

**MINUTES - REGULAR MEETING
BOONE TOWN COUNCIL
APRIL 15, 2004**

A regular meeting of the Boone Town Council was called to order at 6:30 p.m., Thursday, April 15, 2004, in the Council Chambers, 1500 Blowing Rock Road. Mayor Velma C. Burnley presided. Council members present were Mayor Pro-Tem Loretta Clawson, Graydon Eggers, Lynne Mason and Dempsey Wilcox. Attorney Jeff Hedrick attended in Sam Furgiuele's absence. Staff present were Town Manager Greg Young; Town Clerk Freida Van Allen; Personnel Director Peri Moretz; Planner Jane Shook; Interim Finance Director Amy Davis; Public Utilities Director Rick Miller; Public Services Director Blake Brown; Police Chief Bill Post; Resource Director Jim Byrne and Fire Chief Reggie Hassler.

ANNOUNCEMENTS

Mayor Burnley made the following announcement:

BOONE CLEAN-UP DAY AND SPRING LITTER SWEEP

In conjunction with the statewide "Litter Sweep" campaign issued by Governor Mike Easley for April 17 – 30, 2004, the Town of Boone will hold a "Spring Boone Clean-Up Day" on Saturday April 24, 2004. Interested participants may come by the Town of Boone Public Works Department located on 321 East King Street between 9:00am – 2:00pm to pick up street cleaning supplies. For more information, contact Marsha Story at 262-4560.

TENTATIVE AGENDA ADOPTION

Town Manager Greg Young presented the following changes to the agenda:

- Deletion of Item 6.F. - Requested Appearance - Dennis Greene.
- Addition of Unscheduled Appearance - Matthew Robinson.

On a motion by Council member Clawson, seconded by Council member Clawson, Council moved to adopt the agenda as amended.

VOTE: Aye-All
Nay-None

CONSENT AGENDA ADOPTION

On a motion by Council member Mason, seconded by Council member Clawson, Council moved to adopt the following consent agenda items:

Minutes: March 12, 2004, Special Meeting
 March 18, 2004, Regular Meeting
Tax Releases: March, 2004

TAXPAYER	YEAR	AMOUNT	DESCRIPTION
Michael C. & Sharon McKibbin	2003	\$1.85	Adj. for mileage
Benjamin M. Buchanan	2003	6.79	Turned in tag
Jennifer L. Emery	2003	25.87	Turned in tag
ASU Athletics	2003	33.97	Exempt
Melony H. & Bernd D. Winkelmann	2003	13.60	Turned in tag
Patricia E. Gaynor	2003	26.49	Moved to Florida
William E. Alley, Alanna A. Kotas	2003	73.24	Resident of Forsyth County
Bernardo M. Ascencio	2003	.91	Sold vehicle turned in tag
Laura S. Buell, William A. Buell III	2003	4.72	Moved to another state
Carl H. & Lisa N. Blumenfeld	2003	39.55	Turned in tag
James A. Dugger	2003	47.98	Turned in tag
Daphne B. Ramsey	2003	3.51	Turned in tag
Michael J. & Sara V. Mayhew	2003	33.51	Sold vehicle
Mental Health Association	2002	35.72	Exempt
Terry L. Rash	2002	87.30	Incorrect fire district
James B. Barrett, Sr.	1999	35.02	Lives in Mecklenburg County
TOTAL		\$470.03	

Tax Refunds: March, 2004

TAXPAYER	YEAR	Amount	DESCRIPTION
VT Inc. as trustee. World Omni LT	2003	\$33.85	Turned in tag
Kevin L. Miller	2003	11.47	Turned in tag
Valerie D. Saylor	2003	4.86	Turned in tag
James A. & Margaret B. Christenbury	2003	16.87	Turned in tag
Martin L. Bolick	2003	29.70	Sold vehicle turned in tag
Carl H. & Lisa N. Blumenfeld	2003	8.33	Turned in tag
Mark Norris	2003	3.60	Sold vehicle turned in tag
Casey P. Lynch, Peter F. Lynch III	2003	2.96	Sold vehicle
TOTAL		\$111.64	

Adoption of Resolution: Setting Date for Surplus Property Sale

Whereas the Council of the Town of Boone desires to dispose of certain surplus property of the Town;

Now, Therefore, Be It Resolved by the Council that:

