

**City Council Regular Session  
June 9, 2014**

The City Council of the City of Elizabeth City met in regular session on Monday, June 9, 2014 in Council Chambers, located on the 2<sup>nd</sup> 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 Kem Spence (*arrived at 7:27 p.m.*)  
Councilman Darius Horton  
Councilman Montravias King

MEMBERS ABSENT: None

OTHERS PRESENT: City Manager Rich Olson  
City Attorney Bill Morgan  
Finance Director Sarah Blanchard  
Planning Director June Brooks  
Chief of Police Eddie Buffaloe  
Electric Superintendent Karl Clow  
Assistant to the City Manager Angela Cole  
ECDI Director Rebecca Cross  
Human Resources Director Katherine Felton  
Public Utilities Director Paul Fredette  
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 Mayor Pro Tem Anita Hummer 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 Ray Donnelly requested to add a discussion of the Juneteenth Celebration.

**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, Donnelly, Hummer, Stimatz, Brooks, Horton and King. Against: None. The motion carried unanimously. (Councilman Spence had not yet arrived.)**

**2. Statement of Disclosure:**

The City Clerk read the Statement of Disclosure. No conflict of interest disclosures regarding items listed on the agenda were made.

**3. Presentation:**

- NC Potato Festival Committee and Elizabeth City Downtown, Inc.

Mayor Peel welcomed Cindy Williams, co-chair of the NC Potato Festival and Rebecca Cross, ECDI Director to the podium.

Ms. Cross thanked the City Council for their support of the three-day 2014 Potato Festival. She reported that organizers felt the festival to be the most successful to date and stated that festival goers numbered approximately 30,000. She stated that the festival went very smoothly; and said that there were a number of new vendors as well as repeat vendors that participated over the three-day period. She reported that the mechanical ride vendor was extremely pleased with how things went over the three days. She expressed that there were more “heads in beds” for tourism efforts over the weekend; and stated that organizers would like to make the three-day festival a permanent arrangement.

Ms. Cross stated that planning has already begun for 2015. She reported that the ride vendor has requested a return visit and needs confirmation if that relationship will be continued. In addition, she said that organizers would like to book entertainment well in advance in order to secure a big name performer and advise sponsors to begin their budget planning.

Ms. Williams stated that what makes working with the festival worthwhile is to be able to offer something for our citizens and visitors to do in the local area and support the business community at the same time. She requested the Council’s consideration of allowing the festival to continue on a permanent basis for a three-day period.

Councilman Donnelly inquired how soon the festival organizers needed the Council to make a decision regarding their request; to which Ms. Williams responded “sooner rather than later-mainly because of the ride vendor”. She reported that the ride vendor was a great revenue stream for the festival; and the money raised allowed ECDI to be able to support the downtown with things such as new trashcans.

Councilwoman Baker commented that the ride vendor did a wonderful job and the area was neat and clean.

**Motion was made by Councilman Tony Stimatz, seconded by Mayor Pro Tem Anita Hummer to approve the expansion of the NC Potato Festival to remain at three days going forward, as described in their memo provided to the Council. Those voting in favor were: Baker, Donnelly, Hummer, Stimatz, Brooks, Horton and King. Against: None. The motion carried unanimously. (Spence had not yet arrived.)**

Mayor Peel announced that Tim and Cindy Williams not only volunteer their time working on the Potato Festival all year long, but have a business downtown that they basically close for most of the week in preparation of the festival. He said that he appreciated very much all they do for the City and stated that Councilwoman Baker had something she would like to present to them.

Councilwoman Baker said that she had received one of the original burlap bags from the first Potato Festival when it was called "The Albemarle Potato Festival". She presented the bag to Mr. and Mrs. Williams as a token of appreciation for their hard work and dedication.

