

MONDAY-7:00 P.M.

JANUARY 10, 2011

CITY COUNCIL

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

Mayor McLean established a quorum was present and called the meeting to order. He called upon Reverend John Felton for the invocation after which the Pledge of Allegiance to the Flag of the United States of America was given.

1} APPROVAL OF THE AGENDA:

Mayor McLean called for approval of the prepared agenda.

Councilman M. E. Brooks asked ***to add Street Infrastructure Priority List to the regular agenda.***

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

2} APPROVAL OF THE MINUTES:

Mayor McLean called for approval of the December 13, 2010 Regular Meeting minutes.

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

3} PRESENTATIONS:

- a} Certification of Recognition – Family of Mr. Andrew H. Williams. Members of Mr. Williams’s family made brief remarks.
- b} Certifications of Recognition were presented to members of the Mayor’s Customer Service Task Force. Several members made brief remarks.

4} CONSENT AGENDA:

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

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

CONSENT AGENDA:

- a} Approved the following Budget Amendment:

**BUDGET AMENDMENT
NUMBER 2011-01
JANUARY 10, 2011**

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

SECTION I: That the General Fund Balance Appropriated (103990.0000) and Legislative Department Expense (104100.3300) be increased by \$500.00.

(To record Martin Luther King Day observance.)

SECTION II. That the Pasquotank County Reimbursement (103500.5100) be decreased and Police Capital Outlay (105100.7400) be decreased by \$79,000.

(Pasquotank County paid their portion of police vehicle costs directly to vender.)

ADOPTED, this 10th day of January 2011.

Roger A. McLean
Mayor

Dianne S. Pierce-Tamplen, MMC
City Clerk

b} Call for a public hearing to be held on Monday, January 24, 2011 at 7:30 p.m. in the City Council Chambers of the Municipal Administration Building to receive public input on the closeout of CDBG 05---D-1727.

c} Executed locally Administrative Project-State Small Construction Agreement for way finding sign project.

END OF CONSENT AGENDA

5} PUBLIC HEARING:

a} Dunstan Lane a one-way street:

Mayor McLean called upon City Manager Olson for comments.

Mr. Olson advised a resident of Dunstan Lane has asked the City to take action to improve the unsafe condition of Dunstan Lane. Dunstan Lane is approximately 525 feet long extending between Culpepper Street on the east and Persse Street to the west. Dunstan Lane was initially an alley used for city utilities but at some point adjacent property owners were allowed to build homes that fronted Dunstan Lane and eventually Dunstan Lane was paved. The travel way of Dunstan Lane is about 1.5 feet wide, which does not allow for the passage of two cars. In an effort to address the neighbors concern the city staff is proposing that by ordinance Dunstan Lane be made one way in a west bound direction. The width of the former alley does not allow for the widening of the Dunstan Lane travel way for two way traffic.

Mayor McLean declared the meeting into public hearing. Since there was no one present to speak for or against the proposed ordinance making Dunstan Lane a one-way street, Mayor McLean declared the public hearing closed.

Councilman J. A. Stimatz stated he had a problem with this issue as all the residents facing Dunstan Lane were not notified of the propose change. He feels that each resident should have received notification of the change.

Councilman Brooks stated he had talked to all but one of the residents and they were in agreement to the proposed change.

A motion was made by Councilwoman J. M. Baker, seconded by Councilman R. E. King to table action on making Dunstan Lane one way until each resident is notified of the proposed change. Those voting in favor of the motion were: Baker, King, Hill-Lawrence, Hummer, Meggs, Stimatz and Walton. Against: Brooks. Motion carried.

6} REGULAR AGENDA:

a} Designation of Voting and Alternate Voting Delegate for the NCLM 2011 Advocacy Goals Conference:

Mayor McLean called upon City Manager Olson for comments.

Mr. Olson stated that under the NC League of Municipalities Constitution and the voting procedure established by the League Board of Directors, each member municipality sending delegates is required to designate one voting delegate and one alternate voting delegate. Councilwomen Baker and Hill-Lawrence and Councilman Stimatz have signed up to attend the Advocacy Goals Conference.

A motion was made by Councilman J. A. Stimatz, seconded by Councilman R. E. King to designate Councilwoman J. M. Baker as the Voting Delegate and Councilwoman L. Hill-Lawrence as the Alternate Voting Delegate for the NCLM 2011 Advocacy Goals Conference. Those voting in favor of the motion were: Stimatz, King, Baker, Brooks, Hummer, Meggs, Stimatz and Walton. Against: None. Motion carried.

b} Confirmation of three new appointments and two reappointments to the Urban Forestry Committee:

A motion was made by Councilman J. A. Stimatz, seconded by Councilwoman B. S. Meggs to suspend Rule 31 of the Council's Rules and Procedures and vote a regular vote on these appointments. Those voting in favor of the motion were: Stimatz, Meggs, Baker, Brooks, Hill-Lawrence, Hummer, King and Walton. Against: None. Motion carried.

