

CITY OF GRIFFIN BOARD OF COMMISSIONERS  
REGULAR SCHEDULED MEETING  
ONE GRIFFIN CENTER, W. ELMER GEORGE MUNICIPAL HALL  
TUESDAY, JANUARY 26, 2015

Chairperson Dick Morrow presided, calling the meeting to order at 6:00 p.m. Commissioners attending: Cynthia Reid-Ward, Cora Flowers, Ryan McLemore, Doug Hollberg, David Brock and Rodney McCord.  
Also present were City Manager Kenny L. Smith, City Attorney Andrew Whalen, III, and Teresa Watson to record minutes.

Pledge of Allegiance ..... Chairman Morrow  
Invocation ..... Commissioner Hollberg  
Approval of Agenda  
*Motion/second by Commissioners McCord/Brock to approve carried by a vote of 7-0.*

PRESENTATIONS / DELEGATIONS

1. The Griffin-Spalding Honor our KIA Committee to present Certificates of Appreciation to City Commissioners.

Mr. Quimby Melton, Chairman of the Honor our KIA Committee, thanked the Board for all its assistance and its commitment to honoring these military personnel who died in service to their country by allowing these plaques to be posted downtown. These men, as well as one female, will be remembered not only for how they died but also for how they lived. Mr. Melton presented plaques to all Commissioners and the City Manager. A group picture was made and the Board thanked Mr. Melton for this recognition.

2. Recognize Rita Bagwell, with the Customer Service Department, as 2015's "Strongest Link" Award recipient. *Electric Director Bill Bosch will address.*

The annual "Strongest Link" Award is given to a deserving employee who embodies the City's standards for excellence and strengthens our link on the chain philosophy, has a positive attitude toward work responsibilities, co-workers, customers, serves as a role model for others, is productive, exhibits commitment to quality in carrying out job responsibilities, and is an asset to the staff of her/his department. The recipient is willing to take initiative and accepts and carries out additional responsibilities beyond regular job assignments and is consistently dependable and punctual in reporting for duty, completing assignments on time, and participating in additional responsibilities. The award recognizes that all City employees link together to form a chain that provides the residents of the City with excellent service. That service is only as strong as its weakest link in the chain. Therefore, all employees should strive to be a "strong link" in the chain. Nominations are received from any City employee and are voted by Department Directors. The recognized employee receives two days off with pay, a \$100 American Express gift card, and a "Strongest Link" plaque.

Mr. Bill Bosch introduced Rita Bagwell and other representatives in attendance from Customer Service. After being reminded earlier about keeping someone in mind for this award, Mr. Bosch said Ms. Bagwell always came to his mind. Laura Stewart, Manager of Customer Services, was the nominator, and she praised Ms. Bagwell for her excellent skill set, diligence and determination. Several months ago Rita left a position as the Contract Desk Supervisor and willingly accepted the Billing Supervisor position after the person holding that position resigned. She stepped outside of her comfort zone, to take a lateral transfer with no pay increase, and quickly encountered many challenges. She had to learn a great deal, often from those she was destined to supervise, and tackled a lot of clean-up work that needed to be done. The tasks seemed almost insurmountable but the amount of work that has been accomplished in the Billing Department in the few short months since Rita transferred to the position is nothing short of amazing. The City's Billing Department is, once again, working together as a team. They are organized and focused on billing our customers, at a volume of 6,000 to 8,000 per month, in a prompt and timely manner, ensuring that the bills are correct before they leave our department. This is all due to Rita's influence as their Supervisor, her new ideas, restructuring, and willingness to listen and adjust. There are not as many calls or visits from customers with concerns/complaints, reports are more timely and result in a greater degree of responsiveness. There are fewer emails going back and forth between the CSRs/Phone Reps and Billing and problems have decreased dramatically. This transition for Ms. Bagwell shows her true dedication and is the true definition of what the Strongest Link in the Chain is about.

Rita Bagwell thanked her coworkers, the Board, her team, management, and family, noting she now knows where she needs to be. She gladly accepted the award on behalf of her team. She also accepted with thanks the bluebird house built for her by Chairman Morrow.

