

CITY COUNCIL CONFERENCE MINUTES

July 26, 2016

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in a conference at 4:30 p.m. in the Municipal Building Conference Room on the 26th day of July, 2016, and notice and agenda of the meeting were posted at the Municipal Building at 201 West Gray, and the Norman Public Library at 225 North Webster 24 hours prior to the beginning of the meeting.

PRESENT: Councilmembers Allison, Castleberry, Chappel, Clark, Heiple, Hickman, Holman, Karjala, Mayor Miller

ABSENT: None

Item 1, being:

PRESENTATION FROM MEYER, SCHERER & ROCKCASTLE, LTD., (MSR) REGARDING THE DESIGN DEVELOPMENT PHASE UPDATE FOR THE EAST BRANCH LIBRARY.

Mr. Matt Kruntorad, Meyer, Scherer & Rockcastle, LTD., (MSR), introduced Ms. Greta Foster, Interior Designer for Lifespan Design Studio, who is working with MSR on the Norman Forward (NF) East Branch Library Project. Mr. Kruntorad said the schematic design phase establishing the size, scale, and scope of the East Branch Library Project and design development coordinating the building system components within the project have occurred so the next step will be putting all the pieces together to create contract documents for bidding purposes.

Mr. Kruntorad said the East Library Branch will be approximately 12,000 square feet; have an easy drop-off area; a 24 hour automated library vending machine; a managed storm water runoff system; require minimal site maintenance; an exterior plaza; 3,700 square feet space for adults/teens; dedicated teen only hours; 1,100 square feet of children's space; public program room with seating for 100; one collaborative study room; a mobile service approach; tablet lending services; day lit space throughout the building; and a variety of seating in all areas. The mobile service approach is an active engagement of how the library system can participate in service and make it an interaction as opposed to transaction.

The library will be located at 3001 East Alameda Street near Fire Station No. 9 and the exterior plaza will separate the two buildings. The landscaping will be minimal with low-maintenance, non-irrigated, canyon and plains type grasses and plants. The exterior of the building will consist of corten steel panels that patina with age, but are very durable as well as durable heat treated wood siding and lots of glass to allow energy saving natural sunlight into the building. The building will also have a 12 foot canopy covering the front outside entryway.

The interior of the library has a very open floor plan with no columns, which allows for adaptability and flexibility for reconfiguration in the future, if needed.

Mr. Kruntorad summarized total project costs as \$5,111,294. He said construction documents, final design, and bid opening will occur by the end of this year, construction is expected to begin in the spring of 2017, and the library opening is expected to take place in the fall of 2018.

Item 1, continued:

Mayor Miller said, in their last meeting, the Library Ad Hoc Committee raised questions regarding the raised floor system and installation of a safe room for severe weather conditions. Mr. Kruntorad said the original project included a raised floor system that would allow 18 inches of space below the floor for duct and electrical work, but after reviewing the mechanical system proposed for the project it was decided the raised floor system would not work effectively or efficiently. A raised floor also costs \$130,000 more than a standard floor so MSR could not justify spending that much for a raised floor system. MSR is proposing a walker duct system for the electrical system, which provides wire management in open space environments. Because the system is in the floor and out of sight, it provides an uncluttered, aesthetically pleasing means to wire open space areas. The system provides easy access of wiring for future flexibility in buildings. Activation points can be installed anywhere along the length of the duct to maximize flexibility and accessibility from numerous locations within a building.

Mr. Kruntorad said there is no safe room; however, there will be hardened walls in the center area of the building, which means the walls and ceiling will be made with concrete masonry that can withstand 250 mile per hour winds during a severe storm and can accommodate up to 36 people.

Councilmember Hickman said he understands public art for the Norman Forward projects will not be included in the design phases, but asked if there has been discussion during any of the public meetings about having any type of space inside the library buildings to display and rotate art from local artists. Mr. Kruntorad said MSR has taken that into consideration and there will be visible wall space throughout both libraries for art if that is what the City and the Pioneer Library System (PLS) decide they want to do. Councilmember Hickman felt it would be great to program some space for local artists inside the building.

Councilmember Hickman asked about probable costs relative to the budget and Mr. Kruntorad said project budget costs are being met and MSR will continue to strive to remain within budget on every phase of the project.

