City of Pittsburgh

510 City-County Building 414 Grant Street Pittsburgh, PA 15219



MEETING MINUTES

Proceedings of the Council of the City of Pittsburgh

Tuesday, September 23, 2008

Council Chambers

City Council

ONE-HUNDRED THIRTY-FIFTH COUNCIL

Douglas Shields, President

Council Members: Reverend Ricky V. Burgess, Dan Deasy, Patrick Dowd, Darlene M. Harris,
Bruce A. Kraus, Jim Motznik, Tonya D. Payne, William Peduto

Linda M. Johnson-Wasler, City Clerk Mary Beth Doheny, Deputy City Clerk City Council Meeting Minutes September 23, 2008

ROLL CALL

Present: 9 - Mr. Deasy, Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznik, Ms. Payne, Mr. Peduto and Mr. Shields

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Bill No. NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh

2008-0770 does hereby recognizes the ATHENA Award finalists, Mary Austin, Joyce Bender,

Michele DeWitt, Joan Ellenbogen and Gretchen Haggerty and congratulates Kate

Dewey as the winner of the 2008 ATHENA Award.

SPONSOR(S): DOUGLAS SHIELDS AND ALL MEMBERS

A motion was made that this matter be Adopted. The motion carried.

Bill No. NOW THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh

2008-0771 does hereby wish to express gratitude to Pittsburgh Community Services, Inc. for their

ongoing service and commitment to increasing self-sufficiency in the city of

Pittsburgh; and

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby proclaim this weekend, Friday, September 26 - Sunday, September 29, as Pittsburgh Community Services Weekend in the City of Pittsburgh.

SPONSOR(S): TONYA D. PAYNE AND ALL MEMBERS

A motion was made that this matter be Adopted. The motion carried.

Bill No.

2008-0772

THEREFORE BE IT RESOLVED, the Council of the City of Pittsburgh does value all businesses within the City's limits, it is particularly proud of those which have established a long history within our city, and hereby, congratulates Marshall Elevator, the oldest continuously owned and operated elevator company in the United States of America, on their 190th anniversary.

NOW, THEREFORE BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh proclaims Thursday, September 18, 2008 to be "Marshall Elevator Day" in the City of Pittsburgh.

SPONSOR(S): BRUCE A. KRAUS AND ALL MEMBERS

A motion was made that this matter be Adopted. The motion carried.

Bill No.

2008-0773

THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does, hereby, commend the Children's Sickle Cell Foundation for all that they do to support the children afflicted with sickle cell disease and their families and the Council of the City of Pittsburgh does also commend The Pittsburgh Players, Kings and Queens Motorcycle Club for organizing the 1st Annual Motor-Sickle Ride.

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh

does, hereby, proclaim Saturday, September 20, 2008 as "The 1st Annual CSCF

Motor-Sickle Ride Day" in the City of Pittsburgh.

SPONSOR(S): BRUCE A. KRAUS AND ALL MEMBERS

A motion was made that this matter be Adopted. The motion carried.

Bill No. NOW THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh

wishes to recognize Bidwell Training Center by declaring Wednesday, September

24th, Bidwell Training Center Day in the City of Pittsburgh.

SPONSOR(S): TONYA D. PAYNE AND ALL MEMBERS

A motion was made that this matter be Adopted. The motion carried.

Bill No. NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh

<u>2008-0775</u> hereby commends the work of the Pittsburgh Parks Conservancy, City Parks Alliance, and National Association for Olmsted Parks whose work on behalf of our urban parks

ensures that they will continue to enrich our cities in more and manifold ways; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby

declare Tuesday, September 23 "Urban Parks Day" in the City of Pittsburgh.

SPONSOR(S): PATRICK DOWD AND ALL MEMBERS

A motion was made that this matter be Adopted. The motion carried.

