

CITY COMMISSION  
CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO  
Tuesday, September 10, 2013

WORK SHOP  
ACTION MINUTES

TIME & PLACE: The Mayor and the City Commission of the City of Truth or Consequences in the County of Sierra and State of New Mexico met for a Work Shop in full conformity with the law and ordinances of said Commission in the Civic Center of said City, on Tuesday, September 10, at 4:00 P.M.

PRESIDING OFFICER: The meeting was called to order by Mayor Mulcahy who presided and Judy M. Harris, Deputy City Clerk acted as Secretary of the meeting.

ATTENDANCE: The following Commissioners were reported present for the Work Shop:

Hon. John Mulcahy, Mayor  
Hon. Sandra Whitehead, Mayor Pro-tem  
Hon. Steve Green, Commissioner  
Hon. Jeff Richter, Commissioner  
Hon. Mike Kertesz, Commissioner

Also present:

Juan Fuentes, City Manager  
Jay Rubin, City Attorney  
Samuel J. Senn, Principal Engineer, Bascor  
Kendrah Penn, BLM  
Bradford Dyjak, City Planner & Zoning Administrator, Elephant Butte  
Bart Faris, NM Environmental Dept. Ground Water Quality Bureau  
Ray Montes, NM Remediation Oversight Section, Ground Water Quality  
Judy M. Harris, City Clerk

OLD LANDFILL: Mayor Mulcahy opened the Work Shop, explaining the first item for discussion was the Old Landfill, located in the City Limits of Elephant Butte.

Mayor Mulcahy turned the meeting over to Sam Senn, Principal Engineer for Bascor. Mr. Senn gave an overview of the BLM Former Landfill; noting the Stakeholders as BLM, the City of Truth or Consequences, New Mexico Environment Department, Turtleback Mountain Resort and the City of Elephant Butte.

Mr. Senn gave a brief Historical review and showed a Power Point presentation. Noting the 30- acre former Landfill site, giving the history of Landfill – from initial lease to closure. Mr. Senn spoke of agreements, cost recovery; lease agreements between BLM and the City of Truth or Consequences, and the Lease Agreement between the City of Truth or Consequences and Turtleback. A discussion of the patent process and schedule to patent was also explained.

Mr. Senn explained that in 2006, former City Manager Aguilera wrote to the United States Department of the Interior, Bureau of Land Management regarding the City's desire to purchase the parcel of land; noting that requested was 230.12 acres, more or less, that was formerly leased under the authority of the R&PP to the City. The lease was issued on March 20, 1961, and was terminated on October 29, 1975,

In March of 2007 The City of Truth or Consequences received a letter from the United States Department of the Interior Bureau of Land Management; included were the Land use application and permit for the proposed golf driving range.

Mr. Senn explained the 2013 the current Landfill conditions; noting that a follow up assessment was completed in August of 2013, the BLM was preparing to patent land to the City of Truth or Consequences, testing showed no Methane was discovered, the Metals detected were similar to 1194 and 2007 assessments and the land transfer audit completed. Noting the Sierra del Rio driving range was constructed in 2007 and remains operational, noting that remaining steps by BLM were underway.

Noting the long term sampling plan, Mr. Senn stated they would be quarterly for 1 year (November 2013, March of 2014, June of 2014 and September of 2014; semiannually for two years (March and October of 2015, and then annually to five years (June of 2016 and June of 2017).

Kendrah Penn, from BLM spoke of the Agreement with the City or Truth or Consequences and the BLM. Noting the process and what remained to be completed.

Bart Faris, Environmental Scientist for the New Mexico Environment Department spoke of the Remediation Oversight.

Mr. Senn continued with the PowerPoint Presentation, noting the Driving Range Agreements, BLM Agreements, closure requirement process, and BLM Patent tasks.

After a question and answer section, Mayor John Mulcahy thanked all in attendance, he then closed the work shop and invited everyone to attend the next Work Shop, next door in the Commission Chambers.

“Information from Sam Senn provided for the Record.”

CITY COMMISSION  
CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO  
TUESDAY, SEPTEMBER 10, 2013

WORK SHOP  
ACTION MINUTES

TIME & PLACE: The Mayor and the City Commission of the City of Truth or Consequences in the County of Sierra and State of New Mexico met for a Work Shop in full conformity with the law and ordinances of said Commission in the Commission Chambers of said City, on Tuesday, September 10, at 4:00 P.M.