Mayor McLean submitted the names of Peggy Watts, Herbert Crase, Susan Willoughby as new appointees and Mike Cox and Heather Griffin as reappointments to the Urban Forestry Committee.

A motion was made by Councilwoman J. M. Baker, seconded by Councilman R. E. King to confirm the appointments of the following members to the Urban Forestry Committee:

Peggy Watts – 2-year appointment ending 12-2012

Herbert Crase – 1-year appointment ending 12-2011

Susan Willoughby -1-year appointment ending 12-2011

Mike Cox – 2-year reappointment ending 12-2012

Heather Griffin – 1-year reappointment ending 12-2011

Those voting in favor of the motion were: Baker, King, Brooks, Hill-Lawrence, Hummer, Meggs, Stimatz and Walton. Against: None. Motion carried.

c} Request for funding by New Beginnings Homeless Shelter:

City Manager Olson stated that the Council required all non-profits to submit a request for funding as part of the budget process. New Beginnings received notification of the City's funding cycle and elected not to request funds at that time. The Council placed \$20,000 in the 2010-2011 Budget and they have expended all the funds appropriated for non-profit organizations for this fiscal year.

Councilman R. E. King stated that he has a great concern over the number of residents that are homeless and he feels that the City should contribute some funds to this organization. Thereby he made the following motion:

A motion was made by Councilman R. E. King, seconded by Councilwoman L. Hill-Lawrence to contribute \$3,000 to the New Beginnings Homeless Shelter.

It was noted that these funds would have to be taken from the City's Fund Balance.

A friendly amendment was made by Councilman J. B. Walton to reduce the funds to \$2,000 which is half of the original request of \$4,000.

The following was the roll call vote:

Brooks	Yes
Stimatz	No
Meggs	No
Hummer	No
Walton	Yes
Baker	No
King	Yes
Hill-Lawrence	Yes

Yes – 4 No – 4

Mayor McLean voting yes, thereby, carrying the motion.

d} Update – Customer Service Enhancement Project:

Mayor McLean called upon City Manager Olson for comments:

Mr. Olson stated that on November 1, 2010 the findings of the Customer Service Task Force were presented to the City Council. The findings can be broken down into a number of phases. Phase I included those items, which could be accomplished at little or not costs. They include: Renaming the Customer Service Department, improving signage, improving the queuing of customers and installing a numbering system. Improvements to the Planning and Building Inspections Departments were also recommended in Phase I. To successfully implement the changes made by the Customer Service Task Force, he established an employee work group, which will provide feedback on implementing several of the items called for in the report. The group is made up of several senior employees and supervisors. Due to the holidays and short staffing issues in the Customer Service Department, we have not yet met. On January 6, 2011 we started our customer service training. The three-hour training session was held off site and all employees of the Inspections, Planning and Customer Service Departments attended. The training focused on basic customer service skills, which include the following: Factors necessary for excellent customer service, creating a climate for excellent customer service, understanding different communication styles, "It is not what you say, but how you say it", dealing with difficult customers and effective telephone skills. Staff is in the process of scheduling a management training session also.

To enhance customer serving in the Planning Department, staff has redesigned a number of forms, applications and questionnaires. Planning staff is front-end loading the application process to insure that all necessary information is submitted in a timely manner. They have included timeframes for processing applications which have been updated on their webpage. Zoning permits are

now time stamped when they are received, when the customer is called to pick them up and when they are actually picked up.

The Building Inspections Department is in the process of narrowing down inspections software packages which will allow us to migrate from paper to an electronic data base. We are 30-45 days away from choosing a vendor. When the Inspections Department is unstaffed, customers are referred to the Planning Department for limited service. Stanley has developed an information sheet which will allow the Planning Department to help customers on a limited basis. Contact information and the customer's inquiry is logged in and forwarded to the Inspections Department.

Staff is in the process of final negotiations with Formulytics on a software licensing and service agreement. The City Attorney is reviewing the contract and we continue to work with the NC League of Municipalities on a pilot program.

We have received a price to update the entire City phone system with new software and hardware. The cost is \$56,000. A formal request to install the new system will occur during the January 24, 2011 City Council meeting.

Finally, staff has spent a considerable amount of time determine the cost and payback of going to a fixed network, which will allow the City to read electrical and water meters daily and bill accordingly. The cost of the project is \$1.6 million with a payback of six years. We will be presenting this project for inclusion in the 2011-2012 budget.

Councilman Brooks stated that he still has a concern over the internal problems that we have down in Customer Service. Until we take care of the internal problems we will be unable to offer good customer service to our customers. We need to fix the internal problems first. In the last year we have had six employees to resign, two employees to transfer to another department and one to retire. That shows that there are internal problems and we are not addressing those internal problems.

e} Infrastructure Priority List:

Mayor McLean called upon Councilman Brooks for comments.

Mr. Brooks stated that he is concerned about the condition of South Road Street. The City in the past applied for a CDBG Grant for this area and it was not funded. Instead of reapplying for the South Road Street area, the City applied for and received monies for improvements to North Road Street and that leaves South Road Street still in disrepair. He realizes we don't have the funds right now to improve South Road Street but he would like to see South Road Street

place on the Infrastructure Priority List as the second priority following only Books Avenue.

