

**City Council Regular Session
April 28, 2014**

The City Council of the City of Elizabeth City met in regular session on Monday, April 28, 2014 in Council Chambers, located on the 2nd floor of the Municipal Administration Building, 306 E. Colonial Avenue, Elizabeth City, NC.

MEMBERS PRESENT: Mayor Joe Peel
Councilwoman Jean Baker
Councilman Ray Donnelly
Mayor Pro Tem Anita Hummer
Councilman Tony Stimatz
Councilman Michael Brooks
Councilman Darius Horton
Councilman Montravias King

MEMBER ABSENT: Councilman Kem Spence (*excused due to work-related issues*)

OTHERS PRESENT: City Manager Rich Olson
City Attorney Bill Morgan
Finance Director Sarah Blanchard
Planning Director June Brooks
Assistant to the City Manager Angela Cole
ECDI Director Rebecca Cross
Human Resources Director Katherine Felton
Fire Chief Larry Mackey
Inspections Director Stanley Ward
Parks and Recreation Director Bobbi White
City Clerk Vivian White

The City Council regular session was called to order by Mayor Joe Peel at 7:00 p.m. Mayor Peel welcomed everyone to the meeting and recognized Councilman Darius Horton to give the invocation, after which all in attendance recited the Pledge of Allegiance.

1. Agenda Adjustments and Approval:

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

Councilman Brooks requested to add a discussion on “comments after the regular agenda”; he requested to add a discussion of “investigations” and he requested to add “consideration based on the article by The Daily Advance dated August 21, 2012”.

Motion was made by Mayor Pro Tem Anita Hummer, seconded by Councilman Darius Horton, to approve the agenda as amended. Those voting in favor were: Baker, Hummer, Stimatz, Brooks, Horton and King. Against: Donnelly. The motion carried.

2. Proclamation:

a. Girls, Inc. Week in Elizabeth City – May 5-10, 2014

Mayor Peel read and presented a proclamation designating May 5-10, 2014, as “Girls Inc. Week in Elizabeth City” and urged all citizens to applaud the commitment Girls Inc. has made to support the development of Elizabeth City’s girls.

The proclamation was accepted by Alea Bird, Associate Director of Girls Inc. Ms. Bird thanked Mayor Peel for the declaration and invited everyone to stop by their facility during their week of celebration.

3. Comments from the Public:

C. Everett Thompson, 208 Small Drive, Elizabeth City, NC stated that he had practiced law in Elizabeth City for forty one years and had lived in Pasquotank County for that period of time. He said that over the years he had seen city councilors, mayors and city managers come and go; and that he thought City Manager Rich Olson is one of the best, if not the best, city manager Elizabeth City has had. He expressed that he made that determination based on personal experience, as he had been on the same side and on opposing sides of issues; and had found Mr. Olson to be an excellent, competent manager that represents the City very well. He challenged the new members of City Council to put aside pettiness; and cited a recent motion to terminate the city manager as being made without any basis of fact and without considering the consequences. He characterized the action to terminate the city manager as reckless and irresponsible. He encouraged the new members of Council to show leadership and to bring positive plans and programs forward that will raise up the citizens and Elizabeth City and make it a better place.

Juanita Taylor, 702 Ray Street, Elizabeth City, NC stated that she came as a concerned citizen and referenced “situations with elected officials that she felt could have been handled better”. She stated that money allocated to this area should be used for worthy things such as helping the homeless shelter and feeding the hungry. She questioned money spent for Fourth of July fireworks as an example of not helping those most needy.

Tony Hornthal, 1915 Rivershore Road, Elizabeth City, NC stated that he had lived in Elizabeth City almost 49 years. He said that he wanted to speak about the things that we all have in common and expressed that, as he looked around the Council dais, he thought everyone seated there would call themselves a Christian. He stated that regardless of race, positions of power, rich or poor, each one is a child of God and shares basic articles of faith. He declared that everyone is called to the ministry of reconciliation; and he read a passage of Scripture from 2 Corinthians 5. Mr. Hornthal stated that reconciliation is at the very core of the Christian faith; and the core of reconciliation is forgiveness, especially for those with whom there are differences and hard feelings. He encouraged the Councilors to make peace with each other, put the past behind and make a commitment to forgive and respect each other in order to move the City forward and make it a place of opportunity for everyone.

