

Onley Town Council Minutes of January 14, 2019

VIRGINIA: At a Regular Monthly Meeting of the Onley Town Council held at the Onley Baptist Church, 25501 W. Main Street, on the 14th day of January A.D., 2019:

Council Members Present: Matt Hart, Mayor

Ned Finney, Vice Mayor

Billye D. Custis

Claudia Harmon

Rose Pierson

Susan Rillo

Woody Zember

Staff Present:

Jamye Salazar, Town Manager

John Spivey, Chief of Police, OPD

Rachel Kellam, Attorney

Melissa Taylor, Clerk

Call to Order

Mayor Hart called the meeting to order at 6:33pm.

Mayor Hart asked for a moment of silence for former Councilwoman/Mayor Dawn Dize.

Invocation & Pledge of Allegiance

The invocation was given by Claudia Harmon and the Pledge of Allegiance was led by Billye D. Custis.

Adoption of Agenda

Motion: To add discussion of forming Committees and Council Ethics to items 8C & 8D on tonight's agenda, and move all of that to a work session, move 6E to close session, and move 8G to 7C. by Billye D. Custis and seconded by Rose Pierson.

Roll Call Vote: Zember-yes; Rillo-yes; Harmon-yes; Pierson-yes; Custis-yes; Finney-yes.

MOTION PASSED

Ms. Custis explained the above motions. Stating she would like Council to have a work session to discuss 8C & 8D along with forming Committees and Council Ethics. Ms. Custis asked that 6E be moved to closed session and move 8G to 7C.

Clarification made 6E1 to be discussed in closed session.

Motion: To add under Old Business 7D Beautification and other related issues by Woody Zember and seconded by Susan Rillo.

Roll Call Vote: Zember-yes; Rillo-yes; Harmon-yes; Pierson-yes; Custis-no; Finney-yes.

MOTION PASSED

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Motion: To adopt the agenda for January 14, 2019, Regular Monthly Meeting of the Onley Town Council with changes by Rose Pierson and seconded by Susan Rillo.

Roll Call Vote: Zember-yes; Rillo-yes; Harmon-yes; Pierson-yes; Custis-yes; Finney-yes.
MOTION PASSED

Consideration of Minutes

Motion: To accept the December 3, 2018 Regular Monthly Meeting minutes as written by Susan Rillo and seconded by Ned Finney.

Roll Call Vote: Zember-yes; Rillo-yes; Harmon-yes; Pierson-yes; Custis-yes; Finney-yes.
MOTION PASSED

Department Reports:

Police Report & Schedule
(reported under New Business)

Chief Spivey stated it was a very uneventful Holiday season and from a Police Officer point of view is a great thing. Chief Spivey reports he has scheduled an Officer staff meeting for the first of the month. Chief Spivey says that Office Coulter will be attending CIT (Crisis Intervention Training) Training from January 25, 2019, to March 1, 2019. He reports that once Officer Coulter is certified the Onley Police Department will have 100% participation in CIT Training. Chief Spivey states CIT Training helps with interactions between law enforcement and those living with a mental illness. Mr. Hart asked if the Officers meeting is something you have done in the past. Chief Spivey responded he likes to meet with all Officers at the first of the year to get everyone focused after the Holiday Season and working towards the same goals. Mr. Hart thanked Chief Spivey for meeting with the Officers because he thinks meetings are important.

Motion: To accept the February 2019 Police schedule by Susan Rillo and seconded by Rose Pierson.

Roll Call Vote: Zember-yes; Rillo-yes; Harmon-yes; Pierson-yes; Custis-yes; Finney-yes.
MOTION PASSED

Treasurer's Report

Ms. Salazar gave her report stating the numbers are pretty accurate due to the meeting being so late in the month. A copy of the reports will be attached to the minutes.

Motion: To pay the payables including the additional payables by Ned Finney and seconded by Susan Rillo.

Roll Call Vote: Zember-yes; Rillo-yes; Harmon-yes; Pierson-yes; Custis-yes; Finney-yes.
MOTION PASSED

Town Manager's Report / Zoning Administrator / Public Works Report

Zoning Administrator Report

Ms. Salazar reported she issued one roof permit for a residence on West Main Street. Ms. Salazar is currently researching zoning permit regulations for structures less than 256 square feet.

