

**TOWN OF WENDELL
BOARD OF COMMISSIONER MEETING MINUTES
FEBRUARY 24, 2020**

The Wendell Town Board of Commissioners held their regularly scheduled meeting on Monday, February 24, 2020, in the Town Board Room, Wendell Town Hall, 15 East Fourth Street.

PRESENT: Mayor Virginia Gray; Commissioners: Jon Lutz, Jason Joyner, Joe DeLoach, and Philip Tarnaski

ABSENT: Mayor Pro Tem John Boyette

STAFF PRESENT: Town Manager Marc Collins, Town Clerk Megan Howard, Assistant to the Manager Stephanie Smith, Town Attorney Jim Cauley, Planning Director David Bergmark, Assistant Planning Director Bryan Coates, Public Works Director Brian Bray, Public Works Specialist II Damien Johnson, Public Works Senior Specialist David Kidder, and Police Chief Bill Carter.

Mayor Gray called the meeting to order at 7:00 p.m. and welcomed attendees.

Police Chief Bill Carter led the Pledge of Allegiance

Greg Lane of Wendell Baptist Church led the Invocation.

1. ADJUSTMENT AND APPROVAL OF THE AGENDA

ACTION

Mover: Commissioner Jon Lutz moved to approve the Agenda, as presented.

Vote: 4-0

2. PUBLIC COMMENT PERIOD [one-hour time limit in total]

The Public Comment Period is your opportunity to share comments with the Town Board on any topic as long as it is not an item scheduled for public hearing. During Public Comment, the Town Board receives comments and refrains from speaking.

Thanks to everyone in the audience for respecting the business meeting by abstaining from speaking from the audience, applauding speakers, or other actions that distract from the meeting.

Anyone wanting to speak during Public Comment Period should do the following:

- *Sign up prior to the beginning of the meeting. The sign-up period will begin 20 minutes prior to the start of the meeting and will end when the meeting begins.*
- *When the Public Comment Period is announced, come to the podium and state your name and address for the record.*
- *Be concise and limit your comments to three minutes or less. Designate a spokesperson for large groups. Direct comments to the full Town Board and not to an individual Town Board member.*

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Jeremy Fryett, 1009 Fieldmere Place, said he has submitted his application to the Planning Board vacancy and has read the preamble of the Town's Code of Ethics regarding a fair and open Board, which Mr. Fryett thinks the Town does well. He listed the ethical responsibilities outlined and said that the Board needs to be reminded of the citizens and businesses of Wendell and that the development of the Town is a partnership with the community. Mr. Fryett asked the Board to take those things into mind with each decision that they make and thanked the Board for the opportunity to speak.

3. CONSENT AGENDA

The Board of Commissioners uses a Consent Agenda to act on non-controversial items unanimously recommended for approval or have been discussed at previous meetings. The Consent Agenda is acted upon by one motion and vote of the Board. Any individual board member may pull items from the Consent Agenda for further discussion. Items pulled will be handled with the "OTHER BUSINESS" agenda topic.

- 3a. Update to the Town of Wendell Board of Commissioners Code of Ethics
- 3b. Approval of audit service contract with Petway Mills and Pearson PA.

ACTION

Mover: Commissioner Jon Lutz moved to approve the Consent Agenda, as presented.
Vote: 4-0

4. RECOGNITIONS, REPORTS, AND PRESENTATIONS

- 4a. Recognition of Carver Elementary School Teacher, Kelly Houston
Speaker: Mayor Virginia Gray

Mayor Virginia Gray provided the following recognition:

Kelly Houston has been working in the field of Early Childhood Learning for the last twenty years. She is a pre-K teacher at Carver Elementary and earned her degree in Wisconsin, taught in Minnesota, Australia and Egypt before moving to Wendell. She welcomes our young learners and their families with a bright and contagious smile to Carver Elementary every day and helps to provide a positive learning environment. Ms. Houston helps to transition the home to school experience by doing home visits, parent workshops and community outings. She is Carver's Title One Family and Community Engagement Liaison and Carver Representation for North Carolina Association for Educations. Ms. Houston and her son Hunter live in Wendell and are excited about Hunter starting Kindergarten at Carver in the Fall.

