

MONDAY-5:00 P.M.

APRIL 26, 2004

CITY COUNCIL

The City Council of the City of Elizabeth City held a meeting on the above date and time in the City Council Chambers of the Municipal Administration Building with Mayor J. H. Bell, Jr. presiding. Council members attending were: C. C. Austin, J. M. Baker, L. A. Hummer, R. E. King, W. A. Lehmann, E. K. Rivers, D. K. Stallings, Sr. and J. W. Walton. Others attending were: City Manager R. C. Olson, City Clerk D. S. Pierce, City Attorney W. H. Morgan, Police Chief W. J. Anderson, Parks and Recreation Director J. D. Overman, Inspections Director S. E. Ward, Fire Chief G. R. Baccus, Public Works Director C. Grant, III, Finance Director S. E. Blanchard, Interim Planning Director S. L. Cox, Human Resource Director K. W. Felton and Electric Superintendent K. F. Clow.

Mayor J. H. Bell, Jr. opened the meeting by welcoming those attending. He called upon the Reverend Charles Foster to give the invocation after which Councilwoman Anita Hummer led the Pledge of Allegiance to the Flag of the United States of America.

Mayor Bell called for approval of the prepared agenda. He asked to add a "National Day of Prayer" proclamation to the agenda. Hearing no other additions and/or deletions, Mayor Bell called for a motion to approve the agenda. Councilman D. K. Stallings, Sr. made a motion to approve the agenda with the above noted addition. Councilman W. A. Lehmann seconded the motion. Those voting in favor of the motion were: Stallings, Lehmann, Austin, Baker, Hummer, King, Rivers and Walton. Against: None. Motion carried.

Mayor Bell called for approval of the April 12, 2004 minutes. A motion was made by Councilman D. K. Stallings, Sr., seconded by Councilwoman L. A. Hummer to approve the minutes. Councilman W. A. Lehmann asked to correct them. He asked that the names of those voting for each nominee in the Mayor Pro Tem selection be so noted in the minutes. Hearing no other corrections, Mayor Bell called for the vote. Those voting in favor of the motion were: Stallings, Hummer, Austin, Baker, King, Lehmann, Rivers and Walton. Against: None. Motion carried.

Mayor Bell proclaimed May 10, 2003 as "World Lupus Day"; the month of May as "National Osteoporosis Month", the week of May 2-8, 2004 as "Municipal Clerk's Week" and Thursday, May 6, 2004 as "National Day of Prayer".

Mayor Bell asked the City Clerk the number of persons signed up to speak under the Comments from the Public section of the agenda. City Clerk D. S. Pierce replied that one individual had signed up to speak. She then called Ms. Portia W. Copeland to the podium. Ms. Copeland spoke regarding assessment on her Mother's, Virginia B. White, property.

Mayor Bell called for action regarding the Consent Agenda. A motion was made by Councilman W. A. Lehmann, seconded by Councilman R. E. King to approve the following consent agenda. Those voting in favor of the motion were: Lehmann, King, Austin, Baker, Hummer, Rivers, Stallings and Walton. Against: None. Motion carried.

Consent Agenda

- Adoption of the following resolution:

**RESOLUTION 04042
CORPORATE AUTHORIZATION
ESSEX SAVINGS BANK, FSB**

WHEREAS, The Corporation named on this resolution resolves that,

- 1} The Financial Institution is designated as a depository for the funds of the Corporation and to provide other financial accommodations indicated in this resolution;
- 2} This resolution shall continue to have effect until express written notice of its rescission or modification has been received and recorded by the Financial Institution. Any and all prior resolutions adopted by the City Council of the City of Elizabeth City and certified to the Financial Institution as governing the operation of this corporation's account(s), are in full force and effect, until the Financial Institution receives and acknowledges an express written notice of its revocation, modification or replacement. Any revocation, modification or replacement of a resolution must be accompanied by documentation, satisfactory to the Financial Institution, establishing the authority for the changes.
- 3} The signature of an Agent on this resolution is conclusive evidence of their authority to act on behalf of the Corporation. Any Agent, so long as they act in a representative capacity as agents of the Corporation, is authorized to make any and all other contracts, agreements, stipulations and orders which they may deem advisable for the effective exercise of the powers indicated on page one, from time to time with the Financial Institution, subject to any restrictions on this resolution or otherwise agreed to in writing.
- 4} All transactions, if any, with respect to any deposits, withdrawals, rediscounts and borrowings by or on behalf of the Corporation with the Financial Institution prior to the adoption of this resolution are hereby ratified approved and confirmed.
- 5} The Corporation agrees to the terms and conditions of any account agreement, properly opened by an Agent of the Corporation. The Corporation authorizes the Financial Institution, so long as they contain the required number of signatures for this purpose.

