

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 J. W. Peel presiding. Members present were: J. M. Baker, M. E. Brooks, R. T. Donnelly, L. M. Hill-Lawrence, L. A. Hummer, K. K. Spence, J. A. Stimatz and J. B. Walton. City Staff members in attendance were: City Manager R. C. Olson, City Clerk D. S. Pierce-Tamplen, City Attorney W. H. Morgan, Finance Director S. E. Blanchard, Planning Director J. C. Brooks, Parks and Recreation Director B. V. White, Human Resource Director K. W. Felton, Electric Director K. F. Clow, Fire Chief L. M. Mackey, ECDI Director R. Cross, Inspections Director S. E. Ward and Police Chief E. M. Buffaloe.

Mayor J. W. Peel established a quorum was present and called the meeting to order at 7:00 p.m. He called for a moment of silent reflection after which he led the Pledge of Allegiance to the Flag of the United States of America.

1} AGENDA ADJUSTMENTS AND APPROVAL:

Mayor Peel called for the pleasure of Council regarding the prepared agenda.

Councilwoman L. A. Hummer asked to *add discussion of personnel as per NCGS 143-318.11(a) (6) to the Closed Session.*

Councilman J. B. Walton asked to *add loss of citizens to the regular agenda.*

Councilman M. E. Brooks asked to *add State Board of Elections' decision to the regular agenda.*

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

2} PROCLAMATION:

Mayor Peel read a proclamation proclaiming September 17 - 23, 2013 as "**Constitution Week**" and urged our citizens to reaffirm the ideals the framers of the Constitution had in 1787.

3} PUBLIC COMMENTS:

Ms. Tawanna Taylor, 1606 Camellia Drive, Elizabeth City, NC addressed City Council regarding her recent termination from employment with the City of Elizabeth City.

Mr. Linwood Gallop, 1600 Forrest Drive, Elizabeth City, NC spoke regarding our electrical contract that the City is currently in. He also spoke regarding how petty city council is when it comes to current affairs or the future problems.

4} APPROVAL OF MINUTES:

a} July 29, 2013 – Joint City/County:

Mayor Peel called for action regarding the minutes of the Joint City/County Meeting held on July 29, 2013.

A motion was made by Councilwoman L. A. Hummer, seconded by Mayor Pro Tem L. M. Hill-Lawrence to approve the minutes of the July 29, 2013 Joint City/County meeting as presented. Those voting in favor of the motion were: Hummer, Hill-Lawrence, Baker, Brooks, Donnelly, Spence, Stimatz and Walton. Against: None. Motion carried.

b} August 26, 2013 – Work Session:

Mayor Peel called for action regarding the minutes of the Work Session Meeting held on August 26, 2013:

A motion was made by Councilwoman L. A. Hummer, seconded by Councilwoman J. M. Baker to approve the minutes of the August 26, 2013 Work Session meeting as presented. Those voting in favor of the motion were: Hummer, Baker, Brooks, Donnelly, Hill-Lawrence, Spence, Stimatz and Walton. Against: None. Motion carried.

5} PUBLIC HEARING:

a} Adoption of ordinance incorporating Coastal Beverage Company:

Mayor Peel called upon City Manager R. C. Olson for comments.

Mr. Olson stated that the City received a petition for voluntary annexation on August 12th of 7.25 acres adjacent to Forrest Park Road SR1307. The City Clerk submitted a Certificate of Sufficiency of the petition and a public hearing was called for September 9, 2013. The parcel is contiguous to the existing city limits.

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

A motion was made by Councilwoman J. M. Baker, seconded by Councilman J. A. Stimatz to adopt the following ordinance incorporating a 7.25 acre parcel owned by Coastal Beverage Company, Inc. and located adjacent to Forest Park

Road (SR1307) into the Corporate Limits of the City of Elizabeth City with an effective date of October 1, 2013. Those voting in favor of the motion were: Baker, Stimatz, Brooks, Donnelly, Hill-Lawrence, Hummer, Spence and Walton. Against: None. Motion carried.

