

The City Council of the City of Elizabeth City held its second meeting of the month on the above date and time in the City Council Chambers of the Municipal Administration Building with Mayor S. S. Atkinson presiding and members J. M. Baker, L. A. Hummer, R. E. King, B. S. Meggs, E. K. Rivers, J. A. Stimatz and V. C. Watts attending. 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, Chief W. C. Pritchard, Finance Director S. E. Blanchard, Inspection Director S. E. Ward, Parks and Recreation Director J. D. Overman, Electrical Superintendent K. F. Clow, Chief C. E. Crudup, Planning Director J. C. Brooks and Public Utilities Director P. A. Fredette. Councilman-Elect Daniel Evans was in attendance.

Mayor Atkinson opened the meeting and welcomed those attending as well as the listening audience. He called upon Pastor Matt Harrell for the invocation after which Councilman R. E. King led the Pledge of Allegiance to the Flag of the United States of America.

1} AGENDA APPROVAL:

Mayor Atkinson called for the approval of the prepared agenda.

Councilwoman L. A. Hummer asked to remove from the Consent Agenda for discussion, ***Item 7-a-9, Amend the City's Code of Ordinances, Chapter 6-Animals, Article I, In General, Section 6-10 Impoundment and disposition of animals at large or hitched.***

Councilman J. A. Stimatz asked to add to the Regular Agenda, Item 9, ***Update on progress in Stormwater flow measures and maintenance responsibilities and progress on certain planning development tools.***

A motion was made by Mayor Pro Tem J. M. Baker, seconded by Councilwoman V. C. Watts to approve the prepared agenda to include the above noted changes. Those voting favor of the motion were: Baker, Watts, Hummer, King, Meggs, Rivers and Stimatz. Against: None. Motion carried.

2} COMMENTS FROM THE PUBLIC:

Mayor Atkinson asked the City Clerk the number of people that had signed up to speak under this section of the agenda. Upon a reply of two, Ms. Pierce-Tampfen called Mrs. Pamela Stefanowich, 201 East Cypress Street, Elizabeth City, NC to the podium.

Mrs. Stefanowich expressed her concern over the proposed change to the City's Code of Ordinances regarding the disposition of feral cats. It is being proposed that the "after five days impoundment, such animal, if not claimed by its owner, shall be disposed of". It is her opinion that the five days should remain and not be changed to three days as is being proposed.

Mr. Richard Gilbert, 1623 Penny Drive, Elizabeth City, NC, expressed his opinion on how he felt that the City and staff had operated when handling the Hugh Cale Grant and the sale of property by ECNC without consulting with the City on this sale. He also is questioning how the City reconciled the books when in his opinion there was \$47,000 missing. He also questioned 709 Harrington Road, 609 Southern Avenue and 605 Shepard Street which were all purchase with CDBG funds. Finally, he would like to know if the City followed the correct process in purchasing 415 – 419 Perry Street.

3} APPROVAL OF MINUTES:

a} January 28, 2008 – Work Session Minutes

Mayor Atkinson called for action regarding the minutes of the January 28, 2008 Work Session.

A motion was made by Councilman J. A. Stimatz, seconded by Councilwoman L. A. Hummer to approve the minutes of January 28, 2008 Work Session Meeting. Those voting in favor of the motion were: Stimatz, Hummer, Baker, King, Meggs, Rivers and Watts. Against: None. Motion carried.

b} February 11, 2008 Regular Meeting

Mayor Atkinson called for action regarding the minutes of the February 11, 2008 Regular Meeting.

A motion was made by Mayor Pro Tem J. M. Baker, seconded by Councilman R. E. King to approve the minutes of the February 11, 2008 Regular Meeting. Those voting in favor of the motion were: Baker, King, Hummer, Meggs, Rivers, Stimatz and Watts. Against: None. Motion carried.

4} CONSENT AGENDA:

Mayor Atkinson asked City Manager Olson to read the items on the Consent Agenda.

A motion was made by Mayor Pro Tem J. M. Baker, seconded by Councilwoman L. A. Hummer to approve the following Consent Agenda. Those voting in favor of the motion were: Baker, Hummer, King, Meggs, Rivers, Stimatz and Watts. Against: None. Motion carried.

Consent Agenda:

- a} Adopted the following resolutions calling for a public hearing to be held on Monday, March 10, 2008 beginning at 7:30 p.m. to be held in the City Council Chambers of the Municipal Administration Building:

**RESOLUTION #08-02-01
FIXING PUBLIC HEARING ON QUESTION
OF ANNEXATION PURSUANT TO G. S. 160A-31, AS AMENDED
EVANGELOS ALEXOPOLOUS AND ASPASIA ALEXOPOLOUS
2.00± ACRES**

WHEREAS, a petition requesting annexation of the area described herein has been received; and

WHEREAS, the City Council has by resolution directed the City Clerk to investigate the sufficiency thereof; and

WHEREAS, certification by the City Clerk as to the sufficiency of said petition has been made;

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

SECTION 1. That a public hearing on the question of annexation of the area described herein will be held at the Municipal Administration Building in the City Council Chambers at 7:30 PM on the Monday, March 10, 2008.

