

City of New Ellenton  
Regular Meeting of City Council  
City Hall Council Chambers  
Minutes

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Monday, April 20, 2009

**Welcome**

Mayor Vernon Dunbar called the meeting to order at 7:15 pm.

**Invocation**

Daniel Braswell

**Pledge of Allegiance**

**Roll Call for the Record**

Present: Rex Nordeen, Eartha Rodgers, Terence Williams, Vernon Dunbar, Debbie Maddox, Daniel Braswell, Anthony Shaw

**Others Present**

City Clerk Vernel Sanders, Assistant City Clerk Courtney Moseley, City Administrator L.C. Greene, Police Chief Alicia Parks, Vicki Simons, Hank Roland, Cork Berry, [inaudible] Franklin, Gene Smith, Tommy [inaudible], Jimmie Lee Williams, Doris Bing, Cynthia Young, Jim Bouknight, others present but inaudible

Mayor Dunbar again welcomed everyone.

**Approval of Financial Statements**

*February 2009 – Motion to approve the February 2009 Financial Statement by Councilman Williams, second by Councilman Braswell. 5 in favor. Approved with Councilman Nordeen and Councilman Shaw abstaining due to not being on Council at the time.*

*March 2009 – Councilman Braswell asked whether on the Profit & Loss Detail, if under telephone, the \$469.11 to AT&T for the Technology Center was the last of the bill due since the phone had been turned off in March. City Clerk Sanders affirmed stating that there was also a penalty for breaking the contract. Motion to approve the March 2009 Financial Statement by Councilman Braswell, second by Councilwoman Rodgers. 5 in favor. Approved with Councilman Nordeen and Councilman Shaw abstaining due to not being on Council at the time.*

**Approval of Council Minutes**

Mayor Dunbar stated that there were no minutes. City Clerk Sanders stated that the transcriptionist had an emergency and could not complete them, but that the transcriptionist's work schedule was freeing up and she should be able to complete them. Councilwoman Rodgers stated that the City Ordinance Book and the New Ellenton job description state that the clerk is supposed to keep the minutes. Councilwoman Rodgers stated that given the City is trying to save money, it did not make sense to pay someone to do the minutes. Councilwoman Rodgers stated that she felt the City Clerk and Assistant Clerk should do the minutes and detailed the minutes that were missing. Councilwoman Rodgers stated that it was uncalled for and asked if anyone wanted to see the job description for the Assistant City Clerk. Councilwoman Rodgers again stated that she did not think the City should pay someone to do. City Clerk Sanders disagreed stating that the document said maintain and not

transcribe, meaning that the clerk is responsible for keeping the minutes in order. Councilwoman Rodgers stated that all of the previous clerks maintained and kept minutes. City Clerk Rodgers disagreed stating that Sue did not do minutes. Councilwoman Rodgers stated that this was because there was no one but Sue, and she had a backload. Councilwoman Rodgers continued that the City was paying Michelle \$25.00 or \$30.00 to do the minutes, and now the City is paying someone \$20.00 per hour to do the minutes. City Clerk Sanders stated that these are not the same minutes. Councilwoman Rodgers stated that minutes are minutes. City Clerk Sanders disagreed. Councilman Braswell stated that the most recent minutes were verbatim and that Council would have to decide whether verbatim minutes were worth the expense. Mayor Dunbar agreed. Councilwoman Rodgers asked how long it takes to do them. Mayor Dunbar and Councilman Braswell agreed that Council would have to decide if it needed verbatim minutes. Councilwoman Rodgers stated that she thought anytime someone is hired for the City it needs to come before Council. Mayor Dunbar asked for a copy of the bill for the minutes with the next set of minutes so that it could be discussed. City Clerk Sanders agreed.

### **New Business**

*Consideration of approving sewer service willingness to service letter for Crowell subdivision first phase – City Administrator stated that there are 43 homes in the first phase of construction and in order to tie into the system, that he must have a letter, signed by the mayor and approved by Council, authorizing him to do it. City Administrator Greene stated that he was ready to get started. Mayor Dunbar stated that after this phase, for any more houses there need to be upgrades to the system. City Administrator Greene stated that after these 43, the City will have to upgrade the station and that after that the line would have to be upgraded. Motion to approve the willingness to serve letter for the project on White Pond Road Phase I 43 units by Councilman Braswell, second by Councilman Williams. Councilman Braswell asked what happens if one of the pipes within the subdivision breaks. City Administrator Greene stated that it would be Crowell's responsibility. Councilman Braswell stated that he did not want the City to have to pay for it. City Administrator Greene stated that it would be the developer's problem adding that the City has a year guarantee after the 43<sup>rd</sup> home is finished. Councilman Braswell indicated that he remembered and stated that after a year after the 43<sup>rd</sup> home is completed, it would be the City's responsibility. City Administrator Greene stated that all of these plans went through the Planning Commission and were approved. Mayor Dunbar asked if there were additional questions and then called for a vote. All in favor. Approved.*

Councilman Shaw stated that he would like to motion that since there was a mistake made by the City Administrator in relation to Tommy Brock, that Council allow it to be settled so that Mr. Brock can be moved in. Councilman Braswell stated that Council might want to handle it under Administration since adding it here would require a motion to add it to the agenda. City Administrator Greene stated that it had to fall under something on the official agenda, either adding it now or under committees. Councilman Braswell asked if Council had to add it if it was under committees. City Administrator stated that under committees it would still be official. Mayor Dunbar asked Councilman Shaw if he was holding his motion until Administration and Councilman Shaw affirmed.

### **Report from Police Chief**

Chief Parks stated that for the month of March, there were 129 cases of which 81 were traffic violations, 36 were criminal, and 12 were warnings, and there were 14 arrests. Chief Parks stated that the property/street clean-up had begun again and were being done in alphabetical order. Chief Parks stated that the police department was working streets beginning with "B." Councilman Shaw asked if the police department had started over. Chief Parks stated that the properties that had already received letters were being reviewed and if the situation had not improved, they are receiving citations. Mayor Dunbar asked if there were additional questions for the chief. [Inaudible] Chief Parks affirmed. [Inaudible] Chief Parks stated that for March there were six burglaries in different areas in New Ellenton. Chief Parks stated that she did not have the specific information in front of her, but that there were a total of six. Chief Parks added that the number had been down because the total from January to March was only nine. [Inaudible]

## **Report from Fire Chief**

Mayor Dunbar stated that the Fire Chief was not present.

## **Report from Recreation Director**

Mayor Dunbar stated that the Recreation Director was not present.

