Montevallo City Council Work Session March 11, 2019 5:30 p.m. at City Hall

Mayor Hollie Cost, Council Member Rusty Nix, Council Member Matt Walker, Council Member Willie Goldsmith, Council Member Jason Peterson, and Council Member Tiffany Bunt were in attendance.

Mayor Cost called the Work Session to order at 5:30 p.m.

Chief Littleton presented the following:



Montevallo Police Department City Council Report

		Oate: 33/21/2019
Patrol Report:		distributions - and spire - and histor consequences consequences
Total Calls:	Burglaties:	Zone Checks
Total Cases: 104	Auto Burglaries: 2	School Patrols: 53
Traffic Accidence: 12	Dornestics:	Transmission to the second section of the second se
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Traffic Citations:	Fraud/Forgery;	
Total Arrests	Thofts/Attempts:	
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elony Cases Pending:	Misdemeanor Cases Pending:	Felony Warrants
olony Cases Closed	Madempanor Cases Closed:	Misdemeway Warrants;
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Merise Reports:	Traffic Accident Reports:	Cases Pending:
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Montevallo Police Department Code Enforcement Activity Report

Date:	Inspection Period	Inspection Period
03/11/2019	02/26/2019	03/11/2019
Inoperable Vehicle Insp	ections:	
Inspected:	Pending:	Closed:
Animal Complaint Insp	ections:	The control of the co
Inspected:	Pending:	Closed:
Abandoned Building In	spections:	And a service of the second services of the s
Inspected:	Pending:	Closed:
14	14	
Property Inspections:		
Inspected:	Pending:	Closed:
	2 '	
Miscellaneous Compla	Ints:	
Inspected:	Pending:	Closed:
2	The second secon	apages, glades, and menocontributions in represent the same
Innacatadi	Table I manage at large 1 to 1 minutes	profile.
mayor But	1	Total Inspections Year to Date:
Inspected:	19	Solution 159



Montevallo Police Department Code Enforcement Activity Report

* Pre Domolition Inspections: 1. 125 Dauphin Way, 2. 135 Dauphin Way, 3. 161 Commerce St, 4. 230 Commerce Street. * Work has not started for the properties listed above, due to rain and the ground being saturated.
Inspections Pending Continued from Last Period:
* 6 inspections still pending due to demolition and/or Abatement Board Meeting.
Cases Closed this Period:
• 1
Other Comments: * Working on Lucky's Parking Lot. Several vehicles put up for sale by certain individuals as a business, who are not and can not do their business legally due to the property not being designated for business and the lack of a business license which can not be issued on private property belonging to Lucky's Supermarker.

The Chief said there were no issues with the filming on Main Street today. He also reminded the Council the LOT will be at the meeting tonight.

Chief Reid reported that the Fire Department's call volume was less than 100 last month. This is the second month in a row the volume was lower than usual. Here again, he said this could be attributable to our priority dispatch system.

The Chief also mentioned that our Fire Marshal has been in a training class for the past week or so.

The Chief informed the Council their old 1977 pick-up truck needs to be surplused. He said West Shelby's volunteer department needs a truck and this truck, even though it is old and needs work, has lights and sirens and is better than what they have now. He suggested we donate it to them.

Mayor Cost said she wants to make certain our other departments do not need the truck before we give it away. She said she will talk to our department heads and get back to the council regarding the matter.

Council Member Goldsmith agreed to have Mr. Hamby and others look into the issue before agreeing to donate the truck.

Mr. Hamby, Director of Public Works, reported that grass cutting season is upon us. He said this will keep his crews busy until late September. He also mentioned his crews (and County crews) have been out picking up litter along the roads. Our sidewalk project is 90% complete. Leaf & Limb volume is up. The hand rail in front of Pizza Hut has been repaired.

Mr. Hamby also passed along a citizen request for improvements to the intersection of Middle Street and Island Street.

Council Member Nix reminded everyone that the SCP grand opening is Saturday from 10-2. He said there will be all sorts of activities to enjoy in the park that day. He also noted the agenda includes an item regarding rules for Shoal Creek Park. He said the rules may need to be edited a bit. He also mentioned the Chamber Golf Tournament will be held April 25th. He also mentioned that the bridge and Pavilion at SCP will be dedicated Saturday.

