

CITY OF MOUNT HOLLY
CITY COUNCIL MEETING MINUTES
MONDAY, JANUARY 27, 2025
COUNCIL CHAMBERS
6:30 PM

CALL TO ORDER

Mayor Moore called the meeting to order at 6:30 pm. The following were present:

Mayor David Moore	Jonathan Blanton, City Manager
Mayor Pro Tem Lauren Shoemaker *	Brian DuPont, Assistant City Manager
Councilman Ivory Craig	Alexis Hines, Human Resources Director
Councilman Jeff Meadows	Brian Reagan, Police Chief
Councilman Bryan Hough	Greg Beal, Planning Director
Councilwoman Phyllis Harris	Ryan Baker, Fire Chief
Councilman Kenneth Reeves	Robert Stewart, Deputy Utilities Director
Marie M. Anders, City Attorney	Eric Smallwood, Parks and Recreation Director
Tara Douglas, City Clerk	Michelle Wood, Finance Director
	Matt Black, Economic Development Director
	Jason Green, Public Works Director

INVOCATION

Councilman Reeves led the Council, Staff, and attendees in prayer.

PLEDGE OF ALLEGIANCE

Mayor Moore led the Council, Staff, and attendees in the Pledge of Allegiance.

SET THE AGENDA

Mayor Moore entertained a motion to set the agenda as presented.

Motion: Councilwoman Harris made a motion to approve the agenda as presented. Councilman Reeves seconded the motion.

All Council members present and voting, voted in favor 5-0. (Motion Carried)

**Mayor Pro Tem Shoemaker arrived at 6:36 pm and had not arrived for this vote.*

CONSENT AGENDA

1. Resolution For Lead and Copper Service Replacement Project Funding
2. Approval of Adoption of (7) Seven Liens for Nuisance Abatement
 - 429 West Glendale Avenue-Parcel ID# 124171 (two liens)

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- 505 Dutch Avenue-Parcel ID # 123335
 - 508 Woodlawn Avenue-Parcel ID #122982
 - 210 Nutall Drive-Parcel ID # 124505
 - 806 Belmont Mount Holly Road-Parcel ID # 184364
 - 808 Belmont Mount Holly Road-Parcel ID # 184365
3. Approval of Release of (5) Five Liens for Nuisance Abatement
 - 103 Webb Street- Parcel ID# 124316 (Five Liens)
 4. Approval of Minutes from the January 13, 2025 Council Meeting
 5. Approval of Minutes from the January 13, 2025 Closed Session

Mayor Moore entertained a motion to approve the Consent Agenda as presented.

Motion: Councilman Meadows made a motion to approve the Consent Agenda as presented. Councilman Craig seconded the motion.

All Council members present and voting, voted in favor 5-0. (Motion Carried)

**Mayor Pro Tem Shoemaker arrived at 6:36 pm and had not arrived for this vote.*

PRESENTATIONS

1. Classification and Compensation Study Presentation by Baker Tilly

Sarah Towne

Ms. Towne from Baker Tilly reviewed the Classification and Compensation Study Project overview to the Council. Ms. Towne stated that Baker Tilly will partner with the City to identify comparable and competitive peer organizations to include in the study. Ms. Towne stated that the study includes the project initiation and data collection, position reviews, market assessment, pay plan development, and project completion which will include a final report for public record. Ms. Towne stated that the project completion date would be in April of 2025.

Mayor Moore opened the floor for questions and discussions from the Council. There were no questions from the Council. Mayor Moore and the Council thanked Ms. Towne and the Baker Tilly staff for their presentation.

2. Consideration and Approval of the Final Design for the Truist Mosaic Project

Paul Lowe

Mr. Lowe presented the final design for the Truist Mosaic Project to the Council. Mr. Lowe stated that the PAAC selected Tom Thoun to complete the Truist Mosaic Project. Mr. Lowe stated that this project is one of the PAAC's priority projects for the year. Mr. Lowe confirmed

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that the art was approved by the PAAC on January 21, 2025. Mr. Lowe explained that this will be a mosaic art piece and will be installed on the retaining wall at Truist Bank. Mr. Lowe stated that if the art is approved, the project will be completed by May 2, 2025. Mr. Lowe stated that Staff and PAAC members are working to obtain approvals from Truist at this time.