#### **4. Comments from the Public:**

Everett Thompson, 208 Small Drive, Elizabeth City, NC stated that he has practiced law in Elizabeth City for over 40 years. He said that he is also a member of the North Carolina State Bar Council, which is made up of representatives from every Judicial District in the state. He said that one of the powers vested with the Council is to discipline lawyers who have committed ethical violations. He advised that the reason he came before the Council was because of the May 18, 2014 Daily Advance newspaper article that reported Mr. Norwood Blanchard's presentation to the Council. He quoted from the article, and stated "Brooks blasted the investigation claiming that Blanchard's inquiry was superficial and is completely pre-determined. He further claimed that City Attorney Bill Morgan chose Blanchard to insure a favorable outcome for Peel and Olson". Mr. Thompson stated "in the context of allegations against an attorney, those are serious ethical violations". He advised Councilman Brooks that if he had evidence that Mr. Blanchard and Mr. Morgan had breached their responsibilities as attorneys, then he should tell the Council, his constituents and the public. He further stated that if evidence did not exist and the statements were not factual, Councilman Brooks had a duty to apologize, because he had accused them of serious ethical violations, which the State Bar Council would take under consideration, if true. Councilman Brooks responded that his statements were based on his opinion and he would not apologize.

Katy Maggi, 1404 Nelson Street, Elizabeth City, NC stated that the Homeowners Association of Stockbridge at Tanglewood had been told that the building permits for the clubhouse and pool were waiting approval of the City Council. She asked if there was a status update on that matter. Mayor Peel stated that the Council did not respond to comments made during a meeting, but the City Manager would respond at a later time.

Erica Ramjohn, 501 E. Main Street, Elizabeth City, NC stated that she was representing River City Community Development Corporation as the chairperson of the Juneteenth Committee. She introduced the young ladies accompanying her who would be competing in the Miss Juneteenth Pageant. She stated that she wanted to remind everyone that on Saturday, June 14, the 13<sup>th</sup> annual Juneteenth Festival would be held in Downtown Elizabeth City and she invited everyone to come and enjoy the celebration. She said that the Juneteenth Festival was the oldest known celebration in the United States commemorating the end of slavery and was a day to recognize and celebrate our ethnic diversity.

Tobie McPherson, 200 E. Colonial Avenue, Elizabeth City NC stated that he was appearing on behalf of Central Communications to request the Council's support of NextGen 911, which refers to an initiative aimed at updating 911 service infrastructure to improve public emergency communications services in a growingly wireless mobile society. He advised that our Central Communications equipment is ready to go and wanted to make sure the City Council learned of it before reading it in the newspaper. He stated that the ability to text a message to the 911 Center is particularly good for those who are hard of hearing.

Johnnie Walton, 401 New York Avenue, Elizabeth City, NC stated that this meeting was very precious to him because consideration of an Invocation Policy was on the agenda. He encouraged the Council to support the addition of an invocation on the agenda for Council meetings. He alleged that City Manager Olson, Councilman Donnelly and Councilman Spence were "deceitful" regarding the resolution on the meeting's agenda to support in-state tuition concessions for ECSU, since they had already discussed it during a visit to Raleigh for Town Hall Day. He said he was "ashamed" of the way the Council did things in a "slick" manner. He commented that if anyone should have been involved in the ECSU discussion with the legislators, it should have been Councilman King.

#### **5. Approval of Minutes:**

- City Council Special Meeting June 2, 2014

**Motion was made by Mayor Pro Tem Anita Hummer, seconded by Councilwoman Jean Baker, to approve the minutes of the June 2, 2014 Special Meeting as presented. Those voting in favor were: Baker, Donnelly, Hummer, Stimatz, Brooks, Spence, Horton and King. Against: None. The motion carried unanimously.**

#### **6. Consent Agenda:**

Mayor Peel recognized City Manager Olson to detail the items presented on the Consent Agenda. Mr. Olson read all items for the record and recommended approval, as follows:

**Beginning of Consent Agenda:**

- a. Consideration – Adoption of Roanoke Drainage Project Phase III Capital Project Ordinance and Budget Amendments for Phases II and III as follows:

**ROANOKE DRAINAGE PROJECT PHASE III  
CAPITAL PROJECT ORDINANCE**

**BE IT ORDAINED** by the City Council of the City of Elizabeth City, North Carolina, that pursuant to Section 13.2 of Chapter 159 of the General Statues of North Carolina, the following capital project ordinance are hereby adopted:

**SECTION I.** The project authorized is the Roanoke Drainage Phase III Capital Project to be financed with installment purchase funds.