SECTION 2. The area proposed for annexation is described as follows:

BEGINNING at a point situate on the southwestern margin of NC Highway 34 (Weeksville Road), which beginning point further marks the point of intersection of the southwestern margin of Weeksville Road with

the southeastern margin of Capital Trace (Right-of-Way, width 60 feet); thence, from said point of beginning, along a curve having a radius of 4, 177.44 feet, length of 80.93 feet, tangent of 40.47 feet, chord of 80.93 feet, delta of 01° 06' 36", bearing South 41° 06' 10" east to a point; thence South 41° 39' 28" East 180.76 feet to a point, a corner for this parcel and lands of Magic Spray Car Wash; thence South 15° 59' 00" West 308.83 feet to a point, a corner; thence North 38° 47' 04" West 448.51 feet to a point situate on the southeastern margin of Capital Trace, a corner; thence North 56° 54' 28" East 90.30 feet to a point; thence North 51° 12' 58" East 150.07 feet to **THE POINT AND PLACE OF BEGINNING**. And being all of Lot No 1, of Phase I, South Park Subdivision, as delineated on Plat recorded in Map Book 23, at Pages 18 and 19, of the Pasquotank County Registry, said tract of land having Parcel No. of 8922 381881, and being assigned Map No. P123-197 in the Office of the Tax Supervisor of Pasquotank County.

SECTION 3. Notice of said public hearing shall be published in the Daily Advance, a newspaper having general circulation in the City of Elizabeth City, at least ten (10) days prior to the date of said public hearing.

ADOPTED, this 25th day of February, 2008.

Stephen S. Atkinson
Mayor

Dianne S. Pierce-Tamplen, MMC
City Clerk

**RESOLUTION #08-02-02
FIXING PUBLIC HEARING ON QUESTION
OF ANNEXATION PURSUANT TO G. S. 160A-58.1, AS AMENDED
EVANGELOS ALEXOPOLOUS AND ASPASIA ALEXOPOLOUS
1.00± ACRES**

WHEREAS, a petition requesting annexation of the area described herein has been received; and

WHEREAS, the City Council has by resolution directed the City Clerk to investigate the sufficiency thereof; and

WHEREAS, certification by the City Clerk as to the sufficiency of said petition has been made;

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

SECTION 1. That a public hearing on the question of annexation of the area described herein will be held at the Municipal Administration Building in the City Council Chambers at 7:30 PM on the Monday, March 10, 2008.

SECTION 2. The area proposed for annexation is described as follows:

BEGINNING at a point situate on the eastern margin of Tidewater Way, which beginning point further marks the northwestern corner of Lot 12, Phase I, South Park Subdivision, as delineated on Plat thereof recorded in Map Book 23, at Pages 18 and 19, of the Pasquotank County Registry; thence from said point of beginning along a curve having radius of 380.00 feet, length of 113.18 feet, tangent of 57.01 feet, chord of 112.76 feet, delta of 17° 03' 55", bearing North 05° 06' 56" West to a point marking the corner of this property and a corner of Lot 14, Phase I, South Park Subdivision; thence North 76° 21' 07" East 298.41 feet to a point; thence South 38° 47' 04" East 31.38 feet to a point; thence South 15° 59' 00" West 180.15 feet to a point; thence North 86° 34' 59" West 250.43 feet to **THE POINT AND PLACE OF BEGINNING**. And being all of Lot No. 13, of Phase I, South Park Subdivision, as delineated on Plat recorded in Map Book 23, at Pages 18 and 19, of the Pasquotank County Registry, said tract of land having parcel No. of 8922 381453, and being assigned Map No. P123-209 in the Office of the Tax Supervisor of Pasquotank County. Site contains 1:00± acre.

SECTION 3. Notice of said public hearing shall be published in the Daily Advance, a newspaper having general circulation in the City of Elizabeth City, at least ten (10) days prior to the date of said public hearing.

ADOPTED, this 25th day of February, 2008.