Mayor Cost said the trails themselves at SCP won't be fully improved until later this Spring.

Abigail Heuton reported on behalf of the MJCC. She said 34 runners have signed up so far for the Color Run on Saturday. They have collected \$300 so far. The event starts at Noon. The first 50 entries receive a free t-shirt. She thanked UM for their support on the event. She also mentioned the MJCC has been working with Montevallo Main Street on the Moonlight Movies event.

Council Member Bunt presented her report:

Council Member Bunt mentioned the last day of tulips at American Village was approaching very soon. She mentioned a reminder to get Arts Fest applications in before the deadline approaches. Last day to donate for Dress to Impress sponsored by UM will by March 15th. She mentioned an invitation for the Hallie Farmer Lecture at UM, Tuesday at 7pm, as well as mentioning Spring Break March 25-29.

Council Member Bunt asked if there was an update on the Kettering project. Mayor Cost said we are planning to host a community-wide event on April 30th in order to let everyone know what we've learned so far and to begin creating an action plan.

The Mayor also mentioned that we received 7 applications for Library Director from well qualified candidates. Interviews will be held shortly.

Council Member Walker noted the Finance Committee meeting was held March 6th. The committee members are working on recommendations regarding the Mahler House MOU and will send those to the City Clerk. He also mentioned that there was not a quorum at the March 5th Historical Preservation Commission meeting. There was a presentation that night by Kathy King regarding the Equal Justice Initiative historical marker.

Steve Gilbert, Director of the Montevallo Chamber, reminded everyone once again about the Chamber Golf Tournament on April 25^{th} . He also mentioned a ribbon cutting at the marketplace at Moore's Crossroads at 2:00 PM tomorrow. Coffee with Legislators will be held April 8^{th} at C's.

Mr. Gilbert reported that the Chamber Board has made the decision not to merge with the Greater Shelby Chamber. As such, he would like to move forward with the finalization of the MOU between the Chamber and City. He said our Chamber will continue to partner with the Greater Shelby Chamber on a number of initiatives, including three co-sponsored events that are coming up soon. He said the Board polled their members and the members wanted to remain as our own Chamber.

Mayor Cost said we will look at the MOU and have it placed on an upcoming Agenda for consideration.

Courtney Bennett, Director of Montevallo Main Street, noted there is a film crew on Main Street today. She said she hopes they are enjoying their time in Montevallo. She also mentioned a recent promotions training event she attended recently, as well as the upcoming Main Street NOW Conference in Seattle. She said we are always well represented at those conferences and our attendees learn a great deal.

Mayor Cost reviewed the remaining Agenda items. She noted the LOT will be here tonight. Also, our City Attorney, Bent Owens, is here tonight to answer any questions the Council

may have regarding the agenda items related to the removal of Ms. Seaman and Ms. Valledes from boards.

Mr. Owens noted that at the last Council meeting his letter was presented to the Council. It pointed out the Mayor is essentially the CEO of the city and has the responsibility to make decisions pertaining to employees and volunteers alike. At that meeting, the City Council filled the vacancies created by the Mayor's actions. He said his firm's position is that the Mayor has the authority to temporarily vacate any position within the city pursuant to the Council weighing in on the action. The Council does not have to take action, but it may. In the absence of any action to the contrary, the Mayor's ruling stands.

Even though the Mayor and Council acted appropriately regarding this matter, we received another letter from a second attorney representing Ms. Seaman which questioned the Mayor's action. Therefore, out of an abundance of caution, Mr. Owens recommended that the Council go ahead and vote either up or down on the Mayor's action. That way there will no ambiguity regarding the decision.

Council Member Nix pointed out that the HPC's by-laws state there must be an ethics violation or some other serious violation for a commission member to be removed.

Mr. Owens said that his understanding of the state code is that there must be cause for removal. He said he looked at the enabling legislation for the Commission, but did not look at the organization's internal by-laws.

Montevallo City Council Meeting March 11, 2019 6:00 p.m. at City Hall

Mayor Hollie Cost, Council Member Rusty Nix, Council Member Matt Walker, Council Member Willie Goldsmith, Council Member Jason Peterson, and Council Member Tiffany Bunt were in attendance.