**ORDINANCE #2013-25
TO EXTEND THE CORPORATE LIMITS OF
THE CITY OF ELIZABETH CITY, NORTH CAROLINA
COASTAL BEVERAGE COMPANY, INC.
7.25+/- ACRES – FOREST PARK ROAD-SR 1307**

WHEREAS, the City Council has been petitioned under G. S. 160A-31, as amended, to annex the area described herein; and

WHEREAS, the City Council has by resolution directed the City Clerk to cause to be investigated the sufficiency of said petition; and

WHEREAS, the City Clerk has certified the sufficiency of said petition and a public hearing on the question of this annexation was held at City Hall at 7:30 p.m. on the 9th day of September, 2013 after due notice by publication on the August 30, 2013 and September 4, 2013, and

WHEREAS, the City Council does hereby find as a fact that said petition meets the requirements of G. S. 160A-31, as amended:

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

SECTION 1. By virtue of the authority granted by G. S. 160A-31, as amended, the following described contiguous territory, is hereby annexed and made part of the City of Elizabeth City as of the October 1, 2013:

Beginning at an iron rebar located at the intersection of the eastern right-of-way of Forest Park Road and the northern right-of-way of the Norfolk & Southern Railroad, said iron rebar being further located N 35° 25' 45" W 1,170.24 feet from NGS Monument "Elizabeth RM2"; thence N 22° 21' 03" W 270.17 feet along the northern right-of-way of Forest Park Road to a point marked by a power pole; thence N 65° 16' 13" E 141.86 feet along the property owned by Benjamin House, Inc. to an iron rebar; thence N 65° 16' 13" E 241.21 feet along the property owned by Alexander & Glenna Tunnell to a point; thence N 65° 20' 41" E 254.87 feet along the Tunnell property to an iron rebar; thence N 35°

37' 17" W 202.09 feet along the Tunnell property to an iron rebar; thence N 66° 07' 18" E 157.44 feet along the property owned by McMor Development, LLC to a point; thence along a curve having a radius of 965.00 feet, a distance of 157.29 feet, said line also having a chord bearing and distance of N 70° 47' 28" E 157.11 feet along the McMor Development, LLC property to an iron rebar; thence continuing along the McMor Development, LLC line S 30° 50' 46" E 453.97 feet to an iron rebar located on the northern right-of-way of the Norfolk & Southern Railroad; thence S 65°19' 15" W 579.21 feet along said railroad right-of-way to a point; thence S 65° 18'35" W 393.94 feet along said railroad right-of-way to the point and place of beginning, containing 7.25 acres.

SECTION 2. Upon and after the 1st day of October 2013, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Elizabeth City and shall be entitled to the same privileges and benefits as other parts of the City of Elizabeth City. Said territory shall be subject to municipal taxes according to G. S. 160A-58.10.

SECTION 3. The Mayor of the City of Elizabeth City shall cause to be recorded in the office of the Register of Deeds of Pasquotank County, and in the office of the Secretary of State in Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 hereof, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the County Board of Elections as required by G. S. 163-288.1.

ADOPTED, this the 9th day of September 2013.

Joseph W. Peel
Mayor

Dianne S. Pierce-Tamplen, MMC
City Clerk

b} Adoption of resolution – Alley Closing Order-Fourth Ward:

Mayor Peel stated this public hearing is for the adoption of a resolution regarding closing certain alleyways in the Fourth Ward. He called upon Mr. Olson for comments.