Stephen S. Atkinson
Mayor

Dianne S. Pierce-Tamplen, MMC
City Clerk

**RESOLUTION #08-02-03
FIXING PUBLIC HEARING ON QUESTION
OF ANNEXATION PURSUANT TO G. S. 160A-58.1, AS AMENDED
EVANGELOS ALEXOPOLOUS AND ASPASIA ALEXOPOLOUS
1.00± ACRE**

WHEREAS, a petition requesting annexation of the area described herein has been received; and

WHEREAS, the City Council has by resolution directed the City Clerk to investigate the sufficiency thereof; and

WHEREAS, certification by the City Clerk as to the sufficiency of said petition has been made;

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

SECTION 1. That a public hearing on the question of annexation of the area described herein will be held at the Municipal Administration Building in the City Council Chambers at 7:30 PM on the 10th day of March, 2008.

SECTION 2. The area proposed for annexation is described as follows:

BEGINNING at a point situate on the eastern margin of Tidewater Way, which beginning point further marks the northwestern corner of Lot 13, Phase I, South Park Subdivision, as delineated on Plat thereof recorded in Map Book 23, at Pages 18 and 19, of the Pasquotank County Registry; thence, from said point of beginning, along a curve having radius of 380.00 feet, length of 123.73 feet, tangent of 62.42 feet, chord of 123.18 feet, delta of 18° 39' 19", bearing North 22° 58' 33" West to a point which marks a corner for this lot and the southwestern corner of Lot 15, South Park Subdivision, Phase I; thence North 57° 41' 47" East, 238.12 feet to a point, a corner; thence South 38° 47' 04" East 218.40 feet to a point, a corner; thence South 76° 21' 07" West 298.41 feet to
THE POINT AND PLACE OF BEGINNING. And being all of Lot No. 14,

of Phase I, South Park Subdivision, as delineated on Plat recorded in Map Book 23, at Pages 18 and 19, of the Pasquotank County Registry, said tract of land having Parcel No. of 8922-381598, and being assigned Map No. P123-210 in the Office of the Tax Supervisor of Pasquotank County.

SECTION 3. Notice of said public hearing shall be published in the Daily Advance, a newspaper having general circulation in the City of Elizabeth City, at least ten (10) days prior to the date of said public hearing.

ADOPTED, this 25th day of February, 2008.

Stephen S. Atkinson
Mayor

Dianne S. Pierce-Tamplen, MMC
City Clerk

**RESOLUTION #08-02-04
FIXING PUBLIC HEARING ON QUESTION
OF ANNEXATION PURSUANT TO G. S. 160A-58.1, AS AMENDED
EVANGELOS ALEXOPOLOUS AND ASPASIA ALEXOPOLOUS
1.00± ACRE**

WHEREAS, a petition requesting annexation of the area described herein has been received; and

WHEREAS, the City Council has by resolution directed the City Clerk to investigate the sufficiency thereof; and

WHEREAS, certification by the City Clerk as to the sufficiency of said petition has been made;

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

SECTION 1. That a public hearing on the question of annexation of the area described herein will be held at the Municipal Administration Building in the City Council Chambers at 7:30 PM on the Monday, March 10, 2008.

SECTION 2. The area proposed for annexation is described as follows:

BEGINNING at a point situate on the northeastern margin of Tidewater Way, which beginning point further marks the northwest corner of Lot 14, Phase I, South Park Subdivision, as delineated on Plat thereof recorded in Map Book 23, Pages 18 and 19, of the Pasquotank County Registry; thence, along a curve having radius of 380 feet, length of 42.98 feet, tangent of 21.51 feet, chord of 42.96 feet, delta of $06^{\circ} 28' 51''$, bearing North $35^{\circ} 32' 39''$ West to a point; thence North $38^{\circ} 47' 04''$ West 105.00 feet to a point; thence, along a curve having radius of 25.00 feet, length of 39.27 feet, tangent of 25.00 feet, chord of 35.36 feet, delta of $90^{\circ} 00' 00''$ bearing North $06^{\circ} 12' 56''$ East to a point situate on the southeastern margin of Capital Trace; thence North $51^{\circ} 12' 56''$ East 198.70 feet to a point; thence North $56^{\circ} 54' 28''$ East 10.52 feet to a point, a corner for this tract and Lot 1, Phase I, South Park Subdivision; thence South $38^{\circ} 47' 04''$ east 198.73 feet to a point, a corner for this tract and Lot 14, Phase I, South Park Subdivision; thence South $57^{\circ} 41' 47''$ West 238.12 feet to **THE POINT AND PLACE OF BEGINNING**. And being all of Lot No. 15, of Phase I, South Park Subdivision, as delineated on Plat recorded in Map Book 23, at Pages 18 and 19, of the Pasquotank County Registry, said tract of land having Parcel No. of 8922 289730, and being assigned Map No. P123-211 in the Office of the Tax Supervisory of Pasquotank County. Site contains 1:00 acre.

SECTION 3. Notice of said public hearing shall be published in the Daily Advance, a newspaper having general circulation in the City of Elizabeth City, at least ten (10) days prior to the date of said public hearing.

