

MONDAY-7:00 P.M.

APRIL 11, 2011

CITY COUNCIL

The City Council of the City of Elizabeth City held its first 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. Those council members attending were: J. M. Baker, M. E. Brooks, L. M. Hill-Lawrence, L. A. Hummer, R. E. King, B. S. Meggs, J. A. Stimatz and J. B. Walton. City Staff members attending were: City Manager R. C. Olson, City Clerk D. S. Pierce-Tamplen, City Attorney W. H. Morgan, Deputy City Clerk V. D. White, Finance Director S. E. Blanchard, Planning Director J. C. Brooks, Human Resource Director K. W. Felton, Parks and Recreation Director B. V. White, Inspections Director S. E. Ward, Fire Chief L. M. Mackey, Police Chief C. E. Crudup, Electric Director K. F. Clow and Public Utilities Director P. A. Fredette.

Mayor R. A. McLean established a quorum was present and called the meeting to order. He called upon Pastor Max Edwards for the invocation after which he led the Pledge of Allegiance to the Flag of the United States of America.

1} APPROVAL OF THE AGENDA:

Mayor McLean called for approval of the prepared agenda.

Mayor Pro Tem L. A. Hummer asked to remove ***Item #7a-Adoption of Budget Amendment to record a \$5,500 donation to the Northeast Coalition to End Homelessness from the Consent Agenda and place it under the Regular Agenda.***

Councilman J. A. Stimatz asked to ***add to the Regular Agenda discussion of the increase in gun fire and violence in the City.***

Councilwoman L. M. Hill-Lawrence asked ***to add to the Regular Agenda discussion of Oak Grove.***

A motion was made by Mayor Pro Tem L. A. Hummer, seconded by Councilman R. E. King to approve the prepared agenda to include the above noted items. Those voting in favor of the motion were: Hummer, King, Baker, Brooks, Hill-Lawrence, Meggs, Stimatz and Walton. Against: None. Motion carried.

2} COMMENTS FROM THE PUBLIC:

Mr. Ernest Askew, West Main Street, Elizabeth City stated he is hearing everybody talking about taking of Mrs. Farmer's farm land for the substation. He is hearing talk about parts of reconciliation and public policy. He would like to read a few things if you would. "An actual policy is one that achieves maximum social gain." Government should choose policy resulting in gains to society that exceeds the costs by the greatest amount. So you have to balance things out. You have to balance society out and you have to balance dollars and cents along with everything else. Government should refrain from the policies if costs are not exceeded. So, it is hard for him to understand why Mr. Olson keeps saying that if we have blackouts, if the City suffers this when he comes down Main Street and there are twenty some houses for sale, the cotton mill is shut down, there are all types of store fronts open on Main Street here so the use of electricity has decreased. He doesn't see a part of it having a blackout here in Elizabeth City. Mr. Olson you know he uses a lot of if this and if that but no policy should be adopted if its cost exceeds its benefits to the public. Some of these people are going to suffer and we don't know if the substation is going to cause the radiation that causes cancer or not. Even if it causes cancer in one person that lives on Jackson Lane that is a lot of cost just for a substation when there should be other alternatives looked at. The policy is rational when the difference between the value is that achieves and the values that it sacrifices is positive and greater than any other policy or target. He has not seen Mr. Olson present any other type of alternatives. We know we have one person that has offered his farm but have not seen any dollars and any figures or facts and figures out to the public on which one cost or which one it is going to be. So if people are going to move to Elizabeth City and they see that the City Council is so willing to take people's land without going about and looking at the other alternatives or even coming up with the facts and figures out in front of you and in front of the public. How are they going to justify moving here in Elizabeth City when all the houses are up for sale. He knows the economics are bad and everybody is losing their jobs, taxes are going up, food is outrageous but the thing is you shouldn't be going out to take a person's property that has been left in their family for years. Where is the American dream there? Families come here and they move to a city and they want to work and they want to get established and they want to buy a house. What if they have the fear that City Council is just going to come in there and take it? The fear is there. He is a registered nurse and one of the first things in health care is the fear of the unknown. For his patients he goes out there and he tries to teach them all he can about their health condition because once they learn about their health condition the fear is eliminated. Once they learn about the surgery, once they learn about the medication everything goes away from there. You are taking the fear away from Mr. Olson and you are putting the fear there. He would like to say a few more words. He doesn't think you should view rationalism in narrow dollars and cents frame work in which basic social values are sacrificed for dollar savings. Rationalization involves the calculation of all social, political, economic

values, sacrifice or achieved by a public policy not just those that can be measured in dollars. Please don't take Mrs. Farmer's land.

Ms. Kay Boyce, P. O. Box 1188, Elizabeth City stated she is here also for Mrs. Farmer. She would just like for you to take a minute and put yourself in Mrs. Farmer's position. How would you feel if you had property that had been in your family for years and years and you had worked hard to pay for that? All of a sudden somebody is going to come up and take your property. You wouldn't like it, would you? Mrs. Farmer doesn't like it either. She just asks that you would do to Mrs. Farmer as you would want someone to do to you. She yields her other minute to Mr. Jolly.

Mr. Walter B. Jolly, 407 Inlet Drive, Elizabeth City said he is before you this evening in support and as a fellow member of the Blackwell Memorial Baptist Church, a fine lady named Mrs. Jean Farmer. We all know enough about the law to understand our Fifth Amendment to the Constitution of the United States of America known as the Partisan Eminent Domain which Thomas Jefferson wrote and James Madison rewrote. Recently in the State of North Carolina they are facing that same law in Raleigh this week. He is not here to challenge the legality of the law that would be way beyond his purpose tonight. He is here to say he knows you have the right to take Mrs. Farmer's land but his question ladies and gentlemen is it the right thing to do? Is it the right thing to do? His understanding is that the City of Elizabeth City is ready to declare Mrs. Farmer's land at 1404 West Main Street under the law of Eminent Domain into the City's hands. Mrs. Farmer's three acres would mean that two and a quarter acres would be condemned, commandeered for the use of the City's Electric Company. Also, she has been told that the City needed in addition 25 feet of an easement to get to the other two and a quarter acres that the City needed. We know this would be most of her land which has been in her family for generations this proposal would devalue her home in which she lives, her neighbor's home and also might present a health reason also. He wants each of you to ask yourself at this time if this were your Mother would you eagerly take her family property just because it is the law. Think about that gentlemen and ladies. Each one of you would challenge that authority immediately. Most of you would say, Buck I will meet you outside. We live in a small community where neighbors are elected officials who know each other personally. We need to put a face to the name on the deed of the property. Her name is Mrs. Jean Farmer. Mrs. Farmer has lived in the community all her 87 years. She would never have dreamed she would lose her land because of laws that doesn't even fit the situation. This is the 21st century and this is the law being served in the public. After all of the alternatives the neighbor of Mrs. Farmer, Mr. Jeff Spear has stepped forward to make other properties available for an additional electric substation and feed in. Thank you, Mr. Spear for being a kind neighbor. He requests that each of you investigate the other options before you make such a bold move in taking such precious

land from Mrs. Farmer. An option that would let all of us, including Mrs. Farmer sleep better at night because we have thought about our friends, neighbors and their well being. Laws are made to serve and protect people and not abuse them in taking a women's property when other properties are available and for sale. He started by saying you have the right to take Mrs. Farmer's land but once again the question comes back is it the right thing to do. He prays that you will make the right decision. Once you make a decision you must live with that decision for the rest of your life. We live in a community where we shop, we play ball together, we attend churches, do fund raising for our sick; support each other, a community where people care about each other. Elizabeth City is known as the Harbor of Hospitality and yet we can't take care of our own. This is a time we extend our hand to help our neighbor Mrs. Farmer. You are extending your hands with new boat slips being built here in downtown Elizabeth City. Once again he prays that you will open your hearts to our request and ask yourself before you go home tonight is this the right thing to do because the money should not come first. People's rights should come first.

Marilyn Etheridge, 1708 River Road, Elizabeth City stated she comes to you tonight as a property owner, a senior citizen and a friend of Jean Farmer along with the other friends that are here tonight and the Pennsylvania Crime Watch. We are here to support her right to keep her land that has been handed down to her from her Grandfather. Mrs. Farmer in her late eighties has been subjected to an injustice by the treatment from the City of Elizabeth City in the pursuit of her land through eminent domain. The scriptures offer the best way to describe how to treat a neighbor and she hopes you will look at the neighborhood outside the city limits that you propose to destroy in the name of progress. She only asks that you hear these verses and look at these pictures. Would you agree with the destruction of your property if the City began condemnation proceedings against you? This is her property. Matthew 22 says, "Love your neighbor as yourself". Proverbs 3 says, "Do not plot against your neighbor who lives prosperously near you." Mrs. Farmer has no voting rights in the City of Elizabeth City, pays no taxes to the municipality on this land; yet you are willing to grab and go. She also asks that you question is the City taking what you perceive to be the path of least resistance without weighing other reasonable alternatives in your haste to condemn Mrs. Farmer's land. If you believe this is the cheapest way to go you need to remember the City took the cheapest way back in 1970's when they agreed to go with the Electricities and now are in a contract they can't seem to get out of. Remember going the least expensive way isn't always the best way to go.

