

**MONDAY-7:00 P.M.**

**MAY 24, 2010**

**CITY COUNCIL**

The City Council of the City of Elizabeth City held its second Regular Meeting 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. Staff attending were: City Attorney W. H. Morgan, Deputy City Clerk V. D. White, Finance Director S. E. Blanchard, Public Utilities Director P. A. Fredette, Planning Director J. C. Brooks, Police Chief C. E. Crudup, Fire Chief L. M. Mackey, Inspections Director S. E. Ward, Electrical Director K. F. Clow and Parks and Recreation Director B. V. White.

Mayor R. A. McLean established a quorum was present and called the meeting to order. He called upon Reverend Toni Wood for the invocation after which the Pledge of Allegiance to the Flag of the United States of America was given.

**1} APPROVAL OF THE AGENDA:**

Mayor McLean called for approval of the agenda.

Councilman J. B. Walton asked to add: ***Oak Grove Project to the Regular Agenda.***

City Attorney Morgan asked to add ***the Committee reports to the Agenda.***

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

**2} COMMENTS FROM THE PUBLIC:**

Ms. Jo Thomas asked to speak to the Youth Task Force with some food for thought. She expressed her concerns regarding the availability of computers for our youth.

**3} CONSENT AGENDA:**

Following the reading of the Consent Agenda, the following motion was made.

***A motion was made by Councilwoman J. M. Baker, seconded by Mayor Pro Tem L. A. Hummer to approve the Consent Agenda as presented. Those voting in favor of the motion were: Baker, Hummer, Brooks, Hill-Lawrence, R. E. King, B. S. Meggs, J. A. Stimatz and J. B. Walton. Against: None. Motion carried.***

### **Consent Agenda**

a} Authorized an amendment to the AEDC By-Laws to include an increase in the commission membership size, specify new ex-officio and a conflict of interest provision.

b} Called for a special city council meeting to be held on Monday, June 1, 2010 at 5:30 p.m. in the City Council Chambers of the Municipal Administration Building. The purpose of the Special Meeting is to discuss NCDOT U4438 (Elizabeth Street).

c} Authorized the submission to the TDA an application for the Carolina Cup Regatta event for \$3,000.

### **End of Consent Agenda**

#### **4} REGULAR AGENDA:**

a} ECPD to sponsor July 4<sup>th</sup> Fireworks:

Parks and Recreation Director B. V. White stated that for years the 4<sup>th</sup> of July Celebration was sponsored by the Elizabeth City Jaycees. Waterfront Park was the hub of youth and adult activities throughout the afternoon until dark when the fireworks display began around 9:00 p.m. When it was determined that the Jaycees could no longer sponsor the event, the Tourism Development Authority became the sponsoring agency. The TDA is no longer able to sponsor the celebration. Dr. Terryberry has agreed to purchase the fireworks at a cost of \$24,000 for the twenty minute show. He is a certified fireworks operator. The City has earmarked \$8,000 and the County has earmarked \$6,000. We also have \$1,000 in private pledges for a total at this time of \$15,000. The funds needed are estimated to be \$29,500.

***A motion was made by Councilman J. A. Stimatz, seconded by Mayor Pro Tem L. A. Hummer to authorize the Elizabeth City***

***Parks and Recreation Department to become the sponsoring agency for the 2010 Elizabeth City 4<sup>th</sup> of July Celebration; and further move to authorize the Parks and Recreation Department to solicit funds from the community for this event. Those voting in favor of the motion were: Stimatz, Hummer, Baker, Brooks, Hill-Lawrence, King, Meggs and Walton. Against: None. Motion carried.***

Councilman Stimatz said he is a big supporter of this event and after the fireworks display last year he went and made a \$500 contribution. He would like to challenge his fellow colleagues and the county commissioners to meet it or beat it.

**b} AUTHORIZATION TO SUBMIT FEMA GRANT PROPOSALS:**

Chief L. M. Mackey stated the Elizabeth City Fire Department would like to submit applications for four Assistance to Fire-Fighter Grants. The grant has to be ready for submittal as each application period is announced. We are seeking funds for our much needed capital projects. There are four grant categories. They are Fire Apparatus Grant, Fire Station Grant, Technology Grant and Fire Prevention Grant. We would like to get permission to submit these grants when the grant periods open.

