

VILLAGE OF WESLEY CHAPEL  
COUNCIL MEETING MINUTES  
August 10, 2009 – 7:00 P. M.

The Council of the Village of Wesley Chapel, North Carolina, met in the Fellowship Hall of the Wesley Chapel United Methodist Church at 120 Potter Road South, Wesley Chapel, North Carolina.

**Present:** Mayor Clinton, Mayor Pro-tem Croffut, Council Members Bradford, Horvath, and Pierce

**Others Present:**

Village Clerk/Finance Officer: Cheryl Bennett  
Planning/Zoning Administrator: Joshua Langen  
Village Attorney: George Sistrunk

Concerned citizens: Carol Mullis, Ray Davis, John Lepke, Stan Schwartz, Sandi bush, Laura Persons, Kathy & Mike Patterson, Kim Ormiston, Jeff Jacobus, Pat Stitt, Mike Como, Shane & Julie Ritter, Mike & Wendi Lincoln

Meeting was called to order at 7:02 PM and a quorum was present.

1. PLEDGE OF ALLEGIANCE / INVOCATION

Mayor Clinton led the Pledge of Allegiance and Mayor Pro-Tem Croffut gave the invocation.

2. PUBLIC HEARING – ON APPLYING ZONING TO ANNEXED PARCELS

The public hearing was opened. There were no public comments. The public hearing was closed.

3. INFORMAL PUBLIC COMMENTS

Kathy Patterson spoke to encourage the Council to appeal the decision on the gun range. She felt it is a huge safety issue for up to three miles from the range, and that the property size is inadequate for the types of weapons used. She reported Section 149 of the 1988 County Ordinance says the Table of Uses is not inclusive, and it is up to the Administrator to assign use based on impact, or if no similar use then the use is not allowed. When Wesley Chapel found out a Special Use Permit had been needed, we acted without delay. She noted she had lived in a neighborhood involved in the Wal-mart litigation and felt they didn't get impartial decisions until it went to Raleigh.

Pat Stitt thanked Council for their work on the firing ordinance, and felt there were grounds to appeal the decision.

4. ADDITIONS, DELETIONS, AND / OR ADOPTION OF AGENDA

Item 12 became 12A, Item 15. became 15A and Item 12B. APPROVE RESOLUTION DENYING HILLBILLY PROCUCE REZONING, Item 12C. DISCUSS BILLING OF ENGINEERING FEES, and Item 15 B. ANY POTENTIAL DECISIONS FROM CLOSED SESSION were added. Pierce made a motion to approve the agenda with the above changes; Bradford seconded the motion.

The motion passed unanimously.

5. APPROVE MINUTES FOR:

Council Meeting June 8, 2009

Croffut made a motion to approve the minutes for the Council Meeting June 8, 2009; Bradford seconded the motion.

The motion passed unanimously.

6. STAFF REPORTS

- a. Review and approve the Village Financial Reports dated July 31, 2009, submitted by Cheryl Bennett, Finance Officer

Bennett noted the State will be taking two thirds of the beer and wine tax from the municipalities this year. Pierce asked if the ad for the zoning on annexed properties had to go to this years budget since they were annexed in a prior year; Bennett said the bill has to be paid out of the year in which it was incurred, which is this year. Horvath made a motion to approve the July 31, 2009 financial statements; Pierce seconded the motion.

The motion passed unanimously.

**BUDGET REPORT**

	<u>Jul 09</u>	<u>Budget</u>	<u>% of Budget</u>
<b>Revenues</b>			
<b>Fees and Licenses</b>			
Cable Franchise (from Time Warn	0.00	12,500.00	0.0%
Engineering Fees Reimbursement	0.00	10,000.00	0.0%
Zoning Permit	200.00	7,000.00	2.86%
Privilege Licenses	15,133.42	21,000.00	72.06%
Annexation Exp Reimbursed	0.00	150.00	0.0%
Misc. Fees	<u>0.35</u>	<u>100.00</u>	<u>0.35%</u>
<b>Total Fees and Licenses</b>	15,333.77	50,750.00	30.21%
<b>Interest Earned</b>	189.23	14,000.00	1.35%
<b>Property Tax Income</b>			
Current Year Property Tax	0.00	130,316.00	0.0%

