

CITY OF CASTLE HILLS  
REGULAR CITY COUNCIL MEETING  
MINUTES OF JANUARY 8, 2008

The City Council of the City of Castle Hills convened at 6:00 p.m. on the 8<sup>th</sup> day of January, 2008, at the City of Castle Hills, 209 Lemonwood Drive, Castle Hills, Texas.

The attendance roster included Barbara T. Johnson, William T. Johnson, Bill Martin, LaVerne Japhet, Mary Chapman, Clyde Chapman, Pamala Farris, Mr. and Mrs. Dale Rollins, Mr. and Mrs. Bob Jones, Katherine London, Mary Louise Ramon, Esmeralda Hernandez, Ginger Magers, Rev. Thomas Dymowski, Mr. and Mrs. Raymond J. Suire, John Rizzo, Bill and Doris Connor, Joan Buerschinger, Msgr. Douglas Fater, Bruna Rosas, Graciela N. Monita, Yvette R. Tabbiolo, Rev. Thomas Coughlin, Ruth and Loren Taylor, Bill and Lorraine Hamrick, K. McFadyen, Rick Doucette, Stephen Ackley, Fr. Jim Wasser, Irene Rios, Tim Turner, Sr. Dorothy Batto, Alice Mae Hegland, Tracy Wold, John C. Hoyo, Carol K. Hoyo, Sandra J. Martin, Bill Henley, Mark Harden, Norma V. Cantu, Richard Masling, Kathy Masling, Dic Mellott, Aren Mellott, Olga Bernal Owens, Betty Davis, George Davis, Juan Charles, Sister Barbara Paleczny, Sister Ann Semel, John G. Mack, Nina Espinoza, Susana Rios, Sister Janet Abbocchi, Anthony Dibaggio, Peter McKenna, Robbie Casey, Trinidad G. Valderrama, Humberto Gonzalez, Raymond Casey, William Beuhler, Sarah McLinden, Kathy Tarkington, Lois Kemmy, Jack and Katherine Joyce, Jim May, Violet May, Joan and Beverly Bihn, Luis and Bettye Gandarilla, Rick Steele, Chris Steele, Chuck Fenner, Polly Sheridan, R.C. Rodriguez, Rosanne Henkin, Mary Lou Daugherty, Harold Karren, Robert Caldwell, Lynette McClaran, Norma Lands, Sondra Lands, Barbara Candler, Deanna Guerrero, Wayne Carter, Ramiro Estrada, Evangeline O'Sullivan, Iris Braymen, Brother William Dooling, Shirley L. Johnson, Cosmo N. Albrecht, Debora Daniels-Albrecht, Suzanne Riley, Anita McCormick, Susan Kilgore, Luis Navarro, Mr. and Mrs. William Schluter, Ginette Yahiel, Ken Graham, Vera Howard, Walter Beuhler, Cynthia Joyce, Eve Allen, John P. Huff, Michelle Aragon, Robert S. Gates, Martha S. Jones, Dr. Adam Zawadzki, Mr. and Mrs. Sam V. Smith, Judith Boeckner, Cathy Hazzard, Frank Pantuso, Robert DeLang, Shirley Treece, Michelle Villarreal, Merna Allen, Helen D. Stefano, Lee Lanford, Frank Paul, Gillian M. Tilles, Georgia Henley-Grubb, Anita Faller, Sharon Inclan, Paul G. Martinez, Sarah Burke, Ray Banks, Brad Boeckner, Micheline Cohen, Eliberto Guerro, Stephen McGuire, Ted Popp, Pamela L. Walters, Mike Manupelli, Andrew Sanchez, Judy Collins, David McLaughlin, Larry Holliday, and Catherine Nolan-Ferrell.

I. OPENING

- A. QUORUM - Present and composing a quorum of the City Council were Mayor Marcy Harper, Helen Glass, Douglas Gregory, Marcella Huff, Tom Davis, and Tim Howell.

Staff present was City Manager Mike Rietz, Assistant City Manager Rita Hoyl, City Secretary Linda Gill, City Attorney Michael S. Brennan,

Police Chief Donny Davis, Fire Chief Jerry Riedel, and Public Works Director Rick Harada.

