

**City Council Regular Session
February 10, 2014**

The City Council of the City of Elizabeth City met for a Regular Session on Monday, February 10, 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: City Manager Rich Olson
City Attorney Bill Morgan
Finance Director Sarah Blanchard
Planning Director June Brooks
Chief of Police Eddie Buffaloe
Electric Department Superintendent Karl Clow
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
Deputy City Clerk Vivian 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 Councilman Michael Brooks to give the invocation, after which the Pledge of Allegiance was recited by those in attendance.

1. Agenda Adjustments and Approval:

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

Councilman King requested the addition of a proclamation celebrating the 20th anniversary of Nu Gamma Psi Fraternity, Inc.; Councilman Brooks requested the addition of a discussion on the City Charter; and Councilman Brooks requested the addition of a discussion on workplace violence.

Councilman King asked if the Council could go into Closed Session after “Comments from the Public” even though there was a Closed Session scheduled at the end of the meeting. City Attorney Morgan advised that if a motion were made and passed by a super majority of the Council, the order of business for the meeting could be amended.

Motion was made by Councilman Michael Brooks, seconded by Councilman Darius Horton, that the Council add a Closed Session to the agenda after public comments as authorized by NCGS §143-318.11(a)6 to discuss personnel matters. Those voting in favor of the motion were: Brooks, Horton, Spence and King. Mayor Peel announced that due to the absence of a super majority affirmative vote, the motion failed.

Motion was made by Mayor Pro Tem Anita Hummer, seconded by Councilwoman Jean Baker, to accept the agenda as amended. The motion carried unanimously.

2. Proclamation:

Mayor Peel welcomed representatives of Nu Gamma Psi Fraternity, Inc. to the meeting and read and presented a proclamation recognizing the 20th anniversary of the organization being celebrated during the month of February 2014.

3. Comments from the Public:

Joan Ellis, 1301 S. Williams Circle, Elizabeth City, NC stated her disapproval of the proposed “unwarranted” investigation of Mayor Peel and City Manager Olson and suggested that if the investigation goes forward, the NAACP should pay all legal fees incurred. She further stated that actions such as this only hurt the citizens of the City and make the City unattractive to companies interested in locating here. She stated her support for Mayor Peel and City Manager Olson.

Jacqueline S. Latson, 1305 S. Williams Circle, Elizabeth City, NC criticized the Council as not able to work together and stated that the Councilors should not be engaged in personal agendas and discord when the City was in the midst of vital economic revitalization. She further stated that if there was evidence of any wrongdoing by Mayor Peel and City Manager Olson, the review should not be performed by the NAACP, because there was no race issue. She complimented Mayor Peel and City Manager Olson for the jobs they were doing.

Debbie Hill, 904 Blackstock Court, Elizabeth City, NC stated that she had been a public school educator for 33 years; and that it had always been her focus to do what was best for all children. She stated that she had known Mayor Peel to be a dedicated and innovative educator during his career, who was interested in what was best for all children. She stated that she was appalled by the recent allegations of wrongdoing and bias in the charter school matter against Mayor Peel and said that she was staunchly opposed to using taxpayer dollars to pay for an investigation.

Edward O’Neal, 2126 Rivershore Road, Elizabeth City, NC stated that he wished to address the agenda consideration to select an attorney to conduct an investigation of Mayor Peel and City Manager Olson. He pointed out that during a previous Council

meeting, Mayor Peel and City Manager Olson welcomed an investigation of their actions in connection with the Pasquotank County Golden LEAF Foundation grant application. He referenced earlier Council debates that revealed some members of Council did not believe that City Attorney Morgan or the District Attorney could be impartial in recommending someone to conduct an investigation. He said that he understood everyone's desire to be fair and asked the Council to conduct the investigation in the manner they would wish to be investigated, if they felt an investigation was indeed warranted. He also requested that the investigation have credibility for the manner in which taxpayer money was spent; that the results of any investigation be used in such a way as to avoid similar controversy in the future; to make sure the matter did not turn into a witch hunt; and finally he suggested that no more be spent on the investigation than the amount allegedly spent by the City on the application's preparation.