PRESIDING  
OFFICER:

The Work Shop was called to order by Mayor Mulcahy who presided.

Mayor Mulcahy opened the Work Shop, explaining that there were four particular topics that would be discussed in the Work Shop, and then the Regular Meeting would be in the Chambers after the Workshop. Noting that the first item on the Agenda was the ICIP, Infrastructure Capital Improvements Plan 2015-2019, calling for Assistant City Manager/CDD Bill Slettom to give the presentation on the topic.

ICIP: Assistant City Manager/CDD Bill Slettom stated we have been working on this plan for some time now; this ICIP would actually cover the Fiscal Year 2015-2019. Noting that we do this at the request of the Department of Finance Local Government Division, the ICIP was a plan of priorities, for a five year period, we do this annually, it gives us direction, funding time frame, costs and details of Capital Improvement projects. When we look for funds to do Capital projects, we generally look at the Legislature for that funding; Mr. Slettom noted other funding sources. The types of infrastructure projects DFA is looking for our top five projects are listed as Waste Water Treatment Plant, minimal Shelter, Water/Wastewater line replacement, Electric Main Feeders and the Hospital, there are other projects on the horizon, or we are in the process of. When we are asking for funds, the Legislature looks at the top five items shown to be our biggest priorities. Mr. Slettom explained each of the listed items, and then stood for questions.

Mr. Slettom noted that the available funding sources could be the Legislative Capital Outlay, Community Development Block Grant, USFA, Colonias Infrastructure, the Water Trust Board, New Mexico Finance Authority, the New Mexico Mortgage Finance Authority and Private-Placement Financing.

Commissioner Green asked about the new electrical main feeders.

Mr. Slettom noted it was the feeders coming into town.

Commissioner Kertesz asked about the Animal Shelter, noting that it has gone from 755,000.00 and now it's up to 800,000.00 what is the reason for that?

Mr. Slettom noted it was just that we added a little more money to it. Noting that Commissioner Kertesz had asked why the last ICIP had no money in the Animal Shelter Project, and stated it was because it was not be a phased project, and because they felt it was a short term project, and could be done in one year.

Commissioner Richter stated he needed to take exception to the top five priorities, noting the Hospital expansion was open and operating. He noted he felt the Pole Replacement program, and water well north; in his estimation he felt that those two would be a higher priority than Hospital expansion. He stated that Water Well North and Pole replacement Program was needed more in the Community, he noted in the regular session, he would ask the Commission to reconsider the priority list, stating that if we don't have water well north and pole replacement we won't have a Hospital either.

City Manager Fuentes noted that is why this was brought to the Commission, to set the priorities and note the wishes of the Commission, to get that input.

Commissioner Green asked when this was due.

ACC/CDD Bill Slettom answered that it had to be passed and submitted by September 30<sup>th</sup> to DFA. Noting that at the meeting on the 24<sup>th</sup> we want to have the top five priorities.

Mayor Mulcahy noted a couple of comments; one is the electrical main feeder upgrade, noting we charge a lot to our residents for that, wouldn't it be possible to use the Utility Fund for the electrical main feeder upgrade, possibly in a five year plan.

ACM/CDD Bill Slettom noted that was possible.

Mayor Mulcahy stated he wished to look at several items on the ICIP he wished to discuss. He noted being on the JPC Board and how the work on the Hospital has been cut substantially to only the Emergency Room expansion. He agreed with Commissioner Richter on the Pole Replacement; he also noted he agreed with some of the other items mentioned.

Mayor Mulcahy opened the floor to the audience for Public Input.

Public Input was given by the following:

Debra Toomey commented on Water/Wastewater Line Replacement, Storm Drain Improvements, Available funding sources, and Basic Infrastructure.

Carole Wheeler commented on a Dog Park, water pressure at 6<sup>th</sup> and Corbett.

Diane Lombardo spoke of the Animal Shelter and a Dog Park.

George Szigeti spoke of the Hospital.

Linda DeMarino commented on adding the Healing Waters Plaza Park and money for other parks too.

Mayor Mulcahy closed the ICIP discussion.

#### DANGEROUS BUILDINGS:

Mayor Mulcahy stated the next item is a Proposed Ordinance and a Repeal of a current Ordinance; he requested Attorney Jay Rubin present both.

