

MONDAY- 7:00 P.M.

FEBRUARY 26, 2007

CITY COUNCIL

The City Council of the City of Elizabeth City held their second regular meeting of the month on the above date and time in the City Council Chambers of the Municipal Administration Building with Mayor C. L. Foster presiding. Members of Council attending were: J. M. Baker, M. E. Brooks, L. A. Hummer, B. S. Meggs, D. K. Stallings and J. B. Walton. E. K. Rivers was absent. Staff attending were: City Manager R. C. Olson, City Clerk D. S. Pierce-Tamplen, City Attorney W. H. Morgan, Deputy Clerk V. D. White, Public Utilities Director P. Fredette, Planning Director J. C. Brooks, Fire Chief W. C. Pritchard, Parks and Recreation Director J. D. Overman, Finance Director S. E. Blanchard, Inspections Director S. E. Ward, Interim Police Chief G. F. Koch, Electric Superintendent K. F. Clow and Community Development Coordinator V. Mani.

Mayor Foster opened the meeting by welcoming those attending. He called upon Reverend Wilbert Tatum for the invocation after which Councilwoman B. S. Meggs led the Pledge of Allegiance to the Flag of the United States of America.

**1} AGENDA APPROVAL:**

Mayor Foster called for action regarding the prepared agenda.

Mayor Foster asked to add to the agenda *discussion of Oxford Heights and Oak Grove as well as a Proclamation for the American Red Cross.*

Councilman J. B. Walton asked to remove *Item 8-a Review of proposal to amend the taxi ordinance and require taxicabs to be equipped with tamper proof meters.*

Mayor Pro Tem L. A. Hummer asked to *make a statement.*

*A motion was made by Councilman J. A. Stimatz, seconded by Councilwoman B. S. Meggs to approve the prepared agenda to include the above stated items. Those voting in favor of the motion were: Stimatz, Meggs, Baker, Brooks, Hummer, Stallings and Walton. Against: None. Motion carried.*

**2} COMMENTS FROM MAYOR PRO TEM L. A. HUMMER:**

Mayor Pro Tem Hummer stated she would like to say she was considering putting the surveillance cameras back on the agenda for tonight. There is nothing in our ordinances or City Council rules because we don't have any that prohibits someone from the losing side from putting something back on the

agenda as many times as they want too. But, she is going to leave it to the people in her Ward to speak. She is going to back them all the way. If they want to come up here and speak at every meeting that is their right to do so as a citizen.

**3} COMMENT FROM THE PUBLIC:**

Ms. Pam Stefanowich, representing the Pennsylvania Community Crime Watch appealed to Council to reconsider the placement of surveillance cameras in their community.

Mr. Wilbert Tatum, representing Sawyertown Community Watch appealed to Council to reconsider the placement of surveillance cameras in their neighborhood as well as asking for information on the proposed mobile crime trailers.

**4} PROCLAMATIONS/PRESENTATIONS:**

Mayor Foster presented a proclamation proclaiming the week of March 5-11, 2007 as Multiple Sclerosis Week.

Mayor Foster also proclaimed the month of March 2007 as American Red Cross Month and presented the proclamation to Mr. John Gillis, Executive Director of the Greater Albemarle Area Chapter of the American Red Cross. Mr. Gillis made a few remarks on behalf of the local chapter of the Red Cross.

**5} CONSENT AGENDA:**

Mayor Foster asked the City Manager to read the Consent Agenda.

Following the presentation of the items on the Consent Agenda, Mayor Foster entertained a motion to approve the consent agenda as presented.

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

Consent Agenda:

a} Adopted the following resolution requesting State Funding Assistance for Southern Avenue Improvement Project.

