

**MINUTES
REGULAR MEETING OF THE NEWTON CITY COUNCIL**

August 6, 2013 – 7:00 P.M.

The regular meeting of the Newton City Council was held on Tuesday, August 6, 2013 at 7:00 p.m. in the Council Chambers at City Hall.

PRESENT: Mayor Anne P. Stedman, Mayor Pro Tem Bill Lutz, Council Members Robert C. Abernethy, Jr., Mary Bess Lawing, Tom Rowe, Wayne Dellinger and Wes Weaver.

STAFF: City Manager Todd Clark, City Clerk Amy S. Falowski, Assistant City Manager Sean Hovis, City Attorney John Cilley, Public Information Officer Julie Chang, City Department Heads and members of the management team

ITEM 1: CALL TO ORDER – Mayor Anne P. Stedman

Mayor Anne P. Stedman welcomed every one and called the meeting to order.

ITEM 2: OPENING – Council Member Wes Weaver

Council Member Wes Weaver led the Pledge of Allegiance, and also thanked staff for all their hard work during the July 27th flooding event.

ITEM 3: APPROVAL OF MINUTES FROM THE June 18, 2013 REGULAR CITY COUNCIL MEETING

Upon motion duly made by Council Member Robert C. Abernethy, Jr., seconded by Council Member Mary Bess Lawing, it was unanimously RESOLVED:

That the Regular Minutes of the June 18, 2013 City Council Meeting be –
APPROVED

ITEM 4: CONSIDERATION OF CONSENT AGENDA ITEMS

Upon motion duly made by Council Member Wes Weaver, seconded by Council Member Tom Rowe, it was unanimously RESOLVED:

That Consent Agenda be – APPROVED.

- A. Tax Releases
- B. Sewer Adjustments
- C. Ratification of Proclamation Declaring a State of Emergency – July 27, 2013
- D. Consideration of Commission/Committee Membership Appointments
Economic Development Corporation – Joe Beaman
Parks & Recreation – David Shugart
Appearance Commission – Sheila Iveson
Newton Depot Authority – H. Tom Rowe, James S. Abernethy, Thomas W. Warlick, and Sidney Halma

- E. Consideration of Public Fee Structure for Public Events – 2013 Soldiers Reunion Celebration Week Activities
- F. Authorization for Fireworks Display – Hickory American Legion Fair Association
- G. Consideration of Resolution Declaring Official Intent to Reimburse Expenditures
- H. Consideration of Budget Ordinance Amendment to Carry Forward Outstanding Purchase Orders at June 30, 2013
- I. Consideration of Budget Ordinance Amendment to Carry Forward Remaining Lease Purchase Funds at June 30, 2013
- J. Consideration of Budget Ordinance Amendment to Recognize Assistance to Firefighter Grant

(Ordinances, Resolutions and Proclamations are hereby referenced and on file in the office of the City Clerk).

ITEM 5: Special Presentation

- A. Presentation of the Area Wide Optimization Program Award for 2012

Public Works and Utilities Director Wilce Martin stated that the City of Newton Water Treatment Plant received the Area Wide Optimization Program (AWOP) Award for 2012. He explained that this award is supported by the NC Division of Environment and Natural Resources and Region 4 of the United States Environmental Protection Agency and that the goal of the AWOP program is to reduce the potential for bacteria in the water supply by meeting exceptional treatment criteria and producing water that meets a higher standard.

Mr. Martin congratulated the employees of the Water Treatment Plant for receiving this award, stating that it demonstrates the experience and the professional skill that the City of Newton Water Treatment Plant staff exhibit in the operation of the City plant.

Mr. Mark Hahn of the NCDENR Regional Office confirmed the level of competence of the City's plant and the operating staff. Mr. Hahn also explained that the standards allow for a plant to be out of compliance for a minimum total of eighteen days, but that the City of Newton Water Treatment Plant did not have a single non-compliant day.

Mayor Stedman thanked Mr. Martin and his staff for a job well done.

ITEM 6: COMMENTS FROM THE PUBLIC: (PERSONS WANTING TO MAKE A PUBLIC COMMENT ON NON-AGENDA ITEMS ARE REQUESTED TO SIGN IN WITH THE CITY CLERK PRIOR TO THE MEETING).

Mayor Anne P. Stedman asked if anyone present would like to make any comments concerning non-agenda items.