Sidney Rabon, 217 Bayshore Drive, Elizabeth City, NC said that he began attending Council meetings when consideration was being given for a new City banking relationship. He thanked the Council for selecting Wells Fargo to be the City's depository for the next four years. He reported that he did not live within the City limits, but was a utility customer of the City; and said that he wanted to commend the hardworking employees of the City for being able to restore power so quickly after the devastating tornado and storm the previous Friday evening. He expressed that he wanted to address recent comments made by some Councilors during meetings; and said that one of those comments was made to disparage persons speaking during Council meetings who may not live within the city limits of Elizabeth City. He reported that his interest in the City was professional as well as personal – "because if the City is thriving and growing, it will be a better place for himself and everyone else to work and live". He stated that although he is not originally from Elizabeth City, he had selected the City to be his home; and cited many other dedicated individuals who had chosen to make Elizabeth City their home who are also committed to the success of the City and the region. He also referred to comments made to criticize a free Wi-Fi network within the downtown area and reported that he had made the decision on behalf of Wells Fargo to sponsor one-third of the cost of that project. He stated he felt the project was important because it would serve anyone in the downtown area, regardless of race, age and income and had the potential of being an amenity to draw new businesses and customers to the downtown. He also said that he wanted to publicly state his support for City Manager Rich Olson and cited Mr. Olson's efforts and expertise in economic development as helping to create a "rising tide" for everyone.

Johnnie Walton, 401 New York Avenue, Elizabeth City, NC stated that he may have to be removed from the meeting, but he intended to respond to his name "being put out there". He stated that God may make you wait, but sooner or later, God's Will will be done. He expressed that he was sure God was present because of Mr. Hornthal's comments. He stated that the storm and tornado experienced in the City was a test by God and he thought the test had been passed because of the organization that was in place. He said that every organization must have four "Ps" – a perspective, programs, policy, and personnel. As examples of these four "Ps", he expressed that not everyone had the same perspective or vision in the City, but he hoped we would get there. He said that the City has lots of good programs like parks and recreation and the senior center. He stated that the City does not follow its policies, the charter and the ordinances. He said that the storm experienced over the weekend proved that when there's a "man down" in City personnel, with good staff you also have a "man up". He referenced the absence of the City Manager and Mayor during the storm event. He said the community could be more cohesive but that there were things that must be done better such as creating a better image. He stated that the City must help those who are less fortunate and must follow its policies, charter and ordinances.

Dorothy Gibbs, 1203 Herrington Road, Elizabeth City, NC stated that she had lived at her address for 39 years and was a retired educator. She said that she had appeared during an earlier Council meeting to report the disrespectful way that she had been treated by City Manager Olson during a sewer backup incident at her home. She took exception with a subsequent article printed in The Daily Advance regarding this issue

and stated that the information was not correct. She challenged the Council members and anyone else with an interest to come to her home to see exactly what had been done for her. She questioned the expenses that had been reported as related to her incident and repeated that she had not received a new bathroom as had been reported in the press. She stated that “the way things are being done, I see why so many of our youth are going astray”.

4. Approval of Minutes:

a. City Council Budget Work Session – April 14, 2014

Motion was made by Mayor Pro Tem Anita Hummer, seconded by Councilman Montravias King, to approve the minutes of the April 14, 2014 Council Budget Work Session as presented. Those voting in favor were: Baker, Donnelly, Hummer, Stimatz, Brooks, Horton and King. Against: None. The motion carried.

b. City Council Regular Session – April 14, 2014

Motion was made by Councilman Darius Horton, seconded by Councilman Montravias King, to approve the minutes of the April 14, 2014 Council Regular Session as presented. Those voting in favor were: Baker, Donnelly, Hummer, Stimatz, Brooks, Horton and King. Against: None. The motion carried.

5. Public Hearings:

a. Consideration – Hold a Public Hearing to receive comment regarding the City entering into an installment purchase contract for the Roanoke Avenue Drainage Project Phase III; and adoption of resolution authorizing filing of application for approval of financing agreement.