Mr. Olson stated about three to four years ago the City Council appointed an Alleyway Committee and their charge was to look at all alleys within the City and determine what their classification was and whether or not those alleys should remain open or closed. The Alley Committee finished their work roughly six to eight weeks ago. They are recommending that 43 existing alleys be closed pursuant to NC 160A-299. Before the City can close any alley we must adopt a resolution. City staff has posted the alleys and we have also sent certified letters to all of the adjacent property owners. The initial resolution of intent included eight alleys. After further determination and review by city staff we are only recommending that seven alleys be closed. It was determined that Alley #94 should remain open because it contains electric wiring in that alleyway.

Mayor Peel declared the meeting in public hearing.

Ms. Andrea R. Williams, 1308 Halstead Boulevard, Elizabeth City, NC spoke to City Council regarding the proposed closing of an alley running adjacent to property she owns at 1209 Southern Avenue. She asked who was supposed to keep the alleyways clean and why was the Fourth Ward selected for these alleys to be closed. They maintain their property but the alley itself has not been maintained. If the alleys are closed who will be responsible for cleaning up the alley as it stands now.

Mr. Olson stated the Fourth Ward had one of the smaller number of alleys in that particular Ward. We are doing all the Wards. We have done resolutions of intent to close alleys in the First Ward which has 23 alleyways. We will be bringing forward the alleys in the Second and Third Wards over the next few months. The reason why the alleys are being recommended for closure is because they have not been maintained. There are a number of encroachments. People have built garages, put sheds on them and trees that are right in the middle of the alleyways which make it impossible for the City to go in and maintain them. In addition, if we did go in and try to reclaim them back it would cause a disruption and hardship on a number of the adjacent property owners. State law requires that if we vacate an alley that alley is split equally among the adjacent property owners. In certain cases our maps do not define how wide that alley is. We have tried to scale them off to the best of our ability but we do have a detail map of each one of the alleyways. Discussion ensued regarding who is responsible for cleaning the alleyways.

Ms. Rubenia S. Williams, 1305 Halstead Boulevard, Elizabeth City, NC stated her daughter had stated her concerns.

There being no one else who wished to speak for or against the proposed alleyway closings, Mayor Peel declared the public hearing closed.

Councilman Walton stated he feels that we should do all of the alleyways before we adopt a resolution to close them. If you are going to make a precedent out of the Fourth Ward and

then when you get in the Second Ward you may let someone else slide by. This happens because people for some reason become subjective when things happen. If we do all the alleys at one time, put them in a category and then you can go case by case. If you put the Fourth Ward first then he has a problem with that.

A motion was made by Councilman J. A. Stimatz, seconded by Councilman R. T. Donnelly to table action on this and all the alley closing until all public hearings on all alley closings have been conducted. Those voting in favor of the motion were: Stimatz, Donnelly, Baker, Brooks, Hill-Lawrence, Hummer, Spence and Walton. Against: None. Motion carried.

Councilman Stimatz stated he would also like to ask the City Attorney to talk with the county in particular so that when you do a partial search by the parcel ID and not necessarily by the owner's name. That specifically our ordinances pops up. So all the parcels impacted by this resolution by alley name it would reduce the search.

Mayor Peel thanked the Alleyway Committee for their hard work on the alleyways.

6} REGULAR AGENDA:

a} Appointment to Historic Preservation Commission:

Mayor Peel called for confirmation of appointing Mr. William Gunter to serve a three-year term on the Historic Preservation Commission ending September, 2016.

Roll Call Vote

<i>Brooks</i>	<i>yes</i>
<i>Stimatz</i>	<i>Yes</i>
<i>Walton</i>	<i>Yes</i>
<i>Hill-Lawrence</i>	<i>Yes</i>
<i>Hummer</i>	<i>Yes</i>
<i>Baker</i>	<i>Yes</i>
<i>Spence</i>	<i>Yes</i>
<i>Donnelly</i>	<i>Yes</i>

8 – Yes – 0-No Motion carried.

b} Appointment to Animal Control Board:

Mayor Peel called for confirmation of appointing Ms. Courtney Reichenbach to the Joint Animal Control Board as the SPCA representative for a two-year term. Ms. Reichenbach was also appointed by the Pasquotank County Commissioners to serve as the SPCA representative on this board.