Mr. Steve Lewis, City Manager, reminded Council this is the last stage in which they will see this project before it is bid and awarded by Council. Councilmember Allison said that concerned him because if something were cut from the project Council would not be aware of it and Mr. Lewis said construction documents will be presented to the Library Ad Hoc Committee and Councilmembers are invited to attend those meetings to remain updated on the library project. Obviously if the project has major changes, Staff would need direction from Council regarding those changes. Councilmember Allison said Council was presented actual detailed design drawings to review on the Westwood Aquatic Center at this same stage of the project and asked if design drawings were available for the East Branch Library Project. Mr. Kruntorad said design drawings are available, but since the documents total over 1,000 pages they were not included in tonight's presentation. Mr. Terry Floyd, Development Coordinator, said MSR and Staff have been reviewing the design documents.

Councilmember Hickman said the library project has a managed storm water runoff plan and asked what that meant and Mr. Kruntorad said the original site was designed to place storm water runoff into a detention area. MSR's design will move all storm water through the landscaping and vegetation to slow the water down before it reaches the detention area to avoid any erosion that could occur. Councilmember Hickman asked if the retention area is a retention pond or detention pond and

Item 1, continued:

Mr. Krontorad said it is a detention pond. Ms. Joy Hampton, The Norman Transcript, asked where the water in the detention pond would be going and Mr. Shawn O'Leary, Director of Public Works, said the detention basin was built as part of Fire Station No. 9 and the water discharges into the watershed to the north.

Councilmember Clark said it looks like there could be an opportunity for future development on the tract of land and asked how that could affect the storm water runoff plan. Mr. Krontorad said there might need to be additional engineering, but MSR has taken additional development into consideration.

Councilmember Karjala said the proposed flooring is a mix of carpet and rubber and she feels rubber flooring would be best because it would be more durable and long lasting. Mr. Krontorad said rubber flooring is more expensive so MSR used carpet in some areas to stay within budget, but MSR, City Staff, and PLS Staff will be discussing that further as the project progresses. MSR has also suggested using polished concrete in some areas, which gives the floor longevity; however, polished concrete is more expensive. Councilmember Karjala said carpet is not durable and has to be replaced more frequently so she would prefer moving away from using carpet if the budget allows.

Items submitted for the record

1. PowerPoint presentation entitled, "Norman East Branch Library Design Development Update," dated July 26, 2016

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Item 2, being:

DISCUSSION REGARDING THE SENIOR CITIZENS CENTER SITE LOCATION REPORT.

Mr. Floyd said the Senior Citizen Center building located at 329 South Peters was previously a library. In 2008, voters authorized the renovation of the current library building located at West Gray Street and Webster Avenue to include a Senior Citizens Center; however, the renovation was contingent upon a successful vote for a new central library which failed.

In 2015, voters approved a Norman Forward Quality of Life Initiative that included construction of central and east branch libraries. During Norman Forward discussions a group of senior citizens requested the City consider a stand-alone Senior Citizen Center to be constructed next to the Central Library site instead of refurbishing the existing library as originally planned in 2008.

Mr. Floyd said Norman Forward Ordinance language allows the City "to construct and equip a Senior Center through renovation of an existing facility or construction of a new free standing facility at a location to be determined by Council, after consideration of the desires of Norman citizens who would likely use the facility, functionality of proposed facility, and feasibility including how to accomplish other voter authorized complex improvements to be funded from the proceeds that can be generated from the sale of General Obligation Bonds authorized by voters in 2008 or from revenues generated from the Norman Forward Quality of Life Project Sales Tax of 2015, to be located in the vicinity of Andrews Park or another site shown to be reasonably available for this purpose."

Item 2, continued:

In 2016, McKinney Partnership Architects (McKinney) and MSR worked together to present site options and provide an alternative design study for a Senior Center. McKinney was asked to prepare an alternative design study for a stand-alone Senior Center near the new Central Library site and MSR was hired to conduct site analysis of six locations for a stand-alone Senior Center and incorporate that with McKinney's study information. On January 23, 2016, Council adopted Resolution R-1516-77 that narrowed the six site options to three site options and allow planning and design work for a Central Library to move forward in a timely manner. Council directed Staff to collect additional information regarding the three potential sites including land appraisals, flood plain information, and commercial kitchen options.