**SECTION II.** The officers of this unit are hereby directed to proceed with the project within the terms of the project documents and the budget contained herein.

**SECTION III.** The following amounts are appropriated for the Roanoke Drainage Phase III Project:

(673980.0000)	Other Financing Source	\$ 1,266,330
(673970.0001)	Transfer from Stormwater Fund	<u>100,000</u>
		<u>\$ 1,366,330</u>

**SECTION IV.** The following amounts are appropriated for the Roanoke Drainage Phase III Project:

(676614.0400)	Engineering Costs	\$ 70,000
(676614.7300)	Construction Costs	<u>1,296,330</u>
		<u>\$ 1,366,330</u>

**SECTION V.** Copies of this capital project ordinance shall be made available to the Budget Officer and Finance Director for direction in carrying out this project.

**ADOPTED**, this the 9<sup>th</sup> day of June, 2014.

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Joseph W. Peel  
Mayor

\_\_\_\_\_  
Vivian D. White, NCCMC  
City Clerk

**BUDGET AMENDMENT**

**BE IT ORDAINED** by the City Council of the City of Elizabeth City that the following amendment be made to the annual budget ordinance and project ordinance for the fiscal year ending June 30, 2014:

**SECTION I.** That the Stormwater Fund Transfer to Roanoke Drainage Fund (348500.9100) and the Fund Balance Appropriated (343990.0000) be increased by \$120,965. That the Roanoke Drainage Fund Transfer from Stormwater (573976.0000) and Roanoke Drainage Construction (576600.7300) be increased by \$120,965.

(To record Stormwater Fund portion of Roanoke Drainage Phase II.)

**SECTION II.** That the Stormwater Fund Transfer to Roanoke Drainage Fund (573976.0000) and Fund Balance Appropriated (573990.000) be increased by \$100,000.

(To record Stormwater Fund portion of Roanoke Drainage Phase III.)

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Joseph W. Peel  
Mayor

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Vivian D. White, NCCMC  
City Clerk

- b. Consideration – Authorization to submit a grant application for the FY 2014 COPS Grant Hiring Program by the Elizabeth City Police Department to assist in the funding of one additional police officer position, increasing the total number of positions from 59 to 60;
- c. Consideration –Adoption of the City’s updated Equal Employment and Procurement Plan, as follows:

**City of Elizabeth City  
Equal Employment and Procurement Plan**

The City of Elizabeth City maintains the policy of providing equal employment opportunities for all persons regardless of race, color, religion, sex, national origin, handicap, age, political affiliation, or any other non-merit factor, except where religion, sex, national origin, or age are bona fide occupation qualifications for employment.

In furtherance of this policy, the City prohibits any retaliatory action of any kind taken by any employee of the locality against any other employee or applicant for employment because that person made a charge, testified, assisted or

participated in any manner in a hearing, proceeding or investigation of employment discrimination.

The City shall strive for greater utilization of all persons by identifying previously under-utilized groups in the work force, such as minorities, women, and the handicapped, and making special efforts toward their recruitment, selection, development and upward mobility and any other term, condition, or privilege of employment.

Responsibility for implementing equal opportunities and Affirmative Action measures is hereby assigned to the Mayor/Chairman and/or other persons designated by the Chief Elected Official to assist in the implementation of this policy statement.

The City shall develop a self-evaluation mechanism to provide for periodic examination and evaluation. Periodic reports as requested on the progress of Equal Employment Opportunity and Affirmative Action will be presented to the Chief Elected Official.

The City/County/Town is committed to this policy and is aware that with its implementation, the City/County/Town will receive positive benefits through the greater utilization and development of all its human resources.

Adopted this 9<sup>th</sup> day of June, 2014, and shall expire the 9<sup>th</sup> of June, 2017.