Roll Call Vote

Donnelly	Yes
Spence	Yes
Baker	Yes
Hummer	Yes
Hill-Lawrence	Yes
Walton	Yes
Stimatz	Yes
Brooks	Yes

8 – Yes – 0 – No Motion carried

c) Designation of Voting Delegate for NCLM Annual Meeting:

Mayor Peel stated the Annual Business Meeting of the North Carolina League of Municipalities will be held on Tuesday, October 15, 2013 at the Hickory Metro Convention Center. The League provides that each member municipality is entitled to one vote. Each municipality is asked to provide the name of one voting delegate and one alternate voting delegate. Councilwoman Baker and Councilman Donnelly have each signed up to attend the annual conference.

A motion was made by Councilman J. A. Stimatz, seconded by Mayor Pro Tem L. M. Hill-Lawrence to appoint Councilwoman J. M. Baker as the voting delegate and Councilman R. T. Donnelly as the alternate voting delegate. Those voting in favor of the motion were: Stimatz, Hill-Lawrence, Baker, Brooks, Donnelly, Hummer, Spence and Walton. Against: None. Motion carried.

d) Adoption of Resolution – Street Closing Order for Herrington Road:

Mayor Peel called upon City Manager Olson for comments.

Mr. Olson stated on June 24th the Council conducted a public hearing to see about the possibility of closing Herrington Road. At that time, and several meetings thereafter, staff requested city council to table such action as we were still in active negotiations with Mr. Tony Rice and his wife Tammy on their property located 1024 South Road Street. He has sent several memos out to Council over the last few weeks. We do now have Mr. Rice's property under contract. It is our intention to go ahead and request the City Council to close Herrington Road from 1009 Herrington Road to the intersection of South Road Street and Herrington Road. We need to continue to go forward even though we are rerouting Herrington Road but to make it official we need to go ahead and closed that section of Herrington Road. First of all since this item was tabled we need a motion to remove this item from the table.

A motion was made by Councilman J. A. Stimatz, seconded by Councilman R. T. Donnelly to remove from the table the discussion of the closing of Herrington Road from 1009 Herrington Road to the intersection of South Road

Street and Herrington Road. Those voting in favor of the motion were: Stimatz, Donnelly, Baker, Brooks, Hill-Lawrence, Hummer, Spence and Walton. Against: None. Motion carried.

Mr. Olson stated we now need a motion to rescind action taken at the August 26th meeting where you authorized staff to move forward with the hammerhead.

A motion was made by Councilman J. A. Stimatz, seconded by Councilman M. E. Brooks to rescind previous action taken by City Council to construct a hammerhead. Those voting in favor of the motion were: Stimatz, Brooks, Baker, Donnelly, Hill-Lawrence, Hummer, Spence and Walton. Against: None. Motion carried.

A motion was made by Councilman J. A. Stimatz, seconded by Councilman R. T. Donnelly to adopt the following "Street Closing Order" resolution authorizing the closing of Herrington Road between 1009 Herrington Road and the intersection of South Road Street and Herrington Road and instruct City Staff to proceed with the development of Phase III of the Roanoke Avenue Drainage Project based on Herrington Road tied into South Road Street across the property, which is owned by Tony and Tammy Rice.

