

MINUTES OF THE PUBLIC HEARING AND MEETING
SMYRNA TOWN COUNCIL
April 20, 2009

PUBLIC HEARING

The public hearing was opened at 7:15 p.m. by Mayor Patricia A. Stombaugh. Council members present were Memphis P. Evans, Valerie M. White, Lawrence O. Thornton, Gene A. Mullen, and William C. Raynor.

Also present were Town Manager David S. Hugg III, Police Chief Richard H. Baldwin Jr., Attorney John Terrence Jaywork, and Recording Secretary Valerie L. Heritage.

Mayor Stombaugh stated this public hearing is to receive public comments on the proposed low interest loan in the amount of \$3,768,000.00 from the Delaware Drinking Water Revolving Loan Fund available under the American Recovery and Reconstruction Act for the purpose of constructing a number of projects to improve and upgrade the Town of Smyrna water distributions system. Under the terms of the loan approximately 52% of the total loan amount will be paid from the Federal Rural Stimulus Fund upon completion of the project.

Mr. Hugg just to review, the projects that have been approved by the Office of Drinking Water for funding under the stimulus program - the American Recovery and Reconstruction Act - there are six projects: 1) replacement of the controls and filters at the well houses; 2) relocation of a water main out of the center of Route 13, in the area of Lake Como to Sunnyside Road and relocating it to private property off of the right-of-way; 3) installation of a set of control valves on the 10 inch

water main that runs from the Monrovia water tower, comes across Route 13 and connects into the main water supply that runs in part on Main Street; 4) upgrading and replacing a water main that runs between Sunnyside Road and Smyrna-Clayton Boulevard, US 13, this serves he thinks five or six houses, it is now an inch and a quarter line that is in extremely bad shape and would improve the water service to that group of houses; 5) replacement of water services in the Glenwood development - this is an area where we have had chronic failure with old services and water connections breaking on a regular basis - this is an old development and the infrastructure is pretty well deteriorated; and 6) replacement of the water main that runs on South Street, from East Street to Ransom Lane down by Saint Polycarp's Church. He said these projects are being funded directly by the ARRA stimulus funds.

Mayor Stombaugh asked if anyone would like to step forward in favor of the loan. Jeff Flairty, 131 West South Street, Smyrna came forward to speak. Mr. Flairty said as a member of the town as well as an engineer that is involved in this whole industry he is pretty familiar with the stimulus package funding process as well as who got the money and who did not in Delaware. He said it is a real tribute to not only the Town staff but also the Town Engineer that they were able to get so much funding. Mr. Flairty said he thinks only six towns got money and Smyrna was second in total amount so the fact that they were able to get this funding is an incredibly positive thing; the other thing is just from a financial point of view and he has not taken that many economy classes but he knows that if you can get half of your loan forgiven that is a pretty good deal. He said he does not think this is going to come again for

at least another decade if not more so if this is something you talked about doing any time in the next five to ten years now is by far the best time financially. Mr. Flairty said obviously it involves putting some money out but the burden would be twice as much if you did not do it now and did it later on because you would not get the cost of the money that you have now so he does not think there is any question that this is a positive thing and something that the Town should do.

Mayor Stombaugh asked if anyone else would like to step forward. Gary Stulir, 320 South Delaware Street, Smyrna came forward to speak. Mr. Stulir said this is a great deal that is before the Town. He said he does not know where else you can get half of your loan forgiven. Mr. Stulir said this is going to be a great interest rate as well. He said this is going to allow the Town to pursue other capital projects that we have on our five year capital plan. Mr. Stulir said he does not see how we could vote this down and he would have to wonder why we would vote it down. He said these are projects that we have all been talking about since he has been on the Town staff, since 2004. Mr. Stulir said you are not going to be able to do these projects any other way for less expense; it just is not going to happen.

Mr. Hugg said he meant to also indicate that Ryan Flickinger from KCI Technologies, our Town Engineer is here to answer any technical questions there may be.

