

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

The City Council of the City of Elizabeth City met in work 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 (*Arrived at 5:35 p.m.*)
Councilman Ray Donnelly
Mayor Pro Tem Anita Hummer
Councilman Tony Stimatz
Councilman Michael Brooks

MEMBERS ABSENT: Councilman Kem Spence
Councilman Darius Horton
Councilman Montravias King

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

The City Council work session was called to order by Mayor Joe Peel at 5:30 p.m. Mayor Peel welcomed everyone to the meeting and recognized Councilman Michael Brooks to give the invocation, after which all in attendance recited the Pledge of Allegiance.

1. Approval of Agenda:

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

Mayor Pro Tem Hummer requested to add consideration of rescheduling two Finance Committee Budget Meetings. City Manager Olson stated that he had asked Emergency Management Coordinator Christy Saunders and Electric Department Superintendent Karl Clow to provide an update regarding storm recovery efforts, and requested that the Council add that presentation as the first item on the agenda.

Motion was made by Mayor Pro Tem Anita Hummer, seconded by Councilman Tony Stimatz, to approve the agenda as amended. Those voting in favor were: Baker, Donnelly, Hummer, Stimatz and Brooks. Against: None. The motion carried.

2. Storm Recovery Update:

Mayor Peel recognized Christy Saunders and Karl Clow for their presentation.

Ms. Saunders reported that Pasquotank County experienced three separate tornados on Friday evening, April 25, 2014. She stated that the Emergency Operations Center had been activated on Friday evening; and a State of Emergency was declared on Saturday, April 26, 2014 for both Pasquotank and Camden Counties. She reported that Governor Pat McCrory had also declared a State of Emergency for Pasquotank County. She advised that a preliminary damage assessment had been performed; and in the City of Elizabeth City it was determined that six homes were destroyed and nine other homes suffered major damage. In Pasquotank County, outside the City limits, there were sixteen homes destroyed and sixteen homes suffered major damage. She reported that teams from the state, SBA and FEMA would be arriving to do additional damage assessments. She stated that the tornado that affected Meadowlands Mobile Home Park traveled for 40 miles, was a quarter of a mile wide and was categorized as an EF2 at its beginning and weakened to an EF1 as it passed through Pasquotank County. She advised that a public assistance briefing for debris was planned for Thursday, May 1, 2014.

Ms. Saunders reported that the Red Cross was on hand and had been working very hard to distribute tarps, food and water to those hardest hit. She stated that additional relief help was arriving to assist; and that all agencies had worked well together as a team to respond and begin to recover from the emergency. She expressed her gratitude for the assistance she had received.

Councilman Donnelly said that he had heard of individuals taking advantage of those who had suffered damages and inquired if there was a way for the City to help in that regard. City Manager Olson responded that companies and individuals are required to obtain a privilege license in order to do business within the City. He encouraged citizens to make sure contractors have a license, are bonded and have insurance. He advised that citizens can call the City's Customer Service Department to determine if valid licenses have been issued. Councilman Stimatz requested that this information be advertised on Channel 11 and the City's website, as well as any other available media outlets.

Karl Clow reported that the City's electric department personnel responded to power outages and downed lines beginning at approximately 8 p.m. on Friday evening. He advised that by 11:21 p.m. power had been restored to Albemarle Hospital and the hospital was able to abandon its generator power. He reported that the Knobbs Creek Substation was restored by 1:25 a.m., the Pritchardtown Substation was back online by 2:43 a.m., the Catalina Substation was back online by 4:13 a.m., and the Perkins Road Substation was restored by 7:41 a.m. He stated that part of the Weeksville Substation

was restored by Saturday afternoon; and that within 24 hours of the storm, 75% of the City's electrical system was back up and running. Mr. Clow complimented the hard work and dedication shown by the City's electric crews and advised that mutual aid assistance had been provided by the City of Rocky Mount, the City of Wilson, the City of Kinston, the Fayetteville Public Works Commission, and Greenville Utilities. He expressed special gratitude for the assistance of Woodie Wilson of ElectriCities. He reported that the worst hit area was Weeksville Road, where the City lost 18 poles. He advised that this damage impacted both transmission and distribution; and that crews rebuilt and energized that section of lines by Sunday evening. He reported that all customers remaining without power would have service restored by Tuesday, with the exception of those with damages that had to be repaired before service could be restored.