PUBLIC COMMENTS

2008-0774

PRESENTATION OF PAPERS

REVEREND BURGESS, CHAIRPERSON OF THE COMMITTEE ON LAND USE AND ECONOMIC DEVELOPMENT, PRESENTS

Bill No. Resolution authorizing the Mayor and the Directors of Public Safety and City Planning

2008-0760 to enter into an agreement or agreements or contract or contracts with the University of

Pittsburgh and the City University of New York for the purpose of designing and implementing the Pittsburgh Initiative to Reduce Crime, at a cost not to exceed

\$200,000.

SPONSOR(S): REVEREND RICKY V. BURGESS

Read and referred to Public Safety Services Committee

MR. DEASY, CHAIRPERSON OF THE COMMITTEE ON INTERGOVERNMENT AFFAIRS, PRESENTS

Bill No. Resolution approving Execution of a Contract for Disposition by Sale of Land by and

2008-0757 between the Urban Redevelopment Authority of Pittsburgh and East Liberty

Development, Inc. (ELDI) for the Sale of Block 83-F, Lot 301, in the 11th Ward of the

City of Pittsburgh - Council District No. 9 (514 N. St. Clair Street - Sideyard)

Read and referred to Intergovernmental Affairs Committee

Bill No. Resolution approving Execution of a Contract for Disposition by Sale of Land by and

2008-0758 between the Urban Redevelopment Authority of Pittsburgh and Guy S. Mahaffey, III,

for the Sale of Block 22-R, Lot 3, in the 21st Ward of the City of Pittsburgh - Council

District No. 6 - 1237 Liverpool Street (sideyard).

Read and referred to Intergovernmental Affairs Committee

Bill No. Resolution approving execution of a Contract for Disposition by Sale of Land by and

<u>2008-0759</u> between the Urban Redevelopment Authority of Pittsburgh and Janitorial Resources,

Inc. for the sale of Block 22-D, Lots 119, 132, 133, 134, 135, 136 and 137, in the 25th Ward of the City of Pittsburgh - Council District No. 6 - Flocker Way & 1904

Brighton Road (commercial development).

Read and referred to Intergovernmental Affairs Committee

MR. DOWD, CHAIRPERSON OF THE COMMITTEE ON URBAN RECREATION, PRESENTS

Bill No. Ordinance Supplementing the Pittsburgh Code, Title Four, Public Places and Property,

2008-0761 Article 1, Public Rights-of-Way, by adding Chapter 420, Uniform Street Naming and

Addressing.

SPONSOR(S): PATRICK DOWD

Read and referred to Public Safety Services Committee

MRS. HARRIS, CHAIRPERSON OF THE COMMITTEE ON PUBLIC WORKS, PRESENTS

2008-0753 Grant Street, Pittsburgh, PA 15219, their successors and assigns, the privilege and

license to construct, maintain and use at their own cost and expense, bollards on the sidewalk area at 717 Grant Street and William Penn Place in the 2nd Ward, 6th

Council District of the City of Pittsburgh.

Read and referred to Public Works Committee

Bill No. Resolution granting unto, United States General Services Administration,

2008-0754 Mid-Atlantic Region, 100 Penn Square East, Philadelphia, PA 19107, their successors

and assigns, the privilege and license to construct, maintain and use at their own cost and expense, planters and bollards on the sidewalk area of William Penn Place and 1000 Liberty Avenue in the 2nd Ward, 6th Council District of the City of Pittsburgh.

Read and referred to Public Works Committee

Bill No. Vacating Leeds Way from North Franklin Street to it's terminus in the 21st Ward, 6th

2008-0755 Council District, of the City of Pittsburgh.

