

CITY OF FORT MITCHELL, KY
CITY COUNCIL MEETING
February 1, 2010

CALL TO ORDER / PLEDGE OF ALLEGIANCE / ROLL CALL

Mayor Holocher called the meeting to order at 7:00 p.m. at the Fort Mitchell Baptist Church, 2323 Dixie Highway and led the Pledge of Allegiance.

PRESENT: Vicki Boerger, Mary Burns, Bill Reis, David Schrand, David Stoeckle, Will Terwort, Christopher Wiest and Dennis Zahler **Others Present:** Mayor Thomas Holocher, Police Chief/City Administrator Steve Hensley, City Attorney Robert Ziegler, Special Counsel Jeffrey Mando, Public Works Director Robert Zerhusen, Fire Chief Scott McVey, Asst. Fire Chief Jansing, Capt. Bussman, Sgt. Loos and City Clerk Amy Able.

APPROVAL OF AGENDA AND MINUTES

Mr. Stoeckle made a motion to approve the agenda as amended; a second was offered by Mr. Reis. Motion carried by voice vote. **Mr. Zahler made a motion to approve the minutes** of the January 4, 2010 meeting; a second was offered by Mrs. Boerger. The motion carried by voice vote.

CITIZENS NOT ON THE AGENDA

Mayor Holocher issued an invitation for anyone wishing to address Council for matters not on the agenda other than the billboard issue. No one present accepted the invitation to speak. Those wishing to speak on the billboard matter were asked to sign in.

MAYOR'S REPORT

Mayor Holocher noted tentative plans for a transfer of a parcel of land to allow the **expansion of the Kroger store at Expressway Plaza** have been in progress for several years. In the next four to five weeks the pharmacy will be moving to another storefront at the plaza in preparation for the renovation work to begin. The new store will increase from 55,000 sq. ft. to 100,000 sq. ft. The developer has agreed to build three new tennis courts for Beechwood School. The City owns 3.7 acres of land and the intent has always been to work this out so the school would benefit. Expressway Plaza also agreed to allow some parking for some school events on their property.

Mayor Holocher stated he has received a lot of calls over the past few weeks concerning **Insight Cable**. A marketing company was calling Insight customers and directing those individuals to communicate their desire for more high definition channels to the Mayor who serves on the Cable Board. The additional HD channels would have been from conversion of a government channel. The Mayor did not support a move that would result in losing government access programming.

The Mayor stated there have also been a number of calls to the City Building regarding solicitation mailed to citizens regarding the purchase of "insurance" for future **repairs to water lines**. Some residents found the mailings to be confusing. The City was not involved nor was the water district, the solicitation was sent by a private company in Florida. Any residents interested in purchasing such a service are strongly encouraged to research the company thoroughly.

The Mayor stated the Police Department has been working on resolving problems at the **USA Hotel** for the past four or five months including drug complaints and other issues. Several agencies have been involved. The Mayor asked Chief Hensley to give an update. Chief Hensley explained there has been considerable behind-the-scenes work leading up to the action taken last Friday. The coordinated effort included twenty-six participants from twelve agencies including: Fort Mitchell Police, Fire and Public Works Departments, Fort Wright Police Department, Kenton County Commonwealth's Attorney's office, Northern Kentucky Drug Strike Force, Northern Kentucky Independent District Health Department, Kenton County Sherriff's office, Kentucky Department of Alcoholic Beverage Control, law office of Ziegler and Schneider, Northern Kentucky Area Planning Commission and Duke Energy. One arrest was made for trafficking of narcotics while these agencies were at the property. Matters of expired occupational licenses and

delinquent taxes were addressed. The hotel was closed on Friday for these reasons as well as for health and safety issues. Delinquent taxes were paid today but the other issues must be addressed before the hotel can reopen. Chief Hensley added the violations and concerns at the hotel were being addressed over the past weeks and months but when questions came up at the last Council meeting the police were not at liberty to discuss the matters in detail.

Mayor Holocher introduced the topic of billboards by stating neither he nor Council are against the school in any way. For years the City has been working with the school. For example the City collects the school taxes at a rate lower than they previously paid. The City has provided for the DARE program for over twenty years at no cost to the school and has a resource officer working in the school. The Mayor reiterated the City does support the school. He added the Mayor and Council also represent a different group which consists of everyone in the City. They must look out for not just the welfare of citizens with regard to taxes but many other aspects as well.

