

MINUTES
CITY COUNCIL MEETING
April 14th, 1981
6:30 P.M.

The meeting was called to order by President of the Council Salvatore A. Caruso. All members were present with the exception of Councilmen Hinton and Martin. Mayor Hart was present.

Councilman Washington requested that Consent Calendar Item No. 3c, a resolution regarding a proposed site for an elderly housing development, be removed from the Consent Calendar and placed as Agenda Item No. 1, after which Councilman Singletary, seconded by Councilwoman Gallinghouse, moved that the following Consent Calendar be adopted as amended:

CONSENT CALENDAR

1. Approval of March 24th, 1981 Minutes

2. Proposed Ordinances: (Public Hearing May 12th, 1981)

- a. Item No. 81-4-301 (Code of Ordinances Amendment-Social Security)
- b. Item No. 81-4-302 (Annexation/Zoning 3.64 Acres-Broadmoor)
- c. Item No. 81-4-303 (Annexation/Zoning Lots 9-11 and 9-21, Sq. 3, North End)
- d. Item No. 81-4-304 (Annexation/Zoning 3.80 Acres-Christian Lane)
- e. Item No. 81-4-305 (Annexation/Zoning Lot 6, Square 1, West Hall Park)
- f. Item No. 81-4-306 (Rezoning Lots 1, 18, and 19, Forest Park)
- g. Item No. 81-4-307 (Amendment to 1980-81 Budget Appropriations Ordinance)

3. Proposed Resolutions:

- a. Issuance of Occupational Licenses
- b. Amendment to Council's Rules of Procedure
- d. Olde Towne Sidel1 Retail Merchants Association - Designated as a Tourist Promotional Agency
- e. Greater Area Sidel1 Chamber of Commerce - Designated as a Tourist Promotional Agency

4. Approval of Application for Beer Permit

- a. Claude and Sandra Martin d/b/a Z's Ice Cream and Po Boys, 1227 Bayou Lane

ROLL CALL 7 Yeas 0 Absent CARRIED

It was moved by Councilman Washington, seconded by Councilwoman Gallinghouse, that the Council's Rules of Procedure be suspended in order to introduce a resolution.

ROLL CALL 7 Yeas 0 Absent CARRIED

Councilman Washington, seconded by Councilman Caruso, introduced a resolution hiring Miss Edwina Miller as part-time clerk-typist for the City Council. Councilman Washington, seconded by Councilwoman Wood, moved the adoption of the resolution.

ROLL CALL 7 Yeas 2 Absent CARRIED

Councilman Washington made opening comments regarding the proposed site in Pine Park Place Subdivision for the 50 Unit Elderly Housing Development. He stated neither the Council or the people were opposed to the housing development for the elderly; they were opposed to the procedure in which the project had been handled and the chosen location because of poor drainage conditions. Councilman Washington stated the people living in the area where the development was to be located had no input in the matter.

Councilman Hinton joins the meeting at 6:50 P.M. and Councilman Martin joins the meeting at 6:55 P.M.

Mr. Clyde Cheek, Deputy Director for Development for the Department of Housing and Urban Development in New Orleans, addressed the Council regarding the proposed development site pointing out required procedures which had been taken by HUD and the Sidel1 Housing Authority in order for the project to arrive at this stage. Mr. Cheek informed the Council that they must have a legally valid reason to reject the proposed site.

It was moved by Councilman Hinton, seconded by Councilman Washington, that the proposed site for the 50 Unit Elderly Housing Development be rejected by the City Council because of (1) severe drainage problems, (2) there was no input from citizens of the area in which the development was to be constructed, and that any future business of this nature be submitted to the Council before it gets in the advanced stages of the project.

President Caruso read a letter addressed to the Council from Mrs. Mary Fiveash in which Mrs. Fiveash referred to previous severe flooding conditions in Park Place Subdivision and the consequences. She stated she was in favor of elderly housing development but not at the site chosen. Mr. Paul Andres, 2126 Middle Drive, addressed the Council voicing his opposition to the project because of (1) the site, (2) lack of community input, and (3) concern for the elderly because of flooding conditions. Mrs. Loraine Bornio, President of Park Place Homeowners Association, addressed the Council in opposition stating similar reasons, in addition to the deterioration of another housing project in the same area. Several council members spoke in opposition to the site because of the drainage problems and lack of citizen input. Councilwoman Gallinhouse called for the question to end debate on the matter.