<b>Delinquent Taxes</b>	0.00	600.00	0.0%
<b>Interest/Ad Fee on Taxes</b>	0.00	200.00	0.0%
<b>Utility Ad Valorem</b>	0.00	600.00	0.0%
<b>Vehicle Registration</b>	0.00	8,064.00	0.0%
<b>Total Property Tax Income</b>	0.00	139,780.00	0.0%
<b>Revenue Sharing</b>			
<b>Alcoholic Beverage Tax</b>	0.00	19,000.00	0.0%
<b>Cable (from State)</b>	0.00	75,000.00	0.0%
<b>Excise Tax (Piped Natural Gas)</b>	0.00	10,000.00	0.0%
<b>Franchise Tax (Electric Power)</b>	0.00	140,000.00	0.0%
<b>Sales &amp; Use Taxes</b>	0.00	24,000.00	0.0%
<b>Telecommunications Tax</b>	0.00	12,000.00	0.0%
<b>Total Revenue Sharing</b>	0.00	280,000.00	0.0%
<b>Total Revenues</b>	15,523.00	484,530.00	3.2%
<b>Expense</b>			
<b>Operating Expenditures</b>			
<b>Tax Collection Fee</b>	0.00	2,200.00	0.0%
<b>Contingency</b>	0.00	23,000.00	0.0%
<b>Advertising - Clerk</b>	0.00	500.00	0.0%
<b>Annexation Expense</b>	200.00	1,000.00	20.0%
<b>Annual Retreat</b>	0.00	2,000.00	0.0%
<b>Books &amp; Literature</b>	0.00	600.00	0.0%
<b>Dues and Subscriptions</b>	5,030.00	12,000.00	41.92%
<b>Election Expense</b>	0.00	9,200.00	0.0%
<b>Insurance - Liability</b>	9,110.51	9,500.00	95.9%
<b>Insurance - Workmen's Comp</b>	470.00	600.00	78.33%
<b>Land Maintenance</b>	0.00	3,000.00	0.0%
<b>Town office Maint.</b>	119.85	1,000.00	11.99%
<b>Misc town office</b>	0.00	2,000.00	0.0%
<b>Newsletter</b>	0.00	5,000.00	0.0%
<b>Office Expense</b>			
<b>Office Equipment Repairs</b>	0.00	1,000.00	0.0%
<b>Office Equipment</b>	0.00	2,000.00	0.0%
<b>Awards</b>	0.00	500.00	0.0%
<b>Electronic Commun (Tele/RR)</b>	216.80	4,000.00	5.42%
<b>Office Supplies</b>	171.72	3,000.00	5.72%
<b>Total Office Expense</b>	388.52	10,500.00	3.7%
<b>Postage and Delivery</b>	0.00	700.00	0.0%
<b>Rent</b>	1,300.00	20,000.00	6.5%

Seminars	0.00	3,000.00	0.0%
Travel & Entertainment	68.20	3,000.00	2.27%
Utilities- Temp. Town Hall	0.00	4,000.00	0.0%
Welcome Committee	0.00	1,000.00	0.0%
<b>Total Operating Expenditures</b>	<b>16,687.08</b>	<b>113,800.00</b>	<b>14.66%</b>

**Gen. Govt. Salaries**

Admin. Assistant	251.25	4,680.00	5.37%
Allowance for Salary Adjustment	0.00	31,354.00	0.0%
Mayor	0.00	4,800.00	0.0%
Mayor Protem	0.00	3,000.00	0.0%
Council Salary	0.00	7,200.00	0.0%
Clerk Salary	1,622.25	34,944.00	4.64%
Finance Officer Salary	710.76	9,240.00	7.69%
Payroll Taxes	418.37	11,500.00	3.64%
Payroll exp - Unemployment	0.00	1,000.00	0.0%
Fringe Benefits - Insurance	545.00	13,200.00	4.13%
Fringe Benefits - Retirement	253.58	6,000.00	4.23%
<b>Total Gen. Govt. Salaries</b>	<b>3,801.21</b>	<b>126,918.00</b>	<b>3.0%</b>

**Planning & Zoning**

Transportation Study	0.00	10,000.00	0.0%
Downtown Committee	0.00	2,000.00	0.0%
P/Z Seminars	0.00	900.00	0.0%
P/Z Travel	0.00	900.00	0.0%
P/Z Dues, Subscriptions	0.00	800.00	0.0%
Administration (COG)	0.00	8,000.00	0.0%
P/Z Admin. Salary	2,884.62	50,000.00	5.77%
Planning & Zoning Board Salary	0.00	4,032.00	0.0%
Advertising	0.00	1,800.00	0.0%
P/Z Office Expense	0.00	1,200.00	0.0%
Planning/Zoning Expense	779.00	1,000.00	77.9%
<b>Total Planning &amp; Zoning</b>	<b>3,663.62</b>	<b>80,632.00</b>	<b>4.54%</b>