Read and referred to Public Works Committee

MR. MOTZNIK, CHAIRPERSON OF THE COMMITTEE ON GENERAL & GOVERNMENT SERVICES, PRESENTS

2008-0752

Resolution providing for the letting, for and during the calendar year 2009, of contracts and for the use of existing contracts for the maintenance, repair, rental and/or leasing, rehabilitation, renovation, inspection or servicing, including the furnishing of labor and materials necessary thereof; of personal property, and also for bonding, insurance, printing and any other related services, and for the maintenance and repair of buildings, structures or any other properties in the custody of the various Departments of the City of Pittsburgh, and for any miscellaneous services in and for any or all Departments of the City of Pittsburgh, and providing for the payment of the costs thereof.

Read and referred to General and Government Services Committee

2008-0762

Resolution amending and supplementing Resolution No. 861, effective January 1, 2000, as amended, entitled: "Adopting and approving the 2000 Capital Budget and the 2000 Community Development Block Grant Program; and approving the 2000 through 2005 Capital Improvement Program, by adding \$6,000 for "Deck Hockey Court" and by reducing "PWSA District 4 Projects" by the same amount in Council District 4 Neighborhood Needs.

SPONSOR(S): JIM MOTZNIK

A motion was made that this matter be Waived under Rule 8. The motion carried.

Read and referred to Finance and Law Committee

Bill No.

2008-0763

Resolution Further amending Resolution No. 121 of 2003, effective March 14, 2003 entitled, "Resolution providing for an Agreement or Agreements, or use of existing Agreements and/or a Contract or Contracts, or use of existing Contracts, and for the purchase of materials, supplies, equipment, and/or services for various projects in connection with City Council's 2003 Community Needs Program; and providing for the payment of the costs thereof," by adding \$10,000.00 to "Brookline Memorial Park, Dan McGibbney Field" and by reducing "Colerain St. Retaining Wall" by the same amount in Council District 4 Neighborhood Needs.

SPONSOR(S): JIM MOTZNIK

A motion was made that this matter be Waived under Rule 8. The motion carried.

Read and referred to Finance and Law Committee

Bill No.

2008-0764

Resolution Further amending Resolution No. 230, effective April 19, 2000, entitled "Providing for an Agreement or Agreements, or use of existing Agreements and/or a Contract or Contracts, or use of existing Contracts, and for the purchase of materials, supplies, equipment, and/or services for various projects in connection with the Neighborhood Needs Program in Council District 4; and providing for the payment of the costs thereof," by adding \$6,000 for "Deck Hockey Court" and by reducing "PWSA District 4 Projects" by the same amount in Council District 4. Total of all projects is not to exceed \$1,000,000.00.

SPONSOR(S): JIM MOTZNIK

A motion was made that this matter be Waived under Rule 8. The motion carried.

Read and referred to Land Use and Economic Development Committee

Bill No.

2008-0765

Resolution amending and supplementing Resolution No. 891, effective January 1, 2003, as amended, entitled: "Adopting and approving the 2003 Capital Budget and the 2003 Community Development Block Grant Program; and approving the 2003 through 2008 Capital Improvement Program by adjusting various line items in conformance with City Council's 2003 Capital Budget amendments." by adding \$10,000.00 to "Brookline Memorial Park, Dan McGibbney Field" and by reducing "Colerain St. Retaining Wall" by the same amount in Council District 4 Neighborhood

Needs.

SPONSOR(S): JIM MOTZNIK

A motion was made that this matter be Waived under Rule 8. The motion carried.

Read and referred to Land Use and Economic Development Committee

Bill No.

Ordinance amending and supplementing the Pittsburgh Code, Title One:

2008-0766

Administration, Article XI: Personnel, Chapter 181 General Provisions, by adding a new Section 181.03 entitled "Deferred Testing Opportunities During Military Deployment," to allow persons serving in the armed services to receive equal employment opportunities in the City of Pittsburgh.

SPONSOR(S):

JIM MOTZNIK, REVEREND RICKY V. BURGESS, DAN DEASY, PATRICK DOWD, DARLENE HARRIS, TONYA D. PAYNE, WILLIAM PEDUTO, DOUGLAS SHIELDS AND BRUCE A. KRAUS

A motion was made that this matter be Waived under Rule 8. The motion carried.

