

MINUTES
MAPLEWOOD CITY COUNCIL
7:00 p.m., Monday, November 10, 2014
Council Chambers, City Hall
Meeting No. 18-14

A. CALL TO ORDER

A meeting of the City Council was held in the City Hall Council Chambers and was called to order at 7:02 p.m. by Mayor Slawik.

Mayor Slawik requested Public Works Director/City Engineer Thompson to give an update on the road conditions in Maplewood. She then wished Veterans a happy Veteran's Day and thanked them for their service to our Country. Mayor Slawik also noted that City Hall will be closed on Tuesday, November 11th in observance of Veteran's Day.

Fire Chief Lukin gave an update on the opening of the Fire/Police Substation on McKnight Road in Maplewood.

Mayor Slawik reported on an incident that happened at St. John's Hospital on Sunday, November 1st. Police Schnell gave additional information about the incident.

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL

Nora Slawik, Mayor	Present
Marylee Abrams, Councilmember	Present
Robert Cardinal, Councilmember	Present
Kathleen Juenemann, Councilmember	Present
Marvin Koppen, Councilmember	Present

D. APPROVAL OF AGENDA

The following items were added to the agenda:

N1	City Servants
N2	Plastic Water Bottles
N3	Recycling Response
N4	Future Meeting Reminder
N5	November 15 th
N6	Fire Praise
N7	Multi-Cultural Business Event
N8	85% Coalition
N9	Z Puppets

Councilmember Abrams requested agenda item I1 be moved to after new business.

Councilmember Juenemann moved to approve the agenda as amended.

Seconded by Councilmember Cardinal

Ayes – All

The motion passed.

E. APPROVAL OF MINUTES

1. Approval of October 27, 2014 City Council Workshop Minutes

Councilmember Juenemann moved to approve the October 27, 2014 City Council Workshop Minutes as submitted.

Seconded by Councilmember Juenemann

Ayes – Mayor Slawik, Council Members Abrams, Cardinal and Juenemann

Abstain – Councilmember Koppen

The motion passed.

2. Approval of October 27, 2014 City Council Meeting Minutes

Councilmember Abrams moved to approve the October 27, 2014 City Council Meeting Minutes as submitted.

Seconded by Councilmember Cardinal

Ayes – Mayor Slawik, Council Members Abrams, Cardinal and Juenemann

Abstain – Councilmember Koppen

The motion passed.

F. APPOINTMENTS AND PRESENTATIONS

1. Approval of Resolution of Appreciation for Judith Johannessen and Cynthia Schafer, Environmental and Natural Resources Commission

Councilmember Juenemann read the resolution of appreciation for Judith Johannessen into the record.

Councilmember Juenemann moved to approve the Resolution of Appreciation for Judith Johannessen for her years of service on the Environmental and Natural Resources Commission.

Resolution 14-11-1131
RESOLUTION OF APPRECIATION

WHEREAS, Judith Johannessen has been a member of the Maplewood Environmental and Natural Resources Commission for six years and three months, serving from August 14, 2008 to September 30, 2014. Ms. Johannessen has served faithfully in those capacities; and

WHEREAS, the Environmental and Natural Resources Commission has

A. WHEREAS, the City Council of the City of Maplewood, Minnesota (the "City"), has heretofore determined that it is necessary and expedient to issue \$4,020,000 General Obligation Improvement Refunding Bonds, Series 2015A (the "Bonds") to refund (i) the February 1, 2016 through February 1, 2021 maturities of the City's General Obligation Improvement Bonds, Series 2005A, dated August 1, 2005; and (ii) the August 1, 2017 through August 1, 2026 maturities of the City's General Obligation Improvement Bonds, Series 2006A, dated April 1, 2006; and

B. WHEREAS, the City has retained Springsted Incorporated, in Saint Paul, Minnesota ("Springsted"), as its independent financial advisor and is therefore authorized to sell these obligations by a competitive negotiated sale in accordance with Minnesota Statutes, Section 475.60, Subdivision 2(9); and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Maplewood, Minnesota, as follows:

