



GATE CITY TOWN COUNCIL MEETING MINUTES

April 1, 2010

156 E. JACKSON ST.

6:00 PM

I. PUBLIC HEARING CALL TO ORDER

Mayor, Mark Jenkins called the meeting to order at 6:02 PM.

PUBLIC HEARING ON AMENDING CHAPTER 4 OF THE GATE CITY TOWN CODE ENTITLED "BUILDINGS"

Council Present: Mayor, Mark Jenkins; Vice Mayor, Rita Tipton; Council Member, Cindy Coates; Council Member, Ashley Jenkins; Council Member, Frances Perry; Town Attorney, Mike Carrico; Town Manager, Steve Templeton

Council Absent: Council Member, Tommy Herron.

Others Present: Benny Reed, Barbara Reed, Lisa McCarty, Jon McConnell, Debbie Kindle, Ron Kindle, Brenda Dishner, Paul Argoe, Lee R. Powers, Joe A. McConnell, Daris Hartsock, Carl Muncey, Jeff Sutton, Jane Sutton, Delaney Herron Jr., Wallace W. Ross, Jr., Tommy Quillen, Charlie Broadwater, David Redwine

Mayor Jenkins called the Public Hearing to order at 6:03 PM.

No public comment was given.

Mayor Jenkins closed the Public Hearing at 6:04 PM.

PUBLIC HEARING ON AMENDING CHAPTER 4 OF THE GATE CITY TOWN CODE ENTITLED "PROPERTY MAINTENANCE"

Council Present: Mayor, Mark Jenkins; Vice Mayor, Rita Tipton; Council Member, Cindy Coates; Council Member, Ashley Jenkins; Council Member, Frances Perry; Town Attorney, Mike Carrico; Town Manager, Steve Templeton

Council Absent: Council Member, Tommy Herron.

Others Present: Benny Reed, Barbara Reed, Lisa McCarty, Jon McConnell, Debbie Kindle, Ron Kindle, Brenda Dishner, Paul Argoe, Lee R. Powers, Joe A. McConnell, Daris Hartsock, Carl Muncey, Jeff Sutton, Jane Sutton, Delaney Herron Jr., Wallace W. Ross, Jr., Tommy Quillen, Charlie Broadwater, David Redwine

Mayor Jenkins called the Public Hearing to order at 6:05 PM.

No public comment was given.

Mayor Jenkins closed the Public Hearing at 6:06 PM.

I. COUNCIL MEETING CALL TO ORDER

Mayor Jenkins called the meeting to order at 6:06 PM.

II. ROLL CALL – Deputy Town Clerk Judy Guinn

<p>PRESENT: Mayor, Mark Jenkins Vice-Mayor, Rita Tipton Council Member, Cindy Coates Council Member, Ashley Jenkins Council Member, Frances Perry</p>	<p>ABSENT: Council Member, Tommy Herron</p>
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Others Present: Town Attorney, Mike Carrico; Town Manager, Steve Templeton; Benny Reed, Barbara Reed, Lisa McCarty, Jon McConnell, Debbie Kindle, Ron Kindle, Brenda Dishner, Paul Argoe, Lee R. Powers, Joe A. McConnell, Daris Hartsock, Carl Muncey, Jeff Sutton, Jane Sutton, Delaney Herron Jr., Wallace W. Ross, Jr., Tommy Quillen, Charlie Broadwater, David Redwine, Joe Maya

III. INVOCATION

The invocation was given by Reverend Paul Argoe.

IV. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Police Chief Tom Smitley.

V. PROCLAMATIONS, CONGRATULATORY RESOLUTIONS, AWARDS, APPOINTMENTS, RESIGNATIONS AND CONFIRMATIONS, ADMINISTRATION OF OATHS AND INTRODUCTION OF GUESTS.

Mayor Jenkins announced resignations – Town Manager Templeton announced resignations of Police Chief Tom Smitley, effective April 15, and Town Clerk Angel Parker, effective March 26, Walter Salyers resignation from the Planning Commission.

Motion to accept the resignations.

Motion by: Council Member Perry	2 nd by: Council Member Tipton
VOTE: Yeas, 4	
Nays, None	
Absent 1	
	2

VI. COMMUNICATIONS

None.

VII. REPORTS

A. Council Reports –

None

B. Codification Committee/Property Maintenance –

Town Manager Templeton reported that there was no report due to current situation. Information will be gathered in coming weeks.