Read and referred to Human Resources Committee

MS. PAYNE, CHAIRPERSON OF THE COMMITTEE ON HUMAN RESOURCES, PRESENTS

Bill No.

2008-0756

Resolution providing for a professional service agreement or agreements with Ceridian for the purpose of on-going payroll processing services, payroll tax filing services, application outsourcing services and related support services, at a cost not to exceed one million four hundred thousand dollars (\$1,400,000.00) over two years.

Read and referred to Human Resources Committee

MR. PEDUTO, CHAIRPERSON OF THE COMMITTEE ON FINANCE AND LAW, PRESENTS

Bill No.

2008-0751

Resolution providing for the issuance of a Four Hundred and Twenty Five Thousand Dollar (\$425,000.00) warrant in favor of Norfolk Southern Railway Company c/o Brian H. Simmons, Esquire, Buchanan Ingersoll & Rooney, P.C., One Oxford Centre, 20th Floor, Pittsburgh, PA 15219-1410, in settlement of CA 04-1808 for damage to its railroad tracks and roadbed at Mile Post ML-4.3 from landslides involving property owned by the City of Pittsburgh.

Read and referred to Finance and Law Committee

MR. SHIELDS, PRESIDENT OF COUNCIL AND CHAIRMAN OF THE COMMITTEE ON HEARINGS, PRESENTS

Bill No.

2008-0767

Ordinance Supplementing the Pittsburgh Code, Title Four, Public Places and Property, Article I, Public Rights-of-Way, by adding Chapter 414, Street Naming, to develop a uniform street naming and street numbering system throughout the City to enable persons to locate addresses effectively and in a timely manner for purposes of

providing emergency services and deliveries.

SPONSOR(S): DOUGLAS SHIELDS

Read and referred to Public Works Committee

Bill No. Ordinance Supplementing the Pittsburgh Code, Title Four, Public Places and Property,

2008-0768 Chapter 421: Street Signs, by adding Subsection 421.04, Honorary Signage.

SPONSOR(S): DOUGLAS SHIELDS

Read and referred to Public Works Committee

Bill No. Ordinance Supplementing the Pittsburgh Code, Title Nine, Zoning, Article VII,

2008-0769 Review and Enforcement, Chapter 922, Development Review Procedures, by adding

language to be consistent with new ordinances regulating the establishment and assignment of street names and address numbers within the City of Pittsburgh:

SPONSOR(S): DOUGLAS SHIELDS

Read and referred to Land Use and Economic Development Committee

UNFINISHED BUSINESS

REPORTS OF COMMITTEE - FINAL ACTION

MR. PEDUTO PRESENTS COMMITTEE ON FINANCE AND LAW

Bill No. Report of the Committee on Finance and Law for September 17, 2008 with an

2008-0746 Affirmative Recommendation.

A motion was made that this matter be Read, Received and Filed. The motion

carried.

Bill No. Resolution providing for a professional services agreement or agreements for

2008-0706 accounting, auditing and consulting services to the City related to tax collection,

internal controls, financial reporting, performance and fiscal auditing, and financial

systems implementation. Cost not to exceed \$125,000.00.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution providing for the conveyance by the City of Pittsburgh of certain property,

2008-0709 under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection

Act", effective December 11, 1984; having been placed for sale to adjoining property owners in conjunction with the City of Pittsburgh/City Source Associates Sideyard

Program. ITEMS A through O. A: 1516 Sedgwick; B: 1520 & 1522 Sedgwick;

C: 224 Moore; D: 2921 Harcum; E: 244 Winston; F: 1039 Uvilla;

G: 1725 Buena Vista and 1722 Columbia; H: 2733 Berg; I: 1843 Diaz;

J: 258 Sardis; K: 106 Kenova; L: 3106 Mission; M: 172 Arlington;

N: 1906 Larkins; O: 3233-35 Josephine

This Matter was Passed Finally on the Consent Agenda.