Mr. Floyd highlighted the three site options as Option EL, renovation of the existing library co-located with City offices; Option AP, stand-alone facility in Andrews Park; and Option L4, stand-alone facility directly west of the new Central Library north of Acres Street facing Andrews Park (now occupied by condominiums). He said all options are of comparable size, all options provide functionality and offer comparable programming, all options are located within the vicinity of Andrews Park, and all options provide the recommended number of parking spaces (100) with a shared component with other uses.

Mr. Floyd said McKinney prepared a space study in 2008 for the Municipal Complex that included review of the City office space and current library building. In June 2015, McKinney was asked to prepare an update to the Space Utilization Study (Update) to include projects that align with those approved in the 2008 General Obligation (GO) Bond Issue including renovation of the existing library for a Senior Citizen Center. Option EL would provide 20,600 square feet for the Senior Citizen Center, 21,000 square feet for City offices, and 8,584 square feet for future expansion. The renovation cost is estimated to be \$5.075 million; however, \$4.42 million is available from the 2008 General Obligation (G.O.) Bond allocation for an approximate total cost to \$655,000. Renovation could begin upon completion of the new Central Library Branch anticipated in be completed in May/June 2019 with a Senior Citizen Center completion date in July/August 2020. Priority parking for Senior Center patrons would be created and there would be a covered entrance/drop-off area on the north side of the building.

Councilmember Heiple asked if the \$4.42 million for the Senior Citizen Center was the amount stated in the original bond language and Mr. Rick McKinney, McKinney Partnership Architects, said he did not believe the \$4.42 million amount was specifically mentioned in the 2008 bond language. Councilmember Heiple said in 2008, the Senior Citizen Center was proposed to be 12,000 square feet so if the City doubled that space it should double the revenue amount that would be available through the G.O. Bond. Mr. Jeff Bryant, City Attorney, said the 2008 bond language specified a number of improvements throughout the Municipal Complex that included improvements in Building A, Building C, Police Department, and Municipal Court as well as refurbishing the library for a Senior Citizen Center and parking improvements. Some projects have been completed since 2008 using other City funds so since other City funds were used for those components that freed up some of the bond funds. In preparation of the 2015 Space Utilization Study, McKinney reviewed the items specified in the 2008 bond materials and the projects already completed to see what it would take in today's dollars to accomplish the other components promised in 2008 bond language and that is where the \$4.42 million figure came from.

Item 2, continued:

Councilmember Heiple asked what was originally allocated for the police component in the bond language and Mr. Bryant said he did not have that information at this time, but would provide that to Council.

Councilmember Castleberry said the bond issued authorized the City to perform certain projects, but the City does not have to perform the projects so if the City did not spend any money on the Municipal Complex, could they spend the full \$11.2 million from the 2008 G.O. Bonds for the Senior Citizen Center portion of the bond? Mr. Bryant said that becomes an integrity to the voters issue and he believes Bond Counsel would agree. If the voters approved a particular program through a G.O. Bond, and specific projects were listed to be accomplished then he feels confident Bond Counsel would tell Council the City needed to complete all of the projects promised to the voters. Mr. Nate Ellis, Public Finance Law Group, said the City has to complete the projects and expend the proceeds as designated in the original 2008 bond language. Councilmember Heiple said in El Reno the City Council authorized slightly different projects than what was listed in the bond package.

Mayor Miller said when the City has a bond election and lists specific projects the City obligates itself, by that bond language, to do those projects. Many Councilmembers may not remember the controversy regarding the Northside Water Treatment Facility, but citizens are still talking about it and they are still mad about it so Council needs to be very careful when discussing cutting projects or not doing projects promised in the bond language. She said she is not trying to squelch creative ideas, but wanted Council to be careful.

Councilmember Hickman asked what specific projects were listed in the 2008 G.O. Bond and Mr. Bryant said there were several projects and he would provide a copy of the proposition to Councilmembers. He said listing specific projects is not required under state statute as state statute only requires that 70% of the proceeds be used for projects allowing the remainder of the funds to be used for other things; however, Norman has never approached it that way. He said El Reno may have approached their bond that way and was able to use bond funds for projects not specified. He said he is curious about the El Reno issue and will research their ballot proposal to see what it looks like, but historically, Norman has been a City that requires almost absolute specificity when going to the voters on G.O. Bond approval.