Pledge of Allegiance

Meeting Call to Order

Mayor Cost called the meeting to order at 6:00 p.m.

Approval and/or corrections of the minutes – 2/25/19

Council Member Walker made a motion to approve the Minutes from February 25, 2019 as corrected. Council Member Nix seconded. Mayor Cost ABSTAINED. ALL OTHERS VOTED AYE... MOTION APPROVED.

Recognitions / Awards: Nothing

Opportunities for citizens to speak to the Council:

Nancy Wilstach addressed the Council regarding the removal of Ms. Seaman and Ms. Valledes from the Historical Commission. Directed specifically at Council Members Bunt and Walker, Ms. Wilstach asked them not to uphold the Mayor's decision. She pointed out that removal must be for cause, not based on whimsy, and that suggesting there was cause for their removal is in effect a blight on their character. She said Council Members Bunt and Walker need to represent the people of their district.

She also asked the City Clerk why the Minutes on the website had not been updated since November. The City Clerk said he had not updated them yet.

Committee Reports and Consideration of Bills:

Public Health & Safety (Police, Fire, Code Enforcement, Housing Abatement) – Discussed earlier.

Sustainability (Streets & Sanitation, Recycling, Arbor & Beautification, ValloCycle, Environmental Preservation Initiatives) – Discussed earlier.

Recreation, Preservation and Community Development (Parks & Recreation, Golf Course, Youth Athletics, Trails, Planning & Zoning, Annexations,) – Discussed earlier.

Education, Arts & Outreach (Schools, UM, Boys & Girls Club, Library, American Village, Sister City Commission, Artwalk) – Discussed earlier.

Finance, Economic Development & Tourism (Finance, MDCD, IDB, Chamber, Historical Commission, Main Street) – Discussed earlier.

Council Member Nix made a motion to approve payment of the bills as presented. Council Member Goldsmith seconded. ALL AYES... MOTION APPROVED.

Consent Agenda: NONE

New Business:

Leaders of Tomorrow -

Coach Taylor introduced the members. He said the program started 19 years ago by Catherine Legg and others to develop leadership potential in our youth.

Abigail Heuton informed the LOT that as 8^{th} graders they can apply for membership in the MJCC.

Motion to Sustain the Mayor's Administrative Action of Removing Janice Seaman from all City-related Boards and Commissions (i.e. Industrial Development Board, Historic Preservation Commission, and Design Review Committee) –

Council Member Nix expressed his support for Ms. Seaman and Ms. Valledes. He said they are probably the two most knowledgeable people in Montevallo regarding historic properties. He said this all boils down to a disagreement over the Mahler House funding, etc. He said we can't handpick board members so that everyone that serves is a "Yes Man." Different opinions are important.

Mayor Cost said she did not make these decisions lightly. This was not over a difference of opinion. As was discussed previously, it is important that we move forward in a positive direction. Despite everything we tried, that was not happening.

Council Member Bunt asked the Mayor to give specific examples of that. Mayor Cost said she had laid out her reasons previously.

Council Member Peterson said he read the state code and talked to representatives at the League of Municipalities. He said the Mayor has the authority to act as she did and supports her actions.

Council Member Walker said he also read the statutes and agrees with the Mayor's action.

Council Member Nix pointed out that the only meeting of the HPC he can recall which did not have a quorum took place after the Mayor removed Ms. Seaman and Ms. Valledes.

Council Member Walker made a motion to sustain the Mayor's administrative action of removing Janice Seaman from all City-related Boards and Commissions (i.e. Industrial Development Board, Historic Preservation Commission, and Design Review Committee). Council member Peterson seconded. Council Member Nix voted NAY. ALL OTHERS VOTED AYE... MOTION APPROVED.

Motion to Sustain the Mayor's Administrative Action of Removing Sherry Vallides from the Historic Preservation Commission

Council Member Walker made a motion to sustain the Mayor's administrative action of removing Sherry Vallides from the Historic Preservation Commission. Council member Peterson seconded. Council Member Nix voted NAY. ALL OTHERS VOTED AYE... MOTION APPROVED.

Confirmation that the Current Membership of the Montevallo Historical Commission includes Bill Glosson, Melinda Nix, Kenny Dukes, H.G. McGaughy, Daisy Washington and Joyce Jones; leaving one vacancy –

Council Member Walker said all these members were properly approved by the Council.