B. INVOCATION – Bill Martin

C. PLEDGE OF ALLEGIANCE – LaVerne Japhet

D. CONSIDER AND ACT UPON THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD ON DECEMBER 11, 2007.

**Motion:** Councilman Howell moved to approve the minutes of the regular city council meeting held on December 11, 2007. Councilman Davis seconded the motion. The motion passed unanimously.

E. CONSIDER AND ACT UPON THE TREASURER’S REPORT FOR THE MONTH OF DECEMBER, 2007.

**Motion:** Council member Gregory made a motion to approve the Treasurer’s Report for the month of December, 2007. Seconded by council member Huff, the motion passed unanimously.

## II. ANNOUNCEMENTS

Mayor Harper could not present a plaque commemorating the retirement of Stanley Slomchinski from the Fire Department since he was not in attendance.

The mayor also announced the passing of John Fullerton’s wife Irene Fullerton on the 17<sup>th</sup> of December.

Mayor Harper explained that the council has an invocation at every meeting, and it started when she became mayor.

## III. CITIZENS TO BE HEARD

Mayor Harper invited citizens wishing to speak to the council regarding subjects other than the Special Use Permit for 143 Honeysuckle Lane to come forward. She said citizens would be able to speak about the Special Use Permit when the item came up on the agenda.

- Stephen Ackley of 118 West Castle Lane expressed his concern about the increase in energy that would result from the decorative street lights that the city planned to have installed by CPS Energy. He read what Senate Bill 12 says. He read from Senate Bill 12, an amendment to the Health and Safety Code of Texas, the requirement that institutions reduce electric energy by 5% each year for six years beginning September 1, 2007. He asked if the city has a plan. The mayor suggested that Mr. Ackley should talk to Mr. Brenan about his concerns.

- Susana Rios of 118 Dogwood voiced strong support for the Castle Hills Police Officers Association and appealed to the council to allow the association to have a procedure to publicly recognize individual officers that go beyond the call of duty.
- Nina Espinoza of 213 Northcrest Drive commented on the problems with traffic that are still occurring on Northcrest and said residents need the council's help.
- Monica Simpson of 217 Northcrest Drive urged the council to implement a solution to the traffic problems on her street.

#### IV. REPORTS

- City Manager Mike Rietz gave the December, 2007, Investment Report.
- Assistant City Manager Rita Hoyl reported on the December, 2007, Building and Health Inspections and Code Enforcement Activities. She also reported on the survey mailed to residents in the 100-200 blocks of Northcrest explaining 3 options available to reduce the traffic flow on their street. The options were to close the east end of Northcrest at Northwest Military, to close the street west of Banyan at 204 Northcrest, and to close the street just west of Halbart. Ms. Hoyl said that , out of 26 letters mailed to residents, 21 responded. Eleven people objected to all three options, and five did not respond. Ms. Hoyl said she looked at the transportation code addressing what the governing body of a municipality can do. She read that the governing body, by ordinance, can abandon, vacate, or close an alley or street if a petition signed by all the owners of the real property abutting the alley or street is given to the governing body.
- Chief Donny Davis gave the December, 2007, Police Activity and STEP reports.
- Chief Jerry Riedel gave the Fire Incident and Activity Report for the month of December, 2007.
- Public Works Director Rick Harada gave the December, 2007, Activity Report.
- Court Administrator Wendy Reyes reported on the December, 2007, ticket counts handled in Municipal Court.

#### V. NEW BUSINESS

- A. CONSIDER AND ACT UPON A RESOLUTION COMMENDING FIREFIGHTER STANLEY SLOMCHINSKI, UPON HIS RETIREMENT, FOR 33 YEARS OF SERVICE WITH THE CITY OF CASTLE HILLS.

**Motion:** Councilman Howell moved to pass the resolution commending Firefighter Stanley Slomchinsky, upon his retirement, for 33 years of service with the City of Castle Hills. Councilman Davis seconded the motion. The motion passed unanimously. The resolution as passed and approved is captioned as follows:

**RESOLUTION NO. 0801-01**

A RESOLUTION COMMENDING STANLEY SLOMCHINSKI ON 33 YEARS OF LOYAL EMPLOYMENT AS FIREFIGHTER OF THE CASTLE HILLS FIRE DEPARTMENT AND HONORING STANLEY SLOMCHINSKI FOR 33 YEARS OF FAITHFUL AND DEDICATED SERVICE TO THE RESIDENTS OF THE CITY OF CASTLE HILLS.