ADOPTED, this 25th day of February, 2008.

Stephen S. Atkinson
Mayor

Dianne S. Pierce-Tamplen, MMC
City Clerk

b} Called for a public hearing to be held on Monday, March 10, 2008 beginning at 7:30 p.m. in the City Council Chambers of the Municipal Administration for each of the following:

1} Amendment to the Code of Ordinances Chapter 46-Motor Vehicles and Traffic, Article III Operation of Vehicles, Section 46-56, Turning at Intersections.

2} Text Amendment to the Unified Development Ordinance Section 12-10.2 (b) 7 (TA-02-07) to add language to the UDO to allow portal signs in the Halstead Overlay Zoning District.

3} Text Amendment to the Unified Development Ordinance Section 12-10.2.6 (TA-04-07) to add language to the UDO to allow entry markers for commercial subdivisions in the Halstead Overlay Zoning District.

4} Text Amendment to the Unified Development Ordinance Section 12-10.2 (TA-05-07) to clarify language and make technical administrative changes in the Halstead Overlay Zoning District.

b} Adopted the following Budget Amendment:

**BUDGET AMENDMENT
NUMBER 2008-03**

BE IT ORDAINED by the City Council of the City of Elizabeth City that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2008:

SECTION I. That the General Fund Balance Appropriated (103990.0000) and Legislative Contracted Services (104100.4500) be increased by \$5,228.

(To record City Council retreat expenditures Elim Group \$4,947, Luncheon \$281.)

SECTION II. That the General Fund Lot Clearing Revenue (103920.0010) and Planning Department Lot Clearing (104900.4601) be increased by \$5,000.

(To record increase to Lot Clearing line item.)

SECTION III. That the Senior Center Grant Revenue (103490.6301) be

increased by \$6,427, the General Fund Balance Appropriated (103990.0000) be increased by \$1,929, the Senior Center Grant Instructor Pay (106300.0310) be increased by \$1,067, the Senior Center Grant Departmental Expenditures (106300.3301) be increased by \$5,489, and the Senior Center Grant Capital Outlay Expenditures (106200.7400) be increased by \$1,800.

(To record Senior Center Grants through the Albemarle Commission.)

ADOPTED, this 25th day of February 2008.

Stephen S. Atkinson
Mayor

Dianne S. Pierce-Tamplen, MMC
City Clerk

c} Authorized Elizabeth City Downtown to apply to the Elizabeth City/Pasquotank County Tourism Development Authority Restrict Fund for \$5,000 to erect granite monument honoring the Rose Buddies.

End of Consent Agenda:

5} ITEM REMOVED FROM CONSENT AGENDA:

Mayor Foster called upon Councilwoman Hummer for comments on this item.

Ms. Hummer said she was the one that asked for discussion of this item even though this is just for a call for a public hearing. We pay the County for animal control and this indicates that it is up to the Police Chief. Council adopts an ordinance and then the County enforces it. Do we need to take another look at the wording in this? As you can see there are some animal lovers that do have a problem with the wording. It says except for dogs but it really is not defined to well. This needs to be looked at before the public hearing. Someone's pet could get out while they are out of town and we need to make sure that it is for feral cats if that is what council wants to do. She feels that it should be rewritten to

state more clearly and then after the public hearing Council can decided a time limit. She does not believe that it should be up to the Chief of Police.

Mr. Stimatz asked Mr. Olson to be prepared by the next meeting to tell us what the impact was of not taking action.

A motion was made by Councilwoman L. A. Hummer, seconded by Councilman J. A. Stimatz to call for a public hearing to be held on Monday, March 10, 2008 beginning at 7:30 p.m. in the City Council Chambers to consider amending the City's Code of Ordinances, Chapter 6, Animals, Article I, In General, Section 6-10, Impoundment and disposition of animals at large or hitched. Those voting in favor of the motion were: Hummer, Stimatz, Baker, King, Meggs, Rivers and Watts. Against: None. Motion carried.

6} PUBLIC HEARING:

Mayor Atkinson called upon Planning Director Brooks for comments.

Ms. Brooks advised that the City received \$350,000 in grant money under the CDBG Program. We have spent \$347,903 of that money. The following is the original budget and the final budget for Year 5 of the Hugh Cale Revitalization Grant. The City made some adjustments by increasing the Acquisition Budget and reducing the Clearance Budget in order to drawdown the funds completely and in a timely manner.