1. The following described property is hereby declared to be surplus to the needs of the Town:

VEHICLES

Asset #	Description
669	454 CHEVY TRUCK
2122	UTILITY BODY
1890	SKID UNIT
2704	'91 CHEV ¾ TON TRUCK
3032	'92 GMC S-10 PICKUP
2298	'95 CHEVROLET CAPRICE
1878	'91 CHEVROLET LUMINA
2261	'91 OLDSMOBILE CUTLASS
2335	'98 FORD CROWN VICTORIA

OFFICE EQUIPMENT

Asset #	Description
2392	HUB/SWITCH
2410	MICROLINE 591 OKIDATA PRTR
2422	GATEWAY P5166
2497	PIONEX COMPUTER TOWER
2499	PIONEX COMPUTER TOWER
2534	HP DESKJET 550C
2540	GATEWAY P5-200 CPU
2544	GATEWAY P5-200 CPU
2550	PIONEX COMPUTER TOWER
2551	PIONEX COMPUTER
2555	PIONEX COMPUTER
2562	PRINCETON MONITOR
2565	PRINCETON MONITOR
2769	PIONEX ELITE COMPUTER
2793	PIONEX ELITE COMPUTER
3428	PIONEX ELITE COMPUTER
	KEYBOARD TRAY
	SONY CORDLESS 900 MHz PHONE
	BOX TYPEWRITER SUPPLIES
	OKIDATA PRINTER RIBBON
	(3) OKIDATA PRINTER RIBBON
	HP DESKJET 1120C PRINTER

	3 KEYBOARDS W/MICE
	BOX CONTINUOUS FEED PAPER
	OKIDATA COLOR KIT
	BOX GREENBAR PAPER
	TELEPHONE
	(5) DRAWER FILE CABINET
	A01 MICROSCAN MONITOR
	NEC MONITOR
	HP DESKJET 694C PRINTER
	HP DESKJET 890C PRINTER
	(2) PLASTIC FILE POCKETS
	OKI MICROLINE 321 PRINTER
	APC 600 BACK UPS
	OKI PUSH TRACTOR KIT
	BROTHER INTELLIFAX 770
	SONY 900 MHz CORDLESS PHONE
	NETWORK CARDS, SCSI
	T-BARS W/ CHANNELS
	CYBER POWER 500 UPS
	BOX MISC OFFICE SUPPLIES
	COMPUTER SPEAKERS
	COMPUTER SPEAKERS
	PRINTER TABLE
	8 1/2X11 TRACTOR FEED PAPER
	8 1/2X11 TRACTOR FEED PAPER
	KEYBOARD TRAY

	UNIFORM SAMPLES
	MISC PRINTER CARTRIDGES
	DESK FLOORMAT
	METAL PAPER ORGANIZERS
	TELEPHONE
	PC SPEAKERS
	ACCO ELECTRIC 3-HOLE PUNCH
	WINDOWS '95 SOFTWARE
	HP M500 MONITOR
	PRINTER TABLE
	NETGEAR 16-PORT HUB
	NETGEAR 8-PORT HUB
	IBICO NOTEBOOK BINDER

	TELEPHONE
	CASSETTE RECORDER
	MINI CASSETTE RECORDER
	CABLE CORD
	COMPUTER ACCESSORIES
	PHILLIPS MONITOR
	PHILLIPS MONITOR
	HP DESKJET 697C
	XEROX FAX MACHINE/COPIER
	15" PRINCETON MONITOR
	VISION COMPUTER TOWER
	(8) ASSORTED KEYBOARDS

COMMUNICATION EQUIPMENT

Asset #	Description
2043	MOTOROLA MINITOR II MOTOROLA HT90 10 PAGERS
2902	MOTOROLA PORTABLE RADIOS
2725	MOTOROLA HT1000 RADIOS
2911	MOTOROLA GP300 RADIOS
2726	MOTOROLA HT1000 RADIOS

OTHER EQUIPMENT

Asset #	Description
	LIGHT BALLASTS
	CLOTHES RACK
2127	COMB GAS METER
2126	COMB GAS METER
	(2) OVERHEAD SPEAKERS
	ECHO 2450 WEEDEATER
2756	HUSQVARNA 254XP CHAINSAW
2519	ALDUS PAGE MAKER MANUAL
	DL ELY HOPPER
	DL ELY BROADCAST SPREDDER
	AGREX 150
	AGREX 150 HOPPER
	AGREX 150