**RESOLUTION #07-02-4  
REQUESTING STATE FUNDING ASSISTANCE  
FOR SOUTHERN AVENUE IMPROVEMENT PROJECT**

**WHEREAS**, the City of Elizabeth City (City) has entered into Municipal Agreement WO2335 with the North Carolina Department of Transportation (DOT) to make certain street improvements, specifically milling, replacement of curb and guttering, repair of drainage structures and resurfacing for SR 1169 (Southern Avenue) in Elizabeth City; and

**WHEREAS**, DOT has agreed to reimburse the City for costs associated with this project in the amount of \$450,000; and

**WHEREAS**, in accordance with this Municipal Agreement, the City has awarded a contract for this work to Barnhill Construction Company and is now awaiting a Notice to Proceed from DOT; however, DOT funding shortfall concerns have prevented this project from moving forward;

**NOW, THEREFORE, BE IT RESOLVED**, that that Mayor and City Council of the City of Elizabeth City do hereby request funding assistance from the State of North Carolina Board of Transportation's Small Construction Project Funds or any other available funding sources to move this critical project forward.

**ADOPTED**, this the 26<sup>th</sup> day of February 2007.

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Charles L. Foster  
Mayor

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Dianne S. Pierce-Tamplen, MMC  
City Clerk

b} Award of Audit Contract:

Awarded Audit Contract to Douglas A. Hollowell, P.C. as follows:

Year ended June 30, 2007	\$23,000
Year ended June 30, 2008	25,000
Year ended June 30, 2009	26,000

Year ended June 30, 2010                      27,000

End of Consent Agenda

**6}    REGULAR AGENDA:**

a}    Approval of Budget Ordinance for Year Five Action Plan of Hugh Cale Revitalization Strategies Grant:

*Due to an error in the advertisement, this item will appear on the March 12, 2007 agenda.*

b}    Approve clearance of 501 Shepard Street and declare the property as surplus.

Mayor Foster called upon City Manager Olson for comments.

Mr. Olson stated that CDBG funds were used to purchase 501 Shepard Street. The original goal of the City was to help the previous low-income family to move to a safe and affordable house. DCA representation and Rehabilitation Specialist visited the property and they believe the cost of rehabilitation is over \$40,000 considering lead-based paint regulations and State of North Carolina Code. DCA will not support the rehabilitation of the property. This item was heard at the February 12<sup>th</sup> meeting and was tabled in order that the City could get a ruling from DCA. Since DCA ruled against the rehabilitation of the dwelling, staff is requesting the approval for the clearance of 501 Shepard Street and declare the property as surplus in order to market the property.

*A motion was made by Councilman J. A. Stimatz, seconded by Mayor Pro Tem L. A. Hummer to approve the clearance of 501 Shepard Street and declare the property as surplus, and authorize the City Clerk to solicit bids for the Sale of the property to a low-income family with interest and ability to build a new house on the property. Those voting in favor of the motion were: Stimatz, Hummer, Baker, Brooks, Meggs, Stallings and Walton. Against: None. Motion carried.*

**7}    PUBLIC HEARINGS:**

a}    Petition for Voluntary Annexation submitted by The Reserve at Heron's Ridge and contains 1.02 acres located adjacent to River Road.

Mayor Foster called upon City Manager Olson for comments.

Mr. Olson advised that this is a request from the Reserve at Heron's Ridge, LLC for voluntary annexation of 1.02 contiguous parcel adjacent to River Road. The Clerk has certified the Sufficiency of the Petition.

Mayor Foster declared the meeting into public hearing. Since there was no one who wished to speak for or against the proposed annexation, Mayor Foster declared the public hearing closed.

*A motion was made by Councilman J. A. Stimatz, seconded by Councilwoman J. M. Baker to adopt the following ordinance incorporating 1.02 acre parcel owned by the Reserve at Heron's Ridge, LLC into the corporate limits of the City of Elizabeth City with an effective date of March 1, 2007. Those voting in favor of the motion were: Stimatz, Baker, Brooks, Hummer, Meggs, Stallings and Walton. Against: None. Motion carried.*

**ORDINANCE #07-02-5  
TO EXTEND THE CORPORATE LIMITS OF  
THE CITY OF ELIZABETH CITY, NORTH CAROLINA  
THE RESERVE AT HERON'S RIDGE, LLC  
1.02± ACRES ADJACENT TO RIVER ROAD AND ASBURY LANE**

**WHEREAS**, the City Council has been petitioned under G. S. 160A-31, as amended, to annex the area described herein; and

**WHEREAS**, the City Council has by resolution directed the City Clerk to cause to be investigate the sufficiency of said petition; and

