

STATE OF TEXAS \*  
COUNTY OF HENDERSON \*  
CITY OF GUN BARREL CITY \*

The City Council of the City of Gun Barrel City met in a Regular meeting at City Hall, located at 1716 Main St. Gun Barrel City Texas on Tuesday, September 18, 2018 at 6:30 p.m.

Mayor Skains called the meeting to order at 6:30 p.m. and gave the invocation. The pledge of Allegiance followed. Roll was called and a quorum established.

Mayor - J. David Skains: Present  
Mayor Pro-tem - Linda Rankin: Present  
Council Member - Anne Mullins: Present  
Council Member - Ron Wyrick: Present  
Council Member - Rob Rea: Present

Citizen Comments: There was one citizen comment from the new EDC President Scott Coleman. He prepared a statement and read it aloud.

“Good Evening. My name is Scott Coleman and I am the new EDC president for Gun Barrel City. In our ongoing effort to provide 100% transparency with the citizens of Gun Barrel, the EDC board has authorized me to address you and the council in regard to one of the city council agenda items you’ll be covering tonight. This item is an appeal filed by Lee Peterson. To the best of our knowledge all claims made in the appeal are false or without merit. Where possible this has been confirmed by independent third parties. Further, it is the opinion of the EDC attorney that as an at-will employee the termination was legal and consistent with the employment agreement. Mr. Peterson’s employment was terminated by the prior EDC board. I would like to share the new board’s opinion. We have a lack of confidence in Mr. Peterson. Further we would hope and expect the City Council to uphold the board’s decision to terminate Lee Peterson. Thank you.”

**ITEM # 1: Consent Agenda: All matters listed under consent agenda are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the consent agenda and will be considered separately. Consider approving the following reports:**

City Manager report  
August 28, 2018 Council Minutes  
Municipal Court – traffic and non-traffic court activity  
Police Department – number of cases filed and cleared  
Dispatch Report – calls for service  
Animal Control – number of complaints, impoundments and citations  
Fire Department/Fire Marshal – number of incidents, investigations & mutual aid  
Street & Park Department – break down of monthly street & park repairs  
Building Official – number of inspections and associated fees  
Code Enforcement – break down of violations

## Park & Recreation Board Minutes

Mayor Pro-tem - Linda Rankin: Motion to approve the consent agenda as listed.

Council Member - Ron Wyrick: 2nd

Mayor - J. David Skains: N/A

Mayor Pro-tem - Linda Rankin: Approve

Council Member - Anne Mullins: Approve

Council Member - Ron Wyrick: Approve

Council Member - Rob Rea: Approve

Councilwoman Rankin noted that due to the changes in the EDC the EDC reports were not included in the consent agenda.

### **ITEM # 2: Discuss and/or take action to approve a 3.9% Consumer Price Index rate adjustment allowed in the Republic Waste contract for Solid Waste Collection & Disposal as stated in Paragraph 12.02, to be effective October 1, 2018. (City Manager)**

Council Member - Rob Rea: Motion to approve a 3.9% consumer price index rate adjustment allowed in the Republic Waste contract.

Council Member - Ron Wyrick: 2nd

Republic Waste representative, Laura Capehart was not present. Mayor Skains stated he noticed when he looks at the consumer price index in the contract they have placed Gun Barrel City under the heading of Dallas, Fort Worth and Arlington and that's where the 3.9% comes in, where the US average city is 3.2%. The only city he found was Longview that they recorded the consumer price index and it was 2.8%. He believes we have more in common with East Texas then with DFW as far as traffic and the things that would impact the business of trash collection. An amended motion was made by Councilman Rea that did not receive a second. Mayor Skains advised they will go back to the first motion unless Councilman Rea would like to withdraw the first motion. Councilman Rea made a new motion to table this item, Councilwoman Mullins seconded. Councilwoman Mullins commented that she recalls last year this same issue came up and they also used the DFW consumer price index last year and we said the same thing that it seemed odd for a metropolis that large to be compared to us. Councilman Rea would like to see a representative of Republic Waste justify us being in the DFW area opposed to East Texas therefore he would like to see this item tabled not for approval or disapproval just to hear them justify what they're bringing forth. Councilman Wyrick added that this is the second time we've been through this same thing and they explained to us last time that they take this all together to the different cities, not just east Texas and last time the 3.9% was lower than what they had been charging other counties up there around Dallas Forth area but if Council wants to table this and get her in here again to explain it, he's all for it. Councilman Rea ended the discussion by saying he's taking the Mayor at his word and if 3.9% is what DFW is being charged and there's a 3.2% in the greater East Texas area he thinks some discussion is needed.

