

MONDAY – 7:00 P. M.

APRIL 12, 2010

CITY COUNCIL

The City Council of the City of Elizabeth City held its first regular meeting of the month on the above date and time in the City Council Chambers of the Municipal Administration Building with Mayor R. A. McLean presiding. Council members attending were: J. M. Baker, M. E. Brooks, L. Hill-Lawrence, L. A. Hummer, R. E. King, B. S. Meggs, J. A. Stimatz and J. B. Walton. City staff attending was: City Manager R. C. Olson, City Clerk D. S. Pierce-Tamplen, City Attorney W. H. Morgan, Inspections Director S. E. Ward, Police Chief C. E. Crudup, Fire Chief L. M. Mackey, Public Works Director P. A. Fredette, Human Resource Director K. W. Felton, Planning Director J. C. Brooks, Finance Director S. E. Blanchard and Parks & Recreation Director B. White.

Mayor McLean established a quorum was present and called the meeting to order. He called upon Reverend Bonzia J. Caison for the invocation after which he led the Pledge of Allegiance to the Flag of the United States of America.

1} APPROVAL OF THE AGENDA:

Mayor McLean called for the pleasure of Council regarding the prepared agenda.

Councilman M. E. Brooks asked to add to the regular agenda, ***discussion of the Taxicab Ordinance and discussion of the request to put the City Clerk under the direct supervision of the City Council.***

Councilman J. A. Stimatz asked to remove from the Agenda, ***Item #8-D – Renewal of Conditional Use Permit – CUP-01-09 (Bonnie Calliotte)***; and, add to the regular agenda, ***Discussion of the Eco Park Project.***

Mayor Pro Tem L. A. Hummer asked to remove from the Consent Agenda and place on the Regular Agenda for discussion, ***Item #8-E-Declare a city-owned five acre parcel off Thunder Road surplus and accept offer to purchase and instruct the City Clerk to follow the upset bid process; and Item 8-G-Authorization to enter into a Professional Service Contract with McDowell & Associates to complete the inventory and mapping of the City's storm water infrastructure.***

Mayor Pro Tem Hummer asked why the Bonnie Calliotte CUP was being totally removed from the agenda. This individual has been in operation for one year and she would like to know why it is being removed.

Councilman Stimatz stated he needed further information regarding the compliance issues that were placed on this CUP last year.

A motion was made by Councilwoman J. M. Baker, seconded by Councilman J. A. Stimatz to approve the prepared agenda to include the above noted items. Those voting in favor of the motion were: Baker, Stimatz, Brooks, Hill-Lawrence, Hummer, King, Meggs and Walton. Against: None. Motion carried.

2} COMMENTS FROM THE PUBLIC:

The following individuals addressed City Council:

Elder Phares, 604 S. Road Street, Elizabeth City spoke regarding the drug activities in her community. She explained she has called the police department to report these activities and she was told if she called again, she would be arrested. The citizens are tired of nothing being done.

Selma White, 108 W. Cypress Street, Elizabeth City spoke regarding her request to have a parcel of land divided in order that she may build. She was told by the Planning Department that she needed a survey done. She did this but when it went before the Board of Zoning, it was denied. Information that was given to the BZA she didn't receive therefore she was unaware of items and reasons for denial that she feels she should have known about before the BZA meeting.

Bonnie Calliotte, 400 West Main Street, Elizabeth City encouraged City Council to approve CUP 05-09 a renewal of her Conditional Use Permit for De' Tours in Elizabeth City.

Cynthia Griffin-White, 517 South Road Street, Elizabeth City expressed her thanks to the City Council for the assistance they gave her regarding her Grand Mother's home.