C. Economic Development Committee –

None

D. Engineer's Status Report –

Town Manager Templeton stated that Town Engineer had emailed report and it is in the packet. Waste water treatment plant Clearwell upgrade project is awaiting delivery of manhole. The engineer is taking action to complete the funding application for the sewer system interceptor improvements project.

E. Façade Committee –

None

F. Historical Committee –

Council Member Perry stated that she probably should call and make sure the William and Mary information was ok with them. Vice Mayor Tipton thought that they had everything they needed, but that they might ought to call and make sure.

G. Manager-

Town Manager Steve Templeton reported the following:

Water Department had only two leaks last month – one minor, one moderate. Tanks are near full, but had no final count from Water Department Manager since Council meeting was earlier and March totals not in. Also, there was no time for a PSA report. Since there was a change in time frame at water plant for Clearwater project, they requested that the Town have an additional 15 days – 60 days instead of 45 days for the contract completion. A total of 84 debts have been submitted to the VA Debt Set-Off, with 15 debts matched to tax returns for a total of \$1384, which take about 60 days to receive payment. Adkins Subdivision contract ended with 3/2010 – last check was sent. This will save \$350-400 per month. Business licenses for 2009 status is only one unpaid – QSQ. The other office mentioned still owes penalty and interest. Statements for 2010 business licenses have been mailed. \$298,316 of \$314,091 property tax has been collected. A second notice has been sent out and the Treasurer

is preparing a third, with the admonition that the names will be run in the newspaper in an effort to collect the delinquent taxes. Budget work starting and the Town Manager needs input from council members. Concerning the audits, the Town Manager has mailed a letter to Bostictucker to get the status on 07-08 audit. The firm said adjusting entries should be made on 06-07 on the Bright system. The Town Manager has asked Treasurer to contact them to see if they will do so or let Town have access to the system to do them. The Virginia budget process has given Town things that will affect its budget. The Town will draw about \$53,000 of \$63,000 we once drew. VML changes will affect retirement. It will be based on five years and employees will draw less and will have to work longer. Municipalities holding elections in May will have to pay all expenses. Police officers line of duty premiums will be paid by municipality. Town Manager and Treasurer met with representatives from Conservation and Recreation. Town should get \$72,000 back from state and has paid everything.

H. Park Committee –

None

I. Planning Commission –

Council Member Tipton reported that the Planning Commission needs members badly.

J. Police Department Report –

Police Chief Tom Smitley reported that in March they had 350 service calls, 6 arrests, 66 summons, 8 crime reports, 6 accidents, 3 DUIs. He reported an attempted burglary at Family Dollar Store. The department conducted an investigation of a suicide at 300 Walnut St. The department reported a serious injury accident on US 23 at the Gateway plaza. The Narcotics hot line is now working. In April, DUI training for officers will take place. There will be field training for the two new recruits. Office staff has been equipped with new software.

Mayor Jenkins thanked Chief Smitley for his time.

K. Public Works –

Town Manager Templeton reported that the Public Works crew spent most of their time doing maintenance at Grogan Park. They cleaned the entire railroad's right of way (with permission). They spent hours around creek and getting new part of park ready to sow grass. The Public Works crew started patching pot holes March 31 after receiving many complaints.

Mayor Jenkins thanked the crew for a good job.

L. Sanitation Authority –

None

M. Street Commission –

Council Member Perry reported that she was going to suggest that Public Works Crew repair potholes, but that they were already repairing.

N. Treasurer Report –

Town Manager Steve Templeton reported that the revenue was under expenses because park is due reimbursement of about \$72,000. The Town is at 58% projected revenue and 67% expenses and in good shape with budget.

O. Water Committee –

None

P. Water Plant –

Town Manager Templeton reported that the tanks are nearly full and the leak situation has been taken care of. There was 28% accountability last month, so it should be good this month.

Mayor Jenkins stated that the Council needs to add to agenda a resolution from hydraulic public funding – applied for – will reapply – and a certification for lobbying that he must sign that we are meeting guidelines.

Motion to add agenda items.

Motion by: Council Member Perry		2 nd by: Council Member Coates
VOTE:	Yeas, 4	
	Nays, None	
	Absent 1	

Mayor Jenkins closed the Reports session and opened the Public Comment session.

VIII. PUBLIC COMMENT

A. **Joe Maya** – Spoke concerning his water bill at home (937 Manville Rd) and Chris’ Department Store. He stated that before the Christmas storm, they were hit with large water bill that he paid. His water bill was totally unrealistic with 11 water breaks at his house since storm. He also stated that he had a \$2800 electric bill. He sold boots to power crews working through Christmas power failures for wholesale. He asked for consideration of an adjustment of his water bill. (He was quite incoherent during his comment time.)

