August 21, 2012

The Board of Commissioners of the City of Lawrence met in regular session at 6:35 p.m., in the City Commission Chambers in City Hall with Mayor Schumm presiding and members Amyx, Carter, Cromwell and Dever present.

A. RECOGNITION/PROCLAMATION/PRESENTATION

None.

B. CONSENT AGENDA

Mayor Schumm said that item 9, text amendments to various sections of the code, would be pulled from the consent agenda for separate discussion.

It was moved by Amyx, seconded by Dever to approve the consent agenda as below, minus item number 9. Motion carried unanimously.

1. Approved City Commission meeting minutes from 07/17/12.

2. Received minutes from various boards and commissions:

   Homeless Issues Advisory Committee meeting of 06/12/12
   Lawrence Cultural Arts Commission meeting of 06/13/12
   Lawrence Human Relations Commission meeting of 05/17/12

3. Approved claims to 175 vendors in the amount of $2,948,862.84.

4. Approved licenses as recommended by the City Clerk’s Office.

   Drinking Establishment License for Lawrence Country Club, 400 Country Club Terrace
   and Off Premise Cereal Malt Beverage License for Hy-Vee Gas No. 1, 3900 West 24th Place

5. Bid and purchase items:

   a) Set bid date of September 11, 2012 for the Parking Garage Maintenance, Project No. PW1215.
b) Set a bid date of September 18, 2012 for Bid Number B1251, Project UT1208KW Chlorine Contact Basin Scum Skimmer Equipment Replacement.

c) Awarded bid for one (1) side load refuse truck for Public Works Department to Downing Sales and Service for $170,365.

d) Awarded the bid for the Pennsylvania Street (8th Street North 200') storm sewer pipe, Project No. PW1221, to Cretex Concrete Products Midwest, for a total amount of $32,680.

e) Authorized City Manager to enter into agreement with Immanuel Lutheran Church, 2104 Bob Billings Parkway, to acquire right-of-way in exchange of vacating existing right-of-way for improvements with the Iowa Street reconstruction project, Project No. PW1012.

f) Authorized the City Manager to execute Change Order No. 1 to the construction contract with EmCon Inc. for priority group I of Project UT0919CS General Wastewater Pumping Station Improvements increasing the contract amount by $54,474.80.

g) Authorized the installation of a walking trail and connecting sidewalks at Deerfield Park, by Elite Construction, in an amount not to exceed $30,000.


7. Adopted the following ordinances on second and final reading:
   a) Ordinance No. 8747, making changes in Sections 19-101, 19-214, 19-302 of the City code related to master water meters and location requirements for public sanitary sewer mains and private sanitary sewer lines.
   b) Ordinance No. 8754, regarding sidewalk sales permits.

8. Adopted Resolution No. 6987, establishing the 150th Anniversary Advisory Committee, to assist in planning events in remembrance of Quantrill's Raid.

9. THIS ITEM WAS PULLED FROM THE CONSENT AGENDA FOR SEPARATE DISCUSSION. Initiated text amendments to various sections of the City Code related to land development processes.

10. Authorized Staff to advertise Request for Proposals R1212 for Engineering Services for Project UT1209 – Taste and Odor, and Algal Toxin Water Treatment Process Evaluation.

11. Authorized the City Manager to execute a Permanent Utility Easement Agreement with Alltel Communications, LLC d/b/a Verizon Wireless, a Delaware limited liability company, granting it a permanent utility easement across the City's property, 2121 Wakarusa Drive (Fire State No. 4), in exchange for the provision and installation of conduit along the
easement area and the installation of one handhold at a site selected by the City, all in accordance with the terms of the Permanent Utility Easement Agreement.

12. Authorized distribution of the Request for Qualifications for public art for the Lawrence Public Library Expansion Project.

Scott McCullough, Planning and Development Services Director, introduced item number 9, initiation of various text amendments.

Schumm said we had a request form the League of Women Voters to discuss this item.

Alan Black, League of Women Voters, said he appreciated the action to defer this for further consideration. Two items in particular disturbed the league. One of them concerned the retail market study and that staff’s study every two years was sufficient. The second item is to remove a requirement that a rezoning conform to the comprehensive plan. We would like these two matters to be considered more. They create a bias in favor of developers. They make approval easier and quicker, and we think there should be more consideration given to the impact to the overall community.