Mr. Clow thanked all agencies for their valuable assistance during and after the storm and expressed gratitude to Golden Corral, Montero's Restaurant, the City Grill and Bob's Bar-B-Q for helping to feed the crews.

Mr. Olson reported that the amount of damage sustained will most likely not meet the threshold of damage to receive assistance to help cover any losses. He stated that the City's insurance will cover some of the damages; and he estimated that approximately \$1.25 million was spent for electrical requirements. He also stated that public works crews are working 12 hour days and will continue to do that for approximately two weeks to rid the City of storm debris.

Councilwoman Baker inquired if the new second delivery point was up and active during this storm event. Mr. Olson responded that the substation has not yet been energized, but that it would not have had a major impact during the storm.

Mr. Clow reminded everyone to continue to be mindful of downed power lines.

Mayor Peel stated that everywhere he had gone over the last couple of days, people had extraordinarily positive things to say about the response by all City personnel to this storm event.

3. Discussion/Consideration – Comprehensive Special Event Policy for the City of Elizabeth City:

Mayor Peel recognized Mr. Olson for a review of this consideration. Mr. Olson reported that the proposed Special Event Policy had been previously discussed by the City Council during the March 24, 2014 Work Session. He advised that staff had completed the changes suggested by the Council; and called on Angela Cole and Christy Saunders to provide an overview of the revised policy.

Ms. Cole stated that the proposed policy institutes the requirements, roles and general responsibilities for the use of City of Elizabeth City property for special events; and reported that the recommended policy facilitates the identification and application of resources required for public services provided during special events.

She advised that staff's proposed policy details the requirements to be associated with all special events, including limitations to event times, portable restroom provisions, noise, pyrotechnics, pet accessibility, tents, electricity usage, trash clean up, and event cancellation. She stated that as an element of public safety, staff included language requiring event organizers to establish a Multi-Disciplinary Planning Team and have an Incident Action Plan for events with a projected attendance of 500 persons or more. She indicated that this Planning Team will include event organizers and representatives from local public safety organizations, public works, parks and recreation, health department and state and federal agencies on an as-needed basis; and that the Action Plan will be developed with Team assistance. She reported that Action Plans will be unique to every event and will define the coordination of necessary actions by the event organizers and the responsible government officials. She pointed out that staff addressed portable restrooms and set a benchmark for the number of persons required for each restroom. She also pointed out that 10% of the facilities must be ADA accessible. She reported that the requested clarification between pyrotechnics and fireworks had been made. She also introduced the change in the policy as it relates to electric usage and pointed out that the policy is now in harmony with the City's established procedure to charge a flat fee to users during events. She stated that Fire Department personnel had provided the appropriate language regarding tents and canopies used in food service areas requiring flame resistance.

Additionally, Ms. Cole stated that the requirement of crowd managers had been established as one manager for each 250 people in attendance - if the event is projected to exceed 1,000 persons. Mr. Olson pointed out that the crowd manager requirement is a newly-adopted state regulation.

Councilman Stimatz questioned the policy requirement of having the lead event organizer on site for the duration of the event, and asked if that referred to the hours the event is open or if it meant from the time the first stake is put in until it is taken out. He pointed out that the Potato Festival is a three-day event and requested that the language be clarified. Mr. Olson responded that a representative of the event should be on site at all times in case an issue arises, but it could be defined as the organizer or a designee.

Councilman Stimatz also voiced concerns regarding the restroom requirements stated in the draft policy. He pointed out that rather than requiring that 10% of the restrooms be ADA accessible, he felt at least two should be designated as ADA accessible. Mr. Olson agreed that the requested change would be appropriate.

Councilman Stimatz stated that under the "Pyrotechnics" section, he would suggest a re-wording to read "City of Elizabeth City approval is required not less than thirty (30) days prior to the date of the proposed pyrotechnics display" in order to make the section more clear and less redundant.