Mayor Peel declared the Public Hearing open and inquired of the Clerk if anyone wished to be heard on this matter. Upon the reply by the Clerk that no one wished to speak, Mayor Peel declared the Public Hearing closed.

Mayor Peel recognized City Manager Olson for a review of this consideration. Mr. Olson explained that adoption of a resolution was required by the Local Government Commission authorizing the the filing of an application for approval of a financing agreement for the Roanoke Avenue Drainage Project. He reminded the Council that the award of bid for the project to ELJ, Inc. had been accomplished during the April 14, 2014 meeting; and that a companion item to award the contract for construction administration was included for consideration during the regular agenda of this meeting.

Motion was made by Councilman Tony Stimatz, seconded by Mayor Pro Tem Anita Hummer, to adopt the following resolution authorizing the filing of an application for approval of a financing agreement authorized by North Carolina General Statute 160A-20. Those voting in favor were: Baker,

Donnelly, Hummer, Stimatz, Brooks, Horton and King. Against: None. The motion carried.

**RESOLUTION # 2014 -04-06
AUTHORIZING THE FILING OF AN APPLICATION FOR APPROVAL OF A
FINANCING AGREEMENT AUTHORIZED BY
NORTH CAROLINA GENERAL STATUTE 160A-20**

WHEREAS, The City of Elizabeth City, North Carolina desires to make drainage improvements to better serve the citizens of Elizabeth City; and

WHEREAS, The City of Elizabeth City desires to finance the Project by the use of an installment contract authorized under North Carolina General Statute 160 A, Article 3, Section 20; and

WHEREAS, findings of fact by this governing body must be presented to enable the North Carolina Local Government Commission to make its findings of fact set forth in North Carolina General Statute 159, Article 8, Section 151 prior to approval of the proposed contract;

NOW THEREFORE, BE IT RESOLVED that the City of Elizabeth City, North Carolina, meeting in regular session on the 28th day of April 2014, make the following findings of fact:

1} The proposed contract is necessary to provide adequate drainage to the citizens and customers of Elizabeth City.

2} The proposed contract is preferable to a bond issue for the same purpose because the cost to issue general obligation bonds would be greater.

3} The sums to fall due under the contract are adequate and not excessive for the proposed purpose based on estimates received by engineering firm McDowell and Associates, P.A., P. O. Box 391, Elizabeth City, NC 27907.0391.

4} The City of Elizabeth City's debt management procedures and policies are good because policies are carried out in strict compliance with the law and adequate debt management will continue to be provided as directed by the Local Government Commission.

5} There will be no tax increase required to raise sums to fall due under the contract.

6} The City of Elizabeth City is not in default in any of its debt service obligations.

7} The attorney for the City of Elizabeth City has rendered an opinion that the proposed Project is authorized by law and is a purpose for which public funds may be expended pursuant to the Constitution and laws of North Carolina.

8} The probable net revenues of the Project to be financed will be sufficient to meet the sums to fall due under the proposed contract.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the City Manager is hereby authorized to act on behalf of the City of Elizabeth City in filing an application with the North Carolina Local Government Commission for approval of the Project and the proposed financing contract and other actions not inconsistent with this resolution.

This resolution is effective upon its adoption this 28th day of April 2014.

Joseph W. Peel
Mayor

ATTEST:

Vivian D. White, NCCMC
City Clerk

- b. Consideration - Hold the required second, project-specific Public Hearing in advance of submitting a CDBG Infrastructure grant for the Raw Water Transmission Main Replacement Project; and adoption of resolution authorizing submission of application.

Mayor Peel declared the Public Hearing open and inquired of the Clerk if anyone wished to be heard on this matter. Upon the reply by the Clerk that no one wished to speak, Mayor Peel declared the Public Hearing closed.

Mayor Peel recognized City Manager Olson for a review of this consideration. Mr. Olson explained that staff had learned after the April 14, 2014 Council meeting that the City could not hold the second, project-specific Public Hearing for this CDBG application during the same meeting when the general Public Hearing was held. He advised that staff had re-advertised the Public Hearing appropriately and was requesting that the Council rescind the previous resolution adopted for this application and readopt a resolution to coincide with the Public Hearing held this evening.