Michael Harrell (no address given) stated that he is a member of the Pasquotank Branch NAACP Executive Committee. He said he wished to set the record straight, in that the NAACP was not going to recommend or choose the person to conduct the investigation of Mayor Peel and City Manager Olson; and that the NAACP would support whoever the Council chose. He stated that the NAACP believes in equal education for everyone; and that no City funds should be used for private charter schools. *(Mayor Peel commented to Mr. Harrell in order to correct his statement. Mayor Peel stated that the proposed charter school is not a private school, but a public school, established by the State Board of Education.)*

June Gibbs, 1918 Providence Road, Elizabeth City, NC thanked the Council for voting unanimously to conduct an investigation of Mayor Peel and City Manager Olson. She alleged that Mayor Peel had "openly admitted that the charter school grant was his own personal endeavor". She stated that The Daily Advance had referred to the investigation as a "witch hunt" and asked if it was a witch hunt only when certain people were involved.

Ginger Giarrusso, 1820 Providence Road, Elizabeth City, NC thanked the City Council for the construction of the sidewalk on US 17 South near Applebee's and cited its benefit to the residents of Oxford Heights.

4. Consent Agenda:

Mayor Peel recognized City Manager Olson to detail the items on the Consent Agenda. Mr. Olson recommended approval of all items, as follows:

Consent Agenda:

- a. Consideration – Authorization for Elizabeth City Fire Department to utilize the structure owned by Meads Home Builders, Inc. at 324 Paxton Street for live fire training;
- b. Consideration – Authorization to Submit Grant Proposal for a Community Waste Reduction and Recycling Grant to purchase fourteen 32 gallon waste

containers, with matching funds shared equally by ECDI, Inc. and the City of Elizabeth City;

c. Consideration – Authorization to Submit Grant Proposal to National Endowment for the Arts for a Freenotes Music Park to be located at Waterfront Park, with matching funds to be derived from donations and fundraising activities by ECDI, Inc.;

d. Consideration – Authorization for City Manager to Execute the Utility Relocation Agreement on NCDOT Project # 45347.1.15 (S. Road Street Bridge Replacement Project);

e. Consideration – Award of bid and authorization to purchase a TA50M Hydraulic Articulating Material Handling Aerial Device from Altec Industries, Inc. in the amount of \$169,725 (net of trade-in credit).

End of Consent Agenda.

Motion was made by Councilman Tony Stimatz, seconded by Councilwoman Jean Baker, to approve the Consent Agenda as read. The motion carried unanimously.

5. PUBLIC HEARING:

a. Consideration – Public Hearing to receive comment on an amendment to Section 18-2 of the City of Elizabeth City Code of Ordinances to require a 24-hour notice to the City Clerk and the Parks and Recreation Department prior to burial in a City-owned or maintained cemetery.

Mayor Peel declared the public hearing open at 7:30 p.m. He inquired of the Clerk if persons were present who wished to be heard. Upon response by the Clerk that no one wished to speak, Mayor Peel declared the public hearing closed.

Mayor Peel recognized Mr. Olson for his comments on this matter. Mr. Olson explained that during the January 27, 2014 City Council Work Session, the Council was agreeable to adopting an amendment to the City's Code of Ordinances as it pertains to notification to the City Clerk and the Parks and Recreation Department 24 hours prior to burial in a City-maintained cemetery. The ordinance amendment was prepared and provided by staff for the Council's review.

Motion was made by Councilwoman Jean Baker, seconded by Councilman Ray Donnelly, to adopt the amendment to the City Code of Ordinances Section 18-2 regarding Registration of Burials in City owned and/or maintained cemeteries.

Councilman Stimatz questioned why the City would need registration notice for City-maintained cemeteries in addition to City-owned cemeteries. Mr. Olson responded that there is no legal owner of many of the cemeteries; as the City had inherited a number of abandoned cemeteries in 1965. He further stated that he considered the City the de-facto owner, because the City had been maintaining them for the last 30-some years.