*(A copy of Resolution No. 0801-01 is attached and made a part of the Minutes)*

Mayor Harper said she was going to move Item D up on the agenda.

- D. CONSIDER AND ACT UPON THE RECOMMENDATION OF THE ZONING COMMISSION ON A REQUEST FOR A SPECIAL USE PERMIT SPECIFIED IN SECTION 31.1702(6) TO ALLOW MORE THAN FIVE (5) NON-RELATED INDIVIDUALS TO LIVE TOGETHER IN A DWELLING AS AN INSTITUTION OF RELIGIOUS NATURE AT 143 HONEYSUCKLE LANE IN THE "A" SINGLE FAMILY DWELLING DISTRICT.

Mayor Harper announced that any Castle Hills residents who wanted to speak regarding the Special Use Permit should come to the podium, state their name and address, and give their comments. She said each person would be limited to 3 minutes.

Joan Buerschinger of 212 Glentower read a letter written by Eunice Vandebous of 405 Squires Row listing certain restrictions that should apply if the Special Use Permit (SUP) is granted. She cautioned the council to give serious consideration to the impact on the neighborhood before voting on the SUP.

Shirley T. Brueggerhoff of 124 Twinleaf voiced her opposition to granting the SUP.

Father Tom Coughlin of 143 Honeysuckle, through an interpreter for the deaf, explained to the council why and how he came to San Antonio. He indicated that he wanted the SUP so that he could have more than five non-related deaf seminarians live in the house while pursuing their

education to become priests for the deaf community. He asked City Council to negotiate with him on the SUP. He said he would pay the city \$2,000 per year for the length of time the SUP is in effect to make up for the tax exempt status of the property.

William Beuhler, Jr. of 124 Cas Hills said that, when he bought his house more than 40 years ago, he wanted to live in a single-family neighborhood. He said that 5 people is a reasonable number of non-related residents to live together and asked the council to deny the SUP.

Tim Turner of 120 Herweck gave copies of a letter he had written to the council and to the hearing impaired citizens. He then proceeded to read the letter which summarized the process that the seminarians had been through since March of 2007. The premise of the letter was that the city had committed errors in the handling of the initial application. He said that accepting the Zoning Commission's recommendation would be ratifying those errors. The seminarians applied to the Board of Adjustment for a variance regarding the number of non-related family members who could live together in the dwelling at 143 Honeysuckle. However, Mr. Turner's letter stated that the Board of Adjustment should have acted upon the application, but sent the case to the Zoning Commission to apply for a Special Use Permit. Mr. Turner ran out of time and was unable to read the entire letter.

Brother Andrew Sanchez of 143 Honeysuckle continued reading Mr. Turner's letter, which alluded to the city council ratifying 6 errors made by the city if they vote to accept the recommendation of the Zoning Commission to deny the SUP. He did not read the letter in its entirety due to a lack of time.

Barbara Tate Johnson of 203 Honeysuckle pointed out that the majority of the immediate neighbors support the SUP. She said that, out of 35 homes, 27 were in favor of the SUP; and only 6 were opposed. Ms. Johnson indicated that the current occupants of 143 Honeysuckle were model neighbors. She added that the \$2,000 annual donation made by the seminarians to the city falls only \$265 short of the 2007 property taxes. She asked City Council to make a positive decision and grant the SUP.

Lynette McClaran of 118 Towne Vue asked the council what better neighbors she could ask for. They live in peace and quiet. She strongly believes that the seminarians should stay.

Leslie Tschoepe of 107 Lemonwood, a resident of 15 years, voiced his approval of the SUP and remarked that 143 Honeysuckle does not fit the typical home buyer.

Robbie Casey of 144 Cas Hills expressed her opposition to granting the SUP, saying that Castle Hills needs the tax revenue.

Eve Allen of 204 South Winston spoke against the SUP and said she wanted the zoning code to be enforced.

Judy Collins of 115 Mimosa opposed the SUP stating that Castle Hills is known as a city of single family residences.

Former City Manager David McLaughlin was asked by Father Coughlin to speak, but the mayor re-emphasized that only residents of Castle Hills could speak.

Lillian Tilles of 108 Waydele Circle spoke in favor of the SUP and said that she drives by 143 Honeysuckle all the time, and the house has been a mess in the past. She added that she has been a resident since 1975 and did donate money for the cause.