## **Reports from Special Committees**

*Administration – Motion to allow Mr. Brock to proceed with moving in and completing paperwork since it was the fault of the City Administrator.* Councilman Braswell asked for clarification of the motion. Councilman Shaw agreed that the motion was to allow Mr. Brock to proceed. Mayor Dunbar stated that he wanted clarification as well because he thought what Mr. Brock needed was a variance. Mr. Brock stated that he needed a letter. Councilman Shaw amended his motion to include giving Mr. Brock a letter. [Inaudible] Mayor Dunbar stated that Mr. Brock has a temporary variance, and that Mr. Brock needed a variance. Councilman Shaw stated that temporary was not on the variance, and there was no end date. Councilman Shaw stated that it was an open-ended variance which he had a copy of. Mayor Dunbar asked for the language on the variance. Councilman Shaw read from the variance. Mayor Dunbar stated that Mr. Brock is aware of why he was given a variance. Councilman Shaw stated that the City Administrator told him it was okay to do this and his own motion was to give him the letter so that he can get moved in. *Second by Councilman Braswell.* Mr. Brock stated that he did everything he was told to do and did not take it upon himself to start building. Mr. Brock stated that he had an emergency with his father and decided to move home. [Inaudible] Mr. Brock stated that he took the proper steps and added that he has been in law enforcement for 26 years and in good faith followed every procedure he was told by the City. Mr. Brock stated that he had all paperwork and added that there is power and water going to the house. Mr. Brock repeated that he had taken all of the steps and found out the day before his closing that he could not close, because someone on the Zoning Commission did not approve. Mayor Dunbar asked Mr. Brock to repeat his statement. Mr. Brock stated that the day before his closing, he was notified that he could not close because someone on the Zoning Commission said it had not approved it. Mr. Brock stated that he got this information from his broker and contractor. Mayor Dunbar stated that he thought paperwork was incomplete. Mr. Brock stated that it was not, but rather that the question, since the beginning, was about the variance. Mr. Brock stated that he, his broker, his contractor, City Administrator and bank that nothing else was needed, and therefore, he pressed on. Mayor Dunbar asked if the Zoning Official had called. Mr. Brock stated that he got word from his broker that someone on the Zoning Commission had a complaint, and the question was about a letter. Mayor Dunbar asked if it was a variance letter. Mr. Brock stated that the Zoning Commission indicated that they could not give it. Mayor Dunbar stated that this is how he understood it. [Inaudible] Mr. Brock stated that he is 98% complete. Councilman Braswell asked that Council take care of this as there is a motion and a second on it. Councilman Braswell stated that if a person does everything that is asked, Council should do this and move on. An unidentified person asked if the property would have to be rezoned. Councilman Braswell stated that he did not think so. Councilman Shaw stated that there was a signed zoning permit application there. The person said that the City should do it. Councilman Braswell agreed. Mayor Dunbar stated that he agreed, but stated that Council does not have the authority to grant a variance. Councilman Shaw stated that Council was not granting a variance, just writing a letter. Councilman Braswell asked if Mr. Brock's people just needed a letter saying that Council was okay with it. Mr. Brock affirmed. An unidentified person asked who would have to give the variance if City Council could not. Mayor Dunbar stated that the Zoning Board of Appeals would. The person asked if City Council had the power to overrule. Mayor Dunbar stated that Council could not overrule the Board of Appeals. [Inaudible] Councilman Braswell stated that another problem is that there is no Zoning Board of Appeals currently which he felt was the City's problem, not Mr. Brock's. Councilman Shaw agreed stating that Mr. Brock is working against time and interest rates and that it needed to be taken care of tonight. Councilman Shaw added that an Appeals Board should be put together so that in the future it will not be a problem. Councilman Braswell agreed. Councilman Shaw stated that this was the reason New Ellenton does not have any boards, because there is so much conflict, and if the City works together, maybe some boards that will listen and make good decisions could be formed. Councilman Nordeen stated that one of the problems was that in 2006 there was a new Zoning Ordinance approved that set up a committee for appeals, but the people were never assigned to it, and it took the power away

from the Council without having the committee. [Inaudible] Mayor Dunbar stated that the Comprehensive Plan of 1994 mandated that all municipalities go to Planning Commission/Board of Zoning Appeals, which should have been in place in 2000. Mayor Dunbar stated that the authority came from that which removed the power of variance from the municipality and placed it with the Board of Zoning Appeals. Councilman Shaw stated that there are people appointed and making decisions when they have no repercussion like voting someone out of office. Mayor Dunbar stated that he understood, but that it was State Law. Councilman Shaw stated that if citizens do not like what Council members do, there is an election from which the Council member can be gone. Mayor Dunbar stated that Jackson, Aiken, and North Augusta have to abide by these rules. Councilman Williams stated that this is what an Appeal Board is for. Councilman Braswell agreed stating that an individual can then go to circuit court. Mayor Dunbar stated that it was legally binding. Councilman Shaw stated that he made a motion. An unidentified person stated that a motion was already made and needed to be voted on. [Inaudible] Mayor Dunbar stated that the Planning Commission makes recommendations. The person stated that the Council is in charge of the town. [Inaudible] Mr. Berry asked who was on the Planning Commission and then asked specifically about Dave Hepner. Mayor Dunbar stated that he did not know. Mr. Berry continued that Dave Hepner has been on and off the Zoning Commission a half dozen times over the years and is just trying to throw his weight around. Mayor Dunbar asked if there were additional questions. Mr. Brock asked if the motion was in the form that would allow him to get a new variance. Councilman Braswell stated that the motion was to write a letter to say that Council says that Mr. Brock can move in. Councilman Braswell stated that he did not think that the letter had to use the word variance. Councilman Shaw stated that Council will make sure that it does not happen again and a variance board will be seated. Councilman Shaw stated that it was not Mr. Brock's fault that this stuff was not in place at this time, but that he needed something done at this time. Councilman Shaw stated that this had been going on for several months now. Mayor Dunbar called for a vote. *5 in favor. Approved with Mayor Dunbar and Councilman Williams opposed. Councilman Williams asked to state his reason and stated that he understood Mr. Brock's position, but that Council gets beat up month after month for not following ordinance and staying within the law. Councilman Williams emphasized that it cannot be both ways and either one abides by the law or he does not.* Councilman Shaw stated that if law was being followed, there would be a Zoning Board of Appeals in place. [Inaudible] Councilman Williams stated that there was a Board, and people were appointed, but Council cannot make someone do what they do not wish to do. Councilwoman Rodgers stated that if Mr. Brock moved his mobile home without getting approval from City Hall, then she could see voting him down, but she felt Mr. Brock had done everything he could do. Mayor Dunbar stated that he voted against it, but that he did not want the door to close on it and wanted the process to work it out and be lawful. Mayor Dunbar stated that Council does not have the authority to grant a variance and essentially the letter would be saying that. Mayor Dunbar stated that it was a mobile home located in an area that is not zoned for mobile homes. An unidentified person stated that it was not a mobile home, but rather a modular home. Assistant City Clerk Moseley stated that it was not permitted. Mayor Dunbar stated that neither is permitted. [Inaudible] Mr. Berry asked what the difference was to the one on Ohio Avenue. Mayor Dunbar stated that he did not know. Mr. Berry stated that it had been moved in since Mayor Dunbar was mayor. Mayor Dunbar agreed stating that it went through the Planning Commission. Mr. Berry stated that the Planning Commission had approved it. Mayor Dunbar agreed. Mr. Berry stated that if Mr. Brock's is not approved, he is being discriminated against. Mayor Dunbar stated that he could not give the specifics on it. An unidentified person stated that according to his knowledge, there is a difference between a mobile home and a modular home, which is considered the same as a home built on site by banks, due to the pitch of the roof looking like a regular home and being tied to the ground. [Inaudible] Mayor Dunbar stated that the City ordinance does not allow for a modular home in that area. [Inaudible] Councilman Nordeen asked for written reports from committees. Mayor Dunbar stated that it could be requested, but that the normal procedure was for the Council member to get with the Department Head, if there is one, and coordinate. Councilman Nordeen stated that he understood for the committees, but he wanted to know for the Recreation Director, Police Chief and Fire Chief. Councilman Nordeen asked if it is the same thing when the committee reports after the Department Head has and then asked Mayor Dunbar if he understood. Mayor Dunbar indicated that he did not. Councilman Nordeen stated that with no sewer representative, it is the Council member's responsibility to report, but with the police, the chief is present to report, so the Council member under committees did not need to. Mayor Dunbar stated that they normally come out in the minutes. An unidentified