Public Works Report

Ms. Salazar stated the Holiday decorations have been taken down. Ms. Salazar noted the litter pickup continues. Ms. Salazar said Hayvon began the clean-up/maintenance of the flower bed on Coastal and East Main Street.

Town Manager's Report

Ms. Salazar stated that she received two thank you notes; from Ms. Pierson and the family of Ms. Dize copies provided to Council. Ms. Salazar finalized the updated complaint process forms. Ms. Salazar sent a letter of interest to the owner of the Agriculture Building; more discussion further on the agenda. Ms. Salazar noted the Business Licenses Renewals and the delinquent tax bills, that are over a month late as of January 5, 2019 had been mailed out. Ms. Salazar said she attended the VML's Newly Elected Officials Conference. Ms. Salazar stated she had researched some educational opportunities for Town Manager and was put in touch with International City Managers Association. She noted a half day class is available in East Brunswick, NJ at the cost of \$4,000.00-\$5,000.00. Ms. Salazar will continue to research educational opportunities. Ms. Salazar said she is preparing for the auditors that will be here on January 21, 2019, through January 22, 2019. Ms. Salazar noted through the MOU with the Accomack County; they are in the process of preparing septic notification letters, no changes from last month.

Attorney's Report

Ms. Kellam gave her report stating she answered questions concerning the BZA. Ms. Kellam reviewed the Use of Force Policy that Chief Spivey would like to implement. Ms. Kellam will schedule a meeting with Chief Spivey to discuss the policy. Ms. Kellam reviewed a letter to the owner of the Agriculture Building. Ms. Kellam stated she completed a phone call and letter to Attorney James Elliott regarding a delinquent tax account of an Onley resident. Ms. Salazar said that Senator Lewis is going to sponsor the Charter change bill and Delegate Bloxom is not going to sponsor, but it is not necessary for him to sponsor. Ms. Kellam responded that information was correct. She noted that Delegate Bloxom was unable to support due to space on his docket, but if space became available, he would notify Ms. Kellam and sponsor the change.

Planning Commission Report

1. Planning Commission vacancy discussion moved to 11. Closed Session per above motion.
2. Mobile Food Service Establishment License/Permit
Ms. Pierson reports the Planning Commission continues working on a thorough review of all Zoning Ordinances. Ms. Pierson stated the Planning Commission had planned to submit a Zoning Ordinance for Mobile Food Truck and the Application (copy provided to Council), but the Planning Commission was unable to vote on, due to lack of a quorum. At this time the Planning Commission will table this Ordinance until the Planning Commission has a quorum. Ms. Bliss stated she thought the Planning Commission had voted on during last month's meeting to take to Council for approval. Ms. Pierson

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responded Planning Commission did vote last month, but it will need to be voted on again so at this time the Ordinance will be tabled.

Old Business

Agriculture Building

Mr. Hart stated that Ms. Salazar received a message from the owner of the Agriculture Building indicating the property is under contract to be sold. Ms. Salazar responded she had taken the message from Ms. Taylor, but the message was that there was a prospective buyer and she (owner) believes the building will be sold. Ms. Salazar is unaware if a contract is in place, but she (owner) wasn't interested in selling the building to the town at this time. Mr. Zember asked if she mentioned a selling price. Ms. Taylor responded she did not. Ms. Pierson asked if there were any other properties for sale in town. Mr. Hart responded that will be addressed later on the agenda.