Council Member Goldsmith made a motion to confirm that the current membership of the Montevallo Historical Commission includes Bill Glosson, Melinda Nix, Kenny Dukes, H.G. McGaughy, Daisy Washington and Joyce Jones; leaving one vacancy. Council member Walker seconded. ALL AYES... MOTION APPROVED.

Mr. Owens noted the Council now has the authority to fill the remaining vacancy. According to the state code, the Mayor makes the nomination and the Council either confirms or denies.

Council Member Nix noted that we've received one resume so far.

Family Connections, Safe Place Week Proclamation -



Recognizing the week beginning March 17, 2019 as "National Safe Place Week"

Whereas, the youth of Montevallo, Alabama will determine the future strength of our country and be the bearers of our democracy; and

Whereas, youth need a safe haven from various negative influences, such as child abuse, substance abuse, depression, and crime, and youth need readily available resources to assist them when faced with circumstances that compromise their safety; and

Whereas, the Safe Place operant is committed to protecting the youth of Montevallo by offering short-term housing at analybioprisod focations where trained volunteers are available to counter and advise young people seeking assistance and guidence; and

Whereas, designated locations where youth can get information and introcdiate care, Safe Place is found at businesses, such as restaurants, convenience stores, movie theaters, and community buildings such as fire stations, libraries and community contents and

Whereas, the success of Safe Place is based on public/private collaborations between businesses, school systems, fire departments, law enforcement, and a network of volunteers; and

Whereas, Montevallo needs increased numbers of community volunteers sending as mentions and positive influences on young people; and

Whereas, the Safe Place program must meet performance standards, relative to outreach and community relations, to receive direct federal assistance as set forth in the numaway and Homeless Youth Act (42 U.S.C. 5701 et seq.); and

Whereas, more than 1,400 communities in 37 states administer the Safe Place program at more than 21,000 locations; and

Whenes, more than 359,000 youth have been helped at a Safe Place location or received counseling by phone as a result of Safe Place Information received at school; and

Whereas, since program inception in 1983, more than 15 million youth have been reached through National Safe Place Network!
Suitiding a Safety Net for Youth campaign, familiacising them with the Safe Place sign and providing them with information about how to seek help in order to stay safe; and

Whereus, increased awareness will encourage more communities to establish Safe Place locations where youth can readily access the help they need.

New, therefore, I, Hollie C. Cost, Mayor of the City of Montevallo, Alabama recognize the week of March 17 through March 25, 2019 as "National Safe Mace Week" and call upon the people of Montevallo and interested groups to promote awareness of, and volunteer involvement in, the Safe Place program; and observe the week with appropriate ceremonies and activities.

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Proposed Rules for Shoal Creek Park as Drafted and Proposed by the Parks and Rec Board -

Council Member Nix read the proposed rules. Council Member Bunt noted that state law allows pistols to be carried for personal protection in public parks. Mr. Owns said that Shelby County wrestled with these same issues and that hand guns cannot be excluded.

Council Member Walker suggested people should also have a state permit to fish. Mayor Cost said Ms. Mahler wanted people to be able to fish and enjoy the creek as they did.

The council suggested the rules be edited as follows:



While enjoying Shoal Creek Park, please observe the following:

- Daylight use only Park closes at dark.
- No alcohol, drugs or tobacco products or electronic smoking / vaping devices allowed.
- o Please keep dogs on a leash an remove any pet waste.
- Hikers / runners have the right-of-way.
- o Please do not litter. Remove any trash from the trail.
- No hunting or discharging firearms or other weapons.
- No fireworks or open fires.
- No motorized vehicles.
- No horses.
- Remain on the designated trail No unauthorized trail construction.
- No metal detectors.
- Do not remove or disturb any plants or wildlife.
- Licensed fishing is permitted (catch & release only).
- Approval from the City of Montevallo (665-2555) is required for the following:
 - New GeoCatch placements
 - Primitive camping (no fires).
 - Community projects which would affect the park (i.e. Scouts, Civic Groups, School Clubs, etc.)
 - Pavilion reservations.

