



MINUTES

November 5, 2020

REGULAR MEETING OF THE CITY COUNCIL

ASSEMBLY ROOM - OPERATIONS CENTER | 305 WILLIAMS ST. 5:45 p.m.

Present: Mayor Barbara G. Volk, Mayor Pro Tem Jerry Smith, and Council Members: Jeff Miller, Dr. Jennifer Hensley, and Lyndsey Simpson

Staff Present: City Manager John F. Connet, City Attorney Angela Beeker, Assistant City Manager Brian Pahle, City Clerk Angela Reece, Communications Manager Allison Nock, Interim Police Chief Bill Hollingsed, Community Development Director Lew Holloway, Planner Tyler Morrow, and Utilities Director Lee Smith

1. Call to Order

Mayor Volk called the meeting to order at 5:45 p.m. and welcomed those in attendance. A quorum was established with all members in attendance.

2. Invocation and Pledge of Allegiance to the Flag

The City Council observed a moment of silence for prayer or reflection followed by the Pledge of Allegiance to the Flag.

3. Public Comment *Up to 15 minutes is reserved for comments from the public not listed on the agenda.*

Joseph and Sandra Williams of 309 Chadwick Ave. addressed City Council requesting consideration to update the City's noise ordinance. Sandra Williams expressed concerns about the traffic on their street and said that the street is being used as a cut through.

4. Consideration of Agenda

City Manager John Connet requested to REMOVE Item 5G, and to ADD Item 5-O, Tax Releases, Discoveries and Refunds, and Item 6E, Utility Assessment Policy Presentation.

Council Member Jeff Miller moved to amend and approve the agenda with the addition of Item 5-O, Tax Releases, Discoveries and Refunds and Item 6E, Utility Assessment Policy and to remove Item 5G. A unanimous vote of the Council followed. Motion carried.

5. Consent Agenda

A. Adoption of City Council Minutes

- i. September 23, 2020, Second Monthly Meeting
- ii. October 1, 2020, Regular Session

B. Budget Amendments FY21- *Presenter: Adam Murr, Budget Analyst*

C. Resolution Accepting State Revolving Fund Loan – Ashe St. Neighborhood & 4th Ave. Sewer Replacement Project *-Presenter: Lee Smith, Utilities Director*

Resolution #20-0583

RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL TO ACCEPT A CLEAN WATER STATE REVOLVING FUND LOAN FOR THE ASHE STREET NEIGHBORHOOD AND 4th AVENUE SEWER REPLACEMENT PROJECT

WHEREAS, the North Carolina Clean Water Revolving Loan and Grant Act of 1987 has authorized the making of loans and grants to aid eligible units of government in financing the cost of construction of wastewater treatment works, wastewater collections systems, and water supply systems, water conservation projects; and

WHEREAS, the North Carolina Department of Environmental Quality has offered a Clean Water State Revolving Fund Loan in the amount of \$1,819,000 for the construction of the Ashe Street Neighborhood & 4th Avenue Sewer Replacement project, hereafter referred to as the "Project"; and

WHEREAS, the City of Hendersonville intends to construct said Project in accordance with engineering plans and specification that have been or will be approved by the North Carolina Division of Water Resources; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Hendersonville, North Carolina that:

1. That City of Hendersonville does hereby accept the Clean Water State Revolving Loan offer in the amount of \$1,819,000.00
2. That the City of Hendersonville does hereby give assurance to the North Carolina Department of Environmental Quality that they will adhere to all applicable items specified in the standard "Conditions" and "Assurances" of the Department's funding offer, awarded in the form of State Revolving Loan.
3. That John Connet, City Manager, and successors so titled, is hereby authorized and directed to furnish such information, as the appropriate State agency may request, in connection with such application or the project; to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.
4. That City of Hendersonville has complied substantially or will comply substantially with all Federal, State and local laws, rules, regulations, and ordinances applicable to the Project and to Federal and State grants and loans pertaining thereto.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 5th day of November 2020.