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<b>CITIZEN COMMENTS</b>
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*At this time, the Chairperson opens the floor to comments from the audience. Comments should relate to a specific agenda item, not listed on the agenda for a Public Hearing, or to a concern within the jurisdiction of the City. Commission meetings serve the purpose of conducting city business and are not a forum for the unlimited expression of opinion. The Chairperson reserves the right to limit comments to matters germane to city business and may refer speakers to the City Manager or other staff for resolution.*

There was a sign-up sheet for numerous attendees desiring to speak before the Board.

Gelithia Reid, Griffin, was concerned about the City in general and wondered to whom she should go for answers to questions that might not be germane to a specific agenda item. She came tonight to support her nephew-in-law and address the decision about the recent Police Chief hiring. She asked why the City might need to hire from outside and wondered if the City felt no one from inside was qualified. Chairman Morrow said all applications went into the process, and the process was designed to hire the most qualified candidate, regardless. She asked if tenure did not make any difference, i.e. how did Interim Police Chief Homer Daniel's being there 30+ years and being assistant to a chief not make a difference. She wondered how the choice was made and by whom.

Commissioner Flowers asked for a brief description of the process by the City Manager.

City Manager Kenny Smith noted the process was determined early on after former Police Chief Heaton resigned. The Board of Commissioners made a decision to contract with the Georgia Association of Chiefs of Police to provide an assessment center. All applications received in house were sent to them and they narrowed the number of qualified candidates to eight. These were put through an assessment center handled by the Georgia Association of Chiefs of Police. They then sent the assessment center results back to the City with scores. Then we compiled an interview panel to interview, starting with the top four candidates and worked our way through the process of elimination. We interviewed the top four initially starting with the top scoring candidate and so forth as a beginning. One candidate rose to the top of that list. Preliminary background work was done by the GBI and the Georgia Association of Chiefs of Police. We performed some preliminary background work ourselves, too. Interview panel back a second time and discussed the backgrounds. This candidate still rose to top of list. Then in-depth background investigation was done, and the interview panel was reconvened for a third time to go over all the detailed information. The number one candidate again rose to the top, was identified as a successful candidate and was subsequently offered the position. He replied to Ms. Reid that all information was public record and copies would be available.

Shaheer Beyah, Griffin, stated first that the young lady was not clearly informed on what was going on with the process. It was a lot to deal with at this time but would deal with it in the future. However, she did not get the correct answer she was looking for. Secondly, he was concerned after talking to many commissioners about asking for less than a week to have citizens who truly are on top of the organizational chart as far as the City. The citizens who pay everyone's salaries should be considered for hiring decisions. He was not sure how the City did a thorough investigate and still hired this man after racial concerns were evident everywhere he has been. He understood there were time constraints tonight but he wanted everyone to know this was not a done deal. They will continue to work on this issue. The opening prayer said the City wanted to be fair and just ... where is fairness and justice in this decision? Everyone else is educating police officers on racial issues these days, and here we are hiring someone with a proven record of both racial issues and anger issues. The man admitted in his letter of resignation that he had a problem with being arrogant and with anger. He has not seen in his research where this man has sought help for either of his issues. Yet we hired him to be Chief of Police. This issue is serious, and they are moving forward; if folks don't want to get on the boat, they are going to get rolled over. It is a new day in Griffin. He loves Griffin, which used to be on top but has degraded in recent years. Finally, he should have been on the agenda because he requested that of the City manager; however, he arrived and found he was not. Something was wrong with this picture. Hopefully we can do something to reverse this situation because a lot of people need to go.

Raymond Jordan, Griffin. His mother and family decided to come and vent comments. He has been here for 1-1/2 years since the death of his brother, Officer Kevin Jordan. He was somewhat concerned today and feels he has developed relationship with officers. The City Manager is always very cordial and entertains his presence and comments when he drops by to talk. He is 61 years old and this issue has not been easy for him to speak about boldly. When his brother Kevin was shot and killed, the assailant made