Rachel Greer of 1270 Security Street stated that there was excessive speeding taking place in her neighborhood and would like to know if it would be possible to get speed bumps or "children at play" signs installed.

Donald Smith of 1246 Security Street agreed, and stated that there were over 30 children in the neighborhood, and that lots of them play in the cul-de-sac.

Mayor Stedman stated that the city does have a traffic calming policy, and that someone from staff would be in touch with the residents.

Mayor Stedman asked if there were any other non-agenda items for discussion. There were none.

ITEM 7: Public Hearings

- A. Rezoning Application #2013-02 as filed by City of Newton Planning Department; the Applicant is seeking to establish zoning on 2.228 acres located at 1630 South Fork Drive

Mayor Stedman opened the Public Hearing.

Assistant Planning Director Alex Fulbright stated that the City of Newton Planning Department has submitted an application to establish zoning on 2.23 acres on behalf of **United Franchise Group, Sign*A*Rama, Inc.** The subject site is located at 1630 South Fork Drive, also known as a portion of Catawba County Pin #3619-15-54-8316. The proposed change is from an existing County 321-Economic Development District-Industrial (321-ED(I)) Zoning Classification and County R-20 Residential District to City of Newton 321-Economic Development District-Industrial (321-ED(I)) Zoning Classification. The application is a result of a recent voluntary annexation that extended beyond the City's planning jurisdiction.

Mr. Fulbright explained that the area requested to be rezoned is currently *321-Economic Development District-Industrial (321-ED(I)) Zoning Classification* and has been since 1996, when the US 321 Corridor Plan was adopted by the Catawba County Board of Commissioners and it was recently updated in 2011. This Plan represents formal policy statements by Catawba County concerning land use and land development within the Corridor. Mr. Fulbright stated the 321-Economic Development District (321-ED) is designed to implement these policy statements and achieve the desired goals for the 321 Corridor. He explained that this Plan was the subject site of a voluntary annexation that became effective July 1, 2013 and the City has to establish zoning on the portion of property that was outside the City's Planning jurisdiction.

Mr. Fulbright stated the City has no adopted plans that address the site; however, the City was an active participant in the process that created the US 321 Corridor Plan as well as the update of the Plan in 2011. The plan supports the proposal, which is reflective of the existing County zoning, and is not impacted by any planned transportation improvements. City water, sewer, and electric are available to the site.

Mr. Fulbright stated that it is the recommendation of the Planning Commission that City Council approve the request as presented.

Mayor Stedman asked if there was anyone present that would like to speak at this Public Hearing. No one appeared.

Upon motion duly made by Mayor Pro Tem Bill Lutz, seconded by Council Member Robert C. Abernethy, Jr., the Public Hearing was CLOSED.

Mayor Stedman asked City Council if they had any questions. There were none.

Upon motion duly made by Council Member Wayne Dellinger, seconded by Council Member Tom Rowe, it was unanimously RESOLVED:

That Rezoning Application #2013-02 as filed by City of Newton Planning Department; the Applicant is seeking to establish zoning on 2.228 acres located at 1630 South Fork Drive be – APPROVED.

(Ordinances, Resolutions and Proclamations are hereby referenced and on file in the office of the City Clerk).

B. Rezoning Application #2013-03 as filed by City of Newton Planning Department; the Application is seeking to establish zoning on 2.07 acres located at 1901 E 20th St, 804 E 19th St, 634 E 19th St, and 708 E 19th St

Mayor Stedman opened the Public Hearing.

Assistant Planning Director Alex Fulbright stated that the Newton Planning Commission has initiated a rezoning request for 4 contiguous parcels for a total of 2.07 acres located at 1901 E 20th St, 804 E 19th St, 634 E 19th St, and 708 E 19th St; also known as Catawba County Pin numbers 3741-18-41-4075, 3741-18-40-4886, 3741-18-40-3728, and 3741-18-40-2762. Mr. Fulbright stated that the proposed change is from an existing EM-1 Exclusive Manufacturing District to R-9 Multifamily Residential District.

Mr. Fulbright stated that this request came to the attention of City Council as several property owners have voiced concerns about the ability to rebuild their homes in the event that they are destroyed by fire or other catastrophic events; which EM-1 zoning would not allow. Mr. Fulbright stated that in addition to the concerns about the ability to rebuild, the request implements goals of the Core Area Plan, adopted by City Council on February 15, 2011. The Planning Commission held a public information meeting with the property owners within the affected area on May 28, 2013. Mr. Fulbright explained that based on the property owners concerns and issues, a proposal was drafted and presented at a public hearing held on July 30, 2013.