B. **Wallace W. Ross, Jr.** – You spoke last meeting about Co-Op and permission to build new elevator. They said that if they put facility in, it will work properly. Since the facilities had been put in other locations in town and not had problem, he asked did council request data from other location in other towns? If not, would they ask for that, to base their decision on? Has that question been asked?

Also, on agenda, is the question about the fire department’s water bill. Even though fire department is volunteer, does the town charter the Fire Department? Mayor Jenkins told him no and Mr. Ross asked, “Then why are we paying water bill?” Town Lawyer Carrico stated that he had a request in to Attorney General for an opinion and they should provide an opinion in next 30 days. Ross asked whether Fire Department’s budget was reported to the town and if it was private. Town Manager Templeton reported that we do get their budget to see their needs and it

then goes into a one line item in the Town's budget. Ross would be allowed to see it if he asked for it.

Wallace W. Ross, Jr. then addressed the action on amending chapters 4 and 4A of the Town ordinances. Mr. Ross was concerned that the public hearing on these actions was not advertised enough and that it should have been in the Kingsport paper. Town Manager Templeton explained the expense of the advertisements and that these changes are just amendments to change the wording and were required to enforce property maintenance and downtown revitalization.

C. **Benny Reed** – Praised the web site and the fact that it was kept current, but stated that it would be the best place to put things like public hearings. He thought that the Town did have adequate advertising about this hearing. He saw it everywhere.

D. **David Redwine** - Speaking on behalf of the Scott Farmers Co-Operative – He said that there is a difference of opinion based on zoning issues. Last 3-4 years, he has spent time studying zoning issues and Gate City zoning. One of the purposes of zoning is to promote economic development and to solicit new business and growth. The Town should look at this request as an opportunity to do that. Scott County has building permit from 2007 saying that they approved this. There are two possibilities as to why they did that. Residential zone does not include anything that would include Co-Op. The Co-Op is listed under C1 Commercial in your ordinance. One possibility is that was zoned Commercial. The other possibility is that this was issued under nonconforming use of residential zone. If you argue that, in initial issuance of that permit in 2007, 24.10.11 states that any nonconforming activity can be expanded to include that – if you allowed it to be on your property at the time. Then it is allowed under your ordinance and should be allowed to expand. On the extreme eastern zone of town, the Town allowed Co-Op to be built and residences to be built. There are two possibilities only. One is that you have a business listed in C1 allowed in residential or that you have a non-conforming ordinance. I would allow that you clearly have not paid attention to detail, or improper actions under zoning. The last thing he wanted to touch on was VA 15.22-2307 – the right to continue a non-conforming use despite an ordinance that prohibits that is referred to as a vested right. The vested right doctrine is the rule of zoning law in which the owner or developer allows or gives a title to proceed according to the prior valid building permit where there has been a substantial investment and expense made in good faith by an innocent party under a building permit or in reliance on the probability of the issuance of a permit. Three criteria have to be present for this to apply – you have to have a prior valid building permit approved by the town (which we have) - you have to have significant investment on that property by the owner, - you have to rely on the issuance of the permit due to the fact that there was no change in the ordinance or stated use of the property since the first permit was allowed. Some people would say that it should never be allowed, but it was allowed and once it was signed off and allowed, that allows these other things to come into effect. In VA court of law, this would be known as slam dunk. I understand that you have retained Greg Baker as your legal advisor in this matter. I would like to go on record requesting a written legal opinion from Mr. Baker, specifically in regards to the vested rights of Scott Farmers Co-Operative to expand on this property. He cares about the Town of Gate City and lived here for several years inside the limits. But I need to remind you that there has been a mistake on the part of the town and he does not want to see that happen again. He asked that Council consider facts and look at ordinances and ask Mr. Baker about his opinion.

Mayor Jenkins stated that no attorney was representing the Town on this because no suit had been filed. We represent the people of the Town and do the best we can to do that. We have not retained an attorney on this matter because we have not been filed against.

Town Manager Templeton stated that he had received an official appeal and the Town is trying to get members appointed to board of zoning appeal board and that it would take 60 days to get it set up. We have 90 days to render a decision. No attorney has been retained at this point. Town

Attorney Carrico he had recused himself from the matter as far as 2007 was concerned. He stated that as far as asking for opinion, I have not advised them or the town since I was the attorney for the Co-Op in 2007. Redwine then asked since Carrico was neither in or out, was Baker in or out. Mayor Jenkins stated that it sounded like Redwine was suing the Town and that his stand was that the Council may have made a mistake, but they represent the people of the town and do what they think is right. He would be available to talk about this at any time.