Property at 25571 E. Main Street / New Town Office

Mr. Finney began discussion stating the Council has already invested \$115,000.00, and lots of time spent in the planning process of the new building saying it would be a shame to throw the money already spent away. Mr. Finney said to start the building process again would require three new bids, and it would be forever getting a new building if you start from scratch. He noted that Bundick Well and Pump has already completed site work and was able to get the town in under the wire on the well. Mr. Finney recommended forming a committee and work with GMB and look for ways to decrease the overall cost (ie., quality of carpet/bricks) and put the building out for bid again. Mr. Hart asked Mr. Finney if he was proposing reducing the square footage of the building. Mr. Finney responded the square footage couldn't be changed, that would be architectural changes, and you would have to start from scratch noting the current plans will have to stay as they are. Mr. Hart stated he would like Council to approach both options buying an existing property in town and working with GMB to getting the cost down on the new building design. Mr. Zember agreed with Mr. Finney about forming a Building Committee to work on ideas to get the cost down. Mr. Hart stated when the Building Committee is formed, he would like both options, new and existing buildings to be discussed. Ms. Rillo noted that commercial building specifications are a lot different from residential specifications which means that plans can't easily be changed. Ms. Custis and Ms. Salazar explained committee rules and guidelines. Mr. Hart recommended an additional Council Meeting to discuss town building options since all Council Members want to be involved. Mr. Finney would like to invite GMB to the meeting. Ms. Salazar responded that GMB doesn't typically attend nightly meetings, but she will verify with GMB and see if they will be available. Ms. Custis asked if GMB could provide a list of items that could be considered for changes. Council set a meeting date of January 28, 2018, at 6:30 p.m. for the additional building meeting open to the public. Ms. Salazar will verify that Onley Baptist Church is available. Mr. Zember asked that public comments be available during this meeting. Council agreed they would allow Public Comments.

Onley Recreation Association

Mike Davis, member of the ORA Board, opened by introducing the ORA representatives present; Vicky Sams and Lori Smith. Mr. Davis thanked Council for the support over the past three years. Mr. Davis stated last year (2018) the town helped subsidize nineteen town memberships, that accounted for 30% of membership funds. Mr. Hart asked if that was an increase from the previous year. Ms. Smith responded they didn't have that information available, but that it was an increase of the prior year, not a huge increase but an increase. Mr. Davis stated the donations is a huge help, and the ORA Board

considerably appreciates the working relationship. Mr. Davis said he hopes to continue the same working relationship and to allow the townspeople a great benefit. Mr. Hart thanked them for their hard work keeping the property up and running and maintained. Mr. Davis stated a newsletter would be going out with membership packets in the next couple of weeks and would like to report if the town will be offering the same opportunity as in the past. Mr. Hart responded to continue with the prior agreement; it would have to come before Council for a vote. Mr. Hart noted he would add ORA to next month's agenda for Council vote. Ms. Salazar responded that any donation would need to be a budget item on the upcoming budget. She stated last year's ORA donation was already paid out on this year's budget. Mr. Zember asked the amount of donation that ORA received from the town last year. ORA representatives responded \$3,800.00. Mr. Hart stated that amount is a small price for a big help and the benefit is going back to the taxpayers. Mr. Zember noted that per the budget there was \$10,000.00 budgeted for donations and none used at this time. Ms. Salazar responded she would research the budget (donations line item) and the ORA donation payment and see if any donations funds are available in the current budget. Mr. Hart stated he would add ORA to the February 2018, Council Meeting for Council to vote on a possible donation pending the budget for the upcoming fiscal year. Mr. Hart noted he would notify ORA of any changes. Ms. Kellam stated that ORA make a formal request to the town, like in the past. Mr. Zember asked for a representative from ORA to attend some Council meeting with periodic updates. Ms. Harmon responded so that it is not a once a year request have a representative participate in some meetings, making Council aware on how the donation has affected their budget and the number of town residents that have taken advantage of the opportunity. Mr. Hart thanked ORA for attending the meeting.

Beautification

Mr. Zember stated he would like to add a couple more members to the Beautification Committee. Ms. Bliss noted there had been no meeting thus far. Ms. Custis said members of Committees (per Newly Elected Officials Conference) should be discussed during closed session. She recommended asking around and see if there is anyone who might want to be on a committee and have them submitted a letter of interest. Ms. Kellam stated the Planning Commission and the BZA are in dire need of a new member. Mr. Zember spoke on the purchase of banner's, making an order within a reasonable time frame. Mr. Hart asked if Beautification could be added to the meeting scheduled for January 28, 2019. Ms. Kellam suggested if the information is available why not discuss tonight. Mr. Zember spoke on the ideas he would like to start working on; purchase of new banners, flowers for flower pots, and holiday lights and tree. Ms. Salazar responded she thought during a previous meeting they had discussed getting generic banners and adding more banners so that they are not so sparse throughout the town with the current budget money. Ms. Salazar thought the discussion of holiday decorations were going to be during the upcoming budget that will go in effect in July 2019. Mr. Zember stated he just wanted to make sure there was ample time to purchase and received the holiday decorations (lights and tree). Ms. Kellam asked if a location was decided for the holiday tree. Ms. Salazar responded Ms. Kellam makes an excellent point; there needs to be a discussion of placement for the holiday tree, because that is what held the town up from having a holiday tree this year, location. Ms. Custis asked if there was a copy of the generic banner ideas. Ms. Salazar responded she would have that information available tomorrow at the town office. Mr. Finney inquired on the banner material. Ms. Salazar replied she would like to buy banners made of the same material as the holiday banners, not the canvas material. Mr. Hart added Beautification to February 2019 Monthly Council Agenda.

