

**City Council Regular Session
August 25, 2014**

The City Council of the City of Elizabeth City met in regular session on Monday, August 25, 2014 in Council Chambers, located on the 2nd floor of the Municipal Administration Building, 306 E. Colonial Avenue, Elizabeth City, NC.

MEMBERS PRESENT: Mayor Joe Peel
Councilwoman Jean Baker
Councilman Ray Donnelly
Mayor Pro Tem Anita Hummer
Councilman Tony Stimatz
Councilman Michael Brooks
Councilman Kem Spence
Councilman Darius Horton
Councilman Montravias King

MEMBERS ABSENT: NONE

OTHERS PRESENT: Acting City Manager/City Clerk Vivian White
City Attorney Bill Morgan
Planning Director June Brooks
Chief of Police Eddie Buffaloe
Electric Department Superintendent Karl Clow
Assistant to the City Manager Angela Cole
ECDI Director Rebecca Cross
Human Resources Director Katherine Felton
Public Utilities Director Paul Fredette
Fire Chief Larry Mackey
Inspections Director Stanley Ward
Parks and Recreation Director Bobbi White

The City Council regular session was called to order by Mayor Joe Peel at 7:00 p.m. Mayor Peel welcomed everyone to the meeting and recognized Dr. Larry Brown to give the invocation, after which all in attendance recited the Pledge of Allegiance.

1. Approval of Agenda:

Mayor Peel called for any adjustments to and approval of the agenda.

Requested additions to the agenda:

- a. Mayor Pro Tem Hummer asked to add an item entitled "brief comments by the Finance Chairman".
- b. Councilman Kem Spence asked to add a Closed Session pursuant to NCGS 143-318.11(a)(6) to discuss personnel matters.

Motion was made by Councilwoman Jean Baker, seconded by Councilman Tony Stimatz, to approve the agenda with any necessary adjustments. Those voting in favor were: Baker, Donnelly, Hummer, Stimatz, Brooks, Spence, Horton and King. Against: None. The motion carried.

2. Statement of Disclosure:

The City Clerk read the Statement of Disclosure. No conflict of interest disclosures regarding items listed on the agenda were made.

3. Proclamation – Childhood Cancer Awareness Month in Elizabeth City – September 2014.

Mayor Peel read a proclamation declaring September 2014 as Childhood Cancer Awareness Month in Elizabeth City. The proclamation urged all citizens to honor the children fighting the fight, their families and caregivers, the researchers and healthcare professionals, concerned citizen advocates and private philanthropies, who collaborate to provide hope and assistance to the children and their families affected by childhood cancer.

Mayor Peel announced that the proclamation would be mailed as had been requested.

4. Comments from the Public:

There was no one present who wished to be heard.

5. Approval of Minutes:

- a. City Council Regular Session August 11, 2014

Motion was made by Councilman Tony Stimatz, seconded by Councilman Darius Horton, to adopt the minutes of the August 11, 2014 Regular Session with any necessary corrections. Those voting in favor were: Baker, Donnelly, Hummer, Stimatz, Brooks, Spence, Horton and King. Against: None. The motion carried.

6. Consent Agenda:

Mayor Peel recognized City Clerk Vivian White to read the items listed on the Consent Agenda for the record.

Beginning of Consent Agenda:

- a. Consideration – Adoption of APPA Safety Manual as the standard for the Elizabeth City Electric Department;

- b. Consideration – Authorization to apply for Boating Infrastructure Grant in the amount of \$51,000 to repair one fixed pier and construct one T pier with dinghy docks and one fishing pier at the Shipyard property;
- c. Consideration – Acceptance of Pump Station Property located in the City Center West subdivision as described;
- d. Consideration – Approval of Change in the 2013 Street Resurfacing project for Church Street;
- e. Consideration – Approval of new Agreement with Board of Elections for election services from July 1, 2014 to June 30, 2016.

End of Consent Agenda.

Motion was made by Councilman Tony Stimatz, seconded by Councilman Darius Horton, to adopt the Consent Agenda as read. Those voting in favor were: Baker, Donnelly, Hummer, Stimatz, Brooks, Spence, Horton and King. Against: None. The motion carried.

7. Public Hearings:

- a. Consideration - Amendment to the Stormwater Management Utility Ordinance to add a new section entitled “Stormwater Advisory Board”.

Mayor Peel declared the meeting into public hearing and inquired if persons were present who wished to speak. Upon being advised by the City Clerk that no one wished to be heard, Mayor Peel declared the public hearing closed.