1. Authorization. The City Council hereby authorizes Springsted to solicit proposals for the competitive negotiated sale of the Bonds.
2. Meeting; Proposal Opening. This City Council shall meet at the time and place specified in the Terms of Proposal attached hereto as Exhibit A for the purpose of considering sealed proposals for, and awarding the sale of, the Bonds. The proposals shall be received at the offices of Springsted and shall be opened at the time specified in such Terms of Proposal.
3. Terms of Proposal. The terms and conditions of the Bonds and the negotiation thereof are fully set forth in the "Terms of Proposal" attached hereto as Exhibit A and hereby approved and made a part hereof.
4. Official Statement. In connection with the sale, the City Clerk, Mayor and other officers or employees of the City are hereby authorized to cooperate with Springsted and participate in the preparation of an official statement for the Bonds, and to execute and deliver it on behalf of the City upon its completion.

Seconded by Councilmember Koppen

Ayes – All

The motion passed.

3. Approval of a Resolution for a Conditional Use Permit Revision, Bruentrup Heritage Farm, 2170 County Road D East

City Planner Martin gave the staff report and answered questions of the council. Bob Jensen, President of the Maplewood Area Historical Society addressed the council and gave additional information. David and Susan Huebl, Maplewood Residents addressed the council and gave additional information.

Councilmember Cardinal moved to approve the conditional use permit revision resolution for the Bruentrup Farm, located at 2170 County Road D East, to allow additional large events. Approval is based on the findings required by ordinance and subject to the following conditions:

1. Repeat this review in two years if the city has not issued a building permit for this project.
2. Before the city issues a building permit, the city engineer shall complete the necessary grading, drainage, utility and erosion control plans.
3. The applicant or contractor shall complete the following before occupying the buildings:
 - a. Replace property irons that are removed because of this construction.
 - b. Install reflectorized stop signs at all exits, a handicap-parking sign for each handicap-parking space and an address on the building.
 - c. Construct a trash dumpster enclosure for any outside trash containers. The enclosures must be 100 percent opaque, match the color of the buildings and have a closeable gate that extends to the ground. If the trash container is not visible to the public it does not have to be screened.
 - d. Install site-security lighting as required by the code. The light source, including the lens covering the bulb, shall be concealed so the light source is not visible and so it does not cause any nuisance to drivers or neighbors.
4. If any required work is not done, the city may allow temporary occupancy if the city determines that the work is not essential to the public health, safety or welfare.
5. All work shall follow the approved plans. The director of community development may approve minor changes.
6. Update the January 2008 Bruentrup Heritage Farm Master Plan to include correct site size, site conditions, parking references, and purpose and intent of uses including any large non-historical fundraising events.
7. When the parking lot located east of the site cannot accommodate parking for an event (i.e., events where there are more than 84 people based on 4 people per vehicle in the 21 space parking lot located to the east of the site) the society must supply off-site parking to accommodate the events.
8. Off-site parking at Salvation Army (78 parking spaces at 2080 Woodlyn Avenue):
 - a. The society must supply the city with a signed parking agreement between the society and the owners of the Salvation Army for the use of the parking lot.
 - b. Transportation of guests in a wagon pulled by a tractor to and from the Salvation Army parking lot (Woodlyn Avenue) on a trail through the Prairie Farm Neighborhood Preserve is only allowed during daytime hours.
 - c. The society must ensure safe pedestrian crossing at the intersection of Woodlyn Avenue and Ariel Street for visitors parking in the Salvation Army parking lot. Safe pedestrian crossing can involve temporary signs or crossing guards.