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Joseph W. Peel  
Mayor

ATTEST:

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Vivian D. White, NCCMC  
City Clerk

- d. Consideration – Adoption of the City’s updated Section 3 Plan (Local Economic Benefit for Low- and Very Low-Income Persons Plan 2014 CDBG Program), as follows:

**Local Economic Benefit for Low- and Very Low-Income Persons Plan  
2014 CDBG Program**

To insure that, to the greatest extent possible, contracts for work are awarded to business concerns located or owned in substantial part by persons residing in the Section 3 covered area, as required by Section 3 of the Housing and Urban

Development Act of 1968, the City of Elizabeth City has developed and hereby adopts the following Plan:

This Section 3 Plan shall apply to services needed in connection with the grant including, but not limited to, businesses in the fields of planning, consulting, design, building construction/renovation, maintenance and repair, etc.

This Section 3 covered project area for the purposes of this grant program shall include the City of Elizabeth City and portions of the immediately adjacent area.

When in need of a service, the City will identify suppliers, contractors or subcontractors located in the Section 3 area. Resources for this identification shall include the Minority Business Directory published through the State Department of Commerce, local directories and Small Business Administration local offices. Word of mouth recommendation shall also be used as a source.

The City will include this Section 3 clause in all contracts executed under this CDBG Program. Where deemed necessary, listings from any agency noted above shall be included as well as sources of subcontractors and suppliers.

The prime contractor selected for major public works facility or public construction work will be required to submit a Section 3 Plan which will outline his/her work needs in connection with the project. Should a need exist to hire any additional personnel, the Pasquotank County Employment Security Commission shall be notified and referred to the contractor.

Each contract for housing rehabilitation under the program, as applicable, for jobs having contracts in excess of \$100,000 shall be required to submit a Section 3 Plan. This Plan will be maintained on file in the grant office and shall be updated from time to time or as the grant staff may deem necessary.

Early in our project, prior to any contracting, major purchases or hiring, we will develop a listing of jobs, supplies and contracts likely to be utilized during the project. We will then advertise in our local newspaper an advertisement, prominently located as a display advertisement, the pertinent information regarding the project including all Section 3 required information.

Adopted this 9<sup>th</sup> day of June, 2014, and shall expire June 9, 2017.

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Joseph W. Peel  
Mayor

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Vivian D. White, NCCMC  
City Clerk

- e. Consideration – Adoption of the City's Re-Evaluated Section 504 Compliance Plan, as follows:



## SELF-EVALUATION SURVEY

### CDBG/HUD RECIPIENT INFORMATION

CDBG/HUD RECIPIENT NAME: City of Elizabeth City

CDBG/HUD RECIPIENT ADDRESS: P.O. Box 347  
Elizabeth City, NC 27907

DATE AND TELEPHONE NUMBER OF HR STAFF PERSON RESPONSIBLE FOR SELF-EVALUATION: Katherine Felton, 252-335-2199

DATE: June 4, 2014

TIME: 9:30

DATE (S) SELF-EVALUATION WAS CONDUCTED: June 4, 2014

### SECTION 504 COMPLIANCE

Please list the HR personnel responsible for the coordination of Section 504 compliance.

*Katherine Felton, Human Resources Director*

### SECTION 1. PROGRAM OUTREACH AND COMMUNICATION

For each question in this section circle either Yes or No. If your response to a question is No, then identify what modification to policies and practices will be undertaken or what corrective action will be taken to remedy any discrimination found. In some cases, a Yes answer will also require that additional information be supplied to complete the evaluation process.

#### NOTIFICATION

Has the HR taken steps to notify participants, applicants, employees, and unions or professional organizations that it does not discriminate on the basis of disability? **Yes**

Yes – Briefly describe the methods used to notify the public about non-discrimination policies.

***Posters are placed throughout municipal buildings acknowledging that the City of Elizabeth City does not discriminate on the basis of disability. Also, all applications and advertisement state the same.***

Has the HR adopted special procedures to notify persons with disabilities, especially those with vision and hearing impairments? **Yes**

Yes – Briefly describe the methods used to ensure program participation by those who have visual or hearing impairments. (Methods include, but are not limited to, qualified sign language and oral interpreters, readers, or the use of taped and Braille materials.)

