

MINUTES OF MEETING OF THE  
CITY COUNCIL OF THE CITY OF SANFORD  
SANFORD, NORTH CAROLINA

The City Council met at the Sanford Municipal Center, 225 E. Weatherspoon Street, on Tuesday, July 15, 2014, at 7 P.M., in the Council Chambers. The following people were present:

Mayor T. Chet Mann  
Council Member Jimmy Haire  
Council Member Charles Taylor  
Council Member Rebecca Wyhof  
City Manager Hal Hegwer  
City Clerk Bonnie Davis

Mayor Pro Tem James Williams  
Council Member Sam Gaskins  
Council Member Byron Buckels  
Council Member Norman Charles Post, III  
City Attorney Susan Patterson

Mayor Mann called the meeting to order and delivered the invocation. The Pledge of Allegiance was recited.

**PUBLIC COMMENT** – (Exhibit A)

Oscar Hernandez, residing at 311 Third Street, Broadway, North Carolina, expressed his appreciation to Brick Capital Community Development Corporation (BCCDC) for helping him to become a homeowner in Broadway. He asked Council to support BCCDC.

Reverend Herman E. Morris, residing at 181 Wagon Trail Road, Sanford, North Carolina spoke in support of Brick Capital and stated that Brick Capital is an asset to Sanford. He said without Brick Capital, there would be a lot of vacant lots.

**APPROVAL OF AGENDA**

Mayor Mann requested to add an item to the Regular Agenda – Consider Resolution Temporarily Closing Several Streets in Support of National Night Out and add an item to the Special Agenda – A Proclamation Regarding National Night Out.

Council Member Gaskins made the motion to approve the agenda as amended. Seconded by Council Member Post, the motion carried unanimously.

**CONSENT AGENDA**

Approval of City Council Meeting Minutes Dated June 17, 2014 – (Filed in Minute Book 82)

Approval of Special Called City Council Meeting Minutes Dated June 25, 2014 – (Filed in Minute Book 82)

Approval of Resolution in Support of the Temporary Closure of Portions of Several Streets for the Purpose of a 5K and 10K Fun Run and Fundraiser) – (Exhibit B)

Approval of Grant Project Ordinance Amendment 2012 North Carolina Housing Finance Agency Single Family Rehabilitation (SFR 1222) Program – (Exhibit C)

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Approval of Ordinance Amending the Annual Operating Budget of the City of Sanford FY 2014-2015 - (Exhibit D)

Approval of Entering Into An Interlocal Contract for Cooperative Purchasing - (Exhibit E)

Approval of Resolution for Approving 2012 Update of the Water Supply Plan for the City of Sanford – (Exhibit F)

Council Member Wyhof made the motion to approve the consent agenda. The motion was seconded by Council Member Taylor and it carried unanimously.

### **SPECIAL AGENDA**

#### **Recognition of Years of Service on the Planning Board**

Mayor Mann recognized Fred McIver for his sixteen years of service on the Planning Board and presented him with a plaque of appreciation.

#### **Presentation of National Night Out Proclamation – (Exhibit G)**

Mayor Mann read the proclamation proclaiming August 5, 2014 as National Night Out in Sanford and urged all citizens to participate in this effort to reduce crime, drugs and violence in Sanford. Public Information Officer Kelly Miller gave an overview of activities that have already been held and some upcoming events leading up to National Night Out. There are 35 events planned so far for this year.

### **REGULAR AGENDA**

#### **Consider Presentation by Amy Pickle, Soon to be Vice-Chair of the North Carolina Mining and Energy Commission**

Amy Pickle, soon to be Vice-Chair of the North Carolina Mining and Energy Commission, spoke on the recently drafted rules for hydraulic fracturing. She praised Council Member Taylor for his work on this committee and encouraged council to take full advantage of having him as they think through this complicated and controversial issue.

