STATE OF TEXTS §

September 2, 2008

COUNTY OF GRAYSON §

BE IT REMEMBERED THAT A Called Meeting of the City Council of the City of Sherman, Grayson County, Texas was begun and held in the Council Chambers of City Hall on September 2, 2008.

MEMBERS PRESENT: **MAYOR BILL MAGERS; DEPUTY MAYOR CARY WACKER. COUNCIL MEMBERS ADAMI, HOWETH, SMITH, SOFTLY, STEELE.**

MEMBERS ABSENT: **NONE.**

<u>CALL TO ORDER</u>

CALL TO ORDER

Mayor Bill Magers called the meeting to order at 5:02 p.m. The Pledge of Allegiance and the Invocation were given by Deputy Mayor Cary Wacker.

<u>EMERGENCY DISASTER RELIEF</u>

EMERGENCY DISASTER RELIEF

Sharon Watson, Director of the Grayson County Red Cross, recognized Sherman for stepping up during Hurricane Gustav and the evacuation of many costal residents. She thanked the City of Sherman and Fairview Baptist Church for opening their doors and the Police and Fire Departments for their hard work and support.

Over 60 volunteers manned the Respite Center at the Municipal Ballroom, the Shelter at Fairview Baptist Church, and the Red Cross offices. The Shelter also housed 67 residents, mainly from Port Arthur and Beaumont. All evacuees have been able to leave and return to their homes. The Shelter is now empty but is on standby.

<u>APPROVE MINUTES</u>

APPROVE MINUTES

The Council reviewed the Minutes of the Regular City Council Meeting of August 18, 2008. Council Member Adami moved to approve the Minutes as presented; Second by Council Member Steele. All present voted AYE.
MOTION CARRIED.

<u>SPECIAL PRESENTATION</u>
<u>ANNOUNCING THE WINNER OF THE FIRST "SHERMAN TODAY" PHOTO CONTEST</u>

"SHERMAN TODAY" PHOTO CONTEST

Traci Carlson, President of the Sherman Chamber of Commerce, introduced the winner of the first "Sherman Today" photo contest which was held in July 2008. Kathy Cole submitted a photograph of her son on a John Deere pedal tractor. The photograph will be published on the cover of an upcoming "Sherman Today" and will hang in City Hall.

<u>PUBLIC HEARING</u>
<u>CAPITAL IMPROVEMENT PROGRAM (CIP) 2008-2013</u>

CAPITAL IMPROVEMENT PROGRAM

Mayor Magers introduced the City's Capital Improvement Program for 2008-2013.

No citizens appeared before the City Council to discuss the Capital Improvement Program for 2008-2013.

INTRODUCTION AND PUBLIC HEARING OF ORDINANCES

ORD 5557 ATMOS STEERING COMMITTEE

Mayor Magers introduced Ordinance 5557 and called for a public hearing:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS (“CITY”), APPROVING A NEGOTIATED RESOLUTION BETWEEN THE ATMOS CITIES STEERING COMMITTEE AND ATMOS ENERGY CORP., MID-TEX DIVISION (“ATMOS MID-TEX” OR “THE COMPANY”) REGARDING THE COMPANY’S RATE REVIEW MECHANISM FILING IN ALL CITIES EXERCISING ORIGINAL JURISDICTION; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT AND FINDING THE RATES TO BE SET BY THE ATTACHED TARIFFS TO BE JUST AND REASONABLE; APPROVING ATMOS’ PROOF OF REVENUES; ADOPTING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND LEGAL COUNSEL; PROVIDING A REPEALER CLAUSE; PROVIDING FOR SEVERABILITY.

No citizens appeared before the City Council to discuss Ordinance 5557.

CLOSE PUBLIC HEARING

The Ordinances were introduced and the Public Hearing was closed.