Councilman Stimatz referenced State statutes that establish abandoned cemeteries as county property. Councilman Spence concurred and stated that it was an issue for him if the City was spending \$42,000 per year for the upkeep of County cemeteries. Mr. Olson stated that it was his opinion that the City took ownership when it accepted maintenance responsibility in 1965. He suggested that if the Council wanted to table this item, staff would send notice to Pasquotank County that the City was going to turn the cemeteries over to them because State statute establishes the responsibility as the County's. Councilwoman Baker commented that she thought it would open a huge can of worms in view of the length of time that the City has maintained the cemeteries.

Councilman Donnelly inquired if all the cemeteries were located within the City limits, to which Mr. Olson responded that they are.

Councilman Stimatz made the point that the Council could adopt the amendment; but, in view of the fact that the County has not chosen to give consideration in areas such as Sales Tax, he questioned why the City is spending City taxpayer money to take care of something that is the County's responsibility. He acknowledged it was a public relations issue, but maintained it was a matter that required action regarding the ownership issue.

Councilman Donnelly suggested that since the City and County share Parks and Recreation expenses, the cemetery line item could be moved to Parks and Recreation to allow for the sharing of expenses.

Councilwoman Baker withdrew her motion.

Councilman Stimatz pointed out that the amendment regarding registration notice requirements could be adopted at this time and not impact future ownership conversations with the County. He suggested that the Council proceed with adopting the amendment.

City Attorney Morgan commented that since the delay being requested was only for a period of approximately 45 days, the action to table the matter was proper in this case to allow staff time to talk with County staff.

Motion was made by Councilwoman Jean Baker, seconded by Councilman Ray Donnelly, to table this matter to a work session and for discussion during the next joint City/County meeting. Those voting in favor were: Baker, Donnelly, Hummer, Brooks, Spence and King. Against: Stimatz and Horton. Motion carried.

6. REGULAR AGENDA:

a. Consideration – Adoption of Resolution Opposing an Increase in Homeowner's Insurance Rates

Mayor Peel recognized Mr. Olson for an explanation of this request. Mr. Olson responded that there was another round of insurance rate increases being proposed and that staff had prepared the resolution in opposition to those increases for the Council's consideration.

Motion was made by Councilman Ray Donnelly, seconded by Councilman Tony Stimatz, to adopt the following resolution opposing an increase in homeowner's insurance rates. The motion carried unanimously.

Resolution # 2014 _____
Opposing an Increase to Homeowner's Insurance Rates

WHEREAS, the N.C. Rate Bureau, on behalf of all companies writing homeowners insurance in the state, has requested a statewide average rate increase of 25.3 percent, varying by territory, with an estimated eight percent increase for Pasquotank County, with a requested effective date of Aug. 1, 2014; and,

WHEREAS, according to Insurance Commissioner Wayne Goodwin, new homeowners insurance rates went into effect in July 2013, and he is appalled that the insurance companies would request another increase just six months later; and,

WHEREAS, fire departments in the City of Elizabeth City and Pasquotank County have worked hard to improve the ratings received by the Insurance Services Office (ISO), and a community's investment in fire mitigation is a proven and reliable predictor of future fire losses; and,

WHEREAS, insurance companies use ISO ratings and information to help establish fair premiums for fire insurance — generally offering lower premiums in communities with better protection; and,

WHEREAS, the City Council of the City of Elizabeth City has supported the improvement of fire department ISO ratings and the resulting reduction in homeowners insurance rates.

NOW THEREFORE, be it resolved that the City Council of the City of Elizabeth City makes it known that it is adamantly opposed to any increase in homeowner's insurance rates as proposed by the NC Rate Bureau and believes same should be withdrawn immediately.

ADOPTED, this the 10th day of February 2014.