Ms. Pickle gave an overview of the rules and regulations on fracking that the commission has been working on for more than a year. She said that Senate Bill 820 established the Mining and Energy Commission and gave them a directive to address about 25 different topics for their rule making, ranging from pre-drilling activities all the way up to production. There are a number of issues that are outside of their jurisdiction that were left to either other rule-making bodies, like the Environmental Management Commission or issues that the Legislature retains their authority and their jurisdiction on. She added there may be questions that Council has that they do not have the authority to write a rule to address and that authority rests with other bodies.

Ms. Pickle explained that they spent about two years working on this final draft set of rules that have just come out for public comment. They are targeted directly to address this Legislative mandate. She anticipates there will be additional rule making for other kinds of rule-making bodies.

Ms. Pickle stated that the Mining and Energy Commission works by dividing up these 25 basic rules into sub-committees and into study groups. The main substantive subcommittees are the Environmental Standards Committee, the Water and Waste Management Committee, and the Administration of Oil and Gas (which is much less administration and much more on the construction of the actual well site). She said there is a fourth committee which is the Rules Committee which has been looking at these rules as they come out of these substantive committees, after that initial policy discussion has been had. The Rules Committee role is to knit these together, so the overarching legislative mandate is to do a comprehensive rule package addressing all of the things they are required to address. The Rules Committee job is to make sure everything is legal and technically correct; that we have met our statutory authority; that the rules are clear and unambiguous and that when it is pulled all together, it makes sense.

Ms. Pickle advised that where they are now, is that the rules have been drafted and there is a final draft. The start of the public comment period is today. The public comment period is 60 days, which ends on September 15. Comments can be submitted in writing, electronically, or by mail. Three public hearings are scheduled and the comments will probably be limited to three to five minutes in an effort to accommodate as many speakers as they anticipate participating. She said it is very important to have everybody's opinion and to get those comments within the public hearing process. The Rules Committee's job is to take all of the comments received, consider them, and to make a decision about whether to revise or amend the rules before they go into final form. They really need full, comprehensive, well-cited comments that they can rely on, in making a decision on how to amend the rules. The public comments will be compiled and collated; rules will be revised as they see fit based on the comments received and then the rules will be finalized. Once the rules are final, they go to another body called the "Rules Review Commission." The Rules Review Commission reviews them for technical and legal compliance with the law; then they go to the Legislature. The Legislature is really the final decider about the rules as they are for every rule in the state. They will make their decision and review the rules early in the long session, which will begin in January 2015.

Ms. Pickle advised that the rules cover everything from the pre-drilling activities; how you get a permit; what does that permit consist of; what kinds of activities you are permitting; all the way through putting that well into production and then closing that well and reclaiming that property in that surface use. They address all the well construction – how you put the cement in; what kind of cement casing you need; how do you do your joints; do you have appropriate blowout preventers within the vertical portion of the well; how do you do the hydraulic fracturing; and what do you do once you conduct the hydraulic fracturing; what do you do with the waste stream that comes out. She said they have an extensive set of rules dealing with reclamation.

Council Member Post thanked Ms. Pickle for putting forth the effort to make sure the citizens of North Carolina are safe, when and if hydraulic fracturing does occur in North Carolina. He said that this summer, the North Carolina General Assembly passed Senate Bill 786, which fast tracked fracking in North Carolina. He said she spoke about the importance of the rules and asked her if anybody in the General Assembly contacted the Mining and Energy Commission, or sought your counsel in whether or not they should hold off on passing that legislation before the rules were put in place?

Ms. Pickle replied that Senate Bill 786, which is now Session Law 2014-4, addressed a number of issues that the Mining and Energy Commission asked for additional guidance on. Many of the portions of Senate Bill 786 were things that they actually needed; places that they needed statutory authority, or the original Senate Bill 820 was not clear. There are things within SB 786 that they actually needed to complete their rule making. One of the places where the Legislature added some clear guidance was on the issue of chemical disclosure. There were a number of Bills introduced last Session about who holds the Trade Secrets and what do you do. Senate Bill 786 gave the clearest, legislative guidance about what their intent was and based on that, they were able to write a rule that would pass statutory authority. There were a lot of things in Senate Bill 786 that were necessary for the rule making and the guidance of which they were thankful to have in order to make sure the rules were clear. What Senate Bill 786 did is that it said the permits can be issued at a date certain, rather than leaving it up to the final legislative approval of the rules.