Mayor Stombaugh asked if Mr. Flickinger would like to add anything. Ryan Flickinger, KCI Technologies, came forward to speak. Mr. Flickinger said he agrees with the comments that were

made. He said he would just speak from his experience. Mr. Flickinger said this is a very good opportunity for the town and getting these water projects taken care of now will ultimately save the town money exponentially. He said these maintenance issues that we are experiencing here in Smyrna are getting worse with every year not better. Mr. Flickinger said so if the town can get these projects done with over half of the funds being paid by the stimulus money he really thinks it is a win for the town. He said if anyone has any specific questions he would be more than happy to answer them and they are making very good progress on the project so far. Mr. Flickinger said we are meeting the schedules that Mr. Hugg and he agreed to before they got started and so things are looking good from an engineering standpoint. He said the review agencies - DelDOT, Office of Drinking Water, and the Conservation District - have been very good to work with for these projects and they are really doing everything they can to help us meet these deadlines which are tight. Mr. Flickinger said he would just stress that the overall cost savings to the Town is hard to quantify but the maintenance issues will exponentially rise over time if these older lines and the treatment plant upgrades are not made so he really thinks it is a wise investment to do it now.

Mayor Stombaugh asked if there was anyone who would like to step forward who is opposed. No one came forward.

Mayor Stombaugh asked if there was any discussion from Council. Councilman Raynor said on these pump stations - they are talking about replacing them now and financing them for 40 years - they are not going to last for 40 years so we are going to end up paying for them now with the loan and we are going to

have to replace them sometime in that time and we are going to be paying on two loans - pumps and wells do not last forever.

Mr. Hugg said all of the loans that we are discussing - the Drinking Water loan and the State Wastewater Revolving Fund loan are 20 year loans. He said we have explored the possibility of borrowing money from the US Department of Agriculture which will allow up to 40 years but at the moment the loans that are before Council tonight are Drinking Water loans; they are 50 percent principal forgiveness for a maximum period of 20 years from AARA through the Office of Drinking Water. Mr. Hugg said they are for water system projects not for any pump stations or any other work - that matter will come to Council in about two weeks. He said there will be a public hearing just for that which will be May 4, 2009 at 7:15 p.m.

Mayor Stombaugh asked if there were any other questions. There were none.

Mayor Stombaugh said seeing no one step forward we will close the public hearing and the Council meeting will start at 7:30 p.m. The public hearing was closed at 7:25 p.m.

REGULAR MEETING

The regular meeting was called to order by Mayor Patricia A. Stombaugh at 7:30 p.m. Council members present were Memphis P. Evans, Valerie M. White, Lawrence O. Thornton, Gene A. Mullen, and William C. Raynor.

Also present were Town Manager David S. Hugg III, Police Chief Richard H. Baldwin Jr., Attorney John Terrence Jaywork, and Recording Secretary Valerie L. Heritage.

Mayor Stombaugh asked everyone to rise for the Pledge of Allegiance. Mayor Stombaugh asked for everyone to remain standing for a moment of silence.

ADDITIONS/DELETIONS TO PUBLISHED AGENDA

Mayor Stombaugh said she would like for 8c to be removed. She asked if there were any other additions or deletions. There were none.

Councilman Mullen made the motion to accept the agenda as amended. Motion was seconded by Councilwoman White. Motion passed with Council members Evans, White, Thornton, Raynor, and Mullen, and Mayor Stombaugh voting for.

MINUTES OF PREVIOUS MEETING

Councilman Mullen made the motion to accept the minutes just for discussion. Motion was seconded by Councilwoman White.

Councilman Mullen asked if everyone was comfortable with accepting the minutes or did they want to put it off until the next meeting since they were on Council's table instead of in the packets. Councilman Thornton said he got half way through them and he understands because they are long. Councilman Mullen said he got most of the way through them. Mayor Stombaugh said there is not a big rush so why not give everyone

the opportunity to read them and vote on them at the next meeting.

Councilman Mullen said he would like to make one comment on them - on page three - and the minutes are accurate to what was said but he just wanted to clarify for the Chief that Council approved the applications for the COPS Grant but they did not approve the positions yet.

Councilman Mullen amended his motion to table the minutes from the meeting of April 6, 2009. Councilwoman White amended her second. Motion passed with Mayor Stombaugh, Councilwoman White, Councilmen Evans, Thornton, Raynor, and Mullen voting for.

Councilman Thornton made the motion to accept the minutes from Appeal Day on April 6, 2009. Motion was seconded by Councilman Mullen. Motion passed with Mayor Stombaugh, Councilwoman White, Councilmen Evans, Thornton, Raynor, and Mullen voting for.