In the section regarding "Pets", Councilman Stimatz questioned the term "appropriate signage". He suggested that the verbiage should be changed to read "appropriate pet

signage shall be purchased from the City”. He also suggested that sign location placement should be addressed. Mr. Olson responded that signage should be placed at all entry points, and that requirement was one that would be addressed during the pre-planning for the event.

Councilman Stimatz suggested that the word “signage” should be included in the “Trash & Clean Up” section as one of the requirements to be removed by the event organizers.

Councilwoman Baker asked if there was a “space” requirement for the number of attendees, such as a specific area or a confined space. Mr. Olson responded that the critical part of the policy is the use of multi-disciplinary planning up front with the event organizer and space needs would be addressed during that planning.

Motion was made by Councilman Tony Stimatz, seconded by Councilman Ray Donnelly, to adopt the Special Event Policy with the necessary changes. Those voting in favor were: Baker, Donnelly, Hummer, Stimatz and Brooks. Against: None. The motion carried.

4. Consideration – Adoption of Amendment to the City Code of Ordinances Conflict of Interest Policy:

Mayor Peel recognized Mr. Olson for an explanation of this item. Mr. Olson stated that the Council had previously considered the adoption of this Code amendment during three previous meetings; and that staff had incorporated into the draft presented all changes requested by the Council to date. He stated that the document reflects comments made during the Regular Meeting held March 10, 2014, and the Public Hearing held during the Regular Meeting on March 24, 2014. He explained that staff was directed to maintain the current language defining City official, which shall continue to include members of the city council, the city manager, assistant city manager, and department heads, city clerk and city attorney. He pointed out that this change, along with staff’s original suggested changes, appears in red within the document. He stated that the City Attorney’s recommended amendments are highlighted in blue, which are in keeping with NC General Statutes§ 160A-168, Privacy of Employee Personnel Records; and that Council-directed modifications from the March 24 and April 14, 2014 Regular Meetings are highlighted in green.

Councilman Stimatz requested that in section 2-114(a)(2) the term “immediate members of household” should be added to reflect the like change made in section 2-114(a)(1). Mr. Olson agreed that the change would be appropriate.

Councilman Brooks said that he did not think “Section 2-115. Investigations” should be changed in any manner. Councilman Stimatz pointed out that there was a specific change in that section that had been requested by the City Attorney in order to be compliant with the Personnel Policy Manual; and that a second change had been requested by Councilman Brooks, which provides for a summary report to the City

Council regarding any employee investigations. Councilman Brooks concurred with Councilman Stimatz.

Motion was made by Councilman Tony Stimatz, seconded by Councilwoman Jean Baker, to adopt the following ordinance amendments as presented by staff. Those voting in favor were: Baker, Donnelly, Hummer, Stimatz and Brooks. Against: None. The motion carried unanimously.

ORDINANCE NO. 2014-04-____

**AMENDING PART II CHAPTER 2 ARTICLE IV CODE OF ETHICS
OF THE ELIZABETH CITY CODE OF ORDINANCES**

WHEREAS, during the November 25, 2013 Work Session, City Council received the Comprehensive Annual Financial Report for Fiscal Year ending June 30, 2013; and

WHEREAS, during the fiscal presentation, Council was advised to adopt a Conflict of Interest Policy and Statement of Disclosure in addition to the Conflict of Interest statement included in the City's Community Development Block Grant (CDBG) documents; and

WHEREAS, reference to proper government ethics is also made within the City's Ethics Policy, the City does not have a standalone Conflict of Interest Policy; and

WHEREAS, the City Council of the City of Elizabeth City called for a Public Hearing on March 10, 2014; and

WHEREAS, the required public hearing on this matter was held on March 24, 2014, for the purpose of amending the existing ordinance.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Elizabeth City that the current Part II, Chapter 2, Article IV Code of Ethics ordinance is amended; and the following revised text is hereby adopted; and

BE IT FURTHER ORDAINED THAT:

1. All ordinances or sections of ordinances of the Elizabeth City Code, and/or parts thereof, in conflict with this ordinance are hereby repealed to the extent of such conflict.
2. If any section, subsection, paragraph, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed severable and such holding shall not affect the validity of the remaining portions hereof.
3. This ordinance amendment shall be in full force and effect from and after the date of its adoption.