***Human Resources have both sign language and oral interpreters available as needed via the local colleges and University.***

### **PRINTED MATERIALS**

- Are written materials including posters with non-discrimination notices placed in physically accessible locations? **Yes**
- Can small print of posted announcements be read from a wheelchair? **Yes**
- Are all words in printed materials clearly legible? **Yes**
- Would color blind individuals be able to distinguish all contents in printed materials? **Yes**
- Are representations of disabled individuals free of patronizing stereotypes? **Yes**
- Do graphics in printed material permit easy reading of the contents? **Yes**
- Is all necessary program information included in printed material? **Yes**
- Are procedures for providing program access to disabled individuals stated clearly? **Yes**
- Do all appropriate HR documents now include policy statements about non-discrimination on the basis of disabilities? **Yes**
- Are the Section 504 contact person's name, address, and phone number listed in printer material? **Yes**

### **INFORMATION DISSEMINATION**

- Can copies of written materials be reasonably obtained by individuals with disabilities? **Yes**
- Have disability groups been included in the dissemination process? **Yes**
- Does the HR use all available print and broadcast media to ensure that all individuals with disabilities receive appropriate notification? **Yes**
- Does the HR disseminate information to all agencies or organizations that deal with persons with disabilities in the HR service jurisdiction? **Yes**
- Does all of the information disseminated by the HR include current non-discrimination policies? **Yes**

### **COMMUNICATION**

- Has the HR taken appropriate steps to ensure effective communication with applicants, program participants, and members of the public by providing auxiliary aids where necessary so that individuals with disabilities (particularly persons with impaired vision or hearing) can have the opportunity to participate in, and enjoy the benefits of HR programs and activities? **Yes**
- Has the HR installed a telecommunications device (TDD) to communicate with hearing impaired and deaf persons? **No**

No? Modification or corrective action:

***The City does use state TDD services as required; however the city does not have the system here in the City.***

- If the HR has a TDD, is the number listed in the commercial telephone or TDD directories? **No**

No? Modification or corrective action:

***As stated, the City has not obtained the TDD system, but uses state system.***

- Has the HR installed a reader, developed Braille materials, audio recordings or other similar services and devices for person with impaired vision? **No**

No? Modification or corrective action:

***The City will obtain for the reader Braille materials and audio recordings.***

- Has the HR adopted procedures that incorporate due process standards and allow for prompt resolution of any complaints of alleged discrimination based on disabilities? **Yes**

Yes?-Attach a copy of your current grievance procedures and the name of the person or unit responsible for receiving and processing complaints.

***(See City of Elizabeth City Personnel Policy Manual, Grievance Procedure Page 21-31)***

- Has the HR notified staff and program participants about the grievance procedure? **Yes**

## **SECTION 2. COMPLAINT PROCESSING PROCEDURES**

For each question in this section circle either Yes or No. If your response to a question is No, then identify what modification to policies and practices will be undertaken or what corrective action will be taken to remedy any discrimination found. In some cases, a Yes answer will also require that additional information be supplied to complete the evaluation process.

- Does the HR have a written policy for handling complaints of discrimination based on disability? **Yes**

Yes? Attach a copy of the current HR policy which should include the date the policy was established, the date the policy was distributed to staff, and the citation for the policy.

***Refer to the City of Elizabeth City's Personnel Policy Manual, Section VII: Grievance Procedure***

- Has the HR adopted procedures that incorporate due process standards and allow for prompt resolution of any complaints or alleged discrimination based on disabilities? **Yes**

Yes?-Attach a copy of your current grievance procedures and the name of the person or unit responsible for receiving and processing complaints.

***See attached City of Elizabeth City's Personnel Policy Manual, Section VII.***

- Has the HR notified staff and program participants about the grievance procedures? **Yes**

### **SECTION 3. ELIGIBILITY AND ADMISSION CRITERIA**

For each question in this section circle either Yes or No. If our response to a question is No, then identify what modification to policies and practices will be undertaken or what corrective action will be taken to remedy any discrimination found. In some cases, a Yes answer will also require that additional information be supplied to complete the evaluation process.