	<u>Original Budget</u>	<u>Final Budget</u>	<u>Expenditures</u>
Administration	\$ 35,000	\$ 35,000	\$34,916
Acquisition	\$125,000	\$148,536	\$148,534
Clearance	\$ 70,000	\$46,464	\$46,464
Public Service	\$ 25,000	\$25,000	\$22,989
Neighborhood Facility	<u>\$ 95,000</u>	<u>\$95,000</u>	<u>\$95,000</u>
Total	\$350,000	\$350,000	\$347,903

Ms. Brooks continued by saying that Year Five activities began in July of 2007, and the following is the result of each activity and the lessons learned during the implementations.

The City utilized \$148,534 in grant funds to purchase six abandoned properties at 705 and 711 Cale Street, 700 Martin Luther King Street, 516 Edge Street, 504 Brown Street and 400 Brown Street. \$46,464 was spent in clearance and they include 700 and 703 Martin Luther King Street, 503 and 505 Brown Street, 705

and 711 Cale Street, 516 Edge Street, 501 Shepard Street, 702 South Road Street, 508 McMorrine Street and 510 McMorrine Street. \$22,989 was spent on public service. OIC received \$12,500 and to date ECNC has received \$10,000 and we are working on addition information to finalize the drawdown from ECNC. Administration was \$34,916. \$95,000 was expended on Neighborhood Facility and it was all associated with construction. As of date we have spent \$347,903.

Mayor Atkinson declared the meeting into public hearing to receive any public comments. Since no one was present to speak for or against the proposed report, Mayor Atkinson declared the public hearing closed. He called for action from Council.

A motion was made by Mayor Pro Tem J. M. Baker, seconded by Councilman R. E. King to approve and accept the report to the citizens regarding the projects implemented during Year Five of the Hugh Cale Revitalization Strategies Grant; and, further to approve the Year Five Close Out. Those voting in favor of the motion were: Baker, King, Hummer, Meggs, Rivers and Stimatz. Against: Watts.

7} REGULAR AGENDA:

a} Adoption of Resolution opposing location of Navy OLF in Camden or Gates Counties and Northeastern North Carolina.

Mayor Atkinson called upon Mr. Olson for an overview of this item.

Mr. Olson stated that this particular item was placed on the February 11, 2008 Council agenda and it was tabled so staff could provide additional information. Staff has provided a little bit more detail analysis associated with this project. What we have done we basically looked at the environmental impact statements located with the Washington County EIS. Out of that impact statement we gleaned out how the Navy plans to utilize any type of OLF field. We are looking at approximately 31,652 FCLP annually. A normal FCLP training session involves four to five aircraft, each performing eight to ten "touch and go" operations within a 45-minute period. He would caution Council that until the actual environmental impact statement is done on the Camden and Gates Counties sites, things included in staff's analysis may vary a little. Looking at the maps he believes the information is correct in our analysis.

A motion was made by Mayor Pro Tem J. M. Baker to approve the following resolution as a substitute resolution for the one last week and send it forth. Councilman J. A. Stimatz seconded the motion. Those voting in favor of the motion were: Baker,

***Stimatz, Hummer, King, Meggs, Rivers and Watts. Against:
None. Motion carried.***

**RESOLUTION #08-02-05
OPPOSING THE LOCATION OF A
NAVY OUTLYING LANDING FIELD
IN NORTHEASTERN NORTH CAROLINA**

WHEREAS, the Navy has proposed potential OLF sites in Camden and Gates Counties of Northeast North Carolina; and

WHEREAS, North Carolina has a long, distinguished history of supporting our Nation's Armed Forces, including hosting several major military installations; and

WHEREAS, the City of Elizabeth City recognizes the value and significance of all who have served, past and present, in defense of our Nation and our liberties; and

WHEREAS, the City of Elizabeth City recognizes the need for training facilities for those who serve in the Armed Forces, as everyone in our Nation benefits from the proficiency of those who defend our liberties; and

WHEREAS, each community and their local governments have the right and obligation to evaluate whether hosting a military training facility has a negative impact on public safety or requires an unfair cost-share for providing facilities to benefit the nation; and

WHEREAS, the proposed OLF in Camden County will be situated in such proximity to Pasquotank County High School and Northside Elementary as to be detrimental to the learning environment and pose a significantly increase threat to the public safety of the citizens of Elizabeth City; and

WHEREAS, Northeast North Carolina, a region historically burdened by low employment and weak economic development would experience additional significant detrimental impacts on our citizens should an OLF be located in the area; and

WHEREAS, the City of Elizabeth City has gone on record in the past opposing the site of an OLF in Perquimans, Bertie, Hyde and Washington Counties;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Elizabeth City opposes locating a new outlying landing field in Camden or Gates Counties, or anywhere in Northeastern North Carolina;

FURTHER, BE IT RESOLVED, the City Council of the City of Elizabeth City believes that an OLF to primarily support Oceana Naval Air Station should be located in Virginia and not North Carolina.