ARTICLE IV. CODE OF ETHICS - CONFLICT OF INTEREST

Sec. 2-110. Declaration of policy.

The proper operation of democratic government requires that public officials and employees be independent, impartial and responsible to the people; that governmental decisions and policy be made in proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals, a code of ethics for city officials is adopted. The purpose of this article is to establish guidelines for ethical standards of conduct for all such officials by setting forth those acts or actions that are incompatible with the best interest of the city.

(Code 1993, § 1-26; Ord. of 10-21-1991, § I; Ord. of 1-6-1992, § 1)

Sec. 2-111. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Business entity means any business, proprietorship, firm, partnership, person in representative or fiduciary capacity, association, venture, trust or corporation which is organized for financial gain or for profit; or any association, institute, society, or group which is organized as a non-profit, 501(c)3 entity.

City official means the mayor, members of the city council, the city manager, assistant city manager and department heads, city clerk and city attorney.

Employee means a full-time or part-time employee.

Interest means direct or indirect pecuniary or material benefit accruing to a city official or employee as a result of a contract or transaction which is or may be the subject of an official act or action by or with the city. For the purpose of this Code, a city official or employee shall be deemed to have an interest in the affairs of:

- (1) Any person in his immediate household;
- (2) Any business entity in which the city official or employee is an officer or director;
- (3) Any business entity in which the stock of, or legal or beneficial ownership of, in excess of ~~five~~ ten percent of the total stock or total legal or beneficial ownership, is controlled or owned directly or indirectly by the city official- or employee;
- (4) Any contract in which the city official or employee derives any income or commission directly from the contract or acquires property under the contract.

Official act or action means any legislative, administrative, discretionary act of any city official or employee.

(Code 1993, § 1-27; Ord. of 10-21-1991, § I; Ord. of 1-6-1992, § 1; Ord. of 8-17-1998)

Sec. 2-112. Standards of conduct.

All city officials **and employees** as herein defined shall be subject to and abide by the following standards of conduct:

- (1) *Interest in contract or agreement.* No official **or employee** as herein defined shall have or thereafter:
 - a. acquire an interest in any contract or agreement with the city;
 - b. **derive a direct benefit from contracts or agreements they are involved in making or administering;**
 - c. **attempt to influence any other person who is responsible for making or administering a contract or agreement from which the city official or employee derives a direct benefit;**
 - d. **solicit or receive any gift, reward, or promise of reward in exchange for recommending, influencing, or attempting to influence the award of a contract or agreement by the city.**
- (2) *Use of official position.* No city official **or employee** shall use his official position or the city's facilities for his private gain **or to facilitate hobbies, community, civic, or other volunteer interests**, nor shall he appear before or represent any private person, group or interest before any department, agency, commission or board of the city except in matters of purely civic or public concern. ~~The provisions of this subsection are not intended to prohibit a city official's use of parking permits and are not intended to prohibit his speaking before neighborhood groups and other non-profit organizations.~~
- (3) *Disclosure of information.* No city official **or employee** shall use or disclose confidential information gained in the course of or by reason of his official position for purposes of advancing:
 - a. His financial or personal interest;
 - b. Business entity of which he is an owner, in part of or in whole, an officer or a director; or
 - c. The financial or personal interest of a member of his immediate household or that of any other person.
- (4) *Incompatible service.* No city official **or employee** shall engage in, or accept private employment or render service, for private interest when such employment or service is incompatible with the proper discharge of his official duties or would tend to impair his independence of judgment or action in the performance of his official duties, unless otherwise permitted by law and unless disclosure is as provided in this article.
- (5) *Gifts.* No city official **or employee** shall directly or indirectly solicit any gift; or accept or receive any gift having a value of ~~\$20.00~~ **\$25.00** or more, whether

in the form of money, services, loan, travel, entertainment, hospitality, thing or promise, or any other form, under circumstances in which it could reasonably be inferred that the gift was intended to influence him, or could reasonably be expected to influence him, in the performance of his official duties, or was intended as a reward for any official action on his part. Legitimate political contributions shall not be considered as gifts under the provisions of this subsection. **For the purpose of this section, gifts over \$25 from any source in a calendar year shall not be permitted.**

- (6) *Special treatment.* No city official **or employee** shall grant any special consideration, treatment or advantage to any citizen beyond that which is available to every other citizen.