Mayor Peel recognized City Clerk White to provide an overview of this item. Ms. White explained that during the City Council meeting held on July 14, 2014, City staff advised the Council that when the Stormwater Advisory Board was created in November 2011, the actual membership make-up of the board and term limits of its members were not established. She stated that the board had continued to operate based on the previous Stormwater Task Force make-up with three Council members and a citizen representative from each Ward. She reported that during the July 14 Council meeting, staff was directed to draft a proposed amendment to the Stormwater Management Utility Ordinance that would address membership of the Advisory Board.

Ms. White advised that a proposed amendment was presented to the Council during the meeting held on August 11, 2014; and two changes were requested to the proposed amendment: (1) a modification to Section 10.1 to delete the reference to meetings; and (2) a modification to Section 10.3(a) directing that the board shall meet at least quarterly. She reported that these two changes were made; and recommended that the

Council adopt the new Section 10 to the Stormwater Management Utility Ordinance entitled Stormwater Advisory Board.

Motion was made by Councilwoman Jean Baker, seconded by Councilman Montravias King, to adopt the following amendment to the Stormwater Management Utility Ordinance, to add the new Section 10 entitled “Stormwater Advisory Board”. Those voting in favor were: Baker, Donnelly, Hummer, Stimatz, Brooks, Spence, Horton and King. Against: None. The motion carried.

ORDINANCE NO. 2014-08-1

ORDINANCE OF THE CITY OF ELIZABETH CITY, NORTH CAROLINA AMENDING THE STORMWATER MANAGEMENT UTILITY ORDINANCE

WHEREAS, during the City Council meeting of November 14, 2011, the City Council accepted the final report of the Stormwater Task Force; and

WHEREAS, one of the recommendations of the Stormwater Task Force final report was that a Stormwater Advisory Board be established; and

WHEREAS, at the time the Stormwater Advisory Board was created, the actual membership make-up of the board and term limits of its members was not defined; and

WHEREAS, the City Council of the City of Elizabeth City called for a Public Hearing on August 11, 2014 to amend the Stormwater Management Utility Ordinance to provide parameters for the Stormwater Advisory Board membership and terms; and

WHEREAS, the required public hearing on this matter was held on August 25, 2014;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Elizabeth City that the Stormwater Management Utility Ordinance is hereby amended by adopting the following new section, “Section 10. Stormwater Advisory Board”;

Section 10. Stormwater Advisory Board

10.1 Authority

There is hereby created an advisory board to be known as the City of Elizabeth City Stormwater Advisory Board, hereinafter referred to as Stormwater Advisory Board, to monitor completion of Stormwater Utility action items, report on progress to completion, liaise with the County Stormwater Board, oversee the education and outreach efforts, and make recommendations to Council on further action.

10.2 Appointment and Terms of Stormwater Advisory Board Members

- a. There shall be a Stormwater Advisory Board appointed by the Elizabeth City Council. The membership shall consist of seven (7) members; three (3) City Council members; and four (4) City residents, with one representative from each of the City's four Wards.
- b. City Councilors serving on the Stormwater Advisory Board are serving by virtue of their elected office. Should the City Councilor cease to hold elected office during his term on the Stormwater Advisory Board, he is thereafter ineligible and the City Council shall appoint a replacement.
- c. City residents serving on the Stormwater Advisory Board are serving by virtue of Ward representation. Should the citizen move from the Ward being represented, he is thereafter ineligible to represent the Ward and shall be requested to resign from the Board. The City Council shall appoint a resident of the Ward being represented to fill the unexpired term.
- d. Stormwater Advisory Board members shall be appointed to serve two-year staggered terms, but members may continue to serve until their successors have been appointed. Vacancies may be filled by the City Council for unexpired terms.
- e. Members may be appointed to no more than two successive terms, unless the City Council determines that the removal of individuals made ineligible by this ordinance would be detrimental to the functioning of the board.
- f. Three consecutive, unexcused absences on the part of any appointee to the Stormwater Advisory Board automatically constitutes resignation on the part of the appointee and generates automatic acceptance of such resignation of the appointee by the City Council. Excused absences are defined as absences caused by events beyond one's control and are subject to approval by the Stormwater Advisory Board. Stormwater Advisory Board members may be removed by the City Council at any time for any other good cause related to performance of duties.
- g. Expiration of current members' terms:
 1. Three (3) City Council members ending in December 2015 with their City Council term of office;
 2. Ward One Representative ending August 1, 2015;
 3. Ward Two Representative ending August 1, 2015;
 4. Ward Three Representative ending August 1, 2016;
 5. Ward Four Representative ending August 1, 2016.