Motion was made by Councilman Tony Stimatz, seconded by Mayor Pro Tem Anita Hummer, to rescind Resolution #2014 04-04 adopted on April 14, 2014 authorizing submission of the Raw Water Transmission Main Replacement Project. Those voting in favor were: Baker, Donnelly, Hummer, Stimatz, Brooks, Horton and King. Against: None. The motion carried.

Motion was made by Councilman Tony Stimatz, seconded by Mayor Pro Tem Anita Hummer, to adopt the following resolution authorizing the submission of a Community Development Block Program grant application

for the Raw Water Transmission Main Project. Those voting in favor were: Baker, Donnelly, Hummer, Stimatz, Brooks, Horton and King. Against: None. The motion carried.

**RESOLUTION # 2014-04-07
BY THE CITY COUNCIL OF THE CITY OF ELIZABETH CITY
AUTHORIZING SUBMISSION OF
RAW WATER TRANSMISSION MAIN REPLACEMENT PROJECT**

WHEREAS, Title I of the Federal Housing and Community Development Act of 1974, as amended, has established the U.S. Housing and Urban Development (HUD) Community Development Block Grant (CDBG) Program, and has authorized the making of grants to aid eligible units of government in funding the cost of construction, replacement, or rehabilitation of water and wastewater infrastructure, and that the North Carolina Department of Environment & Natural Resources (NCDENR) Division of Water Infrastructure (DWI) was delegated the authority by the state legislature to administer the water and wastewater infrastructure portion of the state grant monies received from the U.S. HUD CDBG program by Session Law 2013-360, Section 15.15(a) as amended by Section 5.3 of Session Law 2013-363; and

WHEREAS, The City of Elizabeth City has need for and intends to construct a Raw Water Transmission Main Replacement Project described as follows:

The City of Elizabeth City Raw Water Transmission Main Replacement Project consists of replacing the existing raw water transmission lines that serve as the sole supply of water to Elizabeth City's Water Treatment Plant. The current transmission mains, a 10" cast iron main and a 12" cast iron main, were installed over 70 years ago. The existing 10" main is becoming brittle and has broken several times in the past two to three years. The existing 12" main is exposed to vehicular traffic at a creek crossing. Due to budget constraints, the replacement project was planned for two phases. Phase 1 was funded in part with help from the Supplemental Grants Program-Clean Water Partners Infrastructure Program in 2012; and

WHEREAS, The City of Elizabeth City intends to request state grant assistance for the project.

NOW THEREFORE BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF ELIZABETH CITY:

1. That the City of Elizabeth City, "the Applicant", will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system.
2. That the Applicant will provide for efficient operation and maintenance of the project on completion of construction thereof.
3. That Joseph W. Peel, Mayor, "the Authorized Official", and successors so titled, is hereby authorized to execute and file an application on behalf of the Applicant with the State of North Carolina for a grant to aid in the construction of the project described above.
4. That the Authorized Official and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project; to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

5. That the Applicant has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the 28th day of April, 2014 at Elizabeth City, North Carolina.

Joseph W. Peel
Mayor

ATTEST:

Vivian D. White, NCCMC
City Clerk

- c. Consideration - Hold the required second, project-specific Public Hearing in advance of submitting a CDBG Infrastructure grant for the Herrington Road Sewer Project; and adoption of resolution authorizing submission of application.

Mayor Peel declared the Public Hearing open and inquired of the Clerk if anyone wished to be heard on this matter. Upon the reply by the Clerk that no one wished to speak, Mayor Peel declared the Public Hearing closed.

Mayor Peel recognized City Manager Olson for a review of this consideration. Mr. Olson explained that this consideration was being made by staff for the same reason as the Raw Water Transmission Main item because the Public Hearing held during the April 14, 2014 meeting was not appropriate. He advised that staff had also re-advertised for this Public Hearing appropriately and was requesting that the Council rescind the previous resolution adopted for this application and readopt a new resolution to coincide with the Public Hearing held this evening.