9. Off-site parking at Harbor Pointe (278 parking spaces at 2079 to 2127 County Road D):
 - a. The society must supply the city with a signed parking agreement between the society and the owners of Harbor Pointe which allows the use of this parking lot.
 - b. The society must ensure safe pedestrian crossing at the intersection of County Road D and Ariel Street for visitors parking in the Harbor Pointe parking lot. Safe pedestrian crossing can involve temporary signs or crossing guards.
10. Any large scale music proposed for any event on the site (such as DJs and bands) should be limited to inside the barn.
11. Use of the farm must comply with the city's noise ordinance which requires that no disturbing noises be generated before 7 a.m. and after 7 p.m.
12. The society will work with Maplewood city staff to coordinate the management of the oak savanna located west of the entry drive within the Bruentrup Heritage Farm site with the intent of continuing to manage that portion of the site as oak savanna.
13. The barn must be posted with a maximum occupancy of 290 people.

Conditions Which Apply to the Subleasing of the Site by the Society for Large Events:

14. Subleased events with 100 or more people in attendance are allowed 40 times per year. Historical events conducted by the MAHS, events conducted by the city of Maplewood and events with less than 100 people in attendance shall not count towards the maximum number of events held each year.
15. Subleased events with 100 or more people in attendance are allowed from 10 a.m. to 10 p.m. Of the 40 total large events, 15 events shall be allowed to extend to 11:00 pm.
16. Parking for subleased events in which alcohol will be served is limited to the parking lots on the east side of the site and the Harbor Pointe parking lot located about a block west of the site on the north side of County Road D.
17. Maximum number of occupants allowed *on site* for events in which alcohol will be served is limited to 290 people. The maximum capacity of the barn shall not exceed the posted occupancy limits as determined by the city's Building Official and Fire Marshall.
18. Appropriate liquor licenses must be obtained prior to serving alcohol on the site.
19. The society must obtain the appropriate liability coverage for events which holds the city harmless.
20. A rental agreement must be approved by the city which dictates hours of use, maximum number of people, location of parking, etc.

Conditions Relative to the Proposed Reinforced-Turf Parking Plan:

21. The site and landscaping plan dated July 17, 2013, showing the proposed turf parking plan is approved.
22. Minor revisions may be approved by staff.
23. Screening must be provided, as proposed, to buffer the proposed parking lot from the neighbor to the east. This screening shall be completed before the parking lot may be used, unless the applicant provides escrow to guarantee its completion. Escrow shall be, as is typically required, in the amount of 150 percent of the cost of installing the landscaping.

Resolution 14-11-1138
CONDITIONAL USE PERMIT REVISION RESOLUTION

WHEREAS, the Maplewood Area Historical Society has applied for a conditional use permit revision to hold additional large events and to extend the hours of operation at the Bruentrup Farm.

WHEREAS, Section 44-1092(1) of the city code requires a conditional use permit for public building uses.

WHEREAS, this permit applies to the property located at 2170 County Road D East. The property identification numbers for this property is:

022922110009

WHEREAS, the history of this conditional use permit revision is as follows:

1. On October 21, 2014, the planning commission held a public hearing. The city staff published a notice in the paper and sent notices to the surrounding property owners. The planning commission gave everyone at the hearing a chance to speak and present written statements. The planning commission also considered the reports and recommendation of city staff. The planning commission recommended that the city council approve this permit.
2. On November 10, 2014, the city council considered reports and recommendations of the city staff and planning commission.

NOW, THEREFORE, BE IT RESOLVED that the city council approved the above-described conditional use permit, because (additions are underlined and deletions are crossed out):

1. The use would be located, designed, maintained, constructed and operated to be in conformity with the City's Comprehensive Plan and Code of Ordinances.
2. The use would not change the existing or planned character of the surrounding area.
3. The use would not depreciate property values.

4. The use would not involve any activity, process, materials, equipment or methods of operation that would be dangerous, hazardous, detrimental, disturbing or cause a nuisance to any person or property, because of excessive noise, glare, smoke, dust, odor, fumes, water or air pollution, drainage, water run-off, vibration, general unsightliness, electrical interference or other nuisances.
5. The use would generate only minimal vehicular traffic on local streets and would not create traffic congestion or unsafe access on existing or proposed streets.
6. The use would be served by adequate public facilities and services, including streets, police and fire protection, drainage structures, water and sewer systems, schools and parks.
7. The use would not create excessive additional costs for public facilities or services.
8. The use would maximize the preservation of and incorporate the site's natural and scenic features into the development design.
9. The use would cause minimal adverse environmental effects.

