

**City Council Regular Session
February 9, 2015**

The City Council of the City of Elizabeth City met in regular session on Monday, February 9, 2015 in Council Chambers, located on the 2nd floor of the Municipal Administration Building, 306 E. Colonial Avenue, Elizabeth City, NC.

MEMBERS PRESENT: Mayor Pro Tem Anita Hummer
Councilwoman Jean Baker
Councilman Ray Donnelly
Councilman Tony Stimatz
Councilman Kem Spence
Councilman Darius Horton
Councilman Montravias King (*arrived at 7:20 p.m.*)

MEMBERS ABSENT: Mayor Joe Peel (*Attending Emerging Issues Forum in Raleigh*)
Councilman Michael Brooks

OTHERS PRESENT: City Manager Rich Olson
City Attorney Bill Morgan
Finance Director Sarah Blanchard
Planning Director June Brooks
Chief of Police Eddie Buffaloe
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
IT Director Matthew Simpson
Inspections Director Stanley Ward
Parks and Recreation Director Bobbi White
City Clerk Vivian White

The City Council regular session was called to order by Mayor Pro Tem Anita Hummer at 7:00 p.m. Mayor Pro Tem Hummer welcomed everyone to the meeting and recognized Phil Dowdy to give the invocation, after which Mayor Pro Tem Hummer led the Pledge of Allegiance.

1. Agenda Adjustments and Approval:

Mayor Pro Tem Hummer called for any adjustments to and approval of the agenda.

Motion was made by Councilwoman Jean Baker, seconded by Councilman Darius Horton, to approve the agenda with any necessary adjustments. Those voting in favor were: Baker, Donnelly, Hummer, Stimatz, Spence and

Horton. Against: None. The motion carried unanimously. (*Councilman King had not yet arrived.*)

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. Presentation – Mayoral Certificate of Appreciation and Life Saving Award to Sergeant Ryan W. Boyce

Mayor Pro Tem Hummer invited Sergeant Ryan Boyce, his wife and Chief Eddie Buffaloe to join her at the podium.

Mayor Pro Tem Hummer read and presented a Mayoral Certificate of Appreciation to Sergeant Boyce in gratitude of his heroic service to the citizens of Elizabeth City on January 10, 2015 by administering life-saving CPR to an unconscious victim that facilitated in the saving of another human being's life.

Mayor Pro Tem Hummer recognized Chief Eddie Buffaloe for his comments and presentation of the Life Saving Award. Chief Buffaloe provided further details of the incident involving Sergeant Boyce. He presented a Life Saving Award to Sergeant Boyce for his exemplary police service.

Sergeant Boyce thanked the City Council for this recognition and credited his police training for knowing how to react and what to do in this situation. He thanked Chief Buffaloe and the Police Department for making sure all police officers receive annual training; and he emphasized that this incident proves that training is well worth the effort.

4. Comments from the Public:

Don McCabe, 577 Water Crest Circle, Elizabeth City, NC stated that he had attended a recent County Commission meeting and made comments similar to what he wished to say to the City Council. He said that since he had been in Elizabeth City, there had always been a degree of friction between the Council and the County Commission; and he stated that the friction seemed to have been growing over the past year to two years. He pointed out that there had not been a joint meeting of the two boards in recent memory and stated that he would like to see the joint meetings held again because he thought they were important. He encouraged both the City and County to have joint meetings again.

Mayor Pro Tem Hummer reported that work had begun to put together a joint meeting of the two boards.

5. Approval of Minutes:

Mayor Pro Tem Hummer called for the Council's pleasure regarding approval of the minutes.

a. City Council Work Session of January 26, 2015:

Motion was made by Councilman Darius Horton, seconded by Councilwoman Jean Baker, to approve the Work Session minutes of January 26, 2015. Those voting in favor were: Baker, Donnelly, Hummer, Stimatz, Spence and Horton. Against: None. The motion carried unanimously. (Councilman King had not yet arrived.)

b. City Council Regular Session of January 26, 2015:

Motion was made by Councilwoman Jean Baker, seconded by Councilman Darius Horton, to approve the Regular Session minutes of January 26, 2015. Those voting in favor were: Baker, Donnelly, Hummer, Stimatz, Spence and Horton. Against: None. The motion carried unanimously. (Councilman King had not yet arrived.)

6. Consent Agenda:

Mayor Pro Tem Hummer recognized City Manager Olson to read the items on the Consent Agenda for the record. Mr. Olson recommended approval of all items, as follows:

Beginning of Consent Agenda:

- a. Consideration – Calls for Public Hearings to be held on February 23, 2015 at 7:30 p.m. in Council Chambers of the Municipal Administration Building, 306 E. Colonial Avenue for the following:
 - I. To receive comment regarding the City entering into a Sub-recipient Agreement with the Northeast Coalition to End Homelessness for use of the Hugh Cale Resource Center;
 - II. To receive comment regarding the City entering into a Sub-recipient Agreement with Albemarle Hospital Foundation for use of the Hugh Cale Resource Center;
 - III. To receive comment regarding the City entering into a Sub-recipient Agreement with River City CDC for use of the Hugh Cale Resource Center.

