf course in 2011, the City Council amended the contract to decrease the monthly payment from \$4,400 to \$3,608.

Since that time, golf course construction was completed and play has stabilized. Hero's 19th Hole is asking the City to consider reinstating the option to renew the contract for three additional years and that the monthly rental remains at \$3,608. In addition to the monthly rental, the concessionaire will continue to pay property taxes for the snack bar space, utilities for the snack bar and rental costs for the beverage carts, which totals approximately \$18,000 per year.

Roll call vote: Ayes: Taylor, Vogelsang, Wilson, Doherty, Hartkemeyer, Hoffman, and Mayor Latham; motion carried unanimously.

- (d) Approve the Installation of Tennis Court Lights at Huguenot Tennis Center

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to approve the installation of tennis court lights at Huguenot Tennis Center, as described in the memorandum from the Recreation & Parks Director, dated June 7, 2013.

Mr. Forbes explained that Huguenot Tennis Center has seven courts and only one does not have lighting for nighttime play. He added that the cost to purchase lights will be \$39,250 and installation will be performed by Beaches Energy Services. Funding for the project is available from the Sports Field Lights Project, supplemented by the Tennis Capital Improvement Fees Reserve.

Roll call vote: Ayes: Vogelsang, Wilson, Doherty, Hartkemeyer, Hoffman, Taylor, and Mayor Latham; motion carried unanimously.

- (e) Approve the Construction of One Replacement Plexi-cushion Tennis Court at South Beach Park.

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to approve the construction of a new Plexi-cushion tennis court at South Beach Park, as described in a memo from the Recreation and Parks Director, Gary Meadors, dated June 7, 2013.

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Mr. Forbes advised that the City has one tennis court at South Beach Park that is open for public play. The original court was constructed ten years ago, using concrete as the base surface. Over time, the concrete surface has developed cracks that are affecting play on the court. Since the court has to be rebuilt, staff is recommending installation of the Plexi-cushion surface currently in use at Huguenot Tennis Center. Mr. Forbes added that funding for the project was approved by the Community Redevelopment Agency at their May meeting; and will not be taken from the general fund.

Roll call vote: Ayes: Wilson, Doherty, Hartkemeyer, Hoffman, Taylor, Vogelsang, and Mayor Latham; motion carried unanimously.

- (f) Approve the Installation of Magnetic Gate Locks and Entry System at Both the Small and Large Dog Parks.

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to approve the installation of magnetic gate locks and entry system at the Paws Park, Dog Park, as described in a memo from the Recreation and Parks Director, Gary Meadors, dated June 8, 2013.

Speakers:

- Sandy Golding, 1203 North 18th Avenue, Jacksonville Beach
Ms. Golding explained that the Paws Dog Parks are very popular and they are now suffering from overuse. There is a dedicated volunteer group “Friends of Paws Parks” that oversees the parks. Fundraisers are being held to assist with restoration of the park and are seeking funding from the City of Jacksonville. Ms. Golding advised that she is in favor of the controlled access and the proposed membership fees (\$50 for first dog, \$25 for each dog thereafter). She asked that the Council support the gate locks and maintenance of the parks.
- Lance Folsom, 1022 North 23rd Street, Jacksonville Beach
Mr. Folsom spoke in favor of the improvements to the Paws Dog Parks and the fees to use the parks. He also expressed his appreciation for the City’s assistance and added that the dogs really love the park.
- Pat Villa, 14365 Cedar Island Road, Jacksonville
Ms. Villa expressed her support of Paws Dog Park and said that the volunteers work to fund the park, but they need the City’s assistance at this point.

Mr. Forbes stated that the dog park does not meet the City’s standards and he is asking the Council to set-up a maintenance account to help with the improvements to the park. He also reviewed the proposed magnetic gate locks and entry system at the park.

Mr. Meadors responded to Councilmembers’ questions regarding the locking system and maintenance of the parks.

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Mr. Vogelsang voiced his support of the proposed fees for users of the park. He stated the fee is more than reasonable and that there needs to be a plan for upkeep and to enable upgrades to the park.

Mr. Doherty stated that it is a small amount of money and the gate access system will pay for its self in a short amount of time. He suggested that the parks should have concrete walkways. Mr. Doherty added that the retention pond fencing is in need of repair/cleaning.

Ms. Hoffman remarked that she is in favor of the project and added that she would love to be a judge for the Halloween costume contest.

Roll call vote: Ayes: Doherty Hartkemeyer, Hoffman, Taylor, Vogelsang, Wilson, and Mayor Latham; motion carried unanimously.