Joseph W. Peel
Mayor

Vivian D. White, NCCMC
Deputy City Clerk

b. Consideration –Adoption of Resolution Revising the City's Personnel Policy Manual

Mayor Peel recognized City Manager Olson for comments on this request.

Mr. Olson explained that the Council first discussed this matter during the January 27, 2014 Work Session, during which staff provided a draft of the personnel policy manual with the proposed changes. Based upon feedback provided by the Council during that meeting, John Leidy, the City's Labor Attorney made additional revisions as requested. Mr. Olson recommended that the Council adopt the resolution provided accepting the revised personnel policy as presented.

Motion was made by Councilman Tony Stimatz, seconded by Councilman Ray Donnelly, to adopt the City Personnel Policy Manual changes as proposed. Those voting in favor were: Baker, Donnelly, Hummer, Stimatz, Brooks, Spence, Horton and King. The motion carried unanimously.

**RESOLUTION # 2014 _____
ADOPTING CITY OF ELIZABETH CITY
REVISED PERSONNEL POLICY MANUAL**

WHEREAS, the City of Elizabeth City's Personnel Policy Manual was last revised and adopted in June 2006; and

WHEREAS, the manual requires revision in order to be in compliance with state and federal statutes; and

WHEREAS, the revised draft of the manual has been reviewed by city employees, department directors and the City Manager for recommendations; and

WHEREAS, Labor Attorney, John Leidy has provided a legal opinion that the policies contained in the manual are in compliance with current employment law.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Elizabeth City hereby adopts the City of Elizabeth City Personnel Policy Manual, as revised.

ADOPTED, this the 10th day of February 2014.

Joseph W. Peel
Mayor

Vivian D. White, NCCMC
Deputy City Clerk

c. Discussion – Selection of Attorney to Conduct Investigation:

Mayor Peel recognized Mayor Pro Tem Hummer for her comments.

Mayor Pro Tem Hummer stated that she wanted to discuss some aspects of the original motion calling for an investigation of Mayor Peel and City Manager Olson. She said she voted for the motion because the Mayor and Manager welcomed the investigation and because it would show transparency on the Council's part and put the matter to rest.

She stated that she had since come to realize that the word "investigation" is a very damaging word by itself - leaving people to speculate that something criminal was occurring; and she said, that was not the case. She further expressed that Council's action was not well thought out beforehand; and she pointed out that the matter of expense should have been discussed. She stated that the City's Charter provides that a hearing with witness testimony may be held if a violation of the Charter is found by an elected official; and that involves additional legal expense. She explained that under Charter provisions, the only remedy is adoption of a Resolution of Sanction, which is made a part of the minutes of the meeting. She further explained that the only way an elected official can be removed from office is upon a felony conviction.

Mayor Pro Tem Hummer pointed out that the City Manager comes under a different set of rules, whereby disciplinary action taken by the Council is documented in the official personnel file; or the employee can be terminated by the Council. She further stated that any discussion regarding an employee had to take place in a Closed Session; and pointed out that the Council had already discussed the matter at least twice in Closed Sessions. She said that she felt the Council already had all facts in the matter and asked if the Council should spend more taxpayers' dollars to receive information it already may have.

Mayor Pro Tem Hummer stated that the Council had been very unprofessional regarding this matter and that a negative shadow had been cast over the City and the Council's image had been damaged. She stated that because of that, she would not have any part in handling this issue in this manner.

Motion was made by Mayor Pro Tem Hummer, seconded by Councilman Tony Stimatz, that the Council rescind the previous vote to refer to the matter as an "investigation"; and instead direct the City Attorney to formally request that the League of Municipalities send one of their attorneys to Elizabeth City to analyze the Council's concerns and the public's concerns in this matter in order to guide the Council through the process of clearing it up; as well as to assist the Council in preparing a Conflict of Interest Policy.