Mr. Bryant said in previous discussions, Council asked if the \$4.42 million could be used for a Senior Citizen Center at a location other than the current library building so Staff asked Bond Counsel to contact the Attorney General's (AG) Office for an opinion. He said, by law, the AG must sign the transcript of the proceedings for any bond sale before cities can collect one dollar. Bond Counsel sent the bond language and all related materials that went to the voters in 2008 to the AG and asked for an opinion on the flexibility of using the 2008 bond authorization. The AG's response was that Norman told voters it was going to spend those proceeds on the Municipal Complex or renovating existing buildings and since that is what the voters approved the City needs to get authorization from voters if it wants to do anything other than what was specified in the 2008 bond language. Council could obtain additional authorization from voters to spend the bond money on anything other than existing buildings located in the Municipal Complex in 2008. He said later in the presentation Staff will talk about possible funding options.

Councilmember Heiple asked if the City sent a formal request and received a formal response from the AG or was the question and answer hypothetical? He has never seen anything formal from the AG's Office, he has only seen opinions and hypothetical questions, but no official AG answer. In his opinion, the decision on how the money is spent sits with Council and advice they receive from the Legal

Item 2, continued:

Department. Mr. Ellis said Bond Counsel did not receive a formal opinion from the AG because neither City Council nor Bond Counsel has the legal authority to request a formal opinion from the AG, only the District Attorney or a State Official can do that. He said the question regarding the bond money has come up several times since 2008 when the proposition for a new Central Library Branch failed because the City could not move forward with plans for the existing library building. He said Bond Counsel has been consistent in saying that nothing can be done with the bond money until a new Central Library Branch is constructed.

OPTIONS

Mr. Floyd said Option AP is a stand-alone facility in the northeast corner of Andrews Park approximately 360 feet directly west of the new Central Library Branch. A portion of the site will need to be removed from the Federal Emergency Management Agency (FEMA) floodplain with a drainage study and a FEMA Letter of Map Revision (LOMR). FEMA approval will be needed prior to construction in the floodplain area, which is a 12 to 15 month process for a total construction timeline of 32 to 36 months. The estimated cost for the stand-alone facility is expected to be \$8.658 million. Other considerations include the reduction of parkland by .38 acres, moving the skate park to the southeast corner of Andrews Park, and removal of an existing underground cement cistern. He said there will be minimal changes to surrounding park amenities, such as the basketball courts and Spray Park. There will be 111 parking spaces with a Central Area Rapid Transit (CART) bus stop access and possible Legacy Trail access.

Mayor Miller asked Mr. Floyd to talk about the LOMR, which will drive up the cost of the project at this location. Mr. Floyd said this site would require approximately \$800,000 for drainage improvements as part of the floodplain work that would need to be done. There will also be approximately \$100,000 in engineering costs to produce the documents for the LOMR so there is a pretty substantial cost to pursuing this location. Mayor Miller said the \$100,000 is an upfront cost even if no work is done on the site.

Option L4 is a stand-alone facility directly west of the new Central Library Branch site just north of Acres. The construction timeline is expected to be 20 to 21 months contingent upon the timeline for property acquisition and demolition. The estimated cost for the facility is expected to be \$8.395 million. Parking would be shared with the Central Library Branch and monitoring of peak usage times for both facilities would be needed to determine if that parking arrangement is adequate. He said 50 additional spaces northwest of Andrews Park could be explored as well as acquisition of five homes and small condominiums to the west of L4, which could provide 100 additional parking spaces at a cost of \$1.295 million.

Mr. Floyd said currently, Aging Services is producing and providing meals at the current Senior Citizen Center on Peters as well as senior citizens throughout Norman. If the Senior Citizen Center is relocated there is an option for a commercial kitchen in the new location for Aging Services to continue their services. If that option is pursued it would require a minimum of 1,500 square feet of additional space to be programmed into the building. All Senior Citizen Center site options would be affected from a cost stand point - \$289,000 for Option EL, \$773,200 for Option AP, and \$773,200 for Option L4. There is existing space in Option EL that could be utilized for a commercial kitchen, but additional space would need to be added to the other site options. He said the City would also need new operational agreement with Aging Services if the kitchen is moved.