**RESOLUTION #2013-27
STREET ORDER CLOSING
HERRINGTON ROAD LOCATED BETWEEN
1009 HERRINGTON ROAD AND INTERSECTION OF
SOUTH ROAD STREET AND HERRINGTON ROAD**

WHEREAS, on the 13th day of May 2013 the City Council of the City of Elizabeth City directed the City Clerk to publish a Preliminary Resolution to consider closing that portion of Herrington Road located between 1009 Herrington Road and Intersection of South Road Street and Herrington Road in the Daily Advance once each week for four successive weeks, such resolution advising the public that a public hearing would be conducted in the City Council Chambers of the Municipal Administration Building on June 24, 2013 at 7:30 PM; and

WHEREAS, the City Council on the 13th day of May 2013 ordered the City Clerk to notify all persons owning property abutting that portion of Herrington Road located between 1009 Herrington Road and Intersection of South Road Street and Herrington Road as shown on the county tax records, by registered or certified mail, enclosing with such notification a copy of the Preliminary Resolution; and

WHEREAS, the City Clerk has advised the City Council that she sent a letter to each of the abutting property owner(s) advising the day, time and place of the meeting, enclosing a copy of the Preliminary Resolution and advising the abutting property owner(s) that the question as to closing that portion of Herrington Road located between 1009 Herrington Road and Intersection of South Road Street and Herrington Road would be acted upon, said letters having been sent by certified mail; and

WHEREAS, the City Clerk has advised the City Council that adequate notices were posted on the applicable street as required by NCGS 160A-299; and

WHEREAS, after full and complete consideration of the matter and after having granted full and complete opportunity for all interested persons to appear and register any objections that they might have with respect the closing of said street in the public hearing held on June 24, 2013, and

WHEREAS, it now appears to the satisfaction of the City Council that the closing of said street is not contrary to the public interest, and that no individual owning property, either abutting the street or in the vicinity of the street or in the subdivision in which the street is located, will as a result of the closing be thereby deprived of a reasonable means of ingress and egress to his property;

NOW, THEREFORE, subject to the reservation of easements to the City of Elizabeth City for utility purposes as shown on a map recorded in the office of the Pasquotank County Register of Deeds the portion of Herrington Road beginning at 1009 Herrington Road and Intersection of South Road Street and Herrington Road is hereby ordered closed, and all right, title and interest and quitclaim to the abutting property owner(s) in accordance with the provisions of NCGS 160A-299.

The Mayor and City Clerk are hereby authorized to execute quitclaim deeds or other necessary documents in order to evidence vesting of all right, title and interest in those persons owning lots or parcels of land adjacent to the street, such title, for the width of the abutting land owned by them, to extend to the centerline of the herein closed street (with provision for reservation of easements to the City of Elizabeth City for utility purposes) in accordance with the provision of NCGS 160A-299(c).

The City Clerk is hereby ordered and directed to file in the Office of the Register of Deeds of Pasquotank County a certified copy of this resolution and order.

ADOPTED, this the 9th day of September 2013.

Joseph W. Peel
Mayor

Dianne S. Pierce-Tamplen, MMC
City Clerk

e} Loss of citizens:

Mayor Peel called upon Councilman Walton for comments.

Councilman Walton stated that Mr. Olson sent us a FYI a couple of weeks ago and it showed that we had lost 148 citizens from one census to the next. The city's population is 18,449 in 2012 and if you add 148 to that it would be 18,597. If we are losing citizens and we raised the electric rates to accept growth. You had a forecast that we were almost running out of people for the transformers that we had. Now come to find out we are losing people rather than gaining more growth. You can see it in the City. Are we doing something wrong? When he rides through town he sees a lot of vacant buildings. Are we becoming too big a government and running people away. When people leave they are going someplace they can maintain a living. We have got to change our image some kind of way. We talk about all these visions but we are running people away. We are going to have to start doing something better or we are going to lose even more people. We need to change our image.

f} State Board of Elections' Decision:

Mayor Peel called upon Councilman Brooks for comments.