6} The Corporation acknowledges and agrees that the Financial Institution may furnish at its discretion automated access devices to Agents of the Corporation to facilitate those powers authorized by this resolution or other resolutions in effect at the time of issuance. The term “automated access device” includes, but is not limited to, credit cards automated teller machines (ATM) and debit cards.

7} The Corporation acknowledges and agrees that the Financial Institution may rely on alternative signature and verification codes issued to or obtained from the Agent named on this resolution. The “term” alternative signature and verification codes” includes, but is not limited to, facsimile signatures on file with the Financial Institution, personal identification numbers (PIN) and digital signatures. If a facsimile signature specimen has been provided on this resolution, (or that are filed separately by the Corporation with the Financial Institution from time to time) the Financial Institution is authorized to treat the facsimile signature as the signature of the Agent(s) regardless of by whom or by what means the facsimile signature may have been affixed so long as it resembles the facsimile signature specimen on file. The Corporation authorizes each Agent to have custody of the Corporation’s private key used to create a digital signature and to request issuance of a certificate listing the corresponding public key. The Financial Institution shall have no responsibility or liability for unauthorized use of alternative signature and verification codes unless otherwise agreed in writing.

ADOPTED, this the 26th of April 2004

John H. Bell, Jr.
Mayor

Dianne S. Pierce, MMC
City Clerk

-Adopted the following Budget Amendments.

**BUDGET AMENDMENTS
APRIL 12, 2004**

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, 2004:

SECTION I. That the General Fund Parks and Recreation Tournament Fees (103650.0010) be increased by \$7,269 and the following Parks and Recreation Expenditures be increased: Overtime (106200.0220) by \$959, Part-Time Salaries by \$1,705, Organized Programs (106200.2300) by \$1,542, Departmental Expenses (106200.3300) by \$124 and Contracted Services (106200.4500) by \$3,040.

(To record entry fees collected and expenses incurred for the Eastern Athletic Conference Basketball Tournament hosted by Parks and Recreation).

SECTION II. That the General Fund Senior Center Grant Revenue (103490.6301) be increased by \$7,709, the General Fund Contingency (106600.6000) be decreased by \$2,293, the Senior Center Instructors Salaries Grant (106300.0320) be increased by \$1,387, the Senior Center Grant Expenditure (106300.3301) be increased by \$2,582, and the Senior Center Grant Capital Outlay (106200.7401) be increased by \$6,033.

(To record Albemarle Commission grants of \$7,709 for Senior Center equipment and local match of \$2,293).

ADOPTED, this the 26th day of April 2004.

John H. Bell, Jr.
Mayor

Dianne S. Pierce, MMC
City Clerk

- Approve and authorize the Execution of Deed of Easement from Pasquotank County accepting future responsibility for the maintenance of an underground electric line at River Road Middle School

End of Consent Agenda

Mayor Bell called upon City Manager R. C. Olson for comments on an Inmate Labor Agreement. Mr. Olson advised that the North Carolina Department of Corrections, Division of Prisons, offers a program that allows minimum risk inmates to be used by public entities. The contract with Pasquotank Correction Institution calls for the City to receive up to ten inmates daily. The City will be responsible for inmate pick-up and delivery back to the prison facility daily. The inmates will work the same hours as City employees and will be assigned to work mainly with the Public Works Department in the

Solid Waste, Fleet and Street Divisions. Inmates may also be used by the Parks and Recreation Department to mow the Par 3 Golf Course and clean up the City's cemeteries. All employees that will work with the inmates will be required to attend a supervisory training course that will educate them on their interaction with the inmates. In addition, he has written an Administrative Directive which will cover City employees' conduct with the inmates. The cost of utilizing the inmates is \$1.00 per day per inmate. The total anticipated cost is \$2,600 annually. City Employees that supervise inmates will receive a \$.50 per hour differential that would add an additional \$11,000 to the program annually. To effectively do this the City will need to purchase two additional crew cab pickup trucks. Incorporated into the fiscal year 2005 budget is the purchase of two pickup trucks for Public Works. The total cost of the program is anticipated to be \$18,000 annually.

