

**MONDAY-5:30 P.M.**

**January 23, 2012**

**WORK SESSION**

The City Council of the City of Elizabeth City held its first work session of the year on the above date and time in the City Council Chambers of the Municipal Administration Building with Mayor J. W. Peel presiding. Those members attending were: Mayor Pro Tem L. A. Hummer, Counselors: J. M. Baker, M. E. Brooks, R. T. Donnelly, L. M. Hill-Lawrence, K. K. Spence, J. A. Stimatz and J. B. Walton. City Staff members attending were: City Manager R. C. Olson, City Clerk D. S. Pierce-Tamplen, City Attorney W. H. Morgan, Human Resource Director K. W. Felton, Electric Director K. F. Clow, Assistant Fire Chief M. Cartwright, Lieutenant J. Lacombe, Finance Director S. E. Blanchard, Elizabeth City Downtown Director R. Cross, Public Utilities Director P. A. Fredette and Parks and Recreation Director B. V. White.

Mayor J. W. Peel established a quorum was present and called the meeting to order at 7:00 p.m. He called upon Reverend M. E. Brooks for the invocation after which he led the Pledge of Allegiance to the Flag of the United States of America.

**1} MODIFICATIONS TO THE CITY COUNCIL RULES AND PROCEDURES:**

Mayor Peel stated that he has reviewed a number of documents which is his responsibility to enforce. The Council's Rules and Procedures is one of those documents. He briefly went over the few changes that he is suggesting that we might change. One of the changes is in Rule 5. He would like to suggest that we include along with this rule the Rules for Public Participation. Also, Rule 3 in the Rules for Public Participation we currently have aren't very specific about the kind of behavior that is acceptable. Do we need additional language there to address some of the concerns about the use of profanity?

Councilman Stimatz stated there are only two reasons to restrict speech in the United States. One is fighting words and the other is obscenity. That is all that you can restrict. As far as what constitutes disturbing the Council that is the Mayor's call. He feels that an area that we can rule them out of order is when they bring up an issue that is not directly related to the City or this body nor do we have any control over the issue.

Discussion followed regarding changing the start of the public hearings to 7:15 p.m. and limiting the Council comments to two minutes. It was the consensus to

leave the start of public hearings at 7:30 p.m. and not limit the time for comments from Council members.

Mayor Peel asked for consideration of a Code of Cooperation. This would define what is acceptable and what isn't. It was suggested that we brainstorm a list of what our rules of decorum would be that would help the meeting flow. If we do accept rules of decorum then we would need to add that as Rule 16, Item d.

Mayor Peel stated that one thing under Closed Session, Rule 25 there is nothing in our rules that items discussed in Closed Session should be kept confidential in order to avoid bad publicity, loss of credibility, loss of public confidence, legal challenge due to violation of state law, personal liability and loss of trust. He feels that is a good addition to our rules for Closed Sessions.

***A motion was made by Councilman J. A. Stimatz, seconded by Councilwoman J. M. Baker that we add, "items discussed in Closed Session should be kept confidential in order to avoid bad publicity, loss of credibility, loss of public confidence, legal challenge due to violation of state law, personal liability and loss of trust be added to Rule 25, at the end of the paragraph; and further moved, to add the words, "a regular meeting", following the word "recess" in the sentence that reads: "A motion to adjourn or recess----. Those voting in favor of the motion were: Stimatz, Baker, Brooks, Donnelly, Hill-Lawrence, Hummer, Spence and Walton. Against: None. Motion carried.***

***A motion was made by Councilman J. A. Stimatz, seconded by Councilwoman J. M. Baker to insert the words, "latest edition of Roberts Rules of Order" after the words "refer to" and before Roberts Rules of Order Newly Revised or Rule 33. Those voting in favor of the motion were: Stimatz, Baker, Brooks, Donnelly, Hill-Lawrence, Hummer, Spence and Walton. Against: None. Motion carried.***

Mayor Peel called for a motion on incorporating Rule 25, Rules and Procedures to Rule 5.