Redwine then stated that he felt like when you have written laws to go by, you ought to do it. Everybody makes mistakes and I understand you have a plan, but I believe this is cut and dried.

- E. **Wallace W. Ross, Jr.** – After reading Chapter 4 and 4A, are you appealing the fact that no penalties would be applied. Mayor Jenkins stated that this amendment is just clarifying penalties – not changing penalties. Mr. Ross asked whether the Town acted in cooperation with the county or did the Town just do the building code. Town Manager Templeton explained that the Town issues zoning permits and the county requires this before they issue building permits. Mr. Ross then asked about state laws concerning insulation, windows, heat systems, best process to remodel home for low income residents. Town Manager Templeton stated that they were inspected by county inspector David Gilmer for purpose of applying penalties and that he could force penalties if dilapidated. Mr. Ross asked about the time frame. Town Manager Templeton said this was set by Robert Mullins of Wise Co. and that the Town will take care of things when we get up to speed. These amendments are necessary to bring them up to VA code and they will be enforced by Robert Mullins. Ross wondered why they had not been enforced before now if they had been on the books. Town Attorney Carrico said that since he did not prepare these amendments, he would rather not speak on behalf of another attorney.
- F. **Joe McConnell and Jon McConnell** – Both expressed concern about access to their property from Highway 23. They also wanted brush pickup by Town. Mayor Jenkins informed them that the Town picked up brush if they had water and utilities supplied by the Town. Mayor Jenkins informed them that Terry Kilgore is working hard on getting access for them. Mr. McConnell wants a traffic count on Highway 23 after he informally tried to count from Food Lion hill. He was informed that there had to be a turning lane on heavily traveled roads and Joe McConnell said they already have seven turn-ins without a turning lane on that stretch of road. Mayor Jenkins will try to get a count from VDOT and have it for the next meeting.
- G. **Charlie Broadwater** – speaking on behalf of parents Riley and Jean Broadwater who live in Davidson Subdivision regarding building permit for the Scott Farmers Co-Operative. Mr. Broadwater stated that Mr. Redwine mentioned two circumstances – we say it was neither – we say it was a mistake by former Town Manager. There was a Board of Director meeting in which they told the community that they would not build that Co-Op. In 2008, they requested signage and Town Attorney Carrico said that it could not be done, because it was Residential. So they knew then that it was residential. Not until they received 250,000 in grant money did they choose to build a milling facility. The grant money called for a hammer mill. The proposal called for that. Bottom line is that the building is there and it cannot be changed. I find it hard to believe that we have to continue to make a mistake. It cannot be changed, but the fact that they receive free money to do something wrong, smacks them in the face. Mr. Redwine was on the executive committee of the VA Tobacco Commission when that the proposal went through. Does he know if it was changed. If they build a mill on residential, they will be able to do anything. While there is damage done, it can be stopped and kept from getting worse. If it is zoned commercial, they can then build anything there.
- H. **Darris Hartsock** – From Davidson Subdivision, representing them and Mocassin Hills. Engineer said storage tanks would be sealed with no dust. They have to exhaust air and he didn't mention

filters. They must expect dust because Mr. Baker their Attorney said it would always go to the east and everyone who lives there (most 30-50 years) have seen the wind blow all directions. The engineer said there would be no hammer mill.

Mr. Hartsock passed out copies of request (application to Economic Development Fund, copy attached). The second page identifies hammer mill computer batching control and the third page also mentions a hammer mill. The engineer also said no augers to make dust and noise, but the application identifies at least 8 augers which will make noise. If the augers are replaced with bucket elevators, they will be up in air 50 feet and are noisy and ugly. They feed from the bottom of tanks. The engineer said that building would be insulated, but didn't say if sound reducing or from the cold or heat. The augers on a bucket elevator are outside the building and not insulated. Council has heard concern about rats, mice, and noise. Houses been there 50 years and it is not right for them to disrupt them.