Councilman Brooks stated that he disagreed and pointed out that the Council voted unanimously for the investigation. He said that the problem with Elizabeth City is the "us versus them" mentality. He said that if the Council followed the Charter everything would be right. He stated that with previous investigations, the issue of money had never been mentioned. He expressed that the only one that could call an investigation on the Council, was Council itself; but that a previous investigation had been conducted on the Council that the Council did not sanction. He said it makes the Council look wishy-washy when the vote was unanimous; and stated that the Council should move forward. He stated that he felt the integrity of Council and its ability to govern should be

kept intact. He pointed out that Mayor Peel and City Manager Olson had welcomed the investigation. He stated that the issue was not about Mayor Peel and the City Manager; it was about the image of the City Council.

Councilman Stimatz stated that he is the Councilor responsible for the three previous motions to conduct investigations. He said that at the time he made the motions, it was his understanding that the City Attorney would conduct them; and that the City Attorney's salary is already in the City's budget. He said he had not contemplated paying an outside entity to conduct the investigation, thus costing the City additionally. He reminded the Council that when the second vote was taken to take the investigation outside, he had voted against it. He expressed that the City Council could change its mind whenever it desired.

Councilman Stimatz pointed out that if the investigation to which Councilman Brooks referred was the investigation conducted by the SBI some years ago, that investigation was started by the District Attorney based on information he received; and that no one on Council had anything to do with it. The result of that investigation was "no action".

Councilman Stimatz stated that there were very little specifics in the information given to the Council by the NAACP. He expressed that the information alludes to specific acts, which taken as a whole do not constitute conflict of interest or misuse of government property. He said he concurred with Mayor Pro Tem Hummer that the Council does not need to go outside to have someone do an investigation.

Councilwoman Baker stated that she had initially voted for the investigation simply because Mayor Peel and City Manager Olson did not object, but agreed with Councilman Stimatz that she, too, assumed that the City Attorney would do the investigation. She stated that if the investigation is taken outside, those who called for it should pay for it.

Councilman Spence said that he agreed to do the investigation and had not changed his mind. He stated that the motion that was approved included having an outside entity to conduct the investigation; and he clarified that he never had agreed that the NAACP should choose an attorney to do it because he personally believed that would be a conflict of interest. He said he did not have an issue with the School of Government, the League or some outside entity conducting the investigation; but, stated that he felt that the City Attorney conducting it may pose a conflict. He said he felt it was time to move forward.

Councilman King said that he had no hidden agenda; and that he felt that government transparency and accountability is critical at all levels. He stated that the decision to do the investigation was a unanimous decision of the Council and that he stands by that decision. He stated that whoever conducts the investigation does not matter to him, as long as it is a "nuclear" source. He reiterated that the NAACP would not be the one to do the investigation.

Mayor Pro Tem Hummer pointed out that her motion was not to do away with the investigation, but merely to pull it together in a professional way and eliminate the negative feelings in the community. She said that it would still involve an attorney with

the League, who already works for the Council. She pointed out that the Charter provides for the City Attorney to conduct investigations.

Councilman Horton stated that he was baffled regarding the Council's inconsistently and said that he voted for the investigation because a group of individuals came forward that said that perhaps things had been done that needed to be looked into. He stated that there were issues that needed clarification. He said that he agreed that the Council needed to look at the cost, but that he absolutely thought the investigation should be performed by an outside entity. He stated that the focus should be how to move forward and not backtrack on the issue.

Councilman Brooks stated that there had been an outside influence for the Council to do a "turnaround" regarding the decision. He said that this situation had been played out in the media with people trying to defend something that they say is un-defendable.

Councilman Stimatz requested that Mayor Pro Tem Hummer restate her motion. Mayor Pro Tem Hummer reread her motion.

Mayor Pro Tem Hummer asked the City Attorney if the League was an outside entity. City Attorney Morgan replied that it was; but stated his concern that the League only has a few attorneys on staff and that they typically hire outside counsel for litigation defense. He stated that when he was under the impression that he was to secure names for the investigator, he had contacted the League and received two attorney recommendations from the League's claims manager. He reported that one attorney charged \$150 per hour, while the second charged in excess of \$200 per hour. He further stated that he was unsure if the League would send an in-house attorney to assist, but that the two recommendations do appear to be appropriate individuals to help the Council. Mr. Morgan stated that he would be happy to talk with League representatives to determine if a staff attorney would be able to conduct the investigation; but advised that generally League in-house attorneys investigate liability claims for member cities.