Cromwell said Black was requesting more study, but what we are doing is sending these items to the planning commission for more study.

Black said they did not know it was going to the Planning Commission. They would be in favor of that.

McCullough said they were not seeking to remove the values from the code; they are studying whether they can honor the values in other ways. Initiating the text amendment only starts the process to study the items. The Planning Commission would make a recommendation and the City Commission would make the final determination.

Moved by Carter, seconded by Cromwell, to initiate text amendments to various sections of the City Code related to land development processes. Motion carried unanimously.

C. CITY MANAGER’S REPORT:

David Corliss, City Manager, presented the report.

Carter said regarding the permits, he asked how the valuation related to the fees.
Corliss said we didn’t have that in front of us but could drill into that and bring a report back.

Carter asked if the total number of multi-dwelling units was correct because this year’s number was higher than the last few years combined.

McCullough said he would dive into that and bring back more info.

D. REGULAR AGENDA ITEMS:

1. **Consider a Comprehensive Plan Amendment, CPA-4-2-12, to Chapter 6 of Horizon 2020 to create CC600 District policies and to Chapter 14 Specific Plans, to revise the West of K-10 Plan and A Nodal Plan for the Intersection of West 6th Street & Kansas Highway 10 (K-10) designating the node of 6th Street and K-10 as a CC600. Initiated by City Commission on 4/10/12. (PC Item 5; approved on 5/21/12)**

2. **Consider a Text Amendment, TA-4-3-12, to the City of Lawrence Land Development Code to create a CC600 zoning district. Initiated by City Commission on 4/10/12. (PC Item 6; approved 7-1-1 on 5/21/12)**

3. **Consider a request to rezone, Z-4-5-12, approximately 146 acres located in the NW quadrant of the intersection of West 6th Street/Hwy 40 and Kansas Hwy 10 (K-10) from County A (Agriculture) District and County B1 (Neighborhood Business) District to the pending district CC600 (Community Commercial) District to accommodate a regional recreation facility. Initiated by City Commission on 4/10/12. (PC Item 7; approved 7-1-1 on 5/21/12). Because a valid protest petition has been received, a super-majority vote (at least 4 votes) is required for approval.**

Schumm said we would be deferring the first three items because we didn’t have all of the information we needed tonight.

McCullough said these items were the land use items needed to accommodate a sports village. Notice was provided by law some time ago. To keep the notice process going it was necessary to keep them on the agenda and defer to next week.

Schumm asked if all three were public hearing items.

McCullough said no.

Schumm said we were not going to take comment on these items until next week, but we would open the hearing and continue it one week.

**Moved by Dever, seconded by Amyx** to open the public hearing. Motion carried unanimously.
Moved by Amyx, seconded by Dever, to defer Regular Agenda Items 1, 2 and 3 to the August 28, 2012, City Commission meeting. Motion carried unanimously.

4. Receive request from Downtown Lawrence, Inc., to install a sign of community interest at the corner of 9th and Massachusetts Streets.

Lynne Zollner, Planner, presented the staff report.

Amyx asked if the hot dog vendor would be affected.

Zollner said she believed Douglass had.

Jonathan Douglass, City Clerk, said there appeared to be room, and that Cathy Hamilton at DLI had communicated with the vendor.

Amyx asked if the utilities under the site would be affected.

Zollner said they would not be adversely affected.

Mike Riling, DLI, said location C was the best option. B and then A were the next preferred locations. This would be a great addition to downtown. We would keep it up to date. We would have to update it every couple of months.

Amyx asked about the length of construction.

Riling said they would hope to have it in by the beginning of the Christmas shopping season.

Cromwell said he thought it was helpful. Other communities often have some sort of sign.

Dever asked if only members of DLI would be on the sign.

Riling said the membership would be the ones listed.

Carter said we were just approving the sign, not the content. He said he assumed everyone would be on it.

Riling said it was an issue of resource management. If we have to update for everyone downtown it could become a nightmare. We would rather have our employee be out putting together events rather than chasing down every change of business.
Carter said he thought it would be fine to update only as people contact Cathy.

Riling said there have to be some carrots to membership in DLI. It was a big carrot, and a big expense that is ongoing.

Carter asked what the city funded DLI annually.

Corliss said $46,000.