/s/Barbara G. Volk, Mayor

Attest: /s/Angela L. Reece, City Clerk

Approved as to form: /s/Angela S. Becker, City Attorney

D. Resolution Accepting Drinking Water State Reserve Program for Ashe St. Neighborhood & 4th Ave. Water Replacement Project - Presenter: Lee Smith, Utilities Director

Resolution #20-0584

RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL TO ACCEPT A DRINKING WATER STATE RESERVE PROGRAM LOAN FOR THE ASHE STREET NEIGHBORHOOD AND 4th AVENUE WATER REPLACEMENT PROJECT

WHEREAS, the Safe Drinking Water Act Amendments of 1996 and the North Carolina Water Infrastructure Fund have authorized the making of loans and/or grants, as applicable, to aid eligible, drinking water system owners in financing the cost of construction for eligible, drinking water infrastructure; and;

WHEREAS, the North Carolina Department of Environmental Quality has offered a State Reserve Program Loan in the amount of \$812,000.00 for the construction of the Ashe Street Neighborhood & 4th Avenue Water Replacement project, hereafter referred to as the "Project"; and

WHEREAS, the City of Hendersonville intends to construct said Project in accordance with engineering plans and specification that have been or will be approved by the North Carolina Public Water Supply Section; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Hendersonville, North Carolina that:

1. That City of Hendersonville does hereby accept the State Reserve Program Loan offer in the amount of \$812,000.00.
2. That the City of Hendersonville does hereby give assurance to the North Carolina Department of Environmental Quality that they will adhere to all applicable items specified in the standard "Conditions" and "Assurances" of the Department's funding offer, awarded in the form of State Reserve Program Loan.
3. That John Connet, City Manager, and successors so titled, is hereby authorized and directed to furnish such information, as the appropriate State agency may request, in connection with such application or the project; to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.
4. That City of Hendersonville has complied substantially or will comply substantially with all Federal, State and local laws, rules, regulations, and ordinances applicable to the Project and to Federal and State grants and loans pertaining thereto.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 5th day of November 2020.

/s/Barbara G. Volk, Mayor

Attest: /s/Angela L. Reece, City Clerk

Approved as to form: /s/Angela S. Becker, City Attorney

E. Resolution Accepting Clerks Certificate of Sufficiency-Landings of Flat Rock Satellite Annexation of 8.449 Acres PIN 9588-12-7382 and Setting Public Hearing- Presenter: Tyler Morrow, Planner

Resolution #20-0585

**RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL 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, certification by the City Clerk as to the sufficiency of the petition has been made;

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Hendersonville, North Carolina that:

Section 1. The Clerk's Certificate of Sufficiency is accepted.

Section 2. A public hearing on the question of annexation of the non-contiguous area described herein will be held at City Operations at 5:45 p.m. December 3, 2020, or as soon thereafter as it may be heard.

Section 3. The area proposed for annexation is described as follows:

Being all of that real property shown on that plat recorded on Plat Slide 12688 of the Henderson County Registry, and being described by metes and bounds as follows:

Beginning At An Existing Mag Nail in the Centerline of SR 1746 and the centerline of a Creek; Thence a straight line N 72°08'48" E A Distance Of 277.83' To An 1/4" EIR in said Creek; Thence N 64°55'31" E A Distance Of 27.64' To An 1-1/2" EIP on the West Bank of said Creek; Thence N 52°26'26" E A Distance Of 16.17' To An 1" Square Iron Flush at Wooden Fence Post Corner the SE Corner of David Arrowood, DB 1296 Pg 271; Thence along Arrowood Eastern property line N 43°53'31" W A Distance Of 15.92' to a point not set in the centerline of said creek; Thence down the centerline of said creek the following 9 calls; N 29°13'26" E A Distance Of 53.64'; N 62°53'30" E A Distance Of 31.11'; N 69°42'48" E A Distance Of 49.75'; S 86°28'50" E A Distance Of 33.08'; N 66°07'12" E A Distance Of 11.35'; N 03°41'08" E A Distance Of 22.03'; N 53°45'46" E A Distance Of 30.52'; N 90°00'00" E A

Distance Of 23.50'; N 50°37'35" E A Distance Of 22.87'; Thence leaving the creek S 17°19'07" E A Distance Of 18.55' To A New Iron Rod Set 1' SE of Woven Wire Fence; Thence continuing S 17°19'07" E A Distance Of 677.28' To A New Iron Rod Set; Thence S 78°06'40" W A Distance Of 638.79' To A on the Eastern R/W of SR 1746; Thence continuing S 78°06'40" W A Distance Of 30.17' To A Point not set in the centerline of SR 1746; Thence along the centerline of SR 1746, N 05°43'11" W A Distance Of 551.28'; Which Is The Point Of Beginning, and consisting of +/- 8.449 acres.