REPORTS

A. Bills & Financial Statement - Mr. Hugg said he had previously distributed the preliminary revenue and expenditure reports for the first quarter of 2009. He said as we discussed at the Finance Committee meeting the revenues are unfortunately tracking as they expected - we are not in a panic mode - we expected them to be lower particularly in February and in March - he said the transfer taxes were but the rest of them were in pretty good shape. Mr. Hugg said we are also watching the

expenditure levels and as the Chief indicated in his report he has asked all departments to keep a careful eye on those things that are discretionary and we are well within or in most cases under the anticipated expenditures for the quarter.

B. Presiding Officer - Mayor Stombaugh said she would like to give her sympathy to Mr. Hugg and his family for the passing in his family. Mayor Stombaugh said she was invited to attend the opening of the Little League on Saturday. She said it was a lot of fun. Mayor Stombaugh said Senator Carper was there and Representative Carson was there. She said she was surprised for being asked to throw the first ball. Mayor Stombaugh said the Little Lass is opening this Saturday.

C. Town Attorney - Mr. Jaywork said he had nothing to report.

D. Police Chief - Chief Baldwin stated there was a copy of his written report in Council's packets.

E. Town Manager - Mr. Hugg said Council had his report in their packets. He said the only update was that they received a notice of no significant impact from the State Historic Preservation Office regarding the streetscape plans so that project will proceed as scheduled.

Councilman Raynor said he would like to congratulate the Chief on his budget conservation. He said this is the first time he has seen a written program to follow and he thinks the Chief does a good job.

F. Committees - There were none.

RECOGNITION OF VISITORS

Visitors present were Daryl Jester, Larry Koehler, Tony DeFeo, Bill Pressley, Jeff Flairty, Regina Brown, Ryan Flickinger, Dean Laumbach, Seth Clevenger, Gary Stulir, and Joe Wilson.

Mayor Stombaugh stated this portion of the meeting is open to the public. She said we invite you to step up to the microphone; it is being recorded so you need to give your name and address, and you have three minutes to address Council. Mayor Stombaugh said Council is not obligated to give an answer tonight; we may have to refer your subject to a staff member or to a committee. Mayor Stombaugh asked if anyone would like to step forward and address Council. No one came forward.

OLD BUSINESS

A. Results of Public Hearing to receive public comments on a proposed low-interest loan in the amount of \$3,768,000.00 from the Delaware Drinking Water Revolving Loan Fund, available under the "American Recovery and Reconstruction Act" for the purpose of constructing a number of projects to improve and upgrade the Town of Smyrna water distributions system. Under the terms of the loan, approximately 52% of the total loan amount will be paid from federal stimulus funds upon completion of the projects. - Mr. Hugg said he would like to reiterate a couple of points. He said tonight Council is only voting on the water projects, not the wastewater projects and this is the portion of the stimulus package that is provided directly from the federal stimulus funds. Mr. Hugg said these would be 20 year loans at

an interest rate not to exceed 3½ percent, discounted by 52 percent at final settlement. He said pursuant to the Charter Council has to initially pass a resolution which was done a couple of weeks ago setting the time and date for the public hearing which was held this evening, hold the public hearing, and then pass the second resolution which is the one before Council tonight to actually authorize the borrowing in the amount set forth. Mr. Hugg said Mr. Jaywork or someone from his staff will probably be representing us at the settlement which will take place in June - about June 25, 2009. Mr. Hugg asked Mr. Jaywork if there was anything else that he would like to add.

Mr. Jaywork said the loan will probably close somewhere around 3 percent or less, and the 3½ percent was put in as a precaution. He said he wanted to remind Council that under the Charter it is going to take five votes to pass this tonight so if you are on the fence think about how important your vote is tonight.

Councilman Raynor said this is a fixed rate correct. Mr. Jaywork said that is correct.

Councilman Thornton made the motion to adopt the resolution to borrow the amount not to exceed \$3,768,000.00 from the Delaware Drinking Water Revolving Loan Fund. Motion was seconded by Councilman Evans. Motion passed with Mayor Stombaugh, Councilwoman White, Councilmen Evans, Thornton, and Mullen voting for and Councilman Raynor voting against.

B. 5525 duPont Highway:**1. Set Zoning Designation as Highway Commercial**

- 2. Adopt Resolution Approving the Annexation of 5525 duPont Highway, Horsey, with Zoning in Place**
- Mr. Hugg said this is a housekeeping action - he apologized for bringing this to Council at this point - we were dealing with this annexation at the time that Mrs. McKinney became ill and was out for an extended period and in going back through the records he realized that Council had not actually passed the resolution setting the zoning designation and approving the annexation.