**Professional Fees**

Accounting	0.00	3,500.00	0.0%
Engr. Consulting	0.00	14,000.00	0.0%
Legal Fees	0.00	48,000.00	0.0%
Security	0.00	1,000.00	0.0%
<b>Total Professional Fees</b>	<b>0.00</b>	<b>66,500.00</b>	<b>0.0%</b>

**Parks & Recreation**

Capital Outlay	0.00	84,000.00	0.0%
Operating Expenses	<u>0.00</u>	<u>2,180.00</u>	<u>0.0%</u>
<b>Total Parks &amp; Recreation</b>	0.00	86,180.00	0.0%
Public Safety	0.00	2,000.00	0.0%
Capital Outlay			
Computer Equip.	0.00	5,000.00	0.0%
Furniture & Equipment	0.00	1,000.00	0.0%
Software	<u>0.00</u>	<u>2,500.00</u>	<u>0.0%</u>
<b>Total Capital Outlay</b>	<u>0.00</u>	<u>8,500.00</u>	<u>0.0%</u>
<b>Total Expense</b>	<u>24,151.91</u>	<u>484,530.00</u>	<u>4.99%</u>
<b>Net excess of exp. Over rev.</b>	<u><u>-8,628.91</u></u>	<u><u>0.00</u></u>	<u><u>100.0%</u></u>

### Balance Sheet July 31, 2009

#### ASSETS

<b>Checking/Savings</b>	
Fifth Third Bank Checking	4,755.95
Fifth Third Bank Money Market	441,593.55
CD Ded land 5th3rd 11.30.09.	79,816.47
CD Ded land 5th3rd 11.02.09 4%.	80,056.42
CD 4.45% 9.6.09/8.6.10	112,296.63
CD 5th3rd 4%,11.30.09 .530	92,930.15
CD 5th3rd,4%, 11.30.09 4%.514	92,930.15
Citizens South CD Bldg 11.09.09	233,843.28
BB&T CD 01.23.10-3.84%	300,000.00
BB&T CD 10.21.09. .568	500,000.00
Petty Cash Fund	<u>50.00</u>
<b>Total Checking/Savings</b>	1,938,272.60
<b>Accounts Receivable</b>	
Misc. Fees Receivable	<u>1,424.44</u>
<b>Other Current Assets</b>	
Prepaid Exp.	850.00
Property Tax Rec.	3,828.00
Allowance for Doubtful Accounts	<u>-960.00</u>
<b>Total Sales Taxes to be Received</b>	<u>627.99</u>
<b>Total Other Current Assets</b>	<u>4,345.99</u>
<b>Total Current Assets</b>	1,944,043.03

<b>Fixed Assets</b>	
Land	55,757.91
Office Equipment	13,569.26
Accumulated Deprec.	<u>-10,952.36</u>
<b>Total Fixed Assets</b>	<u>58,374.81</u>
<b>TOTAL ASSETS</b>	<u><b>2,002,417.84</b></u>
<b>LIABILITIES &amp; FUND BALANCE</b>	
<b>Liabilities</b>	
Accounts Payable	<u>1,120.84</u>
<b>Other Current Liabilities</b>	
Escrow from Developers	45,076.00
Deferred Revenue	2,868.20
Payroll Liabilities	<u>1,878.14</u>
<b>Total Liabilities</b>	<u>50,943.18</u>
<b>Fund Balance</b>	
Fund Bal. inv. in Fixed Assets	58,374.81
Fund Balance	1,508,012.59
Reserved for Parks & Recreation	159,872.89
Unres., Designated for Town Hall	233,843.28
Excess of Exp. Over Rev.	<u>-8,628.91</u>
<b>Total Fund Balance</b>	<u>1,951,474.66</u>
<b>TOTAL LIABILITIES &amp; FUND BALANCE</b>	<u><b>2,002,417.84</b></u>

b. Presentation of Planning and Zoning Report by Joshua Langen

Langen reported eleven permits were issued, with five of those being accessory structures. There were two sign permits – Lily Nail Spa and Tae Kwon Do; one commercial upfit for Hickory Tavern and the commercial foundation and compliance permits at Shops at Wesley Chapel. Regarding amendments; changes to the Rules of Procedure, and changes and definitions for the Table of Uses for outdoor recreation uses will be going to the Ordinance Review Committee; stormwater amendments will be going to Council as will mobile vendor amendments and amendments regarding Homeowner Associations. Conditional use amendments will go to the Planning Board again in August. Sign amendments will be reviewed by the Ordinance Review Committee, as will amendments to essential facilities definitions and related regulations.