NOW, THEREFORE, BE IT RESOLVED that the city council also determines that the above-described conditional use permit meets the following criteria:

1. Repeat this review in two years if the city has not issued a building permit for this project.
2. Before the city issues a building permit, the city engineer shall complete the necessary grading, drainage, utility and erosion control plans.
3. The applicant or contractor shall complete the following before occupying the buildings:
 - a. Replace property irons that are removed because of this construction.
 - b. Install reflectorized stop signs at all exits, a handicap-parking sign for each handicap-parking space and an address on the building.
 - c. Construct a trash dumpster enclosure for any outside trash containers. The enclosures must be 100 percent opaque, match the color of the buildings and have a closeable gate that extends to the ground. If the trash container is not visible to the public it does not have to be screened.
 - d. Install site-security lighting as required by the code. The light source, including the lens covering the bulb, shall be concealed so the light source is not visible and so it does not cause any nuisance to drivers or neighbors.
4. If any required work is not done, the city may allow temporary occupancy if the city determines that the work is not essential to the public health, safety or welfare.

5. All work shall follow the approved plans. The director of community development may approve minor changes.
6. Update the January 2008 Bruentrup Heritage Farm Master Plan to include correct site size, site conditions, parking references, and purpose and intent of uses including any large non-historical fundraising events.
7. When the parking lot located east of the site cannot accommodate parking for an event (i.e., events where there are more than 84 people based on 4 people per vehicle in the 21 space parking lot located to the east of the site) the society must supply off-site parking to accommodate the events.
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15. Subleased events with 100 or more people in attendance are allowed from 10 a.m. to 10 p.m. Of the 40 total large events, 15 events shall be allowed to extend to 11:00 p.m.
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17. Maximum number of occupants allowed on site for events in which alcohol will be served is limited to 290 people. The maximum capacity of the barn shall not exceed the posted occupancy limits as determined by the city's Building Official and Fire Marshall.
18. Appropriate liquor licenses must be obtained prior to serving alcohol on the site.
19. The society must obtain the appropriate liability coverage for events which holds the city harmless.
20. A rental agreement must be approved by the city which dictates hours of use, maximum number of people, location of parking, etc.

Conditions Relative to the Proposed Reinforced-Turf Parking Plan:

21. The site and landscaping plan dated July 17, 2013, showing the proposed turf parking plan is approved.
22. Minor revisions may be approved by staff.
23. Screening must be provided, as proposed, to buffer the proposed parking lot from the neighbor to the east. This screening shall be completed before the parking lot may be used, unless the applicant provides escrow to guarantee its completion. Escrow shall be, as is typically required, in the amount of 150 percent of the cost of installing the landscaping.

The Maplewood City Council approved this resolution on November 10, 2014.

Seconded by Councilmember Juenemann Ayes – All

The motion passed.

- 4. Approval of the following requests for the Former Maplewood Parkside Fire Station, 2001 McMenemy Street North:**

- a. **A Resolution for a Comprehensive Plan Amendment from G (Government) to C (Commercial)**
- b. **A Resolution for a Zoning Map Amendment from F (Farm) to BC (Business Commercial)**
- c. **A Lot Division**

City Planner Martin gave the staff report and answered questions of the council.

Councilmember Koppen moved to approve the resolution adopting a comprehensive land use plan amendment from G (government) to C (commercial) for 2001 McMenemy Street North. Approval is based on the following reasons:

1. The property is presently dormant and is proposed to be sold to and utilized by a private business which would be compatible with a land use classification of C (commercial).
2. The site would be zoned business commercial which is compatible with the land use designation of C (commercial) and the other commercial properties in the area.