City Attorney Jay Rubin noted that we are seeking to look at the Publication of two Ordinances. In the first Ordinance he is seeking to repeal with the expectation of passing the other Ordinances. The first which he is seeking to repeal are current group of Ordinance; noting he has prepared an Ordinance which repeals our current Article pertaining to dangerous buildings within that Chapter; then he prepared an Ordinance which sets forth the new proposed Article, noting he used Aztec's scheme as his model with a few minor changes. With respect to weeds, litter and junked vehicles, he felt it most appropriate to place those Articles within Chapter 6, which deals with Health and Sanitation. The first thing needing to be addressed was replacing our current Ordinance which deals with weeds, junked vehicles, and litter (which is currently in Section 11-36 et seq.). With these sections replaced, it then made sense to recodify the remaining Articles of Chapter 6. Hence, Trees and Shrubbery will be moved to 6-1, et seq, Insect and Rodent Control to 6-2 et seq, and Soil and surface to 6-3 et seq. With the above accomplished, we are free to insert our new Nuisance Ordinances as Article IV, Article V (Motor Vehicles) and Article VII (weed and litter, etc.). Attorney Rubin did note that he used Aztec as a model, with some changes; under the Aztec model, most junked vehicles are removed under an administrative procedure. The Commission will need to advise him if this is a change it wants.

The purpose, as he learned when they were declaring another building unsafe, that our current building code differs from the State Statues; this Ordinance will put us in conformity with the State Statues.

Commissioner Kertesz asked Chief Tooley if he found anything in this that concerned him.

Chief Tooley said if he found a building unsafe he would inform the City right away.

Commissioner Richter asked City Building Inspector Robbie Travis if he had any concerns, or would have any problems.

City Building Inspector Bobbie Travis said no, it would not cause problems for him.

Mayor Mulcahy closed the Dangerous Buildings discussion.

TRANSPORTING  
ANIMALS IN  
VEHICLES:

Mayor Mulcahy stated the next item for the Work Shop was regarding a Proposed Ordinance regarding Section 3-98, Transporting Animals In Vehicles. The Mayor turned to Commissioner Steve Green for the presentation.

Commissioner Green noted that this had been brought before the Commission in a prior meeting, by the Police Department, noting that it had failed at that time. He stated he wished to discuss the matter again; noting that there is a danger to the public and to the animal itself,

He explained that anyone transporting an animal in the back of a vehicle could fall out, possibly causing significant injury to the animal, and possibly causing the vehicle behind to wreck. Commissioner Green noted several types of concerns, speaking of humanely restraining animals.

Several in the audience spoke to acknowledge the hazards of transporting animals without restraint; those making comments wishing the Commission enact something to protect not only the public, but also animals being transported:

Diane Lambardo, Chief Priscilla Mullins, George Szigeti, and Carole Wheeler.

Commissioner Kertesz asked if this pertained only to dogs.

Commissioner Green noted it was for any type of animal.

Commissioner Richter noted he did not feel the Government should tell us how to restrain our animals, stating he could not support the measure.

Several in the audience spoke for the Ordinance, noting the need to protect animals and those individuals who transport them.

Mayor Mulcahy thanked those who attended the Work Shop and noted the regular meeting would start after a short break.

CITY COMMISSION  
CITY OF TRUTH OR CONSEQUENCES, NEW MEXICO  
TUESDAY, SEPTEMBER 10, 2013

REGULAR MEETING

ACTION MINUTES

TIME & PLACE:

The Mayor and the City Commission of the City of Truth or consequences in the Country of Sierra and State of New Mexico met in Regular Session in full conformity with the law and ordinances of said Commission in the Commission Chambers of said City, on Tuesday, September 24, 2013, following the Work Shop.

PRESIDING  
OFFICER:

The meeting was called to order by Mayor Mulcahy who presided and Judy M. Harris, City Clerk acted as Secretary of the meeting.

ATTENDANCE:

Upon calling the roll, the following commissioner were reported present:

Hon. John Mulcahy, Mayor

Hon. Sandra Whitehead, Mayor Pro-tem  
Hon. Steve Green, Commissioner  
Hon. Mike Kertesz, Commissioner  
Hon. Jeff Richter, Commissioner

QUORUM: There being a quorum present, the Commission proceeded with the business at hand.

CEREMONY: Mayor Mulcahy called for fifteen seconds OF Silent Meditation.

Mayor Mulcahy called for the Pledge of Allegiance with Commissioner Jeff Richter leading the Pledge.