Mr. Fulbright stated that it is the recommendation of the Planning Commission that City Council approve the request as presented.

Mayor Stedman asked if there was anyone present that would like to speak at this Public Hearing. No one appeared.

Upon motion duly made by Council Member Robert C. Abernethy, Jr., seconded by Council Member Wes Weaver the Public Hearing was CLOSED.

Mayor Stedman asked City Council if they had any questions. There were none.

Upon motion duly made by Council Member Tom Rowe, seconded by Council Member Wes Weaver, it was unanimously RESOLVED:

That Rezoning Application #2013-03 as filed by City of Newton Planning Department; the Application is seeking to establish zoning on 2.07 acres located at 1901 E 20th St, 804 E 19th St, 634 E 19th St, and 708 E 19th St be – APPROVED.

(Ordinances, Resolutions and Proclamations are hereby referenced and on file in the office of the City Clerk).

- C. Zoning Text Amendment Application #2013-01 as filed by William Hodge; the Applicant is seeking to amend the zoning ordinance by changing the definition of Professional Residential Facility to exclude maternity homes

City Attorney John Cilley recused himself from Item 7C due to the fact that his law partner owns lots, and his father was a developer in the development being discussed which would make his participation a conflict of interest. Attorney Bob Grant, current City of Claremont Attorney, took Mr. Cilley's place in the discussion of Item 7C.

Mayor Stedman opened the Public Hearing, and stated that each side of the argument would be allowed approximately 20 minutes each in which to speak while being courteous and respectful. At the end of this process, each side will then be given an additional five minutes each to wrap up arguments. Assistant City Manager Sean Hovis will be time keeper for this Public Hearing.

Assistant Planning Director Alex Fulbright stated that William Hodge, the applicant, is seeking to amend the zoning ordinance by changing the definition of Professional Residential Facility to exclude maternity homes. In addition, the applicant proposes that the use "maternity homes" be allowed in the table of uses as a permitted use in P-1, B-1, B-2, B-3, B-4, and M-1 zoning districts and not permitted in all other districts.

Mr. Fulbright explained the intent of a maternity home is to provide support and supervision to pregnant women residing at the home. This use is the table of uses in residential districts as a permitted use under the classification of Professional Residential Facility. Mr. Fulbright stated that the City's Zoning Ordinance defines Professional Residential Facility as follows:

Professional residential facility means any residential establishment, other than a hospital or nursing home, providing to persons in need of a structured environment board, lodging, supervision, medication, counseling, or other diagnostic or therapeutic services and licensed by the state department of social services.

Mr. Fulbright stated that maternity homes and family care homes are defined differently, but both are required to be licensed by the state of North Carolina. Because maternity is not defined as a disability under the American's with Disability Act, it is classified differently than a family care home.

Mr. Fulbright stated that a family care home must be permitted in all zoning districts allowing single family homes, as per the North Carolina State Statutes as defined in G.S. 168-21(1), and further regulated under G.S. 168-22. Mr. Fulbright stated that in accordance with the existing city ordinance, maternity homes and family care homes are permitted in all zoning districts with the exception of the EM-I district.

Mr. Fulbright stated that if the request is approved by Council it will amend the definition of a professional residential facility to include maternity homes and only allow them in P-1, B-1, B-2, B-3, B-4, and M-1 zoning districts.

Mayor Stedman asked if there was anyone present to speak in favor of or against the proposed text amendment, and if so to please state their name and address.

Mr. Bill Hodge of 1772 Whitehall Court and author of the text amendment stated that this neighborhood had been deeded as single family homes, and he sees no reason to change this designation. He stated that he began this effort in February at which time he learned that a maternity home was being proposed to locate in his neighborhood (Nottingham). He stated that out of 112 homes he has received 100 signatures

opposed to this maternity home. Mr. Hodge stated that the amendment would be an optimal solution and asked City Council to vote in favor.

Mr. Sebastian Skeersy stated that he bought his home 2 years ago because of the current zoning and in the meantime has done lots of work on the house.

Mr. Michael McCree stated that he is opposed to the maternity house because while it is a fine idea, it shouldn't be located in a residential neighborhood.