**WHEREAS**, the City Clerk has certified the sufficiency of said petition and a public hearing on the question of this annexation was held at City Hall at 7:30 p.m. on the 12<sup>th</sup> of February 2007 after due notice by publication on the 16<sup>th</sup> and 18<sup>th</sup> days of February 2007; and

**WHEREAS**, the City Council does hereby find as a fact that said petition meets the requirements of G. S. 160A-31, as amended;

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

**SECTION 1.** By virtue of the authority granted by G. S. 160A-31, as amended, the following described territory, is hereby annexed and made part of the City of Elizabeth City as of the March 1, 2007:

**BEING** a tract of land on the northwest side of River Road (N.C.S.R. 1169) approximately 700 feet south of the intersection of River Road and Asbury Lane (N.C.S.R. 1316) in Nixonton Township, Pasquotank County, North Carolina and being more particularly described as follows:

Commencing at a found P.K. nail at the centerline intersection of River Road (N.C.S.R. 1169) and Asbury Lane (N.C.S.R. 1361): thence S 34° 09' 46" W 254.05 feet to a found P.K. nail in the centerline of River Road; thence leaving the centerline N 82° 52' 18" W 34.77 feet to a found iron rebar in the western right of way line of River Road; thence S 36° 15' 26" W 84.07 feet with and along the western right of way line of River Road to a found iron rebar; thence S 37° 05' 39" W 325.60 feet with and along the western right of way line of River Road to a new iron rebar set, the true point of beginning of this description: thence from the true point of beginning S 36° 51' 08" W 175.77 feet with and along the western right of way line of River Road to a new iron rebar set in the center of a ditch; thence N 61° 53' 22" W 327.88 feet to a point at the centerline of a ditch bend; thence still with and along the centerline of the existing ditch N 20° 49' 26" E 156.45 feet to a point; thence leaving the ditch centerline S 53° 11' 00" E 10.00 feet to a new witness iron rebar set; thence continuing S 53° 11' 00" E 332.29 feet to a new iron rebar set; thence N 76° 36' 42" E 23.43 feet to a new iron rebar set; thence N 46° 48' 08" E 57.88 feet to a new iron rebar set in the western right of way line of River Road, the true point of beginning, containing 44,547 square feet or 1.02 acres, plus or minus.

**SECTION 2.** Upon and after the 1<sup>st</sup> day of March, 2007, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Elizabeth City and shall be entitled to the same privileges and benefits as other parts of the City of Elizabeth City. Said territory shall be subject to municipal taxes according to G. S. 160A-58.10.

**SECTION 3.** The Mayor of the City of Elizabeth City shall cause to be recorded in the office of the Register of Deeds of Pasquotank County, and in the office of the Secretary of State in Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 hereof, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the County Board of Elections as required by G. S. 163-288.1.

**ADOPTED** this the 26<sup>th</sup> day of February, 2007

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Charles L. Foster  
Mayor

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Dianne S. Pierce-Tamplen, MMC  
City Clerk

2} Application RZ-12-06 submitted by Peartree Properties, LLC to rezone 3.8 acres of property on the east side of Peartree Road from R-15 to R-8 in order to subdivide the property for single family.

Mayor Foster called upon Planning Director J. C. Brooks for comments.

Ms. Brooks advised that this application was originally presented as an R-8 rezoning. At that time staff did not support the rezoning due to the potential of it being developed as duplexes and having a density that was way to high for that area. This property is located north of Halstead Boulevard adjacent to the Oak Grove Cemetery and across the street from the Pasquotank County Elementary School. This property is approximately 3.2 dwellings units per acre. Once you eliminate and remove the floodway from the site area the density will be less than three units per acres. The applicant is requesting rezoning of the 3.8 acres of property from R-15 to R-10. He proposed to construct single family dwellings on this parcel. Approximately one third of this property is in the floodway. The Planning Commission is recommending approval.

Mayor Foster declared the meeting into public hearing for consideration of Application RZ-12-06.

Mr. Harold Barnes spoke in favor of the proposed rezoning.

Since no one else wished to speak for or against the proposed rezoning, Mayor Foster declared the public hearing closed.