person asked how soon he could expect a letter. Councilman Braswell indicated that a letter would be ready in the morning. [Inaudible] Mayor Dunbar stated that a letter was available tomorrow. Councilman Braswell stated that he thought there was already something that would work. Councilman Shaw asked Mr. Brock to review a letter. Mr. Brock stated that he would rather the City contact the people. Councilman Braswell asked if the substance of the motion was what Mr. Brock needed. Mayor Dunbar stated that Council had approved the process of closing all obligations on loans and financial obligations and all other obligations concerning Mr. Brock's home. [Inaudible] Mayor Dunbar stated that he thought the problem was the zoning.

Mayor Dunbar announced the new committee assignments:

Administration – Mayor Dunbar and Councilman Williams

Fire Department – Councilman Shaw and Councilwoman Maddox

Police Department – Mayor Dunbar and Councilman Williams

Streets, Roads and Parks – Councilwoman Rodgers and Councilman Braswell

Sewer and Sanitation – Mayor Dunbar, Councilman Nordeen and Councilman Shaw

Recreation – Councilman Nordeen, Councilman Williams and Councilwoman Maddox

Technology Center – Councilwoman Rodgers and Councilman Braswell

Councilwoman Rodgers stated that she did not want to be on the Technology Center committee. Councilman Shaw offered. Assistant City Clerk Moseley asked if there was a change. Mayor Dunbar affirmed stating that Councilwoman Rodgers would no longer be on the committee. Assistant City Clerk Moseley repeated the assignment and asked who was taking Councilwoman Rodgers's place. Councilman Braswell replied that Councilman Shaw would. Councilwoman Rodgers stated she did not want to be on sewer. Mayor Dunbar asked if Councilman Shaw minded trading Fire, and Councilman Shaw indicated that it was fine. An unidentified person stated that he noticed that Mayor Dunbar and Councilman Williams stay on Police Department all of the time and asked why one of the other guys cannot be on the committee, giving the example that Councilman Shaw works in town all of the time, whereas Councilman Williams does have to go to work. Councilman Williams suggested that Councilman Shaw be added to the Police Department committee which normally had three. An unidentified person asked if Councilman Shaw would be added to the Police committee, and Mayor Dunbar indicated that Councilman Shaw should be added. Mayor Dunbar stated that since people were being added, he wanted to be on the Technology Center committee as well since he has been in correspondence with Mr. Rosenthal. Mayor Dunbar summarized the additions. [Inaudible] Mayor Dunbar stated that the reason he is on sewer is because Councilman Shaw and Councilman Nordeen are new, but stated that it would not take long for them. Mayor Dunbar added that there is not a lot to do on the sewer system as Council relies on Danny. Councilman Braswell asked if the changes needed to be voted on. Mayor Dunbar affirmed. *Motion to approve new committee assignments by Councilman Braswell, second by Councilwoman Maddox. All in favor. Approved.* Mayor Dunbar wanted to discuss the protocol of the committees. Mayor Dunbar stated that being over a special committee, the protocol is if the department head has an issue, he should go to the Council member over that committee, and if the issue cannot be resolved, then the issue should be brought to Council. Mayor Dunbar continued that if a Council member has an issue with another committee, the Council member should seek out the Council member over that committee and then that Department Head. Mayor Dunbar stated that this is the chain of command and does not limit anyone's authority within the Council, but just makes things simpler. City Administrator Greene concurred. Mayor Dunbar asked about nominations stating that Councilman Braswell had a nomination for the Board of Zoning Appeals. Councilwoman Rodgers stated that she might have one or two: Doris Bing and Jimmie Lee Williams. Mayor Dunbar stated that there was one sitting member and five more were needed. Councilman Braswell stated that Council needed to move forward. City Administrator Greene asked if this was for the next meeting. Councilman Braswell urged that it needed to be done. Mayor Dunbar stated that he would send out a reminder, because it had been discussed last month. Mayor Dunbar stated that some budget meetings needed to be scheduled. Councilman Braswell asked if the meeting was still under Administration. Mayor Dunbar affirmed. [Inaudible] Mayor Dunbar stated that persons could serve on the board a year before needing training. City Administrator Greene stated that this was for the Board of Zoning Appeals, not the Planning Commission.