Section 4. Notice of the public hearing shall be published once in The Hendersonville Times-News, a newspaper having general circulation in the City of Hendersonville, at least 10 days prior to the date of the public hearing.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 5th day of November 2020.

/s/Barbara G. Volk, Mayor

Attest: /s/Angela L. Reece, City Clerk

F. Proposed Acceptance of Negotiated Offer to Purchase a +/- 0.14-acre parcel, shown on Plat Slide 4094 of the Henderson County Registry for \$1,500.00 - Presenter: Angela S. Beeker, City Attorney

Resolution #20-0586

**RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL
OF PROPOSED ACCEPTANCE OF NEGOTIATED OFFER**

WHEREAS, the City of Hendersonville owns certain property described as that +/- 0.14 acre tract as shown on that plat recorded in the Henderson County, Register of Deeds Office in Plat Slide 4094, said plat being incorporated herein by reference, the lot having a tax parcel ID of 9589271459, and the property having being acquired by the City in Deed Book 1094 at Page 228 of the Henderson County Register of Deeds Office ("Property"); and

WHEREAS, North Carolina General Statute Section 160A-269 permits the City to sell property by upset bid after receiving and offer to purchase; and

WHEREAS, the City has received a NEGOTIATED OFFER RECEIVED PURSUANT TO N.C.G.S. § 160A-269 ("Offer"), a copy of which is attached hereto and incorporated herein by reference; and

WHEREAS, pursuant to the Offer, Joshua Hoard ("Buyer"), is offering to purchase the Property for the sum of One thousand five hundred dollars and no/100 (\$1,500.00), subject to the terms and conditions contained within the Offer; and

WHEREAS, subject to the terms below, the Hendersonville City Council wishes to issue a proposed acceptance of the Offer;

THEREFORE, the Hendersonville City Council resolves that:

1. The Council declares the Property surplus and proposes to accept the Offer pursuant to the procedures of 160A-269.
2. The Buyer has required to deposit with the City Clerk a sum equal to 5 % of the offer, or \$75.00. The Clerk will cause a notice to be published in a newspaper of record advising that upset bids will be accepted within 10 days of the date of publication, which bid shall increase the proposed sales price by at least an amount equal to 10% of the first \$1,000.00 of the purchase price and 5% of the excess. Such upset bids shall be made to the City Clerk and accompanied by a deposit equal to 5% of the new purchase price, at which time the Clerk shall then publish a new notice advising that further upset bids, increased in the same minimum amount may be accepted within 10 days from the date of publication.
3. Each bidder submitting an upset bid shall be bound by the same terms and conditions as contained in the Offer. Each bidder shall therefore be required to sign an offer in the form of the Offer attached hereto as Exhibit A, with the only differences being (1) a revised purchase price; and (2) modification of the terms of the upset bid procedure described in the Offer to reflect the terms of this Resolution.
4. When there are no further bidders, the high bid shall be reported to the Council by the Clerk.
5. Closing shall occur within 30 days of the issuance of a final acceptance by the Council.
6. The City reserves the right to withdraw the property from sale at any time before the issuance of a final acceptance and the right at any time to reject all bids.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 5th day of November 2020.

/s/Barbara G. Volk, Mayor

Attest: /s/Angela L. Reece, City Clerk

Approved as to form: /s/Angela S. Beeker, City Attorney

G. ~~REMOVED~~ - Resolution Authorizing the City Manager to Exempt, Award, Enter into Contracts for Architectural, Engineering, and Surveying Services from Requirements of NC G.S. 143-65.31 (Mini-Brooks Act)

This item was removed for consideration at a later date.