3} PRESENTATIONS:

Dr. Clay Perkins, President of Mid-Atlantic Christian University, stated he wanted to make Council aware of a recent economic impact study that was conducted by Sims & Steel. A copy of that study is in the packet that Mr. Keith Woods passed out to each member. It shows the annual impact of Mid-Atlantic in this community and the annual impact is a \$9.5 million economic footprint. It shows the University supports 84 full time jobs and even though we are non-profit we contribute over \$800,000 in local and state taxes. We were notified recently that for the third time we have won the Presidential Honor Roll Award for community service.

Mr. Henry Lancaster, Center for Green Research and Evaluation of Elizabeth City State University, spoke to the Council regarding a proposed Eco Park Project. ECSU is the recipient of a large grant for green economic issues in northeastern North Carolina. Mr. Lancaster presented a brief overview of the concept of an Eco Park and the next steps that need to be taken. The center wants to assist and become a part of this project that they believe would be an enhancement to Elizabeth City. We would take an area that is designated as wet land and turn it into an ecologically recreational area. He feels the next steps would be the examination of The Walnut Creek 2000 Plan and format a comprehensive plan for an eco park.

A motion was made by Councilman R. E. King, seconded by Councilman J. A. Stimatz to have Mr. Olson coordinate a team to identify whatever process you choose to work with ECSU to apply for and receive the grant money; and further to research monies from North Carolina University that would be a good match for this process. Those voting in favor of the motion were: King, Stimatz, Baker, Brooks, Hill-Lawrence, Hummer, Meggs and Walton. Against: None. Motion carried.

4} PROCLAMATIONS:

Mayor McLean presented the following proclamations: April 11-17, 2010 as National Public Safety Telecommunications Week; and, April 11—17, 2010 as Week of the Young Child/ Albemarle Smart Start Partnership.

5} CONSENT AGENDA:

City Manager R. C. Olson read the items on the Consent Agenda.

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

CONSENT AGENDA

- a} Authorized the City Attorney to release escrow funds for the Pelican Pointe subdivision.
- b} Authorized the loan of the City's Duke of the Albemarle portrait to the Arts of the Albemarle.

c} Accepted the Certificate of Sufficiency from the City Clerk, and adopted the following resolution calling for a public hearing to be held on Monday, April 26, 2010 at 7:30 p.m. in the City Council Chambers of the Municipal Administration Building for the voluntary annexation of 1.55 acres owned by River's Retreat at Elizabeth Crossing:

**RESOLUTION #1041
FIXING PUBLIC HEARING ON QUESTION
OF ANNEXATION PURSUANT TO G. S. 160A-31, AS AMENDED
RIVER'S RETREAT AT ELIZABETH CROSSING, LLC
1.55 ACRES LOCATED ON THE NORTH SIDE OF US HIGHWAY 17 SOUTH**

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 26th day of April 2010.

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

BEGINNING at a common corner of the owners listed above at the S. E. corner of the Edward Murphy property said Murphy property being recorded in DB 455, Page 16 with the Pasquotank County Register of Deeds. Said point also situated on the North side of Highway 17 right-of-way. Thence from said beginning point along the Murphy property N 9° 12' 41" W, 500.00' and N 9° 17' 55" W 621.86' to the true beginning point of the parcel being described herein. Thence along the edge of a swamp and a common line with the Murphy property the following calls N 31° 37' 36" E 51.79'; N 27° 14' 20" E 84.87'; N 13° 58' 55" E 56.34'; N 42° 32' 24" E 53.34'; N 76° 33' 27" E 49.90'; N 66° 27' 50" E 49.28'; S 56° 56' 21" E 41.60'; N 52° 50' 54" E 27.22'; N 59° 25' 54" E 60.74'; N 58° 10' 09" E 62.50'; to property belonging to William Rich. Thence along the Rich property S 10' 43" E 228.00' to a point thence cornering and running

through the property owned by Rivers Retreat at Elizabeth Crossing , LLC and along the existing city limits line S 79° 16' 22" W 421.15' to the **POINT OF BEGINNING** containing 1.55 acres. Reference is made to a map prepared by Hyman and Robey; PC dated 12/9/09 and entitled annexation plat for Rivers Retreat at Elizabeth Crossing, LLC.

