

May 27, 2008

The regular meeting of the Council of the City of Martinsville, Virginia, was held on May 27, 2008, in Council Chambers, Municipal Building, at 7:30 PM, with Mayor Kimble Reynolds, Jr. presiding. Council Members present included: Kimble Reynolds, Jr., James Clark, Kathy Lawson, Ron Ferrill, and Gene Teague. Staff present included: Clarence Monday, City Manager, Leon Towarnicki, Brenda Prillaman, Eric Monday, Linda Conover, Mike Rogers, Wayne Knox, and John Dyches. Local legislators Senator Roscoe Reynolds, Delegate Ward Armstrong, and Delegate Don Merricks were also present.

Following the invocation by Council member Ron Ferrill and Pledge to the American Flag, Mayor Reynolds welcomed everyone to the meeting.

On a motion by Ron Ferrill, seconded by Kathy Lawson, Council approved the minutes of the May 13, 2008 and May 19, 2008 meetings.

General Assembly members, Senator Roscoe Reynolds, Delegate Ward Armstrong, and Delegate Don Merricks made remarks and presented resolutions to family members of deceased Council Member and former Mayor Allan McClain. Remarks were made and a similar presentation was made to the family members of deceased Council Member Bruce Dallas. Mayor Reynolds and other members of City Council also made remarks and plaques from City Council were presented to the family of Mr. McClain and Mr. Dallas.

Mayor Reynolds opened the public hearing for the purpose of receiving/interviewing citizens interested in appointment for two three-year positions beginning July 1, 2008 and ending June 30, 2011 to the City's School Board. The following three citizens spoke before Council expressing their interest in being considered for School Board positions: Nancy Baker, 919 Hunting Ridge Road; Gary Nelson, 1012 Morningside Lane; and Jim Johnson, 1507 White Oak Court. Mayor Reynolds advised candidates that interviews will be held at tonight's meeting and then closed the public hearing. Appointments are scheduled to be made at the June 10, 2008 Council meeting.

On a motion by Kathy Lawson, seconded by Gene Teague, with the following recorded vote: Mr. Reynolds, aye; Mr. Clark, aye; Mrs. Lawson, aye; Mr. Ferrill, aye; and Mr. Teague, aye, Council approved, on second reading, amending the following

May 27, 2008

zoning ordinance regarding Section V. General Dimension Requirement, Section XV, Off Street Parking & Loading, and Section II. Definitions:

**PROPOSED AMENDMENTS TO THE FOLLOWING SECTIONS OF THE ZONING ORDINANCE (APPENDIX B) OF THE CODE OF THE CITY OF MARTINSVILLE:** (Additions are in italic; deletions are struck through)

Section V. General Dimension Requirement

A. Unobstructed yards.

Every part of a required yard shall be open from its lowest point to the sky unobstructed; ~~except for the ordinary projection of sills, belt courses, cornices, buttresses, ornamental fixtures, and eaves which may project a maximum of thirty six (36) inches~~ *Bay windows, chimneys, eaves and similar architectural features may project no more than two (2) feet beyond any required setback or building restriction line. Setback and building restriction lines shall not apply to terraces, patios and unroofed porches on ground level, or to handicap ramps. These shall remain uncovered and unenclosed.*

Section XV. Off Street Parking & Loading

O. *Parking or storage of recreational vehicles, motor homes, boats, campers, or trailers in any district except C-3 Commercial, M-1 & M-2 Industrial and B-1 Business*

1. *No motor homes, recreational vehicles, trailers or boats shall be parked on the public street right of way. No more than two of any combination of the above cited vehicles shall be allowed. No parking of any of the above cited vehicles shall be permitted in a front yard of any lot. No such vehicles shall be used of any form of habitation and no such vehicle may be connected to a private or public utility.*
2. *Except as necessary for temporary construction activity, the storage or overnight parking of buses, school buses and commercial vehicles (including tractor and trailers) weighing over one ton is prohibited.*