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a mistake by leaving him (Raymond) alive. but he did his job. And his family did not file a wrongful death lawsuit against the City. This evening he wants to voice an opinion that it is not driven by anger or emotion. He wanted to deal with facts and not ambiguities. He met with an employee of the City today who relayed that she felt Mr. Smith was a fair person and not prejudiced. She respects him, and his observation was that the City Manager seemed genuine. He and the City Manager have had heartfelt conversations, and discussions he felt were honest. He assured Mr. Jordan this decision would be made based upon facts and not color. Then the City selected Homer Daniel as Interim Police Chief. He heard that Captain Daniel can't write well but yet he has two Masters. Captain Daniel (Major to him) has been to Chiefs' school and understood the job. When asked why the City Manager made this choice, he cannot say anything about the decision because he does not have the facts. The only thought he has is that if not Homer Daniel is not selected as Chief, after 30+ years of running toward a problem with the guns go off while others are running away, perhaps the good thing is that the Major should be restored to his original rank of Major and allowed to retire. Is he not qualified to do a job he has already been doing? This man stayed after the restructuring and looked out for his family. He put his children through school and lives in a little shack of a house to better keep his dignity and self-esteem and so others would not accuse him of living beyond a police officer's means. He pled for the City to at least restore him to the rank of Major and allow him to retire with dignity and with that rank. If you don't feel the man is qualified to do the job of Chief that he has obviously done, then let him go with dignity. He urged the Board to consider how difficult it must be for Captain Daniel to put on a uniform, get shot it, and continue to serve when you are not sure that the next day may be your last. He asked that the City at least respect him and his family and show that we respect a job well done.

Cornelius Daniel, Griffin. On behalf of family and his father, Homer Daniel, he stated they were concerned over the City's decision. The gentleman hired has a controversial background which the City does not need. He stands with his father and family, noting that some of the best trained officers and leadership cannot advance here but they can in other places, such as Thomaston and Gordon College. Regardless of the side of town, people have nothing but good comments about his father. He met a lady two weeks ago at the Bridging the Gap meeting at Fairmont who said his dad being chief was the first time she had ever felt the City has done anything for her. Particularly in this time of adverse race relations, he urged reconsideration of this appointment, based on this applicant's history and background.

Zach Holmes, Griffin. He was not speaking for others, but wanted to note that he was concerned with performance. He looks at fairness but also at consistency. Chief Tommy Jones was able to be developed and grow into Fire Chief. Other departments have cultivated and allowed long term employees to advance. A lot of transient employees also drive in to Griffin but also drive out. He retired in 2010 and became EMS Director for Spalding County so he knows the process. He was disappointed to hear that Captain Daniel and other qualified employees did not even get the professional courtesy of an interview. The Board of Education just hired a Superintendent and he was not ashamed to voice his comments. The successful candidate was given an opportunity even though he did not have the credentials but was a dedicated community man who had worked in the system for a long period. So, what message is the City sending with this action? One officer just left to become the Police Chief in Thomaston. He had an opportunity to go elsewhere but came back and has been a community activist since 1982. He loves his City but is very disappointed with this situation. One thing he has noticed is that many educated people don't return here because they don't feel they have a chance. Homer Daniel did not even get an interview in this process and should have, just out of professional courtesy. That is disappointing to him.

Robert Taylor, Griffin, is a retired police officer from this City. He wanted to ask one question of the Board. Since he turned his life over to Christ and gave up police work, he recognizes that lightness and dark cannot occupy the same space. He urged everyone to examine his/her heart and ask, "Do I despise people of color so bad as to mistreat a man who had given his life to this City and bring in a man who has such a dark cloud over him?" He did not see the need to bring an overseer into this City for police.

Mubarak Muhammad yielded his time to Rev. Jeffery Benoit from Rex, Georgia. Rev. Benoit, as President of the National Action Network, stated that as a community activist he had gotten calls from outraged citizens who pay their taxes and by extension the salaries of City employees and officials. He was concerned you would have someone who was good enough to be Interim Chief but not good enough to be selected as Chief. Internet searches provided a worrisome look at the tattered past of this man that was offered the position of Chief. He saw on the news tonight where a gentleman from Atlanta was fired for Facebook posting using racial slurs and epithets – and this is the same type issues the person you hired has based on the history from Jonesboro, Arkansas. Is this the best qualified person for this position? You can train skills, he noted, but you cannot change what is inside. You know these citizens; they are your taxpayers; they are your neighbors; and they are concerned. Police brutality across the

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country is of concern. The problem here with policing is that the police are not checked. He coined the term “gypsy police” to describe those who are guilty of these types of behaviors but allowed to resign and carry their poison someplace else because their supervisors refused to elevate said complaints to POST. This man comes by way of his resignation and his own admissions, and this candidate has issues. What took place in Jonesboro, Arkansas should have been reported to POST. So, what are we welcoming to Griffin? As evidenced across the state, police are utilizing the system to literally get away with murder. Young men shot in the back, in the head, hands up, as recent as the naked veteran in DeKalb County that was shot by the officer even though backup had been called but he chose not to wait. The Board should not take its job lightly; policing has become a major issue in this community. Tomorrow will tell the story.