Kelley Houston thanked the Mayor for honoring her today and said that she's loved living and working in Wendell for the past 18 years. She said the week of March 1 is Read Across America and encouraged people to read a story to the elementary school students.

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- 4b. New Employee Introductions in the Public Works Department
Speaker: Public Works Director Brian Bray

Public Works Director Brian Bray presented the following staff report, below in italics:

Item Summary:

The Public Works Director will introduce (2) new hires that have recently filled open positions.

Public Works Specialist II Damien Johnson is assigned primarily to Heavy Truck Operations, operating the limb collection, leaf and sweeper trucks.

Public Works Senior Specialist David Kidder is assigned to Building Maintenance and will act as a backup for Vehicle and Equipment Maintenance as well.

Damien Johnson said that he's glad to be in Wendell and working with great colleagues and leadership.

David Kidder said he's never worked in the public sector and said it's a great change.

5. PUBLIC HEARINGS

No Public Hearings

6. ADMINISTRATIVE ITEMS

- 6a. Town of Wendell Comprehensive Plan Project Consultant Selection and Authorize the Town Manager to Negotiate and Sign a Contract for Services
Speaker: Assistant Planning Director Bryan Coates

Assistant Planning Director Bryan Coates presented the following staff report, below in italics:

Item Summary:

On December 20, 2019, The Town of Wendell issued a request for proposal (RFP) for planning services from qualified consulting firms to prepare a long-range comprehensive plan that will engage the community to identify its desired vision for the Town's future, identify community priorities, and articulate strategies to address community priorities. Consultants or consultant teams should needed expertise in the areas of land use planning, transportation, urban design, greenways, economics, sustainability and downtown revitalization.

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The Comprehensive Plan is anticipated to be a key policy and action document for the Town of Wendell, to be used by staff, government agencies, economic development entities, elected officials, board and commissions, developers, property owners, and residents as a guide for future land use development, capital investments, and growth management decisions over the next 20 years and beyond. The updated Long-Range Comprehensive Plan will combine Land Use, Transportation, Parks and Recreation, and Preservation initiatives in a strategic and sustainable manner, with a Future Land Use Plan as a key component.

It is anticipated that work will begin in March 2020 and the finished product will be adopted by the town council in early 2021.

Staff hereby requests the Board to authorize the Town Manager to enter negotiations with RFP respondents in the following rank order:

- 1) Nealon/Lane*
- 2) Stewart/Kimley Horn/Withers Ravenel*

Following successful negotiations with the selected firm, an agreement will be prepared and signed by both parties.

Mr. Coates offered to answer any questions that the Board might have.

Commissioner Jon Lutz said that he's excited about this and the way the Town has been growing.

ACTION:

Mover: Commissioner Jon Lutz moved to approve the Town of Wendell Comprehensive Plan Project Consultant Selection and Authorize the Town Manager to Negotiate and Sign a Contract for Services

Vote: 4-0

- 6b. Fee-in-lieu Request for 164 ft of Roadway Improvements on Wendell Boulevard by Raymond Drive (Woodlands of Timberlake Minor Subdivision)
Speaker: Planning Director David Bergmark

Planning Director David Bergmark presented the following staff report, below in italics:

Item Summary:

In 2007, a major subdivision plan was approved for Phase 2 of Woodlands of Timberlake. As part of this development plan, right-of-way dedication and infrastructure improvements were made along approximately 730 ft of Wendell Boulevard.

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In March of 2017, Johnny Watson was approved for a recombination of lots along Raymond Drive to build single family homes on. During this recombination, a 1.375-acre lot at the northwest corner of Wendell Blvd and Raymond Drive (see lot #110 in Attachment A) was created with the intention of pursuing commercial development.

The owner now seeks to subdivide lot 110 into 4 lots (see Attachment B). Lot #110A would remain open to commercial development, while lots 110B-D would be developed as single family homes fronting on Raymond Drive.

The Town's Arterial and Collector Street plan calls for Wendell Blvd to be widened along this stretch of road, to accommodate a future bike lane. These improvements would be required prior to the development of lots 110B-D and would involve removal and replacement of the existing curb & gutter, storm drains, and sidewalk to make room for the 5' bike lane.