Council Member - Rob Rea: Motion to table item.

Council Member - Anne Mullins: 2nd

Mayor - J. David Skains: N/A

Mayor Pro-tem - Linda Rankin: Approve

Council Member - Anne Mullins: Approve  
Council Member - Ron Wyrick: Approve  
Council Member - Rob Rea: Approve

**ITEM # 3: Discuss and/or take action to name an official newspaper for the 2018-2019 Fiscal Year. (Mayor)**

Council Member - Ron Wyrick: Motion to name The Monitor as the official newspaper for the 2018-2019 Fiscal Year.  
Mayor Pro-tem - Linda Rankin: 2nd  
Mayor - J. David Skains: N/A  
Mayor Pro-tem - Linda Rankin: Approve  
Council Member - Anne Mullins: Approve  
Council Member - Ron Wyrick: Approve  
Council Member - Rob Rea: Approve

Councilman Wyrick noted that the city changes papers every year between The Monitor and the Athens Daily Review, we've been doing this for many years and we're just sticking with the same routine. Councilman Rea said yes this is a longstanding tradition to switch from one to the other on an annual basis; he would personally like to see this turn into a situation where merit comes into play.

00:12:00

**ITEM # 4: Discuss and/or take action to direct the City Manager to do a Request for Proposal for sales tax compliance review services, sales/use tax analysis and reporting services, and local hotel occupancy tax program audit and administration services. (Mayor)**

Mayor Pro-tem - Linda Rankin: Motion to direct the City Manager to do a request for proposal for sales tax compliance review services, sales/use tax analysis and reporting services, and local hotel occupancy tax program audit and administration services.  
Council Member - Anne Mullins: 2nd  
Mayor - J. David Skains: N/A  
Mayor Pro-tem - Linda Rankin: Approve  
Council Member - Anne Mullins: Approve  
Council Member - Ron Wyrick: Approve  
Council Member - Rob Rea: Approve

Councilman Rea wanted to make absolutely sure that the item that we are voting on is for the City Manager to do a request for proposals and we are not hiring anyone to do these services at this time because in any proposal he would like to see what the services forecast as far as our additional sales tax revenues go. He feels we run a severe risk of this becoming one more step in our anti-business reputation. Mayor Skains commented he wasn't aware we had one. Councilman Rea said we do.

**ITEM # 5: Discuss and/or take action to receive a report from the Planning and Zoning Commission regarding replatting Lots 739-741 in the Loon Bay subdivision, belonging to**

**Travis McAnally, physically located at 116 Oak Haven Dr. into 1 lot, Lot 741-R. (City Manager)**

Council Member - Rob Rea: Motion to receive a repor on the mentioned property in Loon Bay.

Council Member - Ron Wyrick: 2nd

Mayor - J. David Skains: N/A

Mayor Pro-tem - Linda Rankin: Approve

Council Member - Anne Mullins: Approve

Council Member - Ron Wyrick: Approve

Council Member - Rob Rea: Approve

**ITEM # 6: Public Hearing to discuss replatting Lots 739-741 in the Loon Bay subdivision, belonging to Travis McAnally, physically located at 116 Oak Haven Dr. into 1 lot, Lot 741-R. (Mayor)**

The public hearing was opened, there were no comments and the hearing was closed.

00:15:08

**ITEM # 7: Discuss and/or take action to approve the replat of Lots 739-741 in the Loon Bay subdivision, belonging to Travis McAnally, physically located at 116 Oak Haven Dr. into 1 lot, Lot 741-R. (Mayor)**

Council Member - Rob Rea: Motion to approve the replat of Lots 739-741 in the Loon Bay subdivision, belonging to Travis McAnally, physically located at 116 Oak Haven Dr. into 1 lot, Lot 741-R.

Council Member - Ron Wyrick: 2nd

Mayor - J. David Skains: N/A

Mayor Pro-tem - Linda Rankin: Approve

Council Member - Anne Mullins: Approve

Council Member - Ron Wyrick: Approve

Council Member - Rob Rea: Approve

**ITEM # 8: Discuss and/or take action to receive a report from the Planning and Zoning Commission regarding rezoning the MGTF LLC. 15.84 acres in the J.P. Brown Survey, A-59 being described as Tract 48 & 48B belonging to Christopher and Mary Goggans and Brian and Brenda Murphy from the multi-zoned Agriculture (A) and General Business District (B-2) to altogether General Business District (B-2). (City Manager)**

Council Member - Rob Rea: Motion to receive a report from the P&Z Commission regarding the mentioned properties.