Rev. Wendell Bell, Griffin, has supported this Board when it made Homer Daniel Acting Chief, so how could you not make him Chief. He has protected Griffin, all of us, for a long time. Now, when he read about this man and his background in the paper, he felt it was time to change. The City better wake up. Why bring the outside in? If a man is qualified to do the job, let him do the job. This man puts his life on the line and how have you made him feel? Look in your hearts and see the need to change. He advised Mr. Smith there was a leak in the hole. You saw how much support Captain Daniel had at the rally a couple of weeks ago, and you did things under the table. We want to see Homer Daniel chief now. You can change this thing. Give the man a chance. Everyone should go home and look in the mirror tonight, get down on your knees and pray for change because you did Major Homer Daniel wrong.

**PUBLIC HEARINGS**

*Public Hearings are conducted to allow public comment on specific advertised issues such as rezoning, ordinances, policy development, operating budgets and other legislative actions to be considered by the City Commission.*

**None.**

**CONSENT AGENDA**

3. Consider approving Minutes of the January 12, 2016 Regular Monthly Meeting.

***Motion/second by Commissioners Hollberg/Brock to approve carried by a vote of 7-0.***

4. Consider on second reading an update to the City of Griffin's Sewer Use Ordinance. The ordinance has been updated to comply the City of Griffin's National Pollutant Discharge Elimination System (NPDES) Permits. *Director of Public Works and Utilities Department, Brant Keller, will address.*

***Motion/second by Commissioners Hollberg/Reid-Ward to approve carried by a vote of 7-0.***

**REGULAR AGENDA**

*The Regular Agenda includes items on which the Commission will individually consider and possibly take action.*

5. Consider approval of the purchase of a Sutphen Heavy Duty SPH100 foot Mid-Mount Platform aerial fire truck from Williams Fire Apparatus for the fire department for the quoted amount of \$1,098,963.00 from 2016 SPLOST funds, authorize prepayment to allow for cost savings, and amend the budget accordingly. *Fire Chief Tommy Jones will address.*

Prepayment can save a significant amount. Anticipated SPLOST funds should be in the bank by February 18, 2016 for this bonded project.

***Motion/second by Commissioners Reid-Ward/Hollberg to approve carried by a vote of 7-0.***

6. Consider for approval the purchase of a Caterpillar Olympian 50kW Natural Gas Genset and installation from Yancey Power Systems under the NJPA contract in the amount of \$26,424.00 and amend the budget accordingly. *Fire Chief Tommy Jones will address.*

***Motion/second by Commissioners Reid-Ward/Hollberg to approve carried by a vote of 7-0.***

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7. Consider purchase of the Itron Openway meter reading infrastructure to replace the Smart Synch AMI system in the amount of \$1,461,266.47, using funds from the Municipal Competitive Trust Short Term Flexible Operating account, and amend the budget accordingly. *Electric Director Bill Bosch will address.*

Mr. Bosch said this included the Tru-Chek changeout and has zero effect on rates.

***Motion/second by Commissioners McCord/Reid-Ward to approve carried by a vote of 7-0.***

8. Consider approval to amend the FY 15-16 Electric Department budget appropriating \$13,020.00 towards Tools and Small Equipment (\$4,980.00 – Line Construction, \$3,390.00 – System Operations, and \$4,650.00 – Marketing) to be transferred from Scrap Metal Sales cash account to purchase office equipment and furniture for administration and wellness equipment for the operations center. *Electric Director Bill Bosch will address.*

***Motion/second by Commissioners McCord/Brock to approve carried by a vote of 7-0.***

9. Consider an Ordinance amending the Code of Griffin at Chapter 2, ADMINISTRATION, and the Unified Development Code at Article 4, PROCEDURES, by clearing stating the City's intention to not discriminate on any cognizable basis in its service delivery, including the approval of licenses, permits, and other regulatory approvals. *City Attorney Drew Whalen will address.*

Mr. Whalen said this will amend both Griffin's Code and Unified Development Code (UDC). This is not the religious freedom restoration act, but is actually the opposite. This essentially says that government, whenever it acts, needs to do so in a non-discriminatory manner. It needs to be fair but efficient, with an allocation of resources to be considered. This Ordinance would provide a basis for issuing a license that might perhaps be controversial, ensuring that everyone gets treated alike.