Carter said he was of the opinion that this is a service for all of downtown. He had trouble approving it just for one group, especially when we fund the organization for $46,000 a year. Carter said an easy policy could be crafted regarding what people have to do to get on the sign and be updated.

Cathy Hamilton, Director of DLI, said DLI has about 151 members right now. This kiosk was modeled after one in Overland Park. The difference is that downtown Overland Park is a BID where membership is mandatory. She said she understood Carter’s point, but it would be very difficult to manage.

Carter said the costs could be very little.

Hamilton said they would be managing the map, maintaining it, fixing vandalism, etc., but they don’t know what the costs would be yet. DLI also publishes a hand map with only members.

Carter said he thought this was a great idea but he had concerns.

Riling said this wasn’t a frozen concept. If it wasn’t working they would revisit. The board felt unanimously that they should be given a year and then if the Commission wants to change it, it could be revisited.

Carter said they could also change it anytime if it wasn’t working.

Riling said yes, and they would be glad to review it anytime they were not satisfied.

Schumm said regarding the number of small shops, there are a lot of small one person shops who aren’t DLI members. At some point if someone wanted to be listed, and they could be paid a fee, that might be a way to do it, maybe a $150-$200 fee.
Riling said that was discussed but they weren’t close to it yet. They would consider it if it came up. He said they couldn’t afford to continuously update a list of all the businesses.

Cromwell said this was the City Commission’s chance to influence how the sign is done. He thought it was unlikely that we would want to just trust that it would work out later.

Riling said they could ask for it to come back in six months. Condition it, just give us a chance.

Amyx asked how much room would be on the sign for businesses.

Riling said it was pretty tight.

Hamilton displayed a mock up. She said right now there were about 142 listings there. As of today there would be about 160 entries when including government buildings. The map would have utility for small shops whether they are listed or not. If they knew they were going to 721 Mass they could look at the map and see where it was.

Dever said he loved the idea and it was great. This was exactly what we need downtown. The fact that the city provides money to DLI and would provide the site, it would change the calculation and should be taken into consideration. He said he was a little hesitant to say we would just see what happens. We need to discuss and approve the content a little more. For this to be useful it needs to steer people who aren’t familiar with Lawrence. If someone can’t find what they are looking for they may not come back to it. It needs to have consistent utility. He said he was hesitant to say just go ahead with only DLI members because the city gives funds to DLI.

Amyx said you have to be careful to not squeeze so much in to make it unreadable. He would like to see how small it would need to be to include everyone.

Schumm said it would be impossible to capture every business because they change so often.
Riling said when you begin throwing every small business in at some point the map becomes unmanageable. He said the city had a lot of control over DLI. Just give us a few months to try it. You have a hammer.

Carter said he thought there was a happy medium. It needs to be thought out a little more. It needs to be a service to downtown. Even if looking at the sign right now, if the membership grows you might have a problem anyway having the room to fit all the members. We need to think about the policy, defer this, look at the dimensions to make it work.

Dever said you could split it north and south.

Cromwell said the content of the sign was missing from our materials tonight.

Schumm said there were two parts, the physical side and the media part. Could we approve the sign itself tonight? He asked the architect if the sign might need to be bigger to accommodate more content.

Chris Cunningham, Treanor Architects, said yes. You could make it wider to have another column for business names. We could mock that up. Proportionally it is right; to make it bigger we would have to take another look at it.

Schumm asked what the total size of the structure was.

Cunningham said about 9 feet high by 5 feet wide.

Riling said messing with the dimensions might cause problems for historic resources.

Schumm called for public comment. None was received.

Cromwell said the only item was on the physical sign.

Schumm said we could make it a condition to approve the media before the sign.

Corliss said you were the landlord, so as long as you didn't go too far into first amendment issues.

Carter said the only thing with going ahead with the physical without the media would be that the media might necessitate changes to how the sign has to physically look.

Amyx said at this point let’s wait a week or so until we get all the information back.
Dever said the sign says “business directory” but that is misleading if it only includes some.

Corliss said what he heard the issues to be seeing what it would look like to have all the businesses, what it would be like to have a “pay to play” system, and discussions about when we have enough change to invalidate the land use approvals.

Riling said he thought you could approve it for six months and then reconsider it.

Schumm said we weren’t going to do that. Is two weeks enough time?

Riling said yes.

Schumm said we would bring this back to the City Commission in two weeks.