Councilman J. B. Walton stated that he felt that the program is a good program but his concern was that he would like to see it the same ratio as the populace of the City.

Following additional discussion, a motion was made by Mayor Pro Tem E. K. Rivers, seconded by Councilman W. A. Lehmann to approve the contract with the Pasquotank Correctional Institution for ten inmates per day and further authorize the execution of same by the City Manager. Those voting in favor of the motion were: Rivers, Lehmann, Austin, Baker, Hummer, King, Stallings and Walton. Against: None. Motion carried.

Mayor Bell called upon Parks and Recreation Director J. D. Overman for an update on the development of the former Gaither Property. He presented a park plan for consideration. Mr. Overman explained that this is the property that was obtained by the City through a trade of properties with the Museum of the Albemarle. Council approved a resolution which allowed the P & R Department to seek a CAMA Grant in the amount of \$225,000 with a \$75,000 match for bulk heading the piece of property. At the time of the grant application it was estimated to cost \$225,000. It appears now that the bulkhead will cost about \$150,000 to complete. Following discussion, a motion was made by Mayor Pro Tem E. K. Rivers, seconded by Councilman R. E. King to approve the park plan as presented with any future development brought back to City Council for review. Those voting in favor of the motion were: Rivers, King, Austin, Baker, Hummer, Lehmann, Stallings and Walton. Against: None. Motion carried.

Mayor J. H. Bell, Jr. declared the meeting into public hearing for consideration of CUP-01-04. Since no one was present to speak for or against the proposed Conditional Use Permit, Mayor Bell declared the public hearing closed. Interim Planning Director S. L. Cox advised this Conditional Use Permit request is for the real property located on the South side of 501 Catalina Avenue at the corner of Brooks Avenue. The location will be a temporary clinic/pharmacy. The requested use will not endanger the public health or safety. It will not injure the value of adjoining or abutting property. It will be in harmony with the area in which it is located. The conditional use shall, in all other respects, conform to the applicable regulations of the Unified Development Ordinance in the zoning district which it is located or other plans officially adopted by the City Council. This permit shall be reviewed yearly, after the permit is granted by City Council for its compliance and use. After the use has ceased, the permit shall become

null and void there afterwards. The Planning Staff recommends approval of this request for the final consideration provided the above mentioned items are in compliance and the findings from the Technical Review Committee and Planning Commission are adhered to. The ruling from the Planning Commission was to approve the conditional use permit for the parcel of property that has a written lease agreement with the City to be located on the South side of 501 Catalina Avenue at the corner of Brooks Avenue, location of temporary health clinic/pharmacy (mobile unit). Following further discussion, a motion was made by Mayor Pro Tem E. K. Rivers, seconded by Councilwoman C. C. Austin to approve Application CUP-01-04. Those voting in favor of the motion were: Rivers, Austin, Baker, Hummer, King, Lehmann, Stallings and Walton. Against: None. Motion carried.

Mayor J. H. Bell, Jr. declared the meeting into public hearing for consideration of Application RZ-04-04 for the real property located on the north side of 1110 and 1116 Park Street between Wareham Street and Raleigh Street from R-8, Residential District to AD, Apartment District. Since no one wished to speak for or against the proposed rezoning, Mayor Bell declared the public hearing closed. Interim Planning Director S. L. Cox advised the property being proposed for rezoning is located on the North side of 1110 and 1116 Park Street between Wareham Street and Raleigh Street. The proposed rezoning from R-8, Residential District to AD, Apartment District would enable the property owner to use and maintain the land under the AD classification. If a natural disaster or fire would destroy any of the buildings on site, the property would be rendered non-conforming under the R-8 classification therefore, the Planning Staff recommends approval of this request. The Planning Commission is recommending approval to rezone the parcel located on the North side of 1110 and 1116 Park Street between Wareham Street and Raleigh Street from R-8, Residential to AD, Apartment District with the condition of no additional units. The existing four buildings on-site would be considered "grandfathered" in. Future development would not be possible for additional buildings because the site is at or exceeded its density requirements as referred to in the table of density and dimensional requirements for the AD, Apartment District. A letter from Julian W. Nixon, one of the partners stating Nixon and Nixon would not be building any additional units on this particular property is in the Planning files. Following additional discussion, a motion was made by Councilman W. A. Lehmann, seconded by Councilman R. E. King to approve the request RZ-04-04 to rezone the property from R-8 Residential to AD, Apartment District with a caveat that there will be no additional units built on the property.