Mr. Gary Corne stated that while he doesn't oppose the concept of the home, he does feel like the houses that were built there were required to comply with city code and that the homeowners now should comply as opposed to trying to get around the rules that are set.

Mayor Stedman asked if there was anyone else to speak.

Brenda Page stated that she has invested everything into her home with the intentions of it being in a single family neighborhood.

Mayor Stedman asked if there was anyone present from the opposing side that would like to speak.

Mr. Richard Gould stated that when he had this idea for a maternity house he tried to find restrictions with former Planning Director Glenn Pattishall. He also stated that he was told by City Attorney Larry Pitts that there were no laws against it. Mr. Gould stated that the goal of Hope House is to provide care for those who would choose life above abortion. He stated that he didn't understand how Mr. Hodge believes this could bring down property values, and that crime would not go up because most of these women that are seeking shelter are homeless. He stated that there are rules and regulations that must be followed and that he hopes the board chooses to do the right thing.

Mr. Marty Steele stated that Hope House is attempting to respectfully request to provide a safe and stable environment for women to have their children. He stated that they are trying to cooperate and obtain the correct license. Mr. Steele noted that there are 11 Hope House facilities in North Carolina, with none being in the western region of the state.

Mr. Ray McKinnan stated that he is a Hope House Board member who believes in liberty and justice for all, which includes giving choices to women.

Mr. Ken McDermott stated that he is against the maternity home in his neighborhood, and feels like it will bring in clients from all over the state which could result in more crime, break ins, etc.

Mr. Jesse Smith, Hope House Board member and pastor grew up right below Nottingham. Mr. Smith stated that he drank alcohol and partied in this neighborhood way back then before he became a pastor. Mr. Smith stated that everyone would like to pretend that we can keep families safe in a bubble, but that simply is not true.

Mr. Josh Parton, stated that he knows from a past experience that a Hope House could have made a difference in his life.

Mayor Anne Stedman warned that there were four minutes remaining, and that everyone was in danger of straying from the topic of the Public Hearing.

Ms. Claudette Barger stated that Mr. Gould would not be making money from the maternity home, and that the neighborhood would not be at risk. She stated that there would be very few women there and that they would be drug tested, would not be allowed to drive, and would be supervised.

Mayor Stedman stated that she will allow each side to have five minutes more to close their arguments.

Ms. Stephanie Keys stated that the maternity house needs to be located somewhere else.

Mr. Charles Sapp agreed with Ms. Keys.

Mr. Gary Hayes stated that this location is not right, and that the maternity house should be located closer to the hospital.

Ms. Lynn Ogdon stated that they would get an alarm system and arm themselves, because this is not the place for homeless women. She stated that she would like to have their own safe neighborhood back.

Mr. Michael McCree stated that he doesn't trust anything that he has heard tonight.

Ms. Naomi Bivens stated that Newton is a great place and that this is a safe place in a great neighborhood for the maternity home.

Ms. Nancy Clark stated that she lives one block from the abused women's shelter and that she has never had any problems.

Mayor Stedman stated that the time limit for the Public Hearing was up.

Upon motion duly made by Mayor Pro Tem Bill Lutz, seconded by Council Member Tom Rowe, it was unanimously RESOLVED:

That Public Hearing be – CLOSED.

Mayor Stedman stated that there is a great need for this type of facility in the city, but that she is not sure yet where that place is.

Council Member Dellinger stated that each side has a valid point. He stated to be fair and legal we need to allow it in a residential zone. He asked that staff bring back the amendment in September with changes.

Council Member Tom Rowe stated that it isn't about helping young women; it is about where to put the maternity home. He stated that Nottingham is restricted to single family housing and that it should stay that way. He stated that he would not vote to put the home in R-20.

Council Member Robert C. Abernethy, Jr. stated that it would appear that many of the signatures on the petition came from the same residences. Mr. Abernethy also questioned if four people living in a house that weren't all family members would not meet the criteria for a single family home.

Council Member Wes Weaver stated that this is not about Christianity, or attacking others for their Christianity. He stated that freedom is about making choices. He stated that this is about people with deeds that live in a neighborhood.

Mayor Stedman stated that what she understands is that everyone on council agrees that maternity homes are not appropriate in R-20.

Council Member Dellinger stated that the text needs to be amended, that it will not stand as it is.

Council Member Mary Bess Lawing stated that while it is a noble cause, the staff needs to work on the amendment then council will make a decision.

Mayor Pro Tem Bill Lutz agreed with Council Member Lawing.