Motion was made by Councilman Tony Stimatz, seconded by Councilman Darius Horton, to rescind Resolution #2014 04-03 adopted on April 14, 2014 authorizing submission of the Herrington Road Sewer Project. Those voting in favor were: Baker, Donnelly, Hummer, Stimatz, Brooks, Horton and King. Against: None. The motion carried.

Motion was made by Councilman Tony Stimatz, seconded by Councilman Darius Horton, to adopt the following resolution authorizing the submission of a Community Development Block Program grant application for the Herrington Road Sewer Project. Those voting in favor were: Baker, Donnelly, Hummer, Stimatz, Brooks, Horton and King. Against: None. The motion carried.

RESOLUTION # 2014 -04-08
BY THE CITY COUNCIL OF THE CITY OF ELIZABETH CITY
AUTHORIZING SUBMISSION OF HERRINGTON ROAD SEWER PROJECT

WHEREAS, Title I of the Federal Housing and Community Development Act of 1974, as amended, has established the U.S. Housing and Urban Development (HUD) Community Development Block Grant (CDBG) Program, and has authorized the making of grants to aid eligible units of government in funding the cost of construction, replacement, or rehabilitation of water and wastewater infrastructure, and that the North Carolina Department of Environment & Natural Resources (NCDENR) Division of Water Infrastructure (DWI) was delegated the authority by the state legislature to administer the water and wastewater infrastructure portion of the state grant monies received from the U.S. HUD CDBG program by Session Law 2013-360, Section 15.15(a) as amended by Section 5.3 of Session Law 2013-363; and

WHEREAS, The City of Elizabeth City has need for and intends to construct a Sewer Replacement Project described as follows:

The City of Elizabeth Herrington Road Sewer Project consists of replacing a non-functioning section of gravity sewer in the vicinity of the Herrington Road Bridge over Charles Creek. The replacement sewer will be relocated to take a more direct route to the Dawson Street Sewer Pump Station thru the B Street, Goodwin Street and A Street neighborhood replacing old problematic sewer line serving a neighborhood with a 90% low-moderate income population. The redirected sewer line will also relieve environmental issues and very probable sewer infiltration issues that impact the Herrington Road neighborhood directly. Finally, the redirected sewer line will provide an opportunity for the City to reconstruct sewer lines in the neighborhoods south of Charles Creek and west of Southern Avenue, an area with an 85% low-moderate income population. Currently those sewer lines are very flat and in some cases have a negative slope, which creates a high recurrence of sewer backups; and

WHEREAS, The City of Elizabeth City intends to request state grant assistance for the project.

NOW THEREFORE BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF ELIZABETH CITY:

1. That the City of Elizabeth City, "the Applicant", will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system.
2. That the Applicant will provide for efficient operation and maintenance of the project on completion of construction thereof.
3. That Joseph W. Peel, Mayor, "the Authorized Official", and successors so titled, is hereby authorized to execute and file an application on behalf of the Applicant with the State of North Carolina for a grant to aid in the construction of the project described above.
4. That the Authorized Official and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project; to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

5. That the Applicant has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the 28th day of April, 2014 at Elizabeth City, North Carolina.

Joseph W. Peel
Mayor

ATTEST:

Vivian D. White, NCCMC
City Clerk

6. Regular Agenda:

- a. Consideration – Reappointments to Tourism Development Authority: *(by roll call vote)*

1. Gwen Sanders for a two year term expiring June 30, 2016.

Mayor Peel called for Council's pleasure regarding the reappointment of Gwen Sanders to a two year term expiring June 30, 2016 on the Tourism Development Authority by roll call vote, as follows:

Councilman Brooks – Yes
Councilman Stimatz – Yes
Councilman Horton – Yes
Mayor Pro Tem Hummer – Yes
Councilman King – Yes
Councilwoman Baker – Yes
Councilman Donnelly - Yes

2. Maureen Donnelly for a two year term expiring June 30, 2016.

Mayor Peel called for Council's pleasure regarding the reappointment of Maureen Donnelly to a two year term expiring June 30, 2016 on the Tourism Development Authority by roll call vote, as follows:

Councilman Brooks – Yes
Councilman Stimatz – Yes
Councilman Horton – Yes
Mayor Pro Tem Hummer – Yes
Councilman King – Yes
Councilwoman Baker – Yes
Councilman Donnelly – Yes

- b. Consideration – Authorization for the City Manager to enter into an engineering construction agreement for the construction of Phase III for the Roanoke Avenue Drainage Project with Hyman & Robey, PC:

Mayor Peel recognized Mr. Olson to address this consideration. Mr. Olson responded that staff had provided a proposal for construction phase engineering services for the Roanoke Avenue Drainage Project Phase III with Hyman and Robey PC for the Council's review. He stated that the proposal included services for construction contract administration as well as thorough daily inspection and related reports for the construction work in progress. He advised that the proposal is for a lump sum fee of \$70,000, which he finds to be a competitive price, and that staff recommended approval.

Motion was made by Councilman Michael Brooks, seconded by Councilman Darius Horton, to authorize the City Manager to enter into an engineering services agreement for the Roanoke Avenue Drainage Project Phase III with Hyman & Robey, PC. Those voting in favor were: Baker, Donnelly, Hummer, Stimatz, Brooks, Horton and King. Against: None. The motion carried.

- c. Addition to Agenda by Councilman Brooks - Comments after the regular agenda:

Mayor Peel recognized Councilman Brooks for his comments. Councilman Brooks stated that the reason he placed this item on the agenda is because when Councilors make remarks regarding another Councilor's statements that are made during the "Comments on Non-Agenda Items" section of the agenda, it becomes a debate. He pointed out that if a speaker makes a statement during "Public Comment", Councilors may respond if the statement is incorrect. He stated that he felt the same consideration should be afforded City Councilors.

Councilman Brooks made a motion that "when a comment is made by a Council member and another Council member responds on that comment in a non-agenda item, they should have the right to respond to that comment".

Mayor Peel asked if there was a second to the motion. Hearing none, he announced that the motion died for lack of a second.

- d. Addition to Agenda by Councilman Brooks - Investigations:

Mayor Peel called on Councilman Brooks for his comments. Councilman Brooks complimented Mr. Tony Hornthal for his remarks made earlier in the meeting and stated that the Council does not always go by the City's policies, which, he said, was the reason the Council seemed to be in conflict. He referred to his motion to allow Councilor response on non-agenda items and said that was why he got heated at the end of meetings. He said he placed the discussion of "investigations" on the agenda because it concerned the accusation by a City employee against him that he had communicated a threat. He stated that The Daily Advance has not accurately reported

the facts regarding this matter. He explained that a City electric worker had alleged that he communicated a threat toward him. Councilman Brooks pointed to page 79 of the City's Personnel Policy Manual and stated that a prompt investigation should have been conducted in this case by a supervisor. He maintained that the City's argument that the investigation was not warranted in this situation because he is an elected official and not an employee covered by the policy was incorrect. He stated that his interpretation of the policy manual was that, as a member of the public and a public official, he was covered; and therefore, a supervisor investigation should have been conducted. He further stated that page 1 of the Personnel Policy Manual, which exempts members of Council from the policy, did not apply in his particular situation. Councilman Brooks stated that it was his belief that there was a conspiracy to "shut Brooks up". He admonished members of the public for coming before Council and "bashing Council and call yourselves supporting someone over another". He advised members of the public to read the policy to determine who was right and who was wrong. He reported that during his Court case, the employee testified that a discussion with the City Manager was held; and Councilman Brooks questioned again why an investigation was not called. He said that after his Court case, he filed a Notice of Appeal with the North Carolina Court of Appeals. He reported that he had a subsequent conversation with the District Attorney requesting an investigation of the matter; but the District Attorney had determined from the Court of Appeals that his paperwork had not been received. He again questioned if this was a "conspiracy" against him. Councilman Brooks stated that although he showed his receipt to the Judge, the "Judge still tried to invoke the sentence". He reminded the audience that an offender remains on pre-trial release during an appeal pursuant to North Carolina General Statutes and is not under probation. He asked "why am I going through this – is it a conspiracy?" He stated that anyone that is treated wrong like he has been, "it is supposed to be in accordance with the law." He reported that since an investigation was not called by the City Manager, he requested a Special Meeting of the City Council to request an investigation to clear up the matter, but a quorum "did not show up". He maintained his innocence of the allegations against him.