ADOPTION OF ORDINANCES

ORD 5557 ATMOS STEERING COMMITTEE

Ordinance 5557
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS (“CITY”), APPROVING A NEGOTIATED RESOLUTION BETWEEN THE ATMOS CITIES STEERING COMMITTEE AND ATMOS ENERGY CORP., MID-TEX DIVISION (“ATMOS MID-TEX” OR “THE COMPANY”) REGARDING THE COMPANY’S RATE REVIEW MECHANISM FILING IN ALL CITIES EXERCISING ORIGINAL JURISDICTION; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT AND FINDING THE RATES TO BE SET BY THE ATTACHED TARIFFS TO BE JUST AND REASONABLE; APPROVING ATMOS’ PROOF OF REVENUES; ADOPTING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND LEGAL COUNSEL; PROVIDING A REPEALER CLAUSE; PROVIDING FOR SEVERABILITY.

Mayor Magers explained that ATMOS requested $33.5 million and through the negotiations, settled on $20 million. The rates will be statewide.

ACTION TAKEN.
Motion by Council Member Adami to approve Ordinance No. 5557, as presented. Second by Deputy Mayor Wacker.
VOTING AYE: Adami, Howeth, Smith, Softly, Steele, Wacker.
VOTING NAY: None.
MOTION CARRIED.

Ordinance 5551
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, PROVIDING FOR THE APPROPRIATION OF FUNDS FOR OPERATING AND CAPITAL EXPENDITURES FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2008, AND ENDING SEPTEMBER 30, 2009; PROVIDING FOR A REPEALER.

ORD 5551 ANNUAL BUDGET

George Olson, City Manger, said the City Council had instructed the staff to seek additional alternatives for the operation of the Day Care Center. All non-profit day care centers in Sherman were contacted to determine their interest in being considered for lease of the facilities and for absorbing the program as it is today.

Five questionnaires were mailed out, including one to Jack and Jill Child Care in Denison. Only one written response was received by the City, from Jack and Jill Child Care Center.

Jack and Jill's operation is very close to the current program operated by the City. They operate for the low income and economically challenged citizens. Currently about 25% of their revenue comes from day care fees and they receive CCS donations. They have been in business for over 50 years.

Mr. Olson said the staff continues to pursue negotiations with Jack and Jill Child Care Center for the lease of the Sherman Day Care Center and will work with them on a transition plan.

Mayor Magers stated that he and Council Member Howeth have a conflict of interest and cannot discuss the day care issue. He passed the gavel to Deputy Mayor Wacker to allow a citizen to speak on the issue.

Tony Beaverson, 2609 Fair Oaks Circle
Mr. Beaverson commended the City Council for their forward looking vision for the City. He said he understood that the City would loose about $400,000 in federal monies by closing the Day Care Center. Mr. Olson said that could happen if other matching funds aren't secured.

Mr. Beaverson asked if there was an increase in revenues projected for the City next year. Robby Hefton, Assistant City Manager/CFO, said the revenues are basically flat for next year. Mr. Beaverson verified that the decision to close

the Day Care Center is not from a loss of revenue but is a decision by the City Council. Council Member Adami did confirm that revenues are flat and expenses have increased. The "cut" was made to balance the budget.

Mr. Beaverson said the goal should not be to privatize the services that can be privatized. The goal should be to provide the best quality services. He said that family values should "stop at the pocketbook." He expressed concern about the ideological shift he sees in the City Council.

Deputy Mayor Wacker passed the gavel back to Mayor Magers.

Council Member Softly said this is a hard decision to make but is needed for the direction in which the City is going. He would like the Day Care Center to remain open under the City's direction, but things must sometimes change.

Mayor Magers asked if there were any other comments on the Budget itself.

ACTION TAKEN.

Motion by Council Member Smith to approve Ordinance No. 5551, as presented. Second by Deputy Mayor Wacker.

VOTING AYE: Magers, Adami, Howeth, Smith, Softly, Steele, Wacker.
VOTING NAY: None.
MOTION CARRIED.

CONSENT AGENDA

CONSENT AGENDA

The Council reviewed the Consent Agenda. Council Member Adami moved to approve the Consent Agenda, as presented. Second by Council Member Steele. All present voted AYE.