Council Member - Ron Wyrick: 2nd

Mayor - J. David Skains: N/A

Mayor Pro-tem - Linda Rankin: Approve

Council Member - Anne Mullins: Approve

Council Member - Ron Wyrick: Approve

Council Member - Rob Rea: Approve

**ITEM # 9: Public Hearing to discuss rezoning the MGTF LLC. 15.84 acres in the J.P. Brown Survey, A-59 being described as Tract 48 & 48B belonging to Christopher and**

**Mary Goggans and Brian and Brenda Murphy from the multi-zoned Agriculture (A) and General Business District (B-2) to altogether General Business District (B-2). (Mayor)**

The public hearing was opened, there were no comments and the hearing was closed.

00:17:11

**ITEM # 10: Discuss and/or take action to adopt Ordinance #O-2018-011 approving the rezoning of the MGTFF LLC. 15.84 acres in the J.P. Brown Survey, A-59 being described as Tract 48 & 48B belonging to Christopher and Mary Goggans and Brian and Brenda Murphy from the multi-zoned Agriculture (A) and General Business District (B-2) to altogether General Business District (B-2). (Mayor)**

Mayor Skains read the Ordinance Summary aloud and asked for a motion.

Council Member - Rob Rea: Motion to adopt Ordinance #O-2018-011 approving the rezoning of the MGTFF LLC. 15.84 acres in the J.P. Brown Survey, A-59 being described as Tract 48 & 48B belonging to Christopher and Mary Goggans and Brian and Brenda Murphy from the multi-zoned Agriculture and General Business District (B-2) to altogether General Business District (B-2).

Council Member - Ron Wyrick: 2nd

Mayor - J. David Skains: N/A

Mayor Pro-tem - Linda Rankin: Approve

Council Member - Anne Mullins: Approve

Council Member - Ron Wyrick: Approve

Council Member - Rob Rea: Approve

**ITEM #11: Discuss and/or take action to receive a report from the Planning and Zoning Commission on a request from Christopher and Mary Goggans and Brian and Brenda Murphy regarding the granting of a special use permit to operate a storage facility (198 Storage) off highway 198 being described as Tract 48 & 48B, a General Business District B-2 zoned area. (City Manager)**

Council Member - Rob Rea: Motion to receive a report from the Planning and Zoning Commission on the mentioned property.

Council Member - Ron Wyrick: 2nd

Mayor - J. David Skains: N/A

Mayor Pro-tem - Linda Rankin: Approve

Council Member - Anne Mullins: Approve

Council Member - Ron Wyrick: Approve

Council Member - Rob Rea: Approve

**ITEM #12: Public Hearing on a request from Christopher and Mary Goggans and Brian and Brenda Murphy regarding the granting of a special use permit to operate a storage facility (198 Storage) off highway 198 being described as Tract 48 & 48B, a General Business District B-2 zoned area. (Mayor)**

Property owner, Christopher Goggans took the podium and said they have lived here for about three years now and this piece of land came up and we knew we wanted to develop the front of it but they had no idea what to do with the back of it so its developed into something like this or it

doesn't get developed at all. He stated they don't know what else to do with it because it sits too far back and that's why they are asking for a special use permit.

00:21:34

**ITEM #13: Discuss and/or take action to adopt Ordinance #O-2018-012 granting a special use permit to Christopher and Mary Goggans and Brian and Brenda Murphy to operate a storage facility (198 Storage) on highway 198 being described as Tract 48 & 48B. (Mayor)**

Mayor Skains read the Ordinance Summary aloud and asked for a motion.

Council Member - Rob Rea: Motion to adopt Ordinance #O-2018-012 granting a special use permit to Christopher and Mary Goggans and Brian and Brenda Murphy to operate a storage facility (198 Storage) on highway 198 being described as Tract 48 & 48B.

Mayor Pro-tem - Linda Rankin: 2nd

Mayor - J. David Skains: N/A

Mayor Pro-tem - Linda Rankin: Approve

Council Member - Anne Mullins: Approve

Council Member - Ron Wyrick: Approve

Council Member - Rob Rea: Approve

**ITEM #14: Discuss and/or take action to interview applicants for the Planning and Zoning Commission. (Mayor)**

Council Member - Rob Rea: Motion to interview applicants for the Planning and Zoning Commission.