Mayor Moore asked the Council if there were any questions for Mr. Lowe about this project.

Motion: Councilwoman Harris made a motion to approve the Final Design for the Truist Mosaic Project. Mayor Pro Tem Shoemaker seconded the motion.

All Council members present and voting, voted in favor 6-0. (Motion Carried)

3. Consideration of a Resolution Declaring 131 S. Main Street, City Owned Property, for Disposition and Authorizing its Sale through the Upset Bid Process

Matt Black

Mr. Blanton stated that he would like to give background information on the issue and talk about different options for the Council's consideration for the Upset Bid Process. Mr. Blanton stated in October 2023 it was decided that the City would be moving forward with sale of the property via upset bid. Mr. Blanton stated that this is allowed according to G.S. 160A-269 which grants the City the power to solicit and negotiate offers on City owned real property. Mr. Blanton stated he met with interested property owners after the meeting on January 13, 2025 who would like to put in an offer on the property and are waiting for further instruction from the Council on how they would like to proceed with this process. Mr. Blanton stated Sam Kline reached out a few weeks ago with some suggestions and ideas to bring to the Council. Mr. Blanton stated he will give an overview of the Upset Bid process. Mr. Blanton stated that traditionally an offer is made to the City, the offer is brought to the Council, the Council can accept the offer subject to the Upset Bid process, 5% of that offer is deposited with the Clerk, then we would advertise for 10 days that this offer has been submitted and any interested person can upset that bid by putting up 10% of the first \$1,000 of that offer and 5% of the remainder of the offer. Mr. Blanton stated this process continues until there are no additional bids received, and Council accepts the bid or rejects all the bids. Mr. Blanton stated that at any time Council can stop process and is not obligated to accept any of the bids that are received. Mr. Blanton stated there are a couple of options for the Council to consider and discuss: the property can be marketed and listed with a broker as part of the solicitation and negotiation period; as a second option, staff could advertise this property in the local newspaper; or the council can follow a combination of the processes that Mr. Black put together in the meeting packet with date to accept bids through, review the sealed bids with the Council, and then consider one offer to start the bid process. Mr. Blanton stated that Mr. Black is

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here tonight as is Sam Kline, who we have a master service agreement through MECA, his real estate service, from May 2022. Mr. Blanton stated Mr. Kline has provided a listing agreement through his agency and has put together marketing material for the property.

Mr. Matt Black stated The City of Mount Holly owns the property located at 131 S. Main Street, which has been determined to be no longer necessary for municipal operations. Mr. Black stated to return this property to productive use and support potential redevelopment opportunities, the City Council is asked to consider declaring this property available for disposition. Mr. Black stated pursuant to NC G.S. 160A-269, the property would be sold through a negotiated offer, advertisement, and upset bid process. Mr. Black stated this process ensures transparency and provides the public an opportunity to participate in competitive bidding. Mr. Black stated it is noted the building has remedial issues that will need to be addressed, and the Creech and Associates report of these findings can be requested through the Economic Development office. Mr. Black stated tours of the property can also be requested and scheduled leading up to the bid submittal's due date. Mr. Black stated for all inquiries should contact him. Mr. Black stated the adoption of this resolution will formally authorize staff to begin the process, including publishing the required public notice and evaluating bids. Mr. Black stated final approval of the sale will remain with City Council following the completion of the upset bid process.