Section II. Definitions

*Recreational equipment: Equipment, including boats, boat trailers, rafts, house trailers, travel trailers, pick-up campers or coaches, motorized dwellings, tent trailers and the like, and cases or boxes used for transporting recreational equipment, whether occupied by such equipment or not.*

*Recreational vehicle: A vehicle which is:*

- (1) *Built on a single chassis;*
- (2) *Four hundred gross square feet or less when measured at the largest horizontal projection;*
- (3) *Designed to be self-propelled or permanently towable by a light duty truck; and*
- (4) *Designed primarily not for use as a permanent dwelling but as a temporary living quarters for recreational, camping, travel, or seasonal use.*

AN ORDINANCE TO AMEND, REVISE, AND REORDAIN SECTIONS OF THE ZONING ORDINANCE (APPENDIX B), OF THE CODE OF THE CITY OF MARTINSVILLE, VIRGINIA.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARTINSVILLE, VIRGINIA, in regular session assembled May 27, 2008, that the City of Martinsville Zoning Ordinance (Appendix B) be amended, revised, and reordained to read as follows:

Zoning Ordinance text as given herein

Section II. Definitions/Recreational equipment and vehicles

Section V. General Dimension Requirement

Section XV. Off Street Parking & Loading

All ordinances or parts of ordinances in conflict with the provisions of this ordinance be and the same are hereby repealed

On a motion by Ron Ferrill, seconded by James Clark, with the following recorded vote: Mr. Reynolds, aye; Mr. Clark, aye; Mrs. Lawson, aye; Mr. Ferrill, aye; and Mr. Teague, aye, Council approved, on second reading, the following revised property maintenance ordinance with amendments:

**Ordinance No. 2008-\_\_\_\_\_** BE IT ORDAINED by the Council of the City of Martinsville, Virginia, in Regular Session held on May 27, 2008, that Article II, Property Maintenance Requirements of Chapter 15.5 of the Code of the City of Martinsville be amended and reenacted to read as follows; and that Article III, Vacant Buildings Registration, be enacted, to take effect immediately upon adoption:

**ARTICLE II. PROPERTY MAINTENANCE REQUIREMENTS**

**15.5-22: \_\_\_\_\_ add the following unnumbered paragraph at the conclusion:**

The code official heretofore designated by council to enforce the building maintenance code in the city and alternatively the City Attorney are hereby vested with discretionary authority to decline to undertake enforcement of this section with respect to nuisances which are (a) deemed to be of a private nature between neighboring property owners, or (b) deemed not to constitute a public nuisance, or (c) not visible to the unaided eye from street or ground level outside the boundaries of the property on which the subject nuisance exists.

**15.5-23: \_\_\_\_\_ repeal and reenact as follows:**

**Sec. 15.5-23. Open storage of inoperable vehicles.**

(A) It shall be unlawful for any person to keep, except within a fully enclosed building or structure or otherwise shielded or screened from view, on any property in the city zoned residential, commercial or agricultural, any inoperable motor vehicle. However, the provisions of

May 27, 2008

this section shall not apply to a licensed business which, on June 26, 1970, was regularly engaged in business as an automobile dealer, salvage dealer or scrap processor.

(1) As used in this section "inoperable motor vehicle" means any motor vehicle, trailer or semitrailer, as defined within Virginia Code § 46.2-100, and as hereafter amended, which: (i) is not in operating condition (including, without limitation any motor vehicle, trailer or semitrailer which for a period of sixty (60) days or longer, has been partially or totally disassembled by the removal of tires or wheels, the engine, or other essential parts required for operation); (ii) does not display a valid license plate; (iii) does not display a valid inspection decal; or (iv) displays an inspection decal that has been expired for more than sixty (60) days. (2) As used in this section, "otherwise shielded or screened from view" shall mean means not visible by someone standing at ground level from outside of the property on which the subject vehicle is located.