5. **Receive petition from River Bend Court area residents requesting annexation of 1742 E. 1350 Road.**

Diane Stoddard, Assistant City Manager, presented the staff report.

Mayor Schumm called for public comment.

John Barnett, neighbor, said that this was about security. We want something permanent so that we feel safe and our kids are safe. He said he was a gun owner and many of the petitioners were gun owners, and this was not safe. He said when you shoot around trees you have ricochets. He didn’t have objections to shooting in safe places.

Alan Cobb said he was apparently the hooligan in question. He said he couldn’t add anything to the letter he had already sent, but he wanted to state something about the residents of Sunchase Neighborhood. On August 10 a sheriff’s deputy brought him the nuisance code. All of the sheriff’s department has been cordial and I have been cooperative with them. Whenever I have shot I have always called them before and after. What concerns him here was the neighborhood itself. Sometimes you learn the character of the people around you. He said he had not known that there was a daycare center. If people were all that concerned, why didn’t they come talk to me about this? Anyone could have talked to me and we could have figured this out. I suppose a ricochet could happen but it was highly unlikely. We could have made
some concessions. I know I would have talked to someone if I had a complaint about them. I’m not unapproachable.

Schumm said it seemed like Cobb was trying to comply with the sheriff’s actions. Was it his intent to not shoot at all anymore?

Cobb said yes, he had told the sheriff that long before the petition was submitted. He said he didn’t want to be annexed into the city.

Schumm said he didn’t have any interest in annexing the property if we could solve the problem. Would you be opposed to us asking the County Commission to place a permanent abatement on the property?

Cobb said no, he had kind of thrown his hands in the air.

Schumm said then he would be accordance with us sending a request to the county?

Cobb said yes.

Amyx said it might be easier if there was a covenant attached to the deed.

Corliss said we didn’t know exactly the legal authority of the county. We didn’t know if there was something that could run permanently with the land.

Schumm said let’s have staff come back with options.

Cromwell said maybe we could just send it to the county and if their action doesn’t satisfy us we can do something different.

Cobb said there was some confusion on who had the ball, whether it was a city or county issue. Either way, he had given up his right to fire his gun on his own just to appease everyone.

Barnett said the neighbors were in favor of the permanent abatement.

Moved by Cromwell, seconded by Dever, to authorize a letter to the county commission requesting a permanent abatement action be adopted. Motion carried unanimously.
Consider adopting joint City Ordinance No. 8719/County Resolution No. ___, establishing a Joint Economic Development Council for the City of Lawrence and Douglas County.

David Corliss, City Manager, introduced the item.

Greg Williams, Chamber of Commerce, said we were not reinventing the wheel but were providing enhanced transparency and public involvement. We have identified a very workable number of participants who will be invited. We have a good number of people to reach out to for citizen involvement. We are excited to bring this and deepen the relationship between the parties. We look forward to working more closely with neighborhood associations and other groups.

Mayor Schumm called for public comment.

Don Delaney said he had been a small business owner in Lawrence for some time. He said he had been working on a process for the last 4 years, a plan that he had put together, but the problem is whether there was a way to talk about this without doing it publicly first.

Schumm said we seemed a little off subject. Why don’t you talk to the city manager privately?

Laura Routh asked for an example of the kind of budget request that this body would have the power to approve.

Corliss said in regards to budget requests, we put the proposed budget request from the chamber on the budget pages. That sets out the outline of revenues and expenditures. One of the tasks of this group would be to review and recommend the economic development budget to be considered by the governing bodies.

Carter said they wouldn’t approve any budgets.

Corliss said they would have no spending authority. They would be an advisory board. They wouldn’t have governing authority to make final decisions on city or county policies.

Dever said what type of budget requests was the question.
Corliss said the Chamber’s budget requests. This group does not approve any expenditures.

Amyx said we had talked about various items on this that had changed over time. He looked at this like the Public Incentive Review Committee that made recommendations. He said he thought this was another way to help the public see what was going on and how the dollars were being spent. He thought it was a way for the public to be more involved.

Schumm said in December this wasn’t well received by anyone, but through working on it we had nearly everyone on board. The mix of the council was more representative of the community at large. It was a good overall compromise that would make economic development more visible and transparent.

Carter said he would echo that. He noted that the Chamber mentioned that they appreciated enhanced transparency. He hoped that was recognized as a positive for this. This will not only answer questions, but it would actually generate some real excitement when we are all working together.