ADOPTED, this 25th day of February, 2008.

Stephen S. Atkinson
Mayor

Dianne S. Pierce-Tamplen, MMC
City Clerk

b} Request for donation for Elizabeth City/Pasquotank County Community Relations Committee.

Mayor Atkinson recognized Mr. Olson for comments.

Mr. Olson advised that the Elizabeth City/Pasquotank Community Relations Commission is planning to hold a Building Bridges Conference which will be held in mid April. The conference has been designed to bring the many community partners together to discuss diversity and strategies on building bridges after the recently conducted "State of Race Relations in Elizabeth City and Pasquotank County Survey Report". The conference will be a half day event where the commission would seek input from various groups to develop strategies to reduce racial issues and the negative effect they have on the community. The commission is requesting that the City and County jointly fund the conference.

Councilman Stimatz asked if there was anyone present who could speak to the request.

Mr. Heziklah Brown advised that the funds would be used to assist in having a one day "Building Bridges" forum here in Elizabeth City.

A motion was made by Mayor Pro Tem J. M. Baker, seconded by Councilman R. E. King to approve to pay up to one half cost of the Building Bridges Conference up to \$1,500 from our Contingency Fund. Councilman R. E. King seconded the motion. Those voting in favor of the motion were: Baker, King, Hummer, Meggs, Rivers, Stimatz and Watts. Against: None. Motion carried.

c} Request for a donation to River City CDC

Mayor Atkinson called upon City Manager Olson for comments.

Mr. Olson advised that the City has received a request from River City CDC for a donation of \$4,000 to help pay for the installation of electrical outlets and plumbing improvements within the shop area. The City had previously paid for some electrical improvements for this building. In June 2006, the Council approved giving River City CDC \$5,000 which paid part of the cost of installing a new 400 amp single phase service and the wiring of the computer lab. Presently there is \$4,054.50 in the Council's Contingency Fund of which you just donated \$1500 of it to the Relations Committee. The Council may wish to defer this request until June or look at a smaller donation to insure that funds are left in the contingency fund if the Council decides to provide money to River City CDC.

A motion was made by Mayor Pro Tem J. M. Baker that we donate \$1500 to this request as well for RCCDC. Councilman R. E. King seconded the motion. Those voting in favor of the motion were: Baker, King, Hummer, Meggs, Rivers, Stimatz and Watts. Against: None. Motion carried.

Councilman Stimatz said that he wants to use this as a stage to remind the Mayor in this case because it was the Mayor's Task Force last year on non-profits that we need to think about how we are going to provide for that this coming year and do we need to amend our process and the criteria by which we give money away to non-profits.

d} Political Campaign Signs

Mayor Atkinson called upon Planning Director Brooks for comments.

Ms. Brooks stated that she had made contact, along with the City Attorney, with the Institute of Government regarding an amendment to allow political campaign signs on city owned property violated first amendment rights.

City Attorney Morgan stated that several months ago we received a letter from a law firm in Oregon which represents the International Sign Association so we have to realize going into this that slant from which their arguments that may be made but Ms. Brooks has prepared a memo to Council tonight that outlines correctly the fact that we do have some problems with our ordinance as it is written now. Per memo to the options that Council made to amend the ordinance he thinks that there may be a third option that has the concept of limited public forums. He communicated today with the attorneys that provided

the information from Oregon several months ago. He has not gotten a response back from them at this point. He would like to ask if Council would not take any action on this tonight and give Ms. Brooks an opportunity to hear back from the School of Government representative with whom she has communicated with and also give him a chance to go back to this law firm in Oregon. He would report back to Council at the next meeting.

A motion was made by Councilman J. A. Stimatz, seconded by Mayor Pro Tem J. M. Baker that we table this item until we receive a report back from the City Attorney and the Planning Director. Those voting in favor of the motion were: Stimatz, Baker, Hummer, King, Meggs, Rivers and Watts. Against: None. Motion carried.

e} Request for traffic Study by NCDOT

Mayor Atkinson called upon Public Utilities Director Fredette for comments.

Mr. Fredette stated that this item is about a request from the residents living in the area bordered by Oak Stump Road, Ranch Drive and Summerfield Street. The speed limit posted on these roads is 35 mph. The residents would like all roads posted at 25 mph. NCDOT requires that City Council pass a resolution requesting that a traffic study be performed before any change would be made.

A motion was made by Councilman R. E. King, seconded by Councilman L. A. Hummer to adopt the following resolution requesting that a traffic study be done on Chappell Road, Garden Drive, Chesterfield Drive and Farm Drive in order to see the feasibility of reducing the speed limit to 25 mph. Those voting in favor of the motion were: King, Hummer, Baker, Meggs, Rivers, Stimatz and Watts. Against: None. Motion carried.