Assistant City Clerk Moseley stated that to serve on the Planning Commission, one must have training. Councilwoman Rodgers asked if Council will still be over the Technology Center once Mr. Rosenthal signs the contract. Councilman Braswell asked if Council should address that under the Technology Center report. Mayor Dunbar stated that it depends on what role the City wants to play. Councilman Braswell suggested discussing this under the Technology Center report. Mayor Dunbar stated that Council needed to have two meetings about the CPW water bond. City Administrator Greene stated that a special meeting was needed on the 11<sup>th</sup> for first reading and that the final reading would be on the 18<sup>th</sup> at the regular meeting. Councilman Braswell asked what these meetings were for. City Administrator Greene stated that they were for passing the bonds for the water department. Councilman Braswell asked if these were the ones that were already done. City Administrator Greene responded that the resolution was done, but the actual bonds had to be approved. [Inaudible] Mayor Dunbar asked if 6:00 was okay and asked if Council wanted to have a budget work session before then. Councilman Braswell asked City Administrator Greene to provide a budget timeline. City Administrator stated that the budget had to be adopted before the last of year and continued that there would be two readings and an ordinance and added that the reading of the ordinance would need to be wrapped up before the 15<sup>th</sup> or 20<sup>th</sup> of June. Councilman Braswell indicated that he understood. Mayor Dunbar stated that there would be a special meeting on the 11<sup>th</sup> and the regular meeting on the 18<sup>th</sup>. Councilman Braswell asked if it was proper to have a special meeting and then have a work session afterwards. City Administrator Greene affirmed and advised that the special meeting should be closed out before going into a budget work session. Mayor Dunbar asked if that would be the first one. City Administrator stated that this should be the first one and then another could be set that night depending on how far Council got, adding that the City is still waiting on a lot of information from the State in terms of revenue. Mayor Dunbar asked if anyone knew of anyone in need of assistance in relation to the recent tornado adding that the County has been around and offered assistance especially for people that do not have assistance. Councilman Braswell added that his church has been helping with tree removal and is willing to help. [Inaudible] An unidentified person commended Councilwoman Maddox and anyone else on Council or worked for the City who had helped. [Inaudible] Councilwoman Rodgers stated that Street and Roads and other Council members worked at the school. Mayor Dunbar asked City Administrator Greene if one budget work session should be scheduled. City Administrator Greene affirmed stating that after Council sees how far it gets in that session, it can schedule others. Councilman Braswell asked if it would be helpful to get some paperwork ahead of time. City Administrator Greene stated that he thought the clerk would have some information available. Assistant Clerk Moseley stated that Council might want to have a budget work session before the 11<sup>th</sup>, because on Mondays after the 11<sup>th</sup>, there was a regular Council meeting and then a holiday. City Administrator Greene stated that the clerk was working on something and would hopefully get it to Council before the work session. Councilman Braswell stated that he remembered starting on it in May last year. Mayor Dunbar stated that he would like to have one before the 11<sup>th</sup>. City Administrator Greene stated that it depended on when the clerk could get the paperwork ready. Mayor Dunbar asked if the clerk had started on it. City Administrator Greene stated that she had some of it, but was waiting on some insurance values. Mayor Dunbar wanted to put down a tentative date of the 5<sup>th</sup> or 7<sup>th</sup>. Councilman Braswell stated that Council could meet on the 7<sup>th</sup>. Assistant Clerk Moseley asked for the time. Mayor Dunbar replied that the meeting would be at 6:00. Chief Parks stated that court might be going on that day. Councilman Braswell asked if it would be that evening. Chief Parks affirmed. Councilman Braswell asked if it could be at the Civic Center. [Inaudible] Mayor Dunbar stated that it could be at the Civic Center. Councilwoman Rodgers asked if court was scheduled, and Councilman Braswell affirmed. Mayor Dunbar stated that the County had budgeted some upgrades to the county library system, and New Ellenton is one of them. Mayor Dunbar stated that the county agreed to build a library as part of their local option tax package in the 2004 referendum. Mayor Dunbar stated that the county has finally agreed to move forward, and Council just needed to make a decision about where it would go. Mayor Dunbar stated that given the flack the City has taken over placing the Fire Station where it is, he recommended putting it on Main Street, but he felt it was a Council decision. Mayor Dunbar continued that \$415,000.00 to build the library. Councilman Braswell stated that the county wants the City to use its \$200,000.00 to furnish it. Mayor Dunbar agreed. Councilman Braswell stated that the \$415,000.00 would cover it and asked how many square feet it would be. City Administrator Greene stated that it is planned at 3500 square feet with rooms in it to use computers. Mayor Dunbar stated that this would be a huge upgrade. [Inaudible] City Administrator Greene stated that Council needed to make a decision about the location because the person

wanted to go to bids shortly after the 1<sup>st</sup> of July. Councilman Braswell asked if the person had come out and looked. City Administrator Greene stated that the person had not because he was waiting on a location. Councilman Braswell stated that his first choice was out front as long as the engineering people say it can be done. Mayor Dunbar agreed. City Administrator Greene stated that buying property would take away from the project. Councilman Braswell asked about the location. An unidentified person replies that the location was on the hill. Mayor Dunbar stated that a motion needed to be made and asked for additional questions. Councilman Nordeen asked if the City had additional property. [Inaudible] Councilman Braswell stated that the property in question was all, adding that the property everyone was sitting on was not owned by the City. City Administrator Greene stated that the lot City Hall is on is rented. Councilman Braswell added that it had been rented for a long time. An unidentified person asked about parking for the library. City Administrator Greene stated that the current parking lot would suffice for City Hall and the library. *Motion to approve the County construction of a library out front on Main Street by Councilwoman Rodgers, second by Councilwoman Maddox. All in favor. Approved.* City Administrator Greene added that it made sense in terms of the water and sewer service. Councilman Braswell thanked Mayor Dunbar and City Administrator Greene for their work. City Administrator Greene stated that the county was building four and hopefully New Ellenton's would be the first. Councilwoman Rodgers stated that a larger library was needed adding that when the Technology Center was running the kids were coming there to use the computers and adding the library would be a plus. City Administrator Greene stated that Council would have input on the planning. Mayor Dunbar stated that the SC Commerce Department allowed the schools in Area 5 to participate in a stock market game through a grant. Mayor Dunbar stated that he met with the Area 5 superintendent and the principals of the local elementary schools participating: Greendale, Redcliffe and New Ellenton Middle, with Redcliffe coming in first in the state. Mayor Dunbar stated that Greendale would have come in second, but had played the wrong game, so they were disqualified. Mayor Dunbar stated that Ms. English from Greendale was the top teacher in the state and won a laptop. Mayor Dunbar stated that the schools get to take him out to eat. Mayor Dunbar congratulated them and let everyone know that the stock market game is out there. Mayor Dunbar added that he has received several notes from students thanking him and indicating that they would not have played without the grant.

*Fire Department* – Councilman Braswell stated that he did not have anything. City Administrator Greene stated that Fire Chief Kellems told him that the new trucks should be in around the first of August. Mayor Dunbar stated that Silver Bluff ordered a truck at the same time, and it was in the Fire Station that got damaged by the storm. Mayor Dunbar stated that there were two trucks in the bay, of which one was a total loss.

*Police Department* –

*Streets and Roads and Parks* – Councilman Braswell stated that he did not have anything. Councilwoman Rodgers stated that Streets and Roads is doing a good job and wanted to compliment them and encourage them to keep doing a good job.