This action is subject to the approval of a comprehensive plan amendment by the Metropolitan Council.

**RESOLUTION 14-11-1139
COMPREHENSIVE PLAN AMENDMENT RESOLUTION**

WHEREAS, the City of Maplewood, has requested a change to the City of Maplewood's land use plan from G (government) to C (commercial) for consistency between the plan and actual use of the land.

WHEREAS, this change applies to the property located at 2001 McMenemy Street North. The property identification number is:

18-29-22-14-0002

WHEREAS, the history of this change is as follows:

1. On October 21, 2014, the planning commission held a public hearing. The city staff published a hearing notice in the Maplewood Review and sent notices to the surrounding property owners. The planning commission gave everyone at the hearing a chance to speak and present written statements. The planning commission recommended that the city council approve the land use plan change.
2. On November 10, 2014 the city council discussed the land use plan change. They considered reports and recommendations from the planning commission and city staff.

NOW, THEREFORE, BE IT RESOLVED that the city council approved the above described change for the following reasons:

1. The property is presently dormant and is proposed to be sold to and utilized by a private business which would be compatible with a land use classification of C

(commercial).

2. The site would be zoned business commercial which is compatible with the land use designation of C (commercial) and the other commercial properties in the area. This action is subject to the approval of this land use plan amendment by the Metropolitan Council.

The Maplewood City Council approved this resolution on November 10, 2014.

Seconded by Councilmember Juenemann Ayes – All

The motion passed.

Councilmember Koppen moved to approve the resolution amending the zoning map for 2001 McMenemy Street North from F (farm) to BC (business commercial) for the following reasons:

1. This proposed rezoning would enable the continued use of the existing, non-residential, building on site.
2. This change would comply with the comprehensive land use plan commercial classification.
3. The proposed rezoning would meet the following six criteria for a zoning map revision as required by city ordinance:
 - a. Assure itself that the proposed change is consistent with the spirit, purpose and intent of this chapter.
 - b. Determine that the proposed change will not substantially injure or detract from the use of neighboring property or from the character of the neighborhood and that the use of the property adjacent to the area included in the proposed change or plan is adequately safeguarded.
 - c. Determine that the proposed change will serve the best interests and conveniences of the community, where applicable, and the public welfare.
 - d. Consider the effect of the proposed change upon the logical, efficient, and economical extension of public services and facilities, such as public water, sewers, police and fire protection and schools.
 - e. Be guided in its study, review and recommendation by sound standards of subdivision practice where applicable.
 - f. Impose such conditions, in addition to those required, as are necessary to ensure that the intent of this chapter is complied with, which conditions may include but not be limited to harmonious design of buildings; planting and the maintenance of a sight or sound screen; the minimizing of noxious, offensive or hazardous elements; and adequate standards of parking and sanitation.

RESOLUTION 14-11-1140
ZONING MAP AMENDMENT RESOLUTION

WHEREAS, the City of Maplewood, has requested a change to the City of

Maplewood's zoning map from F (farm) to BC (business commercial) for consistency between the zoning map and actual use of the land.

WHEREAS, this change applies to the property located at 2001 McMenemy Street North. The property identification number is:

18-29-22-14-0002

WHEREAS, the history of this change is as follows:

1. On October 21, 2014, the planning commission held a public hearing. The city staff published a hearing notice in the Maplewood Review and sent notices to the surrounding property owners. The planning commission gave everyone at the hearing a chance to speak and present written statements. The planning commission recommended that the city council approve the zoning map change.
2. On November 10, 2014 the city council discussed the zoning map change. They considered reports and recommendations from the planning commission and city staff.