Ms. Betsy Meads, 2008 Johnson Road, Elizabeth City said thank you for your service and she understands the view from that side of the desk is a lot harder than the view from this side of the desk. Imagine being several years into retirement as the neighbors of Mrs. Farmer are. She is not here just for Mrs.

Farmer but she has several neighbors that are going to be affected by this eminent domain. You are enjoying your home and neighborhood of many years and then one day someone comes to your 87-years old neighbor and says, "I am going to take your property for an electric substation and there is nothing you can do about it." Her understanding is that was what was said to her. Soon pleasant walks in your yard will be marred by the sights, sounds and possible hazard of an element that does not belong among homes and families. Can you image the helplessness that the residents of Glendale Avenue and Jackson Drive feel. We are not here to question the need for a substation just the justification of choosing Mrs. Farmer's land. She would hope that the question that accompanies any eminent domain process would come with the responsibility of doing no harm to the surrounding properties. The City's proposition to Mrs. Farmer only covers the land adjacent to her home and the right of way on the side. It doesn't address the negative affect that it will have on the property value to her home or the negative affect that it will have on the five other property owners whose homes will overlook this monstrosity. In fact, the total tax value of these six properties excluding the land that the City wants to condemn is \$907,300. As Mr. Jolly said, "eminent domain is front and center in Raleigh these days." Discussing the situation with an attorney today, it seems that these residents do have a play in the game. Once the condemnation process begins these residents have the legal right to retain counsel and seek an injunction to stop the proceedings until the courts can determine the injury to their property and the economic impact of this intrusion into their neighborhood. Should it move through the courts what part of almost a million dollars do you think a local jury would award to these homeowners with the City's destruction of their value, their peace, their privacy and ultimately their safety. How much do you think the City's legal bills would add up when facing multi law firms all on the same side? She hopes that you will consider reasonable alternatives to the condemnation of Mrs. Farmer's property and realize the path of least resistance may not be as smooth as thought. Her property before substation and she understands this is much smaller than the one proposed.

Ms. Selma White, 108 W. Cypress Street, Elizabeth City said she is here tonight because she called Ms. Jean Farmer about two weeks ago and she wanted to give her support on the taking of her property. She called her back about two weeks ago and she told her that everything was still going as the City Manager had told her that he was going to take her property. She has retained an attorney therefore she wanted to come here tonight to talk to each one of you individually and say to really think this over and to try and help her as much as you can. We have a lot of things that are going on in Elizabeth City and we need to try to do right. We need to try to do the right thing. Everybody is suffering through a lot of things right now. We have high light bills and Elizabeth City has almost become the OK Corral. We have so many things that are going on and you have to do the right thing. You have to lie down at night and say to

yourself, "God give me the strength to do the right thing." There is an eighty seven year old woman and she just can't see this happening to her. She thinks that we can do a little bit better than this. Her personally she had rather sleep in the dark to know that she would become part of something like this. Again, she is asking all city council members to please think about this and try to do something better and get our City back to the way it was before.

Darryl McKinley, 1716 Providence Road, Elizabeth City said he doesn't understand politics and he must not understand people in politics. The City and County worked hard to find someone to reopen the swimming pool that the Meads family and with the help of citizens of the City and County raised the money to build many years ago. He read in the Daily Advance that they found somebody to invest and reopen the pool. Now the City wants to take \$400,000 of tax money and build a splash park to go in competition with the investor. As a regular tax payer he finds this hard to believe. He doesn't think it is very ethical thing to do and there has to be some laws that are being broken. Did you tell this investor that you were going to decide six months after he signed his contract with you to take over that swimming pool that you were going to open a splash park? All you have to do is drive around this city and look at the holes in the roads and then after a rain try to drive around the City on the streets that are flooded everywhere. The \$400,000 could be better used on infrastructure rather than opening a part time splash park business. Invest the money in the Police Athletic League which is a twelve month operation and already up and going. Over the years he has been up here numerous times to ask this group to not annex areas where construction projects were to take place and the land was to be filled in and aide in the flooding of where he lives in Oxford Heights. Looking at the current taking of land from a private citizen is a problem that he has a difficult time dealing with. Now he doesn't understand why the City can't fill the few low spots out there on the land that has been offered and leave the high land for Mrs. Farmer. All the land on the east side or north side or whichever you want to call it off Main Street Extended and Knobbs Creek drains well on that side of the culverts. It you think the cost is more to change the location use that \$400,000. He would place electricity as infrastructure.

Keith Rivers, 104 Grandview Drive, Elizabeth City stated he is President of the Pasquotank County Branch of the National Association for the Advancement of Color and a member of the Mayor's Redistricting Committee. He first would like to commend the Mayor for establishing a Redistricting Committee for this City. The Committee members work well together. We respect each others opinions. Our Committee is made up of persons who are about insuring that we follow the process and correctly redraw the lines. This Committee is committed to doing this. However, the appearance of ultra right wing conservative tea partiers and members of this Council have attempted to sabotage this Committee. He

references emails between Councilman Stimatz and the City Manager Rich Olson instructing the City Manager not to provide the Committee with requested and he says that again, requested information and not to comply with the wishes of the Committee or the Committee's Chairperson. At no time did the City Manager explain to this Committee that he was being given outside instructions. Information that the Committee requested and he says that again, requested was given to everyone except members of the Committee. The Redistricting Committee is dedicated to moving this City forward not backwards. In 1984, the Pasquotank Branch of the NAACP sued the City of Elizabeth City under Section 2 of the Voting Rights Act and won the lawsuit. Our current Ward system is the result of this lawsuit. Elizabeth City is a Section 5 city and must have preclearance from the Department of Justice whenever voting Wards change. That also includes annexation. The Department of Justice makes it perfectly clear that there will be no retrogression of voting wards. This Committee and the Pasquotank Branch of the NAACP will assure that when the final decision of these maps are made and sent to City Council that they are and will be in compliance. Now on this Thursday, at 6:30 p. m. at the Agricultural Extension Building in the auditorium the Democracy of North Carolina and the NAACP in Pasquotank County are partnering to hold an informational redistricting forum. We are inviting the community, members of the Council so please come out and so everyone can understand what redistricting is all about. He leaves the Council with these words, "Forward forever and not one step backwards."

3} CONSENT AGENDA:

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

Mr. Olson read the items listed on the Consent Agenda.

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

Consent Agenda:

a} Adopted the following Resolution supporting the development of a Wind Turbine Farm in Pasquotank/Perquimans Counties:

**RESOLUTION # 2011-09
SUPPORTING THE DEVELOPMENT OF A
WIND TURBINE FARM IN
PASQUOTANK COUNTY/PERQUIMANS COUNTY, NC**

WHEREAS, Portland, Oregon–based Iberdola Renewables filed an application with the NC Utilities Commission to develop the “Desert Wind Power Project” that will operate under the name Atlantic Wind, LLC; and

WHEREAS, Iberdola’s Desert Wind Power Project is proposed as a 300-megawatt project, which could generate enough electricity to power 70,000 North Carolina homes by using up to 150 utility-scale wind turbines; and

WHEREAS, in preparation for the possibility of the Iberdola project, the Pasquotank County Board of Commissioners and the Perquimans County Board of Commissioners recently amended county zoning regulations to allow large-scale wind turbines; and

WHEREAS, information and research provided by the North Carolina Department of Commerce and North Carolina’s Northeast Partnership reveals that the economic impact of such a project would be positive on the region and the state; and

WHEREAS, President Obama has set a goal of producing 80 percent of U.S. electricity from clean energy sources by the year 2035; and

WHEREAS, American Wind Energy Association studies have shown that the wind industry itself will be capable of providing up to 20 percent of the nation’s electricity by 2030.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Elizabeth City supports the development of wind turbine farms as a means to generate clean, affordable energy and thus reduce the nation’s reliance on fossil fuels.

FURTHER BE IT RESOLVED, that a copy of this resolution be forwarded to our Congressional Representatives for their consideration.

ADOPTED, this 11th day of April 2011.

Roger A. McLean
Mayor

Dianne S. Pierce-Tamplen, MMC
City Clerk

b} Approved the following Budget Amendments:

**BUDGET AMENDMENTS
NUMBER 2011-07
APRIL 11, 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, 2011:

SECTION I. That the Police Donations (103220.0050) and the Police Travel and Education (105100.1400) be increased by \$1,700.

(To record calendar sales donation.)

SECTION II. That the Fireworks Donations (103220.0062) and Fireworks Expenditures (106620.4592) be increased by \$29,000.

(To record fireworks expenses.)

SECTION III. That the General Fund Balance Appropriated (103990.0000) be increased by \$24,000, the DOT Grant US 17 S Sidewalk Project (103490.5601) be increased by \$96,000, and the Street Improvement US 17 S Sidewalk Project (105600.7301) be increased by \$120,000.

(To record US 17 South Sidewalk Grant.)

ADOPTED, this 11th day of April 2011.

Roger A. McLean
Mayor

Dianne S. Pierce-Tamplen, MMC

City Clerk

END OF CONSENT AGENDA:

4} PUBLIC HEARINGS:

a} Text Amendment – TX-03-10 to amend Article XI-Section 11-1.5(f):

Mayor McLean called upon City Manager Olson for comments.

Mr. Olson stated you have a public hearing scheduled tonight for TA-03-10 amendment to Article XI, Section 11-1-5(F) Development Standards Signs Ordinance Menu Signs of the UDO. Mrs. Brooks will handle this.