Mayor Magers commended the staff for the bid process on Resolution 5257 which included biodiesel, adding that Sherman has a genuine concern for the community.

RESOLUTIONS

RESOLUTION NO. 5251 – APPROVING AND ADOPTING A FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM FOR THE CITY OF SHERMAN, TEXAS

RES 5251 CAPITAL IMPROVEMENT PROGRAM

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, APPROVING AND ADOPTING A FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM FOR THE CITY OF SHERMAN, TEXAS; PROVIDING FOR AN EFFECTIVE DATE.

ACTION TAKEN.

Motion by Deputy Mayor Wacker to approve Resolution No. 5251, as presented. Second by Council Member Softly.

VOTING AYE: Adami, Howeth, Smith, Softly, Steele, Wacker.
VOTING NAY: None.
MOTION CARRIED.

RES 5252
INVESTMENT POLICY

<u>RESOLUTION NO. 5252 – ADOPTING AN INVESTMENT POLICY FOR THE CITY OF SHERMAN</u>
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, ADOPTING AN INVESTMENT POLICY FOR THE CITY OF SHERMAN.
CONSENT AGENDA.

RES 5253
CDBG FUNDS

<u>RESOLUTION NO. 5253 -- AUTHORIZING EXECUTION OF AGREEMENTS WITH THE SHERMAN HOUSING AUTHORITY, THE TEXOMA AREA PARATRANSIT SYSTEM, INC., THE GRAYSON COUNTY CRISIS CENTER, THE CHILD & FAMILY GUIDANCE CENTER OF TEXOMA, THE NORTH TEXAS YOUTH CONNECTION, AND THE BOYS & GIRLS CLUB, INC. FOR THE USE OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS</u>
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AGREEMENTS WITH THE SHERMAN HOUSING AUTHORITY, THE TEXOMA AREA PARATRANSIT SYSTEM, INC., THE GRAYSON COUNTY CRISIS CENTER, THE CHILD & FAMILY GUIDANCE CENTER OF TEXOMA, THE NORTH TEXAS YOUTH CONNECTION, AND THE BOYS & GIRLS CLUB, INC. FOR THE USE OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS.
CONSENT AGENDA.

RES 5254
ALCOHOL & DRUG TESTING PROGRAM

<u>RESOLUTION NO. 5254 – AUTHORIZING EXECUTION OF AN INTERLOCAL COOPERATION CONTRACT WITH THE TEXAS DEPARTMENT OF PUBLIC SAFETY IN RELATION TO THE SHERMAN POLICE DEPARTMENT'S BREATH TESTING AND LABORATORY ALCOHOL AND DRUG TESTING PROGRAM</u>
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF AN INTERLOCAL COOPERATION CONTRACT WITH THE TEXAS DEPARTMENT OF PUBLIC SAFETY IN RELATION TO THE SHERMAN POLICE DEPARTMENT'S BREATH TESTING AND LABORATORY ALCOHOL AND DRUG TESTING PROGRAM.
CONSENT AGENDA.

RES 5255
SCREW LIFT PUMP REPLACEMENT

<u>RESOLUTION NO. 5255 – AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH LEGACY CONTRACTING, L.P. FOR THE REPLACEMENT OF SCREW LIFT PUMPS AT THE WASTEWATER TREATMENT PLANT</u>
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT WITH LEGACY CONTRACTING, L.P. FOR THE REPLACEMENT OF SCREW LIFT PUMPS AT THE WASTEWATER TREATMENT PLANT.
CONSENT AGENDA.

RES 5256
AUSTIN LANDING
PHASE TWO

RESOLUTION NO. 5256 – AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT WITH TEXLANDEV-AUSTIN LANDING, L.P. FOR THE CONSTRCUTION OF PUBLIC FACILITIES IN THE AUSTIN LANDING PHASE TWO DEVELOPMENT TO THE CITY OF SHERMAN
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMETN WITH TEXLANDEV-AUSTIN LANDING, L.P. FOR THE CONSTRUCTION OF PUBLIC FACILITIES IN THE AUSTIN LANDING PHASE TWO DEVELOPMENT TO THE CITY OF SHERMAN.
CONSENT AGENDA.