Councilman Bryan Hough asked to hear from Mr. Kline regarding his recommendations about listing the property. Mr. Sam Kline stated that he is proposing to go out to the brokerage community, which the newspaper will not reach. Mr. Kline stated CoStar, LoopNet, and Crexi would all show the property. Mr. Kline stated that he put together a marketing flier with a note from Mr. Blanton and the City Attorney to add that it is pursuant to the Upset Bid process. Mr. Kline stated that LoopNet has added a Gold Slot which can be purchased for \$495 a month, and he thinks it is an excellent investment for the City as it is over and above the normal marketing, like an SEO push within the brokerage community and with those investors looking in the area. Mr. Kline stated that this is an important piece of downtown and the more people who are interested, the more ideas we can listen to for redevelopment. Mr. Kline stated that more interest drives up the price as well. Mr. Kline stated he created a video that can be shared for social media if the Council so chooses.

Councilman Jeff Meadows asked what the services Mr. Kline mentioned are comparable to. Mr. Kline stated that CoStar is the host of many popular sites. Mr. Kline stated LoopNet is the public interface for commercial real estate and is hosted by CoStar. Mr. Kline stated CoStar has service similar to MLS, LoopNet is considered Silver where it gets elevated so anyone can view it and has levels to push listings out into various searches. Mr. Kline stated that it may not be needed for reaching the local community but to reach a much broader range of people. Councilman

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Meadows asked Mr. Kline what he would consider to be minimum period of marketing to put this out on these services. Mr. Kline stated he would like 30 days, but we might get offers before that, but Council does not have to accept those bids. Mrs. Anders stated that she would like to point out that the sample resolution in the packet mentions a 30-day marketing period. Mrs. Anders stated she recommends that if the Council wants to list the property with a broker, then the Council should not pass the resolution in the packet because it could be marketed for 30 days, or 60 days and the proposed listing agreement says the listing period is through end of December. Mrs. Anders stated given the relative importance of this location to the City as a whole, she recommends that the Council does not tie themselves to an arbitrary number. Mrs. Anders stated that if the Council wants to market the property that they either use staff to market locally and sift through offers that are forthcoming based on conversations that Mr. Blanton has had with interested prospective buyers, or enter into a listing agreement with Mr. Kline with his recommended listing period through the end of December but could market the property for reasonable period of time rather than a specific time to see what offers come. Mr. Kline stated that this period is typical but not expected, and he does not expect to still be marketing in December. Mr. Kline stated it can be shortened if Council chooses, he is just listing the typical landmark dates. Mr. Kline stated he wants to market it for 30 days because it is important to put information out and get the public, beyond the local people, interested.

Councilman Hough asked for clarification around the process once the marketing person gets offers. Mr. Kline stated that just because you get an offer does not mean you have to entertain it. Mrs. Anders stated she would like to clarify that the state law is short without much detail on what Mr. Kline and Mr. Blanton are talking about right now, which is marketing the property, receiving offers, the Council evaluating the offers, then deciding whether or not to accept any of the multiple offers that may be received. Mrs. Anders stated that the law specifically says that the City may receive, solicit, or negotiate an Offer to Purchase property and advertise it for Upset Bids. Mrs. Anders stated when an offer is made and the Council accepts it, then the Upset Bid Process begins. Mrs. Anders stated the first bid accepted by the Council may be one among many bids and offers that have various terms. Mrs. Anders stated the City is not in the Upset Bid procedure yet, the City is just evaluating options to list, like any other seller of property. Mrs. Anders stated that once the City decides to accept an offer, then by law, the City will be in the Upset Bid process and will pass a resolution proposing to accept that specific bid with details of the bid. Mrs. Anders stated that for this reason, Mrs. Anders recommended that the Council does not pass the resolution in their packet. Mrs. Anders stated that tonight the Council should decide if they would like to list the property with Mr. Kline or have the City Manager bring potential offers to the Council from buyers that have approached him. Mrs. Anders stated that at that point, the Council can start evaluating the offers, accept one, then enter the Upset Bid procedure.