H. Resolution Authorizing City Manager to Enter into an Engineering Services Agreement with Jennings Environmental for the North Fork Reservoir Dredging Project - Presenter: Lee Smith, Utilities Director

Resolution #20-0587

**RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL
TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A CONTRACT WITH JENNINGS ENVIRONMENTAL, PLLC, FOR THE NORTHFORK RESERVOIR DREDGING PROJECT**

WHEREAS, the City intends to dredge its North Fork Reservoir, one of the City's existing three water supply sources, located within the Pisgah National Forest in the summer/fall of 2021; and

WHEREAS, dredging of the North Fork Reservoir is necessary to remove sediment that has accumulated in the reservoir, reducing storage capacity and inhibiting flow to the intake structure; and

WHEREAS, the City has received a proposal from Jennings Environmental, PLLC, proposing to provide engineering services to support sediment removal from the North Fork Reservoir managed for water supply by the City in the amount of \$48,000 (the "Proposal"); and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Hendersonville, North Carolina that the City Manager is authorized to enter into a contract with Jennings Environmental, PLLC, in the amount of \$48,000.00 to perform the services outlined in the Proposal. Further the City Manager, City Attorney, City Clerk, and City staff are authorized to take such actions as are necessary to carry out the City's obligations under the terms of the contract as signed by the City Manager. The Agreement is hereby exempted from the requirements of the Mini-Brooks Act, NCGS § 143-64.31.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 1st day of October 2020.

/s/Barbara G. Volk, Mayor

Attest: /s/Angela L. Reece, City Clerk

Approved as to form: /s/Angela S. Beeker, City Attorney

I. Acceptance of HAC's Dedication of Right-of-Way for Strick Garden Lane to Include into Street Maintenance Program - Presenter: Tom Wooten, Public Works Director

J. Resolution Authorizing the City Manager to Enter into a Stormwater Asset & Inventory Assessment Project Contract with WithersRavenel, Inc. -Phase I - Presenter: Michael Huffman, Stormwater Administrator

Resolution #20-0588

**RESOLUTION BY THE CITY OF HENDERSONVILLE CITY COUNCIL
TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A CONTRACT
WITH WITHERSRAVENEL, INC., FOR PHASE I OF STORMWATER
ASSET AND INVENTORY ASSESSMENT PROJECT**

WHEREAS, the City wishes to complete Phase 1 of an Asset Inventory and Assessment of the City's stormwater infrastructure to help City staff identify deficiencies in stormwater system, assess the overall condition of infrastructure, and accurately develop future CIP plans.; and

WHEREAS, the City has received a proposal from WithersRavenel, Inc., proposing to provide engineering services to perform Phase I of the Asset Inventory and Assessment in the amount of \$99,800 (the "Proposal");

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Hendersonville, North Carolina that the City Manager is authorized to enter into a contract with WithersRavenel, Inc., in the amount of \$99,800.00 to perform the services outlined in the Proposal. Further the City Manager, City Attorney, City Clerk, and City staff are authorized to take such actions as are necessary to carry out the City's obligations under the terms of the contract as signed by the City Manager.

Adopted by the City Council of the City of Hendersonville, North Carolina on this 5th day of November 2020.

/s/Barbara G. Volk, Mayor

Attest: /s/Angela L. Reece, City Clerk

Approved as to form: /s/Angela S. Becker, City Attorney

K. Special Event Approval- An Evening of Remembrance - Presenter: Lew Holloway, Community Development Department

L. Special Event Approval- Tree of Lights - Presenter: Lew Holloway, Community Development Department

M. Special Event Approval- Turkey Trot 5K Race - Presenter: Lew Holloway, Community Development Department

N. Senior Accountant Position Approval - - Presenter: John Buchanan, Finance Director

O. Tax Releases, Discoveries and Refunds - Presenter: Jennifer Musselwhite, Revenue Supervisor

Council Member Jeff Miller moved to approve the items on the consent agenda as presented. A unanimous vote of the Council followed. Motion carried.