After the initial terms stated above, three (3) Council members shall be appointed to two year terms in December of odd-numbered years; Ward One and Ward Two representatives shall be appointed to two year terms on August 1 of odd-numbered years; and Ward Three and Ward Four representatives shall be appointed to two year terms on August 1 of even-numbered years.

10.3 Meetings of the Stormwater Advisory Board, Quorum and Voting.

- a. The Stormwater Advisory Board shall establish a regular meetings schedule and shall meet at least quarterly and frequently enough so that it can perform the duties prescribed by the City Council.
- b. Minutes shall be kept of all Stormwater Advisory Board proceedings.
- c. All Stormwater Advisory Board meetings shall be open to the public, and whenever feasible, the agenda for each board meeting shall be made available in advance of the meeting.
- d. A quorum for the Stormwater Advisory Board shall consist of a majority of the board membership (excluding vacant seats). A quorum is necessary for the board to take action and all actions shall be taken by vote.

10.4 Conflict of Interest.

In the event an issue comes before the Stormwater Advisory Board and a member of the board has a financial-, personal-, or employment-related interest in the outcome of the issue, that member shall notify the board members that he has a potential conflict of interest and will request that he be excused from voting. A majority vote of the remaining members present shall be required in order to excuse a member from voting on a particular issue.

10.5 Rules of Procedure

The Stormwater Advisory shall adopt Rules of Procedure to provide guidance on the rules to be followed by the board. Said procedures shall comply with all requirements of the North Carolina open meetings law and any other applicable North Carolina law, local ordinances, rules and/or policies, as may be required.

AND BE IT FURTHER ORDAINED THAT:

1. All ordinances or sections of ordinances of the Elizabeth City Code, and/or parts thereof, in conflict with this ordinance are hereby repealed to the extent of such conflict.
2. If any section, subsection, paragraph, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed severable and such holding shall not affect the validity of the remaining portions hereof.
3. This ordinance amendment shall be in full force and effect from and after the date of its adoption.

ADOPTED, this 25th day of August 2014 by the City Council of the City of Elizabeth City.

Attest:

Vivian D. White, NCCMC
City Clerk

b. Consideration – Amendment to Chapter 14 Business
Regulations Article I In General - “14-1 Carnival”.

Mayor Peel declared the meeting into public hearing and inquired if persons were present who wished to speak. Upon being advised by the City Clerk that no one wished to be heard, Mayor Peel declared the public hearing closed.

Mayor Peel recognized Assistant to the City Manager Angela Cole to provide the details of this request. Ms. Cole reported that during the July 14, 2014 Council meeting, the Council discussed existing code regulation affecting the operation of carnivals within the city limits. She stated that subsequently, Councilors asked staff to draft language increasing the duration for carnival events. Ms. Cole presented the requested amendment affecting Chapter 14 Article I Section 14-1 of the Code; and explained that the newly created paragraph “a” addresses a working definition of carnival. She stated that Section “b”, introduces applicant controls and advised that carnival events must be contained to the applicant’s property or within property the applicant has permission to use. She reported that Section “c” of the code amendment modifies the existing paragraph of Code Section 14-1; and explained that the new language expands the duration of a carnival event from one day to a total of three days. Ms. Cole stated that in keeping with the Council’s suggestion, the amendment limits the total number of carnival opportunities within the city to no more than one carnival event per year per property – public or private; and no more than three carnivals within the city limits in any calendar year. She reported that existing language indicating carnival operation contrary to the Code being a misdemeanor was not amended or deleted. In conclusion, she reported that paragraph “d” offers explicit restrictions as to what carnival events are not to include; and stated that both the Code and Unified Development Ordinance address opportunity for such land use in other sections.

Councilman Donnelly stated that he had a constituent who was quite concerned about closures of Water Street and the boat ramp to accommodate three-day events such as a carnival. He said as long as the three carnivals allowed did not all necessitate the closure of Water Street, he had no problem voting in favor of a motion to adopt the code amendment.

Motion was made by Councilman Darius Horton, seconded by Councilman Tony Stimatz, to adopt the following ordinance amending Chapter 14 Business Regulations Article I In General Section 14-1 Carnival of the City Code of Ordinances. Those voting in favor were: Baker, Donnelly, Hummer, Stimatz, Brooks, Spence, Horton and King. Against: None. The motion carried.