(g) Authorize the City's 2013 Asphalt Rejuvenation Pavement Maintenance Program

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to authorize the City's 2013 Asphalt Rejuvenation Pavement Maintenance Program at an estimated cost not to exceed \$275,980, as explained in the memorandum from the Public Works Director dated, May 31, 2013.

Mr. Forbes reviewed the City's pavement maintenance program and added this year includes asphalt rejuvenation. He explained that the process is a cost-effective maintenance procedure for roads with good condition pavement. The goal of the rejuvenation is to keep good pavement in good condition for a longer period of time. This year the City has approximately seventeen miles of roadway, and several public parking lots scheduled for maintenance. Mr. Forbes reviewed the list and map of proposed streets and parking lots to be treated.

Roll call vote: Ayes: Hartkemeyer, Hoffman, Taylor, Vogelsang, Wilson, Doherty, and Mayor Latham; motion carried unanimously.

RESOLUTIONS

(a) **RESOLUTION NO. 1916-2013**

Mayor Latham requested that Resolution No. 1916-2013, be read by title; whereupon Ms. Bullock read the following:

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JACKSONVILLE BEACH REQUESTING THAT THE FLORIDA DEPARTMENT OF TRANSPORTATION DESIGNATE STATE ROAD A1A IN JACKSONVILLE BEACH, DUVAL AND NASSAU COUNTIES AS A FLORIDA SCENIC HIGHWAY.”

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Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to adopt Resolution No. 1916-2013, requesting the Florida Department of Transportation designate SR A1A, as a Florida Scenic Highway.

Speaker:

- Elaine Brown, 1302 Neptune Grove East, Neptune Beach
Ms. Brown thanked the Council for their support in having the FDOT designate State Road A1A as a Florida Scenic Highway and provided Councilmembers with handouts (copy on file). Ms. Brown added that the City of Jacksonville and Fernandina Beach have also passed Resolutions.

Councilmembers extended their appreciation for Ms. Brown's support of the Ferry and for her current endeavor to have A1A declared as a scenic highway.

Roll call vote: Ayes: Hoffman, Hartkemeyer, Taylor, Vogelsang, Wilson, Doherty, and Mayor Latham; motion carried unanimously.

(b) **RESOLUTION NO. 1915-2013**

Mayor Latham requested that Resolution No. 1915-2013, be read by title; whereupon Ms. Bullock read the following:

“A RESOLUTION AMENDING THE CITY OF JACKSONVILLE BEACH POSITION CLASSIFICATION AND PAY PLAN FOR DEPARTMENT DIRECTORS AND MANAGERIAL, PROFESSIONAL, ADMINISTRATIVE, AND UNCLASSIFIED (NON-UNION) CITY POSITIONS, EFFECTIVE JUNE 17, 2013.”

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to adopt Resolution No. 1915-2013, amending the Position Classification and Pay Plan for Department Directors and Managerial, Administrative and Unclassified (Non-Union) Positions.

Mr. Forbes advised that the resolution is in conjunction with Ordinance No. 2013-8029. He explained that administration of the pension plan is to be transferred to Human Resources later this year. However, the City Clerk will remain the Secretary to the Pension Boards. Mr. Forbes told the Council that Human Resources would be reorganized, with no change to the number of employees.

Roll call vote: Ayes: Taylor, Vogelsang, Wilson, Doherty, Hartkemeyer, Hoffman and Mayor Latham; motion carried unanimously.

ORDINANCES

(a) **ORDINANCE NO. 2013-8029 – SECOND READING**

Mayor Latham requested that Ordinance No. 2013-8029, be read by title; whereupon Ms. Bullock read the following:

“AN ORDINANCE AMENDING CHAPTER 2, ARTICLE V, DIVISION 5, ‘GENERAL EMPLOYEES’ RETIREMENT SYSTEM’ OF THE CODE OF ORDINANCES OF THE CITY OF JACKSONVILLE BEACH; TO PROVIDE FOR A CHANGE IN THE ADMINISTRATION OF THE RETIREMENT SYSTEM; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR CODIFICATION AND PROVIDING AN EFFECTIVE DATE.”

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to adopt Ordinance Number 2013-8029, to change the pension administration services from the City Clerk’s Office to the Human Resources Department.

Roll call vote: Ayes: Vogelsang, Wilson, Doherty, Hartkemeyer, Hoffman, Taylor and Mayor Latham; motion carried unanimously.

ADJOURNMENT

There being no further business coming before the Council, Mayor Latham adjourned the meeting at 9:04 p.m.

Submitted by: Judy L. Bullock
City Clerk

Approval:

/s/William C. Latham

William C. Latham, Mayor

Date: July 15, 2013