Councilman Thornton made the motion to set the zoning designation as Highway Commercial for 5525 duPont Highway and adopt the resolution approving the annexation of 5525 duPont Highway. Motion was seconded by Councilman Raynor. Motion passed with Councilwoman White, Councilmen Evans, Thornton, Mullen, and Raynor voting for and Mayor Stombaugh abstaining.

NEW BUSINESS**A. Results of Appeal Day****1. Report of the Board of Appeals**

- 2. Senior Citizen Tax Exemptions**
- Mr. Hugg stated Council has two items that they are considering. He said one is actually the minutes of the assessment appeal which does record the action of the Board of Appeals, and the second is simply to affirm the granting of the senior citizen discount as provided for in the Charter to 114 - there were 115 senior citizens who applied and one of

those was outside the parameters and the other 114 are eligible.

Councilman Mullen made the motion to accept the report of the Board of Appeals as a result of Appeals Day. Motion was seconded by Councilman Raynor. Motion passed with Mayor Stombaugh, Councilwoman White, Councilmen Evans, Thornton, Mullen, and Raynor voting for.

Councilman Thornton made the motion to accept the senior citizen tax exemptions as indicated in the Council packet and there was one exception - one that was not eligible. Motion was seconded by Councilman Mullen. Motion passed with Mayor Stombaugh, Councilwoman White, Councilmen Evans, Thornton, Mullen, and Raynor voting for.

Councilman Mullen said considering Appeals Day as most Council members know when that time comes up the Board of Appeals do not have a whole lot of information presented to them or available to them to make a decision. He said he has asked Mr. Hugg and his staff to try to come up with a procedure to give the Board more information on the properties that are going to be appealed and things like that. Councilman Mullen said maybe come up with a time frame that Board members could get some type of packet on the property prior to them coming before the Board for an appeal. He said with that maybe Appeals Day could go a little smoother and the members could make informed decisions.

Mayor Stombaugh said she had a question about the senior citizen tax exemption. She said Council had talked some time ago about checking with the requirements of other like Social Security for people being eligible - was that ever done? Mr. Hugg said the Town Ordinance specifically says that there is a set amount - he is not sure but he thinks it is \$30,000.00 or \$18,000.00 - exclusive of Social Security and Railroad Pensions. He said there is an issue - Kent County recognizes certain other forms of retirement benefit. Mr. Hugg said he has not checked anyone except Kent County. He said our Ordinance is very specific only those two are exempt, and we have had brought to their attention that Kent County exempts certain military disability pensions as well. Mr. Hugg said if Council wished to broaden the number of exempted forms of retirement income then we would need to amend the Ordinance that provides for the senior tax reduction.

B. Confirm Tax Rate (.2526 per \$100 of Assessed Value) - Mr. Hugg said this is the current tax rate there is no change. He said the reason this is on the agenda is that although in the last two years we have recommended a tax rate and Council has adopted it as part of budget process in December. Mr. Hugg said the Charter actually requires that the tax rate be affirmed or set when we send the tax bills out so Council needs to reaffirm that the tax rate is the tax rate we adopted in December of last year for this year.

Councilman Mullen made the motion to reaffirm the tax rate at .2526 per \$100.00 of assessed value for 2009. Motion was seconded by Councilman Evans. Motion passed with Mayor Stombaugh, Councilwoman White, Councilmen Evans, Thornton, Mullen, and Raynor voting for.

C. Set Date and Time for Organizational Meeting - Mr. Hugg said he asked to have this on the agenda in part because the Town Charter requires that the organizational meeting of the new Council after an election be held within seven days of the election. He said the State law requires it be held seven days after the election and he asked Mr. Jaywork if the following Monday met that test and was assured by his office that it did so the meeting before the actual election is normally when you set the organizational meeting for the new Council to be sworn in and take office; he was going to recommend that Council set that for May 4, 2009 at 6:45 p.m. because there is a 7:15 p.m. public hearing that night and a 7:30 p.m. meeting.

Councilman Mullen made the motion to set the organizational meeting of the new Council for May 4, 2009 at 6:45 p.m. Motion was seconded by Councilwoman White. Motion passed with Mayor Stombaugh, Councilwoman White, Councilmen Evans, Thornton, Mullen, and Raynor voting for.