Councilman Walton asked if the residents in the area were in favor of this rezoning. He is concerned about Ms. Cole who lives in that area. She is an elderly lady and has lived there her whole life. He understands that she is in opposition of the proposed rezoning. He doesn't think that we need to build houses on top of Ms. Cole and crowd her out. He would like to talk with Ms. Cole about this issue before making a decision on it. He feels that he was put in this position to fight for those that can't fight for themselves and he would really like to talk with her first.

Mr. Olson asked to clear a few things up. The little notch that you see on the map is the property that is owned by Joanna Faye Brothers. Part of the development plan would provide Ms. Brothers some of the property associated in this rezoning request. The 50' strip to the south would be basically deeded to the Brothers. The Cole tract is directly south of this area. This issue will go before the Technical Review Committee tomorrow morning. The Brothers is an R-15 tract, the Cole tract is an R-15 tract and the property to the north is an R-15 tract. This particular area would be a R-10 as per their request. The rule of thumb is on an R-15 lot you can get about two and a half homes per acre and on an R-10 you get about three or three and a half homes per acre.

Mayor Pro Tem Hummer questioned if the drainage plan had been looked at or will that take place at the TRC meeting. Is this going to increase the flooding in Oak Grove and Spaulding Park?

Mr. Olson replied that would take place at the TRC meeting tomorrow morning. The only thing that we will be doing is looking at the proposed sketch plan. Based on his initial impression the sketch plan there will have to be several modifications made just because of the floodway which you cannot build in. That does not affect the overall zoning. That is just how we go about developing this tract. They will have to put storm water retention ponds and everything else in that particular area which because of the floodway may be kind of challenging. There is not way they are going to get as many lots as they are requesting. As to the flooding, this property is off of the Charles Creek Basin, so it won't affect Oxford Heights or Northeastern Terrace because it is in a separate draining basin. It is something that will be looked at when it goes before the TRC.

Councilman Brooks stated that if it is something that has to be looked at during the TRC meeting, he feels that we didn't go the extra mile as he would like to talk with Ms. Cole because he knows them also.

Ms. Brooks stated that Ms. Cole was at the first Planning Committee meeting where the applicant was proposing an R-8 zoning along with several other residents. They were opposed to the R-8 Zone because that would permit a higher density. The applicant did go back and he did have discussions with the property owners out there and he came back the second time and amended his rezoning request to R-10. The Coles were the only people in opposition at the Planning Commission Meeting.

Councilman Walton stated that Ms. Cole did have opposition the second time around also. He rode out there and it was a good point that Mayor Pro Tem brought up about the drainage. We were supposed to have done something about two weeks ago about the water still standing. Where is that water supposed to run to as it is not running but just setting there.



Mr. Olson said that is part of the head waters at Charles Creek and basically it is not uncommon when it is perfectly dry out for the wind to blow the water up in there and there are issues with drainage because of that. That is why City Staff has some concerns about the sketch plan that we have seen so far. Those issues will all be discussed at the TRC meeting.

Following additional discussion,

***A motion was made by Councilman J. B. Walton, seconded by Councilman D. K. Stallings to table this item until the next meeting, move forward with the TRC meeting tomorrow and place this item on the March 5, 2007 Special Meeting agenda. Those voting in favor of the motion were: Walton, Stallings, Baker, Brooks, Hummer, Meggs and Stimatz. Against: None. Motion carried.***

c} Amend the original Year Five of the Hugh Cale Action Plan and Budget of the Hugh Cale Revitalization Strategies Grant:

***Due to an error in the advertisement, this item will appear on the March 12, 2007 agenda.***

d} Application RZ-13-06 by M. Vestal Yates to rezone .26 acre located at 203 E. Main Street from R-8 Historic to CB Central Business:

Mayor Foster called upon Planning Director J. C. Brooks for comments.

Ms. Brooks stated that the applicants proposed to rezone 203 West Main Street from R-8 Historic zoning to Central Business. This request is located in the middle of a block surrounded by residential zoning parcels. The exact location of the property is in a transitional block of the District, with commercial activity to the east and residential uses to the west. The subject property is in between two residentially-zoned lots that are being used for commercial parking lots. Staff is of the opinion that rezoning of this parcel is spot zoning. The Planning Commission is recommending approval of this rezoning request. It is noted that a legit protest petition has been filed.