*As an alternative to removing all the existing infrastructure in order to shift it back 5 feet, the property owner is requesting the Town Board to authorize a fee in lieu of these roadway improvements, **in the amount of \$26,010** (see Attachment C).*

If approved, this fee in lieu would cover the improvement requirements for frontage along lot 110D and would be due prior to staff signing the minor subdivision plat. Future development of lot 110A would still be subject to road improvement requirements, as it is not included as part of the request.

Staff Recommendation:

The fee in lieu request and estimate have been reviewed by the Town engineer for accuracy and completeness. Currently there is no widened section for bike lanes along this stretch of road (the closest area where this widening has been performed is at the Convenience Center on Wendell Blvd heading towards Zebulon – approximately 1 mile away). Right-of-way has already been dedicated which exceeds the Town's ultimate cross-section.

Based on the limited length of improvement and the fact that all infrastructure improvements except the extra width for a future bike lane are already in place, staff recommends approval of a fee-in-lieu request. Approval of the request would permit these funds to be used by the Town to support roadway improvements in higher priority areas of Town as part of a larger, complete project.

Mr. Bergmark offered to answer any questions that the Board might have.

Commissioner Jon Lutz asked if the sidewalk runs from Raymond Drive all the way up to the property line.

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Mr. Bergmark confirmed that it does and includes sidewalk, curb and gutter, and storm drains.

Commissioner Jason Joyner said that this seems like what the Board should be using Fee in Lieu for, with that type of infrastructure being in place.

ACTION:

Mover: Commissioner Jon Lutz moved to approve the Fee-in-lieu Request for 164 ft of Roadway Improvements on Wendell Boulevard by Raymond Drive (Woodlands of Timberlake Minor Subdivision)

Vote: 4-0

6c. Owners Project Manager (OPM) for the Town Hall and Select Capital Projects Consultant Selection and Authorize the Town Manager to Negotiate and Sign a Contract for Services

Speaker: Town Manager Marc Collins

Town Manager Marc Collins presented the following staff report, below in italics:

Item Summary:

On December 16, 2019, The Town of Wendell issued a request for qualifications (RFQ) for services from qualified firms to provide overall project management as the Owner's Project Manager (OPM) in concert with other project professionals in the design and construction of new facilities to include a new Town Hall and other directly related support facilities.

The primary role of the OPM is to be a manager, facilitator, and communicator working closely with the Town's consultants on the project. The OPM will represent the interests of the Town in providing oversight of the capital projects from start to finish.

Staff received two competent qualification packages and two decline to submit responses. The submissions were evaluated based on the following criteria:

- 1. Firm experience, reputation, and workload.*
- 2. Response to the project objectives outlined in the scope of work.*
- 3. Past performance with the Town of Wendell.*
- 4. Experience of the personnel assigned to this project team.*
- 5. Schedule.*

Based on the materials submitted and review criteria, the selection committee unanimously requests the Board to authorize the Town Manager to enter negotiations with RFQ respondents in the following rank order:

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- 3) *Cumming Management Group*
- 4) *Muter Construction*

Following successful negotiations with the selected firm, a professional services agreement will be prepared and signed by both parties. The service agreement will outline the project schedule for the design and construction of the capital projects subject to funding approval.

Commissioner Jon Lutz asked if, when discussing these two different firms, the decision isn't made by who has the lowest price.

Mr. Collins said that in a RFQ they don't offer the price. There's an amount allotted in the Town's budget and an RFQ for technical services can't have price negotiations under state law. He said that there's a cost for professional services and you pay a rate for those professional services. So you're selecting a firm on their ability to deliver services, then you negotiate the cost within the appropriated budget line. Mr. Collins said that he doesn't go over the appropriated budget line and anything having to do with the budget will come back to the Board for its approval.

Commissioner Joe DeLoach asked if that was why they originally had 4 potential firms but only solicited 2.

Mr. Collins said that the other 2 firms might be busy and sometimes the design firms don't want to be the owner's project manager but they want to be the designer with the contractor.