Planning Director Brooks stated the Code Amendment before you is to amend Article 11-11.1.5(f) Menu Sign Section of the Unified Development Ordinance. Staff was asked to draft an amendment to the UDO after the Board of Adjustments heard two cases for variances on the number of menu boards for commercial businesses. This amendment originally limited the number of drive through signs however, when the amendment reached Council level it was referred back to Planning Commission for reconsideration for businesses that have drive up station menu style boards. The amendment modification before you tonight would allow two menu boards per drive through aisle and/or at each station. Both the Board of Adjustments and the Planning Commission reconsidered this amendment and both recommend approval.

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

A motion was made by Councilman J. A. Stimatz, seconded by Mayor Pro Tem L. A. Hummer to approve the Text Amendment, TA-03-10 regarding to the Unified Development Ordinance specifically Article 11, Development Standards per Ordinance Menu Signs. Those voting in favor of the motion were: Stimatz, Hummer, Baker, Brooks, Hill-Lawrence, King, Meggs and Walton. Against: None. Motion carried.

b} RZ-01-11 to rezone Northside Park Commercial Subdivision:

Mayor McLean called upon Planning Director Brooks for comments.

Ms. Brooks said this is a rezoning request to rezone Northside Commercial Park Subdivision 110, et al Northside Park Drive. RZ-01-11 is a request by James

Gregory and Dr. Michael Sue to rezone nine parcels consisting of 17.67 acres in the Northside Commercial Park. Prior to annexation in December this property was zoned County C1-Commercial. The subdivision was designed for commercial development when it was platted in Pasquotank County. When it was annexed into Elizabeth City it automatically came in the City as R-15. The applicants wish to rezone the property to General Business. The General Business designation is similar to the County's C1 Zoning. The property is currently vacant however the State Employees Credit Union has built out there but it is not a part of this rezoning. Dr. Sue was in the process of site plans review for his medical office in the Park. The Planning Commission considered the rezoning request at their March Planning Commission meeting and found this request to be consistent with the development patterns in the area and recommended General Business Zoning designation.

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

A motion was made by Councilwoman J. M. Baker, seconded by Mayor Pro Tem L. A. Hummer to approve the rezoning for RZ-01-11. Those voting in favor of the motion were: Baker, Hummer, Brooks, Hill-Lawrence, King, Meggs, Stimatz and Walton. Against: None. Motion carried.

5} REGULAR AGENDA:

a} Adoption of Budget Amendment to record a \$5,500 donation to the Northeast Coalition to End Homelessness:

Mayor McLean stated as most of you know the Council approved at our last regular meeting the amount of \$2,500 to be given to the Garden of Hope House/Northeast Coalition to End Homelessness. This information came back to the Finance Committee last Monday and it was the Committee's recommendation to put forth a motion for an additional \$1500.

A motion was made by Councilman R. E. King to contribute an additional \$1500 to the Garden of Hope House. Councilman J. B. Walton seconded the motion.

Councilman Stimatz said he had a question. He thought it was an additional \$2500.

Councilman King said it was \$2500 and he doesn't know where the Finance Committee came up with the \$1500.

Mayor McLean said the Finance Committee was going to recommend to the Council to approve the additional \$2500 and upon further discussion and consideration it was felt that we should do the \$1500 now because it is so close to the end of the fiscal year. He doesn't think the Finance Committee is opposed to the \$2500.

Councilman Stimatz said we have a memo from the Finance Committee for \$2500. Who made the motion, Mr. King are you going to withdraw your motion or are you going to amend it.

Councilman King said he would like to amend it to \$2500.

Councilman Stimatz said and you are also asking to approve the budget amendment that goes with that for \$5500. You have to do both.

Mr. Olson said for a point of clarification. The budget amendment is for \$5500 and what he is hearing now it should be \$5000.

Councilman Stimatz said no. We previously in Council said we would give them the \$2500 and the \$500 for the electric. That is \$3000 and now we are adding \$2500 for a total of \$5500 for the budget amendment but we have to approve the \$2500 increase and the Budget Amendment for \$5500. We have to do both. Are you going to include that in your amendment? So it is a \$2500 increase recommended by the Finance Committee and a \$5500 budget amendment.

Mayor McLean said the motion on the floor is to adopt the recommendation from the Finance Committee to give an additional \$2500 to the Garden of Hope and to approve the budget amendment.

The motion reads as follows:

A motion was made by Councilman R. E. King, seconded by Councilman J. B. Walton to approve an additional \$2500 contribution to the Garden of Hope House/Northeast Coalition to End Homelessness; and further to approve the following Budget Amendment. Those voting in favor of the motion were: King, Walton, Baker, Brooks, Hill-Lawrence, Hummer, Meggs and Stimatz. Against: None. Motion carried.

**BUDGET ORDINANCE
NUMBER 2011-08
APRIL 11, 2011**

BE IT ORDAINED, by the City Council of the City of Elizabeth City that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2011:

SECTION I. That the General Fund Balance Appropriated (103990.0000) and the Northeast Coalition to End Homelessness (16620.5879) be increased by \$5500.

(To record donation for Garden of Hope House.)

ADOPTED, this 11th day of April 2011.

Roger A. McLean
Mayor

Dianne S. Pierce-Tamplen, MMC
City Clerk

b} Condemnation and Demolition of Structure located at 1205 Bias Street:

Mayor McLean called upon City Manager Olson for comments.

Mr. Olson stated that this particular item was tabled at your last Council meeting. You requested staff to do some additional outreach with the owner of the property who is Ms. Eleanor Beals. Stanley Ward is here and he had conversations with Ms. Beals.

Inspections Director Ward said as Mr. Olson said this item was tabled at the last meeting. As he understands it there were two key issues. First he was asked to contact Mrs. Beals again which he did the following day after the meeting. He personally contacted her and explained the proceedings to her again as well giving her a potential cost for condemning and demolishing the structure. She indicated to him that she understood the proceedings and she just didn't have the money to take it down herself. The second issue was to bring back an estimate of cost to demolish/clean up verses burning/clean up. He got an estimated cost from the demolition contractor and the difference between the two is proposed to be about \$800 difference.

Councilwoman Hill-Lawrence said she knows she said that she understood but she would get something in writing.

Mr. Ward said he did send her a letter confirming our conversation, a certified letter explaining the proceedings again of what would happen if this was actually condemned and also whether we demolished it and clean it up or burned it and clean it up. He explained both proceedings. He couldn't guarantee which way Council would go. She accepted the mail. In fact she actually signed the release form in case Council goes that route. He doesn't know what else to do.

Ms. Hill-Lawrence said she signed the release form saying that it was ok for Council to do what you have suggested.

Mr. Ward replied that yes she did.

A motion was made by Councilwoman B. S. Meggs, seconded by Councilman R. E. King to adopt the following ordinance approving the condemnation, demolition and removal of the structure located at 1205 Bias Street; and further moved that the owners will then be responsible and charged for all abatement expenses including but not limited to any accrued interest charges after the initial billing. Those voting in favor of the motion were: Meggs, King, Baker, Brooks, Hill-Lawrence, Hummer, Stimatz and Walton. Against: None. Motion carried.

**ORDINANCE #2011-02
DIRECTING THE BUILDING INSPECTOR TO REPAIR OR
DEMOLISH THE PROPERTY HEREIN DESCRIBED AS UNFIT FOR
HUMAN HABITATION AND DIRECTING THAT A NOTICE BE PLACED
THEREON THAT THE SAME MAY NOT BE OCCUPIED UNTIL REPAIRED,
OR THAT THE STRUCTURE BE DEMOLISHED
1205 BIAS STREET**

WHEREAS, the City Council of the City of Elizabeth City finds that the property described herein is unfit for human habitation under the local and state codes, and that all of the provisions of said codes have been met as a condition of the adoption of this Ordinance; and

WHEREAS, said structure should be repaired to meet the requirements of the Code or demolished as directed by the Building Inspector, and should be placarded by placing thereon a notice prohibiting use for human habitation; and

WHEREAS, the owners of said structure has been given a reasonable opportunity to bring the premises up to the standards of the subject codes in

accordance and pursuant to an order issued by the Building Inspector on January 9, 2011: and the owner has failed to comply with said order;

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Elizabeth City that:

Section I. The Building Inspector is hereby authorized and directed to place on the building located at 1205 Bias Street a sign containing the legend:

“This building is unfit for human habitation; the use or occupancy of this building for human habitation is prohibited and unlawful.”

Section II. The Building Inspector is hereby authorized and directed to proceed to repair or demolish the above-described structure in accordance with his order to the owner thereof dated January 9, 2011 and after abatement, then charge the property owners for all expenses incurred, including the occupancy of any building herein declared to be unfit for human habitation.

Section III. It shall be unlawful for any person to remove or cause to be removed said placard from any building to which it is affixed. It shall likewise be unlawful for any person to occupy or to permit the occupancy of any building herein declared to be unfit for human habitation.

Section IV. This Ordinance shall become effective upon its adoption.

ADOPTED, this 11th day of April 2011.

Roger A. McLean
Mayor

Dianne S. Pierce-Tamplen, MMC
City Clerk

I, Dianne S. Pierce-Tamplen, City Clerk for the City of Elizabeth City, do hereby certify that the following fourteen (14) pages are a true and exact excerpt of the City Council of the City of Elizabeth City minutes for the meeting held on April 11, 2011.