Item 2, continued:

Councilmember Clark said City Council knows senior citizens want and need a commercial kitchen so why wasn't the size and cost factored into the original numbers? Mr. Kruntarod said initially Aging Services, the agency that provides the meals, was not sure they wanted to move facilities so in order to move forward with the project, MSR elected to leave the central kitchen where it was and place a "catering kitchen" at the new site to receive meals. Mayor Miller explained that Aging Services serves seniors all over Cleveland County and deliver meals to the various senior centers. During recent public discussions, senior citizens stated they do not want a catering kitchen, but they want a commercial kitchen onsite.

She recently met with the Aging Services Director who stated that Aging Services needs a commercial kitchen for their services, but they do not really care whether or not the kitchen is moved.

Councilmember Clark asked if the current Senior Citizens Center could be repurposed with an operational, commercial kitchen in the middle of it and Mayor Miller said the kitchen is in a separate building near the current Senior Citizen Center so that would not be an issue. Councilmember Allison said, similarly, Norman Public Schools (NPS) has a central kitchen that feeds all the schools and the schools, especially the newer schools, do not have kitchens where food preparation takes place. He said the existing kitchen could remain as is and meals could be distributed to the new site, just like meals are distributed to all of the other senior centers in Cleveland County, although he realizes that is not the desire of some of Norman's senior citizens. Mr. Floyd said if the kitchen is moved the City would need to review its operation agreement with Aging Services. He said this information is being provided because Staff wanted to give Council an idea of what would need to happen if a commercial kitchen is included in the project.

Mr. Floyd said in January, Bond Counsel received feedback from the AG that 2008 G.O. Bond money must be used for buildings that existed in the Municipal Complex in 2008, and cannot be used for a Senior Citizen Center in sites AP or L4. The AG said the City would need to go back to voters seeking additional authorization to use the 2008 funds for a Senior Citizens Center at Options AP or L4. As another funding option, the City could use Norman Forward Sales Tax (NFST) revenue; however, the Citizens Financial Oversight Board (CFOB) has expressed concern regarding the possible impact on funding of other Norman Forward projects if some of that money is used for a Senior Citizens Center. CFOB counseled Staff to be patient and closely monitor NFST collections and expenditures. Other potential funding sources include Capital Funds or new G.O. Bonds specifically addressing funding for Options AP or L4.

Mr. Floyd summarized total project costs as follows:

OPTION	BASE CONSTRUCTION COST	COMMERCIAL KITCHEN EXPANSION COST	TOTAL W/ KITCHEN EXPANSION	PARKING SITE ACQUISITION & CONSTRUCTION COSTS	TOTAL W/ KITCHEN EXPANSION & PARKING OPTIONS	POTENTIAL FUNDING
EL	\$5.075 million	\$289,000	\$5.364 million	N/A	\$ 5.364 million	2008 G.O. Bonds
AP	\$8.658 million	\$773,200	\$9.431 million	N/A	\$ 9.431 million	NFST, Capital Funds, or New G.O. Bond
L4	\$8.395 million	\$773,200	\$9.168 million	\$1.295 million	\$10.463 million	NFST, Capital Funds, or New G.O. Bond

Item 2, continued:

Councilmember Hickman asked Staff to remove language from one slide that states, "Current voter approved authorization is not available for Options AP or L4" because that is not a true statement as the money is available. Mr. Bryant said that statement is simply legal advice to Council from the City Attorney's Office and Bond Counsel and if Council chooses to ignore that and not accept it that is their prerogative, but that is accurate, legal advice being given.

Councilmember Castleberry said if the City chooses Option L4 with the additional land acquisition, would the design of the Central Library Branch be changed to utilize that additional land? Mr. Krontarod said probably not since there has been a lot of effort and money tied up in the current design process and Mr. Floyd said the Central Library Branch has been designed and nearly ready to move forward to the bid document process so it is really too far into the process to be changed.

Councilmember Holman said the additional land being discussed is currently occupied by condominiums and asked if the cost of \$8.395 million includes purchase of the condominiums and Mr. Floyd said yes.

Councilmember Karjala suggested the City move forward with a resolution for Council's consideration on August 9th supporting a stand-alone Senior Citizen Center. She said none of Norman's senior citizens are interested in Option EL and most of Council has taken public positions against that option. She said a resolution would give senior citizens what they have been asking for. She said the resolution can clearly state Council is still considering site and funding options.