- e. Addition to Agenda by Councilman Brooks - Consideration based on the article by The Daily Advance dated August 21, 2012:

Mayor Peel recognized Councilman Brooks for his comments. Councilman Brooks withdrew this item from discussion.

7. Comments and Inquiries on Non-Agenda Items:

Councilman Donnelly reminded everyone about the upcoming Potato Festival. He said that volunteers are still needed for the three-day event.

Councilwoman Baker extended condolences to the family of City Manager Rich Olson upon the death of his mother-in-law. She thanked all City employees for their excellent response in the recovery from the recent storm event. She also thanked all responders under the City's mutual aid agreements for their valuable assistance. She noted the community coming together to help each other in their time of need.

Councilman King thanked all City workers, the emergency management team and Mayor Pro Tem Hummer for their amazing work during and after the storm event. He acknowledged seeing many people helping people during this crisis and noted that he saw the community coming together. He offered condolences to the families who lost their homes and thanked the Red Cross for the work they were doing in the community. He recognized his special guests from Elizabeth City State University SGA and 2014-2015 Class Officers to the meeting as follows: SGA President Mckinley Strother, VP of Internal Affairs Alana Johnson, VP of External Affairs Sierra Gary, VP of Finance Jasmine Harvey, Corresponding Secretary Quarda Fobb, Recording Secretary Aminah Weeks, Attorney General Skylah Gary, Mr. ECSU Donyai Moffatt and Miss ECSU Deneal Banks. He thanked these outstanding young men and women for their leadership. He announced that the ECSU commencement will be held on May 10, 2014 and that he would be walking across the stage as a proud graduate.

Mayor Pro Tem Hummer expressed her gratitude to all City employees, County employees, Emergency Medical Services, and neighboring cities that came forward for their outstanding work during the storm event. She conveyed her prayers and sympathy to all those who lost so much during the storm.

Councilman Horton thanked the citizens for attending the meeting and said that he concurred with Mr. Tony Hornthal and hoped that the Council will begin to enter into a season of reconciliation. He thanked Chief Buffalo and the entire City staff for their work during the storm and mentioned the compliments he had received from citizens regarding employee response to the disaster. He extended an invitation to the entire community to attend a service to benefit those who lost so much during the storm being held at Holy Trinity Community Church at 6 p.m. on April 29, 2014. He stated that “we are our brother’s keeper” and appealed to the community to participate as they feel called to do.

Councilman Stimatz extended his appreciation to City staff for their work during the storm and noted that good planning, good leadership, good people and good training play a key part in being able to respond during situations such as had been experienced. He noted that even though the City Manager and Public Works Director were not in town, staff knew what to do and did their jobs well. He encouraged anyone wishing to donate to consider the American Red Cross as funding was needed to help with local relief. He thanked Councilors Horton and King for organizing the event at Holy Trinity Community Church.

Councilman Brooks stated that he had received compliments from community residents regarding how quickly their lights came back on and he encouraged the public to be just as quick to relay their praises as they were to register their complaints during Council meetings. He said that the City should not have to go thru a tragedy to come together, because the “least of us are just as important as the elitist”. He thanked Councilors Horton and King for putting together the effort to help the storm victims.

Mayor Peel commended City staff for the phenomenal job they did during the storm event. He also acknowledged Montero’s Restaurant, the Golden Corral, Fire House Subs and Bob-B-Q for helping to feed the electrical crews from out of town and thanked

them for their community spirit. He reminded the Council about the two National Day of Prayer services, which would be held on Thursday, May 1 and thanked Margaret Twiford for her untiring work in organizing these annual events.

8. Adjournment:

There being no further business to be discussed, Mayor Peel adjourned the meeting at 8:20 p.m.

Joseph W. Peel
Mayor

Vivian D. White, NCCMC
City Clerk