***A motion was made by Councilman J. A. Stimatz, seconded by Councilwoman J. M. Baker to approve the submission of these grants to FEMA. Those voting in favor of the motion were: Stimatz, Baker, Brooks, Hill-Lawrence, Hummer, King, Meggs and Walton. Against: None. Motion carried.***

**c} Oak Grove Project:**

Councilman Walton stated that after our last meeting we met on Wednesday at Oak Grove and there were some legitimate complaints but after talking for a while and discussing the issues, the community voted to go forward with the project. Recently, it is a work in progress. Ms. Hill-Lawrence and he have been going out there to keep check on things. There is one location as you enter Pinewood there is home where a ditch was put between that home and another home. Is that going to be done any different than what it is out there now? To him that is not adequate enough. The owners are not satisfied.

Mr. Fredette stated that ditch was there before and we reshaped the ditch to soften the slopes going to the bottom of it. It is controlled by the depth of the pipe on the other side near the railroad. He can't react to your question because he hasn't seen it or looked at it in terms of how deep it is. How deep is deep.

Mr. Walton said it is a concern of the two neighbors.

Mr. Fredette said he will have to go look at it. It is not planned to put a concrete swell in the bottom of the ditch. It is planned to be an open ditch as it was before. The problem between the houses is there wasn't much room between the houses to start with. He doesn't know what it looks like once it gets in the open field. This is the first he has heard of it and he will take a look at it tomorrow morning.

Councilman Stimatz said he ventured out in the big rain storm but at about twenty minutes to one it started raining and about five minutes later he was in his car after he walked through 8 inches of water on Main Street and headed out to take a look around. He went out to Oak Grove as he wanted to see how the piping was going to work. It was pretty impressive in turns of the water in the new ditches was only about half way up and the water in the old ditches were pretty high. There was a lot of trash and debris in the ditches. It seemed to be working. He did notice that the ditch on the north side of the property there is a field there and that field drains into that ditch as well. There was hardly any water standing at the entrance.

Mayor McLean stated he went to visit the Oak Grove project and he thinks that we have a reason to feel good about what is being done there. The ditches are really close to folks houses. Once this project is completed we need to continue to look at Oak Grove and find a better way to establish a system for drainage or make the conditions a little bit safer. If you were to fall in the ditch you will be falling on concrete and not dirt. He does applaud the City for what we are doing but he doesn't think we should stop at where we are at presently. We need to come up with other means of addressing that issue. He did receive a call from Andrea Williams and she wants to work with the City to help write additional grants.

Councilwoman Hill-Lawrence said she would like to say something about the safety issue. We need to perhaps for the citizens that live out there to have some printed information about safety for the children because the summer is coming.

Councilwoman Meggs said she went out there on Tuesday and she was very impressed with the workers out there. They were so smooth in what they were doing. She just wanted to say thank you to the workers.

## **5} COMMITTEE REPORTS:**

Albemarle Economic Development Commission

Mayor Pro Tem Hummer said we have a meeting Wednesday morning at 8:30 a.m. She has no report now.

#### Central Communications Board

Councilman Walton said he had a prior engagement and was unable to attend the meeting.

#### Elizabeth City-Pasquotank County Airport Authority

Councilwoman Hill-Lawrence said they had a work session on last Wednesday and the purpose of that work session was to look at the renovation of the airport. As all of us know it is owned by the City and in recent years they have been considering remodeling the building. They have drawn up a design of what the renovations will look like if we are able to do all the things that we want to do. It is not coming out of funds from Elizabeth City or anything as it will be coming from a FAA grant. We all know it has to be approved by City Council before they can go forth. She will keep you posted as information is passed on.

#### Joint Land Use Plan Committee

Councilman Stimatz said we are still waiting on CAMA. We have been waiting three years now.

#### Joint Redevelopment Commission

Councilman Brooks said he is waiting for an email to tell him what the schedules of the meetings are. He hasn't received anything to date. He has nothing to report.

#### North Carolina Eastern Municipal Power Agency

Ms. Blanchard stated she didn't have anything to report.

#### Solid Waste Committee

Councilman King said that they meet in July.

#### Tourism Development Authority

Councilwoman Baker said they have a meeting Thursday morning at 9:00 a.m. but she did want to read a letter that they received today from a visiting boater.

