

MONDAY-7:00 P.M.

JANUARY 24, 2011

CITY COUNCIL

The City Council of the City of Elizabeth City held its second meeting of the month on the above date and time in the City Council Chambers of the Municipal Administration Building with Mayor R. A. McLean presiding. Council members attending were: J. M. Baker, M. E. Brooks, L. Hill-Lawrence, L. A. Hummer, R. E. King, B. S. Meggs, J. A. Stimatz and J. B. Walton. City Staff attending was: City Manager R. C. Olson, City Clerk D. S. Pierce-Tamplen, City Attorney W. H. Morgan, Deputy City Clerk V. D. White, Planning Director J. C. Brooks, Human Resource Director K. W. Felton, Parks and Recreation Director B. V. White, Finance Director S. E. Blanchard, Fire Chief L. M. Mackey, Lt. J. Lacombe, Electric Director K. F. Clow, Inspections Director S. E. Ward and Public Utilities Director P. A. Fredette.

Mayor McLean established a quorum was present and called the meeting to order at 7:18 p.m. He welcomed those attending as well as those watching on television. He called upon Reverend Reggie Ponder for the invocation after which the Pledge of Allegiance was given to the Flag of the United States of America.

1} APPROVAL OF THE AGENDA:

Mayor McLean called for approval of the prepared agenda.

A motion was made by Mayor Pro Tem L. A. Hummer, seconded by Councilwoman B. S. Meggs to approve the agenda as presented. Those voting in favor of the motion were: Hummer, Meggs, Baker, Brooks, Hill-Lawrence, King, Stimatz and Walton. Against: None. Motion carried.

2} PUBLIC PARTICIPATION:

Mr. Ernest L. Commander, 202 Graves Avenue, Elizabeth City spoke his concern and opinion regarding the metering reading of his utility bill. There was a leak in his neighbor's dwelling and his account was charge for the leak instead of his neighbor. He came in and showed the error to the staff downstairs and they were supposed to get back with him Friday a week ago and he has heard from no one.

3} APPROVAL OF THE MINUTES:

a} December 13, 2010 – Work Session Minutes:

A motion was made by Mayor Pro Tem L. A. Hummer, seconded by Councilman R. E. King to approve the minutes of December 13, 2010 Work Session. Those voting in favor of the motion were: Hummer, King, Baker, Brooks, Hill-Lawrence, Meggs, Stimatz and Walton. Against: None. Motion carried.

b} January 10, 2011 – Regular Meeting:

A motion was made by Mayor Pro Tem L. A. Hummer, seconded by Councilwoman J. M. Baker to approve the minutes of January 10, 2011 Regular Meeting. Those voting in favor of the motion were: Hummer, Baker, Brooks, Hill-Lawrence, King, Meggs, Stimatz and Walton. Against: None. Motion carried.

4} CONSENT AGENDA:

Mayor McLean called upon City Manager Olson to read the items on the Consent Agenda.

A motion was made by Councilwoman J. M. Baker, seconded by Councilman J. A. Stimatz to approve the following Consent Agenda as presented. Those voting in favor of the motion were: Baker, Stimatz, Brooks, Hill-Lawrence, Hummer, King, Meggs and Walton. Against: None. Motion carried.

CONSENT AGENDA:

a} Awarded contract to Albemarle Fence, Inc. to construct commercial grade fencing around the perimeter of the two retention ponds recently constructed just north of Peartree Road for a cost of \$33,197.68.

b} Awarded contracted to Coastal Carolina Streetscapes for 12 wayfinding signs (including tax and one extra "sample sign" with pole and base) in the total amount of \$20,377.21.

c} Authorized the City Manager to execute the Software License and Services Agreement with Formulytics for a period of one year unless the City provides a 60-day notice prior to the end of the term for a total cost of \$9,000.

d} Authorize Mayor Roger A. McLean to execute the Grant Agreement and Loan Performance Agreement with the Rural Center for Tractor Supply.

e} Approved the following Budget Amendment:

**BUDGET AMENDMENT
NUMBER 2011-02
JANUARY 24, 2011**

BE IT ORDAINED: by the City Council of the City of Elizabeth City that the following amendments be made to the annual budget ordinance for the fiscal year ending June 30, 2010:

SECTION I. That the Stormwater Retained Earnings Appropriated (343990.0000) and Transfer to Roanoke Drainage Project Fund (348500.9101) be increased by \$150,000.