Mayor Stedman asked Assistant Planning Director Alex Fulbright to work on a new draft and bring it back to City Council at the September meeting.

Attorney Grant stated that it would be re advertised for a Public Hearing at the September 3, 2013 Newton City Council Meeting.

Mayor Stedman asked Mr. Fulbright if that would give staff enough time. Mr. Fulbright stated that it would.

Mayor Stedman called for a five minute recess.

ITEM 8: **Old Business**

A. Update on Fire Station 1

Fire Chief Kevin Yoder gave an update on the Fire Station 1 Project. Chief Yoder presented several drawings and elevations of the proposed building. Stan Winstead, architect for the building, was also available for any questions or comments that the City Council might have.

Council Member Wayne Dellinger asked how many parking spaces the building would have. Chief Yoder answered that there would be approximately 75 parking spots. Council Member Rowe asked if the parking spots are next to the highway. City Manager Todd Clark stated that they were close to the highway.

Council Member Tom Rowe asked if the building would be different levels and how many trucks would fit in the bays. Mr. Winstead stated that there would be some steps and that the bays would hold eight trucks.

Council Member Robert C. Abernethy, Jr. stated that the building will look good from all sides. Council Member Abernethy asked if we would have the budget to build the building up to these specifications.

City Manager Todd Clark stated that if there were any design concerns, he would like to address them now.

Council Member Mary Bess Lawing asked if the building was going to be all brick, and that she would like for it to be nice to look at. Council Member Rowe said that it would be nice to have some decorative piece of the corner of Brady and D St.

ITEM 9: **New Business**

A. Consideration of Approval of the Final Adjusting Change Order for AC Little Culvert Replacement, E. 18th Waterline, and McDaniel's Court Waterline

City Manager Todd Clark stated that construction has been completed on the AC Little Culvert, the 18th Street Water line replacement, and the McDaniel's Circle water line replacement projects. The contractor (CK Construction) has been presented a punch list of items to be addressed prior to release of Contractual Obligations and final payment (including the 5% retainage).

Mr. Clark stated the final adjusting change order has been presented, and includes the following items:
East 18th Street

1. One additional 6" Gate Valve and Box (\$1,100 Debit)
 2. One additional ¾" water service (\$1,050 Debit)
 3. Reduction of 50' of replacing existing sewer pipe (\$2,750 credit)
 4. Reduction of 9 SY of Asphalt pavement patching (\$405 credit)
 5. Reduction of 9 SY of Concrete driveway replacement (\$234 credit)
 6. Elimination of undercutting (\$500 credit)
- For a total project savings of \$1,739.

McDaniel's Circle

1. An additional 5' of 6" PVC Waterline (\$75 debit)
2. An additional 6" Gate Valve and Box (\$1,100 debit)
3. An additional 5' of 2" SDR 13.5 Waterline (\$32.50 debit)
4. Two additional ¾" water line services (\$2,100 debit)
5. Elimination of driveway drainage pipe replacement (\$1,680 credit)
6. Elimination of 5 SY of Asphalt Pavement Patching (\$200 credit)
7. Elimination of 160 LF of silt fencing (\$480 Credit)
8. Elimination of 7 Inlet protections (\$1,120 Credit)
9. An additional 10' of seeding and restoration along the project alignment (\$30 debit)
10. Substitution of Copper service line material in lieu of plastic at the City's request (\$3,346.28 debit).

For a total project overrun of \$3,203.78.

Mr. Clark explained that the AC Little Culvert replacement was bid as a lump sum project and has no savings or overruns. He stated the Contract price for these three projects is \$258,540. The final adjusting change order price is \$1,464.78. Mr. Clark recommended approval, and if council does approve the final adjusting change order, the final contract price will be \$260,004.78 (an increase of 0.57%). Mr. Clark stated that budgeting for this project included a 10% contingency for project overruns which will fund the \$1,464.78 change order.

Upon motion duly made by Council Member Wayne Dellinger, seconded by Council Member Robert C. Abernethy, Jr., it was unanimously RESOLVED:

That Final Adjusting Change Order for AC Little Culvert Replacement, E. 18th Waterline, and McDaniel's Court Waterline be – APPROVED.