*Sewer and Sanitation* – Mayor Dunbar stated that Danny was employed to work 20 hours per week for the City last year and has now taken a full-time job at the Site, but has continued to work for the City and keep reports up. Mayor Dunbar stated that he had talked to him and planned to get together with him this week to go over the specifics of a new contract including what is expected of him as he works shifts. Mayor Dunbar stated that another operator may be needed, but that he was meeting with Danny on Friday. Mayor Dunbar stated that he and Danny were off and he would let everyone know when the meeting is scheduled.

*Recreation* – Councilwoman Maddox stated that all of the tee-ball games are being played at Foreman Church since the fields were destroyed. Councilwoman Maddox continued that the pitching machine, softball and baseball were being played at the field behind City Hall. [Inaudible] Councilwoman Maddox stated that the school district would be doing some work at the damaged ball fields. Councilman Nordeen stated that there was some concern from parents about where children are supposed to be playing and added that it needed to be gotten out. Councilwoman Maddox stated that there were a lot of changes. Councilman Braswell suggested putting out a

whole new schedule. Councilman Williams stated that there was discussion about the county signing the park over to the City, and he was going to pursue it. Councilman Williams stated that with the financial situation the way it is, the school district may not want to invest in the field and wanted Council to see what could be done. Councilman Williams continued that he would follow up with the school district. Mayor Dunbar stated that the school district would replace the fencing and structures. Councilwoman Maddox added the bathrooms. Mayor Dunbar stated that it was covered under their insurance. [Inaudible] Councilwoman Maddox stated that it did not cover the contents. Councilman Williams stated that he would pursue grants.

*Technology Center* – Councilman Braswell stated that this had been talked about in the work session. *Motion to disconnect the power and water in the Technology Center by Councilman Braswell, second by Councilman Shaw.* Councilman Braswell stated that the reason was that nothing was being done there, and Mr. Rosenthal was taking it over, but no contract or money had been seen. Councilman Braswell continued that Council must look out for the people it represents, and Mr. Rosenthal could turn it back on. Mr. Smith asked who was operating the Technology Center if computers were being received and were the computers donated to Mr. Rosenthal or the City. Mayor Dunbar stated that Mr. Rosenthal receives them through a non-profit that he owns and that the government excesses 10,000 computers a month of which Mr. Rosenthal receives a small portion. Mr. Smith asked to whom the computers were shipped if the City nor Mr. Rosenthal were operating the Technology Center. Mayor Dunbar stated that they are being shipped to the Technology Center. Mr. Smith asked if it was still operating. Councilman Braswell stated that this was the problem he had: storing the computers for free and paying \$1,200.00 per month. An unidentified man asked what would be done about the \$1,200.00 per month. Mayor Dunbar stated that if Mr. Rosenthal does not pay it, the City is responsible for it. The man stated that a contract requires the City to pay the lease. [Inaudible] *Motion to amend the original motion to include padlocking the Technology Center door.* Councilman Braswell stated that Councilman Braswell could do whatever he wanted. [Inaudible] Councilman Nordeen asked if it could be padlocked until a contract is signed and Mr. Rosenthal is paying the lease. Councilman Braswell asked if Mr. Rosenthal had a key. Councilwoman Rodgers stated that he did not. Councilman Braswell asked who lets Mr. Rosenthal in the door. Councilwoman Rodgers stated that she did. Mr. Smith asked if City employees did work at the Technology Center. Councilwoman Rodgers stated that Streets and Roads helped some, but that Mr. Rosenthal had some of his own guys including a technician from Augusta. [Inaudible] An unidentified man stated that Streets and Roads were working at the Technology Center. Councilwoman Rodgers stated that Streets and Roads did help. Mr. Smith stated that Mr. Rosenthal does not have a business license. Mr. Berry asked about the correct use of taxpayers' funds. Mayor Dunbar asked for clarification of the motion. Councilman Braswell stated that the original motion was to disconnect the power and water and was seconded. Councilman Braswell stated that Councilman Nordeen amended the motion. Councilwoman Rodgers stated that she would go along with the power. Councilman Shaw stated that he did not think Mr. Rosenthal should be allowed to use the building if he is not paying the rent and padlocking the doors will stop it. An unidentified man asked if the keys would be confiscated. An unidentified woman stated that Mr. Rosenthal should be given a time frame. Councilwoman Rodgers agreed. Councilman Shaw stated that everyone has been hearing for three months that Mr. Rosenthal was going to sign the paperwork, and a letter was received from Mr. Rosenthal saying June. Councilman Braswell agreed with the three month statement. Councilwoman Rodgers stated that he is going to pay the lease. Councilman Braswell stated that lease has not been paid since March. Mayor Dunbar stated that his understanding was that the lease had not been paid in three months. Ms. Simons asked if there was a second to Councilman Nordeen's motion. Councilman Braswell stated that there had not been. Ms. Simons advised that the motion would die without a second. Mayor Dunbar called for a second to Councilman Nordeen's amendment. *Second to Councilman Nordeen's motion to padlock the Technology Center door by Councilman Shaw.* Councilman Braswell stated that the rent was paid July 2008 to February 2009 and worked out the math showing that it had been paid for those months. An unidentified person asked about Mr. Rosenthal taking over the lease. Mayor Dunbar stated that he had spoken with Mr. Rosenthal on a weekly basis and a letter was received stating that he had met with DOT and Aiken Tech, both which wanted a strategic plan for the Technology Center. Mayor Dunbar continued that Mr. Rosenthal was willing to do that, but that right now he was putting together a conference slated for May and would not be able to develop a strategic plan until the conference takes place. [Inaudible] Councilman Braswell stated that he was