Dianne S. Pierce-Tamplen, MMC
City Clerk

MONDAY-7:00 P.M.

APRIL 11, 2011

CITY COUNCIL

c} Redistricting:

Mayor McLean called upon Councilman Brooks for comments.

Councilman Brooks said he added this item back on the agenda for further discussion. A memorandum that came from the City Manager from a Mr. Crowell and the last statement of the memorandum it says, Mr. Crowell stated that the voter registration data has no value since the City has utilized the 65% rule and the over 18 eligibility voting rule with a high degree of confidence. He said it has no value and he wanted to make this clear, any information that the Redistricting Committee asks for should be given. We don't even want to give information. What kind of mess is that? Information so we can make a logical decision. Before he talks about redistricting he would like to make a statement. He was listening to Ms. Meads when she was talking about the Farmer's property and she said something that was disturbing. She said, "Someone told Ms. Farmer that they were going to take her property and there is nothing that she can do about it." He would like to know who said those harsh words directly to her, if they were spoken because there is no way being an elected official of this City would he go with anyone talking that harshly to any citizen especially someone who has been fortunately to live 87 years. It is hurtful. You can put this on the record. I will not and he doesn't believe the rest of the Council as there are other options and we have discussed them but we can't talk about them because it was in closed session so as far as taking Mrs. Farmer's property he can say with confidence it is not going to happen. He says that with confidence. He hears the people coming here and saying taking, taking, taking. That is a bad

image for the City. Anyway he just had to get that out because he didn't like that someone stated that. It was said to Mrs. Farmer that I am going to take your property and there is nothing you can do about it. That is not a good statement. He had the redistricting put back on the agenda. Like Mr. Rivers of the NAACP President said previously he is very proud of the accomplishments that the Redistricting Committee has done. We get along well. All of the opposition has been on the outside. As far as the Committee he thinks we do well. We do very well. There have been many misspoken words concerning the redistricting from different individuals through editorials and other articles through the Daily Advance. Yes, our constitution gives citizens the freedom of speech but this only holds true as long as it doesn't disrupt or hinder the liberties of others or as long as it doesn't obstruct justice or pervert the law of justice or deny court orders as boldly as some did during the civil rights movement. The saddest thing about this is where you have Council members that are disrupting the process of a court order. Mr. Attorney if you will define to those who are border lined disrupting or obstructing justice, defines what obstructing justice is by law.

Mr. Morgan stated that obstructing justice would be in his opinion as the words imply a conscious effort on the part of some person to disobey, interfere with or otherwise halt the normal progression of a legal process. That is off the top of his head but he thinks that pretty much defines it.

Mr. Brooks said that is exactly what is being done. For what reason he doesn't know but it is very evil. It is not good. Obstructing justice in the United States jurisdiction you was right on it Mr. Attorney refers to the crime of interfering with the work of police, investors, regulatory agencies, prosecutors or government officials. Obstruction can include elected officials and the conduct of officer misfeasance, malfeasance or nonfeasance. In an article dated to the Daily Advance March 31, 2011, First Ward Councilwoman Baker said that in years past the Federal Voting Rights Act was needed to insure black voters had the opportunity to participate in the local elections. She goes on to say no question it was needed but not now. He didn't understand the statement but he listened to what she was saying since our Redistricting Committee hasn't made a decision on which map to use, she can't be fighting against our decision she must be fighting against the rulings of the court. She is not fighting against the Committee. She can't be fighting against the Committee; she is fighting against something that is already in place-a court order. That borders the line of obstructing justice. He for one and that is taking us back to all the battles that our country fought during the Civil Rights Movement. We cannot go back. He refuses to go back into the dark dismal past of our country not having fair representation for all the citizens and treated like a second class citizen in a first class society just because of the color of his skin. He will not go back to that. The Voting Rights Act is needed as much today as it was during the Civil Rights Movement, as long as we as a country stay divided. Until we can understand

that all citizens must have the right to life, liberty and the pursuit of happiness. As long as we fail to come together and realize it is needed because 1.64 black men out of a total voting population of 10.4 million has lost the right to vote due to felony charges. It is needed. As long as 1 in 14 black children have a parent in jail or prison, as long as black men earn only 66% of what white men earn. As long as white men with a high school diploma earn as much as the black man with a college degree and 69% of black children in America cannot read at grade level. As long as these ills exist the Voting Rights Act and Ward system will always be needed. Yes we need the Ward system and the NAACP did a good job of Section 2 in suing the City. We need to have fair representation for all the citizens. A good example is the County Commissioners. They do not have a Ward system. They only have one minority on the County Commissioners. If those that hear him saying this want to go back to that then sit there and let these people cross the lines of obstructing justice and say nothing. The article continued by saying, "Holly Koerber, a local conservative political activist says that during the comments on redistricting first meeting, Rivers asked for voting history by race. It goes on to say that the City Manager warned that the law does not allow consideration of voting history. That was only the City Manager's opinion. From the procedures for administration Section 5 of the Voting Rights Act of 1965 Supplement 15.28 review by the City Attorney will facilitated if the following information is provided in addition to that required by Supplement 51.24. Now the reason why he read that is because it was handed out with the information when we were gathering information from staff. They gave us this information. Then it goes on and says demographic information in paragraph one, total and voting age population of the affected area before and after the change by race and language group. If such information is contained in publications of the US Bureau of the Census reference to the appropriate volume and table sufficient. In paragraph two it says the number of registered voters for the affected area by voting prescient before and after change by race, language and group. The reason why he read that is because we asked for information that staff refused to give. He didn't understand it then but he understands it now. After reading the emails that Tony Stimatz has sent Richard Olson, the City Manager saying not to give the information. He says now and he will say it forever, the Committee has a forum. We have four council members on the committee. The members that are not on the Committee you can get all the information you want but until we bring it back to Council don't disrupt the process. Mr. Attorney under the Code of Ethics they have came close and he would ask that Council consider doing an investigation of those sitting on Council and disrupting the process. An investigation of any violation to include obstructing justice and perverting the law of justice under Article 4, Code of Ethics, Section 2-12, Section 2-15, Paragraph 2 & 6 and Section 1-16 c. It is not something that the City has said that we have to do as it is a mandate that came down from the Federal Government. He did his research when you are talking about redistricting it was a fire at the beginning before we did anything. He

wants you to know we had people talking about drawing the lines here and drawing the lines there and the constitutional thing and voting rights, etc. In the year of 2000 then Barrack Obama was drawn out of his district so that he could not run against Senator Rush. He couldn't do anything to help himself. All we have to do is satisfy Section 5 and Section 2 and send it forth or bring it before Council and they can make any kind of argument that they want to make even the public can but if it satisfies Section 5 and Section 2 you can write all the complaints that you want too but if it satisfies those two sections it will go through. We have to be mindful of the voices of the citizens. You voted us in and you can vote us out. It doesn't matter to him one way or the other he is going to fight for the people whether he is on council or not. It doesn't matter to him. What he is saying is the redistricting must be mindful and he knows the Council would never initiate the investigation of a council member but they have crossed the line of the Code of Ethics according to what we have been given. It is sad because it makes us as a council look real, real bad when we are doing a pretty good job in following the lines of the guidelines that the Justice Department has given us and the information that we have been given from staff and even the information that some fought against us trying to get.

Councilman Walton said Mr. Brooks he would like to thank you and Mr. Rivers for making these things transparent to him because he had not thought of it to this degree. But now after he goes back and kind of follow the pattern he can see how things happen the way they did happen. Because we were asking the City Manager for information and he acted like it was coming from the Department of Justice not to give it to us but he never thought it was being passed through emails of what to do. Now that he looks back at the emails he could have tried to control things. The emails at first were being sent to himself and everybody else on council but after a while they started being sent to the attorney and he is involving everybody. He doesn't think he needs to do these things. That is not the way we should be acting as a Council. There are eight of us and not one person telling other people what to do. He is offended by that.

Councilman Stimatz said he just loves politics. Let him read the email and this is not actually the first email as there were a series of them and they came out of the fact that there were concern that we might be straying past using census data which is what you are supposed to use to actually deal with voter history and how voters voted. He recently said to Rich and Ms. Brooks and the Attorney and the reason he info those three people is because there is some legal impacts. He didn't want the redistricting process to get caught up in a challenge because we didn't follow process. Everyone knows what a process person he is and how he is about procedures and rules, about following rules and following them correctly. So he started a dialogue with the City Manager. There was a question asked to whether you can use voter history information and in his mind and this is what he said to Rich April 7th, 10:36 a.m.: "Upon reflection he believes