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New Business

Chief Spivey gave his report – see above

Appointment of Vice-Mayor

Motion: To appoint Ned Finney as Vice-Mayor by Susan Rillo and seconded by Claudia Harmon.

Roll Call Vote: Zember-yes; Rillo-yes; Harmon-yes; Pierson-no; Custis-no; Finney-yes.

MOTION PASSED

Mayor Hart congratulated Vice-Mayor Finney

Resolution of Bank Authorized Signatories

Ms. Salazar stated to follow history the signers on the banking accounts are the Mayor, Vice-Mayor, and Town Manager. She noted since Mr. Finney was appointed Vice-Mayor the change is made via a Resolution. Ms. Salazar read aloud January 14, 2019, Resolution for Bank Authorized Signatories. Ms. Kellam recommended a correction from must to shall. A corrected copy will be attached to the minutes.

Motion: To adopt the banking Resolution dated January 14, 2019 by Susan Rillo and seconded by Woody Zember.

Roll Call Vote: Zember-yes; Rillo-yes; Harmon-yes; Pierson-yes; Custis-yes; Finney-yes.

MOTION PASSED

Town Council Goals for 2019-2020 / Discussion of Public/Council Comments on the Agenda

Copy of Motion

Motion: To add discussion of forming Committees and Council Ethics to items 8C & 8D on tonight's agenda, and move all of that to a work session, move 6E to close session, and move 8G to 7C. by Billye Custis and seconded by Rose Pierson.

Roll Call Vote: Zember-yes; Rillo-yes; Harmon-yes; Pierson-yes; Custis-yes; Finney-yes.

MOTION PASSED

Ms. Custis proposed a work session to discuss Town Goals, Council Comments, Council Ethics, Committees and provide additional information to the three newly elected Council Members carried over from the previous Council.

Work session to discuss the above information scheduled for January 28, 2019, at 6:30 pm at the Onley Baptist Church.

The work session will not be open for public comments.

The new town office special meeting was changed to for February 11, 2019, at 6:30 pm at the Onley Baptist Church.

Donation of Property for George N. McMATH Town Park

Mr. Hart received a phone call from Mr. McMATH's daughter Beth (Elizabeth) stating she was interested in donating a piece of property to the town for a park in honor of her father, George McMATH. Mr. Hart reports the property location is over by the Onley pool. Mr. Hart noted Council members received information in their folders. Mr. Hart stated it is a very generous donation, and Council should do the diligence to honor someone who has committed much of his life serving the public. Mr. Hart suggested further discussion to be held on February 11, 2019, at 6:30 pm at the same meeting with the new building discussion. Council Members were all in agreement. Ms. Rillo stated it is the perfect location for a park. Ms. Pierson asked if the town had to formally accepted her offer. Mr. Hart responded that Council would come up with a design/plan that would work for the town and submit that to Beth for her approval. Mr. Hart stated she (Beth) would only donate the land once she sees what will be going there, that is what Mr. Hart and Beth had agreed upon. Mr. Hart thanks everyone for their support and hopes everyone can work together to make this project happen for the family and the town.

Employee Education Reimbursement

Mr. Hart asked for to be this added to the agenda per a citizen request. Mr. Hart asked if the town offers an employee education reimbursement program. Mr. Hart stated a copy of the policy was provided to Council. Mr. Hart asked if the Police Officers are aware of this program. Chief Spivey responded he is aware of this program and the Police Department uses this program for the additional training and for recertification process that is a mandated by law. Mr. Hart asked if this program could be used towards a college education. Ms. Salazar responded per the personnel policy that would need to be brought before Council for approval. Ms. Kellam responded, and the town would want an employment contract in place if used for that purpose. Ms. Rillo stated it should have to be work-related and benefit your position. Mr. Zember noted the town should allow employees an advance for any traveling expenses. Ms. Salazar responded the town offers an advanced per-diem for out of town training and mileage reimbursement for the use of personal vehicles. Chief Spivey stated FBI Academy Training for future education is a program that comes to mind that could be used under this program. Chief Spivey noted this policy is very vague.