RES 5257
ANNUAL SUPPLY
OF GASOLINE

RESOLUTION NO. 5257 – AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT OF SALE WITH W. DOUGLAS DISTRIBUTING, LTD. D/B/A DOUGLAS DISTRIBUTING FOR AN ANNUAL SUPPLY OF GASOLINE, DIESEL AND BIO-DIESEL FUEL
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, AWARDING A BID TO AND AUTHORIZING EXECUTION OF A CONTRACT OF SALE WITH W. DOUGLAS DISTRIBUTING, LTD. D/B/A DOUGLAS DISTRIBUTING FOR AN ANNUAL SUPPLY OF GASOLINE, DIESEL AND BIO-DIESEL FUEL.
CONSENT AGENDA.

CHANGE ORDER
HARRISON AVE.
STORM DRAIN
REPLACEMENT

CHANGE ORDER NO. 1
HARRISON AVENUE STORM DRAIN REPLACEMENT; LYNN VESSELS CONSTRUCTION, LLC; $969.99, INCREASE
The City Council approved Change Order No. 1 to Lynn Vessels Construction for replacement of a section of existing storm sewer between Lowell Avenue and Mulberry Street along Harrison Avenue. The change order is a final reconciliatory change order to adjust the final project quantities for the project.

Funding for the project was included in the 2007-2012 Capital Improvement Program budget. The change order results in a $969.99 increase in the contract amount, yielding a final contract price of $79,520.22.
CONSENT AGENDA.

CHANGE ORDER
STREET MILL &
OVERLAY PROGRAM

CHANGE ORDER NO. 1
2007-2008 STREET MILL AND OVERLAY PROGRAM; R.K. HALL CONSTRUCTION , LTD.; $46,709.00, INCREASE
The City Council approved Change Order No. 1 to R.K. Hall Construction for the street mill and overlay services during Fiscal Year 2007-2008. The street improvement program included several mill and overlay projects that are part of the new "Enhanced Thoroughfare Network" program and the Capital Improvement Program. The change order results in a $46,709 increase in the contract amount.
CONSENT AGENDA.

OTHER BUSINESS

RECEIVE POLICE CHIEF TOM WATT'S BRIEFING ON GRAFFITI IN SHERMAN

GRAFFITI

Tom Watt, Police Chief, presented a report on graffiti in Sherman which is an initial sign of blight in a neighborhood. The graffiti is mainly seen on the east side of Sherman.

Chief Watt said many cities have an ordinance to enforce control of the graffiti. He said he is also going to upgrade the training of officers and plans to meet with the Dallas Police Department experts.

He added that Sherman currently has some gang graffiti but mainly the problem is young people that are "tagging" just because they can. The focus will also include a public education campaign, especially in the schools.

The City has also contacted the major paint dealers in Sherman and anticipate they will have some excess paint that can be used to cover the graffiti.

Jeff Miller, Director of Public Works, will participate with City crews that cover up graffiti on public property. The goal is to report and cover graffiti on public property as quickly as possible, hopefully within 24 hours. The excess paint will probably be made available to private property owners as well, to cover graffiti on their own property.

Mayor Magers asked if graffiti is a growing problem and if the plan is to codify how the problem will be addressed. Chief Watt said the problem has increased over the past year and currently there are 35 locations that have graffiti, with 25 of those being on private property.

He added that enforcement on private property is where the problem lies. Many cities declare graffiti a nuisance and provide for its abatement. Some cities file liens if the property owner doesn't abate the problem. One City even assesses a 10% penalty.

Council Member Smith verified that Chief Watt wants to give private property owners a specified amount of time to remove or cover the graffiti and if it is not removed within that time, the City will abate the nuisance.