	(6) 1-HOUR AIR CYLINDER
1125	1210 FORD TRACTOR
	10 ft. VALK SNOWPLOW
	WACKER TAMP
2741	WACKER TAMP
	HI-WAY SPREADER
3015	WATER PUMP
3328	WHEEL COMPACTOR
1724	WATER PUMP
	AIR FILTER / TOTAL LINE
2521	OBJECT VISION REF MANUAL

TDA EQUIPMENT

Asset #	Description
	17" APPLE MONITOR
	MUSTEK PLUG IN SCANNER
	3-COM OFFICE CONNECT ISDN LAN MODEM
	APPLE LASERWRITER II
	BROTHER LASER PRINTER
	BROTHER LASER PRINTER

2. The Assistant Finance Director is authorized to receive in behalf of the Council bids at public auction for the purchase of the described property.
3. The public auction will be held on **Saturday, May 22, 2004** at **8:30 a.m.** at the Public Works Center, 832 East King Street. The terms of the sale shall be cash, certified or cashiers check.
4. The Town Clerk shall cause a notice of the public auction to be published in accordance with G.S. 160A-270(b).
5. The highest bid, if it complies with the terms of sale, may be accepted by the Assistant Finance Director and the sale consummated.
Adopted this the 15th day of May, 2004.

Mayor

ATTEST:

Town Clerk

(RESOLUTION TO BE TYPED IN BOOK 2, PAGES 258-261)

Adoption of Resolution: Awarding of Service Weapon
The members of the Boone Town Council, meeting in regular session on April 15, 2004, do hereby adopt and pass the following resolution:

WHEREAS, Cecil Young Pittman served the Town of Boone as a Police Officer since December 8, 1997; and

WHEREAS, Cecil Young Pittman served as a Police Officer in the State of North Carolina for nineteen years; and

WHEREAS, Cecil Young Pittman served as a leader in the Boone Police Department in an exemplary fashion; and

WHEREAS, his contribution in the service of Boone and it's citizens will always be appreciated; and

WHEREAS, on May 1, 2004, Officer Pittman retires as a Master Police Officer from the Town of Boone.

NOW, THEREFORE, BE IT RESOLVED, that one model 96 Beretta Pistol (serial number 001824) and his Police badge be awarded to Master Police Officer Pittman. A copy of this Resolution is to be directed to Cecil Young Pittman.

Adopted this the 15th day of April, 2004.

Velma Burnley, Mayor

ATTEST:

Freida Van Allen, Town Clerk

(RESOLUTION TO BE TYPED IN BOOK 2, PAGE 262)

VOTE: Aye-All

Nay-None

ADOPTION OF RESOLUTION - FIXING DATE OF PUBLIC HEARING ON VENTURES PROPERTIES ANNEXATION

Senior Planner Jane Shook said this is the second step in the voluntary petition annexation process of the Food Lion project outside of Boone. Council member Mason said it would be helpful to receive reports from all departments regarding their ability to serve this property. On a motion by Council member Mason, seconded by Council member Wilcox, Council moved to accept the certificate of sufficiency and adopt the following resolution:

CERTIFICATE OF SUFFICIENCY

To the Town Council of the Town of Boone North Carolina:

I, Freida Van Allen, Town Clerk, do hereby certify that I have investigated the petition attached hereto and have found as fact that said petition is signed by all owners of real property lying in the area described therein, in accordance with G.S. 160A-58.1.

In witness whereof, I have hereunto set my hand and affixed the seal of the Town of Boone, this 15th day of April, 2004.

Freida Van Allen, Town Clerk

RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION OF ANNEXATION PURSUANT TO G.S. 160A-58.2

WHEREAS, a petition requesting annexation of the non-contiguous area described herein has been received; and

WHEREAS, the Town Council has by resolution directed the Town Clerk to investigate the sufficiency of the petition; and

WHEREAS, certification by the Town Clerk as to the sufficiency to the petition has been made;

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Boone, North Carolina that:

Section 1. A public hearing on the question of annexation of the non-contiguous area described herein will be held at Council Chambers on Blowing Rock Road at 6:30 p.m. on May 20, 2004.