a post redistricting map selection analysis in other words after we are done picking one we will go analyses it, might be appropriate. However, his opinion now, this is his opinion and he didn't know he was so powerful that he can tell Rich Olson to do it and he is going to do it. Rich he doesn't think he has been capable of that even when he gets five votes sometimes. So, he is all powerful. It must be post decision unless we should not provide any voting history related information as to how people vote, to the Committee or Council ahead of time because you do not want to taint the process? The process says you have to look at the people being represented. That said he is not against the fact of looking at it afterwards. He went on to say, even under this scenario he would make the case that any such analysis would be inherently flawed by the fact that the Board of Elections cannot begin to ensure the accuracy of the voting information that it currently holds. In addition, one cannot presume to accurately predict future voter behavior based on past votes. How can they tell you how someone is going to vote now in the next election? He doesn't know what the issues are going to be. In the presumption that a black person only votes for black people and white people only vote for white people, we have thrown that one on its head in this city. We have proven that doesn't happen. We vote both ways. Trying to make that one on one correlation physically doesn't hold sand. He would suggest that the accuracies of such a prediction based on the conjunction of these two things. If you put these two things together who you are and that you voted at best you will get 50% accuracy. That is not all the factors involved. So his caution to Mr. Olson was he suggested at the end and again he can only suggest. Mr. Olson will tell you that. He works for the Council and he doesn't work for him. He reiterates what he said earlier. Until we have a legal opinion and council directs you to look at voter info you probably shouldn't. In the interim, staff went to the School of Government. We got both an email and a memo from Mr. Crowell which outlined there are conditions under which you can look at voter history information. All he was doing was what he thought was due diligence as a council person representing you and making sure that we don't end up in a lawsuit because we did something wrong and didn't follow the process. Now, if that is obstruction of justice whoa. What are we up here for? The point being he just was raising some flags and saying hey check into this, check with the School of Government? We checked with the School of Government, we have got an opinion. He said well you can look at it. Of course we all know lawyers have an opinion and there is as many lawyers you want to hire you can get a different opinion. That said, Mr. Rivers commented on the fact that the group was going to follow the process and they were committed to following the process and that was the most important thing they were going to do. He would like to comment about an issue that did come up and was in the paper. It was pretty heated. That was about Councilwoman Lawrence's concern that Option Map 1.7 was an effort to get her out of her seat. The packet of materials we and the committee received prior to the start of this process ahead of time

specifically said that incumbents should be protected to the greatest degree possible. It is not an absolute you can be redistricted out however; protecting incumbents from contest with each other has been a standard Supreme Court has applied in rejecting other redistricting plans. And while it is not prohibited the Supreme Court has stated on more than one occasion that one must show with some specificity that a particular objective required specific deviation in its plan. Only if there were no other alternatives should an incumbent be removed from their Ward. It is clear from the control exerted over the process by the Committee and reinforced by the Chairwoman's insistence that only the Committee can generate maps that this Option 1.7 was created through the request of someone on the committee. Someone on the Committee had to ask for that option.

Mayor Pro Tem Hummer said we did not.

Mr. Stimatz said then how did it get drawn. That would be the other question. Somebody had to ask for alternate 1.7. Is he correct Rich? You didn't just pop it out of your head.

Mayor Pro Tem Hummer said no you are not correct.

Mr. Olson stated that city staff drafted a number of different options that met the 10% rule and the balancing the 65% rule.

Mr. Stimatz asked did you direct them to come up with Option 1.7 specifically.

Mr. Olson said it was one of the maps that we drafted.

Mr. Stimatz said you drew it but who asked for it.

Mr. Olson replied it was a map that was generated by staff. No one asked. No member of the committee or no one else asked for that one. We looked at a number of different alternatives.

Mr. Stimatz said then he has another bone to pick. 1.7 takes Ms. Lawrence out of her Ward. Now, if you didn't catch it and staff didn't catch it one would hope that the members of the Committee who are trying to follow the process and had the read ahead packet it said you should protect incumbents should have caught it and said, hey this is not a good thing. And then it hit the papers and all hell broke loose. Someone should have gone back and looked at it. What do we see here tonight is one of the preferred alternatives. 1.7

Councilman Walton said that is why he put 1.8 in there.

Councilman Stimatz said that 1.7 shouldn't even come before this Council because it doesn't meet the criteria that are covered in the pre read ahead. One has to wonder and this is not the first time that this has happened. The last time we did redistricting just like now we had people making comments in public which they thought were a joke but it is not a joking matter. In 2001 when Ms. Hummer was on Council. She is the only one here that was on Council at that time and as reported in the Daily Advance Councilman Stallings and Councilwoman Young were proposed to be mapped out of their Wards. Several council members found the option amusing and made jokes in chambers about it. Councilman Stallings responded it is a conspiracy to take me out of the Third Ward. Councilwoman Young said it is very clear they want Darryl to be taken out of the Third Ward. She hopes her colleagues will consider not voting for Alternative 3. It is interesting to note that 2001 Redistricting Plan left the City without majority vote by Council. That is not how they voted. Ms. Hummer voted in favor of that which basically took Ms. Young out of the Second Ward and took Mr. Stallings out of the Third Ward. So, here again we are being presented as an alternative 1.7 which shouldn't even come before us. 1.8 ok that looks viable to him. It meets all the numbers, dots all the i's and crosses all the t's, it was done with census data, it wasn't done with voter data and he thinks that is the legitimate one to consider. He goes back to his point, why are we seeing 1.7 again. When is somebody whether it is staff, the attorney or the committee going to realize that and say we shouldn't even be looking at it. He would recommend that Option 1.7 be discarded from any further consideration.

Councilman Brooks said you aren't on the Committee.

Mr. Stimatz said it doesn't meet the standards laid out in the preliminary instructions nor by Supreme Court Ruling. That is his opinion and he is allowed to have an opinion and he is allowed to express it. This is still America as far as he knows. So that is his comments on this whole thing.

Mr. Brooks said he wants to address how off he was and you are right that is your opinion. That is why we have a Redistricting Committee. When we bring it back to you, you can make all the arguments you want and vote any way you want to vote. But, he wants to tell you how far off base you were. He read it but you just heard words, you didn't comprehend the words that were spoken evidentially. This book said eliminating incumbents and he is going to read it right here. Tony told it off the top of his head with nothing to substantiate it and everybody thinks he is smart but he is just throwing stuff out there. He doesn't think so. After the 2000 elections, just as democrats controlled the redistricting process in California, Republicans controlled the redistricting process in Virginia. The Virginia Republicans used the redistricting pin to target democratic minority leader Richard Crinwell. They surgically carved his house and twenty neighboring homes along the same street out of the district he had represented.

What he is saying is President of NAACP; Keith Rivers was right on target. Tony is talking off the top of his head and we are using statistics of exactly of what happened. This falls under eliminating incumbents. He agrees that we need to try to keep incumbents in their Wards if possible. We had to eliminate 351 people out of the Third Ward and 500+ out of the Fourth Ward. Unfortunately, that wasn't brought up by Councilman Stimatz. Someone is not going to like it. 500+ people are not going to like it. It is just bottom line someone is not going to like it. Somebody is not going to be happy. He said when he was talking about eliminating incumbents it doesn't matter according to the Justice Department. It is right here in front of you. This is not his opinion when you talk about eliminating incumbents then don't you think now President Obama would have fought that tooth and nail if he could have stopped them from drawing him out of his district so he couldn't run against Senator Rush. He gets tired of you Tony Stimatz trying to feed people through your opinion that is wrong. Here is documented stuff here. The Supreme Court verses in Hawaii they upheld Hawaii's opinion that we can ask for information. We can ask for the number of minority voters. We can ask for that. That was a Supreme Court decision. This is not Tony's opinion; we have the opinion of the Supreme Court.

Councilman Walton said you know it is funny that we got your email information on April 4th but there is history of email from you to Mr. Olson. March 25th you email him. March 30th you email him. April 7th you email him. That is a lot of emails. He got the chronological step by step of when you emailed him. In one of those emails he emailed you back and said the Chairperson of the Committee said they should review the information first then you guys would be allowed to review it. You emailed him back and said you didn't care what the Chairperson says and put your own comments in there. We, as the Committee weren't operative to you because we weren't doing things your way.

Councilwoman Baker said she would like to make a motion at this point and she would say in support of transparency in government and to allow the public ample time to prepare for the upcoming public hearings on redistricting.

A motion was made by Councilwoman J. M. Baker to direct staff to post all staff generated redistricting maps, supporting documents, reference materials, correspondences, meeting minutes and any other related information on the City's web site no later than the close of business on Wednesday so the public can have their own opinions. Councilman J. B. Stimatz seconded the motion.

Mayor McLean called for discussion.

Councilman Brooks said that doesn't make any sense at all. That is why we have a Redistricting Committee. We can post five maps up here. We had five maps posted one time and we had to narrow it down to two. If the Council can't come to a conclusion what map can use it is just going to confuse the public. No transparency. Again, you are trying to obstruct the process. Let us do our jobs. Take the information that we have, bring one map back to the City Council, let the City Council vote on which we send to the Justice Department because they are going to meet the criteria of the Justice Department. It doesn't make any sense when we have it narrowed down to two maps to post all the maps that we have looked at. It will only confuse the public. He asks you and all the other ones that are not on the Committee it has to come before the full Council. Let the Redistricting Committee do their job. Again, he asked you City Attorney, the violations is real close to obstructing justice and perverting the law of justice according to those sections. He will get back with you after the meeting as he really would like to know your opinion of it. This is not the time to discuss it. We don't need all that information. If the Council bickering and fighting and clawing at each other, image what it would look like when all the citizens are looking at five different maps and don't understand them. They don't understand that 300 people have got to come out of the Third Ward and go into probably the Second Ward because of the border lines or 500 people have got to come out of the Fourth Ward and go in the First Ward. It is not about individuals, it is about trying to meet criteria that the Justice Department has for us under Section 5 and Section 2. It doesn't matter if you shake your head he is trying to get you to understand the process. You don't understand the process because you are so busy going to bat for this person or that person.