***Motion/second by Commissioners Reid-Ward/McLemore to approve on first reading carried 7-0.***

10. Consider an Ordinance amending the Code of Griffin, GA a Chapter 78, STREETS, SIDEWALKS & OTHER PUBLIC PLACES by enacting a new Article IV, UTILITY ACCOMODATION POLICY AND ISSUANCE OF RIGHT-OF-WAY PERMITS. *City Attorney Drew Whalen will address.*

Mr. Whalen explained this was being requested by the GMA Telecommunications Program in which we participate. Crown Castle, for instance, has been trying to obtain permits to build telecommunications infrastructure in our public rights-of-way. However, they will not be providing the services themselves. We have a new federal telecommunications law that says we have to make our rights-of-way accessible. This ordinance will make recommendations on this first reading that will help us to deal with this issue, establishing a base rate per mile. The application from Crown Castle should be dealt with shortly.

***Motion/second by Commissioners Hollberg/McLemore to approve on first reading carried 7-0.***

11. Consider a Resolution to amend the City of Griffin Fiscal Year 2016 Operating and Capital budget in the amount of \$60,564.41 in the General Fund for Cemetery Operations (\$8,240.00 to replace the air condition and furnace at the cemetery office complex; and \$20,000.00 to replace broken sidewalks and install an irrigation system at Memorial Park); and recognize a \$5,000.00 donation from the Military Affairs Committee. *Public Works Director Dr. Brant Keller will address.*

***Motion/second by Commissioners McCord/McLemore to approve carried by a vote of 7-0.***

12. Consider denial of Ante Litem Notice, received December 18, 2015, from attorney LaQuetta S. Pearson, on behalf of Ms. Vaura Henley, 828 Ray Street, Griffin, Georgia, for alleged physical and mental anguish incurred on July 11, 2015 at approximately 2:30 p.m. when officers of the Griffin Police Department mistakenly served an "no knock" search warrant at her residence. *City Attorney Drew Whalen will address.*

***Motion/second by Commissioners Hollberg/McLemore to approve carried by a vote of 6-1 with Commissioner McCord opposing.***

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13. Consider denial of ante litem notice received on December 22, 2015 by Chairperson Doug Hollberg (served by statutory overnight delivery) from Attorney Jeffrey R. Neighbors on behalf of his client Rasheta Goggins. *City Attorney Drew Whalen will address.*

***Motion/second by Commissioners Hollberg/McLemore to approve carried by a vote of 6-1 with Commissioner McCord opposing.***

<b>CITY MANAGER'S REPORT</b>
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*The City Manager will update the Commission on pending items, upcoming workshops, meetings, conferences and other pertinent issues.*

1. Department Directors' Goals Workshop will be held on Friday, January 29, 2016 at the Senior Center Conference Room on Memorial Drive, from 8 am until 5 pm. This was rescheduled from the original date of January 22.
2. Commissioners, remember to reserve the date of February 4-5 on your calendars for the Archway Retreat in Carrollton at the Marriott Courtyard Carrollton. We will meet at the Senior Center for breakfast at 7:30 a.m. before departing for Carrollton, and an agenda should have been received.
3. The Vendor Expo and Trade Show put on by the City's Procurement Department will be at The Welcome Center on Thursday, January 28, 2016 from 9 am to 4 pm. Hopefully it will be well attended by vendors.
4. February 18 will be a tour of Plant Vogtle with the 3 and 4 addition. This will be an all-day trip just south of Augusta, so let us know if you have interest.
5. There has been a resignation on the Environmental Council. We still had a couple of applicants from the recent advertisement who were not selected, and we can bring those to the next meeting to make appointment to this Board without the necessity of readvertising.