ROLL CALL 9 Years 0 Nays CARRIED

ROLL CALL On Motion to Reject 9 Years 0 Nays CARRIED

It was moved by Councilman Washington, seconded by Councilman Singletary, to reject the resolution calling for the development of the 50 Unit Elderly Housing Development in Pine Park Place Subdivision.

ROLL CALL 9 Years 0 Nays CARRIED

It was moved by Councilman Martinez, seconded by Councilwoman Wood, that the Mayor be requested to direct the Permit Officer to send a letter to HUD officials in New Orleans outlining reasons why the site for the 50 unit housing development could not be permitted because of City zoning restrictions.

ROLL CALL 9 Years 0 Nays CARRIED

Mayor Hart advised in a letter dated April 9th, 1981, that sealed bids were received and opened in his office on March 27th, 1981, at 10:00 A.M. for a 1981 $\frac{1}{2}$ Ton Pickup Truck in the presence of Emily Mills, Virginia Roe, Billie Spiers, Councilman Singletary, and himself, and the following bids were received:

Dan Quirk Ford	\$6,884.00	White Model	Immediate Delivery
Dan Quirk Ford	\$7,125.00	Blue Model	4 to 6 Weeks Delivery
Del Williams Motors	\$6,930.65		30-45 Days Delivery
Crescent Ford	\$7,035.00	(\$50, Net 10 Days)	4 to 6 Weeks Delivery

Acting upon the recommendation of Mayor Hart, it was moved by Councilman Singletary, seconded by Councilman Martinez, that all bids be rejected for the 1981 $\frac{1}{2}$ Ton Pickup Truck.

ROLL CALL 9 Years 0 Nays CARRIED

Mayor Hart advised that on April 9th, 1981, at 10:00 A.M., sealed bids were received and opened in his office in the presence of Emily Mills, Virginia Roe, Dan Yeates, and himself, and the following bids were received for two (2) 1981 dump trucks:

Louis Schwartz International Trucks, Inc.
New Orleans, LA
International Model 1724 - \$14,365.66 each;
Recommended Option 13" Heavy Duty Clutch - \$35.00 each

MINUTES OF THE CITY COUNCIL MEETING
April 14th, 1981

PAGE. 4

It was moved by Councilwoman Gallinghouse, seconded by Councilwoman Wood, that the Council's Rules of Procedure be suspended for the acceptance of bids.

ROLL CALL	7 Yeas	0 Nays	2 Not Voting (Hinton/Martin)	CARRIED
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Mayor Hart advised that on April 13th, 1981, at 10:00 A.M., sealed bids were received and opened in his office in the presence of Virginia Roe, Emily Mills, Billie Spiers, and himself, for an aerial bucket and truck and the following bid was received:

Richard St. Pe' Co., Inc., New Orleans	\$28,589.00
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Acting upon the recommendation of Mayor Hart, it was moved by Councilwoman Gallinhouse, seconded by Councilman Martinez, that the bid of Richard St. Pe' Co., Inc., in the amount of \$28,589.00 be accepted for the aerial bucket and truck.

ROLL CALL	6 Years	1 Year (Singletary)	2 Not Voting (Hinton/Washington)	CARRIED

Mayor Hart advised that on Monday, April 13th, at 10:00 A.M., sealed bids were received and opened in his office in the presence of Virginia Roe, Billie Spiers, Emily Mills, and himself, for recreation equipment and the following bids were received:

Southern Specialty Sales, Co., Inc.	\$5,544.50
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Gulf Shore Turf Supply, Inc.	\$5,381.69
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Acting upon the recommendation of Mayor Hart, it was moved by Councilman Singletary, seconded by Councilwoman Gallinghouse, that the low bid of Gulf Shore Turf Supply, Inc. in the amount of \$5,381.69, be accepted for the recreation equipment.

ROLL CALL	9 Years	0 Days	CARRIED
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Mr. Dick Murley, representative of Cartier and Associates, reported on the 201 Sewerage Project stating that the discharge routing and discharge location was being reviewed by the State and E.P.A. as a result of objections from the River Oaks Homeowners Association on the location. Mr. Murley stated the 201 Project was on the 1981 State Funding Priority List and he felt certain the project would be funded this year.