End of Consent Agenda.

Motion was made by Councilwoman Jean Baker, seconded by Councilman Ray Donnelly, to approve the Consent Agenda as presented. Those voting in favor were: Baker, Donnelly, Hummer, Stimatz, Spence and Horton. Against: None. The motion carried unanimously. (Councilman King had not yet arrived.)

7. Public Hearing: *(Clerk notation: Mayor Pro Tem Hummer declared an eight minute recess at 7:22 p.m. to reach the 7:30 p.m. Public Hearing time.)*

a. Consideration – Hold a Public Hearing to receive comment regarding the City entering into a Sub-recipient Agreement with Food Bank of the Albemarle for use of the Hugh Cale Resource Center.

Mayor Pro Tem Hummer declared the meeting into Public Hearing at 7:30 p.m. and inquired of the City Clerk if persons were present who wished to be heard. Upon her reply that no one wished to speak regarding this matter, Mayor Pro Tem Hummer declared the Public Hearing closed.

Councilman Horton asked the City Manager if anyone other than the Food Bank of the Albemarle applied to be the lead agency for the Hugh Cale Resource Center. Mr. Olson stated that an open solicitation was held in August and September 2014 and no one came forward to submit a proposal, which forced the City to go out and solicit groups pursuant to HUD guidelines. He stated that the Food Bank was one group that contacted the City as a result of that solicitation; and a meeting was subsequently held with all other organizations that expressed an interest in the Center. He said it was determined during that meeting that the Food Bank would serve as the lead agency to oversee the Center.

Councilman Horton asked the City Manager what had been done to inform the community residents adjacent to the Center what the City was planning to do. Mr. Olson responded that the City had not done anything recently, but did have conversations with the community months earlier. He said the Center can still be utilized by the Hugh Cale community for community meetings and other functions using the flex spaces. He stated that the only requirement would be to schedule use with the Food Bank.

Councilman Horton asked who would be paying for the utilities for the Center. Mr. Olson responded that the City Council made a decision three to four years ago that the City would pay the cost of utilities, which run about \$7,200 per year. He said the property insurance is also borne by the City, but any general liability insurance is carried by the individual sub-recipients. He stated that the sub-recipient agreements required that all partners in the Center split the cost of the phone system, burglar alarm system, fire alarm system, etc. Mr. Olson stated that the City budgets the expense for the Center annually.

Councilman Horton asked what stood out to staff to make Food Bank of the Albemarle the lead agency. Mr. Olson stated that the Food Bank was willing to accept the responsibility. He said several meetings were held with other types of groups and they wanted to be located in the Center but did not want the responsibility of being in charge of the Center. He said that the Food Bank had been looking at an expansion at their existing facility, and this allows them not to expand in the short term, but they may have to do an expansion in the long term. Mr. Olson pointed out that the Hugh Cale Center allows space for the Food Bank to do volunteer training in addition to a number of their “back office” functions. He said the Food Bank did not intend to see clients at the Hugh Cale Center.

Councilman Horton stated that he wanted to make sure that whatever goes into the Center will benefit the Hugh Cale community. He said the Food Bank had a great program, but he wanted to make sure the flex space is available for use by the community.

Councilman Spence stated that he thought it would be beneficial to put something out for the public rather than assuming that the community already knows the facility is available for their use. Mr. Olson asked if it is the Council's desire to send something out immediately prior to all sub-recipient agreements being finalized at the next City Council meeting. He offered to do it either way. He said what staff has found is that the Hugh Cale residents who were the primary focus of the Center previously have either had health-related issues or had passed away in recent years. Councilman Spence stated that it would not hurt to go ahead and send something out.

Councilman Stimatz suggested that a sign or notice could be posted on the property, not just on the door, that advised if people wanted to use the Center they can schedule it, with instructions regarding how to do so. He said that the discussion had been held previously, but he reminded the Council that the facility was open for use by anyone in the County – or the state - because it is a public building and not limited to just a few blocks in the neighborhood.

Mr. Olson pointed out that there are only a few activities that cannot be held at the Center based on HUD rules and regulations.

Councilman Donnelly stated that he would prefer to wait to send a notice to the community until all sub-recipients are approved. He suggested a notice in the City's electric bills may be an easy way to get information out to everyone. He said that it would be "piece meal" to make the announcement now and have to let everyone know about the next three sub-recipients at a later time.

Mr. Olson said that if the Council's primary concern is that the citizens of the Hugh Cale community are informed, City staff could go ahead and do that.

Councilman Horton stated that Councilman Donnelly had brought up a good point. He said it was important that the residents be told what is being offered at the facility. He said he thought that after approval of the final agreements would be a better decision for the notice.

Councilman Horton inquired as to the actual flex space available for use. Using a PowerPoint slide, Mr. Olson provided a diagram of all common space available for use.

Councilman King stated that when arriving late, he thought the Public Hearing had been held, but wanted to reiterate what he had said during his comments. He said he had emailed and asked all his questions prior to the meeting. He said his main concern was that services would be offered for young people and he was looking forward to moving ahead and offering some new services for the people of the City.