Councilwoman Meggs asked to state that she took it upon herself to call one of the trustees of the First Baptist Church and she asked why they voted to protest. He replied that they didn't know if they were going to put in something like a drive-in after it gets sold. He further stated that he is not really against it but they didn't want it to be eventually sold to someone else with something that they didn't want to go there.

Ms. Brooks stated that if the property is rezoned to Central Business any use that is allowable in the Central Business District could go into that structure.

Councilman Stallings asked if we couldn't put some conditions on that.

Ms. Brooks replied no because we do not have conditional zoning here. It is either Central Business with anything permitted or leave it as is. Staff recommended denial of the request because there were too many uses permitted.

Mr. Stimatz asked why they didn't consider Office and Institution zoning. He looked up the permitted uses with O&I and he felt that it would fit perfectly.

Mayor Foster declared the meeting into public hearing for consideration of RZ-13-06 to rezone 203 West Main Street from R-8 Historic Residential to CB Central business.

Mr. Ken Lamm, Ms. Todd King and Mr. Bob Luther spoke in favor of the proposed rezoning while Mr. David Webb spoke in opposition of the Application.

Since no one else wished to speak for or against the proposed rezoning, Mayor Foster declared the public hearing closed.

***A motion was made by Councilwoman B. S. Meggs, seconded by Councilwoman J. M. Baker to approve Application RZ-13-06 to rezone .26 acre located on south side of W. Main Street from R-8 Residential (Historic) to CB Central Business District.***

***Councilman J. B. Walton made a friendly amendment to table this item and bring it back to City Council on March 5, 2007 at the Special Meeting. Councilman D. K. Stallings seconded the motion. Those voting in favor of the motion were: Walton and Stallings. Against: Baker, Brooks, Hummer, and Meggs. Motion was denied.***

***Vote on the original motion were: Meggs, Baker and Stimatz. Against: Brooks, Hummer, Stallings and Walton. Motion was denied due to the lack of a simple majority.***

e} Oxford Heights:

Mayor Foster called upon Councilman M. E. Brooks for comments.

Mr. Brooks stated we have an on-going problem with flooding and the water going into the swamp. They are building subdivisions around Oxford Heights. They applied for grants so that they could perhaps sell their property. They were told that they need to wait for a new flooding to occur. In light of that and while they are waiting for the next flood, he thinks that we need to try to find a way to exit through the gates at the back. He has brought this up several times and he thinks that it is bad when we know the situation over there. We are waiting for trouble to happen. Something as simple as being able to give them an exit it doesn't make sense. During the course of the weekend he went through the Code of Ordinances and it is covered under the Civil Emergencies. The Mayor has a lot of movement with that and in Section 22-5 of Civil Emergencies it says that the Mayor may direct and compel the evacuation of all or part of the population of the city; prescribed routes, modes of transportation and destination in connection with evacuation; and control ingress and egress of a disaster area, the movement of persons within the area, and the occupancy of premises there in. Details of the evacuation may be set forth or amended which shall be well publicized. We don't have any of that in place. If we don't have it in place, how can he make it all happen when we can't see it happening down the road? We need some kind of plan in action. We know opening that back gate is a possible plan if water rises up on that bridge and they can't get out but one way. We talked about the National Guard going in there last time, but they were complaining that the water was already up to the doors and when the Guard went through there it made the water go even higher. He does not know how many that had the opportunity to go over there but they are in a dire situation. He then looked at the part of the Code about health and sanitation. His issue with that is when the swamp rises all the sewer, snakes, and debris comes out in the highway. Then the kids wade in it. People trying to get home wade through the water. If we as Council can't see the need and this is something that we can do. If anyone of us would put ourselves in the resident of Oxford Height position, we would want someone to help us. We can foresee it and let's try to do something about it. Rich has told us that it has to go through DOT but we need to put something in place. We keep postponing and the people are not getting any answers and it is really sad because this is not that difficult. What are we doing are we waiting until someone drowns or has a serious health problem. We know part of the problem is that the water is coming in faster than it is going out. We haven't remedy that yet and in the meantime these people are waiting for a disaster to happen or someone gets injured before Council can act. What happens if the water rises and they can't get out and someone gets bitten by a snake or a health problem happens over there? What do we do?