It was moved by Councilman Barthelmy, seconded by Councilman Hinton, that Mayor Hart send a letter to the governmental authorities of Pearl River and North Shore indicating the urgency of finalizing the Intergovernmental Agreement as it must be completed by June 30th, 1981.

ROLL CALL	6 Years	0 Days	3 Not Voting (Martin/Singletary) (Washington)	CARRIED
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City Attorney, Lloyd Walters, stated right-of-way acquisitions were progressing on schedule and would be completed by due date. Mr. Murley stated the State's approval had been granted on (1) the plan of operation, (2) the industrial waste survey, (3) the user charge system, and (4) the sewer use ordinance requirements, but funding was on hold as the President had requested a rescission of \$1.7 Billion of construction grant funds. Mr. Murley asked the Council to authorize Cartier and Associates to begin work on these projects prior to E.P.A. funding stating approximately \$35,000 would be needed to finish the job to construction of which 75% of that amount would be refunded upon E.P.A. approval. It was moved by Councilwoman Gallinhouse, seconded by Councilman Martin, that \$8,000 be authorized to be used toward the additional work as requested by Mr. Murley, until the April 28th, 1981 Council meeting at which time Mr. Murley would give an updated report regarding the project. Councilman Hinton called the question to end debate on the matter.

ROLL CALL on Question	8 Yeas	1 Nay (Singletary)	CARRIED
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ROLL CALL On
Motion 8 Years 1 Nay CARRIED
(Singletary)

It was moved by Councilman Barthelemy, seconded by Councilman Hinton, to table further discussion on the 201 Sewerage Project until the April 28th, 1981 council meeting at which time the Council will receive a report from the Consulting Engineers.

ROLL CALL 9 Years 0 Nays CARRIED

As advertised, a public hearing was opened in connection with Item No. 81-3-286, a proposed ordinance amending Residency Requirement Ordinance No. 1351, which would exempt members of certain City Boards who were presently holding office at the time Ordinance No. 1351 was adopted from being affected by the ordinance. As no one indicated their desire to be heard, the public hearing was closed. Councilwoman Wood stated she felt members who moved outside the city limits should resign. Several council members felt the individual should be allowed to finish their term and not asked to resign. Councilman Martin, seconded by Councilman Martinez, moved the adoption of Ordinance No. 1375.

ROLL CALL 6 Years 3 Nays CARRIED
(Singletary/Wood)
(Gallinhouse)

As advertised, a public hearing was opened in connection with Item No. 81-3-287, a proposed ordinance amending the Council's Archive Act naming the Council Administrator and Research Director the Archivist for all records of the City Council rather than the Clerk. Councilwoman Wood explained the reason for the ordinance and Lloyd Walters, City Attorney, stated he felt the ordinance would be in conflict with the City Charter as the Charter indicated the "Clerk" shall be the keeper of the proceedings of the Council, etc. As no one indicated their desire to be heard, the public hearing was closed and Councilwoman Wood, seconded by Councilwoman Gallinhouse, moved that Item No. 81-3-287 be tabled.

ROLL CALL 8 Years 0 Nays 1 Not Voting CARRIED
(Barthelemy)

As advertised, a public hearing was opened in connection with Item No. 81-3-288, a proposed ordinance amending Weed and Noxious Growth Ordinance No. 1254. Councilman Martin explained the proposed ordinance stating it would allow the Permit Department to notify property owners and ask them to fill in or repair swales on their property if it was detrimental to the health of the City; and, if the owner failed to respond the City would have the authority to have the swales cleaned at the expense of the owner. As no one indicated their desire to be heard, the public hearing was closed. The majority of Council Members spoke against the proposed ordinance indicating it was too general and would be impossible to enforce. It was moved by Councilman Martin, seconded by Councilwoman Gallinhouse, that Item No. 81-3-288 be tabled.

ROLL CALL 5 Years 3 Nays 1 Abstain CARRIED
(Hinton/Martinez) (Washington)
(Singletary)

As advertised, a public hearing was opened in connection with Item No. 81-3-289, a proposed ordinance officially naming the Howze Park the "Fritchie Memorial Park." As no one indicated their desire to be heard, the public hearing was closed. It was the consensus of the Council to table action on the proposed ordinance until later in the meeting in order that an amendment might be prepared.