The City of Montevallo, Montevallo Park & Recreation Board, and Shoal Creek Park Foundation are not responsible for accidents, injuries, theft or vandalism.

In Case of Emergency Dial 911.

Visit DiscoverShelby.com

Council Member Nix made a motion to approve the rules as edited. Council Member Bunt seconded. ALL AYES... MOTION APPROVED.

Request from Westwood Baptist to Utilize Part of the Old Victory Lot to Place an Enclosed Dumpster Pad – Marcus Mullet represented the church. He said their local name is Providence Church. He has talked to Courtney at Main Street about the dumpster issue. The problem arose because they thought their property line extended all the way to the fence. However, it ends at their building. Therefore, they need a place to put a dumpster.

Mayor Cost noted we now own the lot on the corner and thought we could work something out, at least temporarily. She suggested he work with Ms. Bennett to come up with a specific proposal.

Request to Declare 3 Dodge Charges as Surplus and Authorize their Disposition Via Chip Pearce Auction Co. –

CITY OF MONTEVALLO AUTHORIZATION FOR MOVEMENT OR REMOVAL OF CITY OF MONTEVALLO PROPERTY

INSTRUCTIONS: Maintain completed form in City Hall. Provide Copy of completed form to person

moving or removing property.

Approved 2/28/07

REFERENCE: City of Montevallo Fixed Asset and Inventory Policy Date: 03) 11 2019
TO WHOM IT MAY CONCERN: is authorized to () move () remove the following equipment: Description Asset Label # Serial # 001071 3 282444CT7AH47882 This authorization is valid for movement or removal of the above described property under the following conditions: Move/Removal Date: Scheduled Return Date: Location Moved/ Removed From: Location Moved to: (address) Purpose of Equipment Relocation: Custodian of Equipment: Employee Date **AUTHORIZED BY:** Department Head Capital Assets Policy Page 13 of 14

Chief Littleton said these vehicles have been stripped down and are ready to surplus.

Council Member Goldsmith made a motion to declare these 3 Dodge Charges as surplus and to authorize their disposition via Chip Pearce Auction Co. Council Member Bunt seconded. ALL AYES ... MOTION APPROVED.

Verizon Small Cell Tower Agreement – This item was delayed for consideration until a subsequent meeting.

Compact 2020 – Request from Chief Littleton to allow Carol Williams to provide Prevention Consulting and Grant Writing Services for \$4,000 - \$2,500 over what was already approved for grants alone, increasing 10.4151.82020 CONTRACT SERVICES by another \$2,500 –

Chief Littleton explained that we need help organizing the program and this will only cost us \$2,500 over what was already approved. He recommended we do this.

Council Member Peterson made a motion to allow Carol Williams to provide Prevention Consulting and Grant Writing Services for \$4,000 - \$2,500 over what was already approved for grants alone, increasing 10.4151.82020 CONTRACT SERVICES by another \$2,500. Council Member Nix seconded. ALL AYES ... MOTION APPROVED.

Authorize Mayor to Enter into a Contract with TurnerBatson as Architects for the Victory Property –

Mayor Cost said this is the same firm that designed our new City Hall. Council Member Nix asked if this needed to be bid. The City Clerk explained that professional services are not required to be bid.

Council Member Walker made a motion to authorize the Mayor to enter into a contract with TurnerBatson as architects for the Victory Property. Council Member Peterson seconded. ALL AYES... MOTION APPROVED.



March 06, 2019

Mr. Herman Lehman City Clerk & Treasurer City of Montevalla 541 Main Street Montevalla, At 35115

Re: Proposal for Architectural Services Victory Pontiac Building Renovation

Dear Herman,

Thank you very much for the apportunity to present to you this proposal for the Victory Pontiac Building Renovation. We are very excited about the apportunity this brings to the City of Montevallo and are handred to be a part of such an impactful project. Below is our understanding of the scope of work, deliverables, an estimate of cost and proposed fees.