Mr. Post said she spoke about chemical disclosure in the previous question and Chairman Womack commented on the *Sanford Herald* website, that energy companies would be required to disclose the chemicals they use at various wells on a website called "Frack Focus." He said a recent Harvard study found that this is an industry-funded website that is known to be inconsistent and an unreliable disclosure tool. It found that it is very hard to determine when and if the companies make the disclosures; the data contained within Frack Focus is not vetted; and Frack Focus allows for unchallenged and extremely broad disclosure exemptions made at the oil and gas companies' discretion. He asked what oversight tools, on behalf of the state, has the Mining and Energy Commission proposed to ensure that energy companies are, in fact, disclosing the chemicals used in the fracking process and why would it be prudent to rely on an industry-funded site for disclosure, when studies show it to be severely lacking.

Ms. Pickle replied that Frack Focus is staffed and serviced by an organization called the Groundwater Protection Counsel. That organization has offered up and has been revising Frack Focus in order to meet state's need and state's requirements. Information that is provided on Frack Focus, if it is required by the state itself, is entirely up to the state's rules and regulations. If a state says you have broad Trade Secret provisions and you do not have to disclose them in Frack Focus, then the industry doesn't have to. She thinks of it purely as a vehicle by which the information may be easily publicly accessed. The current rules require the industry to submit a host of information; she said they set that in the rule itself; so what information they have to disclose to Frack Focus is set. That information is then disclosed via Frack Focus for easier public access and it is also required to go directly to the department. It is not as if it is the only repository of that information on this website; there are problems in collating that data and problems with consistency of the data; it should never be the only vehicle by which that information is collected. The state is also required, by their rules, to collect that information. They also need to maintain it. There is the same timeline for publishing it on Frack Focus as it is with the state. If for any reason that Frack Focus ceases to exist, goes away, or is down for a period of time, then their rules require the department to publish it to their website. It is easy to go on that website and look directly at an individual well and see what information has been disclosed.

Council Member Haire expressed concern about the earthquakes that are occurring in Oklahoma now.

Ms. Pickle stated that the research on seismic activity inducing earthquakes is increasing exponentially. She said that when she first started talking about shale gas development around 2010, all the research at that time, said that all induced seismicity was related to the underground injection of the waste and not to the hydraulic fracturing itself. The recent events in Oklahoma have certainly started to point a finger directly at the hydraulic fracturing rather than just the injection of waste. It is a concern and it does need to be monitored and she hoped that we learn from these people who are experiencing them.

Council Member Gaskins asked Ms. Pickle if it is correct that by the State Legislature, everything is outside our jurisdiction and we have no legal authority whatsoever related to fracking.

Ms. Pickle replied that there is a provision in Senate Bill 786 that outlines the limits of local government authority. She said that from the look on his face he has read it and you all have extensive conversation with counsel about its impact; that does set up a process by which any ordinance would be judged by the Mining and Energy Commission as to whether or not it runs into our authority to regulate at the state level; that provision and statute is based on a provision that is existing for hazardous waste siting, so is lifted from another portion of environmental statutes and it is a very similar procedure. There has been many moves by the current Legislature to keep a tight rein and to circumscribe local government authority or to keep a close eye on it.

Mr. Gaskins said he recently received some literature from Pennsylvania or New York regarding the chemicals used in fracking. It appeared an extremely unusual concoction of chemicals; most chemists do not look for trying to mix as many different possible things as you could into your materials – you go for something that is far more simplistic. What scared him the most is he read through it and these could very well be possible waste from refining operations, which he would think fall under hazardous waste treatment laws. He asked if anyone has checked regarding the sources of the materials going into the fracking concoction they put into with the water.