7. UNION COUNTY TAX REPRESENTATIVE - SETTLEMENT FOR 2008-09 TAXES AND CHARGE FOR 2009-2010 TAXES

John Petoskey, Union County Tax Administrator reported they had collected almost 98% of the 2008/09 taxes; in the prior year we had collected 98.5%, but the economy has forced state and county collection rates down an average of one per cent, so that is in line.

In accordance with G.S. 105-373 the Settlement of 2008-09 real and personal property taxes showed a charge of \$150,192.15 taxes, and interest, costs and fees collected of \$227.02. The County collected \$145,479.90, releases allowed were \$1,798.87, the principal amount of taxes constituting liens against real property is \$3,013.17, the principal amount of taxes determined to be insolvent and to be allowed as credits to the tax collector are \$120.60, and small under/over payments and minimum bill write-offs are \$6.63. Pierce made a motion to approve the annual settlement for 2008/09 taxes; Bradford seconded the motion.

The motion passed unanimously.

Bradford made a motion to accept the Order of Collection for the tax charge for fiscal year 2009-2010 to authorize the Union county Tax Administrator's Office to collect our 2009-2010 taxes in the amount of \$138,846.49 for general tax, \$29.25 for late list penalty, and the total tax being \$138,875.74. Croffut seconded the motion.

The motion passed unanimously.

John Petoskey said they are working on getting software capabilities to give the towns their listing of outstanding taxes, but meanwhile we could get a special report from his staff.

8. LARTP PRESENTATION

Horvath explained that Wesley Chapel partnered with Weddington, Waxhaw and Marvin to come up with a Local Area Regional Transportation Plan (LARTP) to have priorities set when funding becomes available, and to know what smaller projects such as intersection improvements were desired. The final draft is ready tonight, and is also at the website [www.LARTP.org](http://www.LARTP.org). Than Austin from the consultants group Martin Alexiou Bryson presented a power point. He noted funding comes to MPO's, and as we are lumped in with Charlotte, their needs generally prevail. The objectives are to promote regional coordination, raise a voice in MUMPO, pool resources, standardize regulations and plan local projects. They did public outreach through public workshops, booths at community events, the website, and public meetings and public hearings. Components of the plan include being multimodal (roadways, intersections, transit, bikes and pedestrians), land use policies and ordinance revisions, prioritization, and implementation and funding. The thoroughfare plan improves existing roadways, proposes new roads to create connections, and creates a regional organized system. Dotted lines show where they expect the roads to be developer driven. The intersection plan enhances safety, increases capacity, and has various improvements such as turn

lanes, signalization, pedestrian improvements, sight distance improvements, and roundabouts. Thoroughfare plan priorities were set to high, medium or low, had regional/system wide benefits, and are tied to funding sources. Five different cross sections showed how the different types of roads would look, from a 4 lane divided boulevard with wide outside lanes, to a two lane street with off street multi-use path. The Bicycles and Pedestrians component identified opportunities, promote recreational, health, and trip reduction benefits, and focus on greenways, multi-use paths and on-street facilities. Land Use Connections included policy and ordinance recommendations which standardize requirements, maximize benefits from development and create proactive planning. Land Use Recommendations include roadway definitions, transportation purpose statement, ROW dedication provisions, TIA thresholds and processing, street cross-sections, access management and connectivity, bicycle facilities and amenities, parking fund payments in-lieu, transit oriented development standards, and transportation management plan requirements. Than Austin noted this will tie into MUMPO's comprehensive transportation plan and long range transportation plan and will provide them with our priorities and identifies funding sources. Horvath noted this had tied in with the priorities defined in the Master Plan and takes it a step further. Than Austin noted sometimes funding comes along that you don't anticipate such as the stimulus funding, which Waxhaw was able to take advantage of since they had a shovel ready project. Austin said the project will be available on the website. He noted they had met with DOT throughout the process, they are strapped for funds, and as MUMPO funded much of the planning, they are in strong support of this plan. Bradford asked if there is information on available grants for sidewalks; Than replied that they identified some sources in the report, there is also CMAQ (Congestion Management and Quality grants) and a foundation Active Living by Design that supports healthy lifestyles. Horvath noted MUMPO will have a new list of funding sources on their website soon. Than Austin also noted every year DOT has some money for small towns to plan pedestrian routes. Horvath noted the TIA (Traffic Impact Analysis) will be useful language to put in our ordinance to require developers to do an analysis. The Mayor thanked Than Austin for his work.