(To record transfer for Roanoke Drainage Project.)

SECTION II. That the payment to Stormwater Fund (316600.9123) and Retained Earnings Appropriated (313990.0000) be increased by \$20,000.

(To record first of five payments to Stormwater Fund from Water and Sewer Fund for Roanoke Drainage Project.)

SECTION III. That the General Fund Balance Appropriated (103990.0000) and New Beginnings Homeless Shelter (106620.5876) be increased by \$2,000.

(To record donation for homeless shelter.)

ADOPTED, this 24th day of January 2011.

Roger A. McLean
Mayor

Dianne S. Pierce-Tamplen, MMC
City Clerk

f} Approved the following 2011-2012 Budget Calendar:

**CITY COUNCIL
BUDGET CALENDAR**

FY 2011-2012

BUDGET WORK SESSION – 5:30 P.M.

April 11, 2011 – Monday
April 18, 2011 – Monday
May 2, 2011 – Monday
May 16, 2011 – Monday
May 24, 2011 – Tuesday
June 6, 2011 – Monday

PUBLIC HEARING

June 13, 2011
Regular City Council Meeting – 7:00 p.m.

BUDGET ADOPTION

June 27, 2011
Regular Council Meeting – 7:00 p.m.

g} Called for a public hearing to be held on Monday, February 14, 2011 at 7:30 p.m. in the City Council Chambers of the Municipal Administration Building to receive public comment regarding the renewal of the Sub recipient Agreements with the Boys and Girls Club and Weeksville CDC for operations in the Hugh Cale Resource Center.

h} Approved the extension of Street Sweeping Agreement with the NC Department of Transportation

END OF CONSENT AGENDA:

5} PUBLIC HEARING:

Mayor McLean called upon City Manager Olson for comments.

Mr. Olson advised that in March 2008 the City received notification from DCA that we were the recipient of a \$454,000 CDBG grant. The proposed project consisted of constructing 5,200 linear feet of 12-inch water main from Halsted Boulevard to Main Street along Hughes Boulevard. The waterline was completed in July 2009, DCA requires that prior to closing out the grant that a public hearing must be held and proof of public hearing must be provided to them with

the closeout documentation. The City hired Seaside Environmental Contractors to perform the installation of the waterline. The work was performed during the installation of the Hughes Boulevard sewer interceptor line. The total amount of funds expended on the project was \$451,635 of which \$447,289.20 was reimbursed by DCA. The City's share of the project was \$4,145.80.

Mayor McLean declared the meeting into Public Hearing. Since no one was present that wished to speak for or against the proposed closeout, Mayor McLean declared the public hearing closed.

A motion was made by Councilman J. A. Stimatz, seconded by Councilwoman J. M. Baker to approve the Closeout of CDBG 05-D-1727. Those voting in favor of the motion were: Stimatz, Baker, Brooks, Hill-Lawrence, Hummer, King, Meggs and Walton. Against: None. Motion carried.

6} REGULAR AGENDA:

a} Dunstan Lane:

Mayor McLean called upon City Manager Olson for comments.

Mr. Olson advised Council at their last meeting held a public hearing for consideration of making Dunstan Lane a one-way street. At the public hearing no one was present to comment on the proposed ordinance. The initial ordinance suggested that Dunstan Lane be one-way west bound. After further consideration, the Public Works Department determined that if a trash truck was headed in a west bound direction there was not sufficient space to operate the trash barrel pick-up mounted on the right side of the truck; and, to accommodate the one-way trash trucks would have to back down Dunstan Lane in an easterly direction. Hence the recommended one-way ordinance is now east bound instead of west bound.