incorrect in his previous statement and corrected that the lease had not been paid for February or March. [Inaudible] Councilman Shaw stated that the letter also stated that Mr. Rosenthal needed to determine if there were ample computers to sustain the Technology Center and thought padlocking it and cutting off the water and power were the ways to go. An unidentified woman asked if the rent had not been paid for three months. Several people affirmed. Mr. Smith stated that everyone was proceeding under the assumption that Mr. Rosenthal was going to have a business license and he felt that applying and being approved for a business license were the appropriate first steps. Councilman Braswell stated that Council is considered about the lease being taken over, because that is where the City is experiencing a loss. Councilman Braswell stated that if Mr. Rosenthal took over the lease, the City would almost hand him a business license. Mr. Smith stated that Mr. Rosenthal would have to apply for it. Councilman Braswell agreed. [Inaudible] Mayor Dunbar asked for additional discussion. *Vote on amendment to lock the doors: 4 in favor. Approved with Mayor Dunbar, Councilwoman Rodgers and Councilman Williams opposed. Mayor Dunbar stated that he did not see a reason for padlocking the door, and if Mr. Rosenthal does not pay the lease, the City will have to.* Councilman Braswell began to speak, but was interrupted by Mayor Dunbar asking about the chance that Mr. Rosenthal will sign the lease if the City locks him out. [Inaudible] Councilwoman Rodgers stated that Mr. Rosenthal had called Friday to find out to whom he needed to make the check, so she was sure he had already mailed a check and that it was going directly to the owner of the property. Councilwoman Rodgers stated that she saw no reason for the padlock. [Inaudible] Mayor Dunbar asked for a clarification of padlocking. [Inaudible] Mayor Dunbar stated that the City is still technically leasing the building. Councilman Nordeen asked what the City does in there. Mayor Dunbar replied that the City does nothing. Councilman Nordeen asked what was being done in the Technology Center. Mayor Dunbar stated that Council had originally set up a Technology Center with computers and a classroom. [Inaudible] Mayor Dunbar stated that it was non-functional now and asked if the approved motion meant no one else could go in the Technology Center or just Mr. Rosenthal. Councilman Nordeen stated that he did not see letting the Technology Center still run when Mr. Rosenthal was not paying anything and continued that anyone in there working is doing something for Mr. Rosenthal. Councilman Shaw stated that if technicians are being sent over to work, then somebody is doing something, and someone is making income off of it. Councilwoman Rodgers stated that if Mr. Rosenthal is paying anybody, she does not know about it, and she always lets the technicians in. Councilman Nordeen stated that the City facility is being used for Mr. Rosenthal's business. Councilman Shaw agreed. Councilman Nordeen stated that since he began coming to the meetings in November, he has been hearing that someone is going to take over the lease. Councilman Nordeen stated that he thought Mr. Rosenthal should take over the lease or get out. Councilwoman Rodgers asked if Council wanted to padlock the door just because it was taking Mr. Rosenthal a while to get situated. Councilman Shaw asked how long it takes one to get situated. Mayor Dunbar stated that Councilman Shaw had read the letter. Councilman Shaw agreed. [Inaudible] Councilwoman Rodgers stated that there had been a problem since the Technology Center opened up and no one wanted it to see the Technology Center "fly." Councilwoman Rodgers stated that she has been a part of the Technology Center since it opened and stated that people had profited from the Technology Center. Councilwoman Rodgers stated that a lot of times she got out of her bed to come to the Technology Center to let kids use the computers and teachers bring their students. Councilwoman Rodgers concluded that the situation was ridiculous, and she felt people were getting personal with it. Mr. Berry asked how much benefit it had been to the town. Councilwoman Rodgers stated that it benefited the community, children, schools and teachers, adding that anytime someone called her and asked to be let in the Technology Center, she let them in. Councilwoman Rodgers stated that she did not even get gas money for it, but felt that it was a benefit for the City and it was wrong for Council to do what it was doing. Councilman Shaw stated that the internet is cut off, so it is useless and can be padlocked. Councilwoman Rodgers stated that anytime the teachers come and bring students, the internet is not used. Mayor Dunbar asked if the doors at Goodman's should be padlocked since it had closed down. [Inaudible] Councilman Shaw stated that it was a different issue and asserted that he is paying his bills. [Inaudible] Councilwoman Rodgers asked how many votes there were to padlock the door. Councilman Shaw and others replied that four yes votes were recorded. City Administrator Greene asked what would be done with the computers that are there now. Councilwoman Rodgers stated that those computers do not belong to the City. Councilman Shaw stated that the computers should not be there to begin with. [Inaudible] City Administrator Greene stated that in his opinion, the computers did not belong to the City and asked who would safeguard them. Several people replied that the

padlock would. City Administrator Greene stated that if it padlocked, someone is going to have to get in to check. Assistant Clerk Moseley asked about the computers with no air in the summer. Councilman Shaw stated that if there is no hard drive in them, it will not matter. Councilwoman Rodgers stated that there is a classroom and asked an unidentified person if he or she had ever been in the Technology Center. Councilman Shaw replied that he had not. Councilwoman Rodgers stated that there were 20 computers in a classroom setting. Several people agreed. Mr. Berry stated that only about 1.5 or 2% of the mission statement had been accomplished. Councilwoman Rodgers stated that it was because there were so many people fighting against it. Mayor Dunbar asked for Mr. Berry's point. Mr. Berry stated that the concept was great, but that it was built and no one came. Mr. Berry stated that this was the problem. Councilwoman Rodgers stated that the Technology Center was for the community and Council had asked for volunteers. [Inaudible] Mr. Berry stated that if the landlord calls about the rent, the City should refer the landlord to Mr. Rosenthal. An unidentified person stated that Mr. Rosenthal's name is not on the lease [Inaudible] Councilwoman Rodgers stated that she tries to vote her heart when she feels something is right and she felt it was wrong and being done for personal reasons. Councilman Shaw stated that Councilwoman Rodgers should listen to the people and reminded her that she was elected to serve the people. An unidentified person stated that some people were happy with the Technology Center. Councilman Shaw stated that all he was saying is that it is not functional. [Inaudible] Councilwoman Rodgers stated that the City would have to put out money whether it was functional or not and asked what sense it makes to padlock the door. Mayor Dunbar asked for opinions if Mr. Rosenthal pays the rent and not the utilities. Councilman Braswell stated that if the vote is to turn off the utilities and Mr. Rosenthal decides to pay the rent, then Mr. Rosenthal can turn them back on. Mayor Dunbar asked for the sense in that. [Inaudible] Councilwoman Rodgers stated that the utilities are paid for the month and Council was just going to turn them off. Councilman Braswell stated that he understood and would not have a problem with it. Councilman Shaw stated that if the City signed the lease, Mr. Rosenthal should send the money to the City to pay the lease, instead of mailing it directly. Councilman Nordeen stated that setting up the Technology Center and making it run as a joint venture would work out, but that the City has not been given its fair share. Mayor Dunbar stated that he did not disagree. Councilman Nordeen continued that nothing will be done unless Mr. Rosenthal is forced to help the City. Mayor Dunbar asked if after reading the letter, everyone understood the hold-ups, not just that Mr. Rosenthal wants to stall, but rather that he has not secured a flow of computers, because appointments in Washington have not been made. Mayor Dunbar stated that he understood cutting expenses, but padlocking the door did not make good sense. Mayor Dunbar stated that if Mr. Rosenthal does pay the rent, he is going to want to send more computers. Councilman Shaw stated that when the City has proof that the rent has been paid, the padlock will be removed. Councilwoman Rodgers stated that when seeking election, unidentified people's main agenda was to close down the Technology Center and this was the first Council meeting. Councilwoman Rodgers continued that the unidentified people had no clue what went on at the Technology Center and were going by word-of-mouth. Councilwoman Rodgers encouraged the individuals to visit the Technology Center and talk to her, as she know more about it than anybody. An unidentified man stated that an audit of it revealed it had lost \$18,000.00 in 1957. Mayor Dunbar questioned the year. [Inaudible] Councilman Nordeen stated that he had a budget disclosing computer sales of \$450.00 for July 2008 to March 2009. Councilwoman Rodgers stated that the Technology Center has not been selling computers. Councilman Nordeen continued that the budget shows what is being spent. Mayor Dunbar questioned whether padlocking the door was correct. Ms. Simons requested that the original motion by Councilman Shaw be voted on, since the amendment had already been voted on. Councilman Braswell corrected that it was his motion. [Inaudible] Councilman Braswell stated that the lease had not been paid by the City or Mr. Rosenthal for February or March. Mayor Dunbar agreed and stated that Mr. Rosenthal had assured him that a check would be written for \$3,600.00. Councilman Braswell stated that he is for getting the most money for the City as possible and stated that getting the \$3,600.00 was better than cutting off the power if the money came. Councilman Braswell asked that if the \$3,600.00 is sent, Mr. Rosenthal be given the opportunity to take over the utilities. Councilman Braswell stated that his goal was to get the City out of as much debt as possible. Mayor Dunbar stated that the City is obligated. Councilman Braswell agreed and continued that if Mr. Rosenthal pays what he says he will pay, Councilman Braswell would be for not turning off the water and power, because there would be a cost associated with turning it back on. Councilman Braswell stated that if the \$3,600.00 is paid towards the rent, he would be for allowing Mr. Rosenthal access and a grace period to take over the power. Councilman