Chief Watt added that 30% of the cities he spoke with provide for the City to ultimately abate the problem and absorb the cost. The other 70% of the cities require that the property owner pays the cost or the City abates the problem and files a lien on the property. He added that this would be after ample time to abate the nuisance and due process. The City would also provide the materials to the property owner for abatement.

Council Member Howeth addressed one business on Jones Street near First Street that has been "tagged" five times. She felt there should be teeth for enforcement against the people creating the graffiti, who are also probably violating the curfew ordinance.

Chief Watt added that there are some shielding compounds that allow for a quick wash to remove graffiti instead of the heavy scrubbing that may be required.

Mayor Magers asked who will administer the program. Chief Watt said the staff is currently in the process of building the program and it will be a partnership, but they plan to have one director responsible for the program.

Mayor Magers wanted to be sure there was some way for the City to step in and help the private property owner if they were unable to abate the problem. Chief Watt said that will be included in the proposal.

CONSIDER REQUEST OF THE SHERMAN ARTS FESTIVAL COMMITTEE TO TEMPORARILY CLOSE CERTAIN STREETS, SUSPEND PARKING TIME LIMITS, AND USE CERTAIN CITY FACILITIES AND SERVICES FOR THE 26TH ANNUAL SHERMAN ARTS FESTIVAL ON SATURDAY, SEPTEMBER 20, 2008

ARTS FESTIVAL

The City Council approved the request of the Sherman Arts Festival Committee to provide barricades and street closures, suspend parking time limits, and use City facilities and services, including trash pickup, trash cans, dumpsters, and street sweepers, for the 26th Annual Sherman Arts Festival on Saturday, September 20, 2008.
CONSENT AGENDA.

CITIZENS REQUESTS
GRAYSON DISASTER RELIEF

GRAYSON DISASTER RELIEF COMMITTEE

Kathy Williams, 274 Yowell Hill, Whitewright, appeared as a member of the Grayson Disaster Relief Committee, and thanked the City of Sherman for opening the Respite Center and providing all the support services. She thanked Fire Chief Jeff Jones for his support, and Theresa Hutchinson, Recreation Coordinator, and her daughter for working with evacuee's children. She also thanked local businesses that donated items or assisted with needs of the evacuees.

Mrs. Williams said the community really came together and the City responded very quickly to the need for a Respite Center. She thanked Mr. Olson, Mr. Hefton, and the City staff, and everyone that has worked over the last few years in organizing the Grayson Disaster Relief Committee.

Mayor Magers also thanked Mrs. Williams for her hard work during the situation.

EMERGENCY PREPARDNESS SEMINAR

EMERGENCY PREPAREDNESS SEMINAR

Traci Carlson, 828 Morrison Road, Howe, President of the Chamber of Commerce, commended the City Council on using a local business.

She also said the Chamber of Commerce, Texoma Council of Governments, and Texoma Regional Public-Private Preparedness Coalition, are sponsoring an Emergency Preparedness Seminar on September 5, 2008 at the Center for Workplace Learning at Grayson County College.

The seminar will be for small business owners to prepare a plan so their businesses will not fail when faced with an emergency such as hurricanes, tornados, workplace violence, or data loss.

MEDIA QUESTIONS

MEDIA QUESTIONS

There were no media questions.

CONSIDER THE QUALIFICATIONS, APPOINTMENT AND REMOVAL OF MEMBERS TO BOARDS AND COMMISSIONS: CONFIRMATION OF CITY MANAGER APPOINTMENT OF A MEMBER TO THE CIVIL SERVICE COMMISSION (1)

CIVIL SERVICE COMMISSION

Mr. Olson explained that the Civil Service Commission is a three member Commission with appointment by the City Manager and confirmation from the City Council. He recommended confirmation of Lee Salinas to the Civil Service Commission.

ACTION TAKEN.