***A motion was made by Councilman J. A. Stimatz, seconded by Councilman M. E. Brooks that the City Manager come up with a plan for egress in the Oxford Heights area and present back to***

***the Council within thirty days. Those voting in favor of the motion were: Stimatz, Brooks, Baker, Hummer, Meggs, Stallings and Walton. Against: None. Motion carried.***

f} Oak Grove:

Mayor Foster called upon Councilman Brooks for comments.

Mr. Brooks stated that he knows that Oak Grove is in the Fourth Ward and he hopes that he is not stepping over any boundaries. He goes over there and they are building homes on Pinewood Avenue. He knows that Pinewood is a paper street. Again, he looked through the ordinances and see what we have written on paper streets. It says in Section 74-18 Opening of paper streets. No paper street shall be opened unless the petitioner shall have first provided a surety bond to the City in an amount that shall cover the costs of all improvements required of new streets by the City's subdivision regulations. Such costs shall be as estimated by the Director of Public Works. He read that and he tried to understand it. If homes were built back on Pinewood Avenue and approved by the City and someone approved it his understanding is that the developer can't even rent the house out until this ordinance is taken care of. Can you give him and update on that.

Mr. Olson responded that as the ordinance says if they were to build a house back there they have to open the street and they have to maintain them and pave them. That is what we have told the developer, he will not be able to get a CO until such time he improves the street surface.

Mr. Brooks said before they build, do they have some kind of agreement saying that this has to be done so that the developer already knew this before it was approved.

Mr. Olson said that he has no way of knowing what the developer knew or didn't know as it has been the City's past position since he has been here that any of those streets back there would have to be brought up to City's standards by the adjacent property owners. That is what we require of anyone that builds within the City right now.

Mr. Brooks said that they approved the building of those homes back there on a paper street so if people back there decide that they want to just build homes back there and there are paper streets and paper streets to him means that no one wants to take responsibility for the upkeep of them.

Mr. Olson replied that what that means basically is that the individual brings them up to city standard or NCDOT standard one of the two organizations will accept maintenance responsibility.

Mr. Brooks said all the area back there even though it was annexed the building of roads and everyone that wants to build are responsible for the street because it is a paper street.

Mr. Olson replied that is the City's position right now.

Mr. Brooks said then there is no problem for letting people build back there as many houses as they want and although it has been annexed into the City and pipes still lying out in the woods. That is an awful position. We are talking about building and annexing people and we are not taking care of what we have already annexed. He is beginning to have a problem with that because ten years before he got on Council when he was just out there the discussion was about Oak Grove. It is still about Oak Grove. They are just like they are out in the dark and waiting to see what we are going to do next. We can do better and he knows it. He would like for the Manager to get with him and try to update him as he may be way off the beat because he thinks that we have Department Heads that totally know what they are doing but he doesn't think that the people should get short changed in the process.

The residents of Pennsylvania and Sawyertown he understands where you are and he wants them to understand that the problem is not that council shot down the cameras, we have an internal problem. We need to get the police out there to patrol. That is what you need and that is how the problem will be eliminated when they start to see law enforcement there. That is what we have to do. We have to do something to give the people confidence that we really care about what is happening to them. He is trying to stay from over in that area because it is not his area and he has already had issues in his own area where all his tires were slashed. He does not know the total element over there. In the meantime, this Council needs to do something to let the people know that we do care. We are not just setting here making decisions based on nothing but throwing things in the air.

**8} COMMENTS AND INQUIRIES ON NON-AGENDA ITEMS:**

Mayor Foster advised that he would call upon the manager and each member of Council for comments.

City Manager:

Mr. Olson stated he would like to remind Council of the pre-budget work session on March 5, 2007 from 5:30 to 7:00 p.m.

Councilwoman Meggs:

No further comments

Councilman Walton:

Councilman Walton asked Finance Director how much money has the City accumulated by not having the workforce to capacity. What type of accumulation from not having a full time police chief? Also, in the Stormwater fund, how much is there.