Motion was made by Councilman Tony Stimatz, seconded by Councilwoman Jean Baker, to authorize Mayor Peel to execute the Sub-

recipient Agreement with Food Bank of the Albemarle for use of the Hugh Cale Resource Center as presented. Those voting in favor of the motion were: Baker, Donnelly, Hummer, Stimatz, Spence and King. Against: Horton. Motion carried.

8. Regular Agenda:

- a. Consideration – Authorization to Execute American Red Cross Shelter Agreement.

Mayor Pro Tem Hummer recognized City Manager Olson for a review of this request.

Mr. Olson stated that the City enters into agreements with the American Red Cross for the use of a number of City facilities to be used in case of emergency as shelters. He stated that the agreement under consideration is for the Knobbs Creek Recreation Center, which has been used in the past as an emergency shelter. He reported that currently the K. E. White Graduate Center, the Knobbs Creek Recreation Center, Northside Elementary and Northeastern High School are all available for shelter use.

Mr. Olson stated that the City is currently installing a 325 Kva generator at the Knobbs Creek facility making it the only shelter in Pasquotank County with emergency generating capacity. He said the agreement under consideration is the same agreement as has been approved in the past.

Mayor Pro Tem Hummer called of the Council's pleasure regarding this request.

Councilman Stimatz commented that the City has done a lot of work at the Knobbs Creek Recreation Center that will make it a good shelter, citing the kitchen, new HVAC system and the generator as examples. He inquired if the shelter will be used as a primary or secondary shelter – for response personnel or the general public. Mr. Olson responded that decision would depend on what the Emergency Management Team and Control Group decides. He stated that currently the K. E. White Center is the primary shelter for the public, but with a loss of power, that could change. He said that usually Knobbs Creek Recreation Center is used to house individuals being brought in to help restore power, National Guard Troops, the NC Highway Patrol, other Fire Departments and the like. He reiterated the decision would depend on what is decided by the Control Group at the time the disaster occurs.

Motion was made by Councilman Ray Donnelly, seconded by Councilman Kem Spence, to authorize the City Manager to execute the shelter agreement with the American Red Cross on behalf of the City of Elizabeth City. Those voting in favor were: Baker, Donnelly, Hummer, Stimatz, Spence and Horton. Against: None. The motion carried unanimously. (Councilman King had not yet arrived.)

9. Comments and Inquiries on Non-Agenda Items:

Councilman Stimatz wished everyone a good Valentine's Day. He stated that the upcoming budget was not going to be easy because the City would lose a significant

amount of funding because of the loss of privilege licenses. He said this loss equates to approximately 1.6¢ in property taxes. He pointed out that there would be some hard decisions to be made at budget time; and stated that no one likes to pass on increases because the Council understands how the economy is and how everyone's lives are. He said that although it is not something the Council likes, the Legislature has made that decision in order to make it easier to do business in the state. He said that the North Carolina League of Municipalities is working with the Legislature to try and come up with a revenue-neutral solution; but if they are unable to do so, the Council will have to make it up somehow. He requested comments and suggestions for solutions from the public regarding this matter.

Councilman Horton had no comments.

Councilwoman Baker reported that she attended the celebration of Pat Youngblood's service to this community through Albemarle Hopeline for 32 years. She stated that it was a well-deserved, nice celebration. She inquired of the City Manager what the state is doing about the Church Street/Road Street traffic signal. Mr. Olson responded that staff realizes the public's frustration, but maintenance of the signal is the responsibility of NCDOT. He stated that numerous emails had been sent to the District Engineer regarding the issue. Mr. Olson said that he knew there was a part issue due to the age of the signal.

Councilman Spence stated that he had received phone calls commending City Inspector David Lewis on his professionalism while working in the Tanglewood area. He said he wanted to pass that information along. He asked that everyone keep Mr. Lewis in prayer due to the recent loss of his sister.

Councilman Donnelly announced that the City and County would be hosting a Legislative Issues Forum with our state officials, Hunter, Steinburg and Cook on Friday, February 20 to review legislative initiatives and the direction that the Council would like to see them move toward in addressing this area of the state. He inquired as to the status of the Police Department mobile trailers and stated that they look bad in the neighborhoods. Mr. Olson stated that he would discuss that issue with Chief Buffalo and provide the Council with an update.

Councilman King stated that was glad that the City is going forward in occupying the Hugh Cale Resource Center. He said he was in favor of the Food Bank of the Albemarle being the lead agency and was happy that those that would occupy the building all have something different to offer the community. He stated that one of his main concerns was that more activities be offered for young people and complimented the programs to be conducted by Workforce Development and River City CDC for our young people. He reiterated that he is always available via telephone, email or text messages for anyone who wanted to reach him on an issue and pointed out that his contact information is available on the City's website.

10. Adjournment:

There being no further business to be discussed, Mayor Pro Tem Hummer adjourned the meeting at 7:41 p.m.

Anita Hummer
Mayor Pro Tem

Vivian D. White, CMC/NCCMC
City Clerk