Mayor Pro Tem Hummer stated she believes there was an email that Mr. Olson sent to everyone saying that when the committee made their recommendations that it would all be posted on the web site. It just seems to her that there is obstruction going on even as we are trying to straighten all this out. The Committee never asked to see anything. At our organizational meeting we were presented with maps that were already drawn. She did ask the City Manager when she saw 1.7 she suggested to him that he pick up the phone and call Ms. Lawrence and inform her of what was in that map. And so we can go on forever trying to explain everything but she just doesn't know why all the emails had to take place before we brought a recommendation because you all are going to get a chance to tear it in little pieces and start all over again. She doesn't understand the power or what is driving the whole, she doesn't even know the word to put to it, but something is driving this and she can't figure out what it is. But, it really is unfortunate.

Councilman Walton said his will not take two minutes. Let the same motion she just made, Rich, haven't you been asked to put it on line before by an email.

Mr. Olson replied yes he has.

Mr. Walton asked who was that.

Mr. Olson replied Councilman Stimatz.

Councilwoman Baker said her motion is to inform the public. It is transparency in government; it was not anything to do with anything else. Putting all the information before the general public. If they don't want to read it they are not going to pull it up on the web site but if they do want to read it, and they are interested in the process they are also going to have the instructions, the rules, all of the pre information that we all got that talks about incumbents and talks about anything else. Mr. Brooks she paid attention to you when you were speaking and she would like the same courtesy.

Mr. Brooks said who are you talking too.

Ms. Baker said Mr. Brooks.

Mr. Brooks said do you know he is a grown man. He resents you saying that to me. Are you crazy woman? He is not a child. Did you hear what she said? Ms. Baker told him to look at her when she is talking and he is supposed to receive that. Everybody on Council heard that. He is calm with this and he is not going to let her shut this down. You need to address Councilwoman Baker because you know she was dead out of line to tell him to look at her when she is talking. Who does she think she is? He doesn't even tell his kids that. Address it.

Ms. Baker said Mr. Mayor she asked Mr. Brooks, I said, Mr. Brooks I paid attention to you and looked at you when you were speaking, would you give her the same courtesy.

Mr. Brooks said Mr. Mayor address that. The way it sounds to you out there is the way it sounds to me. You need to address it Mr. Mayor and stop shying away from being non confrontational. She knows she doesn't have any business telling a grown man to look at her when she is talking.

Ms. Baker said he should know better.

Mr. Brooks said no, no, no. He doesn't even tell his kids to be quite. She is telling me to look at her when she is talking. He hopes you are going to address it.

Mayor McLean said it will be addressed.

Ms. Baker said so her motion was to inform the public and if they want to see they will see it and if they don't want to see it then they won't look at it. But, if they are interested in what is going on in our city council and our redistricting process they will read what they want to read as it will include the rules and directions. This Council has no say in this process. The four people that are not on, in her opinion, the four people that are not on the Redistricting Committee have no say in this process. The Committee will bring back a recommendation to this Council and they will also bring with it four votes and a tie breaker. Period.

Councilwoman Hill-Lawrence said you know she thinks all of this as a matter of fact all of this centers around her being wiped out. All of it centers around that. Let her say this. The question of going to and breaking the law and all of that and ethics, she use to teach ethics and also there is a branch called situation ethics. Do you know what that means? Whatever the situation apply the ethics. So she knows about ethics and all that as she use to teach it but she said in the paper anytime an injustice she thinks is being directed to her any state in the United States of America you can rest assure that Lena Hill Lawrence will be going to the newspaper, whatever media that changed that she can find, so put that in the record. That will be happening anyplace. Secondly, this centers around her being cut out of her Ward. She knows it was systematically done and as she said before deceitfully and deviously planned. She knows that it was but that is ok. She said in the paper because right now as we speak she has a real estate agency looking for her another house in the Fourth Ward. So don't think you can get her out of the Fourth Ward. She said that in the paper and she says it again. Number two she has some options, she may go to the First Ward and win. She may remove either Betty or Jean from your seat. That can happen. Number three she may run for mayor. She is contemplating running for mayor of the City of Elizabeth City so she has three options. Whichever way you choose it will not hinder her.

Councilman Stimatz said the access to information is a very dear to him. The one thing he has counted on from Mr. Olson is he always tells us, he can't give one person information that he doesn't give everybody else. Until he asked for redistricting information packets that the Redistricting Committee people got he wasn't sure that we were going to get them. He is on the Council. He has a right to see what every other council person sees. So he started getting those packets and that is good. Then he asked the question when are we going to put this on the web site. He was told when the Chairman tells him he can do it. He asked again later, these are all in emails and he has the answers, he asked again last week and the answer he got from the Manager was, this was last Monday, as soon as the Committee gives him the go ahead he will place them on our web site. His point is it is not the Committee's information. It is the public's information and all Ms. Baker is saying is let the public have access to the

information. If you are going to sit here and say oh they are not smart enough to read this, they are going to be confused only I know better than they do boy it is really talking down to the public in general. That is why he says, he chooses not to have public information held hostage by anyone. No advisory board, not the Mayor, not the Manager, ok and he supports every effort to make all information available. He has been singing that tune for the last three weeks. Ms. Baker made that motion public so we can vote on it. So you will see who is up for putting information out to the public. Who is real about transparency? If you believe in transparency in government and that the public needs to be informed in order to make an informed decision then you will vote yes. If you vote no it speaks for itself.

Councilwoman Meggs said she was going to keep her mouth shut but she has got to say one word Tony. That is well and good and she agrees but when you are on a committee she has always felt that your obligation was to come up with what we recommend. We haven't gotten to that stage yet because there is always another thing that we are supposed to be doing. Each week or each time we meet and we have been meeting twice and three times a week and that is not a lot of fun.

Mayor Pro Tem Hummer said all the maps are posted on that wall over there at every Redistricting meeting. Ms. Brooks is available; she stays after the meeting is over and explains things. Anybody in Elizabeth City or anybody on this Council is free to come to these meetings and see the maps and listen to what we are discussing. We are very transparent, so you can take it or leave it. It is there for public viewing every meeting.

Mr. Stimatz said his last comment is that if you are a public body you have to act in the open and in the public. An example is when the Clinton Administration tried to take on Health Care and they had Mrs. Clinton in charge. They went off in a room by themselves and they debated it. Everybody ate them alive as they weren't doing it in the public. The information center is public information so there is no reason why if he can't get downtown or can't see Mrs. Brooks why can't we put it on the web. It is all information that you have considered and we should see what you have considered because it may make us all say you know what they did a great job. Look at what they had to deal with. This is a great plan. Thank you so much for doing a great job. That could be another outcome. You don't even know. So his point is put the information out there and let the public see it. If they have another plan they will come and tell us.

Councilman Walton said you won't give us a chance to do a good job because you want to have the control. That is not what we are out to do.

Mayor McLean said he does have a comment. On this whole matter he has set back to see and being unhappy about the process. He does think that there was a certain amount of distrust that was created by certain members on this Council that caused the people on the Committee to have some issues relative to what they were trying to do within their jobs. He has always said wait and let the Committee do its job. That is what all task force committees should do. Every person in this City including the Council members has the right to come to the meetings. They are open meetings. You have the right to read the maps and you have the right to ask questions. You have the right to make comments at the meetings. What he has seen and heard tonight and what he has experienced already is something that should not have happened within this Council because people have drawn maps and they are going to draw maps but you just cannot take one map and try and go off the deep end. There were many, many maps drawn. Unfortunately what happened, he believes that if this Council and most of the members on this Council if we understood the process and the process was to come up with a drawing that was going to be in compliance with the Department of Justice. He thinks we would have taken a different approach because being a council member is not a popularity contest. Sometimes as time goes by you feel like you want to say something and you should just kind of keep it to yourself. Here again, sometime when you talk and lets say God gave us two ears to listen and one mouth to talk and maybe we should use the two ears to listen as opposed to just talking. He feels confident that this committee when that map comes to us it will be a map that we all are going to be happy with. If there are no other comments there is a motion on the floor. At this time we need to entertain that motion. He is told that the City Manager has been requested to put the information on the web site, is this something that can be done?

Mr. Olson replied that yes it can be done. Every thing is electronic generated and it is a matter of loading them on the site and creating a link to the redistricting stuff on the web site.

Mayor McLean said to him it is a very difficult process. Every time you say there is a map you want to stick it on the web site or what type of guidelines do you want to have to say what maps you are going to put on the web site. Would it be map 1.7 or would it be map 1.8 since these are the two maps that are being considered.

Mr. Stimatz said her motion is everything.

Ms. Baker said everything.

Mr. Brooks said what we are trying to do this Thursday is we are going to try to come up with one map. That is what we are trying to do. It is between those two maps. Everything was going along smoothly.

Councilwoman Meggs said she is questioning all as that is a lot of stuff. Come up here when we have the meeting.

Ms. Baker said so the public can see what you want them to see. No she wants them to make their own decisions and that is what transparency in government is. It doesn't mean that you are going to have two or three people out there looking at it, but you make it available to them.

Roll call vote:

Hill-Lawrence	yes
King	yes
Baker	yes
Walton	no
Hummer	no and she won't be bullied by Mr. Stimatz any longer.
Meggs	no
Stimatz	yes
Brooks	no – Let the Committee do its job.
McLean	no

Motion was denied.