(B) No person shall keep more than one (1) inoperable motor vehicle outside of a fully enclosed building or structure. The one (1) vehicle allowed outside of a fully enclosed building or structure shall still be subject to the requirement of being shielded or screened from view. Notwithstanding the other provisions of this subsection, if the owner of such vehicle can demonstrate that he is actively restoring or repairing the vehicle, and if it is shielded or screened from view, the vehicle and one additional inoperative motor vehicle that is shielded or screened from view and being used for the restoration or repair may remain on the property.

(C) Whenever a violation of this section is determined by the code official heretofore designated by council to enforce the building maintenance code in the city, or by any officer of the police or sheriff's departments, that person shall serve notice on the owner of the property whereon the inoperable motor vehicle is located, requiring the owner to remove or cause the removal of such vehicle.

(1) All notices sent pursuant to this section shall be served to an owner as follows: (i) by hand-delivery to the owner of record; or (ii) by regular, first-class mail, to the owner of record at the address listed in the city's real estate tax records, or to any occupant of the property at the address where the violation exists; or (iii) to a person who has charge of real estate as an executor, administrator, trustee, guardian or agent, by hand delivery, or by regular mail to the last known address of such person; or (iv) to a person who is the beneficiary of any easement or right of use of a parcel of real estate, by hand delivery, or by regular first-class mail to the person's last known address. If the real estate parcel on which the violation exists is undeveloped or vacant, the notice shall also be posted in a conspicuous place on the property.

(2) Such notice shall require the owner to correct the condition within ten (10) days from the date of delivery or mailing of the notice.

(D) Should the owner of the premises fail to remove or cause the removal of an inoperable motor vehicle as directed within notice then the city may take action to remove the inoperable motor vehicle(s). The costs and expenses of such removal by the city shall be assessed and billed to the property owner, and the city shall prepare an affidavit certifying the costs and expenses incurred by the city. In the event the charges billed to the property owner remain unpaid for more than thirty (30) days, such charges shall constitute a lien against such property and may be collected as taxes are collected.

(E) After removing an inoperable motor vehicle from property, the city may then dispose of the vehicle after giving an additional ten (10) days' written notice to the owner of the vehicle as set forth hereinabove and, if different, also to the owner of the property from which the vehicle was removed.

(F) The penalty for any one violation shall be a civil penalty of not more than \$200 for the initial summons and not more than \$500 for each additional summons. Each day during which the violation is found to have existed shall constitute a separate offense. However, specified violations arising from the same operative set of facts shall not be charged more frequently than once in any 10-day period, and a series of specified violations arising from the same operative set of facts shall not result in civil penalties which exceed a total of \$5,000. The code official heretofore designated by council to enforce the building maintenance code in the city or any officer of the police or sheriff's departments may issue a civil summons as provided by law for a scheduled violation. Any person summoned or issued a ticket for a scheduled violation may make an appearance in person or in writing by mail to the department of finance or the treasurer of the locality prior to the date fixed for trial in court. Any person so appearing may enter a waiver of trial, admit liability, and pay the civil penalty established for the offense charged. Such persons shall be informed of their right to stand trial and that a signature to an admission of liability will have the same force and effect as a judgment of court. If a person charged with a scheduled violation does not elect to enter a waiver of trial and admit liability, the violation shall be tried in the general district court in the same manner and with the same right of appeal as provided for by law. In any trial for a scheduled violation authorized by this section, it shall be the burden of the locality to show the liability of the violator by a preponderance of the evidence. An admission of liability or finding of liability shall not be a criminal conviction for any purpose. (G) Except as provided in this subsection, the imposition of civil penalties shall be in lieu of criminal penalties and shall preclude prosecution of such violation as a misdemeanor. Violations of this section shall be a Class 3 misdemeanor in the event three civil penalties have previously been imposed on the same defendant for the same or similar violation, not arising from the same set of operative facts, within a 24-month period. Classifying such subsequent violations as criminal offenses shall preclude the imposition of civil penalties for the same violation.