As advertised, a public hearing was opened in connection with Item No. 81-3-290, a proposed ordinance officially naming the Northeast Park the "John Stidel Municipal Park." As no one indicated their desire to be heard, the public hearing was closed and it was moved by Councilwoman Gallinhouse, seconded by Councilwoman Wood, that Ordinance No. 1376 be adopted.

ROLL CALL 9 Years 0 Nays CARRIED

As advertised, a public hearing was opened in connection with Item No. 81-3-291, a proposed ordinance officially naming Claude Street Park the "Clifton C. Ducksworth Memorial Park." Mrs. Archola Haney spoke in favor of the proposed ordinance and as no one else indicated their desire to be heard, the public hearing was closed. It was moved by Councilman Hinton, seconded by Councilman Washington, that council action on the proposed ordinance be tabled until later in the meeting in order that an amendment could be prepared.

ROLL CALL 9 Years 0 Days CARRIED

As advertised, a public hearing was opened in connection with Item No. 81-3-293, a proposed ordinance regulating health spas and similar establishments. Council President Caruso explained the proposed ordinance stating it would protect the citizens and would tend to stimulate business. Lloyd Walters, City Attorney, stated he had some reservations regarding the ordinance, one being the revocation of the occupational license. Mr. Walters advised that if the ordinance was passed as presented, it should be amended at a later date to incorporate what was needed to make it a good, binding ordinance. Mr. Kenny Fabregas, owner of the Emporium Health Studio, Mr. Bill Baker, representing the Chamber of Commerce, and several members of the public spoke expressing their support of the ordinance as presented. As no one else indicated their desire to be heard, the public hearing was closed. Councilman Caruso, seconded by Councilman Washington, introduced an amendment to Item No. 81-3-293. Councilwoman Gallinghouse, seconded by Councilman Martin, moved the adoption of the amendment.

ROLL CALL 9 Years 0 Days CARRIED

Councilwoman Gallinghouse, seconded by Councilman Martin, moved the adoption of Ordinance No. 1377, as amended (Item No. 81-3-293).

ROLL CALL 9 Years 0 Days CARRIED

Councilman Martinez, seconded by Councilman Hinton, introduced and moved the adoption of an amendment to Item No. 81-3-289, an ordinance officially naming the Howze Park, to change the word "Memorial" to "Municipal."

ROLL CALL 9 Years 0 Days CARRIED

Councilman Hinton, seconded by Councilwoman Wood, moved the adoption of Ordinance No. 1378 (Item No. 81-3-289), as amended, officially naming the Howze Park the "Fritchie Municipal Park."

ROLL CALL 9 Years 0 Days CARRIED

Councilman Martinez, seconded by Councilwoman Gallinghouse, introduced and moved the adoption of an amendment to Item No. 81-3-291, an ordinance officially naming the Claude Street Park, to change the word "Memorial" to "Municipal."

ROLL CALL 9 Years 0 Days CARRIED

Councilman Washington, seconded by Councilwoman Gallinghouse, moved the adoption of Ordinance No. 1379, as amended, (Item No. 81-3-291) officially naming the Claude Street Park the "Clifton C. Ducksworth Municipal Park."

ROLL CALL 9 Years 0 Days CARRIED

It was moved by Councilman Martinez, seconded by Councilman Singletary, that the Council's Rules of Procedure be suspended in order to address Agenda Item No. 8, Val Vanney, at this time.

ROLL CALL 9 Years 0 Days CARRIED

Mr. Val Vanney, owner of Val Vanney's Marine and Sporting Goods Store, 3044 Pontchartrain Drive, addressed the Council asking them to pass an ordinance or resolution abolishing the law which required fire lanes in front of his business. Mr. Vanney stated compliance of this law would create a hardship for him and reduce approximately twenty-five (25%) percent of his business. Assistant Fire Chief

At Lee, pointed out that it was a state law which stipulated that businesses must have a fire lane and therefore, the council could not alter it. Councilman Singletary questioned whether a pre-established business which had complied with the State Fire Code had to abide by this law unless, of course, it created a safety hazard. Mr. Anthony Krantz, State Fire Marshall from New Orleans, addressed the Council pointing out reasons why noncompliance of the law would create a health hazard. Mr. Krantz suggested Mr. Vanney appeal to the State Fire Board for a variance if he desired not to make the necessary provisions for the fire lanes. No official council action was taken on the matter.