- I. **Delany Herron** – from Davidson Subdivision – Asked has anyone looked at process? To him it sounds like manufacturing zoning because they are taking raw materials and adding back. That is manufacturing. They do not want a manufacturing facility in neighborhood.
- J. **Claude Derting** – Scott Farmer Co-Operative board member – I don't know source of information regarding augers and hammer mills, but it might have come from a previous submission made when they were hopeful of moving entire facility from old place, but were unable to do that because of finances and the economy. Submission was made based on economic development to improve the economy of Scott County and to provide services to farmers and livestock growers, such as lawn seed, feed, fertilizer, landscape needs. We want to be good neighbor to the entire county. In regards to the design we recently submitted to tobacco commission, it does not include a hammer mill or is not a manufacturing site. It is a mixing facility that will mix corn, wheat, barley, whatever, to make food and is not a grinding facility. That is the one that was approved
To find what plan includes, come by the Co-Operative. There is a copy of that plan in office. We hope to be good neighbors for all within the town and the county.
- K. **Joe McConnell** – No dog in Co-Op race – Stimulus package is supposed to mean more jobs, more income. They already have whatever they need to sell. How will extra business come in? Why are they selling at same price or higher if they are getting free government money?
- L. **Claude Derting** – We have attempted to completely move from old to new location. The financial downturn did not allow us to complete this at the time. We have competitive pricing. Scott Farmers Co-Operative would not stay in business if we were out of line with others. We are a non-profit organization. The last couple of years we have been in red not black and doing everything to streamline business. If we are out of line with prices, we will go out of business. We hope to provide equal or better quality than our competition. We hope to receive free government money for economic development to replace lost income because of economics. The store is owned by the customers. We are not a for-profit organization. We are trying to get to the black. We will not be able to complete move from old to new to be more economical unless we can move facility in its entirety minus hammer mill and augers. We are losing money on the old facility. We provide service to livestock growers of county and feed for everything. It will be more efficient if we can move entire system.

Attendees debate among themselves.

Mayor Jenkins told them that they should address Council and not address something that Council had no control over.

- M. **Darris Hartsock** – He said they didn’t make move because of economy. When trying to make move, they promised that the mill would not be moved because they didn’t make money from the mill anyway.
- N. **Tommy Quillen**- Stated that he wanted to praise anyone who runs for public office. He would like to see a solution that was satisfactory to homeowners and Co-Op. Each board member is individually liable for decision made. If you could work out something agreeable, it would be nice. Again wanted to praise everyone who runs for public office.
- O. **Claude Derting** – He wanted to complement Quillen on his reasonable approach. The Scott Farmers Co-Operative invites all board members and others to the facility for a tour and to answer questions and to look at what plans actually are.
- P. **Jon McConnell** – I can’t get brush picked up, can’t burn it because Fire Department can’t get to it? Can’t shoot gun on mountain. Four years we are at your mercy.

Mayor Jenkins asked them to live by laws that apply to everyone and if they made a bad decision, he would not tell them that he was ok with it.

- Q. **Charlie Broadwater** - Mr. Hartsock passed out grant paperwork – stamped 8/19/2009 as received from commission then.

Mayor Jenkins closed the public comment session at 7:40 PM and opened the consent agenda session.

IX. CLOSED SESSION

Mayor Jenkins opened the closed session at 7:40 PM.

Motion for Council to enter into closed session to discuss legal and personnel issues

Motion by: Council Member Perry 2nd by: Council Member Tipton

VOTE:	Yeas,	4
	Nays,	None
	Absent	1

X. RETURN FROM CLOSED SESSION

Council returned from closed session at 8:28 PM.

Motion to return from closed session.

Motion by: Council Member Coates 2nd by: Council Member Tipton

VOTE:	Yeas,	4
	Nays,	None
	Absent	1

CERTIFICATION OF CLOSED MEETING

WHEREAS, the Gate City Town Council has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

Nays,	None
Absent	1
Abstained	1 (Council Member Coates was absent March 17)

XIII. UNFINISHED BUSINESS

- Hope House – has Mike received decision from Attorney General

Town Attorney Mike Carrico reported that he had heard from the Attorney General’s office that the decision had been referred out to an attorney and he should have an answer in 60 days.

- Fire Department – Do we continue to pay their water bill or turn this over to Fire Department?

Town Attorney Mike Carrico reported that he had heard from the Attorney General’s office that the decision had been referred out to an attorney and he should have an answer in 60 days.

- Membership of board and commissions

Motion to advertise for members for any board that needs members.

Motion by: Council Member Perry 2nd by: Council Member Coates

VOTE:	Yeas,	4
	Nays,	None
	Absent	1

- Consent Agreements

Town Manager Templeton reported that two were discussed –

1) George Howard – Town Manager Templeton does not want to extend time frames (had talked to him each week)– an extension does not fall in line with building code. He reported that George Howard’s property was on David Gilmer’s desk for asbestos removal and it was now up to him. He reported that it was up to Howard to find contractor. Town Manager Templeton suggested that the Town not accept a continuance.