Catherine Nolan-Ferrell of 118 Atwater said she drives by the house every single day, and the last few years the house has been a mess with garbage in the yard in a state of disrepair. She voiced her support of the SUP questioning how many people know families with 8 children who would need a house the size of 143 Honeysuckle. She said, driving around the neighborhood last Sunday, she and her husband noted many houses with more than 4 cars in the driveway. She wondered if people with more than 4 cars were going to be ticketed. Stating that she had trouble with some of the definitions used for the seminarians, she asked if people who buy a house and move on to a bigger house in 3 or 4 years are transients. She said someone brought up the propagation of religion. She said most residents propagate religion in their own homes.

Norma Cantu of 140 Twinleaf commented that common sense should tell everyone to look at the facts and not speculate. She said that the facts say to grant the SUP.

Shirley Johnson of 209 Chattington said that Castle Hills is not a single family city, and she thought the SUP should be granted. She asked if it would be better to have a single family to live in the house with teenagers, some of them on drugs.

Vera Howard of 14 West Oaks Court spoke against issuing the SUP to the seminarians. She said the ordinances and zoning laws are there for a reason. The issue has nothing to do with religion.

Bob Jones of 209 Dandelion said he was opposed to the SUP because it will set a terrible precedence for the city.

Olga Owens of 204 Honeysuckle indicated that she was in favor of the SUP. She said that over the last 14 years she has seen the house change owners 4 times and none of the residents were typical. She said the only

single family that lived there had to move because they could not afford the house.

Mike Manupelli of 144 Honeysuckle, who lives directly across the street, commented that a perfect family had been found for the house, and he was in favor of issuing the SUP.

Jack Joyce of 108 Sir Arthur Court expressed his support of the SUP and said that the council should focus on the comments of the immediate neighbors around 143 Honeysuckle.

Frank Paul of 112 Shalimar said he was opposed to the SUP.

Dave Mellott, whose son lives at 137 Honeysuckle, questioned whether the SUP could be conditional or restricted to certain terms to where another organization could not force the city to grant an SUP based on this precedence.

Shirley Treece of 211 Honeysuckle stated that she was against the SUP and keep Honeysuckle Lane a street of single family residences.

Ted Popp commented that the law has a process and procedure for exceptions, and the result is a Special Use Permit. He emphasized that it does not set a precedent.

Brother William Dooling of 201 Gladiola affirmed what Mr. Popp said. He said allowing the SUP would not set a precedent. He said that he is not opposed to Father Coughlin being in the house and that a residence for seminarians is probably the best use for the house considering its size.

Eli Guerra of 209 Honeysuckle, who lives 2 houses away, appealed to the council to please approve the SUP because they are good people and good neighbors.

Mayor Harper announced that the council would take a 10 minute break at 7:45 p.m.

The council reconvened at 8:05 p.m. The mayor said that she is Roman Catholic and explained that the decision on whether to issue a Special Use Permit has nothing to do with taxes or religion or the hearing impaired. She said that it was not about the house, it was about the law. She added that she strongly opposed the SUP.

Council member Huff commented that the issue was a continuation of what they have seen. She said the definition of family has changed, and the issue was not religion or disability. Adding that the ordinance allows for exceptions, she remarked that the only precedent set would be that people can go to the Zoning Commission and request an SUP. She said

that, if the city is going to grow, people need to have open minds to change. She pointed out that the council has the opportunity to control what the changes will be.

Responding to questions from council member Huff, Mr. Brennan said that there could be a time limit placed on the SUP. He reiterated that the city can set conditions on the SUP. He indicated that most people comply; but if they don't, there are ways to enforce compliance.

Councilman Howell said he wanted to say that his thoughts on the SUP are not about religion. He indicated that he appreciated the people that have been in Castle Hills for a long time, that his family has lived here for 54 years. Mr. Brennan confirmed for Mr. Howell that conditions could be put on the SUP; and if the conditions are manageable, they can be enforced.

Council member Huff asked Father Coughlin if 11 residents was a firm number, or would he be back later to increase it. He answered that when the students reach 10 or 11 in number, he plans to move additional students to another house.