#### Elizabeth City Downtown, Inc.

Councilwoman Meggs said they have some statistics. They had a meeting last week and the new director was there. We appreciate what she is doing. The recent Potato Festival was the largest to date. There were 130 vendors which is double last year's count of 65. The attendance is being estimated at 22,000 people. There were several additional kids' rides and games that cut down on the waiting lines significantly. She thanked the Elizabeth City Downtown, Inc. festival organizers, Tim and Cindy Williams, city staff and everyone in the community who help make it a successful day. The film festival starts June 1<sup>st</sup> and the movie will be "Facing the Crowd" and we are going to have a concession stand. The money will go toward helping to pay for the expenses of this project.

#### Water Committee

Councilwoman Baker said they had a meeting on May 5<sup>th</sup> and Hobbs Upchurch did an update on the RO project. They were to pour the slab this week. That is the slab for the actual building that the County is building. They discussed the water and wastewater budgets. They talked about the water that the City is buying from the County that is going to be coming out of the Weeksville Plant and it is going to be blended water. She didn't think they were going to be able to use that in the beginning but it will mix with our water they tell us.

#### Elizabeth City Area Chamber of Commerce

Councilwoman Meggs said the main topic was the Potato Festival and what a good crowd it was and how much we appreciated our police and the recreation department and all the volunteers. Of course we thanked Jennifer for all the help that she gave. We want to keep in mind that the Coast Guard is having their birthday August 4<sup>th</sup> and there will be a lot of things that volunteers will be called upon to help with that.

#### Customer Service Task Force

Councilwoman Baker said that we have received the surveys back from Customer Service representatives and are having presentations from some assessment companies. We think that is the recommendation that we are going to bring to Council on our meeting on June 14<sup>th</sup>. She gave the Mayor a copy of the assessment questions that were rated one to four and we don't score very well. We have lots of work to do. We are moving forward and we will bring a recommendation to Council at the next meeting. We have been meeting every week and we are a very active task force. She is very please with everyone.

#### Mayor's Task Force on Youth Initiatives

Councilman Walton said we have met again and the whole task force has not been solidified yet because we had two or three new members to come in this time. All those that came to the previous meeting were not there. It is still coming together. We are talking about 25 people meeting in one room and coming up with so many ideas that we decided to break them up into sub committees. We are in the process of that now. We are waiting to get back a survey that we gave to the school system to see what the kids want us to do. We will share that with you when we gather that information.

#### Firemen's Relief Fund

Councilman Stimatz said that we were scheduled to have a meeting but we didn't. He would offer to the Mayor that he and Dianne need to set down and look at all the members. He thinks there are some lapsed appointments. You probably need to shuffle some people to bring some new blood into it.

Mayor McLean said that the committee reports are very important because a lot of time the work is done through committees. He thanked everyone who attend the committee meetings and bring back to Council the information that is valuable to what we do as a Council.

#### **6} COMMENTS ON NON-AGENDA ITEMS:**

Councilwoman Hill-Lawrence said that she thought the Potato Festival was wonderful. She stayed from 6:00 A.M. to 10:00 P. M. that night. She had such a good time. She thinks that we should give Tim and Cindy Williams some type of proclamation because it was really organized to a T. The other thing is on Saturday we are going to have visitors in our great City from AMZ in Jamaica, New York and that is the church of former congressman Floyd Blake out of New York City. He served in Congress about ten years. They are going to be at the Hampton Inn. If you can, go by and greet them.

Councilwoman Baker stated she had no further comments.

Councilman Brooks said he had the opportunity to attend the Potato Festival and he thought that it was great turnout. He reminded everyone of the Juneteenth Festival that is being planned. He is the speaker and he hopes that they have a good turnout as well. He wanted to thank The Daily Advance for following through about the incident that happened on City Council. He was going to address it in depth but because the concerned party that was involved is not here he will not address it at this time. If you get a chance read the article. What he understands in management is that the people always take the personality of their boss so he is beginning to understand why some of the departments are in disarray. Even in Customer Service people take the

personality of their boss. It can't be denied. He has seen it in big corporations and small corporations. That is what happens. He would like for the Council to be more concerned when you have insubordination of any Council members instead of just sitting here and making it appear it is like one council member against someone else. It wasn't just a thing with the exchange between him and the concerned party. It was a pie in the face of every council member.

Mayor Pro Tem Hummer said she had no further comments tonight.

Councilman King said he was at the Potato Festival also and it was very nice. There were a lot of people there. He brought to Council before the Juneteenth. Normally, each year the City Council gives money for the Juneteenth and he would like to see it happen this year for this occasion. He thinks last year we gave \$1,000. Another item, on Road Street we have a lot of pipes and stuff going on and when is the work actually going to take place.