6. Presentations

A. Homeless Youth Awareness Proclamation - Presenter: Barbara G. Volk, City of Hendersonville Mayor Barbara G. Volk proclaimed

Mayor Barbara G. Volk presented a proclamation to Michael Absher, President/CEO of Only Hope WNC proclaimed the month of November as Homeless Youth Awareness Month and applaud the efforts of those who serve and help fight youth homelessness in Henderson County.

B. Employee Recognition - Presenter: Jeff Miller, Council Member

Council Member Jeff Miller described events occurring on the evening of October 1st at Harry's and Piggy's. Council Member Miller stated there was an accident involving a 90-year-old veteran, who had lost his wife, sister-in-law and son in a matter of months and said he accidentally drove his vehicle into the storefront at Piggy's. Council Member Miller expressed thanks and deep appreciation for the way in which staff handled the situation with such respect and dignity and said he believed it made a difference in the man's life. Council Member Miller awarded certificates of commendation to the following staff: David Corey, Fire Engineer; Bryan Dunne, Fire Lieutenant; Joseph Fisher, Police Officer; Christian Miller, Battalion Chief; Dakota Ostrander, Firefighter/EMT; and Justin Ward, Deputy Fire Chief.

C. Quarterly MVP- Presenter: John F. Connet, City Manager

City Manager John Connet presented the Quarterly MVPs recognizing Joreeca Dinnall, Police Officer; Jamie McMinn, Customer Service; Jennifer Musslewhite, Revenue Supervisor, and Terry Martin, Fire Engineer for going above and beyond their normal job duties to assist citizens by exemplifying excellent customer service.

D. Update on RAD Conversion by Hendersonville Housing Authority - Presenter: Diana Brow

Dianna Brow of Hendersonville Housing Authority (HHA) provided updates on the Rental Assistance Demonstration Program (RAD) to City Council. Ms. Brow stated the RAD program is operated by the U.S. Department of Housing and Urban Development and (HUD) and said it will change rental assistance from the public housing model to a long-term Section 8 model. RAD will make it easier for the program to access additional funding. She stated HHA has 250 units under construction through this grant over the next year.

E. Utility Assessment Policy - Presenter: Drew Finley, Lead for NC Fellow

Drew Finley presented an overview of the assessment process for the extension of water and sewer improvements to City Council. Mr. Finley reminded City Council of the Sanitary Sewer Asset Inventory Master Plan stating one component was working with Henderson County Environmental Health staff to identify failing septic system areas within the City's ETJ. Mr. Finley stated staff receives inquiries and service calls regarding water and sewer extension and staff is seeking guidance from City Council to establish a formal Utility Assessment Policy. Mr. Finley outlined three proposed phases: Petition (Phase 1); Project Development (Phase 2); and Assessment (Phase III) and presented the following staff recommendations:

1. Threshold requirements for petition - Staff recommends 66% of area property owners being required to initiate a petition.
2. Assessment Basis – Staff recommends property owners contribute 35% - 45% of total connection cost on a cost-per-connection basis. (Average \$17,412 per connection)
3. Assessment Amount – Staff recommends property owners contribute \$6,000.00 to \$8,000.00 of connection cost, which would be comparable to septic alternative costs.
4. Interlocal Agreement – State law requires an interlocal agreement if assessments are imposed on property outside the City limits. The County also has authority to impose assessments.
5. Ancillary Benefit – Staff advised property owners would have to submit a voluntary annexation petition which could increase the tax base from new customers.

After much discussion City Council Members were satisfied with staff recommendations and gave direction to staff to proceed.

7. Public Hearings – None**8. Unfinished Business****A. LED Streetlight Comparison - Presenter: Tom Wooten, Public Works Director**

Tom Wooten, Public Works Director recalled prior discussions regarding street light conversions to lower wattage. Utilities Director, Lee Smith also advised replacement lighting at the City's Water Treatment Facility will be replaced with the 3000K lighting to comply with Dark Sky as well. Miller thanked staff for their efforts and Mr. Ralph Hammond Green for his recommendation.