A motion was made by Councilman R. E. King, seconded by Councilman J. A. Stimatz to adopt the following ordinance establishing Dunstan Lane as a One-Way east bound lane with an effective date of February 1, 2011. Those voting in favor of the motion were: King, Stimatz, Baker, Brooks, Hill-Lawrence, Hummer, Meggs and Walton. Against: None. Motion carried.

**ORDINANCE #2011-01
ESTABLISHING DUNSTAN LANE AS A
ONE WAY TRAVEL WAY**

WHEREAS, a resident of Dunstan Lane has asked the City to take action to improve the unsafe condition of Dunstan Lane; and

WHEREAS, the travel way of Dunstan Lane is about 10.5 feet wide, which does not allow for the passage of two cars; and

WHEREAS, the width of this former alley does not allow for the widening of the Dunstan Lane travel way for two way traffic and the acquisition of additional right-of-way has been determined as not practical nor a cost effective solution to the problem;

NOW, THEREFORE, BE IT ORDAINED, that the City Council of the City of Elizabeth City hereby establishes Dunstan Lane as a one-way, east bound travel way between Culpepper Street and Persse Street effective February 1, 2011.

ADOPTED, this 24th day of January 2011.

Roger A. McLean
Mayor

Dianne S. Pierce-Tamplen, MMC
City Clerk

b} Municipal building structural improvements to Municipal Administration Building:

Mayor McLean called upon City Manager Olson for comments.

Mr. Olson stated this item has been before Council several times. Staff secured the services of Randy Midgette who is a structural engineer to look at the structural integrity of covering up the open area outside the chambers. He has determined based on structural analysis performed that there needs to be an increase in the low baring capacity of the envelope downstairs. He suggested three possible methods: increase the size of the box out around the existing columns to cover additional supports; to weld a continuous cover plate to the bottom flange of this beam and to add an additional beam and column line parallel to the existing one that is solely for the purpose of supporting the new joist. He estimates to do this work to be between \$15-\$20,000 which would be

in addition to the cost previously provided. It is roughly \$75,000 if you wanted to do the entire upstairs and \$45,000 if you just wanted to put the handicapped accessible restroom. No matter what improvements you do to the upstairs it will require that we add additional strength to these structural beams that support the downstairs area.

A motion was made by Councilman J. A. Stimatz, seconded by Councilwoman B. S. Meggs that we improve the adequacies of the existing bathroom to make it ADA compliance and avoid an excessive cost for a bathroom.

Councilman Brooks stated he took it upon himself and looked at the facilities study from the City Manager. In it there was talk about relocating the city facilities to the old EC High School. It would cost several millions dollars to do the retrofit of the middle school site. The other option was to tear down the facility and that would cost even more. The space is still needed. We have to utilize the space that we currently have.

Mr. Olson said if he recalls renovating the middle school was to house only the fire and police departments and not the Administration departments.

Mr. Brooks stated we need more space. We don't have funds to renovate the building nor do we have funds to build a new facility so the only option that we have is to use the space we have available.

Councilman Walton stated he agrees with Councilman Brooks. We have the amount of money that we need to do this renovation. If we did this it would still leave us with approximately \$185,000.

Councilman Stimatz said all he is asking is that we at least agree to fix the bathroom and then you can bring this other issue up as part of that. He just wants to get the bathroom fixed first. That is all he is looking for right now.

Mayor Pro Tem Hummer asked what it entails to put the additional beam in. Would we have anything relocated during the process?

Inspections Director S. E. Ward said that yes there will be some work stations affected. How many is unknown at this time. A lot will depend on the contractor and his manpower and if they would be willing to work nights and weekends.

Ms. Hummer since most of the financial part is done behind locked doors how can anyone be relocated or can they?