**Moved by Carter, seconded by Amyx,** to adopt joint City Ordinance No. 8719/County Resolution No. ____, establishing a Joint Economic Development Council for the City of Lawrence and Douglas County. Motion carried unanimously.

7. **Consider approving the draft policy regarding transfers from the City’s enterprise funds to the general operating fund.**

Casey Toomay, Budget Manager, presented the staff report.

Mayor Schumm called for public comment.

Bobbie Flory, Lawrence Homebuilders Association, said the association does not oppose transfers. They do not feel the policy is appropriate yet. The transfers should be made for services to the department. They supported transfers for overhead. They opposed treating the utility like a private utility and collecting franchise fees or property taxes. The fee payers are not assured that their fees are paying for expenses related to the fees. It is important to have
the relationship. Builders pay impact fees. She was surprised that general rate payers aren’t more interested. She said she felt like we were back to square one.

Dever asked what she meant by that.

Flory said in last year’s budget process this was discussed and we felt like we were moving in the same direction at that time, but the process stalled and then with this year’s budget discussions we took it back up again with the initial policy.

Carter asked about project costs.

Flory said one of the challenges was when the public works department is repairing a street due to a utilities project it wasn’t too hard to track the costs.

Luke Bell, Board of Realtors, said he echoed Bobbie’s comments. Their concern was not the amount of the transfers, but that there was a policy to govern the transfers. The number one thing everyone could agree on was that the utilities department needs to pay for the costs associated with it. The utilities department is attempting to pay for growth. We are in favor of that. When a new waterline goes in other departments have to get involved. We agree that those services should be compensated. The issue is how the fee is calculated. We don’t believe that it is good policy for one city department to tax another department. The public utility provides services to other departments as well. The departments work well together. What we would like to see is a system where each year the utilities department is assessed a reasonable amount for the services actually provided. With a little more work and discussion we can have a good policy.

Schumm said when Bell said one department “taxes” another, did he mean a franchise fee.

Bell said yes, or a PILOT, both would be basically a tax.

Dever said this leaves two questions for him. There is an operating budget for the city and one for the utility. The city at large has to pay for that. Would you prefer that those costs fall to a raise in the mill levy?
Bell said he thought that was more transparent.

Dever said he would rather it fall on home owners.

Bell said it was more transparent. You had to have a public hearing and give citizens a chance to weigh in. With the utility rates, there was no transparency. When I pay those rates I think I am paying for the service, not for services of other departments. He didn’t think this would make the rates go down, but would make it more transparent.

Dever asked how you budget for the emergency water line breaks. They require many departments, a city team which achieves a goal of city service. He said he didn’t believe there were any improper transfers.

Bell said he didn’t think so either. He was glad that we had more transparency though. He said he has to budget for contractual services. He sometimes has to go back and ask for more money. If you exceed that budget you have to go back and ask for more.

Dever said basically every time every person not in the utilities department would have to account for any time related to utilities. That seemed like it would actually add to overhead, so he wondered where the value was.

Bell said under this policy your transfer fee is going to go up every year as the utilities got more valuable. It was worth spending a little more money to track the expenses and have more transparency.

Corliss said Dever got at one of the issues, the superficiality of the accounting of it. We are spending time on utilities issues nearly every day in our office. I am very concerned with trying to account for all of that. What we are following is a franchise fee model. We spend tax dollars to obtain right of way and easements. Franchise fees are the cost for the right to be in the right of way. He said it was appropriate to have a policy. One of the things we had done was to calculate the five year costs and keep the level of transfers the same. My recommendation is to keep it the same over the five year period of the water and sewer master plans. We want to have a policy in place. We want to make it as transparent as possible. We are ready to take
your direction. The fright of having to account for every time that we think about or work on utilities would be a significant amount of resources to dedicate just to the accounting.

Amyx said over the last several years we have had requests from Luke and Bobbie. Now that we have a policy before us we have a question about how the transfer should be calculated. We are down to the question of the calculation. We have received good public comment. I think we have to proceed on some kind of policy at this point. Is it a best guess at this point? Without carrying a cash register and knocking out a receipt every time you work on utilities, it is going to bog down the processes.

Devers said it could be a large amount of time to do cost accounting.