Mayor Holocher explained that School Board President Mike Dammert would give a presentation and Council would have the opportunity to ask him questions. Following that, Joe Craeghead who represents a group opposing billboards, would give remarks and Council would have a chance to ask him questions. Then Jeff Mando, who was asked to review potential legal ramifications, would address Council. Finally, comments will be taken from the floor. All those wishing to speak were asked to sign in upon arrival and the Mayor called for anyone who had not signed in to see Sgt. Loos to add their name at this time. The Mayor reminded those attending to be courteous and please refrain from applauding speakers. He stated he was confident we can have differences of opinion and remain respectful of one another.

Mr. Dammert, President of the Beechwood School Board, and Attorney Phillip Taliaferro addressed Council utilizing a PowerPoint presentation. Mr. Dammert explained he thought the request for a text amendment would go through Council and to the NKAPC but did not expect the process to take as long as it has. He explained the school will receive less funding from the State next year. An image of an open letter to the community was projected and Mr. Dammert read from the letter. He noted cuts must be made when revenues decrease and reviewed the negative impacts of KERA. He referenced the former independent school Harrodsburg High which no longer exists as that area is now served only by Boyle County High School. Mr. Dammert introduced Ms. Rae Wise, a CPA and the Finance Officer for the Beechwood Board of Education. She explained the school gets money from the State and Federal sources. Federal funds must be spent for the direct benefit of students with disabilities or students from low-income families. Money from the State is mandated by the SEEK formula which takes into consideration the property values and tries to make the distribution equitable. Beechwood receives \$275,000 from tuition for out-of-district students. The rest of their funding comes from local taxes. Mr. Dammert stated the revenue from billboards would provide the most direct and positive financial benefit for the community with the least negative impact to citizens. He stated it would benefit taxpayers and citizens. He added in the future with an electronic sign in place the school would offer free advertising to every business in Fort Mitchell and offer the City a chance to run Public Service Announcements and alerts. The signs are expected to bring between \$1.5 and \$5 million for the school over twenty years. Coach Rash was introduced and stated we must find ways to raise revenue for the independent school district. He said the State would rather have Beechwood exist as a K – 8 school and have the high school rolled into the county school system, but Beechwood is the cornerstone of our community. Mr. Tom Dunhoft, a member of the Erlanger City Council, was introduced to read a letter from Erlanger Mayor Tom Rouse. The letter indicated Mayor Rouse initially opposed the billboard concept and signed the resolution of the Kenton County Mayors Group, but he has since rethought the matter and there are many aspects and benefits for Fort Mitchell to consider. Mr. Mike Norton of Norton Outdoor Advertising was introduced and explained

he met with a lighting expert who had done an analysis and they measured ambient light samples on similar outdoor displays on December 15. He explained the measurements are in “foot candles”. He referenced the findings which indicated the lighting that would be used on these displays is less than one candle at ten feet away or ten percent of a candle from 100’. He stated that put simply they would have less effect on the ambient light than a porch light. These measures were for lighting of the static signs but they have figures for digital signs available. Attorney Bob Winter cited two traffic studies commissioned in 2007 by the Foundation of Outdoor Advertising Research. One was done by the Virginia Technology Transportation Institute and one by Tantella Associates. The studies were done in North Carolina and Cleveland four years before and four years after signs went up. The studies found the average glance at advertisements is less than 1.6 seconds and found accidents are no more likely to occur near billboards. Mr. Tom Norton of Norton Outdoor Advertising noted his is a family business and they have Christian values. Regarding property values, he cited an Imap data study that shows greater values for those properties near billboards. Mr. Dammert said the photos circulated in the community were not an accurate representation and he showed images with the size and placement they are requesting. He said the size of the billboard would be 14’ x 48’ and would not exceed 55’ and with regard to height they will position them so they are not visible from residences. Examples of the types of advertising that would be accepted were displayed. Mayor Holocher asked if the estimated \$1.5 – \$5 million revenue figure assumes an electronic billboard will be allowed. Mr. Dammert responded it does not, but rather takes the lowest possibility (static signs only) projecting \$70,000 a year for twenty years. Mayor Holocher asked about the language in the proposal that reads “upon approval from KDOT to add one more” sign. Mr. Dammert said there would be two back-to-back signs on the southbound side and another sign with one side facing Beechwood. Mr. Stoeckle asked where the property value study was conducted and Mr. Norton responded it was in the Tampa market. Mr. Reis asked if the free advertisement for Fort Mitchell businesses would be on the side facing the expressway or Beechwood and if the lease is based on a certain number of messages per day, wouldn’t giving away these spots cause revenues to decrease. Mr. Dammert replied this was factored in as part of the agreement. Mr. Reis asked about periods of time when a traditional sign is being changed or not in use (covered) if there is no income. Mr. Norton said there is a guarantee of \$70,000 per year for all three static signs and on top of that 40% of net on a sliding scale. Mr. Reis asked if maintenance of the area around the signs is a standard part of contracts and Mr. Norton confirmed it is. Ms. Burns asked if the school has tried to get more cell towers and Mr. Dammert replied that has been a good source of revenue but there are no other companies currently needing to place a tower in the area.