Mr. Olson said if Council elects to go forward with the project that is something that we will have to plan for and we would have to work together with the contractor on how we keep our customer service departmental functional. We need provisions in the contract to address the issue if the work is not done in the correct amount of time.

Councilwoman Meggs said she would like for us to go ahead and vote on the motion that is on the floor and then we will come back to this other item.

Councilman King asked if what is on the screen right now is the bathroom included in that option.

Councilman Stimatz stated to rehab the existing bathroom is not in there.

Mayor McLean asked to make this statement. He was confused about the motion because we didn't ask the staff to bring us figures or information back on the existing bathroom. He doesn't believe that we did that. He doesn't think staff has the information on the existing bathroom.

Mr. Olson said it will cost approximately \$5,000. We provided the Council with the costs of making the upstairs bathroom ADA compliant.

Mayor McLean said this is the game he thinks Councilman Stimatz is trying to play. He will state that as Chair. If we close in the floor you are going to have a handicapped accessible bathroom which is going to be new which is not really required. He thinks that is the question in terms of what we are trying to do here now.

Councilman Stimatz asked if the Mayor was entering into a debate.

Mayor McLean said he is in debate as he has been in debate since day one. He is not going to give up the gavel.

Councilwoman Baker called, point of order. She expects you to give up the gavel as well.

Mayor McLean he is not doing that. Do you need a ruling from the chair because-----

A motion was made by Councilman J. A. Stimatz, seconded by Councilwoman J. M. Baker to overrule the Chair on the issue of passing the gavel.

Roll call vote:

Brooks	nay
Stimatz	yes
Meggs	yes
Hummer	recuse since she will have to take the gavel
Walton	nay
Baker	yes
King	nay
Hill-Lawrence	she has a question

Mayor McLean said he is not debating as he is providing information based on the discussion that we have had. He is not debating anyone. He sees no sense in the motion that you made.

Councilman Stimatz asked for a ruling from the City Attorney. The motion that he made is a procedural to overrule the ruling of the chair that he is entering in a debate.

Mr. Morgan stated you appealed the ruling of the chair that he was not in debate.

Councilman Brooks said this is nick picky to what we were talking about. We are talking about the process. When we were talking about Dunstan Lane Councilwoman Lawrence, the process was to have a public hearing and do it. We didn't go by the process then and now all of a sudden it is the process. You voted against the process.

Mayor McLean said he is going to let the Attorney rule. What is your ruling?

Mr. Morgan said that he thinks a member of Council has the right to appeal any ruling the Mayor makes. As he understood it you said that you were not engaged in debate so you were not giving up the gavel. That is the ruling that was appealed. As he understands it no member of Council can recuse himself or herself from a vote on that issue.

Mayor McLean said his statement was he is not engaging in debate. Who interprets that he is in debate.

Mr. Morgan said that your determination that you were not in debate is appealable to the board. Just as any ruling that you make would be.

Mayor McLean said so what is your ruling?

Mr. Morgan replied that his ruling is any member of Council has the right to appeal any ruling that you make and put it before the board.

Mayor McLean said he would like to have that shown to him in writing. He declared a five-minute break.

Mayor McLean declared the meeting back in order. He called upon the City Clerk to do the roll call vote on the last motion again.

Role call vote:

<i>Brooks</i>	<i>nay</i>
<i>Stimatz</i>	<i>yes</i>
<i>Meggs</i>	<i>yes</i>
<i>Hummer</i>	<i>she would still like the Attorney to give the ruling on whether he was in debate</i>
<i>Walton</i>	<i>nay</i>
<i>Baker</i>	<i>yes</i>
<i>King</i>	<i>nay</i>
<i>Hill-Lawrence</i>	<i>she would still like for the Attorney to give a ruling</i>

Mr. Morgan stated he could not give a ruling as only Council can give a ruling as to whether or not you felt that Mayor McLean was engaged in debate with his comments that he made. As he indicated any ruling of the Chair can be appealed under our established procedures. That is what he understood Councilman Stimatz motion to be. Mayor McLean indicated that his comments and his opinion did not rise to the level of his engaging in debate and that is the determination that was appealed by Mr. Stimatz. He cannot make a ruling as to whether or not someone is or is not engaged in debate. You heard the comments so you have to rule or vote with your own conscience as to whether that rose to the level of debate.