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 12th day of April 2010.

Roger A. McLean
Mayor

Dianne S. Pierce-Tamplen, MMC
City Clerk

d} Call for a public hearing to be held on Monday, April 26, 2010 at 7:30 p.m. in the City Council Chambers of the Municipal Administration Building for consideration of CUP-05-09, Internet Sweepstakes Café for Richard Chapman.

e} Authorized to enter into a Municipal Agreement with NCDOT for the construction of a sidewalk along the west side of Hughes Boulevard from Providence Road to the Farm Fresh Shopping area near Applebee's.

f} Awarded the lease for concessions at Enfield Athletic Park to Rhonda's All Occasions.

END OF CONSENT AGENDA

6} REGULAR AGENDA

a} Declare a city-owned five acre parcel off Thunder Road as surplus, accept the Offer to Purchase and instruct the City Clerk to follow the upset bid process.

Mr. Olson stated in the agenda packet is a request to purchase roughly five acres of property which is located off Thunder Road where Time Warner presently has their 300' communication tower. They are requesting that we sell them the property. We have had a lease on the property since 1993 and we have been getting \$4800 a year. They are proposing to buy the five acres for \$350,000 or \$7500 an acre. The upset bid process would be required and if you so desire to accept the bid and instruct the City Clerk to proceed with the upset bid process.

A motion was made by Councilman J. A. Stimatz, seconded by Councilman R. E. King to adopt the following resolution declaring the five acres of city-owned property off Thunder Road as surplus and direct the City Clerk to proceed with the upset bid process. Those voting in favor of the motion were: Stimatz, King, Baker, Brooks, Hill-Lawrence, Hummer, Meggs and Walton. Against: None. Motion carried.

**RESOLUTION #1042
DECLARING SURPLUS PROPERTY
FIVE ACRES CITY-OWNED PROPERTY OFF
THUNDER ROAD**

WHEREAS, the City of Elizabeth City, North Carolina is proposing to offer to sell by upset bid five acres of city-owned property off Thunder Road and;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Elizabeth City hereby declares as surplus five acres of city owned property off Thunder Road; and authorize the City Clerk to utilize the Upset Bid process to dispose of this property.

ADOPTED, this 12th day of April 2010.

Roger A. McLean
Mayor

Dianne S. Pierce-Tamplen, MMC
City Clerk

b} Professional Service Contract with McDowell & Associates to complete the inventory and mapping of the City's storm water infrastructure:

Mr. Olson stated this is an authorization to enter into a Professional Service Contract with McDowell & Associates to complete an inventory and mapping of the City Storm Water infrastructure. The City has budgeted \$110,000 within the Storm Water Utility this year to do the mapping work. Pat McDowell has been before the Council numerous times to discuss storm water related projects. He presented a map that showed the magnitude of the study that will be done. It does not include Oak Grove because we just did that work. It does not include Spaulding Park because it is outside of the target area. It does not include Oxford Heights because that particular project is being studied by the County right now. There are some areas along Elizabeth Street which will have to be further refined with the replacement of Elizabeth Street and also the bridge and we will be working closely with Pat McDowell and NCDOT for that work. The primary focus of this particular study is to prioritize future storm water projects within the City. Numerous times it has come before the Council that there are drainage concerns in certain parts of the community. This will help us quantify and use it for the base line for the design work that will be done.