(Code 1993, § 1-28; Ord. of 10-21-1991, § I; Ord. of 1-6-1992, § 1)

Sec. 2-113. Disclosure of interest in legislative action.

The mayor or any member of the city council who has an interest, **as defined in Section 2-111 above**, in any official act or action before the council shall publicly disclose on the record of the council the nature and extent of such interest, and shall withdraw from any consideration of the matter if excused by the council pursuant to G.S. 160A-75.

Failure to disclose or any other violation of the Code of Ethics – Code of Interest Policy shall require enforcement and penalty. Enforcement shall be handled in accordance with existing city policies and procedures. Potential violations of criminal laws shall be referred to the appropriate law enforcement agency by the city manager.

(Code 1993, § 1-29; Ord. of 10-21-1991, § I; Ord. of 1-6-1992, § 1)

Sec. 2-114. General disclosure.

(a) All city officials as herein defined, shall file with the city clerk on or before February 1 of each year a verified statement containing the following information:

- (1) The identity, by name and address, of any business entity, as defined in section 2-111 of which he **or immediate members of household** is an owner, an officer or a director. Additionally, the city official shall give the name of his employer or if self-employed, state the nature of his work.
- (2) The identity, by location and address, of all real property located in Pasquotank County and corporate limits of Camden County owned by the city official **or immediate members of household**, including an option to purchase, or a lease for ten years or more other than his personal residence.

(b) The statements required by this section shall be filed on a form prescribed by **the City Council and obtained from** the city clerk and are public records available for inspection and copying by any personnel during normal business hours. The city clerk is authorized to establish and charge reasonable fees for the copying of statements.

(c) All city employees, as herein defined, shall file disclosure with the City Manager or his designee in the same manner as described in subsections (a) and (b) above.

(Code 1993, § 1-30; Ord. of 10-21-1991, § I; Ord. of 1-6-1992, § 1; Ord. of 9-21-1998)

Sec. 2-115. Investigations.

(a) The city council may direct the city attorney to investigate any apparent violation of this Code as it applies to the mayor, member of the city council, ~~or city manager or city clerk~~, and to report the findings of his investigation to the city council.

(b) The city manager may direct the city attorney to investigate any apparent violation of this Code as it applies to ~~assistant city manager and department heads~~ any other city official or city employee, and to report the findings of his investigation to the ~~city council~~ city manager who shall handle the disposition of the matter pursuant to the City's Personnel Manual or other appropriate North Carolina law. The city manager shall provide a summary report to the city Council.

(c) The city council may direct the city manager to investigate any apparent violation of this Code by the city attorney, and to report the findings of his investigation to the city council.

(d) Any person who believes that a violation of this Code has occurred may file a verified complaint in writing with the city council when the mayor, member of city council, city manager, ~~city clerk~~ or city attorney is the subject of the complaint, or with the city manager when ~~assistant city manager and department heads~~ a any other city employee is the subject of the complaint, who may thereafter proceed as provided in subsection (a), (b) or (c) of this section.

(Code 1993, § 1-31; Ord. of 10-21-1991, § I; Ord. of 1-6-1992, § 1)

Sec. 2-116. Sanctions.

(a) If the city manager, after the receipt of an investigation by the city attorney, has cause to believe a violation has occurred, as to ~~the assistant city manager and department heads~~ any city employee other than himself, he shall handle the matter pursuant to the Personnel Manual or other appropriate North Carolina law ~~schedule a hearing on the matter. The city official who is charged with the violation shall have the right to present evidence, cross examine witnesses, including the complainant, and be represented by counsel at the hearing. If, after such hearing and a review of all the evidence, the city manager finds that a violation of this article has occurred, he shall take whatever lawful disciplinary action he deems appropriate, including but not limited to, reprimand, suspension, demotion or termination of service.~~