Council Member - Ron Wyrick: 2nd

Mayor - J. David Skains: N/A

Mayor Pro-tem - Linda Rankin: Approve

Council Member - Anne Mullins: Approve

Council Member - Ron Wyrick: Approve

Council Member - Rob Rea: Approve

Mayor Skains advised the applicants in order of receipt are Stephen Shorrock and then Keith Butler. Neither applicant was present at the meeting so no introductions or interviewing took place. Councilman Rea asked how many position are open. Mayor Skains advised there are four openings and we only received 2 applications so we will re-run the advertisement again. City Manager, Bret Bauer confirmed this and advised when we receive applications from potential candidates we will put this on a future Council agenda for you to take action on.

00:25:04

**ITEM #15: Discuss and/or take action to make appointments in open session to the Planning and Zoning Commission with terms expiring October 2020. (Mayor)**

Council Member - Rob Rea: Motion to make appoints of Mr. Butler and Mr. Shorrock to the Planning and Zoning Commission with terms expiring October 2020.

Council Member - Anne Mullins: 2nd

Councilwoman Rankin stated that she was under the impression we had to do each candidate

separately. Councilman Rea stated there are only two applicants for four spots. Rankin replied, that's assuming we all vote yes. Mayor Skains asked if Councilman Rea would like to amend his motion. Councilman Rea rescinded his motion.

Mayor Pro-tem - Linda Rankin: Motion to receive Steven Shorrock's application and make appointment to the Planning and Zoning Commission.

Council Member - Anne Mullins: 2nd

Mayor - J. David Skains: N/A

Mayor Pro-tem - Linda Rankin: Approve

Council Member - Anne Mullins: Approve

Council Member - Ron Wyrick: Approve

Council Member - Rob Rea: Approve

Councilman Rea made a motion to accept Keith Butlers appoint to the Planning and Zoning Commission. There was no second and the motion dies. Keith Butler was not re-appointed to the Commission.

00:27:32

**ITEM #16: Convene into executive session pursuant to the following: Texas Government Code, Section 551.071 – consultation with attorney to discuss legal aspects of Lee Peterson appeal. (Mayor)**

The City Council convened into executive session at 6:57 p.m.

**ITEM #17: Reconvene into open session to discuss, consider and take action regarding appeal. (Mayor)**

The City Council re-convened into open session at 7:26 p.m.

Councilman Rea stated as evidence that he had not one word to say in executive session I intend to abstain from this item because at the time of the occurrence I was president of the EDC so unless I am asked a direct question as president of the EDC I intend to have no comments.

Mayor Skains asked if Mr. Peterson and/or his attorney would like to address the Council, we would ask that your remarks are held to twenty minutes or less if we could.

00:28:52

Tim Robinson, attorney for Lee Peterson greeted Council and thanked his for this opportunity to speak. In preparing for this hearing tonight he got a couple of articles that were written in local papers. He stated Mr. Peterson was terminated on the evening of August 2<sup>nd</sup> and on the 3<sup>rd</sup> in the Athens review there was a news article about the EDC firing their EDC Director. He stated that it's important to note that if it's in the newspapers, it's news-worthy. He stated it's in The Monitor as well on the 4<sup>th</sup>. That's significant when we get to the notice requirements under the open meetings act and whether the notice given for the meeting on August 2<sup>nd</sup> complied with the act. He mentioned Councilman Rea was quoted twice in the article that was in the Athens Review, it says, "he got some really bad advice" and then he says, "Whoever gave him advice to have it in open session took away our ability to make him some kind of offer". Mr. Robinson