- Has the HR examined all policies pertaining to program eligibility and admission criteria to determine if they had the purpose or effect of excluding or limiting the participation of individuals with disabilities in HR programs and activities? **Yes**
- Has the HR, in examining its policies on program eligibility and admission criteria, paid particular attention to those incorporating or establishing: (1) physical or mental fitness or performance requirements; (2) safety standards; (3) testing requirements; (4) educational requirements; (5) work experience requirements; (6) income level requirements; (7) credit rating requirements; (8) requirements based on disability; (9) requirements that prohibit participation because of disability; and (10) insurability requirements? **Yes**
- Has the HR altered or eliminated policies that have the direct or indirect effect of excluding or limiting the participation of individuals with disabilities in HR programs and activities? **Yes HR has reviewed** the existing policies.

Yes? List any policies that have been altered or eliminated.

***There were no policies that excluded or limited the participation of individuals with disabilities.***

- Has the HR communicated the policy changes to staff members and the public? **No Policy changes**

## SECTION 4. EMPLOYMENT POLICY AND PRACTICE

For each question in this section circle either Yes or No. If your response to a question is No, then identify what modification to policies and practices will be undertaken or what corrective action will be taken to remedy any discrimination found. In some cases, a Yes answer will also require that additional information be supplied to complete the evaluation process.

### REASONABLE ACCOMMODATION

- Has the HR made a reasonable accommodation (an accommodation which does not impose an undue hardship on the HR operation) to the known physical or mental limitations of an otherwise qualified applicant with disabilities or employee with disabilities? **Yes**

#### **IMPORTANT INFORMATION**

Reasonable accommodation would include making Facilities used by employees accessible to and usable by individuals with disabilities; job restructuring, job relocation, part-time or modified work schedules, acquisition or modification of equipment and devices, the provision of readers or interpreters, and other similar actions.

- In determining whether an accommodation imposed an undue hardship on the operation of a HR program were the following factors considered?
  - The overall size of the HR program with respect to the number of employees, number and type of facilities, and size of budget? **Yes**
  - The type of the HR operation, including the composition and structure of the work force? **Yes**
  - The nature and cost of the accommodation? **Yes**

### EMPLOYMENT CRITERIA

#### **IMPORTANT INFORMATION**

The HR may not deny any employment opportunity to a qualified handicapped or disabled employee or applicant if the basis for the denial is the need to make reasonable accommodation to the physical or mental limitations of the employee or applicant.

- If the HR uses an employment test or other criteria for selection that screens out or tends to screen out individuals with disabilities, can the HR show that the test score or other selection criteria is job related? **Yes**

- Has the HR obtained information from the appropriate HUD official that demonstrates that alternative job related tests or criteria that tend to screen out fewer individuals with disabilities are unavailable? **No**
- Does the HR administer tests which accurately reflect the applicant's or employee's job skills or aptitude rather than the applicant's or employee's impaired sensory, manual, or speaking skills (except where those skills are the factors that the test is designed to measure)? **Yes**

### **PRE-EMPLOYMENT INQUIRIES**

- Is the HR aware that it cannot make a pre-employment inquiry or conduct a medical examination of an applicant to determine whether the individual is a person with disability unless the HR is undertaking affirmative action efforts or conditioning an offer of employment on the results of a medical examination given to all prospective employees in the same job category? **Yes**

#### **IMPORTANT INFORMATION**

A HR may make pre-employment inquiry into an applicant's ability to perform job-related functions.

- When the HR is undertaking affirmative action efforts, voluntary or otherwise, and inviting applicants for employment to indicate whether and to what extent they are disabled, does the HR meet the following conditions:
  - State clearly either orally or in writing that the requested information is intended for the HR's affirmative action efforts? **Yes**
  - State clearly that the information is being requested on a voluntary basis, that it will be kept confidential and that refusal to give the information will not be subject the applicant or employee to any adverse treatment? **Yes**
- Has the HR informed job applicants that an employment offer may be conditioned on the results of a medical examination if all entering employees in a job category must take an examination regardless of disability, and the examination accurately reflects the employee's job skills? **Yes**
- Has the information obtained by the HR concerning the medical condition or history or job applicants been collected and maintained on separate forms and accorded confidentiality as medical records? **Yes**

#### **IMPORTANT INFORMATION**

Supervisors and managers may be informed of restrictions on the work or duties of individuals with disabilities and informed of necessary accommodations; first aid and safety personnel may be informed if the medical condition might require emergency

treatment; and Section 504 compliance officers can have access to relevant medical information upon request.