Mr. Craeghead of West Maple addressed Council stating he represented many citizens opposed to billboards. He utilized a PowerPoint presentation. He said the question is does Fort Mitchell want billboards. He displayed images provided by NKAPC showing the approximate placement and size of the signs noting this was the only information available to him. He pointed out the size of the proposed sign as outlined in painters tape on the rear wall of the room. He said those who oppose billboards stand with the many past council members who fought to control signs as well as the Kenton County Mayor’s Group and the residents who have signed a petition against it. He noted there are no billboards along I-75 south of Covington in Kenton County. The resolution signed by the Kenton County Mayors Group in November was reaffirmed at their January meeting. Resident opposition to billboards is strong. He presented a petition signed by adult residents with 615 signatures. The petition reads: “The undersigned residents of the City of Fort Mitchell hereby petition the City Council of Fort Mitchell to **reject** the request by the Beechwood Board of Education to amend existing zoning or other ordinances to permit the erection of billboards on Beechwood School property.” It was noted that over 85% of the residents who were approached signed the petition. Mr. Craeghead stated it will be difficult for City Council or others to fight lawsuits that may come as a result of allowing billboards at the school. He added the signs will be

visible from many homes. He added he recently attended a meeting on the fifteenth floor of the Chiquita Building in Cincinnati on a day so gray little could be seen outside the windows, but Llar's electronic sign on I-471 was visible even from that considerable distance. He quoted Dr. John Lee of the University of Wisconsin at a recent US Dept. of Transportation summit on distracted driving who stated there is a relationship between distracted driving and digital billboards. While everyone wants Beechwood to do well, this is not the way to fund the school. Newport's static sign is generating only \$16,000 per year. He noted a onetime tax increase of twenty-three cents per \$1,000 of valuation would generate \$3 million over twenty years. Allowing the signs doesn't guarantee there won't be future tax increases, but does guarantee the signs will be there. The money would not be a free windfall as there are many negative impacts including aesthetics, highway safety, property values and community reputation. Mr. Zahler stated the wording of the petition was not the same as the copy left at his home. Mr. Craeghead stated a cover letter was delivered, but the petition language shown tonight was verbatim to that on the pages signed by residents. Ms. Burns asked if the petition represented a cross-section of the city and Mr. Craeghead noted the addresses are listed. Mr. Wiest asked about representations made in gathering the signatures, noting an email he received suggested strong-arm tactics and misinformation were used. Mr. Craeghead stated the NKAPC pictures displayed this evening were the only images available to show the approximate placement and size of the signs.