9. DISCUSS APPOINTMENT OF BOARD OF ADJUSTMENT POSITIONS THAT EXPIRE AUGUST 31, 2009 (CHAIRMAN BUTCH BYRUM AND MEMBER KIM ORMISTON, AND TWO VACANT ALTERNATE POSITIONS)

Kim Ormiston was present, and said she was agreeable to staying on the Board of Adjustment until December. The Clerk will check with Butch Byrum and see if he would like to stay on the board. Mayor Clinton noted we also need alternates on the board so if anyone is interested please apply.

10. DISCUSSION ON FALL 2009 NEWSLETTER

A newsletter draft was available. Pierce noted she had a draft template, which will eliminate sending articles separately to the printer and facilitate the proofing

process. The template is user friendly, and the text boxes are linked, so we can submit one document to the printer. Each printed edition is about \$1800, and she suggested we go to an electronic version to save costs, it would be “green”, and it would allow more timely information. This edition should go out in early September. We usually print 3000 and mail out about 2800. Citizens could sign up at the website for the e-mail version, or we could put an article in the newsletter asking them to send us their e-mail address. Attorney Sistrunk said e-mail addresses would be publicly available information; we might want to add a disclaimer about it. Waxhaw and Marvin use the electronic format. The topics in the newsletter were approved by Council. Discussion was held on the pros and cons of an electronic newsletter.

**11. DISCUSS OFFER BY LEAGUE OF WOMEN VOTERS TO HOST A CANDIDATES FORUM**

Mayor Clinton noted we had a well attended voter’s forum four years ago, and asked if Council would want to sponsor it or turn it over to the candidates. Council decided not to sponsor it, and the contact information from the League of Women Voters will be given to Brad Horvath and he will reach out to the other candidates.

**12A. APPLY ZONING TO ANNEXED PARCELS**

Bennett had a list of about 400 parcels that were annexed since 2007, most are in Wesley Oaks, Estates at Wesley Oaks, Silver Creek, Twelve Oaks and a few in other subdivisions and or not in a subdivision. We were proposing that the subdivision lots be zoned R-20; however Bennett looked on GIS and found some lots in Wesley Oaks were as small as 8,407 square feet, then she looked at Stonegate and some of those were also smaller than 20,000 square feet. She read the definition of R-20 zoning, and thought we could either do an amendment to the R-20 definition, or whether we should have a new zoning code for these lots. Langen said if the original plat shows setbacks, he uses that for determining setbacks for additions, etc. Attorney Sistrunk was asked if that was legal, and he was not sure. Bennett noted there are a couple of lots in Wesley Oaks that were zoned R-40 and built under Wesley Chapel zoning. Mayor Clinton wanted to protect people’s rights when they bought the property. The idea of R-UC zoning which is used in Marvin was brought up. Bradford made a motion to table this until Langen and Sistrunk research the impacts and make sure the property owner’s will have the same rights as when they bought their property. Horvath seconded the motion.

The motion passed unanimously.

**12B. APPROVE RESOLUTION DENYING HILLBILLY PRODUCE REZONING**

Mayor Clinton said this is a formality as our attorney thought we should have a signed resolution; she read the resolution into the record. Pierce made a motion to approve Resolution 2009-09 denying the application for a parallel conditional use

rezoning submitted by Marshall Surface d/b/a/ Hillbilly Produce. Horvath seconded the motion.

The motion passed unanimously.