## **SECTION 5. PHYSICAL ACCESSIBILITY OF BUILDINGS AND FACILITIES**

For each question in this section, circle either Yes or No. If a question does not apply to your HR, then write "NA" next to the question. If your response to a question is No, then identify what modification to policies and practices will be undertaken or what corrective action will be taken to remedy any discrimination found. In some cases, a Yes answer will also require that additional information be supplied to complete the evaluation process.

### **REASONABLE ACCOMMODATION**

- Has the HR made a reasonable accommodation (any accommodation which does not place an undue financial and administrative burden on the HR) to the known physical and mental limitations of qualified persons with disabilities to allow access to facilities, program and services? **Yes**
- In determining whether an accommodation imposed an undue financial or administrative burden on the operation of a HR program were the following factors considered:
  - The overall size of the HR's program with respect to the number of employees, number and type of facilities, and the size of budget: **Yes**
  - The type of the HR operation, including the composition and structure of the workforce? **Yes**
  - The nature and cost of the accommodation? **Yes**
- Has the HR identified the individual responsible for making the final decision about undue financial and administrative burdens? **Yes**

Yes? – Please identify the individual responsible for making the final decision:

***Richard Olson, City Manager***

- Has the HR adopted a procedure for ensuring that decisions about undue financial and administrative burdens are made properly and quickly? **Yes**

Yes? – Attach a copy of the current HR policy, which should include the date the policy was established, the date the policy was distributed to staff, and the citation for the policy. ***See Attached.***

### **NON-HOUSING FACILITIES**

- Has the HR designed or constructed any new non-housing facilities since July 11, 1988?  
**No**

No? – Proceed to next question.

- Has the HR otherwise altered any existing HR non-housing facilities or designed any alterations to existing HR non-housing facilities since July 11, 1988. **No**

No? – Proceed to next question.

**IMPORTANT INFORMATION**

HUD Recipients are not necessarily required to make each of its existing non-housing facilities accessible to and usable by individuals with disabilities. In the case of historic preservation programs or activities, HR are not required to take any action that would result in a substantial impairment of significant historic features of a historic property. A HR is not required to take any action that it can demonstrate would result in a fundamental alteration in the nature of its program or activity. A HR is not required to take any action if the change would impose undue financial and administrative burdens. If the HR determines that making a facility accessible would result in significant or fundamental alterations or would cause undue financial or administrative burdens, the HR should use other methods of providing accessibility to ensure that individuals with disabilities receive program or activity benefits and services.

- Does the HR operate each non-housing program or activity receiving Federal financial assistance so that the program or activity, when viewed in its entirety, is readily accessible to and usable by individuals with disabilities? **Yes**

No? – Modification or corrective action:

- Does the HR need to make structural changes to non-housing facilities to achieve program accessibility? **No**

No? – Proceed to next question.

Has the HR determined that making a non-housing facility accessible to individuals with disabilities would result in a fundamental alteration or would pose an undue financial or administrative burden? **No**

No? – Proceed to next section

**IMPORTANT INFORMATION**

A HR is not required to make structural changes in existing facilities where other methods are effective in achieving compliance for program accessibility in non-housing environments. In choosing among available methods for meeting the requirements, the HR shall give priority to those methods that offer programs and activities to qualified individuals with disabilities in the most integrated setting appropriate.

**EXISTING HOUSING FACILITIES AND PROGRAMS**



**IMPORTANT INFORMATION**

This section applies to the Rental Rehabilitation and Section 8 Moderate Rehabilitation Programs.

**The City does not have this type of program.**

**End of Consent Agenda**

**Motion was made by Councilwoman Jean Baker, seconded by Councilman Darius Horton, to approve the Consent Agenda as presented. Those voting in favor were: Baker, Donnelly, Hummer, Stimatz, Brooks, Spence, Horton and King. Against: None. The motion carried unanimously.**

**7. Public Hearing:**

- To receive comments from the public about the proposed Fiscal Year 2014-2015 City of Elizabeth City Budget.

