

A work session of the City Council was held on Thursday, January 24, 2013 at 6:00 p.m. at the City Hall. Council members present were Mayor Lee Dickemore, Boyd Ferrin, Tom Burkland, and Paul Dinsdale. Staff Present were Lindsay Stratford, Ryan Shaw, Sean Lambert and Bill Malone. Others present: see attached list.

Mayor Lee Dickemore called the meeting to order. Ken Phippen led in the Pledge of Allegiance. Boyd Ferrin offered a prayer.

#### #1 - Discussion - City Roads and Maintenance

Mayor Dickemore stated he and Tom Burkland, along with Sean Lambert met with the Fishburn's a few weeks ago regarding Heritage Ranch Dr. Lee commented the question that kept coming up is whether the road is legal road or not. Lee stated there is a signed, recorded plat from 2004. Lee commented that although construction did not start until 2005, it is the opinion of our city attorney that the plat is a legal document which makes the road ours even though it does not meet the minimum city requirements. Lee stated the city will accept it as ours but we must make it legal, meaning fences will need to be moved back and the corral moved out of the center. Lee commented the other option was to deed the road back to Steve Fishburn and make it a private road. Lee stated he asked Mr. Fishburn about this and he has no interest in getting it back. Lee then commented that for eight years we have maintained this road. Lee then stated if we were to extend the road out to make it a legal road, we would have to go in and tear into everyone's property. Ryan Shaw stated the city is not in any position to go and make anyone do anything, commenting there are too many cards against us because it has been too long. Ryan stated he felt obstructions within the right of way are the biggest issue and felt it was reasonable to have those fences removed. Paul Dinsdale wanted to know if the city had a record of all correspondence between Jones and Associates and the city to see if there is a missing piece we are not seeing here. Ryan stated he has only seen one letter from Jones' office. Sean Lambert stated he has asked Chris Breinholt to go through their records and get us a copy of everything they have on file. Paul then stated he felt the fences needed to be moved to back to meet city standards. Paul and Tom Burkland brought up the issue that it was presented to the City Council as a private road and the only thing that changed that was Mayor Papageorge commenting in the meeting he would prefer it be a city street. Tom stated there was no mention in the motion that it would be a public road. Ryan Shaw stated they do have an argument that it was brought up by the Mayor that he wanted it to be a private road so the final project reflected that. Tom stated the fences do need to be moved back but there is no intention of widening the road. Mayor Dickemore stated the bottom line is liability, commenting moving the fences back will eliminate a lot of the problems with the storm water issues. It was agreed by everyone present that the fences needed to be moved. Lee stated he would like to gather all the information available and hold another work session in the very near future with the other members of the council not present tonight in order to make a final decision on how the city would like to move forward.

#### #2 - Adjournment

**AT 6:56 P.M., THE MEETING WAS ADJOURNED.**

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Lindsay Stratford, Recorder

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Z. Lee Dickemore, Mayor

Date Approved: \_\_\_\_\_