Mayor McLean said he voted to let the Committee do its job as it should be doing. The reason why he is not voting in favor of that motion is because he feels that anything put on the web site should be carefully thought out and not just simply mentioned or discussed. He thinks it should be discussed in details and he understands that we do have two good maps out there that we can put on the web site.

c} Procedure for non-binding resolution of censure:

Mayor McLean said that all that he wanted to happen here if the Council will agree with this and this probably brings us to this he just wants the attorney to read the letter that talks about the things that we have encountered tonight. He does want to make it perfectly clear that this matter was brought up to not censure anyone or to create an investigation but more or less to make the public aware of what we should do in terms of a council in terms of working with one another.

City Attorney Morgan read the April 4, 2011 letter he prepared. He read:

Memorandum to City Council regarding procedures for non binding resolution of censure. All counselors and other city officials, i.e. the City Manager, department heads and the City Attorney are bound by our existing Ethics Ordinance originally adopted in 1993 and revised as recently as 1998. This is codified as Article IV, Section 2-110 – 2-117 of the City Code of Ordinances. The ethics ordinance adopted by Council on December 13, 2010 applies only to City Councilors and the Mayor. These ordinances are designed to promote integrity, honesty and transparency in government among city officials. Included in the ordinance adopted on December 13, 2010 is language directing councilors to behave consistently and with respect toward everyone with whom they interact as well as language directing councilors to treat other council members and the public with respect and to honor the opinions of others even when the council member disagree with those opinions.

Further, councilors are directed to show respect for their offices by not behaving in ways that reflect badly on those offices. Those are excerpts from Section 2 of the ordinance. In cases where a majority of council feels there has been a violation under either ordinance an investigation may be conducted and the hearing may occur which would be similar to a trial with the right of all parties sequestration and cross examine witnesses. If following the hearing a majority of Council feels a violation has occurred it may adopt a non binding resolution of censure that is recorded in the official minutes of the Council. Each of you received a copy of the 12-13-2010 Ethics Ordinance in your agenda packet and they are also in tonight's packets and he will have copies of the 1993 ordinance for each of you this evening.

Mr. Stimatz said he didn't particularly want to get into this issue but he thought he had a good handle on it but a couple of things came to him after he went back and re read everything. One is what is the standard of proof to censure someone? More likely than not preponderance of evidence, do you have to have evidence or what is the deal?

Mr. Morgan replied that it would be by preponderance of evidence unless it spells out otherwise in the ordinance.

Mr. Stimatz asked if there was a statute of limitations. As long as you are a sitting member of Council can you go back for past acts?

Mr. Morgan said there is no statute of limitations that he is aware of.

Mr. Stimatz said so we can censure you for something you did previously as a council person.

Mr. Morgan said you could.

Mr. Stimatz asked if you could censure someone for behavior before they were a council person.

Mr. Morgan said no sir.

Mr. Stimatz said but if they violated something when they were a council person and it was three terms ago you can censure them now if it came to light.

Mr. Morgan said he doesn't believe you can censure a prior councilor unless he or she was still sitting. If it occurred during a prior term then he believes you can.

Mr. Stimatz said you can do that if it came to light. Then he has some questions because he is not sure. He has a list here and he will read them so the audience can hear them and he will give you the list and you can get back to him. Which behavior would be a violation of the Code of Ethics as thus allow for a vote of censure.

- Improper use of office or official title.
- Acting without authority of Council.
- Lobbying on behalf of a private individual or organization while on official travel for the city.
- Threatening reprisal or sanctions for asserting personal opinions
- Unequal enforcement of polices based on race, creed, color or sex, national origin or age
- Violating City Council's own rules and procedures
- Violating State law
- Withholding public information from the public or other council members
- Denial first amendment rights to public commenter's
- Calling for censorship of the press
- Conveying a threat to another council member
- Lie to a member of the public while acting in an official capacity
- Failure to prepare for any meeting or assignment
- Voting to approve or approve material benefit to someone in your own household
- engaging in an adulterous relationship with a city staff member
- Voting to approve benefit for a city person under threat of exposure by them for your wrongful conduct.

Mr. Stimatz said he will leave you that list. Those are just some of the things that have been brought to his attention.

Councilman Walton said under the Code of Ethics, Section 2 it has a lot of those points and one of them states that recognizing that they are part of a larger group and acting accordingly. You are not in here by yourself and that is what that means to him. Recognizing the individual council members is not generally allowed to act on behalf of the Council. But may only do so if the Council specifically authorizes it and that the Council must take official action as a body. We are not really acting like a body up here. We have a left side and a right side. The Code of Ethics in this group is not there and you can read all the points that you want but it is not there.

Councilwoman Hill-Lawrence said she has a question about the Code of Ethics itself because the ethics is one of those subjects that is so broad, there is medical ethics, there is business ethics, governmental ethics, etc. Does this apply to just our City Council because business ethics is going to be business ethics no matter what the business is.

Mr. Morgan said the ordinance that was adopted last December only applies to the counselors and to the mayor. The earlier ordinance which is still valid and on the books applies to the mayor, councilors, city manager, department heads and the city attorney. That is more expansive than the more recent one. These are all local ordinances.

Ms. Hill-Lawrence said so we came up with this code of ethics.

Mr. Morgan said as to the one enacted in December as per the State Legislature mandated that all cities, counties, board of education and other elected bodies adopt a similar code of ethics.

Ms. Hill-Lawrence said so we don't have the same code of ethics for all the governmental bodies of North Carolina. Is there a different code for each governmental body?

Mr. Morgan said there are probably different codes in each locality.

Ms. Hill-Lawrence said she has read through these and some of these she doesn't think apply to the governmental bodies. Some of the stuff she was reading in here she thinks maybe we need to go back and look at that if we are going to want a code of ethics that applies to our system in government here in Elizabeth City.

Mr. Morgan said we certainly have the right to modify this as needed.

Mayor McLean said he would like to impress upon the Council members he is not going to do any more recesses. When we get to a point that we have a

disagreement he just asks that you respectfully disagree with each other while making your comments. Two weeks ago when he did the recess when he thought it was getting out of hand he was highly criticized by the public. We are going to see it all the way through in the future. He begs each of you to try to work together and let people know we can disagree without being disagreeable. We are going to get through this process and we are going to come up with one map as we talked about earlier that have caused more of these problems.

Ms. Hill-Lawrence said the interaction exchanges it is nothing that anybody is necessary angry she doesn't think. Certainly she was not angry as she was just expressing her feelings and that happens in governmental procedures. This is the real world it is simply that we have a disagreement.

d} Guns and Violence:

Mayor McLean called upon Councilman Stimatz for comments.

Mr. Stimatz said he asked to put this on as we have had a number of incidents lately and it has been building for some time. There is a serious perception in the community at large that the Justice System is a revolving door and has a serious lack of prosecution. Without data to go on he can't say that for certain. His own small sample of what he reads in the Daily Advance leads him to believe we have a problem especially when a convicted felon is found with a gun and posts a \$20,000 bond which only cost him \$2,000 and they are back on the street probably with another gun in their hand, probably getting ready to shoot somebody else. People are tired of it. They are absolutely tired of it. What he would like is he would like staff to bring us five years of data and he can only ask for the police department's arrest records. How many felonies arrests, he wants all of the arrests listed. You don't have to give him the name of the person but if you can identify them like Person A has 47 felonies arrests. He wants to know that Person A has 47 felonies arrest and you don't have to give him his name but identify him with some identifier. He wants to know what happen. Did he have bail or bond or was he release. If you have a person that has been arrested 42 times for a felony and he has never been to court to be tried as a felon there is a problem in the Justice System. The police are beating their heads against the wall arresting these people. Or we have a police department that is so bad they can't get enough evidence to convict anybody. So either way we are going to find out where the problem is. He would like to see 5 years worth of data on just that.

Councilman King asked would you like to see convictions also.

Mr. Stimatz replied yes as he wants to know what the results are.

Councilman King said we can make an arrest but what he thinks you are looking for is the conviction.

Mr. Stimatz said yes you are right. We arrest them and he wants to know what happened. Do we plead them all down to a misdemeanor and they pay the \$20 fine and they all walk away. If we have done \$10,000 felony arrests in five years and not a single felony conviction, there is a problem. It is either with the police department or the Justice System and we should be able to figure it out based on the data. He is not going to preload this thing but there are a lot of people out there and council members as well that are all shaking their heads going how do the people keep getting out and how can they keep getting guns. How come they are not put away? It is the same bunch of people. They know this and if there is violence one of them is going to be involved. This is not new to the police department so how do we stop it.

Mayor Pro Tem Hummer said she has been inundated with phone calls and even had some people stop by and every where she goes everyone looks at it as an emergency situation. You can be shot in the head driving your car on a nice residential street. We have a Finance Committee meeting next Monday morning at 10:00 and she would like the manager and police chief to get together. If you have to bring someone in here and she knows there is a cost associated with it but if you need more officers on the street which is what some people think then we are just getting into the budget and we will look at that too. This should be number one not all this bickering around this table. This should be number one because anybody can be killed with what is going on now. She would like to know what we need. She is being asked where they are getting their guns from. How do we address that? Are they being sold illegally all over town or are they being brought in from somewhere else. We need to look at it as it is an emergency.