**15.5-28: repeal and reenact subsections (4) as follows:**

(4) Alternatives. Any person notified under Subsection (1) of this section shall exercise one of the following alternatives within the time period designated by the Building Official or his designee in the notice:

- (a) Abate the nuisance at the expense of the person so notified;
- (b) Furnish the Building Official with written consent for the City to abate the nuisance with the costs of such abatement to be assessed to the person consenting.
- (c) Request an appeal to the Board of Appeals.

**add subsection (6) as follows:**

The council conclusively finds that three (3) days from the receipt of such notice is a reasonable amount of time for completion of removal, razing or abatement of any nuisance, and also finds any longer period prescribed by the notifying official to be reasonable. The council further finds that notice by mail shall be deemed to be received three days after it has been deposited in the mail.

**Reserve section 15.5-29.**

**Add Article III as follows:**

ARTICLE III: VACANT BUILDINGS REGISTRATION

May 27, 2008

**Sec. 15.5-30. Vacant building registration.**

(A) The owner of any building which has been vacant for a continuous period of twelve (12) months or more shall register such building with the city on or before January 1 of each calendar year. Such registration shall be with the department of Community Development on a form prescribed by the director of that department. Every person filing registration forms shall pay an annual registration fee of twenty-five dollars (\$25.00) to defray the cost of processing the registration. For the purpose of this section, the term "owner" means the owner of record of the building, or a duly authorized representative or agent of the owner of record.

(B) Any person who fails to register a vacant building by the January 1 deadline shall be subject to a fifty dollar (\$50.00) civil penalty.

(C) At least thirty (30) days prior to the assessment of any civil penalty, the director of Community Development or his designee shall mail to the owner, at the address to which property tax notices are sent, notice of the failure to comply with the registration requirements of this section. Upon re-occupancy the owner shall promptly notify the Department of Community Development.

Dr. Scott Kizner, School Superintendent, outlined the school system's financial needs stating he was asked to address three questions which included the three-year old program, school capital projects funding, and budgeted school personnel raises. He emphasized that attracting qualified personnel and attaining accreditation were the schools most immediate challenges. He said there is no plan to reduce the three-year old program, but there is no money to staff another classroom even though they have room. He noted capital needs for next three years are roofs, boilers and tennis courts. Mayor Reynolds pointed out that the schools had requested funding above the level funding proposed by the city manager's budget and the schools were getting more state funding this year. Dr. Kizner made it clear that no school programs are to be reduced due to budget. Dr. Kizner was asked how the school board chose between salary increases and not giving priority to the other three year old classroom. Kizner responded that a larger number of students would be impacted by having highly qualified teachers paid with competitive salaries than would be impacted by the three year old program, even though there is great value in the three year old program. Kizner was asked how many teachers left the system due to salary and he responded 24 left, some for other reasons other than money. Dr. Kizner made the following suggestions regarding funding the school capital needs: delay some projects a few months and maybe borrow money in January; city set aside perhaps \$200,000 every year for school capital and if not used by schools, then it could be banked each year; schools looking at energy efficient programs & evaluating as a long term solution. Mayor Reynolds asked that this issue be placed on Council's June 24 agenda for discussion of school capital funding. Dr. Kizner stated he felt the school resource officer should go back as a city employee and then schools would be in a position to pay for the three year old classroom needed. Council member Ferrill pointed out there ought to be a way to look at all the revenues coming and a certain percentage

May 27, 2008

should go toward schools and schools and council would have to work with that percentage and not have to go through this each year.