SCOPE OF WORK -

- The City of Montevallo has purchased the former Victory Pontlac Building located on Main Street next to the old City Hall building in downtown Montevallo. The building has approx. 10,739 s.f. on the Main Floor level and 7,142 s.f. of basement space.
- The existing building is a steet and brick 2 story structure with a wood deck and purlin roof system supported by steet trusses.
 The existing windows are steet. The basement floor is a concrete slab on grade and the main floor is a combination of slab on grade and concrete slab on steet bar joist framing.
- The building's electrical, mechanical and plumbing systems will be completely demolished and replaced. The building will require a sprinkler system and fire alarm.
- It is the City's intent to make repairs and modifications to the existing building to make it suitable for a future tenant on the first foor. The city plans to use the basement for city storage.
- Sitework may include adding approximately 100 new parking spaces, extending the paving down to Valley Street and required utility work.
- The City will contract with a firm to conduct altrequired environmental services and geotechnical engineering and testing. This work is excluded from our scope.

TURNERBATSON

1510 Ston, gate Co., a 1318) B manghan, A abama 15141 man mendamant 1314105 (05) The coordination of the demolition of the existing former City Half and tormer Police Dept Building shall be included in our scope of work.

DELIVERABLES -

- Schematic Floor Plans and elevations
- Construction Documents including drawings and specifications of the proposed renovations.
- Preliminary and Final Budget estimates

FEES :

• We suggest that we follow the Alabama Building Commission fee schedule which varies according to project size. An adjustment of 25% for renovation work is applicable to this Type III project. This fee would include architectural services, interior design, structural, mechanical, electrical, plumbing and civil engineering. It excludes geotechnical exploration, surveys, construction testing, landscaping, furnishings and equipment.

Services provided outside of our scope will be billed with your prior approval at the following hourly rates.

Principal Architect	\$140/hour
Project Architect	\$110/hour
Interior Design	\$90/hour
CADD	\$80/haur

If this proposal is acceptable, please sign below and send one copy of the fully executed proposal to us for our records. Thank you again for considering us for this important project. If you have any questions about this proposal, please call us at (205) 403-6201.

Sincerely.
TURNERBATSON ARCHITECTS, P.C

Duve Reese, AIA

President

Cay W. Walton, AlA

Project Architect

HERMAN LEIBNAN, CATY CLANER - MEDINIAN

Old Business:

Perry Hall (Mahler House) MOA Update – As discussed earlier, the Finance Committee is reviewing the proposals and will forward their recommendations to the City Clerk. After that, an updated draft will be presented to the HPC for their consideration.

Board Appointments:

MDCD: Reappoint Dee Woodham as City Representative on the MDCD

Council Member Nix said he thinks Ms. Woodham does a great job on the MDCD. However, he would like to see the MDCD obtain prior Council approval for any expenditures made using city provided funds.

Mayor Cost said they do that now using the program budget which the council approved.

Council Member Nix said he does not recall approving the expenditure of funds for the UM performing arts center, as an example. We provide them with over \$500,000 a year and we need more say in how that money is spent.

Mayor Cost said that is certainly something the Council can consider at a future meeting.

Council Member walker said he thinks Ms. Woodham does an excellent job representing our interests on the MDCD. He then made a motion to reappoint Dee Woodham as the City's representative on the MDCD. Council Member Peterson seconded. Council Members Bunt and Nix abstained. ALL OTHERS VOTED AYE... MOTION APPROVED.

Recommendation of IDB to Appoint Chris Fulmer to IDB, Term Ending 3/11/2022 – Council Member Nix made a motion to approve the nomination. Council Member Walker seconded. ALL AYES... MOTION APPROVED.

Appointment of George Henry to IDB, Term Ending 3/11/2022

Council Member Walker made a motion to approve the nomination. Council Member Nix seconded. Mayor Cost voted NAY. ALL OTHERS VOTED AYE... MOTION APPROVED.

Other Business

Mayor Cost informed the Council she will be out of town on the 25th and that Council

Member Nix will be running the meeting. She also reminded everyone to attend Love Montevallo Day at Shoal Creek Park on Saturday.

Citizen Participation:

Steve Gilbert reminded everyone that Electronics Recycling Day is March 23rd from 9 AM -2 PM at the city's Recycling Center. They will not accept TVs. He also suggested that the park rules exclude the use of all electronic vaping devices.

There being no further business before the Council, Council Member Nix made a motion to adjourn. Council Member Walker seconded. ALL AYES ... MEETING ADJOURNED at 6:45 p.m.

Submitted by:

Herman Lehman City Clerk