Councilman Brooks stated at the last meeting he really got aggravated a little when Councilwoman Baker said opinion. He loved it and he wished you could have gone to the State Board of Elections with those University students. Those attorneys said the same thing that he said in front of Council. You have an opinion but what they did was the same thing he told you, they went off what the law says. The local board of elections was talking about the dorm residents said as far as permanent or temporary housing. He loved what their lawyers said to them. They have no authority to override what the law says. That is why he wanted to address this. Those students shouldn't have had to go all the way to the State Board of Elections to get a lawful conclusion. That is the whole thing. When it first happened we brought it up and we were dead on it. If the law says this we can't do that and expect a fair conclusion or expect the students to stay here in Elizabeth City. He was trying to get the argument the lawyers said but he remembers some of what they said but he doesn't want to misquote any of the laws. He does have the conclusion of the order that they sent to the local board. It says this matter came before the State Board of Elections and it was the decision of the State Board of Election to reverse the decision of the Local Board of Elections. Mr. King is a qualified candidate for a member of the City Council of the City of Elizabeth City.

7} COMMENTS AND INQUIRIES ON NON-AGENDA ITEMS:

Councilman Donnelly stated he has no further comments tonight.

Councilman Spence stated he wanted to say to the community that one stop voting starts on September 19th. Let's get out there and vote.

Councilwoman Baker stated she has a few things. She wants to say that Mr. King and she submitted our applications to run for council on the same day. She introduced herself to him and wished him good luck. That is for the record. The only question that she has is the State law which she didn't know, how do you measure somebody's intention of making this their permanent home. That is part of the law and she just doesn't understand that. She would like to know when the Road Street will be completed. Didn't we say it would be done by the time school is opened or was that a different street?

Mr. Olson stated that just the North bound will be opened. It was more that Elizabeth Street in front of the school would be opened. Road Street opened as an intersection, both north and south, we are looking at November 10, 11 or 12 in that area. Then there will be a traffic shift in the area that they are presently undercutting.

Ms. Baker stated she has a comment on tourism. We were told that historic tourism is not working tonight and she would absolutely deny that because tourism is working. We have huge, huge influx of students and ball players and soccer and all kinds of tournaments that come in to Elizabeth City and they are welcomed by our tourism people. They are given packets to show them what else is going on in town. They are given lists of restaurants and stores that they can frequent and they are absolutely welcomed by our tourism office. Historic Tourism we do a lot of advertising in historic magazines. We work with the Museum on historic events. We as a Tourism office, she is on the Tourism Board, but we do a lot to promote the history of this area. One last thing is she will not be at the election forum on the 17th. She has previous plans to be out of town.

Councilwoman Hummer stated she has no further comments.

Mayor Pro Tem Hill-Lawrence stated she has gotten some calls from citizens who utilize the waterfront and they are very appreciative of the bathroom down there. It saves them the trip of having to go all the way home to use the bathroom.

Councilman Walton stated what we are doing is not helping our image. We are putting people in positions to him they are not worthy. If you don't know the law and the law just states if a person lives on campus they are a permanent resident and then you go up to a meeting and say well we gave them a chance to prove it. We checked to see if they had hunting licenses, we checked to see if they had a gym license, etc. If you have to have a fishing license to vote, then he wouldn't be able to vote this time

because he doesn't know a whole lot about fishing. We hire those types of people and nobody says anything. We are just as guilty of messing up our image as anybody. We need to speak up or it is going to get worse.

Councilman Stimatz stated he would like to make a note for Code Enforcement. A significant amount of trash and debris in the gutters around the city, whether it is grass or limbs or leaves. That is one of the things that the Storm Water Advisory Board will be taking on next month. It is a Code Enforcement issue and a violation of city ordinances and he would ask that the City Manager direct the Police Chief to make it the duty of his officers when they cite that to at least report where it is at and the address to Code Enforcement. He can take you right now and show you clogged drains on streets all over the city. It is going to be a problem.