***A motion was made by Councilwoman J. M. Baker to consolidate Rule 25 into Rule 5. Mayor Pro Tem L. A. Hummer seconded the motion. Those voting in favor of the motion were: Baker, Hummer, Brooks, Donnelly, Hill-Lawrence, Spence, Stimatz and Walton. Against: None. Motion carried.***

## **2} MODIFICATIONS TO THE FINANCE COMMITTEE:**

Mayor Peel presented some proposed modification to the Finance Committee charge. Following discussion the following modifications were suggested for adoption.

- 1} Review the current operating budget on an ongoing basis, while comparing actual to budgeted revenues and expenses at least quarterly;
- 2} Review proposed budget amendments from staff and make specific recommendations to the Council for action;
- 3} Review proposed contracts as called for in the City of Elizabeth City's Purchasing Manual and those contracts which staff seeks specific guidance on and make specific recommendations to the Council for action.
- 4} Assist City staff in preparing recommendations for the upcoming fiscal year budget to be presented to the Council for review and approval;
- 5} Provide comments and/or recommendations to the Council regarding changing existing funding streams or new funding streams.
- 6} Oversee completion of financial trends study for the City every other year beginning in 2012 that can be used during the budget development cycle.
- 7} Make a recommendation to the Council for the hiring of an auditor.

Mayor Peel stated that staff would make these changes and get them back to to Council for consideration.

**3} CREATION OF ENERGY COMMITTEE:**

Mayor Peel stated he would like to make you aware and asking for your support in the creation of a Study Commission for improving energy efficiency of existing and future residential housing stock. He has asked Rich Olson, Stanley Ward and Dennis Gordon to serve on this commission. The other members are as follows:

Joe Peel, Chairman  
Bren O'Sullivan  
Jean Baker  
Hilton Barrett  
Lenora Jarvis-Mackey  
Morris Autry  
Jackie Latson

Skip Sanders  
George Bright  
Bert Birdsall  
Lucien Morrisette  
Michael Brooks  
Linwood Gallop  
Billy Gregory

There will be a meeting with staff later in this week to set up a meeting schedule and establish a plan of attack.

***A motion was made by Mayor Pro Tem L. A. Hummer, seconded by Councilwoman L. M. Hill-Lawrence to support the creation of an Energy Study Commission. Those voting in favor of the motion were: Hummer, Hill-Lawrence, Baker, Brooks, Donnelly, Spence, Stimatz and Walton. Against: None. Motion carried.***

**4} COMMITTEE REPORTS:**

a} Elizabeth City Downtown, Inc.:

Councilman Donnelly stated ECDI met this past week and they are working on updating and meeting their IRS requirements regarding their not-for-profit status. They have also developed a Conflict of Interest form which all members of the Board agreed to.

b} Recreation Advisory Commission:

Councilman Walton stated the Commission had met. He called upon Bobbie White for an update.

Ms. White advised that we have gone with Little League International for our Youth Baseball Softball Program. Several of the Recreation Departments in Northeastern North Carolina have elected to look into going with Little League. We are meeting tomorrow at 10:00 A.M. in Perquimans County to talk about forming a district. The closest district that we have to us is in Pitt County. We are very excited about that. We have already started registrations for Little League. We talked about working on the Fish Court and how it is coming along.

Councilwoman Hill-Lawrence wanted to let everyone know that she has been appointed to the Leadership Training Institute of the National League of Cities out of Washington, DC.

**5} ADJOURNMENT:**

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

***A motion was made by Councilwoman J. M. Baker, seconded by Mayor Pro Tem L. A. Hummer to adjourn the meeting. Those voting in favor of the motion were: Baker, Hummer, Brooks,***

***Donnelly, Hill-Lawrence, Spence, Stimatz and Walton. Against:  
None. Motion carried.***

Mayor Peel adjourned the meeting at 6:37 p.m.

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Dianne S. Pierce-Tamplen, MMC  
City Clerk

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Joseph W. Peel  
Mayor