ORDINANCE NO. 2014-08-2

**ORDINANCE OF THE CITY OF ELIZABETH CITY, NORTH CAROLINA
AMENDING THE BUSINESS REGULATION ORDINANCE**

WHEREAS, the General Assembly made effective legislation which allows all cities to regulate carnivals within their municipal limits; and

WHEREAS, during the June 23, 2014 Regular Meeting, City Council was made aware of business interest in operating three-day carnival events within the municipal limits, and received a presentation regulating their frequency and potential applicants; and

WHEREAS, the City may regulate and control business operations so as to actively promote community development, appropriate land use and public safety, the City does not allow carnival events regularly; and

WHEREAS, the City Council of the City of Elizabeth City called for a Public Hearing on August 11, 2014; and

WHEREAS, the required public hearing on this matter was held on August 25, 2014;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Elizabeth City that the existing Part II, Chapter 14 Business Regulations Article I In General, Section 14-1 Carnivals is amended; and the following text is hereby adopted;

- (a) *Carnival* shall mean a temporary traveling or transportable amusement center conducted on a site where there may or may not be an admission charge, and which may include a aggregation of rides, entertainment, shows, games of skill or chance, booths, exhibitions, concessions or any combination thereof. This definition shall exclude indoor and/or outdoor amusement enterprises and parks whereby the amusement center is perpetual, seasonal, or otherwise (i.e. amusement park).
- (b) An applicant for a carnival event must conduct the same either within the applicant's property or within property upon which the applicant has written permission from the owner to use.
- (c) No person shall maintain or operate any carnival within the city limits for a longer period of time than ~~one day~~ **three (3) days** at any one opening and not more than

~~one showing shall be made during any one month~~ (1) carnival per year per location per applicant on city-owned or private property. No more than three (3) carnivals may occur in any one (1) calendar year. Eligible carnival requests will be considered on a first-come first-served basis. Requests for carnival events should be filed in a timely fashion so as to fulfill the requisite application deadlines. Any person who shall maintain or operate any carnival within the limits of the city contrary to this chapter shall be deemed guilty of a misdemeanor.

- (d) Carnival events shall not include vaudeville, freak shows, peep shows, and other adult sexually-oriented entertainment.

AND BE IT FURTHER ORDAINED THAT:

4. All ordinances or sections of ordinances of the Elizabeth City Code, and/or parts thereof, in conflict with this ordinance are hereby repealed to the extent of such conflict.
5. If any section, subsection, paragraph, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed severable and such holding shall not affect the validity of the remaining portions hereof.
6. This ordinance amendment shall be in full force and effect from and after the date of its adoption.

ADOPTED, this 25th day of August 2014 by the City Council of the City of Elizabeth City.

Joseph W. Peel
Mayor

Attest:

Vivian D. White, NCCMC
City Clerk

8. Regular Agenda:

- a. Consideration - Approval of Preliminary Plat for SUB-05-14 submitted by Thompson Thrift for a seven lot subdivision known as Tanglewood Pavilion.

Mayor Peel recognized Planning Director June Brooks to provide details for this request. Ms. Brooks introduced Kim Hamby of Hyman and Robey and Don Potter of Thompson Thrift as being present for questions by the Councilors.

Ms. Brooks advised that this request is for the City Council to approve the preliminary plat that will subdivide a 28 acre parcel known as Tanglewood Pavilion, which is located on the northeast corner of Halstead Boulevard Extension and Tanglewood Parkway. She stated that Thompson Thrift had been working for eighteen months to bring the new development to the City. She said that the proposed subdivision will create seven lots ranging in size from 18 acres to 1.2 acres. She explained that, as a part of the subdivision, a road will be constructed, which will tie the subdivision's outparcels into Mt. Everest Road and Tanglewood Parkway; and that two traffic signals will be installed to accommodate the additional traffic. Ms. Brooks reported that City staff and NCDOT representatives have met on a regular basis with the applicant and the applicant's engineer, Hyman and Robey, in order to make sure the proposed subdivision can meet all local and state requirements. Ms. Brooks advised that two retention ponds will be constructed on the 18 acre parcel in order to accommodate proposed stormwater runoff; and they will also be used as an architectural element for the development. She advised that the Erosion and Sediment Control Permit has been approved by the state; and also reported that express review of the State Storm Water Permit and State Waterline and Sewer Line Permits are under review.