plead guilty of giving that advice and asked the Mayor and Council to reserve judgment on that until he gets done with his comments tonight. Mr. Robinson went on to say he's been practicing law for 32 years now and this is his first open records case but like he does with all cases he has to learn the subject matter and what he learned was on the attorney generals website there is a training video that explains the open meetings requirements, the notices, what is acceptable, what is not acceptable, penalties and so forth. He also learned that anybody appointed to a board has 90 days to watch that video and certify that they have watched it. He stated it is our position that that action was fatally flawed in many ways. It was flawed because it violated in our opinion the open meetings act in many ways. He recognized what Mr. Coleman said when he said, "everything in the appeal is false and without merit" We simply disagree. At about 14 minutes into the video it basically says mayors report, personal matters, public comments and then the representative on this video asks if its adequate when you give a notice of a meeting when you're going to terminate somebody, is it adequate to put personal matters. She said yes. It is acceptable when you're dealing with the librarian, assistant teacher, and janitor. What she said in that video is it is not acceptable when you are going to terminate a City Manager, Executive Director, what she said is, you have to put on the notice that Lee Peterson, his job is on the block. Mr. Robinson asked why you have to do that? He went on to state case law, in the Maze case where the city terminated the Police Chief. What they did was put on the notice "Personnel Matters" The question is, is this activity something the public at large, cause that's what the open meetings act is for would the public have an interest in this person? They said you can't just put "personnel matters" and then terminate the Police Chief. In that video by the Attorney General they saw when you are trying to terminate an executive director you need to actually put that in the notice. If we look at the notice that went out before this meeting, it did not. All it said was personnel matters in executive session; Item 2 pursuant to code 551.074 "Personnel Matters". So it's our position that right off the bat the first violation of the OMA was you didn't comply with the act and you didn't comply with the case law that interrupts the act. There is also a case that is specifically discussed on that video, the Ferris vs Board of Chiropractic case. In that case, there was inadequate notice, they tried to fire her as an executive director then they tried to fire her later and then they finally fired her 17 months later. The case states the two times they tried to fire her, they didn't fire her. It was void. The court of appeal said when they fired her or tried to since the act was not complied with it was like she continued to work there so when they finally terminated her 17 months later, she got 17 months back pay even though she had been working 15 or 16 months for another agency. That was a civil penalty. On that video that the board had to have reviewed it clearly states you've got to give that notice. Mr. Robinson states we think on that alone the attempted firing was annulled and in the Maze and Ferris case they both stand from the proposition that the City Council cannot ratify something that was illegal. That is the very innocent violation. The bad violation happened on August 2<sup>nd</sup>. After Mr. Peterson stood right here and said he wants his hearing in open session, Councilman Rea at the time head of the EDC said well it'd be good to do this in executive session because we've prepared some documents for you. He repeated, we've prepared documents for you. How could you prepare documents for him to review if there's never been a meeting? So was there a meeting where there were deliberations, where there was a decision made to terminate him or give him a severance outside of the OMA? 45 minutes into the EDC video, Mr. Coleman said we have documents prepared. I don't remember a single notice over the year where his employment was considered so how can they have already concluded that they were going to terminate him or give him a severance when there's never been a public meeting that's required to address his personnel matter. That is conclusive evidence they believe that the worst part of

the act was violated. In the attorney general video at the end it talks about criminal penalties, what it says is there are four criminal penalties, she says these are the four worst things you can do. The third one is meeting with less than a quorum on business. So did that happen, because if you do that it's a fine up to \$500 and potential imprisonment in county jail for 6 months. Did that happen? Do we have any evidence on that video that it happened? Yes we do. Ms. Wynn admitted saying I've already talked to two or three members about this. I thought the OMA says that if you're going to talk about business of the city or the board you can't meet in less than a quorum and do that. On the record she said I've already talked to two (that's less than a quorum) or three (that's 4 persons, that's a quorum) about business, about his employment and the fourth is the walking quorum. Provision 551.143, what it says is if you circumvent the act you're subject to these same criminal penalties. We believe that video that's on your website is conclusive proof that the worst things you can violate on the OMA happened. We're not here to do anything other than to rectify this issue. Lee Peterson and his wife moved to this community, bought a house here, committed their life here. This crushed him because all of his life he's been great, he's been treated great, he's been successful. He's committed to this community. What we ask is that the Council recognize that these violations occurred. Mr. Robinson mentioned he has a letter from the prior Executive director, Mr. Overiter and after two months described a hostile work environment. This is really just about getting him back to work. He's got a long record of success, he wants his job, and he'll be there tomorrow morning.