Cromwell said there could be questions about how much time, questions about how you spin it. We set the fees and bills ourselves. It is in the best interest of the taxpayers to come up with a reasonable policy that doesn’t cost too much to implement. We can have checks on it – have the auditor evaluate it every few years.

Schumm asked if we knew what the percent we bill to the utility department.

Toomay said there was a chart in the memo. We transferred to the general fund of 9.5% in water and wastewater.

Corliss said the transfer was higher in stormwater because we did some work for them out of street maintenance.

Carter said he felt some of the frustrations of Bobbie and Luke himself, but there are a lot of good reasons to justify the percentages we charge. He said he had become comfortable with the fact that we run lean and mean. There won’t be any more tracking or duties done by the city without more people. He realized how big of a job that was. There was so much going on that was super high priority. Maybe this isn’t perfect but he didn’t think anyone had a perfect model. If we tracked on a project by project basis the predictability to developers would go out the window. At least you can know what costs will be year to year. Unintended consequences
could be big bad years on fee fluctuations. He said he was comfortable that this was a good policy for us for this time.

Cromwell said he agreed. The change proposed by the Realtors and Home Builders would raise taxes. There is a certain amount of work being done by the city and it is paid for by various means. It doesn’t serve the citizens or the two bodies that came forward tonight to raise taxes just to account for the expenses differently.

Dever said he was in favor of having a policy. He learned from this process that we would be leaders in the realm just by having a policy. There isn’t any clear trend for these policies. It gets us to more transparency. He said we should have the auditor look at the value of the transfers periodically.

**Moved by Dever, seconded by Amyx**, to approve transfer policy. Motion carried unanimously.

8. **Receive the City Auditor’s Cash Handling Performance Audit.**

Michael Eglinski, City Auditor, presented the staff report.

Dever asked why Eglinski didn’t do any cash counts.

Eglinski had planned to but he thought urging the uniformity of policies got a bigger bang for the buck.

Carter asked what he meant by separate cash drawers.

Eglinski said there were some cases where multiple people worked out of one drawer.

Carter asked if we currently did any counts.

Corliss said some, but more could be done between Finance and the auditor.

Mayor Schumm called for public comment. None was received.

**Moved by Amyx, seconded by Dever**, to receive the audit and direct staff to implement the recommendations. Motion carried unanimously.

9. **Receive recommendation from the City Auditor to amend the current performance audit work plan to include one or both of the proposed performance audits on Financial Indicators and Taste/Odor of Water.**
Michael Eglinski, City Auditor, presented the staff report.

Corliss said he wanted to point out that on the consent agenda we approved an item related to taste and odor. We would work to coordinate both projects.

Schumm said the taste and odor work was very much needed. We face it every year. He certainly supported that and the financial indicators work.

Mayor Schumm called for public comment. None was received.

Moved by Cromwell, seconded by Amyx, to amend the current performance audit work plan to include the proposed performance audits on Financial Indicators and Taste/Odor of Water. Motion carried unanimously.

10. Consider motion to recess into executive session for approximately 45 minutes for the purpose of consultation with attorneys for the City deemed privileged under the attorney-client relationship. The justification for the executive session is to keep discussions with the attorneys for the City confidential at this time.

Moved by Amyx, seconded by Dever, to recess into executive session at 8:43 p.m. for approximately 45 minutes for the purpose of consultation with attorneys for the City deemed privileged under the attorney-client relationship. The justification for the executive session is to keep discussions with the attorneys for the City confidential at this time. Motion carried unanimously.

The City Commission resumed the regular session at 9:32 p.m.

Moved by Carter, seconded by Cromwell to continue the first three regular agenda items from earlier tonight until September 4, 2012. Motion carried unanimously.

E. PUBLIC COMMENT:

None.

F. FUTURE AGENDA ITEMS:

David Corliss, City Manager, outlined potential future agenda items.

G. COMMISSION ITEMS:

None.
H:  **CALENDAR:**

    David Corliss, City Manager, reviewed calendar items.

I:  **CURRENT VACANCIES – BOARDS/COMMISSIONS:**

    Existing and upcoming vacancies on City of Lawrence Boards and Commissions were listed on the agenda.

    **Moved by Dever, seconded by Amyx,** to adjourn at 9:37 p.m. Motion carried unanimously.

**MINUTES APPROVED BY THE CITY COMMISSION ON 09/04/12.**

Jonathan M. Douglass, City Clerk