Councilwoman Baker asked if we were still in discussion and if so could she say something? She thinks in this case debate is and the reason she seconded the motion is the Mayor is to run the meetings and the Mayor is not to engage in debate which is conversation beyond that is ruling the conduct of the meeting. It doesn't have to be a discussion or argument between two people only. That's in its very basic form. In this way and the reason she seconded the motion is that the Mayor is to run the meeting only not to have say in the issues that come before us. Never has been and she doesn't know why it is changing tonight.

Councilman Stimatz said if he could if it is not controversial to have one's motives described to oneself by a third party then he does not know what is controversial. The Mayor made comments concerning why he thought I was

bringing up what he wanted to bring up. He is wrong and that is ok. But if he wants to do that then he is engaged in debate. The minute you start talking about anyone's motive or why they are doing something here you are not presiding, you are debating. That is why he made the motion.

Mayor McLean said that he has watched Council meetings for the last thirty years and all of a sudden the Mayor can't talk or the Mayor can't make comments. He is wondering where this came from and why it is like this now. He has known many mayors who have been the mayor in this city and they have had the chance to speak and to make comments and even to debate. They were never ever asked to give up the gavel by members of this Council as he has noticed in the past. If everyone is satisfied with the information received from the Attorney he would ask that the City Clerk call a roll call vote.

Brooks	nay
Stimatz	yes
Meggs	yes
Hummer	nay
Walton	nay
Baker	yes
King	nay
Hill-Lawrence	yes

Mayor McLean voted nay thereby defeating the motion.

Mayor McLean thanked his fellow councilmen for their vote of confidence in his ability to say what he thinks he is doing and because here again he thinks it is encumbered upon everyone to provide as much information as they possibly can on any matter that comes before this Council. He further stated that there is a motion on the floor to renovate the existing bathroom and bring it in ADA compliance. He called for discussion.

Councilman Walton said it is just like the last meeting that we had. You don't have to put the word only in there but if he is just saying to do the bathroom the word is automatic in there. We need to discuss what we have on the agenda. We say things to eliminate the other side's opinion. If you don't have both sides you are never going to get to the right side.

Councilwoman Baker said she is not voting for only a bathroom. She is voting to fix the existing bathroom. That isn't part of this motion but it was a part of this presentation. She doesn't know why we have to spend \$100,000 on a fourth bathroom in this small building, a fourth bathroom. Two of them are already ADA compliant and one of them is not. If we spend \$5,000 to make the non ADA compliance bathroom ADA compliant then we have three ADA bathrooms.

Why do we have to spend \$45,000 on another bathroom or \$100,000 at least on putting a floor in for a conference room or whatever that is going to be or a waiting room for the Mayor's office? Do we have that kind of money and if we do lets use it on something that is useful. We have two offices downstairs right now that are not being used. It is not a space issue in her opinion. It is a waiting room.

Mayor McLean said at this time he is going to enter into debate with Councilwoman Baker and he is giving the gavel to Mayor Pro Tem Hummer. You make the statement it is for the Mayor's office. It is not for the Mayor's office as it is for the people of this City. It will give them the opportunity to be in a position whereby they can effectively do business with the staff of this City. He has observed people sitting on the floor while waiting to speak with the Manager and the City Clerk. He has seen people leaning on the railing. He has seen our older people having to stand up while waiting to see Mr. Olson or himself. We need a waiting area for our citizens noting that elsewhere in the City there are waiting areas in all offices. Also, due to the openness of the downstairs there is no privacy afforded to our citizens. Our citizens deserve better than this. We have the money to do this renovation.