APPROVAL OF AGENDA: Mayor Mulcahy called for approval of the Agenda; noting that they would combine both Dangerous Building Ordinances, as they dealt with the same information,

“Mayor Mulcahy moved to approve the Agenda with the Change of combine both Ordinances dealing with Dangerous Buildings, for the discussion, then a separate vote on each matter.”

Seconded by Commissioner Steve Green.  
Motion Carried Unanimously.

COMMENTS FROM THE PUBLIC: Denise Addy-Villagomez approached the podium and requested that the Commission issue a proclamation to D. Rush for her considerable service to the Community.

CONSENT CALENDAR: Mayor Mulcahy noted next was approval of the Consent Calendar.

Mayor Mulcahy and Commissioner Steve Green both abstained from the discussion/vote, as neither was present for the meeting under discussion.

NEW BUSINESS: *Discussion/Action - Proposed Ordinance – For Publication - Repeal of Section 4-226 through Section 4-237 of Code of Ordinances) Dangerous Buildings.*

Mayor Mulcahy noted this subject had been discussed in length in the Work Shop; asking for Attorney Rubin to present.

City Attorney Jay Rubin gave a brief overview of both Ordinances pertaining to the Dangerous Building Codes.

1. *Proposed Ordinance Repeal of Section 4-226 through Section 4-237 of Code of Ordinances) Dangerous Buildings.*

“Mayor Mulcahy moved to approve for Publication.”

Seconded by Commissioner Steve Green.

Mayor Mulcahy responded Aye to a Roll Call Vote  
Commissioner Whitehead responded Aye to a Roll Call Vote  
Commissioner Green responded Aye to a Roll Call Vote  
Commissioner Richter responded Aye to a Roll Call Vote  
Commissioner Kertesz responded Aye to a Roll Call Vote

Motion Carried Unanimously.

*2. Discussion/Action – Proposed Ordinance - For Publication – adding a New Section 4-226 through 4-235 of Code of Ordinances, providing for Dangerous and Unsafe Structures.*

“Mayor Mulcahy moved to approve for Publication.”

Seconded by Commissioner Mike Kertesz.

Mayor Mulcahy responded Aye to a Roll Call Vote  
Commissioner Whitehead responded Aye to a Roll Call Vote  
Commissioner Green responded Aye to a Roll Call Vote  
Commissioner Richter responded Aye to a Roll Call Vote  
Commissioner Kertesz responded Aye to a Roll Call Vote

Motion Carried Unanimously.

*3. Discussion/Action – Proposed Ordinance regarding (Section 3-98) Transporting Animals In Vehicles; Commissioner Steve Green*

Commissioner Steve Green noted the Work Shop discussion that had taken place prior to the Regular Meeting, noting there were people in the audience who had stated the need for this Ordinance, in order to protect not only the public but also the animals being transported.

Commissioner Richter noted he did not feel the Government has no business regulating or telling people how to transport their animals, saying the vehicles are private property.

Mayor Mulcahy agreed that vehicles are private property and noted that other City and State laws, such as cruelty to animals can be enforced in those instances.

“Mayor Mulcahy moved to approve for Publication.”

Seconded by Commissioner Steve Green.

Mayor Mulcahy responded Nay to a Roll Call Vote  
Commissioner Whitehead responded Nay to a Roll Call Vote  
Commissioner Green responded Aye to a Roll Call Vote  
Commissioner Richter responded Nay to a Roll Call Vote  
Commissioner Kertesz responded Aye to a Roll Call Vote

Motion did not pass.

*4. Discussion/Action – SJOPA Funding Request and Presentation on how local Dollars are used to comply with Federal and State Contracts; Majorie Powey, Chairman Board of Directors for SJOA*

Majorie Powey explained the problems the Sierra Joint Office on Aging is facing, noting the Director was no longer working for them, stating that they found numerous problems which had not been remedied, and due to problems the funding request had not been turned into the City for funding. Ms. Powey explained the items which had been corrected and how the SJOA was attempting to bring the program into compliance. Ms. Powey noted that SJOA realized their contract with the City stipulates the bill is to be submitted by June 7<sup>th</sup>, and it had not been submitted.

In discussion, the Commission noted that being unaware of the funding needed, this item was not in the City Budget.

Mayor Mulcahy noted that after discussion the Commission would not authorize funding tonight.