2) Mark Chapman – Town Manager Templeton reported that he wanted a continuance until May 10 and that he does not want to do anything.

Council Member Perry asked how that would that effect Chapman’s involvement in Façade.

Mayor Jenkins closed the Unfinished Business session and opened the New Business session.

XIV. NEW BUSINESS

- R. **Action on: Amending chapters 4 and 4A of the ordinances –**

Motion to amend Chapter 4 of the Town ordinances.

Motion by: Council Member Tipton 2nd by: Council Member Perry

VOTE: Yeas, 4
Nays, None
Absent 1

Motion to amend Chapter 4A (Property Maintenance) of the Town ordinances.

Motion by: Council Member Perry 2nd by: Council Member Tipton

VOTE: Yeas, 4
Nays, None
Absent 1

S. Action on: Joe Maya disputed claims on water bill at home (937 Manville Rd) and Chris' Department Store. –

Town Manager Steve Templeton reported that Mr. Maya approached him twice and asked him to take him off agenda at 5:15. Mr. Maya showed up and wasn't able to present his case. The policy offers criteria to make adjustment – which is to average the disputed bill and the previous two. Town Manager Templeton explained this to Mr. Maya. Town Manager Templeton asked the Council to look at printout – at his home he had usage of 59,000 gallons where the power company truck ran over water line and broke it. Chris Department Store had usage of 35,000 gallons. At the same time he had a \$2800 electric bill. Mr. Maya said he had not used that much. Town Manager Templeton gave him an adjustment and Mr. Maya said he could not do that – he could not pay it. The Town Manager explained that Mr. Maya would then have to appeal to Council and he agreed to do that.

Town Attorney Mike Carrico stated that the Town legally has a water policy and that you should not discriminate.

Motion to adjust Joe Maya's water, according to the water policy.

Motion by: Council Member Coates 2nd by: Council Member Jenkins

VOTE: Yeas, 4
Nays, None
Absent 1

T. Action on: advertising for public hearing on vendor restrictions during town sponsored or co-sponsored events

Mayor Jenkins reported that he plans to duplicate a policy and advertise prior to the next meeting. Even though it will be an added expense for advertising, the Town needs control over the vendor and the Health Department. He will use other towns' policies and get them ready.

Motion to advertise for public hearing on vendor restrictions during town sponsored or co-sponsored events.

Motion by: Council Member Perry 2nd by: Council Member Tipton

VOTE: Yeas, 4
Nays, None
Absent 1

U. Action on: Scott Farmers Co-Operative Appeal to the Board of Zoning Appeals

Mayor Jenkins reported that the Council is waiting for board of zoning appeals to be seated.

Tabled until next meeting.

V. Action on: Letter to LENOWISCO requesting funds for studies of potential water customers.

Mayor Jenkins reported that Weber City was making a similar request for \$3500 for each town, with no commitment, funds for studies. Weber City has already signed the letter.

Motion to make a request and send the letter to LENOWISCO for funds.

Motion by:	Council Member Coates	2 nd by:	Council Member Jenkins
VOTE:	Yeas,	4	
	Nays,	None	
	Absent	1	

W. Action on: Certification regarding lobbying.

Motion to sign certification.

Motion by:	Council Member Tipton	2 nd by:	Council Member Coates
VOTE:	Yeas,	4	
	Nays,	None	
	Absent	1	

X. Action on: Note provided by Andy – consulting engineer – certification of signature of lobbying.

Motion to sign certification of signature.

Motion by:	Council Member Tipton	2 nd by:	Council Member Perry
VOTE:	Yeas,	4	
	Nays,	None	
	Absent	1	

Y. Action on: Apply for grants – duplicate application for grant money.

Motion to sign application.

Motion by:	Council Member Tipton	2 nd by:	Council Member Jenkins
VOTE:	Yeas,	4	
	Nays,	None	
	Absent	1	

XV. ADJOURN

Motion to adjourn the meeting until the next regularly scheduled Council Meeting May 11, 2010.

Motion by:	Council Member Coates	2 nd by:	Council Member Perry
VOTE:	Yeas,	4	
	Nays,	None	

*Mayor Jenkins adjourned the meeting at 8:58 PM

Mayor Mark Jenkins

Deputy Town Clerk Judy Guinn