Mayor Skains thanked Mr. Robinson and began the discussion saying, "Although I do not have a vote, I do have an opinion on this matter. I am pleased that the founders of our city saw fit to put an appeal process in place for our elected officials to review all actions of our boards and committees. I have read the appeal, as I am sure all the council members have done. I reviewed the contract, Employee Policy, EDC Bylaws and several meeting agendas and minutes and here's what I saw. Mr. Peterson was hired and given a contract, his first day of employment was Jan. 15, 2018. Some of the duties listed in his contract consisted of the following: duties of Executive Director, employ all other employees, direct, assign, reassign and evaluate all other employees, organize, reorganize and arrange work plan. Item number 'E' confused me. EDC cannot reassign Mr. Peterson from position of Executive Director to another position without Mr. Peterson's written consent, which comes into play in a little bit. Section 2, A of the contract says Mr. Peterson shall serve "at-will" and the Board of Directors can terminate the Agreement at any time, subject to Section 3 of the agreement. You have to read section 3 and see if any of those things fit. Section 2, D of the contract says the EDC shall annually review the performance of Mr. Peterson each January with procedures outlined for his review. He was reviewed June 19<sup>th</sup>, 6 months after he was hired. That review did not merit any corrective action whatsoever according to the minutes of the June 19<sup>th</sup> meeting. No action taken by the board. You have a copy of the minutes that were on the table when you walked in. The EDC Personnel Policy, updated August 2017, states on page 3, under the heading of Medical Policy; Insurance: Employee will be reimbursed for individual health plan of their choice. Dependent coverage is covered at the employee's expense. Section 8 of Mr. Peterson's contract says the EDC agrees to provide, at minimum, such benefits to Mr. Peterson as it provides to other EDC employees. Mr. Peterson was not allowed reimbursement of his health coverage. Section 9 Paid Time Off, 160 hours and the only restriction in the contract says he cannot take more than 10 consecutive business days without the prior approval of the Board of Directors. Yet, more than one director criticized him for taking his vacation. Section 13, A, says the agreement outlines the entire agreement. It was signed and dated by Mr. Peterson on Dec 20, 2017. and Mr. Rea January 2,

2018. It is clear looking at the contract that Mr. Peterson worked for the EDC Board and did not report to any one member of the Board. Reviewing the agenda for the EDC Board meeting for August 2, 2018, Item #2 in my opinion does not follow the Texas Open Meetings act as I understand it, because it has been ruled that the more important the position being discussed, the more specific the posting will need to be in describing that position. Neither Mr. Peterson's name nor his title was in the agenda item. Neither was the term "Termination of Employment" which would have provided Mr. Peterson the ability to prepare for the meeting. More importantly, the public would have been informed as to what the EDC was doing which is the true meaning of the Open Meetings Act which is to inform the public as to what we are doing. We talk about transparency, this is where it starts, Texas Open Meetings Act does make it difficult at times but that's why it's there, to make sure the public knows what we are doing. It was mentioned several times in the Aug. 2 meeting, actually about 18 times, that options existed and were no longer "on the table" because Mr. Peterson exercised his right to have the issue heard in public session. Why would you remove options because someone exercised their right? I don't understand that. Per the written contract, Mr. Peterson was hired as the Executive Director of the EDC, and he could not be reassigned from the position of Executive Director to another position without his expressed written consent. The motion made was a motion to terminate the employment of the Managing Director. No motion nor vote was ever taken by the board to terminate the Executive Director. You cannot judge his success or failure as a ED within 6 months. That's ridiculous, that is my opinion. However, Mr. Taylor read off a list of 11 potential projects that Mr. Peterson had on his radar. I believe he explained very well that expansion plans were already on the table for 2018 when Mr. Peterson was hired, that his job was about planting seeds and relationship building and he did that well. Within the 7 month period of Mr. Peterson's employment, the EDC held 14 meetings and went into Executive Session for 18 items pertaining to Economic Development. Twice regarding Real Estate Transaction / Negotiations, 9 times for Economic Development and Negotiations and 7 times to discuss Projects or Programs. He was a very busy person." Mayor Skains yielded the floor and asked for anymore comments. There were no comments and Mayor Skains asked for a motion.

Mayor Pro-tem - Linda Rankin: Motion to rescind the termination of Lee Peterson.

Council Member - Anne Mullins: 2nd

Mayor - J. David Skains: N/A

Mayor Pro-tem - Linda Rankin: Approve

Council Member - Anne Mullins: Approve

Council Member - Ron Wyrick: Approve

Council Member - Rob Rea: Abstain

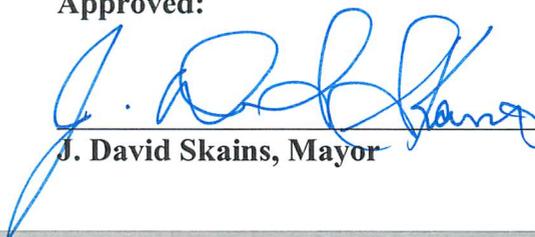
The motion carried and Mr. Peterson was re-instated as the Executive Director of the EDC.

The meeting adjourned at 7:48 p.m.

**Attest:**

  
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**Janet Dillard, City Secretary**

**Approved:**

  
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**J. David Skains, Mayor**