Proclamation ref. Municipal Clerks Week - Mayor Stombaugh said in Council's packets is a proclamation that Municipal Clerks week will be May 3rd through May 9th. She read the proclamation into the record. "Whereas, the office of the Municipal Clerk, a time honored and vital part of local government, exists throughout the world, and whereas, the office of the Municipal

Clerk is the oldest among public servants, and whereas, the office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels, and whereas, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all, whereas, the Municipal Clerk serves as the information center on functions of local government and community, whereas, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops, and the annual meetings of their state, province, county, and international professional organizations. Whereas, it is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk. Now, therefore, I, Patricia A. Stombaugh, Mayor of the Town of Smyrna, Delaware, do recognize the week of May 3 through May 9, 2009 and extend appreciation to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent." Mayor Stombaugh asked if Council would adopt this. Councilman Thornton made the motion to adopt the proclamation. Motion was seconded by Councilman Mullen. Motion passed with Mayor Stombaugh, Councilwoman White, Councilmen Evans, Thornton, Mullen, and Raynor voting for.

D. Resolution ref. Parking in Certain Places for Specified Lengths of Time - Mr. Hugg said this is another one of those that he had thought he had done while Mrs. McKinney was out and realized after talking with Mr. Pressley that it had not been done. He said Mr. Pressley's Business Development Committee spent a great deal of time discussing and coming to a resolution on the parking restrictions on Market Street Plaza. Mr. Hugg

said at their November meeting they recommended the set of changes that Council has in front of them. He said we actually put some of them into effect and then when Mrs. McKinney came back she discovered that we had not brought this resolution to Council at the recommendation of the Business Development Committee.

Councilman Thornton made the motion to adopt the resolution for purposes of discussion. Motion was seconded by Councilman Mullen.

Councilman Thornton said he does not have a problem with any of them except he does not think it has been before the Public Safety Committee and normally wouldn't that happen? He said he is going to suggest Council defer this to the Public Safety Committee for review and then come back to Council.

Mr. Hugg said the primary changes are in the north end of Market Street Plaza, in the general area of Commerce Street. He said the biggest concern the Business Development Committee brought forward was that many of these restrictions only apply Monday through Saturday and only during daytime hours because there has been confusion with the Police Department and the fact that some of the parking spaces are painted for 15 minute parking and no indication that it is daytime, nighttime, holiday, or whatever.

Chief Baldwin said the only issue he sees is that there are three different times and he would be interested in what the Business Development Committee had to say. He said maybe the times could be unified. Councilman Mullen asked if it would be

easier if they were all 8 to 5. Chief Baldwin said he would like the Business Development Committee to have some input on it.

Mr. Pressley got up to speak. Mr. Pressley said he thinks that is what the Business Development Committee wanted to do. He said they wanted to have one time and the reason they are trying to get this done is because of the new businesses that we have downtown now do not have any place to park and they are afraid they are going to lose customers. Mr. Pressley said they do not want this put off too far.

Mr. Hugg said he would have no problem making them all 8:00 to 5:00.

Councilman Mullen said we could always approve them and if the Public Safety Committee had any problems then that could be dealt with at that time.

Chief Baldwin said he does not think it is a big issue - does not see any public safety issues.

Mr. Hugg said he would suggest if Council wanted to change item number 6 from 9 o'clock to 8 o'clock and have that one read 8:00 a.m. to 5:00 p.m., and then number 7 change from 4:30 to 5:00 p.m. He said he would ask Council to go ahead and approve them.

Councilman Thornton said because of the Chief's comments he would amend his motion to accept it with the suggested hourly changes that Mr. Hugg has indicated. Motion was seconded by

Councilman Mullen. Motion passed with Mayor Stombaugh, Councilwoman White, Councilmen Evans, Thornton, Mullen, and Raynor voting for.

E. Resolution Authorizing Mayor to Sign Application and other Documentation for the Delaware Water Pollution Control Revolving Fund (DWPCRF) - Mr. Hugg said irrespective of what Council decides to do on May 4, 2009 in order for us to proceed with the application processes that are associated with the wastewater or water pollution control revolving fund loans the application package requires a certification of the authority of the party who signs the application to be able to do so. He said the resolution simply authorizes the Mayor of the Town of Smyrna to sign the application forms. Mr. Hugg said it does not commit us to anything.