Councilman Gregory read a caustic letter that he received the day after Christmas, which was unsigned by the writer. He said that the city's zoning code is being revised and updated; and although the meetings have been posted, not one single resident has attended over the past 3 years. He added that the number 5 in the city's code is very generous compared to other communities in the area, some of which only allow 2 unrelated individuals to live in a single family dwelling. He then suggested to Father Coughlin that he get apartments for the overflow residents. He said he agreed with the Zoning Commission's vote of 3-2 opposing the SUP.

Council member Glass commented that she has been a resident of Castle Hills since 1963. She said that she wanted to keep the city a family city.

***Motion:*** Councilman Gregory moved to accept the Zoning Commission's recommendation to deny the Special Use Permit. Council member Glass seconded the motion. The motion carried 3 to 2. Council members Davis, Gregory, and Glass voted in favor of the motion; and council members Huff and Howell voted against the motion.

**E. CONSIDER AND ACT UPON SELECTING A FINANCIAL ADVISOR AND ENGAGING SERVICES**

City Manager Rietz introduced Ann Berger of First Southwest Company. He explained that proposals were received from four financial advisory firms. He, Councilman Howell, and Councilman Gregory interviewed First Southwest Company, Estrada-Hinojosa, and RBC Capital Markets. He said the committee chose First Southwest Company

because they displayed a practical understanding of what the city is trying to accomplish and how to get from the initial planning stage to the financing stage of projects chosen by the city.

Councilman Howell briefly discussed the interviews with the three companies and agreed that First Southwest seemed to be the best fit. Council member Huff asked if the city was retaining a financial advisor or if it was for a specific project. Councilman Howell explained that a financial advisor was needed for bond projects down the road. He added that he wanted the public to be involved in the process. Councilman Gregory said the need for a financial advisor stems from how to approach and address repairs to the city's infrastructure. Ms. Berger commented that a relationship with a financial advisor is important and brings options to the table that the city may not be aware of. Mayor Harper said that an advisor was needed only for a bond issue. She objected to paying retainer fees.

**Motion:** Council member Gregory remarked that a financial advisor would be advantageous to the city and moved to engage the services of First Southwest Company for five years as recommended by the search committee. Councilman Howell seconded the motion. The motion carried 3 to 2. Councilmen Gregory, Howell, and Davis voted in favor of the motion. Council members Huff and Glass opposed the motion.

Mayor Harper said the council would go back to agenda item B that was skipped earlier.

**B. CONSIDER AND ACT UPON THE RECOMMENDATION OF THE ARCHITECTURAL REVIEW COMMITTEE FOR AN APPLICATION FROM JOSE R. FORD, VILLA PARK ARCHITECT, TO RENOVATE THE EXTERIOR OF THE EXISTING OFFICE/RETAIL BUILDING LOCATED AT 1010 N.W. LOOP 410 (LOT 4, CHCB 123 OF THE BLANCO JUNCTION SUBDIVISION).**

Jose R. Ford said he was representing Villa Park Architects and the owner of the building at 1010 N.W. Loop 410. He referred to a rendering of the renovation on display and offered to answer any questions that the council had. He confirmed for the mayor that the trees currently on the property would remain.

Joan Buerschinger of 212 Glentower said that she was a member of the Architectural Review Committee (ARC) and that she voted against the renovation because the sign was not in compliance with city ordinance. Assistant City Manager Hoyle responded that Mr. Ford resubmitted the site plan two days after the ARC meeting and that the sign will be removed and renovated according to city ordinance. She said that the sign will be part of the building permit.

Brother William Dooling of 201 Gladiola spoke in agreement with Ms. Buerschinger recalling the problems arising with the Citibank sign also on Loop 410. He emphasized that the city needs to show parity in enforcing city ordinances.

**Motion:** Councilman Gregory moved to approve the recommendation of the ARC to renovate the exterior of the office/retail building located at 1010 N. W. Loop 410 contingent on the sign conforming to existing sign height restrictions. Councilman Howell seconded the motion. The motion passed unanimously.

#### H. CONSIDER AND ACT UPON THE PURCHASE OF A FIRE TRUCK

Fire Chief Riedel came to the podium and presented the council with options regarding the purchase of a new Pierce Quantum pumper truck. He explained that he started planning for the new truck about two years ago and came up with specifications over that time. He indicated that the new truck will last the city for 20 years and will cost \$441,243.00. He said there is \$200,000.00 budgeted for the purchase of a new vehicle; and upon delivery of the new truck, the old one can be sold for about \$30,000.00. He presented both cash payment and financing options. Council members discussed what method of payment would be better for the city.