Ms. Pickle replied that there is an exemption under Resource Conservation Recovery Act (RCRA) for oil and gas products. You would have to speak with an attorney who is much more familiar with the federal law to know if that exemption should be applied to all fracking chemicals.

Council Member Taylor praised Amy Pickle for the job she had done on the Mining and Energy Commission. He said regarding Senate Bill 786, there has been a lot of mis-information on both sides of this issue. One thing he said with Senate Bill 786, he may not agree with all the merits of the bill, but if you look at the content, it did add 60 days; so when you hear the fast-track fracking, you have to look at the content of the bill. He added that every question has been answered. He said the public hearing process is very important and it is important to share your opinions because they will be taken to heart.

Council Member Wyhof said that the City owns a lot of infrastructure including our roads and as it currently stands, it does not appear that there is going to be any ability to collect impact fees. She asked Ms. Pickle to explain what we may be able to do in the future if we want to try and figure out how to handle this matter.

Ms. Pickle said that infrastructure is important for local governments across the country. There is no doubt that when you go from a relatively small, urbanizing, or rural area where a lot of the drilling has taken place, to an area that has a significant amount of industrial activity that you have an impact on the roads. She said that the local government study group, which Mr. Taylor chaired, took a look at all the impacts to local governments, including infrastructure and the funding study group looked at the direct flow of money, potentially to local governments and had recommendations within that funding study group on how that flow of money can be directed to the areas of greatest impact. If you are having an impact on your community, there needs to be a mechanism by which you can address the adverse impacts so that everybody can benefit from the economic uplift, if it were to come in this area. Unfortunately, that is not in their authority to do anything about. Ms. Pickle stated that they cannot direct the state or write a rule that directs a flow of funding from the state level to local government. Their recommendations are within the funding study group, which she would commend to Council and to the local government study, which she also commends to Council. She said that Duke University has looked at local government finance across the country on this issue as to how local governments have benefitted; what's the mechanism by which that funding goes from the state severance tax down to local governments; how do other property taxes play into funding to offset the local government impacts. That study is posted on the Energy Initiative website.

Council Member Post asked what is the plan if the Cape Fear River gets contaminated? Ms. Pickle replied that there are a couple of places to address surface water contamination. They have a requirement to do baseline testing, which is a 2,500 foot radius around each individual well. You test it before any hydraulic fracturing activity has occurred you test it four times within two years after; so you continue to test every surface – every groundwater source after that hydraulic fracturing event has occurred. Once the well is put into production, you are actually producing gas from it; it is hooked up to the pipeline and you test it 30 days after it has gone into production. There are rules at the federal level and within our set of rules related to spills and accidents. The most contamination is going to occur from the vertical portion of the well; people that don't use the right grade of cement; and they don't pressure test it; etc.

Council Member Gaskins questioned the 2,500 foot radius around the well. He said that is one-half the distance of any other state, but he has noticed that fluids don't tend to run in a nice straight line, so we are talking about an area. The standards are one-fourth as strong as any other state and that bothers him especially when we talk about meeting greater standards for how the well head is built.

Ms. Pickle spoke regarding the baseline testing radius, chemical disclosure and compulsory pooling. She said that regarding chemical disclosure, the rule requires that you have to disclose everything unless you are asserting a trade secret. If you are asserting a trade secret, you have to go before the Mining and Energy Commission, in closed session, and prove that you have the legal right (under North Carolina Trade Secret law) to assert that trade secret. That trade secret is only prevented from being disclosed through the public records act.

Ms. Pickle stated that the way she could be most helpful to Council is to encourage them as much as possible to participate in the public process; the more information they have, the better

they can make the rules; however, that does not guarantee the outcome. It is much better to start with the best set of rules they can possibly do for North Carolina.

Mayor Mann thanked Ms. Pickle for attending the meeting and for her calm, assuring demeanor. He said Council is concerned and wants the best for Sanford and North Carolina. He asked the City Clerk to get a summary of the websites mentioned and the public hearing dates and send them to Council.

Mayor Mann recessed the meeting for five minutes at 8:10 P.M. The meeting was reconvened at 8:15 P.M.