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Councilman Meadows stated he would like Mrs. Anders to confirm that environmental cleanup is a covenant allowed by state law because there is a property conditions report that indicates there are particular environmental hazards that need to be cleaned up, and the Council has a duty as a public body to ensure that this cleanup occurs. Mrs. Anders said that she will confirm that restrictive covenant can be placed on the property and will get back to the City Manager. Mrs. Anders stated that her opinion is to not put the covenant on it during this process but file a type of declaration of covenants while we own it, similar to the existing public parking easement where the City declared it and the buyer is subject to that restrictive covenant. Mrs. Anders stated she believes we can get to what Councilman Meadows is asking about, but she will confirm how to get it done. Mr. Kline stated that he thinks you can add that covenant during the advertisement process. Mr. Kline stated if you accept bid and move forward, included in the advertisement is the environmental cleanup or any other conditions to the sale so that an Upset Bidder would be required to not only beat the bid by 5% but also accept those conditions.

Councilman Meadows stated there has been discussion from the Council around if the Council could limit the use or restrict who can be in or occupy the building and recalls that Mrs. Anders stated that the Council could get to the environmental cleanup with a mutual agreement, but that the Council does not have the authority to dictate the use or occupant of the new owner. Councilman Meadows stated he wants folks to understand that the City does not have the power to dictate to the new owner who goes in the space. Mrs. Anders confirmed that is correct under state law through the Upset Bid procedure, and that the Council is unable to dictate the use that the buyer put to the property through 160A-269. Mrs. Anders stated the City can put certain conditions on it, but not just any condition and she would want to confirm with legal review any condition that the Council wants to put on the property.

Councilman Kenneth Reeves asked Mr. Blanton about bids that have come in and if he can give a number of how many have been received. Mr. Blanton stated he has not received any bids. Mr. Blanton stated that interested property owners have reached out, met with him, and toured the facility, but the City has not received any official bids for the Council's consideration that would kick off the Upset Bid process, other than the offer from the Historical Society.

Councilman Craig stated that he likes the process of setting a timeline, like 30 days, so that interested people or parties can get finances and due diligence together and they have a date they know they need to meet. Councilman Craig stated, if we get offers, to review them at that time with the Council and then potentially choose one to start the process instead of just picking one to start the process. Councilman Criag stated that this would let people know what they need to do for their terms and start the Upset Bid process with more serious buyers.

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Mayor Pro Tem Shoemaker stated that her hope with the Upset Bid process is that we are the best stewards of the property as it goes to the free and fair market for anyone who wants to bid. Mayor Pro Tem stated that she would like for the Council to see as many bids as possible and sell for the highest amount possible. Mayor Pro Tem Shoemaker stated she would like to see the property marketed with MECA so that it gets the maximum exposure and the highest bid for the money to come back to City.

Councilman Craig stated he is interested in gold package that Mr. Kline mentioned. Mr. Kline stated he will send more information for the Council to look at. Mr. Kline stated it is an elective piece so they can decide on it later while listing the property. Mr. Kline stated he believes that the \$3,000 will come back to them severalfold and he is looking to fish as many ponds as he can.

Mr. Blanton stated there are three points that the Council needs to provide clear direction for tonight. Mr. Blanton stated that he would like direction on whether the Council would like to enter into a listing agreement with MECA. Mr. Blanton stated that the second item needing the Council's direction is whether or not the Council is interested in covering the marketing costs discussed tonight. Mr. Blanton stated that the third item needing the Council's direction is regarding Mr. Kline's recommendation for the listing price to be \$750,000 in his listing agreement. Mr. Kline stated that if we start low, he thinks we will be caught in Upset Bid process for months. Mr. Kline stated someone could offer \$500,000 and that is where we start the process, but if we start low, we will get people that cannot take on the property.

Councilman Hough asked for confirmation as to whether or not that the City has a master services agreement with Mr. Kline and MECA. Mrs. Anders confirmed that the City does have a master services agreement with Mr. Kline and MECA, but North Carolina Law and brokerage rules require a signed listing agreement every time you list a property. Mrs. Anders stated that the master services agreement states some of the basic terms that are filled into the current listing agreement provided by North Carolina Association of Realtors and Mr. Kline is following the master services agreement by providing the latest listing agreement. Mrs. Anders stated that she has the ability to bring the listing agreement in line with master services agreement that is already approved by the Council, which is the procedure that is being worked on. Mr. Kline stated that tonight the Council can enter into the listing agreement and he, Mr. Blanton, and Mrs. Anders can get it finalized in a day or two.