A motion was made by Councilman J. A. Stimatz, seconded by Councilwoman J. M. Baker to enter into a Professional Service Contract with McDowell & Associates, PA to complete the inventory and mapping of the storm water infrastructure a fixed price of \$100,000. Those voting in favor of the motion were: Stimatz, Baker, Brooks, Hill-Lawrence, Hummer, King, Meggs and Walton. Against: None. Motion carried.

c} Appointees to Mayor's Task Force on Youth Initiatives:

The appointees are as follows:

Mayor's Council Appointments

Mayor Pro Tem L. A. Hummer
Councilman J. A. Stimatz
Councilman J. B. Walton, Chairman

Mayor's Citizen Recommendations

Robert M. Symuleski
Randy Johnson (WRVS-ECSU)
Ray Meggs (AOA)
Tanya Miller (Albemarle Health)

Lenora Jarvis Mackey (River City CDC)
Ernest Sutton, Jr.
Lee Blount
Andrea Simpson
LuAnne Pendergraft (Port Discover)
Jamie Goins (ECPD)
Brian Stokley (COA-SGA)
Rakia Jackson (Pasquotank County High School)
Denzel Ward (Northeastern High School)
Carrie Schartz (Mid-Atlantic Christian University)
Jeannie Young (Police Athletic League)

Councilor – First Ward Recommendations:

Dr. Anthony Sharp
Phillip Hornthal – Boys and Girls Club

Councilor – Second Ward Recommendations:

Allison Willis
Pam Stefanowich

Councilor-Third Ward Recommendation:

Constance Basnight

Councilor – Fourth Ward Recommendations:

Lenora Mayne (Elizabeth City State University)
Dr. H. Leon Pringle.

d} Elizabeth City/Pasquotank County Interlocal Agreement for Consolidation of Parks and Recreation Departments:

Mayor McLean stated he would be in favor of tabling this item and to ask the new Youth Task Force to take a look at this particular agreement between the City and County to make sure it is something that is going to fit into the overall scheme of providing the type of services that we feel our youth need.

Councilwoman L. Hill-Lawrence asked if there was a plan of action to pull these two units together. Are we going to look at that plan or are you just going to disband what we have before us.

Councilman J. A. Stimatz said the Eco Park has helped to drive it. It has long been an issue of having two administrative staff doing the same thing. It has always been felt that Parks and Recreation would be one of the easy functions to try out as a joint City and County venture. The idea of the Youth Task Force taking a look at it is nice but that is what we as the Council gets paid for. We get paid to manage the City. He has enough information to make the decision. We need to try to bring the City and County together.

Mayor Pro Tem Hummer said she is not ready to vote on it tonight because there are unknown costs involved, running Meads Pool and in running Fun Junction and it is her understanding that was going to be brought back to us not so quickly as it was brought to us tonight. She thought there was going to be some information on that brought to us.

Councilwoman J. M. Baker stated at several city and county meetings we have discussed this issue. Finally, we decided to both approve the agreement. There is a lot of overlap between the City and County. We thought that Parks and Rec was a good place to start because there are so many overlaps. We were protected money-wise by the percentage that was being charged the County. We weren't leaving ourselves open for unknown expenses because we were finally protected.

Councilman R. E. King said it is his understanding that there would be a savings of \$34,273. The County will be paying more money than the City in this instance.

Mr. Olson said that Fun Junction would be maintained at its existing level of service which means we would go out there and we would cut the grass and do the same level of service that we presently do there. Meads Pool has been removed from the agreement completely. The County will handle that as an enterprise fund and there is no money in the budget that was submitted to us by the County or in the budget he presented to Council that even addresses any of the improvements for Meads Pool. Meads Pool is going to be closed this year and because there is no money in next year's budget to do capital improvements to Meads Pool at this time in all likelihood it will be closed in the following year but that is a decision made by the County Commissioners.

Councilman J. B. Walton asked if we had any clarity on the legal issues surrounding Fun Junction.

Councilman M. E. Brooks said he is in agreement with Hummer and Walton because there is litigation involving Fun Junction. There are too many issues that we haven't discussed yet.

Mayor Pro Tem Hummer said we are being asked to take on a park that has not been successfully run. It hasn't served the youth of our City because there is no transportation out there. Also, she would like to know if salaries and benefits have been factored in. We are not giving our current employees a COLA so far in this proposed budget and there is even a threat of them losing half of their 401K program but yet you are suggesting that we take on even more employees. She feels very uncomfortable with the whole thing.