BZA Vacancy

Ms. Salazar stated since Ms. Custis is a Council Member, she can no longer serve on the Board of Zoning Appeals. Ms. Salazar said she would be advertising to fill this vacancy. She stated if anyone knows of someone to fill this position, please have them submit a letter of interest to Ms. Salazar.

ANPC Walk for Life

Ms. Salazar stated the ANPC has a yearly fun, non-political walk event in the Town of Onancock and due to a conflict is unable to have the walk there this year. Ms. Spence, ANPC stated since the ANPC office is now located in Onley it would nice to start having the fun walk in Onley. Ms. Salazar said the ANPC has an affiliation with the Baptist Church here in town. Council was all in agreement of allowing this event to take place. Ms. Kellam asked Chief Spivey about safety concerns. Chief Spivey stated he would be providing an officer to accommodate the crosswalk (barring any calls for service) and will provide cones to mark off the walk route. Chief Spivey stated it is about a one-mile walk and will take place on the east side of town. Chief Spivey noted the Police Department would provide basic traffic control during this event.

Public Comments

Laurice Hohlt stated she heard tonight!

Deborah Bliss congratulated all Council Member to their election to Council. She stated she is in favor of committees, but Council should clarify the purpose of the committee and how the committee operates (structure) for each committee formed. Ms. Bliss spoke on work session and asked the Council be very careful, not further to insultate Council from the town and be cautious with the outside persecution.

Benny Tatum opened by congratulating all Council Members on the election. Mr. Tatum praised the Police Department for the outstanding job completed Halloween night with traffic control and the overall safety of the trick or treaters and noted all the Police Officers were just as friendly as they could be, "His hats off to the Police Department." Mr. Tatum said he understands that Council has to get a plan together but has concerns that the discussion will take place in a private meeting, and that makes it look like Council doesn't want the residents to know what the goals are. Mr. Hart stated he wanted those topics discussed tonight that is why he asked for it to be added to the agenda. Mr. Tatum responded he understands why, but he is here tonight. Mr. Tatum stated other than the above concerns he has no other complaints, other than the cars flying up and down the road in front of his house. Ms. Kellam noted that nothing could be done until the business is brought back to the public with a discussion about any topic to quell any of those worries. Ms. Bliss asked who is going to be there for the residents. She stated it is going to take a concerted effort on the Council part to make sure that the town knows what the goals; the new building, possibility of a town park as this is very exciting stuff. Ms. Bliss said that the residents need to know and they need to be involved, and if you use the standard publishing (post office - town office message board) it may be sufficient, but that is not enough. Ms. Rillio asked for additional was to advertising stating they have tried several different was in the past newsletters, hand-delivered flyers/newsletters. She said publishing in the newspaper with an agenda, but it seems there is just no interest. Ms. Bliss asked how frequently the town newsletter goes out. Ms. Salazar responded twice a year due to the lack of town information. Mr. Finney stated that even if you do the additional advertising, still no one shows up, they will only show up if item affects them. Ms. Bliss recommended sending out a newsletter with these upcoming meetings and doing it now; the residents would have no recourse arguing they were not informed, noting the town needs to look into bulk mailings. There was much discussion on the different ways advertising was done in the past to get town residents to be more involved.

Council Comments

Mr. Zember welcomed everyone. He congratulated the new Council Members, and he is looking forward to a productive couple of years ahead. Mr. Zember stated the quicker that Council jumps and gets involved the quicker things will get accomplished. Mr. Zember said he had heard lots of conversation in the community about the new town office, good and bad. He would like to see a questionnaire sent out to the town residents asking for their opinion of what they would like for a town office. Mr. Zember stated it is tough to get the public to attend the meeting, so Council needs to reach out to the residents. Mr. Zember said he contacted VDOT on a personal level and had great results; he recommends town residents calling VDOT voicing any problems. He said he is looking forward to the coming year, working with a great group on the Council, definitely have defined some issues that need to accomplish. Thanked everyone for coming out - God Bless.