(b) If the city council, after receipt of an investigation by the city attorney, has cause to believe a violation has occurred, as to the mayor, city council members, ~~or city manager or city clerk~~, the city council shall schedule a hearing on this matter. The official who is charged with the violation shall have the right to present evidence, cross-examine witnesses, including the complainant, and be represented by counsel at the hearing. If, upon the conclusion of the hearing, at least three-fourths of the members of

council vote to find a violation has occurred, the council may adopt a resolution of censure which shall be placed as a matter of record in the minutes of an official council meeting. [The city manager may require that the hearing be closed to the public in the event that he is the subject of the investigation.](#)

(c) If the city council, after receipt of an investigation by the city manager, has cause to believe a violation has occurred as to the city attorney, and such finding is by a three-fourths vote of the council, then the matter shall be forwarded to the North Carolina State Bar, Box 25908, Raleigh, NC 27611.

(Code 1993, § 1-32; Ord. of 10-21-1991, § I; Ord. of 1-6-1992, § 1)

Sec. 2-117. Advisory opinions.

When any city official has a doubt as to the applicability of any provision of this article to a particular situation, or as to the definition of terms used herein, he may apply in writing to the city attorney for an advisory opinion. The city official shall have the opportunity to present his interpretation of the facts at issue and of the applicability of provisions of the Code before such advisory opinion is made.

(Code 1993, § 1-33; Ord. of 10-21-1991, § I; Ord. of 1-6-1992, § 1)

ADOPTED, this 28th day of April 2014 by the City Council of the City of Elizabeth City.

Joseph W. Peel
Mayor

Attest:

Vivian D. White, NCCMC
City Clerk

5. Consideration – Adoption of Amendment to City Council Rules of Procedure:

Mayor Peel announced that this consideration is a companion item to the Conflict of Interest Code amendment and recognized Mr. Olson for an overview.

Mr. Olson advised that staff had made the changes to the proposed Statement of Disclosure as requested by the City Council and asked if the format was acceptable. Councilman Stimatz pointed out that there are two actions provided for under Section 2-113 and Section 2-111 of the Conflict of Interest Code. He suggested that the wording of the disclosure be modified to reflect these two distinct actions: “disclosure of interest in legislative action must be stated for the public record, as per City of Elizabeth City

Code of Ordinances Section 2-113” and “who has an interest, as defined in Section 2-111”.

Mayor Peel announced that by consensus the Council accepted the following Statement of Disclosure:

STATEMENT OF DISCLOSURE

(To be read by the City Clerk)

Elizabeth City Code of Ethics provides that public officials and employees be independent, impartial and responsible to the public; that governmental decisions and policy be made in proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals and in keeping with the ethical standards of conduct for city public officials and its employees, disclosure of interest in legislative action must be stated for the public record, as per City of Elizabeth City Code of Ordinances Section 2-113. The mayor or any member of the city council who has an interest, as defined in Section 2-111 of the City of Elizabeth City Code of Ordinances, in any official act or action before the council shall publicly disclose on the record of the council the nature and extent of such interest, and shall withdraw from any consideration of the matter if excused by the council pursuant to NCGS § 160A-75.

Mr. Olson explained that Rule 6 of the City Council Rules of Procedure, details the order of business for City Council meetings. He advised that Rule 6 would need to be amended in order to accommodate the reading of the Statement of Disclosure called for in the newly adopted Conflict of Interest Code amendment. He stated that staff recommends that the Statement of Disclosure be read prior to discussion and action on business items.

It was noted by Mayor Peel that Rule 32 of the Rules of Procedure requires that an affirmative vote equal to or greater than two-thirds is required to adopt an amendment to the City Council Rules of Procedure.

Motion was made by Councilwoman Jean Baker, seconded by Mayor Pro Tem Anita Hummer, to adopt the amendment to the City Council Rules of Procedure as described. Those voting in favor were: Baker, Donnelly, Hummer, Stimatz and Brooks. Against: None. The motion carried unanimously.