A motion was made by Mayor Pro Tem L. A. Hummer, seconded by Councilman M. E. Brooks to table the Interlocal Agreement for Parks and Recreation Department Consolidation until further information is obtained. Those voting in favor of the motion were: Hummer, Brooks, Baker, Hill-Lawrence, King, Meggs and Stimatz. Against: Walton. Motion carried.

e} Authorized acceptance of the FEMA SAFER Grant:

Chief Mackey took a few minutes to bring some clarity to a couple of items that may have been misunderstood in the original presentation. The grant is for nine firefighters. It is to bring minimum staffing to four firefighters on each truck each shift. That is the reason FEMA issued this grant. He has been hoping for the opportunity to stand before you and talk to you about this particular issue and have an opportunity to address this issue. The grant is funding for a two year no-match allocation of salary and benefits to hire nine fire-fighters to meet minimal on shift staffing requirements. These positions would be allocated to the three shifts to bring the City up to a minimum of four firefighters on each apparatus every shift. This staffing level is needed to meet the initial on-scene firefighters required for firefighter safety and service delivery to our citizens. Under the new grant guidelines, the City would only be required to fully fund the third year of the grant with no retention requirements beyond that. This would be a cost to the City of approximately \$36,000 if City Council elected to keep the firefighters after the three-year commitment. The acceptance of this grant would give the City assistance in addressing a long term issue of a shortage in fire department staffing. The Fire Department would require funding of \$31,000 in the upcoming fiscal year 2010-2011 budget to train and equip the additional firefighters.

Mr. Olson stated that over the last 20 years, local units of government have been enticed by the federal government to increase staffing by providing partial grants that pay for the increase in staff for a period of one, two or three years. Once the grant runs out, the City is responsible for paying the additional costs for this staff. His concerns are not centered on the overall staffing levels; they are related to whether in the future we will be able to sustain the increase staffing. From his perspective, the issue is not whether the officers are needed; but

rather, can they be sustained in the future and if our citizens are willing to pay for the enhanced level of service.

Councilman King stated he is in favor of the additional officers. If we can put four people on a truck and roll then it is a better chance that his house will be safe.

Mayor Pro Tem Hummer said she is extremely happy to hear the support for this grant. She thinks it will be very unwise to turn this grant down. The fire fighters positions are just as critical as the police officer positions. We will just have to bite the bullet in another area three years from now.

Councilman Stimatz talked about how we are going to fund this. There are a couple of things that come to mind. Regardless, of what happens at the end of two years, we are committed to pay for the third year. That is about 3¢ in a property tax increase.

Councilman Brooks said he is very excited and he is glad that the Council seems to understand how important this issue is at this time. He agrees wholeheartedly in acceptance of this grant.

Councilman Walton said he is in favor of this grant but he has some concerns on the increase in taxes that would be needed to fund the third year. Let's don't fix it now lets go on and pass it and then but work it out later

A motion was made by Councilwoman J. M. Baker, seconded by Councilman R. E. King to authorize the acceptance of the FEMA SAFER Grant and the necessary funding to train and equip the firefighters. Those voting in favor of the motion: Baker, King, Brooks, Hill-Lawrence, Hummer, Meggs, Stimatz and Walton. Against: None. Motion carried.

f} Taxicab Ordinance:

Councilman Brooks said we rescinded the taxicab ordinance back in December or January and there were some changes to it that wasn't put in place. He would like to see those initiated at this time. One of them was 86-25, transfer of franchise. We mentioned that the transfer wouldn't be to just family members. One of the concerns was in 86-38 that deals with background checks that has not been convicted of a felony or misdemeanor with a two year penalty. That puts a damper on a person being employed. He thinks that we should have different wording there. It gives the impression that if a background check is done and it shows they have been convicted at any time that they will not be allowed to operate a taxi. We need to change that. He would like to refer to 86-

30 as he likes the wording to be as precise as this. He doesn't feel we should continue to punish someone if they have made a mistake. We should have a way that they can recover. In 86-66 they left in there the City Manager and it should read the City Council. That is what we had agreed too. One of the concerns is 86-47 it says you cannot pick up someone unless they were a fare paying customer. He thinks that goes back to the cab ownership. He doesn't think that we should get that deep into the cab ownership. We should leave that up to the owner who has control of the operation. He would like for this issue be placed on the agenda for the next meeting.