Ms. Blanchard replied that the increases that we gave came from that money, so we do not have any accumulation. The police chief position is also part of the money used for the increases. She believes that there is \$50,000 in that fund.

Mr. Walton asked about the Power Fund.

Ms. Blanchard replied \$1.4 million.

Mr. Walton continued by saying that these figures will help him at the next meeting. He also said that it will be a joy to have the Southern Avenue project completed.

Councilman Stimatz:

No further comments.

Councilwoman Baker:

Councilwoman Baker said that she was going to add an item to the agenda tonight regarding the surveillance cameras but she heard a few days ago that the comments made at the Pennsylvania Crime Watch Meeting and a member of this Council misrepresented her position on the issue. These comments were specifically about her when there were four other members of Council that voted against the cameras as well. So, she would like to take a moment to restate her position on these cameras in case somebody missed it the first time around. We don't need seventeen cameras. We don't have the personnel to watch seventeen cameras. Other communities that have used these cameras like Baltimore only used sixteen cameras. Chicago only had thirty. Memphis had twelve. A hand full here and there. The demonstration that she attended and it was a very informative demonstration convinced her of the value of these

cameras. And it immediately convinced her that we are not ready for them. The cameras and receivers will be mounted about twelve feet off the ground which anybody can visualize a person on the hood of a car with a baseball bat can delete that equipment with one swing of the bat. Another issue that she has with this is that we need an IT person to manage and program the cameras. To program the cameras and it is not just pushing a button you have to assign an address to it. Not just anybody off the street can do that. It has to be program by the addresses. She said at the last meeting that we didn't have the personnel to monitor these cameras. She still says that we don't. One desk jockey can't be responsible for seeing all locations of the seventeen cameras. At that time we had seven computers in police cars. If you remember these cameras are capable of being monitor in the police vehicles as well. A week before that we only had two computers in the police cars. Before that they had been setting on the shelf for four years. Four years sitting there unused. All of a sudden and she is delighted we have twenty-six computers in the vehicles. That is wonderful. She does not think that we have an IT person on staff that we need to monitor that equipment. She said that she would be in favor of testing a couple or a few cameras, but not to bite off the whole enchilada. She asked the City Manager to look into pricing a number of the cameras and he came back with a price of \$89,000 and that was for the cameras, monitors, installation and training. That is a far different cry than \$200,000 or \$196,000. So, \$89,000 as a test market is still a lot of money from our Electric Fund. It will still get us two additional police staff and two additional vehicles which we sorely need. We still have vehicles out there with 150,000 -200,000 miles on them which is insane. We ask these guys to risk their lives everyday and putting them in a vehicle that will hardly run. That is where she is and she was so taken back by the comments at the Crime Watch meeting to her digging into this project very deeply.

#### Councilman Stallings:

Councilman Stallings stated that Saturday was a very busy day in Elizabeth City. We had an open house on Herrington Road and he would like to thank Reverend Robinson for having the vision and sticking to it and putting his vision to work. He opened up an eight-bed shelter for women and he is in the process of trying to open a man shelter. He is doing great things and he feels that we should do all that we can to support him and other non-profits. We had Congressman Butterfield and he talked very highly of ECSU and the expansion at the airport. He has some announcements that will be coming shortly. He thinks that is going to be positive to our City. He would like if we could to submit some grants and that Roanoke Avenue to be included in that. He knows that Oak Grove has some problems but Roanoke Avenue has been in the City a lot longer.

As to Oxford Heights, he agrees with some of the things that Councilman Brooks has said about helping them with an addition exit. Ms. Christy Saunders has a great plan.

He also asked that 203 W. Main Street be placed on the March 12, 2007 City Council meeting agenda.

Mayor Pro Tem Hummer:

Mayor Pro Tem Hummer stated that she also attended the opening of the homeless shelter on Saturday and it was really impressive what has been done with that. That non-profit is a very deserving non-profit and they have a lot of dedicated volunteers and they said as of Saturday morning there was no furniture in that house, but just before time to cut the ribbon a Hugh Cale citizen came by and furnished the whole place.