2008-0710

Resolution repealing items in Resolutions approved on various dates, authorizing the sale of properties in various wards of the City of Pittsburgh, in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984. Items A thru C: A: 1401 & 1403 Nixon; B: 413 Jonathan; C: 203 Walter.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

2008-0711

Resolution providing for the filing of petitions for the sale of certain properties, acquired at tax sales in accordance with Act No. 17l of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

ITEMS A through V. A: 4724 Chatsworth; B: 4728 Chatsworth;

C: 213-215 Henderson; D: 1335-37 West North; E: 2000 Tustin; F: 1606 Hatteras; G: 718 Estella; H: 1417 Columbus; I: 7440 Monticello; J: 7207 Kedron; K: 5229 Kent; L: 1245 High; M: 1523 Cameron; N: 2053 Frankella; O: 524 Fairywood; P: 226 Ophelia; Q: 409 Alpine; R: 5220 Coral; S: 3132 Ashlyn; T: 6930 & 6932

Hamilton; U: 846 Phineas; V: 4409 Milgate.

ITEMS B, F, L AND U WERE DELETED BY AMENDMENT

This Matter was Passed Finally on the Consent Agenda.

Bill No.

2008-0712

Resolution providing for the filing of petitions for the sale of certain properties, acquired at tax sales, in accordance with Act No.171 of 1984, "Second Class City

Treasurer Sale and Collection Act", effective December 11, 1984. ITEMS A through C: A: 19 Lanark; B: 212 Beltzhoover; C: 352 Enright.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

2008-0713

Resolution authorizing the issuance of a warrant in favor of Bulldog Office Products Inc in the amount not to exceed eight thousand seven hundred and ninety two dollars and ninety four cents (\$8,792.94) for services provided to the Bureau of Emergency Medical Services.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

2008-0720

Resolution providing for a professional services agreement or agreements for consulting services, but not limited to auditing, accounting, and technical services for the City Controller's Office for a two year period with a cost not to exceed \$140,000.00 upon yearly appropriation.

This Matter was Passed Finally on the Consent Agenda.

Passed The Consent Agenda

A motion was made, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried by the following vote:

Votes: Ayes: 9 - Rev. Burgess, Mr. Deasy, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznik,

Ms. Payne, Mr. Peduto and Mr. Shields

Noes: 0 Abstentions: 0

MR. KRAUS PRESENTS COMMITTEE ON PUBLIC SAFETY SERVICES

Bill No. Report of the Committee on Public Safety Services for September 17, 2008 with an

2008-0747 Affirmative Recommendation.

A motion was made that this matter be Read, Received and Filed. The motion

carried.

Bill No. Resolution authorizing the Mayor and the Chief of Emergency Medical Services

2008-0714 (EMS) to enter into a grant agreement with the Pennsylvania Alliance for Security and

Preparedness(PAASP) to receive monies for training. Said agreement or agreements,

contract or contracts or expenditures shall not exceed \$34,239.48

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution authorizing the Mayor and the Chief of Emergency Medical Services

2008-0715 (EMS) to enter into a grant agreement with the Pennsylvania Department of Health,

Office of Health Equity to receive monies to support the City's efforts to increase diversity in the workforce. Said agreement or agreements, contract or contracts or

expenditures shall not exceed \$149,206.72.

This Matter was Passed Finally on the Consent Agenda.

Passed The Consent Agenda

A motion was made, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried by the following vote:

Votes: Ayes: 9 - Rev. Burgess, Mr. Deasy, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznik,

Ms. Payne, Mr. Peduto and Mr. Shields

Noes: 0

Abstentions: 0

MRS. HARRIS PRESENTS COMMITTEE ON PUBLIC WORKS

Bill No. Report of the Committee on Public Works for September 17, 2008 with an

2008-0748 Affirmative Recommendation.

A motion was made that this matter be Read, Received and Filed. The motion

carried.