Mr. Jeffrey Mando addressed Council. He has represented cities and elected officials for over twenty years. The City Attorney recommended an outside opinion on this matter and Mr. Mando was recommended by KLC, the City's insurance carrier. He noted having represented the cities of Fort Wright, Crescent Springs and Erlanger and having spent twelve years on the KY Board of Education. He agreed funding cuts from the State will undermine the quality of education. He explained that in his review he looked at the risks to the City. In one scenario, Council could choose to let the application for a text amendment go forward to NKAPC. The other option is to not let it go forward. There is a risk of a lawsuit if it is not allowed to go forward. The existing ordinance on signs is defensible. With the option of sending the application forward there are several challenges that present serious and grave risks including two in particular. There is a risk of a challenge that this would be considered "spot zoning." Mr. Mando noted he is speaking only of risk and his opinion is based on existing case law and his experience. Another consideration is an equal protection clause, and if this is done, will it create a distinction between one property owner and any other. If a text amendment goes forward and someone challenges it, this presents a risk that a "competitor" has the right to sue and seek damages. There is considerable money to be made in advertising, so if someone is denied, you have potential damages and it is possible a court could order injunctive relief (meaning you have to allow others in to do the same). Mr. Mando stated he just returned from a conference in San Diego where the repeated theme was once a door is opened it is hard to shut. While there are risks both ways, considering the expense of potential damages, legal fees and injunctive relief, the more serious risk would be to pass the text amendment. At this point it is a policy decision to move it forward or not. Mr. Zahler asked if this applies to other variances granted by a city and noted the cases cited were between a city and businesses rather than schools and if there is a difference. Mr. Zahler asked about issues surrounding Newport's sign. Mr. Mando stated he is not aware of the particulars in Newport but heard there has been an argument that a school district is exempt from zoning. This is only if the matter is pertinent to the school. If an allowance is to benefit a single property owner "red flags" go up; that is the constant theme in the case law. Mr. Wiest noted he had asked about equal protection problems but did not search spot zoning. He stated it is within a residential zone but with commercial property across the road. Mr. Mando replied that would be a stronger case for the city but there are no absolutes. His position was to look at case law and weigh the risks. Since no one else would qualify to apply it looks like spot zoning. Mr. Wiest asked about using more restrictive language. Mr. Mando cited a case in Boone County. Mr. Dammert noted the language

in the proposed text amendment had been changed upon recommendation of the attorneys and Mr. Ziegler replied it may not eliminate the equal protection argument.

Mayor Holocher called for public comment asking that speakers limit their remarks to two minutes.

Paul Meier, Mayor of Crestview Hills, stated he authored the resolution passed by the Mayor's Group and spoke to Mayor Rouse Thursday but was unaware of his position referenced earlier tonight. Billboards have been banned in Kenton County for thirty years and three cities have fought a lawsuit; the current zoning stood up in court. He added there are other entities with fifteen acres in residential zones along interstates who could use similar revenue from signs including the Diocesan Catholic Children's Home and Highland Cemetery.

Mr. Dave Vittetoe disagreed with the lighting statistics offered. In supporting the school you do not stop being a resident and the school is doing well.

Mr. Mark Gooch who served sixteen years on the school board said you cannot make a decision based on risk and must be forward thinking.

Mr. Jim Procaccino who has worked for the school and the City said he was skeptical at first but came to support the billboard proposal. It ensures the integrity of the school and thereby would help maintain property values.

Mr. Dave Kochera of Williamsburg Drive said if a sign distracts drivers for 1.6 seconds while they travel at 65 mph they would travel 140 feet. The sign in Covington is an eyesore and this would ruin the area's aesthetics.

Mr. Tom Youtsey of Beechwood Road said he opposed the signs and would see the side facing the school from his home.

Mr. Charlie Trezevant of Hampton Place expressed his support for the proposed signs stating he moved to the community because of the school. He said residents could hang blinds to avoid seeing the billboards.

Dr. Patrick Burns of Leathers Road said increasing taxes is not the answer. The SEEK formula works against our school. The digital signs in Covington are adjacent to his office and do not faze him. He asked that the text amendment request be forwarded.

Ms. Cheryl Johnson of Edenderry Drive said she opposed the billboards and urged Council to take a leadership role.

Mr. Ron Powell of Longmeadow Lane and a former Council Member asked for preservation of the aesthetics. He said the City should not sell zoning and zoning decisions should not be based on revenue.

Mrs. Renée Oka of Ross Avenue and a former Council Member said she is against billboards but not against the school. Responding to the suggestion of moving the application forward she noted this is a public forum and she referenced past recommendations from NKAPC on the model sign regulations which continued to prohibit billboards. She recalled NKAPC advising if the entire document was declared unconstitutional the billboard section would stand and through that research the greatest concern was keeping out billboards and electronic billboards.

Mr. Joe Oka of Ross Avenue said there is no guarantee about tax relief and he opposes billboards.

Mr. Jeff Bethel of Pleasant Ridge stated he has been conflicted but now is most concerned by the possibility of “creep” and spending tax dollars on litigation.

Ms. Bridgette Brenner of Fort Mitchell Meadows said her children attend another school operating at a deficit but other schools come up with fund raisers. She asked if this is allowed would Blessed Sacrament then be allowed to purchase property to erect similar signs adding she is opposed.

Ms. Michelle Class of Greenbriar Avenue said it is good to consider the legal risks and also ask where would this stop.

Mr. Oscar Rummel of Marquette Avenue said such signs are a distraction that could cause accidents noting the one in Covington nearly caused him to be involved in an accident.