Councilman Brooks questioned why Council got away from the item that was on the agenda. It was listed on the agenda, "improvements to municipal building structure". All of a sudden money becomes a great issue when it is something that you don't want.

Mayor Pro Tem Hummer stated she learned during the break that in order to do this work at night or weekends would mean overtime for some employees. That is an additional cost. Also, relocating the employees who handle the money that currently sit behind locked doors. That is a real problem. Every time we bring this us it is getting to be embarrassing. Bids have gone out three times and we are beating this to death. We still don't have all the information in front of us.

A motion was made by Councilman J. A. Stimatz for the previous question since we have been in debate for over twenty minutes and everyone has had the opportunity to speak once.

Mayor McLean called for a vote on the motion of improving the adequacies of the existing bathroom to make it ADA compliance and avoid an excessive cost for a bathroom were.

<i>Hill-Lawrence</i>	<i>yes</i>
<i>King</i>	<i>yes</i>
<i>Baker</i>	<i>yes</i>
<i>Walton</i>	<i>nay</i>

Hummer **yes**
Meggs **yes**
Stimatz **yes**
Brooks **nay**

Motion carried with 6 yes and 2 nays.

A motion was made by Councilman J. B Walton, seconded by Councilman M. E. Brooks to spend the funds that we have available to close in the structure as stated in the agenda item.

Councilwoman Baker offered a friendly amendment to the above stated motion to remove the \$100,000 limit subject to all change orders requiring approval by Council.

Councilman Walton accepted the friendly amendment.

Those voting in favor of the motion were:

Roll Call Vote:

Brooks **Yes**
Stimatz **Nay**
Meggs **Nay**
Hummer **Nay**
Walton **Yes**
Baker **Nay**
King **Yes**
Lawrence **Nay**

Motion was denied with 5 nays and 3 yes.

c} Limiting items to be placed on the Council's agendas:

Mayor McLean stated he would like to express his concern about non-emergency items being added to the regular agenda after the agenda has been prepared and distributed. The City Manager always has the agenda prep meeting on the Monday before the Council meeting that is held on the following Monday. He has, for the last few months, provided to the Council a list of items that have been identified for the agenda. This allows Council an opportunity to see what the items may be on our next Council meeting agenda. It also provides an opportunity for the Councilors to requesting that an item be added to the agenda prior to the meeting. As a result he is request that items to be added to the

agenda are provided to the Mayor, Council Members and Staff at least 24 hours prior to our meeting, unless it is an emergency issue or circumstance.

7} COMMENTS AND INQUIRIES ON NON-AGENDA ITEMS:

City Manager Olson asked to remind Council of two meetings that are coming up. The Joint City/County meeting that is next Monday night at 6:30 p.m. at the K. E. White Center. February 1st which is next Tuesday we have the meeting concerning the Elizabeth Street project at the Arts of the Albemarle Building at 5:30 p.m. He strongly encourages members of Council to attend that meeting.

Mayor Pro Tem Hummer stated she had no further comments.

Councilwoman Baker asked to say Councilman Stimatz, Councilwoman Lawrence and she attended the NCLM Municipal Advocacy Goals Conference last Thursday and it was a fabulous event. It brought all the cities together or anybody from cities that wanted to represent their communities and we decided on twenty-five goals that we would ask communities to support. We will also ask our legislators and lobbyist to support for us as communities. It was a really good process. For the past four years she has been on the League's Legislative Committee where there were 30 people that made these goals and brought them to the board for approval. Now, everybody from any community can have input. She thinks it is important that we are on board on what all the communities want for goals. Their number one goal was to seek legislation reforming annexation laws and to assure cities the abilities to grow in a reasonable manner by providing quality municipal services on a timely basis. They went into other things like ETJ, liquor sales, emails, Power Bill Funds and all of the things that all of the cities thought were important. The only other thing that she has is it is time to nominate cities for the All American City award. Is that something that we are working on? She thinks with all the projects we have going on we should have a pretty good chance at getting one.