Council then considered discussion on the proposed FY09 budget. It was noted after previous amendments, there is an approximate \$175,400 deficit at this point. On a motion by Gene Teague, seconded by Kathy Lawson, Council approved on a unanimous vote, to do away with the proposed tiered sewer rate and it will stay as it is currently. Budget deficit after the motion is now approximately \$85,400. There was discussion on adjusting the medium and large general service electric rates as a means to cover that deficit amount and to balance the budget. Other Council comments included: funding the school resource officer would mean the general fund budget would have to be cut; having the school resource officer under the schools makes sense; electric rates were already adjusted by previous amendment and it would not be a business friendly move to re-adjust; suggestion that if need to, we could cut the budget across the board except for payroll; electric rates can be re-visited again next year. After further discussion by Council noting the likelihood that the city's budget will end up with a surplus, Council unanimously agreed to take money from the fund balance to balance the budget. The City Manager pointed out that if the budget is balanced by that means, it will show a \$85,410 deficit.

On a motion by Kathy Lawson, seconded by James Clark, Council unanimously agreed to allocate \$35,000 of the proposed goals and initiatives line item to go toward the school's three year old program. Council noted this allocation is contingent upon expansion of the three year old program or the money comes back to the city.

After discussion regarding the requirement of AMP-Ohio to have a power cost adjustment factor set at zero, a motion was made by Kathy Lawson, seconded by James Clark, to set the power cost adjustment factor at zero with the following 4-1 vote: Ferrill-aye; Teague-aye; Clark-aye; Lawson-aye; Reynolds-nay. The City Manager explained this was part of the original agreement with AMP-Ohio and needs to be done to comply with that previous agreement. Any rate increase would ultimately be in the hands of Council as they would be approving the budget.

May 27, 2008

Mayor Reynolds then asked for any public comments regarding the proposed budget. Dr. King of Jones Street pointed out that Council needs to control costs by cutting expenses and not keep raising fixed costs. Pastor J. C. Richardson thanked Council for their action on adjusting the electric rates for the churches. Jerry Womack, NAACP member, asked that Council consider some sort of rebate stimulus check to residents on the local level similar to the federal checks now being distributed. Mike Rogers, Police Chief, spoke regarding the 2% salary increases for municipal employees noting the value of all government employees including teachers. He pointed out the need for fair and equitable pay for employees in law enforcement as well as educators. Mark Stroud, Council Member Elect, thanked Council for balancing the budget and said he thought Council's actions tonight were very reasonable and fair. On a motion by Gene Teague, seconded by Ron Ferrill, with the following recorded vote: Mr. Reynolds, aye; Mr. Clark, aye; Mrs. Lawson, aye; Mr. Ferrill, aye; and Mr. Teague, aye, Council approved, on second reading, the following ordinance with amendments establishing the City's budget and tax rates FY09:

**CITY OF MARTINSVILLE, VIRGINIA  
ORDINANCE NO. 2008-\_\_\_**

**BE IT ORDAINED** by the Council of the City of Martinsville, Virginia, in regular session assembled May 27, 2008, that the following sums of money be and hereby are appropriated—by specified Fund—for the City's fiscal year ending June 30, 2009, from the following Fund sources of estimated revenue:

SUMMARY STATEMENT OF BUDGET PROJECTIONS, 2008-2009

	Projected Fund Balance	Projected Revenues	Budgeted Exp/ Transfers	Fund Depreciation	Projected Fund Balance	Net Increase (decrease)
	<u>06/30/08</u>	<u>FY09</u>	<u>Transfers</u>	<u>Depreciation</u>	<u>06/30/09</u>	<u>Increase</u>
General Fund	\$2,701,318	\$30,203,737	\$30,203,737		\$2,701,318	0
Electric	\$4,612,603	\$17,684,196	\$18,358,402	\$410,000	\$4,448,397	(\$164,206)
Water	\$ 255,806	\$ 3,552,940	\$ 3,784,940	\$ 232,000	\$ 255,806	0
Sewer	\$ 517,374	\$ 3,777,012	\$ 4,197,012	\$510,000	\$ 607,374	(\$90,000)
Refuse	\$ 3,009,374	\$ 1,447,500	\$ 1,538,500	\$ 91,000	\$3,009,374	0
<b>TOTAL UTILITY FUNDS</b>	<b>\$8,395,157</b>	<b>\$26,461,648</b>	<b>\$27,778,854</b>	<b>\$1,243,000</b>	<b>\$8,320,951</b>	<b>(\$74,206)</b>
Schools	\$1,408,247	\$24,625,866	\$24,625,866		\$1,408,247	0
Cafeteria	\$ 366,205	\$ 1,180,987	\$ 1,180,987		\$ 366,205	0
School Grants	\$ (42,266)	0	0		\$ (42,266)	0
<b>TOTAL SCHOOL FUNDS</b>	<b>\$1,732,186</b>	<b>\$25,816,841</b>	<b>\$25,816,841</b>		<b>\$1,732,186</b>	<b>0</b>
Capital Reserve	\$ (86,078)	\$1,490,602	\$1,490,602		\$ (86,078)	0
Meals Tax	\$ 510,299	\$1,538,466	\$1,538,466		\$ 510,299	0
<b>TOTAL CAPITAL FUNDS</b>	<b>\$424,221</b>	<b>\$3,029,068</b>	<b>\$3,029,068</b>		<b>\$ 424,221</b>	<b>0</b>
CDBG	\$(750,958)	\$ 748,084	\$ 764,070		\$(766,944)	(\$15,986)
Housing Choice	\$ 486,235	\$1,778,064	\$1,773,282		\$ 491,017	\$4,782
<b>TOTAL SP REV FUNDS</b>	<b>\$(264,723)</b>	<b>\$2,526,148</b>	<b>\$2,537,352</b>		<b>\$(275,927)</b>	<b>(\$11,204)</b>
<b>TOTAL ALL FUNDS</b>	<b>\$12,988,159</b>	<b>\$62,220,601</b>	<b>\$63,549,011</b>	<b>\$1,243,000</b>	<b>\$12,902,749</b>	<b>\$(85,410)</b>

May 27, 2008

BE IT FURTHER ORDAINED by said Council that the tax rate for said fiscal year shall be, for each one hundred dollars of assessed valuation, as follows:

Real Estate	\$1.08 per \$100 assessed value
Personal Property	\$2.30 per \$100 assessed value
Machinery and Tools	\$1.85 per \$100 assessed value

BE IT FURTHER ORDAINED by said Council that this Ordinance shall be effective on and after July 1, 2008.

\*\*\*\*\*

Attest:

\_\_\_\_\_  
 Clarence C. Monday, Clerk of Council  
 May 27, 2008  
 Date Adopted

July 1, 2008  
 Date Effective

Mayor Reynolds presented a proclamation establishing June 9-14, 2008 as Community Watch Sponsored City-Wide Cleanup Week to residents representing Neighborhood Community Watch groups and Officer Coretha Gravely.

Wayne Knox, Community Development Director, briefed Council on status of the Comprehensive Plan report noting it was in the final stages and Council's goals and initiatives are part of the proposed plan. He pointed out a new requirement of the state is the transportation portion of the plan which will require a review by VDOT before the report comes to Council for final approval which will be after mid October 2008. Council asked that Wayne be prepared to make a summary presentation to Council at their June 24 Council meeting to preview the Comprehensive Plan in order that Council can see the Plan before submission to VDOT and have opportunities for public input on the Plan.

On a motion by Ron Ferrill, seconded by Kathy Lawson, Council gave approval for submission of a Triad Crime Prevention for Seniors grant application or \$2,250. The grant will provide for the purchase of equipment that will be used to enhance presentations by the Community Policing Unit.