Bill No. Resolution providing for an Agreement or Agreements, or the use of existing

2008-0716 Agreements; providing for a Contract or Contracts, or the use of existing Contracts;

for the reconstruction of Forbes Avenue from Market Square to Wood Street and Market Street from Liberty Avenue to Fifth Avenue; providing for the payment of the costs thereof; and further providing for a Reimbursement Agreement with the

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Commonwealth of Pennsylvania, Department of Transportation. Cost not to exceed

\$3,200,000.00.

This Matter was Passed Finally on the Consent Agenda.

2008-0717

Resolution authorizing the Mayor to enter into a grant agreement with the Cultural Trust to receive monies to secure funds for infrastructure improvements within the Cultural District and further providing for legitimate expenditures for payments and agreement or agreements, or contract or contracts for any services required in connection with the execution of said grant agreement. Said agreement or agreements, contract or contracts or expenditures shall not exceed \$500,000.00.

This Matter was Passed Finally on the Consent Agenda.

Passed The Consent Agenda

A motion was made, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried by the following vote:

Votes: Ayes: 9 - Rev. Burgess, Mr. Deasy, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznik,

Ms. Payne, Mr. Peduto and Mr. Shields

Noes: 0

Abstentions: 0

City Council Meeting Minutes September 23, 2008

REV. BURGESS PRESENTS COMMITTEE ON LAND USE & ECONOMIC DEVELOPMENT

Bill No. Report of the Committee on Land Use & Economic Development for September 17,

2008-0749 2008 with an Affirmative Recommendation.

A motion was made that this matter be Read, Received and Filed. The motion carried.

Bill No.

2008-0722

Resolution Amending Resolution 180, effective April 16, 2008, entitled, "Resolution authorizing and directing the Director of City Planning, the Zoning Administrator and the Chief of the Bureau of Building Inspection to place a Six (6) month moratorium on the erection, size modification and/or approval of all advertising signs in all zoning districts" so as to extend the moratorium until a report and recommendation is received, and the legislative process is complete on Council Bill 2008-0222 and 2008-0721.

SPONSOR(S): BRUCE A. KRAUS AND DOUGLAS SHIELDS

A motion was made that this matter be Passed Finally. The motion carried by the following vote:

Votes: Ayes: 9 - Rev. Burgess, Mr. Deasy, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznik,

Ms. Payne, Mr. Peduto and Mr. Shields

Noes: 0 Abstentions: 0

MR. DEASY PRESENTS COMMITTEE ON INTERGOVERNMENTAL AFFAIRS

Bill No. Report of the Committee on Intergovernmental Affairs for September 17, 2008 with

2008-0750 an Affirmative Recommendation.

A motion was made that this matter be Read, Received and Filed. The motion carried.

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Bill No. Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an

2008-0718 Application for Financial Assistance in the amount of up to \$6,711,600 to the

Commonwealth of Pennsylvania Department of Community and Economic Development for the operation and administration of certain programs in FY

2008-2009. (Council Districts: All).

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution authorizing a 2008-2009 Cooperation Agreement or Agreements with the

2008-0719 Urban Redevelopment Authority of Pittsburgh providing for the designation of the

local matching share for a grant applied for in a Single Application for Assistance filed with the Pennsylvania Department of Community and Economic Development under the Housing and Redevelopment Assistance Program. (Council Districts: All).

This Matter was Passed Finally on the Consent Agenda.

Passed The Consent Agenda

A motion was made, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried by the following vote:

Votes: Ayes: 9 - Rev. Burgess, Mr. Deasy, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznik,

Ms. Payne, Mr. Peduto and Mr. Shields

Noes: 0

Abstentions: 0

MOTIONS AND RESOLUTIONS

APPROVAL OF MINUTES

A motion was made to approve the minutes. The motion carried.

ADJOURNMENT

A motion was made to adjourn the meeting. The motion carried.