At 10:15 P.M., the meeting recessed. At 10:30 P.M., the meeting reconvened with all members present with the exception of Councilman Martin.

As advertised, a public hearing was opened in connection with Item No. 81-3-294, a proposed ordinance amending and adopting the 1978 Model Municipal Criminal Code. Mr. Reinhard Dearing, Council Administrator and Research Director, explained the amendments which had been proposed. Mr. Bill Baker, representative of the Chamber of Commerce, addressed the Council regarding the amendment on shoplifting. Mr. Baker stated he felt if violators were forced to serve a sentence rather than or in addition to being fined, it would make a greater impression on them. Several Council Members indicated the need for amendments to the proposed ordinance. As no one else indicated their desire to be heard, the public hearing was closed and Councilman Hinton, seconded by Councilman Singletary, moved that Council action on Item No. 81-3-294 be tabled until the April 28th, 1981 Council Meeting.

ROLL CALL 8 Years 0 Days 1 Absent CARRIED

As advertised, a public hearing was opened in connection with Item No. 81-3-295, a proposed ordinance amending the City of Slidell's Comprehensive Plan. Mr. James Byrne, Chairman of the Planning Commission, explained the reason for the ordinance was to delete plans for building a loop road. He stated there was no possibility of building such a road and by deleting it from the plans it would take care of any future problems regarding it. As no one else indicated their desire to be heard, the public hearing was closed and Councilman Hinton, seconded by Councilman Singletary, moved the adoption of Ordinance No. 1380.

ROLL CALL 8 Years 0 Days 1 Absent CARRIED

As advertised, a public hearing was opened in connection with Item No. 81-3-296, a proposed ordinance amending Ordinance No. 1363. Mr. Dearing stated the purpose of the amendment was to correct a typographical error. As no one indicated their desire to be heard, the public hearing was closed and Councilwoman Wood, seconded by Councilman Hinton, moved the adoption of Ordinance No. 1381.

ROLL CALL 8 Years 0 Days 1 Absent CARRIED

It was moved by Councilwoman Wood, seconded by Councilman Singletary, that the Council's Rules of Procedure be suspended in order to introduce an ordinance and call for a public hearing.

ROLL CALL 8 Years 0 Days 1 Absent CARRIED

Councilwoman Wood, seconded by Councilman Caruso, introduced Item No. 81-4-308, a proposed ordinance raising the monthly water rates and called a public hearing on the proposed ordinance on Thursday, April 30th, 1981, at 6:30 P.M. in the Council Chambers.

ROLL CALL 8 Years 0 Days 1 Absent CARRIED

It was moved by Councilwoman Wood, seconded by Councilman Singletary, that a special meeting be called for Thursday, April 30th, 1981, at 6:30 P.M. in the Council Chambers for the purpose of discussing the water rates in the City's 1981-82 Operating Budget Appropriations Ordinance.

ROLL CALL 8 Years 0 Days 1 Absent CARRIED

Mr. Steve Buser, Executive Assistant to the Mayor, pointed out an error in Item No. 81-4-308, the proposed ordinance raising the water rates, after which it was moved by Councilman Martinez, seconded by Councilman Singletary, to reconsider

the matter after the correction had been made.

ROLL CALL 8 Yeas 0 Nays 1 Absent CARRIED

It was moved by Councilwoman Wood, seconded by Councilman Washington, that the Council's Rules of Procedure be suspended for the introduction of a resolution.

ROLL CALL 8 Yeas 0 Nays 1 Absent CARRIED

Councilwoman Wood, co-sponsored by Councilman Singletary, Martinez, Martin, Barthelmy, Washington, Hinton, Gallingshouse, seconded by Caruso, introduced and moved the adoption of a resolution posthumously commending William Anthony Bulcao and expressing sympathy to the Bulcao family.

ROLL CALL 8 Yeas 0 Nays 1 Absent CARRIED

Acting upon the recommendation of the City Engineer and Mayor Hart, it was moved by Councilman Washington, seconded by Councilman Barthelmy, that the Johnny F. Smith Truck and Dragline Service, Inc. contract for the cleaning and shaping of the W-14 Diversion Canal be accepted as complete.