ACTION:

Mover: Commissioner Jon Lutz moved to approve the Owners Project Manager (OPM) for the Town Hall and Select Capital Projects Consultant Selection and Authorize the Town Manager to Negotiate and Sign a Contract for Services

Vote: 4-0

- 6d. Request to temporarily close a portion of North Main Street for the upcoming ProTown BMX event
Speaker: Parks and Recreation Director Jeff Polaski

Parks and Recreation Director Jeff Polaski presented the following staff report, below in italics:

Item Summary:

ProTown BMX is a bike stunt team out of Greenville NC that has performed all over the world. They would be doing two shows on Saturday, March 21, 2020. Shows would be

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at 11:00am and 2:00pm. Each show would follow up with an autograph session and free riding clinics.

In the event of inclement weather, the rain date is Sunday, March 22, 2020, with shows at 11:00am and 2:00pm.

North Main Street would be closed from Third Street to the railroad tracks from 9:30am-5:00pm.

Public works will be providing the street barricades and cones for this event and will be delivering the on the Friday before. The Parks and Recreation department will be submitting the sound permit. The only department staffing this event will be the Parks and Recreation Department with 1 full time employee and 1 part time employee. All of the Main Street businesses have already been contacted about this event and look forward to it every year.

Mr. Polaski offered to answer any questions that the Board might have.

Commissioner Jason Joyner asked if this would have the same level of staffing as was had in previous years.

Mr. Polaski confirmed.

Commissioner Jon Lutz said that if the rain date is the following day, which is a Sunday, parking at the Methodist Church might make Main Street difficult to navigate. He asked Mr. Polaski to inform the Methodist Church if that ended up being the case.

ACTION:

Mover: Commissioner Jon Lutz moved to approve the Request to temporarily close a portion of North Main Street for the upcoming ProTown BMX event.

Vote: 4-0

- 6e. Citizen Advisory Board Appointment to 1 in-town vacancy on the Planning Board for a 1-year term ending June 30, 2021
Speaker: Town Clerk Megan Howard

Town Clerk Megan Howard presented the following staff report, below in italics:

Item Summary:

At its January 13th Town Board meeting, the Wendell Board of Commissioners advised staff to accept applications for the vacant in-town Planning Board position, with a term expiring June 30, 2021. The application deadline was set for February 15th and marketing included video, social media posts, website marketing, e-board and print

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marketing distributed throughout Town businesses. The Town Clerk received 12 in-town applications for this vacancy, of which the Board shall vote on 1. Applicants were asked to attend this meeting and introduce themselves before the meeting was called to order at 7 p.m. and all applications were sent to the Town Board in advance of this meeting for review.

There will also be the following vacancies available with the application deadline set for Friday, April 24th, 2020:

	<i>Appearance Commission</i>	<i>Board of Adjustment</i>	<i>Economic Dev. Committee</i>	<i>Parks and Rec Commission</i>	<i>Planning Board</i>	<i>Tree Board</i>
<i>In-Town</i>	3 (3-yr exp 6/30/23)	4 (3-yr exp 6/30/23)	5 (2-yr exp 6/30/22)	2 (3-yr adult, 1-yr youth)	1 (3-yr exp 6/30/23)	5 (3-yr exp 6/30/23)
<i>ETJ</i>	Same as above	Same as above	Same as above	Same as above	1 (2-yr exp 6/30/22)	Same as above

**Please note that "Same as above" denotes that the vacancies listed can be either in-town or ETJ residents.*

Appointments to the remaining Citizen Advisory Boards will be made at the May 26, 2020 Town Board meeting. Applicants will be invited to the May 11, 2020 Town Board meeting to introduce themselves to the Town Board after the meeting has adjourned.

ACTION: Ballots were passed out with the 12 applicants listed and the following votes were made:

Deans Eatman: 3 votes

Jeremy Fryett: 1 vote.

*Ballots are scanned and listed, below.