**Motion:** Discussion resulted in Councilman Howell's motion to approve the purchase of the 2008 Pearce Quantum pumper truck with the stipulation that it is financed with Oshkosh Capital for a 5 year term, not to exceed an interest rate of 4.675 %. Council member Huff seconded the motion. The motion carried with a vote of 4 to 1. Councilman Gregory opposed the motion.

#### C. CONSIDER AND ACT UPON APPROVING A RIGHT-IN RIGHT-OUT DRIVE TO LOT 7 ON THE WEDGWOOD RETAIL SUBDIVISION LOCATED WEST OF BLANCO ROAD NEAR THE WEDGWOOD APARTMENTS.

City Manager Rietz explained that the Wedgwood Apartments is requesting access from Blanco Road to their Lot 7 property, and access has to be approved by the council. Since there was no one from the Wedgwood to speak on the matter, the mayor suggested tabling it.

**Motion:** Councilman Howell moved to table the item until next month. Council member Glass seconded the motion. The motion passed unanimously.

#### F. CONSIDER AND ACT UPON A JOINT ELECTION AGREEMENT WITH BEXAR COUNTY FOR THE MAY 10, 2008 ELECTION.

City Manager Rietz explained that doing a joint election with Bexar County would be advantageous to the voters of Castle Hills because they

can go to one polling place and vote on one ballot for the city and for the county. He said that the city secretary talked with other area cities and found that the joint elections worked very well for them and reduced their costs substantially. Mr. Rietz said that polling places had not yet been decided. The general consensus of the council was to wait until polling places are determined because Castle Hills voters are used to coming to the council chambers to vote. The council decided to wait until polling places are determined to decide on the joint election.

**Motion:** Councilman Howell moved to table Item F until the February meeting when polling places are decided. Council member Glass seconded the motion. The motion passed unanimously.

- G. CONSIDER AND ACT UPON A RESOLUTION TO APPROVE ENTERING INTO A LOCAL TRANSPORTATION PROJECT ADVANCE FUNDING AGREEMENT WITH TEXAS DEPARTMENT OF TRANSPORTATION FOR THE INSTALLATION OF SCHOOL ZONE FLASHERS AS WELL AS REMOVING AND REPLACING SCHOOL ZONE SIGNAGE AND MARKERS ON WEST AVENUE FROM MIMOSA AVENUE TO FM 1535 (NW MILITARY HIGHWAY).

**Motion:** After confirming that the cost to the city would be \$2,440.00, council member Huff moved to pass a resolution to approve entering into a local transportation project advance funding agreement with Texas Department of Transportation for the installation of school zone flashers as well as removing and replacing school zone signage and markers on West Avenue from Mimosa Avenue to FM 1535 (NW Military Highway). Council member Glass seconded the motion. The motion passed unanimously. The resolution as passed and approved is captioned as follows:

**RESOLUTION NO. 0801-02**

A RESOLUTION IN SUPPORT OF THE LOCAL  
TRANSPORTATION PROJECT ADVANCE  
FUNDING AGREEMENT.

For an (Off-State System) HES Program Project

*(A copy of Resolution No. 0801-02 is attached and made a part of the Minutes)*

- I. CONSIDER AND ACT UPON AN ORDINANCE APPROVING THE CITY OF CASTLE HILLS CERTIFIED TAX ROLL FOR THE YEAR 2007 .

**Motion:** Councilman Gregory moved adopt an ordinance to approve the City of Castle Hills Certified Tax Roll for the Year 2007. Councilman Howell

seconded the motion. The motion passed unanimously. The ordinance as passed and approved is captioned as follows:

**ORDINANCE NO. 992**

AN ORDINANCE APPROVING THE TAX ROLL OF  
THE CITY OF CASTLE HILLS, TEXAS FOR THE  
YEAR 2007.

*(A copy of Ordinance No. 992 is attached and made a part of the  
Minutes)*

VII. ADJOURNMENT

Mayor Harper adjourned the meeting at 9:55 p.m.

These minutes were approved on the 12<sup>th</sup> day of February, 2008.

APPROVED:

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Marcy Harper, Mayor

ATTEST:

\_\_\_\_\_  
Linda Gill, City Secretary

APPROVED AS TO FORM:

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Michael S. Brennan, City Attorney