Mayor Pro Tem E. K. Rivers expressed his concern that if Nixon and Nixon were to sell the property that perhaps the new owners would add additional bedrooms, etc.

Mayor Bell called Mr. Nixon to the podium and asked him if he would be willing to make a statement for the record that the units will stay the same and all the bedrooms, etc., etc.?

Mr. Nixon stated that he had already sent over an affidavit stating that they would not build any further on this property. What is there is all that they have asked for and they

have no intention to change it. They do not even have a three bedroom apartment as they are not cost effective.

Those voting in favor of the motion were: Lehmann, King, Austin, Baker, Hummer, Rivers, Stallings and Walton. Against: None. Motion carried.

Mayor J. H. Bell, Jr. declared the meeting into public hearing for consideration of Application RZ-05-04 to rezone the property located on the North side of 1005 Raleigh Street between Park Street and Perquimans Avenue from R-8, Residential District to AD, Apartment District. Since no one wished to speak for or against the proposed rezoning, Mayor Bell declared the public hearing closed. Interim Planning Director S. L. Cox advised that the proposed rezoning from R-8, Residential to AD, Apartment District would enable the property owner to use and maintain the land under the AD classification. If a natural disaster or fire would destroy any of the buildings on site, the property would be rendered non-conforming under the R-8 classification. The Planning Staff is recommending approval of this request. The Planning Commission is also recommending approval to rezone the parcel of property located on the North side of 1005 Raleigh Street between Park Street and Perquimans Avenue from R-8, Residential to AD, Apartment District with the condition of no additional units.

City Attorney W. H. Morgan asked if Mr. Nixon would go on record making the same statement regarding this property as he did for the above listed property.

Mr. Nixon agreed.

Following further discussion, a motion was made by Mayor Pro Tem E. K. Rivers, seconded by Councilman R. E. King to rezone the parcel of property located on the North side of 1005 Raleigh Street between Park Street and Perquimans Avenue from R-8, Residential District to AD, Apartment District with a caveat that there will be no additional units built on the property. Those voting in favor of the motion were: Rivers, King, Austin, Baker, Hummer, Lehmann, Stallings and Walton. Against: None. Motion carried.

Mayor Bell called for consideration of the request for bid award for the Housing Rehabilitation Project. Interim Planning Director S. L. Cox explained that in 1997 the City of Elizabeth City received a Single Family Rehabilitation Grant that would assist low to moderate income families with needed housing repairs. In 2003, an investigation of the grant was done following some complaints about the workmanship that was performed on some of the houses. After the investigation, there were two houses that were listed as needing additional repairs to complete the rehabilitation work. Mrs. Beulah Respass and Mrs. Willie Mae Freeman own the two houses. Bids were let and the following is the bid tabulation sheet:

<u>Bidders</u>	<u>Respass House</u>	<u>Freeman House</u>	<u>Project Inspector</u>
A-1 Home Improvement	\$71,747.50	\$3,800.00	-0-
Carolina Restoration	\$86,480.00	-0-	\$9,500.00
Global Innovations	\$67,000.00	-0-	-0-
The Wooten Company	-0-	-0-	\$9,000.00

Following discussion, a motion was made by Councilman D. K. Stallings, Sr., seconded by Mayor Pro Tem E. K. Rivers to award the bid for the work on both structures to A-1 Home Improvements in the amount of \$71,747.50; and further moved to reject both bids for the project inspector and authorize the City Manager to negotiate with local companies. Those voting in favor of the motion were: Stallings, Rivers, Austin, Baker, Hummer, King, Lehmann and Walton. Against: None. Motion carried.