Consider Reimbursement Resolution – Purchase of Capital – (Exhibit H)

Financial Services Director Beth Kelly explained that this is a reimbursement resolution for the purchase of capital. The capital was approved in Fiscal Year 2014-2015 budget to purchase with installment purchase proceeds. The reimbursement resolution allows us to go ahead and purchase the knuckleboom at \$150,000 and a leaf vac at \$145,000 and reimburse ourselves with installment purchase proceeds once we close on the loan. The Solid Waste Department would like to go ahead and purchase this equipment due to current quotes being less than expected and the expectation that those prices will increase.

Council Member Taylor asked if either of these items would have appeared in the Houston-Galveston Area Council process. This process was approved tonight on the consent agenda. Mr. Hegwer replied that it would be looked at and compared and would give Council feedback on the process.

Council Member Sam Gaskins made the motion to approve the resolution as written. Seconded by Council Member Post, the motion carried unanimously.

Consider Update on Brick Capital Real Estate Assessment Project

Community Development Director Marshall Downey explained that Council approved \$7,500 to pay for half of the fee for a real estate assessment that is being done by the School of Government (SOG) and in partnership with the North Carolina Community Development Initiative. Mr. Downey said that Karen Kennedy and he recently met with the representatives of the School of Government and the Initiative. The purpose of the visit was an opportunity to view the results of the assessments performed for Rocky Mount, Edgecombe CDC, and for Prosperity based in Kannapolis, North Carolina. The SOG gave an overview and a presentation of four properties – two from each of the respective CDCs. From the presentation, a couple of things came out of it. One was that the assessment process was more than just a fiscal evaluation of the land and the fiscal improvements. Clearly, the SOG staff explained that as part of the process, when they go in and talk with the individual CDCs, they look at the property and the programs; other factors such as the properties integrated with the communities; and how the project might fit into the CDC itself.

Mr. Downey said that there was a mixed-use project in Downtown Rocky Mount known as Harambee Square; it is a 27 year old complex and one of the first projects done by Rocky Mount CDC. When the SOG group first looked at it, it was determined that it was not a money-making

scheme; it was a bad project; however, when they looked at some of the other non, land-related elements of it, there were things like it was a cultural center (a lot of festivals on the property), a lot of initiatives as it relates to a Heritage Tourism Mission, which included elements for historic preservation, cultural arts, Downtown Revitalization, small business development, and job center. When they started looking at this, it wasn't whether it was making money, they looked at the whole picture of how it fits into the community and how the project is integrated into the community as a whole. As a result, the project was given a better status than what it may have been if it was based on the land value as it relates to the cost and fiscal aspects of it.

Mr. Downey said that the other notable outcome was that the SOG staff, when presenting the four recommendations to the four different evaluations, there was a constant interaction with the Initiative staff looking for feedback. When the results of the assessments came out, they identified "dog properties", properties that were in bad shape and drag down CDCs. They tried to find strategies they could develop for the individual CDCs to help them, such as what overarching strategy could be developed with the Initiative that might define the future of the NC Community Development Initiative and that strategy might help these CDCs recover and get out of the state they are in. One of the things they talked about was developing a land bank strategy, something where they could go in and take some of the really poor performing properties and get them out of the hands of the local CDC and that might free them up and help them recover faster in terms of the fiscal problems they are facing. It also assists the Initiative in developing their future strategy as well.

Mr. Downey advised that they are having their first kickoff meeting at 1 P.M. this Friday. The representatives from the SOG are coming down to meet with him, Karen Kennedy and Kate Rumely. They are intending to tour the properties that Brick Capital owns.

Consider Request for Funding from Brick Capital Community Development Corporation – (Exhibit I)

Margaret Murchison, President of Brick Capital CDC, read a letter she wrote to Council Members, requesting that the City of Sanford assist Brick Capital CDC to provide safe, affordable housing for Sanford's low to moderate income families and individuals. Legislative changes that have been made over the last two years have essentially eliminated funding to most of their funding sources. They are requesting \$200,000 for this fiscal year with an option to renew.