<b>CITY COMMISSIONER COMMENTS</b>
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*Commissioners will provide updates regarding issues of interest from their respective districts and/or committee reports.*

*Whalen*

If the Board has never been to Vogtle, it would be very worth your time.

*Hollberg*

He issued a thank you to all who attended today. Our goal is a safe, wholesome community. The Board supports law enforcement 100%, as they will for whomever the Chief is. We have a great many issues, i.e. financial, accountability, etc., that we are attempting to address but we cannot turn this ship 180 degrees overnight. A few degrees at a time is more realistic. He listened to comments but is extremely confident in the decisions of City Manager Kenny Smith. The CM loves the community and will do all he can to ensure the best for Griffin. The Board listens and will take all comments into consideration.

*McLemore*

No comment.

*McCord*

He had a citizen asking about a plaque at the golf course, and he needed to talk to Mr. Smith about getting the name of Mr. Joe Lee Mathis placed on the monument. He echoed some of Commissioner Hollberg's sentiments. All the Board and some police officers know that he is all about Griffin. He supports those people we have on board. We have good officers from top to bottom and he lobbied for some before he came back onto the Board. Also the Board supports making this selection process a fair one. He can say this process was fair and the people selected to serve on the committee had access to all information and ask questions. If adverse was found, he was sure they explored it. They had ample opportunity. While not a part of the process himself, those who were a part felt it was fair. He has heard a few disparaging remarks about Mr. Smith and he publicly wanted to say he respects Mr.

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Daniel and would have been glad to have someone on the inside selected. Since Mr. Smith has been here he has made tough decisions and we have more black people put into leadership positions than at any other time since he has been involved with the City. We have black department heads now and there have been good choices. Some choices were not so good and he admits it. If this decision proves unsuccessful, the City Manager will do everything he can to ensure we get the right person in place. There are many good qualified folks in the police department and he was disappointed someone from outside was chosen, but we must support the process. He thanked everyone for their comments and interest in the City. He urged them to trust the process. Tough questions are not discouraged. Should this choice not work out, Commissioner McCord said he would be the first to urge action. He explained organizational hierarchy as far as the selection committee. The public selects the Board, the Board selects the City Manager, and he is in charge of daily operations. The City Manager did not have to select the committee made up of community representative, and not just people who looked like him. This affirmed his good feelings about the process.

*Brock*

This was a very robust group tonight but that is good. He agreed the City Manager did a yeoman's job with this selection process which he felt was fair. The non-biased selection panel was a great method of ensuring a good fair choice. He welcomed comments and was glad to be here. He concluded by urging unity to make Griffin a better place.

*Flowers*

Commissioner Flowers agreed with Commissioner McCord. The people we have in place did a good job with a tough decision.

*Reid-Ward*

She thanked Mr. Smith for the job he does. She trusts his decisions, including this one, even though he was not the only person involved in this particular decision. He is the only person the Board manages. He has always acted in the best interest of the City and has always been fair; he has never looked at color but rather at qualifications. She felt the process was fair and the City went to great lengths to ensure that fairness and consistency, even with legal advice and keeping the Board informed from the beginning. She felt Mr. Smith had been beaten up a bit tonight, and she wanted to convey her appreciation of him.

*Morrow*

He thanked attendees tonight, as well, and welcomed comments. He followed this process also, which was closely monitored on several levels. This selection recommended by the panel of local representatives, including Ms. Jewel Walker-Harps of the local chapter of the NAACP, was based totally on facts but, unfortunately, social media is our worst enemy in many instances. There was an erroneous picture created concerning this man, who he felt would be an excellent choice. He reviewed his thick file and comments from many of those for whom and with whom he worked in several places, and the picture painted tonight was unjustified. He felt this candidate has been slandered before he even got here. He hoped the new Chief would have the opportunity to show his true colors to those with open minds. He, too, felt City Manager Smith did a good job and he was proud of the job he did and does daily.

<b>ADJOURN</b>
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***Motion/second by Commissioners Hollberg/McLemore to adjourn at 7:21 p.m. carried 7-0.***

Respectfully Submitted,

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Kenny L. Smith, City Manager/Secretary

Accepted:

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Douglas S. Hollberg, Chairperson