> **Motion by Council Member Adami to confirm the City Manager's appointment of Lee Salinas to the Civil Service Commission to fill an unexpired term from September 3, 2008 to June 8, 2010. Second by Council Member Smith.**

VOTING AYE: Adami, Howeth, Smith, Softly, Steele, Wacker.
VOTING NAY: None.
MOTION CARRIED.

COUNCIL COMMENTS

ANNUAL BUDGET

ANNUAL BUDGET

Council Member Adami said the Budget is always a difficult decision, especially when there are flat revenues and rising expenses, which is a loss of money. It requires difficult choices and he thanked everyone for their patience.

He also congratulated Mr. Olson, Mr. Hefton, and all the staff for their hard work on the Budget and for addressing the needs of the evacuees displaced by Hurricane Gustav.

DAY CARE CENTER

DAY CARE CENTER

Council Member Softly congratulated the staff for looking at other alternatives for the Day Care issue.

DAY CARE CENTER

Deputy Mayor Wacker said she was very excited about the public-private partnership and felt it was an excellent solution for the Day Care Center, which is a non-traditional City service.

She also thanked the Emergency Response Team for pulling together in the face of the recent emergencies.

CREEK CLEANING

Deputy Mayor Wacker reminded property owners with concerns about creek flooding, that they are responsible for creek maintenance to the center point of the creek. She asked that the staff provide a media release or public information campaign to make citizens aware of this fact.

CONDOLENCES TO CONGRESSMAN RALPH HALL

Mayor Magers offered condolences to Congressman Ralph Hall in the recent loss of his wife Mary Ellen. He said she was a great lady and will be missed. Mayor Magers asked everyone to keep Congressman Hall in their prayers.

EXECUTIVE SESSION – IN ACCORDANCE WITH CHAPTER 551, GOVT. CODE, V.T.C.S., (OPEN MEETINGS LAW)

THE CITY COUNCIL WILL NOW HOLD AN EXECUTIVE SESSION PURSUANT TO THE PROVISIONS OF THE OPEN MEETINGS LAW, CHAPTER 551, GOVERNMENT CODE, VERNONS TEXAS CODES ANNOTATED, IN ACCORDANCE WITH THE AUTHORITY CONTAINED IN THE FOLLOWING SECTIONS.

SECTION 551.071 --	**CONSULTATION WITH CITY ATTORNEY CONCERNING LEGAL MATTERS:** **PANDA ENERGY** **CITIES AGGREGATION POWER PROJECT, INC. (CAPP) NEGOTIATIONS**
SECTION 551.071 --	**CONSULTATION WITH CITY ATTORNEY CONCERNING PENDING OR CONTEMPLATED LITIGATION:** **CAUSE NO. 05-06-00420-CV; CITY OF SHERMAN, ET AL V. JAMES WAYNE** **LUCKY STOP #10'S REQUEST FOR ALCOHOL PERMIT**

SECTION 551.072 -- DELIBERATIONS REGARDING REAL PROPERTY: DELIBERATE REGARDING THE POTENTIAL PURCHASE OF A PIECE OF REAL PROPERTY

SECTION 551.087 -- DELIBERATIONS REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS: DELIBERATE REGARDING COMMERCIAL OR FINANCIAL INFORMATION THAT THE CITY HAS RECEIVED FROM BUSINESS PROSPECTS AND DELIBERATE ANY OFFERS OR INCENTIVES TO THE BUSINESS PROSPECTS, INCLUDING THE FOLLOWING: PANDA ENERGY

On Motion duly made and carried, the Open Meeting recessed and reconvened in Executive Session at 5:38 p.m.

On Motion duly made and carried, the Executive Session recessed at 6:43 p.m. and reconvened in Open Meeting.

OPEN MEETING

<u>OPEN MEETING</u>
Reconvene into Open Meeting and take action, if any, on items discussed in Executive Session.

ADJOURNMENT

<u>ADJOURNMENT</u>
On Motion duly made and carried, the meeting adjourned at 6:44 p.m.

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MAYOR

____
CITY CLERK