Kate Rumely, Executive Director of Brick Capital CDC, spoke regarding the projects that have been completed by Brick Capital and the status of their financial situation.

After discussion between Council Members and Kate Rumely, Council Member Jimmy Haire made the motion to hold a work session in the West End Conference Room dedicated to this item. Council Member Wyhof seconded the motion. Mr. Taylor agreed that this issue deserves the vetting.

Mr. Taylor asked what is the impetus behind the \$200,000 and why not wait until after the assessment; how we approach this from CDC's perspective when you have other non-profits such as Habitat, that have done wonderful work in this community because who is to say one is more important than the other.

Ms. Rumely explained that for the last six months and longer, Brick Capital has been down to two people, Connie Morgan and herself. They have worked more hours than you can imagine trying to keep things running. Ms. Rumely said they need a housing counselor; they need someone to come in and be trained in what makes Brick Capital run and they need to get paid. The \$200,000 would allow them to have one more person and hopefully, quickly generate other monies; get rid of their Makepeace Street property; and continue down the road to be sustainable. She said that they do not have enough money to pay Ms. Morgan or her; they are at the very end. The \$42,000 in a CD (only need \$8,000 of that money) needs to go to the W. B. Wicker buyout. They were going to need \$113,000 to \$114,000 and instead of paying the \$113,000 to \$114,000 now, they are taking money out of reserve from Wicker School; that leaves about \$34,000. They owe First Citizens Bank \$30,000 because they have borrowed from their line of credit in the last four months. They have not used their line of credit since the last time they did a project.

Mr. Taylor asked if the \$30,000 was borrowed to keep the doors open. Ms. Rumely replied yes.

Ms. Rumely stated that they do things for the City that other non-profits do not do. The wording in the letter says that they would like a contract with the City because they are doing the City's work and the City gave birth to them. She said they are very good at what they do. Ms. Rumely stated that things changed in the state and most of the high performing CDCs that were receiving money from the initiative over a long period of time were not little; they were entitlement cities that get direct money from the federal government to pay for that entity housing.

Mr. Mann asked if Council wants to hold a work session on this subject. Council Member Wyhof made the motion to move this topic to a work session to a date to be set sometime this month. Mr. Buckels seconded the motion.

Council Member Wyhof amended her motion to hold a work session on Wednesday, July 30, 2014, at 5 P.M., in the West End Conference Room. Council Member Buckels seconded the motion and it carried unanimously.

Consider Appointment to the Appearance Commission – (Term Expires June 30, 2017) – (Exhibit J)

Council Member Wyhof made the motion to appoint Daniel Owens to the Appearance Commission by acclamation. Seconded by Council Member Post, the motion carried unanimously.

Consider Summary of Previous Discussion on Meeting Schedule – (Exhibit K)

Council Member Sam Gaskins made the motion to change the Law and Finance Meeting schedule to the intervening Wednesday, at 4 P.M.; once per month. Council Member Post seconded the motion. Mayor Mann asked which Wednesday of the month would the Law and Finance meeting be held. Mr. Gaskins replied the intervening meeting between the first and third Tuesday, which is our Council meeting nights.

Council Member Haire asked if 5 P.M. would be just as good as 4 P.M.? Mr. Gaskins said he had no problem with 5 P.M.

Council Member Gaskins amended his motion to 5 P.M. Council Member Post seconded the amended motion. Mr. Taylor said he supports a later work schedule because it helps them and the average citizen who tries to attend from their respective employment. One concern he has is losing the other Law and Finance Committee meeting. We had a long agenda tonight and he is more apt to keep this current schedule of four meetings and cancel accordingly as needed, rather than resorting down to three meetings; we are cutting out 25 percent of our meetings, which concerns him because there are always presentations that can be held. You can bring a department in once each month to give an overview of what they are doing. When he took this office, he took it with the directive that he had a meeting every week and understood that obligation. He had rather adopt a 5 P.M. meeting and cancelling the Law and Finance Committee meeting at staff's discretion. Mr. Taylor said we need to be able to have a forum where a citizen can bring up an item on the agenda to them.