Section 2. The area proposed for annexation is described as follows:

A 5.226 acre tract, shown as Tract B on the "Recombination Survey" plat

recorded in Plat Book 017 at page 182, located on the south side of old US Hwy 421 approximately 600 feet west of the intersection of said road with new Highway 421 and with the perimeter being surveyed by me, Frank Lee Hayes PLS L-1488, on August 8, 2003 as: BEGINNING on a right-of-way monument in the northern boundary of NC Department of Transportation Project 6.759003T (new Highway US 421), said monument having NCGS NAD '83 coordinates of N=911,088.11 feet and E=1,229,786.31 feet; THENCE from the beginning and with the NC DOT line North 83 degrees 39 minutes 05 seconds West 120.01 feet to a 5/8 inch rebar set, a common corner with Tract A; THENCE with the eastern boundary of said Tract A North 04 degrees 13 minutes 05 seconds East 235.33 feet to a 1/2 inch rebar set; THENCE with the same North 17 degrees 25 minutes 20 seconds East, crossing a 1/2 inch rebar set as reference 435.79 feet, a total distance of 465.02 feet to the center of old US Highway 421; THENCE with the center of said road South 72 degrees 28 minutes 35 seconds East 344.80 feet to the northwest corner of Tract C; Thence leaving the road and with the western boundary of said Tract C South 17 degrees 24 minutes 00 seconds West, crossing a 1/2 inch rebar set as reference at 28.65 feet, a total distance of 114.42 feet to a 1/2 inch rebar set; THENCE with the same South 10 degrees 26 minutes 40 seconds West 181.89 feet to a 1/2 inch rebar set; THENCE with the same South 72 degrees 47 minutes 00 seconds East 19.84 feet to 1/2 inch rebar set; THENCE with the same South 17 degrees 24 minutes 25 seconds West 209.85 feet to a 5/8 inch rebar set in the northern line of the NC DOT property; THENCE with said northern line South 69 degrees 50minute 15 seconds West 271.71 feet to the BEGINNING; being described with bearings and distance relative to the North Carolina Grid System NAD '83 using a combined grid factor of 0.999062.

Section 3. Notice of public hearing shall be published once in the Watauga Democrat, a newspaper having general circulation in the Town of Boone, at least ten (10) days prior to the date of the public hearing.

Adopted this the 15th day of April, 2004.

Mayor

ATTEST:

Town Clerk

(RESOLUTION TO BE TYPED IN BOOK 2, PAGE 263)

VOTE: Aye-All

Nay-None

STATUS ON ARMY CORPS FUNDING

Resource Director Jim Byrne announced that he received verbal communication regarding postponement of all Section 22 funding. Mr. Byrne said this would affect the Phase II project at the Anne Marie/Elizabeth Drive property. He reiterated this was just a postponement of funding and that he should know in October if we will receive funding for FY 2005.

REQUEST PERMISSION TO APPLY FOR GRANT FOR FIRE DEPARTMENT

Fire Chief Reggie Hassler requested permission to apply for a grant from the FEMA fire act. The grant amount is \$78,000 and any match will be included in the Fire Department's budget. Fire Chief Hassler said he has applied for this grant in the past and hopes it will be awarded this time. If awarded the grant funds will purchase specialized equipment used in search and rescue. On a motion by Council member Eggers, seconded by Council member Mason, Council moved to grant permission to the Fire Chief to apply for this grant.

VOTE:Aye-All
Nay-None

APPOINTMENT OF COMMITTEE FOR PROPERTY LEASE FOR ANNE MARIE/ELIZABETH DRIVE PARK

Mayor Burnley said a committee needs to be appointed to negotiate with the County the property lease for the Anne Marie/Elizabeth Drive park property. Council members Mason and Wilcox volunteered to serve on that committee. On a motion by Council member Eggers, seconded by Council member Clawson, Council moved to appoint Council members Mason and Wilcox, along with the Town Manager, Town Attorney and Resource Director to the committee.

VOTE:Aye-All
Nay-None

FORMATION OF TASK FORCE FOR NEIGHBORHOOD (SINGLE-FAMILY RESIDENTIAL) OCCUPANCY

Council member Mason said she would like to move forward on forming a task force to discuss the neighborhood (single-family residential) occupancy problems. Ms. Mason said she hoped the task force could look at a rental licensing program. Council members Clawson and Spann volunteered to serve on this task force. Council member Mason said the Task Force should include Development Services Staff, two council members, two members of the Planning Commission and different neighborhood representation. Council member Eggers suggested including property management and ASU Housing office representatives. Council agreed to appoint neighborhood nominees at the May meeting.

DISCUSSION OF PROPOSED SURVEY - CHARTER COMMUNICATIONS CUSTOMER SURVEY

Council member Mason said she was disappointed in Charter's latest customer survey. This survey was required by Council as part of the franchise agreement. Council member Mason said the franchise agreement was adopted last July and Charter is just now completing the survey. Council member Mason also said the survey does not follow the guidelines as specified by the franchise agreement and that Charter has yet to address issues from the 1999 survey. Council member Mason asked that the Cable TV Advisory Committee work with Charter on this survey and that they become more involved to oversee compliance by Charter with the franchise agreement. Council agreed.