**RESOLUTION #08-02-06
REQUESTING NCDOT
TO CONDUCT A SPEED LIMIT
DECREASE FEASIBILITY STUDY
CHAPPELL GARDEN DRIVE, CHESTERFIELD DRIVE AND FARM DRIVE**

WHEREAS, traffic flow in the area bordered by Oak Stump Road, Ranch Drive and Summerfield Street is very busy, as this street is one of the City's main arteries; and

WHEREAS, this section of road is heavily residential containing young families with children and older residents who frequently walk; and

WHEREAS, residents of Chappell Garden Drive, Chesterfield Drive and Farm Drive have requested that the speed limit on this section of road be decreased from 35 mph to 25 mph for safety's sake;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of Elizabeth City, North Carolina request that the North Carolina Department of Transportation perform a speed limit feasibility study to determine if traffic volume on Chappell Garden Drive, Chesterfield Drive and Farm Drive warrants a decrease to 25 mph speed limit.

ADOPTED, this 25th day of February 2008.

Stephen S. Atkinson
Mayor

Dianne S. Pierce-Tamplen, MMC
City Clerk

f} Update on Flow Measures and Maintenance Responsibilities.

Mayor Atkinson called upon Councilman Stimatz for comments.

Mr. Stimatz said that this has to do with the problem of who maintains the ditches and storm water drainage at various roads. He showed some pictures of areas that some residents are very concerned about. One was the ditch that is located in the old Fair Grounds. The question comes to mind that it is filled with trash. The next one was of a major drain ditch for the area along Mill Street behind Allstate and the Cotton Mill. We have talked about drainage issues and the problems. He would like to have some sense from the Redevelopment Commission. Do we own all of that property yet?

Mr. Olson replied that he believes that there are still four parcels that are going through the condemnation process right now. The area that you are referring to is although we have clear titles to those areas where the ditches and stuff have been we have had cooperate ventures with NCDOT as they are all NCDOT roads and ditches in that particular area. We are the property owner and he knows that Public Works has been out there at least four times in the last year to

basically pick up trash. What you see in this photo is we had strong rains and due to the flushing of the streams this is the result of those. What you see in the other photo is basically illegal dumping. About every quarter Public Works goes out there with the County and we clean up that particular area. Now what both city and county recently did we went in there and clear cut the entire area because people would go back there where there were woods and do the illegal dumping. We have not had the problem since we went in there and clear the grounds within the Fair Grounds area. We still have some issues that we are working on and DOT has been working with us on them. It looks bad but it is flowing appropriately. We will have the work crews go out there and clean up this area.

Mr. Stimatz said that his question is how are we going to find out who is responsible for vacating these drainage areas. Is this us or DOT? It cuts through the property.

Mr. Olson replied that part of the property is DOT. The other part is the Redevelopment Commission ditch. But, it drains the City so in essence it is our ditch.

Mr. Stimatz said then this gets back to his issue all along. We are not totally responsible for this but we are the ones that end of cleaning it. We are carrying the burden for somebody else. He would like an update on how we are progressing.

g} Planning Development Tools

Mayor Atkinson called upon Councilman Stimatz.

Mr. Stimatz said that three things have been discussed over the last twelve months or so. One is the development of an aesthetic ordinance to deal with tar paper and poorly maintained exteriors on buildings. Two is the creation of a Renter Bill of Rights and Responsibilities. The final one is the next steps and timeline after approval of LUP to implement Conditional Use Zoning. He would like to know where we are on all three of these.

8} COMMENTS AND INQUIRES ON NON-AGENDA ITEMS:

Mayor Atkinson called upon the City Manager and Members of Council for comments.

City Manager Olson said that he had no further items to bring up tonight.

Councilwoman Hummer said that she has three things. She would like to request an update on some issues that came up from Mr. Clay Foreman. He feels that these issues are still outstanding in his mind. Last year we met with Mr. Foreman at Allstate and there were some suggestions made and she would like to have an update to see if anything has been resolved. We keep getting correspondence from him.

She would also like to point out that there was a Black History Month celebration on the 20th at the library and most council members didn't get their invitation until three days after the fact. That would have been something nice to attend.

Also, she would like to request something. She thinks that all of us were elected equally and we are here to give equal representation. She would like to request when three members of Council meet with the Mayor and City Manager is it possible for the rest of us to receive a fax as to what business transpired in that meeting. It places the Mayor and Manager in a bad position too. Like she said, it hinders the rest of us when there are these meetings. They are one person shy of a quorum. She knows that this has happened several times recently. She just does not think that it is fair to our constituents. She would like to request information in the future.