Mayor Bell called upon City Manager R. C. Olson for comments on the settlement of Joe Tade's Grievance matter. Mr. Olson advised that under the settlement agreement the City will retroactively reinstate Mr. Tade as a City employee for the time period between the dates of January 7, and November 30, 2003, rescinding the previous termination of Mr. Tade's employment with the City, with the understanding that Mr. Tade will immediately submit a signed retroactive resignation letter effective November 30, 2003. The City will pay the sum of \$40,769.28 which represents the salary at the Lieutenant's pay level that Tade would have earned had he been employed by the City during the time frame of January 7 through November 30, 2003. This sum of money will be subject to normal withholdings and a W-2 form will be issued to Mr. Tade for this amount. Additionally, since Tade will be considered an employee of the City in this retroactive fashion, the City will make a 5% contribution to the retirement system on behalf of Tade, and will make his normal 401 contribution – benefits that he would have received had he been employed during that period of time. The City will pay out to Tade the value of the vacation that he would have accrued between the dates of January 7 and November 30, 2003, subject to normal withholdings. The City will pay to Mr. Tade the additional sum of \$10,000.00. A form 1099 will be issued to Mr. Tade in this amount. The City will "re-credit" 1,800 hours of sick leave used by Tade in 2002 to Tade's sick leave account. The City's agreement to re-credit these hours remains contingent upon the State Retirement System's agreement to accept the re-crediting of those hours, which it has represented to the City Manager that it will do. The City of Elizabeth City will execute an amended Report of Separation which will report that Releaser terminated his employment from the City by resignation and the City will forward the amended Form F-5B to the North Carolina Criminal Justice Training and Standards Commission. The amended Form F-5B will reflect that Tade's employment was separated due to resignation. The form will otherwise be neutral, i.e. none of the blocks on the Form F-5B will be checked and the "reason" lines will remain blank. Unless a Release is received by the City executed by Mr. Tade and provided by him to prospective employer(s), the City will not communicate about Tade to future prospective employers except through a letter of reference. The total cost of this settlement agreement is \$59,031.00. The North Carolina League of Municipalities will pay \$35,000 toward the Agreement. The net cost to the City is

\$24,031.00. Councilman W. A. Lehmann moved that we approve the settlement agreement with Mr. Tade. Councilman R. E. King seconded the motion. Those voting in favor of the motion were: Lehmann, King, Austin, Baker, Rivers, Stallings and Walton. Against: Hummer. Motion carried.

Mayor Bell called for comments from the City Manager:

City Manager Olson reminded Council of the Budget Work Session scheduled for Monday night at 5:00 p.m.

Comments from Council.

Councilman Lehmann – No comment.

Councilman Walton – He has been here for four months and it seems longer. If we have made some mistakes then we need to clean them up and go forward. Everybody makes mistakes, but we don't need to make the same type of mistakes. Let's try to be wiser next time.

Councilwoman Baker – No Comments.

Councilman Stallings – No Comments.

Councilman King – No Comments.

Councilwoman Austin – No Comments.

Mayor Pro Tem Rivers – He asked staff to make sure that they check out the situation that the young lady spoke regarding the assessment fee on her mother's property. If we find out that the City has erred then we need to send a letter of apology to her.

Councilwoman Hummer - She also has the same concerns that Mr. Rivers has regarding the error made with the assessment on Mrs. Copeland's mother's property.

Mayor Bell - His comments are very brief tonight. He told members of Council of the passing of Mr. Leonard Ballou. His funeral will be held this Wednesday at 1:00 p.m. at Moore Hall. Also, he reminded members of Council to return their notebooks to the City Clerk's office. The City's is very fortunate to have Ms. Lonise Bias coming to Elizabeth City this Friday. She will be speaking on stopping violence against our youth.

A motion was made by Councilman W. A. Lehmann, seconded by Councilman R. E. King to retire into Closed Session for discussion of personnel as per NCGS 143-318.111(a)(6), consultation with the City Attorney as per NCGS 143-318.11(a)(3) and consideration of Closed Session minutes as per NCGS 143-318.10(e). Those voting in favor of the motion were: Lehmann, King, Austin, Baker, Hummer, Rivers, Stallings and Walton. Against: None. Motion carried.

A motion was made by Councilwoman J. M. Baker, seconded by Councilman W. A. Lehmann to return to regular session of Council. Those voting in favor of the motion were: Baker, Lehmann, Austin, Hummer, King, Rivers, Stallings and Walton. Against: None. Motion carried.

A motion was made by Councilman W. A. Lehmann, seconded by Councilman R. E. King to approve the Closed Session minutes of February 9, 2004 and February 23, 2004 as written. Those voting in favor of the motion were: Lehmann, King, Austin, Baker, Hummer, Rivers, Stallings and Walton. Against: None. Motion carried.