**RESOLUTION 2009-09**  
**A RESOLUTION DENYING AN APPLICATION FOR A PARALLEL**  
**CONDITIONAL USE REZONING SUBMITTED BY MARSHALL SURFACE**  
**D/B/A HILLBILLY PRODUCE**  
**APPLICATION NO. B2-09-01**

WHEREAS, the Village of Wesley Chapel Council (the “Council”) has considered the application of Marshall Surface d/b/a Hillbilly Produce (the “Applicant”) for a parallel conditional use rezoning (the “Application”) for the construction of a produce store on real property located at 6114 Will Plyler Road, Waxhaw, NC 28173 (the “Property”);

WHEREAS, the Applicant requested rezoning to a B-2 Parallel Conditional Use District (the “Rezoning Request”) and certain accompanying conditions on the use of the Property (the “Conditional Use Request”); and

WHEREAS, the Council denied the Rezoning Request and the Applicant withdrew the Conditional Use Request.

NOW, THEREFORE, BE IT RESOLVED by the Council that the Application is denied based on a denial of the Rezoning Request (the Applicant having withdrawn the Conditional Use Request).

Adopted August 10, 2009.

VILLAGE OF WESLEY CHAPEL COUNCIL

By: \_\_\_\_\_  
Mayor Tracey Clinton

Attested by:

\_\_\_\_\_  
Cheryl Bennett, Village Clerk

**12C. DISCUSS BILLING OF ENGINEERING FEES**

Mayor Clinton said typically when we have engineering fees incurred in regard to an applicant we bill those costs back to the applicant. Bennett said we had some fees incurred in regards to Wesley Chapel VFD, Hillbilly Produce, and also an old bill for engineering services in relation to bonds released at Wesley Downs where

the mail has been returned as the PO Box is closed. Pierce suggested we check the Secretary of State's website to see if there is a new mailing address. Regarding the Wesley Chapel Volunteer Fire Department's engineering review, Mayor Clinton noted staff had approved the plans based on their interpretation of ordinances and then Council made a different interpretation decision, and these fees would not have been incurred had staff made the same interpretation. Horvath and Croffut agreed that we should absorb the fees; Bradford agreed if it is clear it is not a precedent to waive fees for all tax funded entities. Horvath made a motion to waive the engineering fees for the Volunteer Fire Department CUP on Waxhaw Indian-Trail Road as it is a specific situation. Pierce seconded the motion.

The motion passed unanimously.

Council directed staff to bill Hillbilly for their fees.

## 12. OTHER BUSINESS

Horvath said he will miss the work session and Mayor Clinton will attend the MUMPO meeting in his place August 19.

A citizen asked about the Village land at the shopping center. Mayor Clinton said Parks & Rec and Downtown Committees are working on what will happen to that land; no commitment was made to the YMCA, and with current economic conditions nothing is forthcoming at this time. The citizen asked if there was some relatively inexpensive way to make the land more attractive in the short run. A citizen asked about a rumor about low income housing coming to the land behind the Village Commons Part I; Horvath said the Downtown Committee is looking on a limited scope for a place to put such things as retirement housing, but not subsidized housing. The Village would not construct anything, it would involve zoning changes. Pierce noted there is information on our website from the Master Plan which shows the types of things that could occur. Mayor Clinton said the Council is concerned about the long term viability of all the retail space approved, only about 20% has been developed so far, so they are looking for things that would attract people who would then shop there.

A citizen asked about new stores; Pierce said Lowe's Foods would open the second week of October. The Coffee Table is opening this week.

Bennett said she got a copy of our 2009/10 tax roll, and our commercial base is up by about \$20 million, we should receive about \$8,000 in taxes from commercial properties.

## 14. COUNCIL COMMENTS – none.

### 15a. MOTION TO CALL FOR CLOSED SESSION PER NC GS 143-318.11(a) (3) Attorney Client Privilege re: The Village of Wesley Chapel v. Michael Land

Bradford made a motion to take a ten minute recess and then go into closed session per NC GS 143-318.11(a) (3) Attorney Client Privilege re: The Village of Wesley Chapel v. Michael Land. Horvath seconded the motion.

The motion passed unanimously.

Minutes 2009.08.10, approved 09.14.09

The lawsuit was discussed.

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Croffut made a motion to leave closed session. Bradford seconded the motion.  
The motion passed unanimously.

15b. ANY POTENTIAL DECISIONS FROM CLOSED SESSION

Mayor Clinton announced Council made a unanimous decision to appeal the decision of Judge Spainhour in the Dr. Land appeal.

16. ADJOURNMENT

Croffut made a motion to adjourn; Pierce seconded the motion.

The motion was approved unanimously.

The meeting was adjourned at approximately 10:00 pm.

Respectfully submitted,

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Cheryl Bennett, Clerk

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Mayor Tracey Clinton