Ms. Brooks stated that the subdivision had been reviewed by the Technical Review Committee and the Planning Commission and both recommended approval. She stated that City staff also recommends approval of the preliminary plat for SUB-05-14 submitted by Thompson Thrift with the condition that all state and local requirements be met.

Councilman Stimatz pointed out that the staff write-up reads that "water service will be provided by the City"; but "there is no City water available in the area", thus making it necessary for the development to connect to the County water system. He suggested that the verbiage be changed to indicate that the City would provide water service through the Water Purchase Agreement already in place with Pasquotank County.

Councilman Stimatz also questioned the staff write-up as it referred to drainage being designed to manage a 10-year, 24-hour storm event. He said his recollection was that the City has consistently required a 20-year capability design. Ms. Brooks referred this question to engineer representative, Kim Hamby, of Hyman and Robey. Ms. Hamby stated that models have been run that prove that the ponds on the site will actually limit the 25-year post-development discharge to well below the 25-year pre-development discharge. She stated the models indicate the discharge is very close to the 10-year pre-development discharge.

Councilman Stimatz commented that the City probably needs to go ahead and change the Unified Development Ordinance.

Councilman Stimatz also pointed out that the staff write-up requires all streets to be built to NCDOT standards except the off-site portion of Conlon Way. He questioned whose responsibility it will be for future development to bring this street up to NCDOT standards. Ms. Brooks responded that once the second phase of the development is submitted, the street will be brought to standard by the developer of that phase.

Motion was made by Councilman Ray Donnelly, seconded by Councilwoman Jean Baker, to approve the preliminary plat for SUB-05-14 submitted by Thompson Thrift with the condition that all state and local requirements be met; and the corrections in language requested by Councilman Stimatz. Those voting in favor were: Baker, Donnelly, Hummer, Stimatz, Brooks, Spence, Horton and King. Against: None. The motion carried.

- b. Addition to Agenda by Mayor Pro Tem Hummer - Brief comments by the Finance Chairman.

Mayor Peel recognized Mayor Pro Tem Hummer for her comments. Mayor Pro Tem Hummer stated that she had asked to speak as Finance Chairman because her comments involve money. She stated that it was not her intent to interfere in personnel matters, but to let employees know that the Council has heard their concerns, as well as the concerns of citizens in the community.

Mayor Pro Tem Hummer stated that she wanted to address an issue that had been written about in The Daily Advance regarding police officer hours being cut because of a shortfall in the budget. She said that, plain and simple, this situation amounts to a pay cut that hurts employees in a variety of ways. She stated that she would have hoped the shortfall could have been worked out in some other way than a cut in pay. Mayor Pro Tem Hummer stated that the Council must understand that the employees feel that they are being punished for a mistake that they did not bring about. She advised that to eliminate any positions to help with the budget shortfall, as had been written in the newspaper, would require a directive from the City Council. She stated that all hiring freezes as well as any reduction in workforce could only take place by a vote of the Council.

Mayor Pro Tem Hummer said that the City had worked too hard to get the police department to a full staffing level; and that citizens had felt safer with the same officers working more hours in their neighborhoods. She said that employees had grown accustomed to a policy that was put in place in the 1990s; and it was hard to explain the reason for cutting salaries now.

Mayor Pro Tem Hummer asked for the Council to join with her in asking the City Manager to sit down with the Council and go over this situation in greater detail. She said that the City Manager always says that when he is instructed to find money for something, he has to find it. She stated, however, that the Council would not wish the

City Manager to do something that would have lasting negative effects on any department in the City. She stated that it may be possible to find cuts in other line items that could keep salaries and positions in place.

Councilman Stimatz stated that it was the Council's budget to pass and he was not aware that there was a cut in the hours for this fiscal year's budget. He stated that he was aware there was a shortfall in the previous year's budget that had to be made up, but was not consciously aware that hours had been cut back to 80 from 84 in the current year's budget. He said that he thought a conversation with the City Manager was appropriate in order to find the additional funding, even if it had to be from the General Fund reserve or some other place.

Councilman Brooks agreed with Mayor Pro Tem Hummer and Councilman Stimatz and said he had care and concern for the employees. He said the police officers should not be victims of the mistake. He pointed out that this action took back the 2% cost of living raise that had been provided the employees in this fiscal year.