Mayor Pro Tem Hummer stated that she had been under no outside influence, but had prepared her statement on her own out of concern for the way the situation had been handled.

Councilman Donnelly pointed out that the Council had voted unanimously as a body to do the investigation. Subsequent to that vote, he reminded the Council that there was a motion to have either the NAACP or another outside entity identify an attorney to do the investigation. He stated that he wanted it clear that he had voted against that subsequent motion.

Councilman Brooks stated that the Council was still "talking cost" even though there was a unanimous decision.

Councilman Spence asked to make a friendly amendment to include the School of Government along with the League of Municipalities as a possibility for conducting the investigation. Mayor Pro Tem Hummer accepted the friendly amendment.

Councilman Donnelly asked if it would be a good idea to place a dollar limit on the investigation. Councilman Brooks responded that he did not think it would be a good idea to place a dollar limit, because if there was a limit, the City would “get what it pays for”. He said his desire was to get the investigation over as soon as possible and move forward because there were other problems that needed to be addressed.

Councilman Spence called for the question.

Councilman Stimatz questioned the part of the motion requesting that the investigation be rescinded. He stated that whatever term is used, it is still an investigation. He said that the damage had already been done; and he asked to make a friendly amendment to remove the word “rescind”. Mayor Pro Tem Hummer accepted the friendly amendment.

Councilman Donnelly stated that it appeared the Council was back to where the City Attorney thought the process was during the last meeting. Councilman Stimatz concurred and stated that the City Attorney would secure a recommendation from either the League of Municipalities or the School of Government and present it to Council for their consideration. The City Attorney clarified his understanding that it would be his charge to first determine if someone on staff at the League or School of Government could conduct the investigation; and in the event on-staff individuals are not willing or able, he would secure a couple names from them to recommend to the Council.

The motion, with its amendments, was clarified for the vote as follows:

That the Council proceed with the investigation; and direct the City Attorney to secure a recommendation from the League of Municipalities or the School of Government for the Council’s consideration.

Those voting in favor of the motion: Baker, Donnelly, Hummer, Stimatz, Brooks, Spence, Horton and King. The motion passed unanimously.

Councilman Stimatz stated that the budget question should be addressed after the person to do the investigation is identified. Mayor Pro Tem Hummer reminded the Council that the budget issue should be presented first to the Finance Committee.

7. Addition to Agenda by Councilman Brooks - Discussion on the City Charter:

Mayor Peel recognized Councilman Brooks for his comments.

Councilman Brooks stated that the reason for the Council’s current issues is that the Council does not follow the City’s Charter, its Ordinances or its Rules and Policies that the Council “legislates and sets forth”. He provided several examples of rights being denied during America’s history to illustrate that the reason for the denial was because “there was power in it”. He reviewed the provisions of the Charter to point out that no committee of the Mayor, any Councilor or private citizen has authority over City Council as a governing body. He stated that under the City’s Council-Manager form of government, the Mayor is not an executive mayor; and further stated that is where the City is getting off track. Councilman Brooks suggested that those citizens coming before the Council should educate themselves as to the Charter’s provisions concerning the

mayoral role. In addition, Councilman Brooks read the Charter's provisions regarding the duties of the City Manager and stated that it was the Council's responsibility to hold the City Manager responsible for the proper management of the affairs of the City and to assure that the laws of the state, and the ordinances, resolutions and regulations of the City are faithfully executed.

Councilman Brooks concluded by stating that if the Council would abide by its rules and apply them fairly to everyone, everything would be okay.

8. Addition to Agenda by Councilman Brooks - Discussion on Workplace Violence:

Mayor Peel recognized Councilman Brooks for his comments.