- B. Consideration of Capital Project Budget Ordinance Amendment and Change Order for the W 18th to W 15th Street (Rear of High School to NW Blvd) Sewer Line Replacement Project

City Manager Todd Clark stated that a change order for \$54,590.50 was requested by Dellinger, Inc., contractor on the W 15th to W18th Street (Rear of Newton-Conover High School to NW Blvd) Sewer Line Replacement Project. He stated the change order was submitted due to a miscalculation by McGill Associates' survey crew on the depth of a manhole and line which has resulted in the increased cost for additional materials and additional excavation of about 4' to 16' of material along a 676' portion of the line replacement. Mr. Clark stated that McGill Associates has agreed to reimburse the City for the change order due to the miscalculation.

Mr. Clark recommended:

- A) City Council to approve the Change Order.

B) City Council to approve the attached Capital Project Budget Ordinance Amendment recognizing the reimbursement of costs by McGill Associates and the related change order.

Upon motion duly made by Council Member Mary Bess Lawing, seconded by Council Member Tom Rowe, it was unanimously RESOLVED:

That Final Adjusting Change Order for the W 18th to W 15th Street (Rear of High School to NW Blvd) Sewer Line Replacement Project be – APPROVED.

Upon motion duly made by Council Member Robert C. Abernethy, Jr., seconded by Council Member Wes Weaver, it was unanimously RESOLVED:

That Capital Project Budget Ordinance Amendment for the W 18th to W 15th Street (Rear of High School to NW Blvd) Sewer Line Replacement Project be – ADOPTED.

(Ordinances, Resolutions and Proclamations are hereby referenced and on file in the office of the City Clerk).

ITEM 10: City Manager's Report

Department Heads gave a brief overview of the damage caused by the flooding that occurred on July 27, 2013.

- Greenway Repair – Stream bank stabilization project
- ATM Project Update
- Planters Downtown have been removed
- High School Sewer – construction continues. The portion traversing behind the high school is near completion
- Shannonbrook Phase II – Construction is underway. Completion is expected in late August.
- South Fork Sewer Cline Project – completed
- The culvert Replacement in the old A&P parking lot next to the AT&T Building on Ashe Avenue has been completed. 150 LF of 36" CMP culvert installed, two junction boxes. Additional paving was required due to lack of proper compaction during original construction. Final project cost is \$98,840. Original contract amount was \$125,200.
- Second Street sidewalk is under construction and should be completed in several weeks weather permitting.
- The North Main Avenue 4kv conversion is under way, it is 60% complete
- The water treatment plant installation project is under way and should be completed by end of August
- One of the raw water intake pumps at the wastewater treatment plant was struck by lightning and has been repaired. This was an unexpected expense
- In July the City sold 25 cemetery plots in one transaction for \$75,000
- The Police Dept. received two grants from Target. \$1,000 – to be used for camera to be located downtown and \$1,200 to be used for computer equipment
- Peddlers Permits

City Manager Todd Clark stated that the report for Peddlers Permits is ready for City Council if they would like to hear it at this time. Council Member Tom Rowe asked that we wait until the next Council Meeting.

- Ribbon Cutting – Tomorrow, August 7th at 1:00 p.m. – Mission Medical Primary Care at 121 West B Street

- Ribbon Cutting – Friday, August 9th at 6:00 p.m. – Once Upon A Time – A Unique Children’s Book Store and More at 24 East 1st Street
- NCLM Conference, Oct 13-15 – Hickory

ITEM 11: Questions and Comments from Mayor and Council

Mayor Anne P. Stedman asked if any Council Members would like to make any comments. There were none.

ITEM 12: Closed Session to Consult with the City Attorney – G.S. 143-318-11(a)(3) and G.S. 143-318-11(a)(5)

Upon motion duly made by Council Member Robert C. Abernethy, Jr., seconded by Council Member Mary Bess Lawing, it was unanimously RESOLVED: to go to CLOSED SESSION.

The Council, Mayor, City Attorney, City Clerk and Department Heads met in the Council Chambers for the purpose of discussion of several legal matters.

Upon motion duly made by Council Member Robert C. Abernethy, Jr., seconded by Mayor Pro Tem Bill Lutz, it was unanimously RESOLVED: to leave CLOSED SESSION and return to OPEN SESSION.

ITEM 13: Adjournment

Upon motion duly made by Council Member Robert C. Abernethy, Jr., seconded by Mayor Pro Tem Bill Lutz, it was unanimously RESOLVED:

That the Meeting be – ADJOURNED

Anne P. Stedman, Mayor

Amy S. Falowski, City Clerk