Motion: Councilman Hough made a motion to move forward with MECA and Sam Kline marketing the property, using the marketing upgrades discussed previously with the Gold level, and starting at a listing price of \$750,000. Mayor Pro-Tem Shoemaker seconded the motion.

All Council members present and voting, voted in favor 4-2. (Motion carried)

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Aye: Councilman Craig, Councilman Hough, Councilman Meadows, and Mayor Pro-Tem Shoemaker

Nay: Councilwoman Harris, Councilman Reeves

Councilman Meadows asked since the Council decided what goes in the listing agreement, how do we deal with the item declaring it surplus property? Mrs. Anders advised that the Council not pass a resolution such as the one in the packet tonight, and instead, since the Council is listing with a broker, allow sufficient time to market the property, receive offers, evaluate the offers as a Council, and then she will bring a resolution in the future to go with the offer that the Council chooses to accept. Councilman Meadows stated he has discomfort without an actual timeline. Councilman Meadows stated there needs to be certainty on when the process starts and asked how we get there from here? Mrs. Anders stated that the broker recommends after the listing agreement is signed that he be allowed to market the property for a minimum of 30 days and believes that any and all offers will be turned over to the City Manager as they are received. Mrs. Anders stated that the City Manager would turn those offers over to the Council, and then when the 30-day period is up the Council can determine if they want to accept any offers or continue to market the property. Councilman Meadows requested additional clarification around what happens at the end of the 30-day period and when the Upset Bid process starts. Mrs. Anders stated that the Council will start the Upset Bid process whenever the Council chooses to accept an offer. Councilman Meadows asked if we are opening offers in 30 days. Mrs. Anders stated that it will be marketed by the broker and as offers come in from prospective buyers to the broker, the offers are passed along to the City Manager which are then passed along to the Council. Mrs. Anders stated that the Council would then decide whether to accept any of the offers received. Councilman Hough stated that his understanding is that as offers are made in real time, the City Manager will present them to the Council. Mr. Kline stated that the Council can respond and say that a 30-day window to consider is desired. Mr. Kline stated that this would allow the City to continue to market the property for the remainder of the marketing period. Councilman Meadows stated he has concern about the certainty and transparency around this decision and is looking for a hard line with the number of days marketed and whatever bids that the Council has then the Council says yes or no and starts the Upset Bid process. Councilman Meadows stated he is looking for a more predictable process so that interested people know what date to get their offer in and then the process will start. Mrs. Anders stated that they might be saying the same thing because the formal action is giving the City Manager the direction to enter into the listing agreement. Mrs. Anders stated there was direction given, but not a formal vote, for the City Manager and broker to market the property for 30 days and to bring any and all offers to the Council for evaluation. Councilman Craig asked Mr. Kline if he knows what day that it will start to be marketed after the listing agreement is signed. Mr. Kline stated that he

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already completed the marketing materials so if it is signed tomorrow, he can go live tomorrow. Mr. Kline stated he can do a call for offers that says they are marketing 30 days and all serious buyers to get their offers in by a specified date in February or March. Mr. Kline stated that if the Council gets an offer in first day or two that his recommendation would be to let it float out in order to find as many people as possible.