Braswell stated that his goal is to get money back to the City. Councilman Braswell added that he thought the City had shown some grace, but that he would be happy with this scenario. Mayor Dunbar asked how much is being paid for electricity and water. Councilman Braswell stated that it is a few hundred. Councilwoman Rodgers stated that up until last month, the Youth Sports director worked out of the Technology Center. Councilman Braswell stated that for February it was \$2904.76, and March was \$3,578.00 and summarized that for the year \$3500.00 had been spent on utilities. Councilman Nordeen mentioned janitorial services. Councilman Braswell agreed that there would be a little for janitorial services. Mayor Dunbar asked if it was \$500.00 for water and lights. Councilman Braswell stated that it might be for a few months and stated that for the Fiscal Year \$3,500.00 had been spent on utilities. Mayor Dunbar and Councilwoman Rodgers agreed that it seemed high. Councilman Braswell stated that he watches it every month. Mayor Dunbar stated that he could see \$200.00 or \$300.00 for the electricity and the water should be minimal. Councilman Braswell stated that the water should be \$40.00 or \$30.00. Councilwoman Rodgers stated that she did not know why it would be that much, because no one ever uses it. Councilman Braswell found some values on the Profit & Loss Detail from Aiken Electric Co-op/Technology Center and provided the following: for March \$459.61 and \$192.93 for March. An unidentified person asked why there were two for March and there must be a mix-up. [Inaudible] Councilwoman Rodgers stated that it must be a mistake. Councilman Shaw stated that there are two numbers because there are two buildings. Councilwoman Shaw stated that it had been two months since the internet had been turned off. Councilman Braswell corrected that he was referring to the power bill and not the internet. Councilwoman Rodgers stated that it had to be incorrect, because no one was ever in the Technology Center. [Inaudible] Councilman Braswell agreed with Councilman Shaw about the two buildings and two meters. Councilman Shaw stated that the air conditioners must be turned on. Councilwoman Rodgers stated that it needed to be turned off. Mayor Dunbar asked Councilman Braswell, if the \$3,600.00 is paid this would, could Council show good faith and give him until June to come up with the strategic plan as his letter requested. Councilwoman Rodgers stated that she was pretty sure he would pay the lease every month. Mayor Dunbar continued that he would understand if the lease is not paid and the letter was requesting a grace period. Ms. Simons asked if Councilman Braswell stated that the rent had not been paid for February and March. Councilman Braswell affirmed. Ms. Simons asked if the \$3,600.00 would be retroactive for February, March and April. Councilman Braswell and Mayor Dunbar affirmed. Ms. Simons stated that on April 30<sup>th</sup>, the clock would start again and May and June would be due until the strategic plan. Mayor Dunbar agreed and asked that if someone pays \$3,600.00 in back-rent to catch up a lease, would he balk on paying \$2,400.00 to move forward. Ms. Simons stated that it was for Mr. Rosenthal to decide. Mayor Dunbar stated that he was just asking. Councilwoman Rodgers stated that in fairness, Mr. Rosenthal should not be paying February, March and April. Mayor Dunbar stated that he agreed to do it. Councilwoman Rodgers agreed and continued that Youth Sports was working out of the Technology Center. Councilman Braswell asked if that was true for February. Assistant Clerk Moseley stated that this was not true. Councilwoman Rodgers stated that it was true. Ms. Simons stated that the Recreation Director does not have authority to use the Technology Center and his office should be in City Hall and if his computers are in the Technology Center, it is being used for storage whether he is working out of there or not. [Inaudible] An unidentified person asked about Mr. Rosenthal's business license. [Inaudible] Councilman Braswell asked about giving Mr. Rosenthal until May 5<sup>th</sup>. Councilman Shaw stated that giving him until May 5<sup>th</sup> would allow the City to leave everything in place. [Inaudible] Councilman Braswell stated that he thought he had a compromise worked out. Councilman Braswell stated that he made the original motion, so he was withdrawing it. Ms. Simons stated that she thought Councilman Shaw made the original motion. Councilman Braswell stated that he made the original motion. Councilman Braswell stated that he did know if Councilman Nordeen needed to withdraw his amendment. Councilman Nordeen stated that it had already been voted on. Councilman Braswell agreed stating that the amendment had been added to the original motion and then withdrew his motion. Mr. Roland stated that there had to be a motion to withdraw a motion. Councilman Braswell stated that he was not sure, but stated that the original motion had been seconded, but not voted on. Councilwoman Rodgers asked City Administrator Greene for assistance. Mr. Smith stated that if it had been amended, it could not be withdrawn. Councilman Braswell stated that a motion would be withdrawn. Mr. Smith disagreed after it has been seconded. Mr. Berry asked for rationale for withdrawing the motion. Councilman Braswell stated that coming up with a compromise which gave Mr. Rosenthal until May 5<sup>th</sup> to pay the \$3,600.00. Councilman Braswell stated that the key is to get