Mr. Stimatz said that he agrees that we need the penalty section for felonies looked at and changed. On 86-25 we had language in there that allowed it to be applicable transfer to anyone. The reason we wanted to do that is to open it up from a business standpoint and make it a viable business so if you wanted to get out of the business you could sell it and get out of it. He feels we need to go back to the original language that allows transfers to be if you sell your business you transfer your license with the business.

Councilman King expressed his concerns regarding the two individuals that have been barred from operating a cab now. We need to look at them again and perhaps allow them to retain their operating permit again.

Mayor McLean suggested that the language be changed to reflect what Council voted on and approved and if there is any problems to bring it back before Council at our next work session to be discussed.

g} Bill Owens ruling on Council's request to place the City Clerk position under direct supervision of City Council:

Councilman Brooks said that he is the one that wanted to bring this issue up. Council voted seven to one to send up to Bill Owens to make the City Clerk position under the City Council. He wrote back saying because of the controversial nature he could not support it. What he did he has done some research and he understands the short session and long session but we have rules and ordinances that we operate off of and the General Assembly has already given us the authority to do. In Rule 23, it says, "an affirmative vote equal to majority of all the members". It does not say a majority vote unless there is a controversy. If there are seven to one votes to send it to him, one vote said no. That is not controversial. It doesn't say 100% and he is trying to figure out where are the letters and emails that he was bombarded with and where did they come from. What was it maybe three-fifteen. His problem is that most of us that are on Council got on Council with at least 300+ votes. The fifteen votes that he considers bombarded and he is running for reelection. He knows 300 is more than 15. He had been hope that those 15 votes catch up

with the 300. The Council has been given the authority to do this. In our Ordinance 4-4 it already says, the City Clerk shall perform duties as required by the General Law or as prescribed by Council. Is the Mayor and City Council running the City or is it being run by Bill Owens. Do we take these ordinances and rules that we go by and throw them away because one person got upset and called their constituents and they sent letters to Representative Owens? What do we need to do to bring this back up? He can't understand how one person can stop something that majority of Council voted on. Whatever we have to do to correct this we need to do.

Councilman Stimatz asked if we could just call Bill Owens and ask him what the status is on this issue. This is not a difficult issue. Telephones do work in Raleigh.

Mr. Brooks said he does not trust him because he can read too.

It was the consensus that Mr. Morgan call Bill Owens and report back to the Council.

7} COMMENTS AND INQUIRIES ON NON-AGENDA ITEMS:

City Manager Olson stated he had no further comments.

Councilwoman Hill-Lawrence said that she thinks everybody had a good week but she would like to know why the work has not been started in Oak Grove?

Mr. Fredette stated that David Parks Landscaping didn't start and he spoke with him today and he assured him that he lost a week because of the weather. He expects to be there Wednesday of this week.

Councilman King stated he had two things. The first being we need to go back and revisit Ms. White's condition on her property because from listening to her tonight somewhere down the line something didn't happen right. It needs to be revisited. The second thing is when are we going to begin the work on the sidewalk that was approved tonight?

Mr. Fredette answered that we will send the agreement to NCDOT for acceptance and then we will be authorized to engage in engineering to design it. He expects it will be completed in the calendar year.