On a motion by Kathy Lawson, seconded by Gene Teague, Council unanimously approved the following consent agenda:

**BUDGET ADDITIONS FOR 05/27/2008**

ORG	OBJECT	DESCRIPTION	DEBIT	CREDIT
<b>FY08</b>				
<b>GENERAL FUND:</b>				
01101917	490110	Categorical Other State - Nat'l Guard Armory		41,773
01715213	506007	Armory - Repairs & Maintenance (100 % reimbursement on renovations)	41,773	
<b>Total General Fund:</b>			41,773	41,773
<b>SCHOOL FUND:</b>				
18102926	418298			91,436
85001029	563140	Prime Time - 21st Century - Contracted Services	82,872	
85001029	566001	Prime Time - 21st Century - General Supplies	5,711	
85001029	566014	Prime Time - 21st Century - Other Operating Supplies	2,703	

May 27, 2008

85001029	566027	Prime Time - 21st Century - In-service	150	
18100909	490104	Recovered Costs		14,292
85001023	566007	Division-Wide Buildings - Repair & Maint Supplies (Insurance Check - Lightning Damage)	14,292	
18103908	418286	Misc. Revenue - E-Rate Reimbursement		8,928
85001014	568209	Executive Admin - E-Rate EDP Equipment (E-rate Reimbursements)	8,928	
18100909	490104	Recovered Costs		7,467
89001020	561176	Transportation - Salary & Wages	4,582	
89001020	562100	Transportation - Social Security	287	
89001020	562150	Transportation - Medicare	67	
89001020	566051	Transportation - Bus Fuel (Reimbursement for use of school busses)	2,531	
18103908	418285	Misc. Revenue		13,125
85001023	565230	Division-Wide Buildings - Telecommunications (reimbursement of prior year charges-Embarq)	13,125	
<b>Total School Fund:</b>			135,248	135,248

Council agreed to table the monthly financial report agenda item and put it on the June 10 Council agenda.

The Mayor asked for business from the floor. Mike Rogers, Police Chief, briefed Council on deer issue in the city pointing out that any citizen can contact the Animal Warden to make arrangements for proper permit to use a crossbow on their property.

Comments from City Council: Council Member Lawson inquired on status of ISO rating and the City Manager reported we are awaiting status information. She also mentioned the need to check on the street light situation on the main thoroughfares (Commonwealth, Market, Memorial, and Fayette) noting there are numerous street lights not burning. Council Member Clark made note of the fact we just celebrated Memorial Day and he personally thanked all those who have served or who are currently serving in the military.

In accordance with Section 2.1-344 (A) of the Code of Virginia (1950, and as amended) and upon a motion by Ron Ferrill, seconded by James Clark, with the following recorded vote: Mr. Reynolds, aye; Mr. Clark, aye; Mrs. Lawson, aye; Mr. Ferrill, aye; and Mr. Teague, aye, Council convened in Closed Session, for the purpose of discussing the following matters: (A) appointments to Boards and Commissions as authorized by Subsection 1; (B) a personnel matter as authorized by Subsection 1.



May 27, 2008

At the conclusion of Closed Session, each returning member of Council certified that (1) only public business matters exempt from open meeting requirements were discussed in said Closed Session; and (2) only those business matters identified in the motion convening the Closed Session were heard, discussed, or considered during said Session. On a motion by Gene Teague, seconded by Kathy Lawson, with the following recorded vote: Mr. Reynolds, aye; Mr. Clark, aye; Mrs. Lawson, aye; Mr. Ferrill, aye; and Mr. Teague, aye, Council returned to Open Session.

Council took the following action regarding Boards and Commissions: On a motion by Kathy Lawson, seconded by Ron Ferrill, the following two residents were re-appointed to the Planning Commission for four-year terms beginning 7/1/08 and ending 6/30/12: Barbara Cousin of 211 Stuart Street and Jennifer Gregory of 1528 Mulberry Road. No action was taken on the personnel matter.

There being no further business, Mayor Reynolds adjourned the meeting at 11:14 PM.

---

Clarence C. Monday  
Clerk of Council

---

Kimble Reynolds, Jr.  
Mayor