Councilman Mullen made the motion authorizing the resolution the Mayor to sign the application and other documentation for the Delaware Water Pollution Control Revolving Fund. Motion was seconded by Councilman Evans. Motion passed with Mayor Stombaugh, Councilwoman White, Councilmen Evans, Thornton, Mullen, and Raynor voting for.

F. Ord. No. 001-09, Chapter 18, Buildings & Building Regulations ref. Expansion and Extension of a Historic District - Mr. Hugg explained back in March of 2005 we made substantial amendments to the Historic Preservation Ordinance and for a reason that he does not recall we inadvertently did not re-include the provisions that had been in the Historic Preservation Ordinance that address how one goes about extending the Historic District. He said we did not discover this until

we were in a discussion in the Business Development Committee when a couple of properties on the highway were suggested as probably being of historic value. Mr. Hugg said so this is a housekeeping correction.

Councilman Thornton made the motion to amend ordinance number 001-09, Chapter 18, Buildings and Building Regulations, regarding the expansion and extension of the Historic District. Motion was seconded by Councilman Raynor.

Mr. Jaywork asked if this was going to go through three readings. Mr. Hugg said yes unless there is a motion tonight to waive the three reading rule. Mr. Jaywork said since this is a housekeeping measure why don't we go ahead and have this as the first reading tonight and maybe the next time it comes back we can waive the three reading rule.

Councilman Mullen said this may be considered a housekeeping item but he does not have a problem with keeping things historical; he does have a problem with a government forcing somebody to include their residence or their business in the Historic District. He said it says that the Board may on its own motion also initiate an application to designate or expand the district. Councilman Mullen said he does not have a problem with any other part of the amendment because it is initiated by the owner, but for the Board to initiate the action that is not right.

Mayor Stombaugh said number one it says if the applicant is not the owner of the property a statement of no objection from the owner of record must accompany the application.

Councilman Mullen said but the final approval is by the Board.

Mr. Hugg said the final approval is by Town Council as stated in number 4.

Mayor Stombaugh said she would like to get clarification on number 1 because the way she is reading it if the applicant is not the property owner then a statement of no objection must accompany the application. She said to her that is saying the owner is not objecting.

Mr. Hugg said actually there are really three ways an application can be made. He said an owner can come and say I would like to put my property into the Historic District; an individual which could be any person could suggest that any property be included by submitting a written request and in that case that applicant has to bring a statement of no objection; and the third way is that the Town Historic Review Board without either of those two things happening say there is a block of houses here that are not in the Historic District that are really significant and critical and we think that they ought to be in a Historic District and if that happens the Board has to send a certified mail to the owners of record of those properties. Mr. Hugg said it would then come before Council, who would refer it to Planning and Zoning Commission, who would make a recommendation to Council and Council would have the final say.

Mr. Jaywork said this is the Historic Preservation Overlay District which is in the Zoning Ordinance so this is actually a Zoning Ordinance Amendment and in paragraph 4 he would suggest that we need to insert the requirement of a public hearing with 15 days published notice because it is a Zoning Ordinance amendment. He said and that would mean this would have to be scheduled for a public hearing as well as the three readings. Mr. Hugg said then the correct action tonight would be to recommend this to the Planning and Zoning Commission to schedule it for a hearing.

Councilman Thornton amended his motion to submit this to the Planning and Zoning Commission for action. Councilman Mullen amended his second. Motion passed with Mayor Stombaugh, Councilwoman White, Councilmen Evans, Thornton, and Raynor voting for, and Councilman Mullen voting against.

OTHER COUNCIL BUSINESS

Councilwoman White said she would like to thank the Sayers for the lights on the lake from April through September this year for the fisherman, and Arbor Day is going to be May 2, 2009 right here on the Plaza.

Councilman Thornton said this is the last meeting for somebody sitting up here and he does not think we had a chance to recognize Mr. Pressley for his service on Council before and he wanted to publicly thank him, and Mr. Mullen who is ending his term - he wanted to publicly thank him for his work and dedication to the Town, and hopefully that there will be a good voter turnout and see what the next Council brings.

ADJOURNMENT

Councilwoman White made the motion to adjourn. Motion was seconded by Councilman Thornton. Meeting was adjourned at 8:20 p.m. by unanimous vote.

Council Secretary

vlh