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WENDELL Citizen Advisory Board Ballot

PLANNING BOARD IN-TOWN VACANCY (1 YEAR TERM):

<input type="checkbox"/> Robert W Bemis	<input type="checkbox"/> Nicole L Bills
<input type="checkbox"/> Andrew Di Genova	<input type="checkbox"/> Elizabeth M Narron
<input type="checkbox"/> Michael Mullen	<input type="checkbox"/> John H Boyette
<input type="checkbox"/> Terri L Moore	<input type="checkbox"/> Summer Stafford
<input type="checkbox"/> Jose A Fuentes	<input type="checkbox"/> Deans Eatman
<input type="checkbox"/> Braxton D Honeycutt	<input checked="" type="checkbox"/> Jeremy Fryett

Signature: 

WENDELL Citizen Advisory Board Ballot

PLANNING BOARD IN-TOWN VACANCY (1 YEAR TERM):

<input type="checkbox"/> Robert W Bemis	<input type="checkbox"/> Nicole L Bills
<input type="checkbox"/> Andrew Di Genova	<input type="checkbox"/> Elizabeth M Narron
<input type="checkbox"/> Michael Mullen	<input type="checkbox"/> John H Boyette
<input type="checkbox"/> Terri L Moore	<input type="checkbox"/> Summer Stafford
<input type="checkbox"/> Jose A Fuentes	<input checked="" type="checkbox"/> Deans Eatman
<input type="checkbox"/> Braxton D Honeycutt	<input type="checkbox"/> Jeremy Fryett

Signature: 

WENDELL Citizen Advisory Board Ballot

PLANNING BOARD IN-TOWN VACANCY (1 YEAR TERM):

<input type="checkbox"/> Robert W Bemis	<input type="checkbox"/> Nicole L Bills
<input type="checkbox"/> Andrew Di Genova	<input type="checkbox"/> Elizabeth M Narron
<input type="checkbox"/> Michael Mullen	<input type="checkbox"/> John H Boyette
<input type="checkbox"/> Terri L Moore	<input type="checkbox"/> Summer Stafford
<input type="checkbox"/> Jose A Fuentes	<input checked="" type="checkbox"/> Deans Eatman
<input type="checkbox"/> Braxton D Honeycutt	<input type="checkbox"/> Jeremy Fryett

Signature: 

WENDELL Citizen Advisory Board Ballot

PLANNING BOARD IN-TOWN VACANCY (1 YEAR TERM):

<input type="checkbox"/> Robert W Bemis	<input type="checkbox"/> Nicole L Bills
<input type="checkbox"/> Andrew Di Genova	<input type="checkbox"/> Elizabeth M Narron
<input type="checkbox"/> Michael Mullen	<input type="checkbox"/> John H Boyette
<input type="checkbox"/> Terri L Moore	<input type="checkbox"/> Summer Stafford
<input type="checkbox"/> Jose A Fuentes	<input checked="" type="checkbox"/> Deans Eatman
<input type="checkbox"/> Braxton D Honeycutt	<input type="checkbox"/> Jeremy Fryett

Signature: 

7. OTHER BUSINESS (any item pulled from the CONSENT AGENDA [item 3 on this agenda] will be discussed during this portion of the agenda)

7a. Update on board committee(s) by Town board members:
 CAMPO [Mayor Gray]

Mayor Gray said that they heard an update on the Federal Rescission and prior year LAPP Projects, approved an amendment to the 2018 updated Raleigh Urbanized Area and Wake County Locally Coordinated Human Services Public Transportation Plan including the creation of a motility coordination committee. Mayor Gray said that CAMPO approved the fiscal year 2020 Wake Transit Work Plan and held two public hearings and approved the draft fiscal year 2021 LAPP Investment Mix and adopted the fiscal year 2021 Unified Planning Work Program and MVO Self-Certification of the MPA planning process. She said that they also received information on the Census and encouraged people to fill out their cards when they're received. Mayor Gray said they also heard information encouraging municipalities to consider transit needs when they're doing land-use planning. She said they heard transportation improvement

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program amendment number one and voted to release the prioritization candidate project lists for public review and public comment for the prioritization 6.0 modal candidate project lists and they discussed and reviewed the proposed project list for the CAMPO Bonus Allocation Methodology and considered the release of that along with a list for public review, heard information on the budget among other updates.