A motion was made by Councilman M. E. Brooks, seconded by Councilman J. B. Walton to place South Road Street second on the Infrastructure Priority List immediately following Books Avenue. Those voting in favor of the motion were: Brooks, Walton and Hill-Lawrence. Against: Baker, Hummer, King, Meggs and Stimatz. Motion was denied.

7} COMMENTS AND INQUIRIES ON NON AGENDA ITEMS:

City Manager Olson stated today he had a phone conversation with NCDOT concerning our public outreach meeting for the Elizabeth Street project. We should know by tomorrow whether or not the date that we have proposed is acceptable to NCDOT. We are looking at having meetings held at the Arts of the Albemarle starting at 5:30 p.m. and going until 7:30 p.m. or until we get it done. At a later time he will outline what the agenda will be and what we are trying to accomplish at that particular meeting. We are still working with NCDOT on the content of that meeting.

Mayor Pro Tem Hummer brought to the attention of the City Manager the hole in the street at the intersection of Church Street and Road Street. She would like to mention in light of things going on in Arizona that we have someone manning our metal detector to use it on everyone including our council members. She wants to make sure that things are in place because you just don't know who is walking around.

Councilwoman Baker stated she had no further comments.

Councilman Brooks stated he had no further comments.

Councilman King stated he had no further comments.

Councilwoman Hill-Lawrence stated that she has been appointed as a member of one of the NC League of Municipalities committees.

Councilwoman Meggs stated the street when you past Riverside Methodists Church and before you turn into Rivershore Road, that area when springtime comes fishermen are there all the time and she is scared that somebody is going to get run over or injured. One day when she went by a woman was sitting on a bucket in the street fishing. That is a bad area in there and it needs some kind of signs placed there.

Councilman Stimatz wished everyone a Happy New Year.

Councilman Walton stated that the Youth Task Force will have a meeting on Tuesday at 4:00 p.m. One of the downfalls last year was that we did not have a budget. We felt like if you don't have a budget there is not much you can do anyway. Now we are going to roll up our sleeves and bring back some priority things for the next budget session and hopefully we can do some things for the youth of this community. They need to get wet in the summertime to cool down some.

Mayor McLean stated he first wanted to thank the Council for their hard work. He also wanted to thank the City Staff. We are getting things done and he thinks we are getting off to a pretty good new year. Today he has been on Facebook, email, etc. and there was a tremendous announcement made by Duke Power Company. They are in the process of purchasing Progress Energy. They are going to assume Progress Energy's debt of over \$11 billion. However, they did not state that they were going to assume our debt. We are part of Progress Energy. The word on the street now is that the cities are not going to support this merger unless we receive some type of debt relief. He asks that you pay attention to what is going on in the newspaper. He does give Graham Edwards a lot of credit for what he did on last Thursday night with us down in Hertford. He thinks he is transparent and he also talked to us about the fact that our wholesale rates are 20-30% higher than wholesale rates paid by other providers. He also stated that he would try in every way he could to insure that we have our rates reduced. He also wanted our rates to be more competitive with the people that we compete with. To understand the debt, 32% of our bill is debt. If we did not spend not one kilowatt we would still spend \$.32 on the dollar. That is where we are now. We feel as though if Duke Power purchases our debt and transforms from governmental debt to privatized debt that would relieve us of the debt whereby we would then only have to pay for the kilowatts that we receive. This is a trying time and he is very excited about where this can take us because if we are able to reduce our rates that will give the citizens of Elizabeth City as well as 31 more cities more competitive rates when it comes to the purchase of kilowatt hours on a wholesale level. Duke Power is going to purchase \$11 billion from Progress Energy in terms of debt. We are going to ask them also to purchase our \$1.2 billion of debt. He thinks that is something that can be done. Right now our biggest hold up is the federal and state laws that prevent us from having the type of leverage that we can use to bring about a better debt resolution for the cities. There are things that we can do. The more we think about it the more we can get done because he gives Graham Edwards a lot of credit as he is putting everything out on the table. We need to do everything we can do to insure to bring our rates to a competitive level.

8} CLOSED SESSION:

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

A motion was made by Mayor Pro Tem L. A. Hummer, seconded by Councilwoman J. M. Baker to retire into Closed Session for consideration of Closed Session Minutes as per NCGS 143-318.11 (e) and consideration of acquisition of land as per NCGS 143-318.11 (a) (5). Those voting in favor of the motion were: Hummer, Baker, Brooks, Hill-Lawrence, King, Meggs, Stimatz and Walton.

9} RETURN TO REGULAR SESSION:

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

Mayor McLean declared the meeting back into regular session.

10} ITEM FROM CLOSED SESSION:

Mayor McLean called for a motion of approval of the Closed Session minutes that were presented in Closed Session.

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

11} ADJOURNMENT:

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

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

Mayor McLean adjourned the meeting at 9:10 p.m.

Dianne S. Pierce-Tamplen, MMC
City Clerk

Roger A. McLean
Mayor