Mayor Peel asked Chief Eddie Buffalo to address how the change in hours would affect the police officers. Chief Buffalo stated that depending on where an officer is in career path, the total annual impact was anywhere from \$2,000 to \$2,800.

Mayor Peel stated that it appeared it had been some while since the police salary line item had been fully funded, but it didn't matter because of vacancies in the department not being filled. He stated that the Finance Director had provided the amount of \$125,000 to him as being the amount of funding needed to make everyone whole again.

Motion was made by Councilman Ray Donnelly, seconded by Councilman Tony Stimatz, that this matter be placed on the next Finance Committee agenda for an overview and determination of how the Council could help.

Councilman Spence asked when the reduction of hours would take effect. Chief Buffalo responded that the reduction of hours was scheduled to begin on Tuesday, August 26. Councilman Spence pointed out that the officers would already be behind in pay if the matter waited to be heard at the next Finance Committee meeting. Councilman Spence inquired of the City Attorney if the Council had the authority to rescind the order for the change in hours to take effect as scheduled until the Finance Committee meets to discuss the matter. City Attorney Morgan responded that the Council certainly had that right because the Council controls the ultimate purse strings.

Councilman Donnelly withdrew his motion.

Motion was made by Councilman Kem Spence, seconded by Councilman Ray Donnelly, to delay action on changing hours until the Finance Committee can look at the situation and report back to Council. Those voting in favor were: Baker, Donnelly, Hummer, Stimatz, Brooks, Spence, Horton and King. Against: None. The motion carried

9. Comments and Inquiries on Non-Agenda Items:

Councilman Brooks had no comments.

Councilman Stimatz complimented the cleanliness of the Mariners' Wharf Park restrooms and thanked those responsible for their upkeep. He commented that he had seen clear signs of new business development. He stated that he was personally aware that people are interested in locating businesses here.

Councilman Horton expressed concerns regarding the homeless situation in Elizabeth City and requested that a discussion occur during the next City Council meeting regarding reopening the City's homeless shelter.

Mayor Pro Tem Hummer had no comments.

Councilman King welcomed all students, teachers and administration employees back to school. He asked that citizens remember the businesses on Poindexter Street while the work on Elizabeth Street progresses. He reminded everyone about the upcoming 4th Ward Town Hall meeting that will be held on September 22 at the Pasquotank County Library Community Room at 7 p.m.

Councilwoman Baker stated that the Arts of the Albemarle membership picnic was very successful and reminded everyone to take part in the next First Friday Artwalk on September 5 downtown.

Councilman Spence stated that he had participated in a recent family reunion at Charles Creek Park and found the new pavilion facility to be absolutely awesome. He thanked the Parks and Recreation Department for the pavilion.

Councilman Donnelly stated that he was amazed at the community's use of the Charles Creek Park facility. He said the facility is top of the line and that citizens were really enjoying it. He reminded everyone about the upcoming downtown events such as Music on the Green. He complimented the Parks and Recreation Department sponsored downtown bike rides and encouraged everyone to participate.

Mayor Peel stated that he agreed with Councilman Horton that homelessness is a problem in our community. He suggested that the Council engage Pasquotank County in the conversation, since they are charged with that kind of service. He said that he would be happy to facilitate a meeting with Pasquotank County when the City Manager returns.

Mayor Peel stated that he wanted to thank all City staff that had been involved in getting the former Middle School building ready for occupancy. He said that County Manager Rodney Bunch had expressed his appreciation to him for all City staff had done at the facility.

10. Addition to Agenda by Councilman Kem Spence: Closed Session as per NCGS 143-318.11(a)(6) to discuss personnel matters:

Motion was made by Councilman Kem Spence, seconded by Councilman Montravias King, to go into closed session pursuant to NCGS 143-318.11(a)(6) to discuss personnel matters. Those voting in favor were: Baker, Donnelly, Hummer, Stimatz, Brooks, Spence, Horton and King. Against: None. The motion carried.

Mayor Peel declared a five minute recess at 7:52 p.m., after which the Council entered Closed Session.

Motion was made by Councilman Kem Spence, seconded by Councilman Tony Stimatz, to return to open session. Those voting in favor were: Baker, Donnelly, Hummer, Stimatz, Brooks, Spence, Horton and King. Against: None. The motion carried.

The Council returned to open session at 7:57 p.m.

11. Adjournment:

There being no further business to be discussed, Mayor Peel adjourned the meeting at 7:57 p.m.

Joseph W. Peel
Mayor

Vivian D. White, NCCMC
City Clerk