Councilwoman Baker said she wanted to say that the Customer Service Task Force is going along well. We are about to make some recommendations. We will be bringing it to Council shortly. She also wanted to remind Council there is a presentation on Wednesday at noontime at the Pines regarding the wireless

middle mile that is going to hopefully turn this part of North Carolina into an affordable wireless high speed internet access. There is also a presentation Wednesday at 2:00 p.m. at Arts of the Albemarle regarding the co-op advertising campaign of the Tourism Authority.

Councilman Walton asked if any notice had been given to the community of Oak Grove that there might be some changes made.

Councilman Brooks asked about the sidewalk on Roanoke Avenue.

Mr. Olson replied that we have 257 linear feet of sidewalk which is not in that section. We have had discussion with NCDOT concerning this area. The original plan to improve Roanoke Avenue in that section three years ago included sidewalk and curb/gutters. We have asked DOT to provide us a cross section for the sidewalk in that area. They could not remember rather or not it was tied directly to the curb or whatever it was going to be behind the curb. We are waiting for the Division Engineer to give us a copy of those plans. An engineering estimate will be prepared based on what he sees as a profile there and then we will see if we can amend the agreement we executed tonight to include this as an amendment.

Mr. Brooks continued by saying on Walkers Avenue there is a substation there. It has been hooked up for water and plumbing. He would like to know when it will be possible to get to this substation wired. With Ms. White's property he feels that we should revisit that issue because he has seen what she is talking about. We need to correct what when wrong. He questioned the parking space that was marked for the Human Resource Director and then when he visited City Hall the next day it was marked out. Did somebody complain? Finally, most of you have read about his concerns and comments regarding the toothbrush incident. He has had a lot of feedback over the weekend. Most of the feedback was very highly upset and just for the record he would like to educate those on Council and those that didn't find it a big deal he wants to tell you what our policy manual says and what State and Federal law says. It doesn't matter about the cowards that write comments. He questions why management believes in 2010 it is ok to have an employee clean a public restroom with a toothbrush. He will always stand behind any injustice people face. He will stand when nameless cowards write comments using words like idiot or talking about him carrying a gun in his sock which is a lie right out of the mouth of a present council member. He will stand when nameless cowards try to bring the question of race or racism as an effort goes forward to fight the injustice.

Councilman Stimatz said it is never too early to talk about the Knobbs Creek Bridge replacement. We have talked about getting a sidewalk along the roadway out to the hospital. While we are in the process of working on Knobbs Creek it

would be nice if we had both a pedestrian and a bicycle path figured into that design.

Councilwoman Meggs stated that last week she attended a Highway 17 meeting in New Bern and it was very informative. They are trying real hard to have Highway 17 four-lane all the way from Virginia to the South Carolina border.

Mayor Pro Tem Hummer said she hopes that there can be a favorable resolution for the two citizens who had experienced some inconsistencies. She hopes that there will be some money left in the Powell Bill Fund to do some more street work in the Second Ward along with Road Street, the last block on West Main, West Church, Cedar, all those streets leading off Hughes Boulevard were heavily damaged this winter. The holes are pretty bad and we need to take a look at those.

Mayor McLean thanked everyone for attending the meeting tonight. He thanked the Council members. He is starting to enjoy working with this group. We spend a lot of time together and that might be the reason why. He also thanked the staff for all they do and hope things will get better as we move forward. Tomorrow night we are having a Town Hall meeting at 6:00 p.m. here in the Council Chambers on utility issues. He would like to welcome City Clerk Dianne Pierce-Tamplen back as we really missed her while she was out.

8} ADJOURNMENT:

There being no further business to come before the Council at this time, Mayor McLean entertained a motion to adjourn.

A motion was made by Councilman R. E. King, seconded by Councilwoman J. M. Baker to adjourn the meeting. Those voting in favor of the motion were: King, Baker, Brooks, Hill-Lawrence, Hummer, Meggs, Stimatz and Walton. Against: None. Motion carried.

Mayor McLean adjourned the meeting at 9:30 p.m.

Dianne S. Pierce-Tamplen, MMC
City Clerk

Roger A. McLean
Mayor