Councilman Brooks stated that another thing that the City has "violated drastically" is the Personnel Policy Manual. He stated that the title "Personnel Policy Manual" is misleading, because it would make one think that the manual does not apply to the Council members and the citizens of Elizabeth City. He stated that was not true. He referred to page 79 of the manual as it relates to "Communicating Threats" to state that this part of the manual applies to every citizen of the City of Elizabeth City, including Council members. He stated that the policy is not being "applied equally across the board". He stated that no one should be a victim because something in the "printed word" is violated because of personal feelings.

9. COMMENTS AND INQUIRIES ON NON-AGENDA ITEMS:

- Councilman Brooks stated that the Moral Monday event held over the weekend in Raleigh was a great event. He expressed his appreciation to the organizers of the event and encouraged others to participate.
- Councilman Stimatz had no comments.
- Councilman Horton had no comments.
- Mayor Pro Tem Hummer commended the City employees and stated that the City had an excellent workforce. She cited a problem she experienced at her home and said that the Public Works Department employees did a wonderful job.
- Councilman King expressed his appreciation to the citizens attending the meeting. He congratulated the COA GED graduates and wished them well in their future educational endeavors. He stated that ECSU is celebrating Black History Month and has a host of events that the public can enjoy. He stated that when he was sworn as a Councilor, he promised that business would not be as usual in Elizabeth City. He said he had realized that all he possessed was his voice and one vote; and that he would use that vote to represent the Fourth Ward to the best of his ability. He stated that in order to move the City forward, the bickering, stereotypes and the stubborn notions of doing things the same way must be abandoned in order to rebrand the City, embrace the University and recognize that ECSU is "our" university. He promised to always have the best interest of the people in his heart when conducting the business of the City.
- Councilwoman Baker had no comments

- Councilman Spence stated that he had always tried to be fair since becoming a Councilor and was not on any particular “side”. He stated that at the end of the day he had to look at himself in the mirror and that he was raised to be a man that stood for what he believes. He stated that he would not compromise his beliefs. He pledged that he would continue to serve the citizens of the Third Ward based on the premise of fundamental fairness.
- Councilman Donnelly stated that he had attended an open house at the Community Care Clinic during which their Telemedicine Program was highlighted. He said the program was cutting edge and he congratulated what they were doing. He said that he had attended an inspiring service during which Anson Jones, an African American Episcopal was honored as the First African American ordained minister in the United States. He thanked Christ Church for hosting the program.
- Mayor Peel distributed an update that had been prepared for the citizens from the Mayor and Council on City accomplishments. He thanked Dr. Walter Swan of ECSU’s Music Department for his work in hosting the recent ECSU event for ten universities’ music departments.

10. CLOSED SESSION: As authorized by NCGS §143-318.11(a)5 – Discussion of Contract Negotiations and NCGS §143-318.11(a)6 – Discussion of Personnel Matters:

Motion was made by Mayor Pro Tem Anita Hummer, seconded by Councilman Michael Brooks, to go into Closed Session as authorized by NCGS §143-318.11(a)5 – Discussion of Contract Negotiations and NCGS §143-318.11(a)6 – Discussion of Personnel Matters. The motion passed unanimously.

Mayor Peel declared a five minute recess at 8:55 p.m. after which the Council reconvened in Closed Session.

Motion was made by Mayor Pro Tem Anita Hummer, seconded by Councilman Tony Stimatz, to come out of Closed Session and return to Open Session. The motion passed unanimously.

(The record shall show that Councilman Brooks left the Closed Session 10:02 p.m.)

The Council returned to Open Session at 10:05 p.m.

Motion was made by Councilman Tony Stimatz, seconded by Councilman Darius Horton, to confirm the appointment of Vivian White as City Clerk for the City of Elizabeth City. The motion passed unanimously.

11. ADJOURNMENT

There being no further business to be discussed, Mayor Peel adjourned the meeting at 10:06 p.m.

Joseph W. Peel
Mayor

Vivian D. White, NCCMC
Deputy City Clerk