Mr. Haire said we could try it for two to three months and see how it works out. Mr. Post stated we can switch it back if it does not work.

Mr. Mann said that he is all for open meetings and transparency in having the most public access as we can. We can experiment with this and change something if need be. The main attempt was to give the working folks a little bit of extra time to make the meetings in their work day to have a better quality meeting.

Ms. Wyhof said maybe the compromise position might be to keep the two Law and Finance meetings and change the time to 5 P.M., with the understanding that we are going to try to see if we can cancel the second meeting and if we find we do not need it, then we can adjust. This way it is on the public record already that we were going to have it and if we choose to cancel it, we will and see how it works.

Council Member Gaskins withdrew his motion. Council Member Post agreed to withdraw his second.

Council Member Wyhof made the motion to move the Law and Finance Committee meetings on Wednesday to 5 P.M. Council Member Buckels seconded the motion and it carried unanimously.

Consider Ordinance to Amend City of Sanford Code of Ordinances Regarding Nuisances - Notice to Abate - (Exhibit L)

Community Development Director Marshall Downey advised that this was discussed at the Law and Finance meeting. He said that he has answers to some questions that Council Members had regarding the notice to abate. They were able to go back to Fiscal Year 2011-2012. They sent out \$5,000 in invoices of which \$1,700 was paid and there is still outstanding debt of \$3,300. Over the last year, they tried to identify how many properties would be affected by this repeat offender ordinance if it were put in place based on actual recent data, and there would be four properties that would be affected.

Council Member Post made the motion to adopt the Ordinance to Amend City of Sanford Code of Ordinances Regarding Nuisances - Notice to Abate. Seconded by Council Member Gaskins, the motion carried unanimously.

Consider Resolution Temporarily Closing Several Streets in Support of National Night Out – (Exhibit M)

City Manager Hegwer explained that this resolution temporarily closes several streets for National Night Out on Tuesday, August 5. The Council meeting will probably change from 7 P.M. to 1 P. M. that day due to National Night Out activities.

Council Member Williams made the motion to adopt the resolution. Seconded by Council Member Rebecca Wyhof, the motion carried unanimously.

**OTHER BUSINESS**

Council Member Taylor said that he was glad Amy Pickle was able to attend tonight. He stated that regarding Mr. Post's question on contamination, we are using tracer technology; we are the only state in the country that is using this technology to identify contamination with chemicals. He said that Ms. Pickle mentioned that Pennsylvania was the largest state next to North Carolina so far as the distance from the water source. Mr. Taylor clarified this statement because it is actually Colorado. Pennsylvania is third.

Council Member Gaskins mentioned that the Fairview Dairy Bar and The Flame, owned by previous Council Member Steve Brewer, caught fire. He understands that The Flame will be closed for four to six weeks and the Fairview Dairy Bar will be four to six months. He said these two restaurants have been around for a long time and hopefully we can get these back in operation. He said that anything people can do would be appreciated.

Council Member Haire echoed Mr. Gaskins' comments regarding the Fairview Dairy Bar and The Flame.

Council Member Post thanked Mr. Taylor for his hard work on the Mining and Energy Commission and for getting Ms. Pickle to talk about hydraulic fracturing. Ms. Pickle was very poised and had the answers to all their questions. He said that everybody on the Council and the citizens need to be keeping an eye out on what is happening with hydraulic fracturing, especially in the Legislature, limiting the scope of what local governments can and cannot do. He said that everyone needs to be informed and attend the forums being held.

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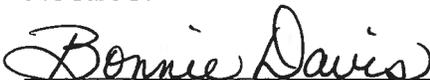
**ADJOURNMENT**

Council Member Gaskins made the motion to adjourn. Seconded by Council Member Post, the motion carried unanimously.

Respectfully Submitted,

  
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T. CHET MANN, MAYOR

ATTEST:

  
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BONNIE DAVIS, CITY CLERK