Mr. Glenn Willman of Kathleen Drive said the study referenced from Tampa concerned a downtown area whereas this is residential with houses less than 100 yards away. If Fort Mitchell allows this other cities will surely follow and this area contains the most dangerous curves along the I-75 corridor.

Ms. Katy Loos said she is against the billboards and noted the school and the city are not the same entity.

(At 10:15 p.m. Mr. Terwort left the room.)

Mr. Norm Decker of East Orchard and a former member of Council said he would see the signs from his home. Thirty years ago he and the late Mr. Lubrecht viewed existing signs and decided Fort Mitchell should not allow advertising signs. He owned an advertising company at a time that cities banned bus stop ads saying they were clutter. He beseeched Council to vote this down.

(At 10:20 Mr. Terwort returned.)

Ms. Lisa Carter of Harvard Drive said this is not a school issue but a city issue directly affecting the integrity of the city. Billboards are erected to be seen and therefore are a distraction. We need less blight, not more.

Ms. Bilbo of Ridge Road said there are existing problems that are hard to get rid of including trouble with the USA Hotel and this must be given serious consideration.

Mrs. Groob, a former resident and former member of Council, said there is always fear of the unknown and at one time commercial development was opposed. Changes at the former Kruempleman Farm as well as the sign in front of the City Building also turned out to be good changes. She encouraged council to support the proposal.

Mr. Bob Winter, attorney for the School Board, said this would not create a hazard on the highway and asked where property values would be without Beechwood Independent School District.

Mr. Reis referenced the division this has created in the city. Many existing billboards are being covered as companies spend less on advertising in the current economic climate. He said Council should move forward with a vote.

Mrs. Boerger said she appreciated Beechwood being cautious about what company they would work with. Mrs. Boerger asked about the change from a static to an electronic sign and asked about the exact type of sign. Mr. Norton responded it is a wrap and would later be digital if Kentucky law will allow it. He said the current electronic signs placed by competing companies are in violation of existing regulations. Mrs. Boerger asked if funds from the cell towers at Beechwood go to teachers' salaries or other direct education needs. Mr. Dammert replied that revenue goes into the general fund to be used at the Board's discretion. He explained there are two funds; one is from the three sources cited earlier, and the other fund is through bonding which is how the elementary addition is being built. Mrs. Boerger asked for data about traffic and accidents in the area. Chief Hensley replied in 2009 there were 149,977 collisions reported in Kentucky. Of those, 63,000 were attributed to driver inattention and still others to driver distraction. Regarding traffic counts, Chief Hensley stated 159,000 vehicles per day travel between I-275 and Buttermilk Pike, 163,000 between Buttermilk and Dixie, and 165,000 between Dixie and Kyle's Lane. He stated in 2009 there were 280 accidents in Fort Mitchell, with 108 of those being on I-75, 28 were injury accidents. In 2008 there were 311 accidents in Fort Mitchell with 113 of those being on I-75 and 51 with injuries.

Mr. Zahler said he agreed with Mr. Reis that it should be put to a vote to move it forward to NKAPC. It has caused some division in the city. Beechwood is a big asset and the main reason property values are what they are.

Mr. Zahler made a motion to move forward with submitting the text amendment application to the Northern Kentucky Area Planning Commission; Ms. Burns offered a second to the motion. Mayor Holocher called for any questions.

Mr. Wiest stated he had asked Mr. Gordon at NKAPC if they would be able to answer some questions as part of a review and he sees this vote as asking if Council wants more information. Mr. Stoeckle asked about any cost and Mayor Holocher confirmed there is a fee to file the application for a text amendment. A member of the audience interjected that she is offended at the suggestion that more information is needed and urged Council to make a decision. Mr. Terwort stated Beechwood is a great school but he has concerns about the potential for more signs along I-75. Upon hearing that there were no further questions from Council, Mayor Holocher called for a roll call vote.

(Mr. Schrand left the room at 10:50 p.m.)

Mr. Zahler:	Yes	Mr. Stoeckle:	No
Ms. Burns:	Yes	Mr. Terwort:	No
Mrs. Boerger:	No	Mr. Wiest:	Yes
Mr. Reis:	No		
Yes: 3	No: 4	Absent:	1
			Motion defeated.

(Mr. Schrand returned at 10:58 p.m.)