Councilman Brooks stated he would like to say with the problems that are confronted within our nation, the State and even our local city that he fought to try to have prayer before our council meetings. He did that because man sometimes just doesn't have the answers. We need a higher power. He is not giving a sermon because he went in that direction before. What he is trying to say is that he has noticed and he personally never done it and he never will even though he is a minister of the gospel, license and ordained minister, he has never campaigned in churches. He never will. Some people who voted against prayer before the Council meetings they campaign in churches. He doesn't understand and neither will he try to understand, he is just making a statement, how can a minister of the gospel or someone that claims to be a Christian vote against prayer but when it comes to the election they run directly to the churches. A preacher that backs someone that voted against prayer has issues. A preacher that campaigns and backs someone that voted against prayer he would like to know what their motive is because prayer is a communication with God. He doesn't care what it is. He doesn't care if you are a Muslim, Buddhist, Judaist, Christian that is not his concern. But you voted against a higher power saying that sometimes you don't have the answer. That is part of the issue that burns within him. He is not critiquing anyone. He is not telling anyone that has the faith that he has as he is not saying that because he thinks we all should have the ability to worship and pray to whomever/whatever we want to pray too. We need to have prayer. We need to be consistent and if you believe we shouldn't have prayer before our meetings then don't run to the churches when it is time for the elections.

Mayor Peel stated the issue of prayer comes up every now and then and it is an interesting issue. Having been in public education for a long time, the laws are very similar in public schools. We hear a lot of times public complaints from people in the public that one of the problems in the schools is that we have taken prayer out of our

schools. The law is actually the same for the schools as it is for public officials in any capacity and that is that we when we sit around this table act as figures of the government and so if we lead a prayer and we pray to Jesus or whatever then that is in essence the same as government saying this is the religion that we need to practice. This country was founded on separation of church and state and he doesn't know if you can hear but when we have a moment of silence and he for one prays every time before we have a meeting. He ends his pray by saying amen, turn around and say the Pledge of Allegiance. What we are not able to do is to continue to pray in spite of what the law says and were taken to court, costing their citizens a lot of tax payers' money and/or found to be in violation of the law. We could have continue to pray and been another irresponsible board that did not follow the oath that we took to uphold the law of the land. We do pray and he is not the only one up here that does pray. He will continue to pray and everyone has that opportunity.

8} CLOSED SESSION – As per NCGS 143-318.11 (a) for discussion of the expansion of an industry/other business, NCGS 143-318.10 (e) and personnel as per NCGS143-318.11(a) (6):

Mayor Peel called for a motion to retire into Closed Session.

A motion was made by Councilwoman L. A. Hummer, seconded by Councilwoman J. M. Baker to retire into Closed Session as per NCGS 143-318.11 (a) for discussion of the expansion of an industry/other business, NCGS 143-318.10 (e) and personnel as per NCGS143-318.11(a) (6). Those voting in favor of the motion were: Hummer, Baker, Brooks, Donnelly, Hill-Lawrence, Spence, Stimatz and Walton. Against: None. Motion carried.

Mayor Peel declared the meeting into Closed Session.

9} RETURN TO REGULAR SESSION:

Mayor Peel called for a motion to return to regular session.

A motion was made by Councilman J. A. Stimatz, seconded by Councilman M. E. Brooks to return to regular session of City Council. Those voting in favor of the motion were: Stimatz, Brooks, Baker, Donnelly, Hill-Lawrence, Hummer, Spence, and Walton. Against: None. Motion carried.

Mayor Peel declared the meeting back into regular session.

10} ITEM FROM CLOSED SESSION:

Mayor Peel called for the pleasure of Council regarding the item from Closed Session.

A motion was made by Councilman J. A. Stimatz, seconded by Councilman M. E. Brooks to approve the Closed Session minutes as presented. Those voting in favor of the motion were: Stimatz, Brooks, Baker, Donnelly, Hill-Lawrence, Hummer, Spence and Walton. Against: None. Motion carried.

11} ADJOURNMENT:

There being no further business to come before the Council at this time, Mayor Peel adjourned the meeting at 10:00 p.m.

Dianne S. Pierce-Tamplen, MMC
City Council

Joseph W. Peel
Mayor

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