Commissioner Green stated that perhaps the Commission could look at this again after the 1<sup>st</sup> quarter, to see if funding would be possible.

“Mayor Mulcahy moved that no funding would be awarded tonight, and recommended that Ms. Powey return to the Commission at a later date and put in their request for funding money.”

In discussion, Commissioner Richter voiced his opinion that the Commission should stick to the budget.

Seconded by Commissioner Mike Kertesz.

Mayor Mulcahy called for the vote; Commissioner Richter voted nay.

Motion Carried with a four to one vote.

*5. Discussion/Announcement – Free Federal and State Tax Class with the latest forms for Small Business*

Commissioner Mike Kertesz explained he had arranged for a free small business tax seminar to be given by Leslie Ann Coburn, who is the equivalent of a Federal Government CPA. The seminar is to be Thursday, September 19<sup>th</sup>, from 5 to 9 P.M. at the Geronimo Springs Museum.

*6. Discussion/Action – Department of Finance and Administration Local Government Division – Approval of FY 2013/2014 Budget.*

City Manager Juan Fuentes stated we had received notice that the Department of Finance and Administration has accepted the City’s budget for fiscal year starting July 1, 2013 and ending June 31, 2014; noting that no motion was necessary, but it is to be noted in the Meeting Minutes.

*7. Discussion/Action – Approval of CDBG Amended Grant Agreement for the Electrical System Improvement Project*

City Manager Juan Fuentes stated that this project was to upgrade the electrical poles, lines and transformers on South Broadway, near Williamsburg. Noting that the project was to be finished by July 15<sup>th</sup>, and this amendment will extend the close-out date to November. He explained that the Project is being overseen by Tony MacRoberts with the South Central Council of Governments.

Mr. Tony MacRoberts, SCCOG, approached and stated that the Department of Finance and Administration had been slow to process the City’s reimbursement request and two payments are outstanding, although the project is complete. He noted the DFA suggested the City apply for the extension and to amend the grant.

“Commissioner Steve Green moved to approve the amendment.”



Seconded by Commissioner Mike Kertesz.  
Motion Carried Unanimously.

*8. MOU for Services between the City of Truth or Consequences and the City of Elephant Butte for Animal Control Services.*

Police Chief Priscilla Mullins stated this agreement would provide Animal Control Services to the City of Elephant Butte, noting we have had a contract in the past and need to put this in place should they need Animal Control Services. Noting the fee structure is per call, at \$50 per call taking up to one hour, and \$25 after the first hour. A fee of \$25 will be charged for each court appearance.

“Commissioner Steve Green moved to approve the MOU”

Seconded by Commissioner Sandra Whitehead.  
Motion Carried Unanimously.

*9. NMFA Recreation Loan – Second Agreement to extend time to expend proceeds.  
(2246PP)*

City Manager Fuentes noted that this second agreement is to give the City until January 23, 2014 to expend the money in the Recreation Loan.

Commissioner Green asked if there is enough money to complete the pool and restroom project.

City Manager Fuentes stated that the restrooms were complete, and there was money left for the pool project.

“Commissioner Steve Green moved to approve the second agreement.

Seconded by Commissioner Mike Kertesz.  
Motion Carried Unanimously.

*10. New Mexico Recycling & Illegal Dumping Grant.*

Sanitation Director Leonard Carrillo stated that this was a grant for \$11,750 from the New Mexico Environment Department Solid Waste Bureau. The money is to be used to purchase five trailers, noting that his crews would use it on the trailers and the other four will be set about town with recycling bins on them to increase recycling.

Commissioner Steve Green noted he hoped that the bins would be placed in areas where the public could use them to the fullest.

“Commissioner Steve Green moved to accept the Grant.”

Seconded by Commissioner Mike Kertesz.  
Motion Carried Unanimously.

*13. Discussion/Action – Infrastructure Capital Improvements Pan (ICIP)*

Bill Slettom, Assistant City Manager/CDD explained that this had been discussed in the

Work Shop, and noted the Commissioners and public had voiced their opinions. As per the Commission, the items in order of priority should be:

1. Waste Water Treatment
2. Animal Shelter
3. Water/Wastewater
4. Electrical Main Feeders Upgrade
5. Pole Replacement Program

Commissioners discussed the items and it was noted that Commissioner Richter did not agree with the listings, he felt it was more important to fund infrastructure items before the Animal Shelter.