Councilman Walton said that type of information was just recently printed in the newspaper. In 09 there were like 450+ guns sold. They talked about concealed weapons and how many permits they had given. We are making our own problems. A person can get those tools to kill people. If you don't have them you can't use them. There are two prongs to this thing. We sell them to everybody and they are passing a law now that you can take them in restaurants and parks. You can take a gun everywhere so don't be surprised.

Mr. Brooks said he went up to the Chief's office today and asked for the information. The information is very alarming. From the 29th of March to the 10th of April we had 15 separate incidents of gun fire.

Ms. Hill-Lawrence said she knows the police department is doing all that they can. She understands that but the community has a responsibility as well. The

community knows what is going on in their community. We know the bad guys. Nobody wants to drop a dime but sometimes you need to drop a dime because it could be your mother or it could be me or anybody. The community has a responsibility also.

Chief Crudup said we are just as alarm at the Police Department about all the shootings that we are having. Every member of the department is putting their whole heart into solving this because we have a great passion for what we do. We are just as disturbed as any member of our community could be because it reflects on everybody in our community. We do have an operational plan that we have put in place and that plan is going to entail many things. He does encourage people to take a stand against crime in their community because that is what we need. We need your support and your help. We are going to bring in other resources from other cities and other state agencies will assist us with this. The sheriff and he met this morning as well as the Chief from the University. He is asking the community to help us make your neighborhoods safe.

Mr. King asked how many men do you have on the street.

Mr. Crudup replied that we have 6-7 officers on the street at all times. We have a total of 9 on each shift. Some of them are in training so that is why he says we have 7 working officers. With this operational plan we are looking at the hours when these crimes are occurring and we are putting more manpower in the streets and trying to move people around to stop some of these violent crimes.

Councilwoman Meggs asked if we need more cameras, do they work, etc.

Chief Crudup said the cameras are working well. Where these shootings are happening we don't currently have cameras in those particular areas. The places where we do have cameras they are tools for us to use and they have been very beneficial to us. If we can get more we will take more.

e} Oak Grove:

Mayor McLean called upon Councilwoman Hill-Lawrence for comments.

Ms. Hill-Lawrence said she was out there today because one of the residents had called. The water is not passing through. It looks like there is a blockage at the end where the water cannot move. It is just standing there and stagnating. She could see where it was clogged at the other end. Actually some of the land is eroding away and she doesn't know if that is because of the rain pushing the soil

down but it looks like it is falling right down in the culverts. We need Mr. Fredette to go out and take a look and see what can be done about that.

Mayor McLean asked to get a report back at our next meeting. He invites some of the council members to go out and take a look at that issue.

6} COMMENTS AND INQUIRIES ON NON-AGENDA ITEMS:

City Manager Olson stated he had no further comments.

Councilwoman Baker said she wants to remind everyone that the Harbor Arts Festival and Taste of the Albemarle is this weekend. It is this Saturday; Harbor Arts is on Poindexter Street. It is local artists. There are 12 or 14 local artists and it is free admission. You can see them doing some art, buy their arts and that starts at 10 o'clock along Poindexter Street. The Taste will start on Main Street and that is 18 restaurants and it starts at 4:00 p.m. It will start with music, local band Dixie Rider who is out of Camden, so everything is local. It is local restaurant, local art and local music. Admission to this is \$20, \$15 for military with a Military ID.

Councilwoman Hill-Lawrence said she has no further comments.

Councilman King said we talked about the sidewalk on Southern Avenue. Can you bring something back at the next work session? Also, we looked at the crossing putting the Viking emblem somewhere on Southern Avenue.

Mr. Olson said we are looking at replacing a section possibly thirty-fourty foot long there on the east side of Southern Avenue. The area near Park Street we are still looking at how is the best way to address that area because the sidewalk is higher than the curb and guttering and a bunch of other related issues. We have not talked with ECSU yet. We have been trying to get a hold of Shawn Lamont.

Mr. King said he would hope that all these things would be done before Homecoming.

Councilman Walton said on College Street a few weeks back he asked that the light be replaced as there was a dark spot over there. Can you recall?

Mr. Olson said he believes what you are referring to is we had a customer request that they have an additional light put on that street. We went in and installed the light and started charging the residents. The gentleman and his neighbors were supposed to pay for that. When it comes to street lighting the

Electric Department and the Police Department meet to see if they need additional street lighting in any given area.

Mr. Walton said the light has been out a long time and he wants to know if you were charging them when the light was out. They came back in and took the light out because they were charging him and he didn't want to pay that amount.

Mr. Olson said he recently signed up and we have his application where he signed up for that light. He requested that special service, we verified it and he has that paperwork in his office. He can't answer if they were charging him or not. He is not sure how long the light has been out. He has been charged. If the light was out then yes we have been charging him. It is the policy that if we put a light up that the resident is charged. It is \$14 a month.

Councilman Walton said he would like for someone to check this location out. The other thing he has is he asked Mr. Fredette a while back to put Oak Grove on the preferred maintenance list. Do you know if that has happened yet?

Mr. Olson said he doesn't know if it has or not.

Mayor Pro Tem Hummer said she has no further comments tonight.

Councilwoman Meggs said she would love for you to see this poster up close because it came from Rebecca's office and the Downtown Association is trying to clean up downtown. We are asking for everyone to come out and help. Bend your back and pick up trash. One of the nicest things that they have come up with is that we are trying to put something in all of the vacant windows downtown for it to look like downtown is alive rather than a ghost town. What we have done is talked to the different ones that own the buildings and have asked permission to put something in the windows. We have asked various groups to adopt certain buildings. On Saturday, April 30th at 9:00 a.m. is called Elizabeth City Historic Downtown Extreme City Makeover. Take pride in your downtown, pitch in and help. You can bring supplies to clean up or whatever you have to do. If you need any more information either call Rebecca or call her and she will give you the information.

Councilman Stimatz said there is another production of the Encore Theater that will be taking place starting April 22, 2011 which is Good Friday. It will run for three weekends. It is called, Epic Proportions. It is sort of a comedy farce about making an epic movie back in the 1930's. It should be really funny. The three main characters have really good chemistry and should be a lot of fun. He has a small part in this one. He has more than one line this time. He hopes you will come out and support the Community Theater. He thinks it is a great way to

have a good evening and have some fun time and enjoy the downtown. He hopes you will all come out.

Councilman Brooks asked who was in charge of the security lights at Debry. It is a security light that sets in the back.

Mr. Olson replied that he thinks it is the Housing Authority.

Mr. Brooks said the bulb needs to be replaced at 402 Debry. There is a light on Carver Street that is out too. He got a chance to talk with Gretchen at DOT about that house that is almost falling in the ditch. She said in three weeks someone should be able to come in there and make a determination. There is a cost to it and he will be coming back to Council with a request for funds.

Mayor McLean said he would like to thank Councilman Stimatz for rendering the prayer tonight for the work session as well as Pastor Edwards at our regular meeting. We also want to talk about the violence that is happening in our City. We need to make sure that we put forth programs to prevent them from being in that type of situations where they commit crimes. He is hoping that at some point in time we can come up with programs or a way to look at why these things are happening. We know that a lot of these kids are unemployed and we have seen a lot of these kids grow up here in Elizabeth City. We have got to figure out a way to reach them. It is happening all over the country especially with black males. They are really just killing and maiming one another. That is something that is happening throughout our entire country. We have got to find out a way to deal with it. He is looking forward to working with the Finance Committee. He invites members of the community and members of City Council to come to the budget committee meetings because we have a chance to really make a difference in terms of working with the staff to show them that we can support them when they make good decisions by how the budget is going to be expended. We need to be there for them. He will say a lot of things that we do here, we argue and fuss but when you look at the minutes and look at things we are getting things done. Sometimes we take a certain course that all is not happy with but things are getting done. He encourages the Council to work as hard as possible. He does want to acknowledge a former member of City Council, Mrs. Myrtle Rivers who is in the audience tonight. She was a council member that he truly respected.

7} CLOSED SESSION:

Mayor McLean entertained a motion to retire into Closed Session.

A motion was made by Mayor Pro Tem L. A. Hummer, seconded by Councilman J. B. Walton to retire into Closed Session as per

NCGS 143-318.11 (a) (5) for discussion on instructions for contract negotiations; and NCGS 143-318.11 (a) (6) discussion of personnel matters. Those voting in favor of the motion were: Hummer, Walton, Baker, Brooks, Hill-Lawrence, King, Meggs and Stimatz. Against: None. Motion carried.

8} RETURN TO REGULAR SESSION:

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

9} ITEM FROM CLOSED SESSION:

A motion was made by Councilwoman J. M. Baker, seconded by Councilman J. A. Stimatz to authorize the contribution of \$12,500 to the City of New Bern to offset the cost of the Attorneys employed to take a look at the merger between Duke Power and Progress Energy. Those voting in favor of the motion were: Baker, Stimatz, Brooks, Hill-Lawrence, Hummer, King, Meggs and Walton. Against: None. Motion carried.

10} 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 M. E. Brooks to adjourn the meeting. Those voting in favor of the motion were: Stimatz, Brooks, Baker, Hill-Lawrence, Hummer, King, Meggs and Walton. Against: None. Motion carried.

Mayor McLean adjourned the meeting at 9:25 p.m.

Dianne S. Pierce-Tamplen, MMC
City Clerk

Roger A. McLean
Mayor