Councilman Brooks asked who was responsible for maintaining the cemetery on Peartree Road. We need to get on the job as it needs to be better maintained.

Councilman King stated he had no further comments.

Councilwoman Hill-Lawrence stated the Airport Committee will be meeting on Wednesday.

Councilwoman Meggs stated that Rebecca Cross, our Downtown Director is going to go this week to Shelby to receive an award for Elizabeth City for our Potato Festival.

Councilman Stimatz said the Firemen's Relief Board met last week. He missed the meeting as he had a prior commitment. The Stormwater Drainage Task Force met last Tuesday and we will be meeting again tomorrow at the Public Works Building. We made an amendment to require any permitted entity to be responsible for the maintenance of their Stormwater structure. The big issue that came up at the County's meeting was getting NCDOT to do their job maintaining their ditches. It is becoming very critical in the Counties. Places that have never flooded before are flooding and it has to do with the fact that DOT is not maintaining those roadside ditches anywhere.

Councilman Walton said the Youth Task Force met on Wednesday and we discussed the data that was collected from the school system. Ms. Bobbie White gave us an update on the things that are going to be done in the future to update a web page that will educate the community on the different types of activities that will be sent forth from the Youth Task Force. We also discussed a fund raising event. Things are going pretty smooth and we will meet on Wednesday, February 2, 2011.

Mayor McLean said that we want to provide our prayers to Mrs. Olson and her Father who is struggling at this time. We need to pick a date when we can go and present certificates to the winning teams of Northeastern High School. ECSU wants the City to declare a day in March as Elizabeth City State University Day. The Mayor's Essay Contest will be concluded for the second week in February at the Work Session. He said since we didn't have time to do the committee reports he would like to ask each member of Council to write up a half page summary of what is going on with your committees. He wanted to thank the City and staff for the Martin Luther King celebration. We had about 700 people that came out. It was a good day and the students really enjoyed it.

8} CLOSED SESSION:

Mayor McLean entertained a motion to retire into Closed Session for consideration of acquisition of property and consideration of Closed Session minutes.

A motion was made by Councilman J. B. Walton, seconded by Mayor Pro Tem L. A. Hummer to retire into Closed Session for consideration of acquisition of property as per NCGS 143-318.11 (a) (5) and consideration of Closed Session Minutes as per NCGS 143-318.10 (e). Those voting in favor of the motion were: Walton, Hummer, Baker, Brooks, Hill-Lawrence, King, Meggs and Stimatz. Against: None. Motion carried.

9} RETURN FROM CLOSED SESSION:

A motion was made by Councilman J. A. Stimatz, seconded by Mayor Pro Tem L. A. Hummer to return to Regular Session. Those voting in favor of the motion were: Stimatz, Hummer, Baker, Brooks, Hill-Lawrence, King, Meggs and Walton. Against: None. Motion carried.

10} ITEM FROM CLOSED SESSION:

Mayor McLean called for approval of the Closed Session Minutes as presented in Closed Session.

A motion was made by Councilman J. A. Stimatz, seconded by Councilman B. S. Meggs to approve the Closed Session Minutes as presented. Those voting in favor of the motion were: Stimatz, Meggs, Baker, Brooks, Hill-Lawrence, Hummer, King and Walton. Against: None. Motion carried.

11} ADJOURNMENT:

There being no further business to come before the Council at this time, Mayor McLean entertained a motion for adjournment.

A motion was made by Councilman J. A. Stimatz, seconded by Councilman R. E. King to adjourn the meeting. Those voting in favor of the motion were: Stimatz, King, Baker, Brooks, Hill-Lawrence, Hummer, Meggs and Walton. Against: None. Motion carried.

Mayor McLean adjourned the meeting at 9:24 p.m.

Dianne S. Pierce-Tamplen, MMC
City Clerk

Roger A. McLean
Mayor