CITY ATTORNEY'S REPORT

Mr. Ziegler read **Municipal Order 2010-01** removing a handicapped parking designation sign from Stevie's Ridge Road. **Mr. Reis made a motion to approve Municipal Order 2010-01, second to the motion was offered by Mr. Zahler.** Hearing that there was no further discussion the Mayor called for a vote. The motion carried by voice.

Mr. Ziegler read **Municipal Order 2010-02** authorizing installation of a “reserved for handicapped” parking sign on Carlisle Avenue. **Mr. Wiest made a motion to approve Municipal Order 2010-02, second to the motion was offered by Mrs. Boerger.** Mayor Holocher called for any questions or discussion and upon hearing there was nothing further he called for a vote. The motion carried by voice.

Mr. Ziegler read **Resolution 2010-01** updating the list of designated depositories used by the City. **Mr. Zahler made a motion to approve Resolution 2010-01, second to the motion was offered by Mr. Reis.** Mayor Holocher called for any questions or discussion. Mr. Terwort asked if banking services were bid and Mayor Holocher confirmed this is typically done every three to five years. Chief Hensley added the City Treasurer checks this regularly and reviews rates on an almost monthly basis. Upon hearing there was nothing further Mayor Holocher called for a roll call vote.

Mr. Zahler:	Yes	Mr. Schrand:	Yes
Mr. Reis:	Yes	Mr. Stoeckle:	Yes
Mrs. Boerger:	Yes	Mr. Terwort:	Yes
Ms. Burns:	Yes	Mr. Wiest:	Yes
Yes: 8	No: 0	Absent: 0	Motion carried.

CITY ADMINISTRATOR’S REPORT

Chief Hensley noted the Kenton County PVA will have representatives in the area in a black Ford as they start the assessment process. Photographing properties is part of the process of gathering data and residents are often concerned if they observe such activity.

Chief Hensley reported on the **Louise Drive project**, upon review of the bids by the engineer, it was determined the City and our engineer had only limited experience with that contractor. The next lowest bidder, Paul Michels was only \$432 higher. In light of this, the project has been awarded to Paul Michels. Mr. Zerhusen added in reviewing some of CK Excavating’s work and in the pre-award meeting it was determined the company planned to gut the entire street at once which is not the city’s normal procedure of doing it in sections. This is reviewed from a safety standpoint as well as for ease of access.

Chief Hensley explained the inspections at the **USA Hotel** were a coordinated effort but did take a long time, roughly six weeks, to get arranged with all agencies participating so all concerns could be addressed at once. There are many concerns including structural integrity and electrical code violations that must be corrected for the hotel to reopen. The owner says they still have a plan to remove one of the buildings in a few months. The Commonwealth’s Attorney was present to obtain search warrants if that became necessary. Mr. Reis asked if the liquor license was in jeopardy because of drug-related arrests and Chief Hensley replied the bar does almost no business. While the liquor licenses were in order, the occupational license had expired and the owner had not paid payroll or gross receipts taxes. Delinquent payments were subsequently made today. Chief McVey added the high levels of carbon monoxide were a great concern as well as the fire detection system not being up to standard and the structural integrity of the building.

Mr. Terwort asked if representatives from the Kentucky League of Cities would be attending the March 1 meeting. Mayor Holocher noted the KLC has scheduled a meeting on February 22 in Florence to answer questions from local officials. Mrs. Boerger and Mr. Stoeckle stated it made sense to see what information comes from that meeting before moving forward.

Chief Hensley thanked Fort Mitchell Baptist Church for hosting the meeting and Mr. Earion for his technical assistance with the sound system.

COMMENTS FROM COUNCIL

Mayor Holocher said the most recent meeting at the Transportation Cabinet regarding the **Kroger expansion** had a good outcome. The Town Center offered a price that was accepted by the State for the property adjacent to the shopping center. Work could begin as soon as the early part of March.

Mrs. Boerger noted the **Centennial Committee** will meet on Monday, February 8 at 6:30 p.m. and there will be a presentation on the history of the Green Line. Mr. Terwort added the true 100th anniversary of the City would be on February 14.

ADJOURNMENT

There being no further business on the agenda, **Ms. Burns made a motion to adjourn the meeting and Mr. Reis offered a second to the motion.** Motion carried by voice vote, **the meeting adjourned at 11:32 p.m.**

Respectfully submitted by:

Signed _____, 2009

Amy B. Able, City Clerk

Thomas E. Holocher, Mayor