A motion was made by Councilwoman C. C. Austin, seconded by Councilman W. A. Lehmann that OIC be dropped as a sub-recipient of the Hugh Cale Grant. Mayor Bell called for discussion.

Councilman J. B. Walton stated that we went in the back several weeks ago and we said that we wouldn't bring certain issues out here and he respected everyone for that. To bring this issue out here, other issues will now have to come out here.

Mayor Bell replied that this is something that had to come out here.

Mr. Walton said then other issues will need to come out here also.

Councilman E. K. Rivers stated that he could not go on record to pull an organization when we have worked with other organizations to allow them extensions of time and to all of a sudden without exhausting all that we as a Council can do to help an organization that we have already invested in and he can't understand why when we haven't even try to help them. He asked Council to contact DCA and ask them for assistance. In the past we have had DCA to come in and talk with us and they did and now I am asking Council to ask them to come down and assist us and all of a sudden there is no one willing to ask for help from DCA. Before, everyone wanted to ask DCA, wanted to call them on everything so why before we take such a harsh step that we cannot do what we can to help this organization. They are the writers of this grant. We are ready to turn our backs and not knowing who can come in and replace OIC. He again asks that we hold off and ask DCA to come in and assist us. Why can't we do that tonight? Are there things that he does not know? Why can't we ask DCA for an extension?

Councilman W. A. Lehmann stated that he would be the first to recognize that OIC is well intentioned. The organization has done good work in the past and the concept and theory is all good but unfortunately the buck stops right here. We are coming up on a budgetary session that we have proposed a 10% increase in taxes when we already have high taxes. An increase in water bills and we already have high water bills. And everybody knows we have extremely high electric bills. He is not going to be part of an organization that is willing to say that we have got \$20,000 to spend for OIC to pay their taxes. That is just not his idea of good fiscal management. The problem with any more extensions and this has been going on for two and a half years now. You have seen the

letters that he has seen. The requests for information. The unanswered requests by the attorney. This is not getting any better. This is about, strictly about performance. You can take the names out of it, you can take the people out of it, and it is strictly on performance. The real kicker is if we don't take this action, we put in jeopardy the whole \$1.75 million grant. That is unfair to everybody in the Hugh Cale community. The very people that this was designed to help is not going to happen because if this principle continues to non-perform we stand a very good chance of having the entire grant pulled. And, I don't want to see that happen. It is too great an opportunity for our community and we cannot take that risk. And, that is why he says that we proceed with this.

Councilman D. K. Stallings, Sr. asked how we can have the audacity to go out and take the people that actually wrote the grant out. This is something that we should consider. Rivers didn't say not take them out of the grant, he just asked for an extension of two weeks. Everybody deserves a chance. OIC has done a lot for our community. He was on Council when River City came up here and asked for extensions and they were granted. They had a lot of problems and we never voted to take them out of the grant.

Mayor Bell said that it is a question of performance.

Councilwoman L. A. Hummer stated that she has concern about the other end of this business deal. Weeks ago we had this discussion and we realized that there was no other sub-recipient out there for this \$1.7 million grant other than an organization that would be in direct conflict if we gave it to them. And, we haven't had any other names brought to us and she thinks that should all take place. We are going to probably lose it anyway. The fact that we are not looking at a replacement concerns her.

Councilman Walton has problems with throwing somebody out and we don't even have a ghost to put in their place. He asked to go on the record that his should not be taking place tonight.

Mayor Bell called for a vote on the motion. Those voting in favor of the motion were: Austin, Baker, Lehmann and King. Against: Hummer, Rivers, Stallings and Walton. Mayor Bell voting to support the motion because he feels that OIC has shown a lack of performance. We can now start looking for a sub-recipient. Motion carried.

There being no further business to come before the Council, Mayor Bell called for a motion to adjourn. Councilman W. A. Lehmann made a motion to adjourn. Mayor Pro Tem E. K. Rivers seconded the motion. Those voting in favor of the motion were: Lehmann, Rivers, Austin, Baker, Hummer, King, Stallings and Walton. Against: None. Motion carried.

Mayor Bell adjourned the meeting at 9:40 p.m.

Dianne S. Pierce, MMC
City Clerk

John H. Bell, Jr.
Mayor