Mayor Gray said the Town of Wendell has submitted two projects that were approved out of 39 project submissions. One of the projects is the Wendell Boulevard/Wendell Falls Parkway intersection project with the total cost being \$769,091 with the Town's match being at 25%. She said the Town received the full CAMPO funding that's available for this project. The second project is the Wendell Boulevard sidewalk project with the total cost being \$1,034,094 with the Town receiving the full CAMPO funding for that, as well. Mayor Gray thanked Planning Staff for working hard with CAMPO to make this happen.

8. COMMISSIONERS' REPORTS / COMMENTS

Commissioner Jason Joyner said that the Town Board's Budget Retreat is coming up on February 29th and encouraged citizens to be involved in this process. Mr. Joyner also said that he wanted to recognize Miss Anne Stewart who recently passed and was a well-respected member of the community. Mr. Joyner said that DOT has been having financial woes and as a result, there has been a delay in Old Battlebridge Road's project, which the Board intends to continue to work on discussions with DOT and representatives.

Commissioner Philip Tarnaski said that he's looking forward to the Budget Retreat.

Commissioner Jon Lutz said that he wanted to recognize Timothy Bonner who passed away recently and was a well-respected member of the community. Dr. Lutz said he attended the Meet on Main meeting and it was exciting to see local businesses come together to collaborate on the event.

Commissioner Joe DeLoach acknowledged that the Town had 12 applicants to 1 seat for a Citizen Advisory Board. Mr. DeLoach said there will be more available seats and encouraged the applicants to continue to get involved and thanked them for applying. Mr. DeLoach extended his condolences to Anne Stewart's family in her passing.

9. MAYOR'S REPORTS / COMMENTS

- Thursday, February 27th from 5:30 PM to 7:30 PM Wake Med and Wake County Human Services is hosting Heart 2 Heart: a Free Health Screening at The Carver Center of Eternal Hope on 948 Morphis Bridge Rd. There will be a heart healthy presentation at 6:30 with a heart-healthy meal served at 6 PM.
- Thursday, February 27th at 7 PM East Wake Education

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Foundation is having its Stars in the East event at East Wake High School Auditorium.

- Saturday, February 29th from 3 to 5 PM Wendell Parks & Rec is hosting Princesses in the Park at Wendell Community Center. Singing and games are included in this free event and they will be showing the movie, "The Little Mermaid" afterwards.
- The Town Board of Commissioners will have its Budget Retreat on Saturday, February 29th from 9 am to 1 pm at The Clayton Center, 111 E Second Street in Clayton. The public is welcome to attend.
- Mayor Gray said that the Meet on Main meeting has set the dates and bands that will be in attendance:
 - April 24th = Big Love
 - May 15th = Crush
 - June 19th = Big Head Dog
 - August 21st = Stone Age Romeos
 - September 18th = Snap BackMayor Gray said they already have 2 event sponsors out of the five needed.
- Mayor Gray said she spoke at the Farmville Morrissey and the Wake County Home Builders Association and spoke about Wendell.
- Saturday, February 29th is Princesses in the Park at the Wendell Community Center.
- Mayor Gray said that she visited with Anne Stewart before her passing and extended regards to the families of both Miss Stewart and Mr. Bonner.

10. CLOSED SESSION

Closed session will be called if necessary.

ACTION:

Mover: Commissioner Jon Lutz moved to go into Closed Session according to NC G.S. 143-318.11.5 at 7:42 p.m.

Vote: 4-0

ACTION:

Mover: Commissioner Jon Lutz moved to go into regular session at 8:15 p.m.

Vote: 4-0

11. ADJOURN

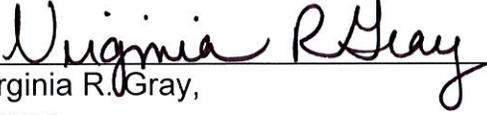
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ACTION:

Mover: Commissioner Jon Lutz moved to adjourn at 8:16 p.m.

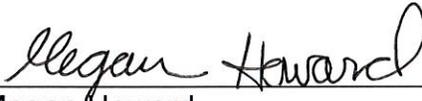
Vote: 4-0

Duly adopted this 11th day of May 2020, while in regular session.



Virginia R. Gray,
Mayor

ATTEST:



Megan Howard,
Town Clerk