DISCUSSION OF REDEVELOPMENT REGULATIONS

Council member Mason asked Council if they want to prepare regulations for redevelopment of properties under 2000 square feet. Council member Mason said new regulations would help small businesses. After little discussion, Council agreed to have the Development Services Department prepare regulations for redevelopment of properties under 2000 square feet.

DISCUSSION OF CONDITIONAL-USE ZONING

Council member Mason asked Council if they want to look at conditional-use district zoning. Council member Mason said, if it is implemented, it will give the Planning Commission more time to do actual planning, since the Board of Adjustment will issue the permits. Ms. Mason said it will streamline the process for both applicants and staff. Council member Wilcox felt that the Town Council, an elected board, should be the final word on any zoning districts. Council member Eggers agreed. Council member Wilcox said since Conditional Use Zoning districts will save time, he felt it important to try to prepare an amendment by the August quarterly public hearing. Council agreed.

DISCUSSION OF NOISE ORDINANCE

Council member Mason said she received a call from a citizen in the community about a noise incident downtown. Ms. Mason indicated that the Town Attorney felt that some of the language in the Noise Ordinance is vague. Council member Mason suggested the Town Attorney review the Noise Ordinance and make recommendations on suggested changes. Town Manager Greg Young pointed out that the downtown situation exists because of the mixed uses, i.e. apartments and late night businesses. Council agreed to have the Town Attorney review the Noise Ordinance and prepare any amendments needed.

DISCUSSION OF LEASH LAW

Council member Eggers said he is constantly receiving complaints about dogs causing property damage, personal injury, noise and just being a nuisance and agreed it is a touchy issue since most dogs are beloved pets. Council member Eggers suggested having the Town Attorney review different options regarding a leash law. He said there would be some expense to the Town and it would require cooperation with the County Animal Control. Council members Clawson and Mason agreed it would be good to look at different options. Council member Wilcox pointed out that this matter has been discussed by Council in the past and that it will be a

very expensive prospect. Council member Eggers agreed but felt the Town Attorney could explore different options and that sometimes just the existence of a law on the books is a deterrent. Council agreed to have the Town Attorney research a leash law and report back to Council.

ABC BOARD APPOINTMENT

Council accepted the nominations of Bob McConnell and Candy Winebarger at the last meeting. The following votes were cast:

Bob McConnell: 2 (Eggers, Wilcox)
 Candy Winebarger: 3 (Clawson, Mason, Spann)

Ms. Winebarger’s term will expire April 30, 2007.

ADOPTION OF BUDGET AMENDMENTS

On a motion by Council member Clawson, seconded by Council member Mason, Council moved to adopt the following budget amendments:

DESCRIPTION	ACCOUNT #	TO:	FROM:
Regular Salaries	010-500-350-501101	\$16,488.	
FICA Tax	010-500-350-508202	1,261.	
Retirement	010-500-350-508211	808.	
401(K) Contribution	010-500-350-508222	660.	
Contingency	051-451-000-599100		\$19,217.
Transfer to General Fund	051-451-000-598010	19,217.	
Transfer from Rural Fire Tax	010-000-000-498051		19,217.
Crime Prevention	010-500-300-513103	448.	
Miscellaneous Revenue	010-000-000-489900		448.

VOTE: Aye-All
 Nay-None

REQUESTED APPEARANCE - BLUE MURROW

Ms. Murrow did not appear before Council.