the City some money back and this was a great way to do it. Mr. Berry interrupted, and Councilman Braswell asked to finish. Councilman Braswell continued that giving Mr. Rosenthal until May 5<sup>th</sup> would be gracious and that at the next Council meeting two weeks later, Council could continue to work with him if the money is received. Councilman Braswell stated that Mr. Rosenthal paying \$3,600.00 is better than Mr. Rosenthal walking away and all that is saved is \$400.00 on utilities. Councilman Braswell continued that if Mr. Rosenthal pays by May 5<sup>th</sup>, Council will continue to work with him on the power and give him a chance to take it over. Councilman Braswell continued that Mr. Rosenthal has some sort of meeting in May, and this will give him a chance to get organized. Councilman Braswell stated that if Mr. Rosenthal does this, it is a win-win situation for both. Councilman Braswell stated that if he does not do it by May 5<sup>th</sup>, the City can turn off the power and water and not let Mr. Rosenthal get in until something is done. Councilman Braswell urged Council to give him a chance and offered that his original motion be voted down which is easier than making several more motions. *Vote on original motion to turn off water and power with the amendment to include padlocking the door: Defeated with Councilman Nordeen abstaining. Motion to give Mr. Rosenthal until May 5<sup>th</sup> to pay \$3,600.00 as promised and obtain a business license including that if the provisions of the motion are met, the City will continue to work with him as he makes his plans and if it is not paid, the City will cut the power and water and not allow access to the Technology Center by Councilman Braswell, second by Councilwoman Rodgers. Councilman Nordeen asked if Mr. Rosenthal would have to come before Council for a business license. City Administrator Greene stated that it is City policy, but that no where else does.* [Inaudible] Assistant Clerk Moseley asked who was going to notify Mr. Rosenthal. Councilman Braswell stated that he could email and indicate that he was applying for a business license and did not mean that he had to walk in. Assistant Clerk Moseley indicated that he could fax or mail his business license application. Councilman Braswell stated that he did not mean walking in. Ms. Simons stated that the motion stated that Mr. Rosenthal has to get his license implying that Council had to approve it and suggested that Councilman Braswell amend his license. *Councilman Braswell amended his motion to change the phrase "obtain a business license" to "apply for a business license."* Mr. Smith asked if this meant that on May 6<sup>th</sup> the padlock would go up. [Inaudible] Councilman Braswell stated that the way the motion is worded, provides for turning off the water and power and not allowing access, adding that Mr. Rosenthal cannot get in without a City representative. City Administrator Greene asked what happens if Mr. Rosenthal sends two tractor-trailers to remove his computers May 5<sup>th</sup>. Mayor Dunbar stated that he did not think the City could hold them. Councilman Braswell stated that the City would not do that. Councilwoman Rodgers stated that she wished he would do that and make the City continue to pay it adding that she could not take it anymore. Mayor Dunbar stated that the City is giving him an ultimatum. Councilman Braswell stated that if information is received tomorrow that the rent has been paid, Mr. Rosenthal never has to know. Councilwoman Rodgers indicated that she would be telling Mr. Rosenthal. Councilman Braswell stated that it was fine, and if Mr. Rosenthal is a reasonable man, he will understand. Councilwoman Rodgers stated that Mr. Rosenthal is trying to do something for the City and no one that lives in the community is willing to do it for the children and community. Councilwoman Rodgers continued that Mr. Rosenthal lives in Washington, D.C. and she stayed on the computer day and night and telephone trying to reach someone who would be concerned and try to help keep the Technology Center open. [Inaudible] Councilwoman Rodgers stated that she had requested help from Mr. Berry, and that Mr. Berry had just come by and looked in to see what was going on to talk about something. Mayor Dunbar asked if \$3,600.00 is paid, will everyone back off of the Technology Center. Councilman Shaw stated that if the money is paid and Mr. Rosenthal takes steps to continue to take it over, then everyone will back off. [Inaudible] Mayor Dunbar stated that the letter states that there is difficulty making it self-sustaining. Councilman Shaw stated that Mr. Rosenthal supposedly had mailed it. Mayor Dunbar stated that Councilman Shaw did not understand what was being said. Councilman Shaw stated that he understood. Mayor Dunbar stated that he is looking beyond the \$3,600.00 because he would hate for Mr. Rosenthal to waste his money. Mayor Dunbar stated that he did not want to badger him month after month. Councilwoman Rodgers agreed. Ms. Simons asked if the City had communicated to Mr. Rosenthal that the \$3,600.00 is retroactive. Mayor Dunbar stated that he had emailed Mr. Rosenthal. Councilman Braswell agreed that Mr. Rosenthal was aware. Ms. Simons asked if Mr. Rosenthal understood. Mayor Dunbar affirmed. Ms. Simons asked if Mr. Rosenthal agrees. Mayor Dunbar stated that February, March and April were agreed. Ms. Simons thanked Mayor Dunbar. [Inaudible] Councilman Braswell stated that the motion says if he pays, the City will work with him. Councilman Braswell stated that he is all for someone wanting to help the City,

but that he still needed to look out for the City. Councilman Braswell continued that if the City gets \$3,600.00 he will be happy and ready to continue to help. [Inaudible] Mr. Roland expressed concern about getting into debt again on the rent. Councilwoman Rodgers suggested that everyone with money donate some to the Technology Center to help the youth. Mr. Smith stated that he had not seen many youths in the Technology Center. Councilwoman Rodgers asked how many times Mr. Smith had been by other than when he wanted to pick. Mr. Smith stated that when he was on the Council, he was there constantly. Councilwoman Rodgers disagreed. [Inaudible] Mayor Dunbar stated that the lease is until January 2010. [Inaudible] Mayor Dunbar stated that he did not want the \$3,600.00 to be received and then the business license to be an issue and then the next thing to be an issue. Councilwoman Rodgers stated that there would something else. Councilman Shaw directed to Councilwoman Rodgers that he thought Mr. Rosenthal had already mailed the check. Councilwoman Rodgers stated that she hoped he had. [Inaudible] Mayor Dunbar called for order and asked if there were additional questions or comments. [Inaudible] Councilman Braswell reviewed his motion. *Vote on Councilman Braswell's motion to give Mr. Rosenthal until May 5<sup>th</sup>: 4 in favor. Approved with Councilman Williams and Councilwoman Rodgers opposed and Mayor Dunbar abstaining. Councilman Williams stated that he was opposed because if the City forces his hand and he backs out, the City will have to pay another \$15,000.00 and felt that Mr. Rosenthal should be given until June adding that the City had to pay the bill.* Councilman Braswell stated that Council is only asking him to do what he already said he would do. Councilwoman Rodgers stated that the Council members in favor of the motion did not believe he was going to do it, so they were forcing him to do it. [Inaudible] Mayor Dunbar summarized the vote.

Mayor Dunbar asked for additional comments.

### **Adjournment**

*Motion to adjourn by Councilwoman Rodgers, second by Councilman Braswell. All in favor. Approved.*

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Mayor's Signature

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Date

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City Clerk's Signature

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Date