Council Member Jeff Miller moved that City Council approve a request from staff to direct Duke Energy to replace approximately 450 new LED 4000K color streetlights with new LED 3000K color streetlights and to install 3000K color streetlights when replacing the older streetlights. A unanimous vote of the Council followed. Motion carried.

9. New Business**A. Girl Scouts Silver Award Project Approval - Presenter: Mike Huffman, Stormwater Engineer, Isabella Conway and Aurora Palmer Honor Students at Rugby Middle School and Franklin School of Innovation.**

Isabella Conway addressed the City Council requesting approval of their proposed "Take Action" project to raise awareness on environmental conservation through public art. Ms. Conway stated the

project would involve painting the City's water cisterns at Patton Park and stated she has worked with Mike Huffman and LuAnn Welter to develop this proposal.

Council Member Dr. Jennifer Hensley moved that City Council approve the Girls Scouts Silver Award Project and to allow them to paint murals at Patton Park with the assistance of City staff prepping the site. A unanimous vote of the Council followed. Motion carried.

B. City Council Meeting Format, Public Comment Policy Approval - Presenter: John F. Connet, City Manager

City Manager John Connet recalled previous discussions regarding the proposed public comment policy and advised staff has incorporated City Council suggested changes into the revised draft policy. After further clarification and discussion City Council members agreed to ratify the final policy at their next meeting.

Council Member Jerry Smith moved that City Council approve the City Council Meeting Format; Public Comment Policy as amended including the changes that relate to making decisions at meetings and technology requirements during public comments. A unanimous vote of the Council followed. Motion carried.

C. Hebron Pressure Zone Water Improvements Bid Award Presenter: Lee Smith, Utilities Director

Lee Smith, Utilities Director advised this project consists of installation of approximately 2,075 linear feet of 6-inch and 8-inch diameter ductile iron water main and appurtenances; two master meter vaults; and abandonment of an existing water pumping station. He advised the project's intent is to boost insufficient water pressures and available fire flows for existing City water customers in the area. Director Smith advised three bids have been received. City Manager John Connet requested City Council delay the bid award until their December meeting to allow for additional necessary processes to be completed.

D. Request for Approval – Police Department Headquarters Project Purchases - Presenter: Tracey Cox, Captain

Tracey Cox, Police Captain presented project items for approval. City Manager John Connet stated the funding has already been included in the existing budget and said staff thought it prudent for City Council to consider. City Manager Connet reminded City Council that the 911 system is part of the County 911 system which necessitates the particular radio purchases.

Council Member Dr. Jennifer Hensley moved that City Council approve the purchase of Police HQ Project related items as submitted. A unanimous vote of the Council followed. Motion carried.

10. City Council Comments

There were no comments by City Council Members.

11. City Manager Report - Presenter: John F. Connet, City Manager

City Manager John Connet provided the quarterly cash and finance update to City Council and reminded City Council that police chief candidates will be interviewed next week. The top two will be brought to Hendersonville to meet with officers and City Council.

12. Closed Session

At 7:30 p.m. City Council Member Jeff Miller moved that City Council enter into closed session pursuant to NCGS § 143-318.11(a)(3) and (5) to consult with an attorney employed by the public body in order to preserve the attorney-client privilege between the attorney and the public body and to discuss a potential settlement agreement associated with Cordova vs. City of Hendersonville, 19 CVS 1360, and Hansley v. City of Hendersonville etal 20CVS 1049, both Henderson County

Superior Court, and to establish, or to instruct the public body's staff concerning the position to be taken by or on behalf of the public body in negotiating the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange or lease. A unanimous vote of the Council followed. Motion carried.

Council Member Jerry Smith moved that City Council return to Open Session at 8:31 p.m. A unanimous vote of the Council followed. Motion carried.

Council Member Jerry Smith moved that City Council approve the mediated settlement agreement as presented in Cordova vs. City of Hendersonville, 19 CVS 1360. A unanimous vote of the Council followed. Motion carried.

13. Adjourn

There being no further discussion, the meeting was adjourned at 8:32 p.m. upon unanimous assent of the Council.

Barbara G. Volk, Mayor

ATTEST:

Angela L. Reece, City Clerk