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Ms. Rillo thanked everyone in attendance this evening. She thanked all the town employees and town Attorney, everyone does a great job. Ms. Rillo welcomed the new Mayor and Council Members. Ms. Rillo stated she is excited for 2019 & 2020. Council will have some really good things to accomplish. Ms. Rillo said she is eager to work with everyone on Council.

Ms. Harmon opened by saying she is the new kid on the block and asked for everyone to be patient with her as she learns the processes. She stated she is one that asks a lot of questions until she understands fully. Ms. Harmon said she is looking forward to working with everyone. Ms. Harmon made a disclosure stating she is personal friends with Ms. Custis and Mr. Finney and she doesn't want it perceived if seen together that town business is being discussed, that will not happen. She noted she has strong ethics but is not willing to not be friends with these people and not be in their company. Mr. Harmon asked if something is being presented before Council that all Council Members be informed at the same time, and it not received as second-hand information - this is of importance to Ms. Harmon. Ms. Harmon suggested that everyone work together, do the very best that Council can for the people of the town and the town. She stated we are very blessed to have this town and how it is growing. She closed by thanking everyone.

Ms. Pierson opened by thanking the townspeople who voted for her. She stated she is looking forward to working with all of her fellow Council Members and as a team Council can move forward on issues that are important to this town. Ms. Pierson stated there are wonderful goals set for Council. She said she is in favor of work sessions to help define the goals before presenting to the town. Ms. Pierson thanked everyone and the town employees.

Ms. Custis opened by thanking the townspeople who voted for her and looks forward to working as a team. She noted that during the NEOC they encouraged having work sessions because when you come to a town meeting with an agenda, that agenda should contain items that are ready to be voted on. Ms. Custis encourages everyone to attend the work sessions noting she believes in the transparency of the government and any decisions made in a work session will be brought back before the public at the Regular Council Meeting. Ms. Custis said she was glad to have had the opportunity to have attended the NEOC for an additional learning experience.

Mr. Finney opened by thanking all the town employees and a special thanks to the Police Department for doing an excellent job. Mr. Finney stated this was an excellent first meeting. He thanked everyone in attendance for coming and showing some interest. Mr. Finney said he wished there was a way of getting more interest from the town residents.

Mr. Hart thanked everyone in attendance. He noted the resident's participation in the town government is essential, and it helps to reflect on the Council's decisions. Mr. Hart thanked all town employee and fellow Council Members and welcomed to the new Council Member. Mr. Hart stated it was a very productive first meeting.

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Closed Session – 8:07 pm

Motion: To go into Closed Session in accordance with Section 2.2-3711(A) of the Code of Virginia of 1950, as amended for the purpose of Paragraph 1: Discussion or Consideration of Personnel Matters pertaining to General Government, specifically related to the Zoning Administrator/Planning Commission vacancy by Rose Pierson and seconded by Biliye D. Custis.

Roll Call Vote: Zember-yes; Rillo-yes; Harmon-yes; Pierson-yes; Custis-yes; Finney-yes.

MOTION PASSED

Open Session & Certification of Closed Session – 8:24 pm

Motion: To return to Open Session by Biliye D. Custis and seconded by Rose Pierson.

Roll Call Vote: Zember-yes; Rillo-yes; Harmon-yes; Pierson-yes; Custis-yes; Finney-yes.

MOTION PASSED

A roll call vote was taken after reconvening in Open Session, at which time each member certified by his/her vote whether only the matters previously disclosed were discussed during Closed Session:

Roll Call Vote: Zember-yes; Rillo-yes; Harmon-yes; Pierson-yes; Custis-yes; Finney-yes.

MOTION PASSED

Motion: To appoint William Ferguson to the Planning Commission by Rose Pierson and seconded by Susan Rillo.

Roll Call Vote: Zember-yes; Rillo-yes; Harmon-yes; Pierson-yes; Custis-yes; Finney-yes.

MOTION PASSED

Adjourn

Motion: To adjourn at 8:26 pm by Susan Rillo and seconded by Biliye D. Custis.

Roll Call Vote: Zember-yes; Rillo-yes; Harmon-yes; Pierson-yes; Custis-yes; Finney-yes.

MOTION PASSED

Respectfully submitted,



Melissa Taylor
Clerk



Matthew D. Hart
Mayor