

**Minutes
Special Called Council Meeting
July 6, 2015
After committee meetings**

Members present were Mayor Dennis Raines, Council members Larry Goodson, Scott Crosby, Taft Matney, Terry Merritt, and Dale Black. Council member Bob Cook was not present. Assistant City Administrator Russell Sapp was present.

1. Call to order- Mayor Raines

Councilman Merritt made a motion to suspend the rules to add an executive session to the agenda. Councilman Black seconded the motion. Councilman Merritt said this was for a personnel issue to get more information. The issue has been ongoing. Mayor Raines is concerned that adding this item to the agenda could be a violation of the FOIA. He asked if it was an emergency. Councilman Merritt said it was not. Councilman Merritt said it does not require public input, nor will it result in a vote or action taken. It has been discussed since April 25th. Councilman Merritt does not believe this will violate FOIA. The City Attorney was not present to consult. **Councilman Merritt stated that he requested the attorney to be present at the meeting.** Councilman Goodson said he has the same concerns as Mr. Merritt but wants to wait until the City Attorney was present. Councilman Crosby said he agreed that legal counsel be part of the proceedings. **Councilman Merritt said he asked that the attorney be present.** Councilman Goodson said he did not know there was a meeting tonight. Councilman Matney said legal counsel was not present and that is imperative and also the information that council has is incomplete. He does not want to try to move forward with incomplete information. This council prides itself on doing due diligence. **Mayor Raines said Councilman Merritt sent an email to council stating that council could go into executive session if there were four votes to do so. Mayor Raines said no council member emailed or called him wanting to have an executive session. Councilman Merritt said Councilman Black responded to the email publicly.**

The vote was 2-4 with Councilmen Goodson, Matney, Crosby and Mayor Raines opposing. **Council did not go into executive session.**

2. New business

- a. Consideration and action on rezoning at Old Mill Road and McDougal Court from I1 to S1. (Building Codes)- Chairman Crosby made a motion to accept this rezoning on first reading. Councilman Goodson seconded the motion. Councilman Black asked if we knew what would be placed on this property. Kim said Mr. Bentley would like a type of office development. They want flexibility with marketing on the site. Councilman Black said he would like the administrator or staff convey this to full council. He said if the issue was not sent to committee and council before a vote was expected, he would not support it again. Councilman Merritt asked if the property to the west of the proposed rezoning was already S1. Kim answered yes. The vote was unanimous (6-0).

Councilman Black said he would be out of town on the 20th of this month. Mayor Raines said we can send an email to see if there are any other conflicts.

3. Adjournment- Mayor Raines adjourned the meeting.

Respectfully Submitted,

Cindy Miller
Municipal Clerk