“Commissioner Steve Green moved to approve the ICIP as listed.”

Seconded by Commissioner Mike Kertesz.

Motion Carried with a four to one vote, with Commissioner Richter voting Nay.

*12. Resolution #8 13/14 for transportation Alternatives Program Application and Maintenance Commitment*

Public Works Director Don Armijo stated the Grant was from the New Mexico Department of Transportation Alternatives Program. Noting that sidewalks will be built along Broadway, from Williamsburg’s sidewalk to downtown Truth or Consequences. The City will match those funds with \$30,000 in kind services. Mr. Armijo noted he would act as project manager, and NMDOT would provide oversight on construction in its right-of-way.

Commissioner Green noted that the late Commissioner Freddy Torres instigated this project over three years ago, and requested that it be approved with him in mind.

“Commissioner Green moved to approve the Grant from the New Mexico Department of Transportation Alternatives Program in the name of Commissioner Freddie Torres”.

Seconded by Commissioner Mike Kertesz.

Motion Carried Unanimously.

*13. Authorization and Support for City Clerk and Deputy City Clerk to attend the Municipal Clerk’s Academy in October 2013.*

City clerk Judy Harris requested that the Commission support training for the Clerk’s Office, noting that in October the New Mexico Municipal League would be presenting a seminar, which would consist about three years of intermittent classes to become Certified.

Commissioners discussed and agreed the training was a good idea.

REPORTS: City Manager Juan Fuentes, no report.

City Attorney Jay Rubin, no report.

Commissioner Green reported he believed the Commission should honor D. Rush as suggested in the Public Comment, noting Ms. Rush is a valuable asset to the Community

and explaining the commitment she has made over the years to the Community.

Commissioner Green spoke of the Farmers Market, Weeds downtown, and spoke for the Solar Project.

Commissioner Whitehead, no report.

Commissioner Richter, no report.

Commissioner Mike Kertesz, no report.

Mayor Mulcahy spoke about the Pool completion, the Water situation downtown, noting he would be meeting to discuss the downtown water situation in the next few days to hear ideas regarding the matter.

RESPONSE TO  
PUBLIC  
COMMENT:

None.

EXECUTIVE  
SESSION:

Commissioner Green made a motion for the Commission to go into Executive Session, regarding:

1. Potential or Threatened Litigation on 10-15-1H-(7) related to
  - A. Hot Springs Land Development
2. Purchase, Acquisition or Disposal of Real Property and/or Related to the Animal Shelter 10-15-jH (7) & (8)

Seconded by Commissioner Kertesz.

Mayor Mulcahy responded Aye to a Roll Call Vote  
Commissioner Whitehead responded Aye to a Roll Call Vote  
Commissioner Green responded Aye to a Roll Call Vote  
Commissioner Richter responded Aye to a Roll Call Vote  
Commissioner Kertesz responded Aye to a Roll Call Vote

Motion Carried Unanimously.

“Mayor Mulcahy stated that the Commission was now in Open Session.”

“Commissioner Green certified that only matters pertaining to:

1. Potential or Threatened Litigation on 10-15-1H-(7) related to
  - A. Hot Springs Land Development
2. Purchase, Acquisition or Disposal of Real Property and/or Related to
  - A. The Animal Shelter 10-15-jH (7) & (8)

Were discussed in Executive Session and no decisions were made.

“Commissioner Green moved that regarding:

#2. Purchase, Acquisition or Disposal of real Property and/or Water rights related to  
B. The Animal Shelter 10-15-1H (7) & (8):

The Commission authorizes Staff to move forward and proceed with procurement of the Armory Building, discuss Costs and explain the findings to the Public.

Seconded by Commissioner Mike Kertesz.

Mayor Mulcahy responded Aye to a Roll Call Vote  
Commissioner Whitehead responded Aye to a Roll Call Vote  
Commissioner Green responded Aye to a Roll Call Vote  
Commissioner Richter responded Aye to a Roll Call Vote  
Commissioner Kertesz responded Aye to a Roll Call Vote

Motion Carried Unanimously.

ADJOURNMENT: There being no further business to come before the Commission the meeting was adjourned.

CERTIFICATION: Passed and approved THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013 ON A MOTION DULY MADE BY Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, and carried.

\_\_\_\_\_  
John A. Mulcahy, Mayor

\_\_\_\_\_  
JUDY M. HARRIS, CITY CLERK