ROLL CALL 8 Yeas 0 Nays 1 Absent CARRIED

Acting upon the recommendation of Mayor Hart, it was moved by Councilwoman Gallingshouse, seconded by Councilwoman Wood, that Change Order No. 1 in the amount of \$880.00 to Lake Contractors, Inc. contract for the clearing and grubbing of the Northeast Park, be accepted granting thirty-four (34) additional days for completion of the job.

ROLL CALL 8 Yeas 0 Nays 1 Absent CARRIED

Acting upon the recommendation of the City Engineer, it was moved by Councilman Singletary, seconded by Councilwoman Gallingshouse, that Change Order No. 1 to Saucier Construction Company's contract for concrete street repairs be approved adding \$2,421.25 to the original contract amount of \$37,895.80, to adjust to actual quantities.

ROLL CALL 7 Yeas 0 Nays 1 Absent 1 Not Voting CARRIED
(Hinton)

Councilwoman Wood, seconded by Councilman Caruso, resubmitted Item No. 81-4-308, a proposed ordinance raising the monthly water rates, in its corrected form, with a public hearing to be held April 30th, 1981, at 6:30 P.M., in the Council Chambers.

ROLL CALL 7 Yeas 0 Nays 1 Absent 1 Not Voting CARRIED
(Hinton)

Councilman Martinez discussed the formation of a non-voting railroad safety committee and its objectives pointing out that the committee would be making no decisions only studying problems concerning railroad safety, funding and implementation of safety measures, and educating the people. Councilman Martinez requested Council ratification of the committee and its appointed members, Councilwoman Wood, Councilman Martin, Councilman Barthelmy, Mayor Hart or his representative, Virginia Benson, Parish Councilwoman, or her representative, Representative Scogin or his representative, Chief Max Rodriguez or his representative, Parish President Bruce Unangst or his representative, Mr. F. J. Kull, Atlanta, Georgia, representing Southern Railway System, and himself. It was moved by Councilman Martinez, seconded by Councilwoman Gallingshouse, that the Council ratify the formation and the appointments of the Railroad Safety Committee and that Councilman Martinez be given authority to call meetings within the law.

ROLL CALL 8 Yeas 0 Nays 1 Absent CARRIED

1 It was moved by Councilwoman Gallinhouse, seconded by Councilwoman Wood,
2 that the three (3) Proces Verbaux of the April 4th, 1981 Special Election results
3 be accepted.
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5 ROLL CALL 8 Years 0 Nays 1 Absent CARRIED
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7 It was moved by Councilwoman Wood, seconded by Councilman Singletary,
8 that the Council's Rules of Procedure be suspended to add three (3) additional
9 names to the list for approval of electrician's occupational license.
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11 ROLL CALL 8 Years 0 Nays 1 Absent CARRIED
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13 It was moved by Councilwoman Wood, seconded by Councilman Singletary,
14 acting upon the recommendation of the Chairman of the Electrical Board, that the
15 following individuals be approved for the issuance of electrician's occupational
16 licenses: Timothy Michael Garcia, William Albert Brescher, Christian Carl Webb,
17 David P. Ardeneaux, James Joseph Boudreaux, Robert J. Schwab, Earl Lloyd Langhoff, Jr.
18 and John Joseph Morgan.
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20 ROLL CALL 8 Years 0 Nays 1 Absent CARRIED
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22 At 11:30 P.M., the meeting recessed. At 11:40 P.M., the meeting reconvened
23 with all members present with the exception of Councilman Martin. Mayor Hart was
24 absent.
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26 It was moved by Councilman Singletary, seconded by Councilman Washington,
27 that the Council go into executive session to discuss pending litigation.
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29 ROLL CALL 8 Years 0 Nays 1 Absent CARRIED
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31 At 11:50 P.M., the Council returned from executive session. President
32 Caruso advised that there was no comment to be made at this time after which it
33 was moved by Councilman Singletary, seconded by Councilman Barthelemy, that
34 the meeting be adjourned at 11:50 P.M., as there was no further business.
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Emily M. Mills

Salvatore A. Caruso
Salvatore A. Caruso
Councilman, District C
President of the Council

Emily M. Mills
Clerk of the Council