Mr. Bryant said Option L4 does require acquisition of property and there may not be a willing seller so in that instance, the City would move forward with eminent domain action. The City was able to acquire property for the Central Library without having to use eminent domain, but the condominiums have several property owners. He said there could be some relocation costs as well so the \$712,000 figure is a pretty light estimate. Mayor Miller thanked Mr. Bryant for pointing that out and said the City really tries to be fair to property owners and there were a couple of property owners that did not want to sell their property for the Central Library because they had lived there for many years, but Staff was able to work with them. She would have a hard time forcing people out of their homes through eminent domain and Council needs to keep that in mind eminent domain is not something the City really wants to do.

Councilmember Karjala said most of the senior citizens she has spoken to do not want a stand-alone facility that does not take anything away from other Norman Forward projects. She said Council is elected to make the hard decisions so Council needs to figure out a way to construct a Senior Citizens Center that does not take money away from other projects.

Councilmember Clark recommended asking the Ad Hoc Committee for their input on the inclusion of the commercial kitchen.

Councilmember Castleberry would like the resolution to provide more specific funding options.

Councilmember Hickman agrees with Councilmembers Karjala and Castleberry. He asked the City Manager to prepare budget options that would allow the Senior Citizens Center to be potentially constructed within five years. The idea of the Ad Hoc Committee weighing in on the kitchen as well as other potential sites is a good idea because the resolution will be expressing Council's desire to discuss a

Item 2, continued:

and-alone facility and all that would entail. He would like the City Manager to provide the budget options to the City Council within 90 days from the date of the resolution and said the Ad-Hoc Committee could meet during that 90 day period to provide feedback for further Council discussion.

Councilmember Chappel wanted to go on record that he has not taken a position at this time and is sensitive to the advice of Legal Counsel.

Councilmember Holman prefers Option AP and felt if Aging Services want to move to the new Senior Citizens Center Council should explore adding a commercial kitchen. He felt a resolution stating Council supports a stand-alone facility will give senior citizens some relief that their concerns are being taken seriously. He likes the idea of a Senior Citizens Center next to the new Central Library, but at the same time he does not like the idea of displacing people that currently live in the condominiums.

Councilmember Allison said everyone wants Option AP or L4 and they want Staff to look at funding sources, but there is no money in NFST or Capital Funds. It is obvious there will need to be a G.O. Bond vote so why make Staff do the research? If this is what Council wants to do then Council needs to say they plan to call for an election for G.O. Bonds because the City cannot fund a \$10 million project from any of the current funding sources. He would still like to keep the Municipal Complex renovations within that G.O. Bond proposal. Councilmember Karjala said the purpose of her proposal for a resolution is to make it clear the City is looking at a stand-alone Senior Citizens Center.

Councilmember Castleberry would like the resolution to be as broad as possible from a financing standpoint. He does think there is money in the Capital Fund and General Fund. In Norman Forward, \$25 million was allocated for neighborhood park improvements so he would like to see what park projects were originally in the Capital Fund that will now be funded by NFST and discuss using that money towards a Senior Citizen Center. He said the City is also using \$2.3 million from the General Fund every year for storm water improvements. If the Storm Water Utility (SWU) Fee election passes that could free up that money toward a Senior Citizen Center.

Councilmember Chappel said he represents east Norman and his constituents may have a different opinion on the items being discussed tonight so Council should be careful in lumping everyone together on what they think.

Councilmember Hickman said there is consensus among Councilmembers for a resolution saying it is Council's desire to pursue a stand-alone Senior Citizen Center. Council should allow Staff, as the professionals they are to come forward with options for funding to be discussed at a later date.

Mayor Miller said there is consensus for a resolution that states Council supports the senior citizens desire for a stand-alone center. The resolution should also direct Staff to move forward with looking at specific funding options that do not take away funding from other Norman Forward projects and present those options to Council within 90 days. The resolution will be placed on the August 9, 2016, City Council agenda.

City Council Conference Minutes

July 26, 2016

Page 10

Items submitted for the record

1. PowerPoint presentation entitled, "Senior Citizens Center Site Location Report," City Council Conference, dated July 26, 2016
2. Senior Citizens Center Site Location Report dated July 22, 2016

The meeting adjourned at 6:24 p.m.

ATTEST:

City Clerk

Mayor