REQUESTED APPEARANCE - CEYLON BARCLAY

Mr. Ceylon Barclay, General Manager of the Horn-In-The-West, appeared before Council to request the Town's assistance. Mr. Barclay said the Horn is 53 years old and revealing its age. Mr. Barclay said he has \$225,000 out in grant applications and that the Southern Appalachian Historical Association (SAHA) has \$270,000 in assets, but only \$10,000 in the bank. Mr. Barclay pointed out that there are 23 buildings on the Town's property, but no property insurance on those buildings. Mr. Barclay said the SAHA by-laws have not been revised since 1970, and, at present, there are only a few board members remaining. Mr. Barclay requested that the Town assist the Horn financially or with contract labor to renovate the existing facility. Mr. Dan Cook, SAHA Board Member, said he would personally contact the SAHA membership to convene and appoint a new board of directors next week. Mr. Michael Scialabba, Artistic Director, said, unless repairs are made to the facility, there may not be a show this year. Mr. Scialabba asked the Town for any resources that can be provided to make this a safe season. Mr. Scialabba said last year the Horn had its worst season, but mostly because of the weather. He indicated that there is a short amount of time to complete the work before the June opening, but that there is a very large community of people that want to help and see this show succeed. Mayor Burnley said she appreciated their remarks and felt that the Horn is a great cultural and economic benefit to the County. Town Manager Greg Young recommended that the Town remain supportive of SAHA and Horn-in-the-West and appropriate up to \$25,000 for immediate repairs to correct safety issues on the Town's property. Mr. Young also recommended that the Town Council address other facility improvements to the Town's property during regular budget deliberations, and in light of the legal questions and issues surrounding SAHA board and management he recommended that all actions regarding SAHA and Horn-in-the-West be deferred until the Town Attorney has the opportunity to provide Town Council with advice on these matters. On a motion by Council member Clawson, seconded by Council member Wilcox, Council moved to accept the Town Manager's recommendations. Before voting, Council member Mason suggested revising the lease since it is ambiguous and said the Town probably would not be dealing with this situation if the lease were more clear.

VOTE: Aye-All

Nay-None

REQUESTED APPEARANCE - BOSTIC DEVELOPMENT

Mr. Joe Baggett of Four Season Management appeared before Council to request water and sewer service to property located off Highway 421. Mr. Baggett said a portion of the property is located in the Town limits, but a larger portion is located in the ETJ and an even smaller portion is located outside Town zoning limits. Council member Mason said this property should be closely considered since it is in three different zoning districts and may be subject to the Ridge Law. Council member Clawson suggested tabling a decision on this matter until after the Town receives the water study. Council member Eggers asked if there is a development plan in place. Mr. Steve Johnson of Bostic Development said no, that they have only now begun site planning. Council member Mason asked how much of the property is located in the primary growth area. Planner Jane Shook responded that half the property is considered a primary growth area. Mayor

Burnley asked when the water study would be complete, explaining that the Town has been asked to interconnect water systems with the Town of Blowing Rock and ASU. Public Utilities Director Rick Miller said the preliminary report should be ready in June with the final study complete by August. Council agreed to wait on the water study before making a decision on this request.

REQUESTED APPEARANCE - DONALD MORRISON

Mr. Donald Morrison appeared before Council to request water and sewer hook-up to property located off Highway 105 Bypass. Mr. Morrison explained that this property is part of a subdivision and is located outside the Town's ETJ. Previous requests in the subdivision have been approved without annexation, double rates. Council member Mason said she was concerned about our continuing to get these individual requests, citing that it is not good planning. Town Manager Greg Young agreed and said if the Town were to annex the entire subdivision all water lines would have to be replaced to meet fire flows. Again, Council agreed to wait until completion of the water study before making a decision on this request.

REQUESTED APPEARANCE - NC FOREST SERVICE

Mr. Rudy Johnson, Watauga County Forest Ranger, appeared before Council to request a water and sewer tap for a new office off the Landfill Road. Mr. Johnson said this trailer will be located adjacent to the County Animal Control office. Council member Wilcox felt the request should be approved because of the contamination hardship in the area. Council member Mason agreed that our policy allows for cooperation between local governments. Council member Clawson suggested adding a condition that this line will be used only for a governmental office. Town Manager Greg Young said that stipulation, "for governmental purpose, because of groundwater contamination" could be included. Town Manager Young said another condition should be that their sewer connection should comply with the Building and Water and Sewer Code. On a motion by Council member Eggers, seconded by Council member Wilcox, Council moved to grant the water and sewer request, because of groundwater contamination in the area, contingent upon the service remaining as a governmental purpose and that the connections comply with the Building and Water and Sewer Codes.

VOTE: Aye-All

Nay-None

UNSCHEDULED APPEARANCE - MATT ROBINSON

Dr. Matt Robinson, Associate Professor of Criminal Justice at ASU, appeared before Council to present a resolution denouncing the US Patriot Act. Dr. Robinson requested that the resolution be adopted at the May meeting and announced that by adopting this resolution the Town will be joining New York City and Washington, DC, along with hundreds of other municipalities, in denouncing the Patriot Act.

ADJOURNMENT

On a motion by Council member Clawson, seconded by Council member Mason, Council moved to adjourn at 8:55 p.m.

VOTE: Aye-All

Nay-None

Town Clerk

Mayor