Councilwoman Watts said first of off she would like to request an update on something. She wants to find out about the number of times that Oak Grove has been brought up to the table. It seems that it is always being brought up at the table Is there any way that you can get back to her, Mr. Olson as to what we are doing, if anything at all to improve the roads over there. She believes that there are two roads or at least she knows one road that is not paved and there are possibly two. And, the constituents over there are very concerned that years have gone by and are continuing to go by and nothing is happening. The other request is that something should be done about the property behind those roads in the back where she believes there was some dumping of some type of material by the City or some contractor to that affect and what is or isn't being done as far as cleaning that up. She believes those people are paying a fee for something that they are telling her that they did not request to be done. The other thing is if she is misunderstanding why they are being charged something that they didn't have a chance to vote on then please correct her and maybe she can set down in your office and you can tell her what she needs to know or a little bit more about the Oak Grove situation.

Mr. Olson said that he would be happy to meet with her. There is a lot of information on that and it deals with the annexation of the property back there and it has been well documented and probably brought up in the last five years more than five times and it has been explained to City Council very thoroughly each time.

Ms. Watts said that she would certainly appreciate you explaining it to her. The other thing that she would like to say is to the constituents of Elizabeth City. She does not know if you all know but she is going to tell you now that she was targeted this weekend. One of those targeted. And, she is pleading to you for help. She needs your help in finding out who has deliberately done these things to herself and she believes nine other persons who received damaged on their cars and/or their vehicles and/or their homes. She does not know whether or not someone does know but she received a phone call at 9:30 p.m. on Friday night. She wants you to know that this person told her to prepare for the angriness of the public for some issues that will be coming up here before Council or has already come up before Council. That is the truth regardless of what else you might hear. If no one else is willing to help her from the Mayor down to the police department she needs your help, ladies and gentlemen. And, if you know anything about what happened Saturday night, please come forward. The other thing is this. Whether she is dead or alive she wants you to know that change still will rise. She was elected because she was standing on a platform of truth and integrity and honestly. She wants to uphold those boundaries as best as she can, as God gives her the strength. She hopes that not only her but everyone member of this Council will hold those truths to be self evident in the way that we perform and uphold ourselves here before you in Council meetings, outside of these walls and literally throughout the world because who knows we may be. She does not want anything to happen to anyone. She wants to thank the Chief, City Council and Manager for making a way for us to have some extra protection in here tonight. If you get a chance she would appreciate your shaking their hand because if it weren't for them we would again be coming through doors without any protection. So, she wants to thank the City Manager, thank you Mayor, thank you Chief Crudup for you help. She also wants to take this opportunity to thank the authorities who are out there who are protecting and looking tirelessly for the perpetrators who performed these activities on Saturday evening. May God bless you and thank you so much for the time to express her gratitude for everyone and for also the time to explain the truth of what has happened to her?

Mayor Pro Tem Baker said that she just wanted to say that she agrees with Councilwoman Hummer regarding information about meetings, but she does not want to limit it to a meeting that has three or more people or two or more people. She does not want to put extra work on anybody, but if anybody has a meeting that regards city business whether with the Mayor or the Manager whether it be in the FYI or just individual meeting, she thinks that it is important that we all know. We all represent all of the people and she does not think that anyone should be left out of anything.

Councilman Rivers said that he would like to definitely put on the agenda for the next meeting, travel for council. He guesses the reason why he asks for that is because of recent information in terms of travel. He would like to get a report on when we pay for something at least bring us a report on the time. That is our travel policy update for the next meeting.

Second of all if we can get information on the incident that Councilwoman Watts was referring too in terms of vandalism. Normally we get everything else and he would like to get something if that happens to council member when it happens if it is not within obstruction of the investigation. So that way we can be made aware of what is going on. Usually if something happens to a member of Council we are usually made aware of it.

Councilman King asked if the drainage work was complete on Roanoke Avenue.

Mr. Olson said that the drainage work is complete.

Mr. King asked when we were going to start doing the roads like Davis Street, Perry Street, all of those side streets through there.

Mr. Olson said that he has no idea. He is not sure if they are on the master plan. He will have to get with Paul Fredette to see if they are on the schedule for next year. All of our Powell Bill monies is going to the replacement of Charles Creek Bridge.

Councilwoman Watts said that she just wanted to know if there is a call system here because she called when that happened Mr. Rivers, she did call the authorities. Then she proceeded to call Mr. Olson first. She would like to know if she is the one that is supposed to call everyone or is someone else is suppose to take it over from that point. She would like to know because if something does happen to someone else, she would like to know where to go.

9} ADJOURNMENT:

There being no further business to come before the Council at this time, Mayor Atkinson adjourned the meeting at 8:19 p.m.

Dianne S. Pierce-Tamplen, MMC

City Clerk

Stephen S. Atkinson
Mayor