NOW, THEREFORE, BE IT RESOLVED that the city council approved the above described change for the following reasons:

1. This proposed rezoning would enable the continued use of the existing, non-residential, building on site.
2. This change would comply with the comprehensive land use plan commercial classification.
3. The proposed rezoning would meet the following six criteria for a zoning map revision as required by city ordinance:
 - a. Assure itself that the proposed change is consistent with the spirit, purpose and intent of this chapter.
 - b. Determine that the proposed change will not substantially injure or detract from the use of neighboring property or from the character of the neighborhood and that the use of the property adjacent to the area included in the proposed change or plan is adequately safeguarded.
 - c. Determine that the proposed change will serve the best interests and conveniences of the community, where applicable, and the public welfare.
 - d. Consider the effect of the proposed change upon the logical, efficient, and economical extension of public services and facilities, such as public water, sewers, police and fire protection and schools.
 - e. Be guided in its study, review and recommendation by sound standards of subdivision practice where applicable.
 - f. Impose such conditions, in addition to those required, as are necessary to ensure that the intent of this chapter is complied with, which conditions may include but not be limited to harmonious design of buildings; planting and the maintenance of a sight or sound screen; the minimizing of noxious, offensive or hazardous elements; and adequate standards of parking and sanitation.

The Maplewood City Council approved this resolution on November 10, 2014.

Seconded by Councilmember Abrams

Ayes – All

The motion passed.

Councilmember Koppen moved to approve the lot division request to subdivide the 1.3 acre parcel at 2001 McMenemy Street North. This lot division approval is subject to the following conditions:

1. Satisfy the requirements set forth in the staff report authored by Mr. Love, dated October 14, 2014.
2. A survey must be submitted to planning staff for final approval.
3. The lot division and any and all easement agreements must be recorded with Ramsey County within one year of approval date otherwise the approval is null and void.

Seconded by Mayor Slawik

Ayes – All

The motion passed.

K. AWARD OF BIDS

None

L. VISITOR PRESENTATION

1. Susan Madison, Maplewood Resident
2. Diana Longrie, Maplewood Resident

M. ADMINISTRATIVE PRESENTATIONS

1. Council Calendar Update

Interim City Manager Coleman gave an update regarding purchase of the fire station on Century Avenue and other items of interest to the council for their calendars.

2. Selection of Legal RFP Committee

Interim City Manager gave the staff report.

Mayor Slawik moved to appoint Council Members Koppen and Abrams to sit on the selection committee.

Seconded by Councilmember Cardinal

Ayes – All

The motion passed.

N. COUNCIL PRESENTATIONS

1. City Servants

Councilmember Juenemann suggested that residents acknowledge the services that City employees provide thanking city staff for the jobs that they do.

2. Plastic Water Bottles

Councilmember Juenemann encouraged everyone to use reusable plastic water bottles to reduce waste.

3. Recycling Response

Councilmember Cardinal forwarded a response from Shann Finwall to Interim City Manager Coleman and requested she forward it to the council members.

4. Future Meeting Reminder

Councilmember Cardinal reported that there is a Comcast Franchise Fee Agreement Meeting on November 24, 2014 and handed out a report to all council members for their review.

5. November 15th

Councilmember Cardinal noted that November 15, 2014 is America Recycles Day and gave some statistics on recycling rates.

6. Fire Praise

Councilmember Cardinal praised Tim Butler, a Maplewood resident for being nominated Minnesota Fire Chief of the Year.

7. Multi-Cultural Business Event

Councilmember Abrams reported on a meeting she attended with Parks & Recreation Director Konewko and Tom Schnell, Executive Director of the White Bear Area Chamber about putting together a Multi-Cultural Business Event with local businesses.

8. 84% Coalition

Mayor Slawik reported on a meeting she attended with Mayors from across Minnesota that discussed going to the Capitol for Transportation Funding. Public Works Director/City Engineer Thompson provided additional information.

9. Z Puppets

Mayor Slawik reported on a meeting she and Parks & Recreation Director Konewko had with Shari Aronson and Chris Griffith of Z Puppets for a possible art grant.

Mayor Slawik reported on the column she is writing for the December 2014 issue of Maplewood Living regarding the accomplishments of the city in 2014 and looking forward to 2015.

O. ADJOURNMENT

Mayor Slawik adjourned the meeting at 8:45 p.m.