Mr. Stimatz, her colleague, she does believe supports her on the cameras. He offered to second a motion tonight for her, but on behalf of the Sawyertown Crime Watch and the Pennsylvania Crime Watch, she would like to make a motion as you did Mr. Stimatz to bring something to the floor. These people took very graciously, very courteously, very quietly when Council said no you are not going to get the cameras. They have asked us tonight if you are not going to give us these things, please tell us what your answer is to our problem. Please give us a solution. She thinks that is fair enough. She would like to have the City Manager and the Interim Police Chief and Mr. Stimatz, the Mayor and herself and whomever else the manager thinks should set down on this. Again, she would like to reiterate the cameras were voted on by the majority of this council. We were here at the last meeting to award the contract and to amend the agenda for the \$194,000 and she just can't see how we can set here and micro-manage and say that you have to do this with them or that with them and they won't work and you need more police officers on the street when we are five positions down now. Where are you going to get two more when you can't even get those five? She thinks that these people deserve an answer. She would like to have her request honored.

Councilman Brooks:

Councilman Brooks stated that at Brooks Avenue and Roanoke Avenue there is a hole there that needs to be repaired. There is one also at the corner of Carver. If possible he would like for public works to keep an eye on that. He would like to again address the Pennsylvania and Sawyertown groups. We have given you a solution. One thing about it he has been out there since 1988 fighting. What he is telling you the solution is we can talk about we are five police officers short but he remembers when Shepard Street was a terrible area. He remembers



when it was a one-way street. He is out there and he is not talking about what will work and we spending money. He is telling you something that will work. It is proven that it works. Not guessing nor would we have to spend a lot of money. He is not saying that in the future that we can't use the cameras; he is not telling you that. The problem is we need a police force. We need to put them on the beat and get them out of the cars and on the street walking. We need to do that until we come to a conclusion on what we are going to do about the cameras. The problem is not throwing money away as we threw \$3000 at the police officers and we are still short and still losing officers. Throwing money is not the problem. The problem is that we need to get to full staff and have officers walk the beat. He can say that because he was out there. You have got to understand that Chief Lloyd and Chief Hampton when they came in and no matter what their reputation were they put some police officers out there on foot and bicycles. That is why Shepard Street had a better look. That is what you need in the other areas. The issues is not the cameras but what we have to do within ourselves getting our act together so that we can better serve the people. That is what is going on there. We don't want to fight about cameras and who voted for them and who didn't. We want to make sure that you feel safe when coming out of your house and walking down your neighborhood. When you go home you ask yourself if you would feel safer with the cameras sitting up on the pole twelve feet high or would you rather see a police officer walking through your neighborhood who has the power to arrest. He doesn't think that you are looking at the total picture.

Mayor Foster:

Mayor Foster stated that he would like to take this opportunity to thank those of you who are attending our meetings as well as our listening audience. May God bless you all?

**9} CLOSED SESSION:**

Mayor Foster stated that at this time, Council needs to retire into Closed Session as per NCGS 143-318-11 (a) (5) to establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option exchange or lease.

***A motion was made by Councilman D. K. Stallings, seconded by Councilman J. A. Stimatz to retire into Closed Session. Those voting in favor of the motion were: Stallings, Stimatz, Baker, Brooks, Hummer, Meggs and Walton. Against: None. Motion carried.***

Upon the end of Closed Session:

***A motion was made by Councilman D. K. Stallings, seconded by Councilwoman B. S. Meggs to return to regular session of council. Those voting in favor of the motion were: Stallings, Meggs, Baker, Brooks, Hummer, Stimatz and Walton. Against: None. Motion carried.***

Mayor Foster declared the meeting back into full session.

**10} ADJOURNMENT:**

Mayor Foster stated that the above item concluded tonight's meeting. He entertained a motion for adjournment.

***A motion was made by Councilman D. K. Stallings, seconded by Councilman J. A. Stimatz to adjourn the meeting. Those voting in favor of the motion were: Stallings, Stimatz, Baker, Brooks, Hummer, Meggs and Walton. Against: None. Motion carried.***

Mayor Foster adjourned the meeting at 10:00 p.m.

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Dianne S. Pierce-Tamplen, MMC  
City Clerk

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Charles L. Foster  
Mayor