Mr. Fredette replied the work would start shortly. Actually, they have already started. The pipes have been delivered and the short fence is up. The first thing that they will be doing is relaying the water and sewer line on Boston Avenue. Then they will be coming across the field laying the drainage pipe. It will be late June before they start digging out the large retention ponds. His next item is last year for Veterans Day we bought a wreath and he would like to do a wreath this year for Memorial Day for the veterans and for the military period. He thinks it would be nice for the Council to do. He would like the consensus of this Council to do that. We will need three veterans to do this. It should be Councilman Brooks, Councilman Stimatz and himself along with the Mayor and Mayor Pro Tem.

It was the consensus of Council to purchase an artificial wreath and lay it down for Memorial Day at West Lawn Cemetery.

Councilwoman Meggs said she had no further comments to make this evening.

Councilman Stimatz said he would like to remind everyone that the leaves and limbs that end up in the street end up in your drains and clog your drains and then you end up with your own private lake. You need to clean them up and leave them on the lawn or median. The vacuum truck usually comes around on your trash day. If you have a large pile of limbs you can call Public Works and they will come and pick them up. Along those lines he would like to thank Public Works for the quick response on downed limbs both last week and this week. At some point he would like to have an update on the status of the salvage yard on Broad Street. He would like to have that before our next meeting.



Councilman Walton said he had two things. One he sort of feels the way Michael does in reference to the newspaper article as his name was in it too. When he gets put into the game he tries to do the best that he can. The paper said a tiff and that may be something small but it may mean more to some of you. His name was put into it as it happened to himself and another citizen. That citizen to him was wrong. It is according to what your values are. This person came up and said an inappropriate word in front of high school kids he felt it was his place at the time to correct that person. It happens. The City Manager has done that to him at one time. People make mistakes. He has tried to not do that again because a couple of weeks ago a man came up and made some statements. He didn't appreciate them but he held himself back. As a matter of fact he didn't come back to a meeting one time because he felt that he would have acted up if he did. That is something that you shouldn't do. When you feel like you are going to be out of control you should control it. That is what he tries to do. He has done that to me a couple of years back but has not done it to him since. Lena can attest to this he acted in a rude way in a meeting with us one day. People should look at things at face value. The things that make values what they are are different. If you had seen some change in this person's attitude you probably wouldn't have brought it up. If a person has not change you are going to work at it until there is some change. He commends you for that. The other thing that he wants to talk about and we are supposed to meet again with the County Commissioners. Some of the issues that they have are different from our issues. We are in a joint partnership with some of that. If we change some of our issues would that have to change in the budget? He recommends that we don't send out the big budget book because of all the changes that are made.

Mayor McLean said that he wanted to thank Councilman Walton for representing the office of the Mayor at the Potato Festival. He told me he had a good time. He wants everyone to make a note that the retreat is going to be June 18<sup>th</sup>, 2010. We are going to start at 8:00 A.M. that morning. It is going to be held in Edenton at the place where we were at last time. We are planning to have a reception the night before. We will make sure that everyone gets an agenda once all the issues have been worked out.

The other thing he wanted to talk about was Relay for Life. That is a wonderful group of people. If you didn't attend this year, you need to make plans to attend next year. Just looking at the number of people that have survived cancer you will be shocked. He lost his Dad to cancer in 2006, his sister is a survivor and his wife is a survivor. It was a nice event. Another thing is there is a new business coming to town called COSMOS. They are building a business for the youth. They are going to have an inside building that is going to have bouncers and all those things that kids play with inside. They are going to open up in July. Hopefully, that will help us from having to take our kids to Norfolk or Chesapeake to have some indoor fun. He met with them today and it is a

wonderful concept. Little kids are asking him where they are going to swim this summer. He is hoping that Council can find a way to give kids a place to swim this summer. He is hoping that we can find a way to help kids swim this summer.

He stated that he would like to send well wishes out to our City Clerk Dianne Pierce-Tamplen who has been ill. We miss her and hope she soon gets well. He also would like to send condolences out to our Human Resource Director, Katherine Felton on the death of her Mother. Also, condolences are sent to Mayor Pro Tem Hummer on the death of a member of her family, Mr. Marsh.

**7} ADJOURNMENT:**

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

***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 8:18 P.M.

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Dianne S. Pierce-Tamplen, MMC  
City Clerk

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Roger A. McLean  
Mayor