Councilman Hough asked if it would make more sense to go for 30 days completely and then open all bids at the same time. Mr. Kline stated that he is required to turn over an offer the second he gets it to the City Manager. Councilman Meadows stated that he wants to ensure that this process is as transparent as possible. Councilman Meadows stated he would like for whoever makes a bid on the property to be identified and the numbers laid out but believes after the process starts it takes care of itself. Councilman Meadows stated he wants anyone who wants it to have a chance to bid for the property. Mr. Blanton asked if it would be agreeable to the Council, in the interest of transparency, to pursue the listing agreement which can be executed tomorrow, for Mr. Kline to begin marketing the property, and for there to be an agenda item on the February 10, 2025 meeting agenda as well as the February 28, 2025 retreat agenda for updates on offers received? Mr. Blanton stated that there would be two agenda items to update the public, and he would forward any offers received in the weekly update that are received before the February 10, 2025 meeting with the hope that within this 30-day period that there are multiple offers for the Council to consider at either the February 28, 2025 retreat or at the regular meeting in March. Mr. Blanton stated that this would ensure transparency that there are two agenda items devoted specifically for updating the Council and the public in a public forum of what has been received. Mr. Blanton stated he would like to note that these are not sealed bids and that these offers are made to Mr. Kline who will forward them to the City Manager and then they are a matter of public record if anyone is interested in what offers are being made to the City. The Council gave consensus for agenda items updating the Council and the public for offers received at the February 10, 2025 meeting as well as the February 28, 2025 City Council Retreat.

NEW BUSINESS

1. City Manager Report

Jonathan Blanton

Mr. Blanton stated that he has reached out to National Gypsum regarding the dust on Highway 273. Mr. Blanton stated that National Gypsum assured the City of Mount Holly that they are moving forward with utilizing a contractor to scrub the road eight (8) hours per day each day and that they will have a permanent fix in place in early February 2025. Mr. Blanton stated that this is a North Carolina Department of Transportation (NCDOT) road.

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Mr. Blanton noted that the Planning Department will be hosting a GIS training workshop on February 17, 2025 at 6:00 pm for the public.

Mr. Blanton stated that the City has two very important bidding opportunities that went online last week. Mr. Blanton stated that these bids are phase one of the South Gateway Connector Road and the Kemp A. Michael Roadway that will be constructing YMCA Drive and Caldwell Drive. Mr. Blanton stated that those bids are due by February 13, 2025. Mr. Blanton stated that we are working with our Engineer to finish the phase two design which will consist of a bridge on the backside. Mr. Blanton stated that we are hoping to have sealed bids ready to put out by the end of the summer. Mr. Blanton stated that the second bidding opportunity that came online last week is the Dutchman Creek Bridge. Mr. Blanton stated that we will be accepting bids through February 14, 2025 for the construction of a bridge to connect the greenway.

Mr. Blanton stated that the Mount Holly Community Development Foundation and the Trailblazers have met to discuss upcoming projects for the year. Mr. Blanton thanked all of the City's community partners for the great work that they are doing and the planning efforts that are underway throughout those organizations.

Mr. Blanton reminded everyone that the annual City Council Retreat will be held on Friday, February 28, 2025, beginning at 9:30 am. Mr. Blanton invited the public to attend.

CLOSED SESSION

1. Closed Session Pursuant to N.C.G.S 143-318.11 (a) (3 and 5)

Mayor Moore entertained a motion to go out of the regular meeting and into closed session pursuant to N.C.G.S 143-318.11 (a) (3 and 5).

Motion: Councilman Hough made a motion to go out of the regular meeting and into closed session at 7:23 pm. Councilman Reeves seconded the motion.

All Council members present and voting, voted in favor 6-0. (Motion Carried)

Motion: Councilman Hough made a motion to come out of closed session and back into the regular meeting at 8:49 pm. Mayor Pro Tem Shoemaker seconded the motion.

All Council members present and voting, voted in favor 6-0. (Motion Carried)

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Motion: Councilman Hough made a motion to Call for a Public Hearing at the February 10, 2025 City Council Meeting to consider a proposed installment contract between the City of Mount Holly and Dean N. Stroupe Family Limited Partnership. Councilman Craig seconded the motion.

All Council members present and voting, voted in favor 6-0. (Motion Carried)

ADJOURN

With no additional items for discussion, Mayor Moore entertained a motion to adjourn the January 27, 2025 City Council meeting.

Motion: Councilman Hough made a motion to adjourn the January 27, 2025 City Council meeting at 8:50 pm. Councilman Reeves seconded the motion.

All Council members present and voting, voted in favor 6-0. (Motion Carried)

The meeting adjourned at 8:50 pm.