Motion was made by Councilman Tony Stimatz, seconded by Councilman Ray Donnelly, to suspend implementation of this item until the May 12, 2014 City Council meeting. Those voting in favor were: Baker, Donnelly, Hummer, Stimatz and Brooks. Against: None. The motion carried unanimously.

6. Addition to Agenda - Rescheduling of Two Finance Committee Budget Meetings:

Motion was made by Mayor Pro Tem Hummer, seconded by Councilman Ray Donnelly to reschedule the April 24, 2014 Finance Committee Budget Meeting to May 5, 2014 at 5:30 p.m. in Council Chambers and to reschedule the May 1, 2014 Finance Committee Budget Meeting to May 8, 2014 at 5:30 p.m. in Council Chambers. Those voting in favor were: Baker, Donnelly, Hummer, Stimatz and Brooks. Against: None. The motion carried unanimously.

7. Committee Reports:

- a) EC-PC Economic Development Commission: Mayor Peel announced that a number of inquiries had been received by Wayne Harris, Director. He thanked all those involved in the team effort to secure a Wi-Fi for the downtown area and stated that the amenity should help attract some smaller start-up businesses.
- b) Central Communications Advisory Board: Councilman Spence was absent from the meeting.
- c) Fireman's Relief Fund Board: Councilman Brooks reported that no meeting had been held.
- d) NC Eastern Municipal Power Agency: Mayor Peel reported that the Duke Energy Progress acquisition is still moving forward. He stated that all but two City Councils of the NCEMPA member cities have signed off on the proposed sale of assets. Mr. Olson advised that City staff may be proposing a rate reduction; however, that reduction will be offset for City customers by the change in state taxing laws for sales tax. Councilman Stimatz requested that the separate state sales tax be clearly identified on the customers' utility billing. Mr. Olson responded that staff would research the City's software flexibility to enable this change.
- e) Elizabeth City Downtown, Inc.: Councilman Donnelly reported that ECDI had worked with Port Discover to help sponsor the Earth Day event at Mariners' Wharf Park over the weekend. He complimented the great job done on the event by Port Discover and thanked the Police Department for offering abandoned bikes to kids at no charge during the event. He announced that the Potato Festival is fast approaching and requested volunteers to participate on his potato peeling team.
- f) Elizabeth City Area Chamber of Commerce Board: Mayor Peel reported that the Chamber is working very hard to sponsor a variety of events of interest to the community. He stated that Kelly Thorsby, Chamber President, and Charlotte Underwood, Tourism Director, had attended the recent Collegiate Affairs Committee meeting and conducted a great brain-storming session with the

students about how those two organizations could become more involved with the three institutions of higher learning in Elizabeth City.

- g) Finance Committee: Mayor Pro Tem Hummer was unable to attend the last meeting and offered no report.
- h) Parks and Recreation Advisory Board: Councilman Horton was absent from the meeting.
- i) Elizabeth City/Pasquotank County Airport Authority: Councilman Stimatz reported that the Authority is currently working on its FY 2014-2015 budget and stated that the request to the City currently appears to be the same as in the previous fiscal year. He said that NCDOT is seeking additional right-of-way to improve the Weeksville-Consolidated Road intersection.
- j) Storm Water Drainage Advisory Board: Councilman Stimatz reported that the Elizabeth Street project has had a positive impact on the Sawyertown area in terms of alleviating drainage problems. He stated that the Board is still waiting to hear from the Corps of Engineers regarding the outfall for the Fairgrounds project. He advised that a constituent had contacted him about a fabric addition to the culverts at the Main Street Extended Bridge by NCDOT; and he expressed concern regarding a possible “dam” effect. He advised citizens to call Public Works when they see possible drainage concerns.
- k) Tourism Development Authority: Councilwoman Baker reported that visiting boaters had been very complimentary of the City’s new shower facilities. She stated that funding had been granted to Pasquotank County to assist with the Middle School project. She reminded everyone that UNC-TV had featured First Friday Artwalk on its NC Weekend segment; and that the show is available on the UNC-TV website.

8. ADJOURNMENT

There being no further business to be discussed, Mayor Peel adjourned the meeting at 6:34 p.m.

Joseph W. Peel
Mayor

Vivian D. White, NCCMC
City Clerk