Mayor Peel declared the meeting into Public Hearing at 7:30 p.m.

Johnnie Walton, 401 New York Avenue, Elizabeth City, NC suggested that the budget process was not conducted in as clear a manner as he would have liked. He said that he would like to see basketball courts installed near Enfield Park. He discussed a program of FIRST Robotics and indicated that even though he could not explain it clearly he would like to see such a program in the local school system. He submitted that the STEM program that had been proposed by Mayor Peel for the ECSU campus was not the location for such a school. He said that River Road Middle School had proposed a STEM program, but he preferred to see the program at the high school level. He suggested that Northeastern High School had space to support a STEM program.

Mayor Peel declared the Public Hearing closed.

**Motion was made by Mayor Pro Tem Anita Hummer, seconded by Councilman Tony Stimatz, to forward consideration of the FY 2014-2015 budget ordinance to the June 23, 2014 meeting for adoption. Those voting in favor were: Baker, Donnelly, Hummer, Stimatz, Brooks, Spence, and Horton. Against: King. The motion carried.**

**8. Regular Agenda:**

- a. Discussion-City of Elizabeth City Council Rules of Procedure Invocation Policy.

Mayor Peel recognized City Attorney Morgan for a review of this item. Mr. Morgan stated that approximately 45 to 60 days ago, the Supreme Court of the United States revisited the policy of prayer at public meetings. He said that the Court overturned what was thought to be the law, which held that only non-sectarian prayers could be rendered at public meetings. Mr. Morgan referred the Council to Professor Frayda Bluestein's Coates' Canons blog post on the *Town of Greece v. Galloway* case, which was provided in the agenda materials, and cautioned that the Council should not read too much into the Supreme Court decision, as the facts in the Town of Greece case were the only facts the Court dealt with. He said the Court did not address the issue regarding whether a Council member can lead the invocation. He stated that it was clear that references to the Christian God are permitted, not because it is something the Council body advocates, but rather, it is what evolved in the Town of Greece case. Mr. Morgan advised that he thought it would be wise to amend the current Council policy to try to conform to the ruling that was recently handed down by the Supreme Court.

Councilman Brooks stated that he was grateful, but not shocked, that this decision was rendered by the Supreme Court. He submitted that the Council's policy should not have been changed in the first place to eliminate invocations during Council meetings, because the required two-thirds majority did not vote to change the Council's Rules of Procedure. He said that he had argued against the original change, but the Council chose not to listen. Councilman Brooks stated that he thought the suggestions Mr. Morgan had provided to amend the policy were acceptable. He asked Mr. Morgan what the consequence would be if someone chose to end a prayer during a Council meeting by using the phrase "in Jesus name".

Mr. Morgan responded that he would answer by saying that the key factor in the Supreme Court's ruling in the Town of Greece case was that the program itself was open to any and all religions, and it just evolved that Christian prayers were the ones that predominated. He said that if a minister or other person leading the prayer were to close in that way, it would not violate the policy, in his opinion, as long as the Council, as a body, does not proselytize or promote Christianity at the expense of other religions.

Councilman Horton thanked City staff for making sure this matter was brought for consideration so quickly after the Supreme Court ruling. He thanked Mr. Morgan for preparing the policy amendments and found them to be acceptable. He stated that his main stance when he arrived on Council was to bring prayer back; and he felt Mr. Morgan has provided for that in a manner that would release the Council from any liability.

**Motion was made by Councilman Darius Horton, seconded by Councilman Michael Brooks, to accept and amend our current invocation policy as presented by the City Attorney.**

Councilman Stimatz requested a point of order and stated that the Council's Rules of Procedure state that an amendment to the rules cannot be made unless the amendment is specifically shown on the City Council agenda for consideration.

**Motion was made by Councilman Tony Stimatz, seconded by Councilwoman Jean Baker to suspend the rules to allow the Council to take the issue up at this meeting and not put it off for another meeting. Those voting by roll call vote were:**

**Councilman Brooks – Yes  
Councilman Stimatz – Yes  
Councilman Horton – Yes  
Mayor Pro Tem Hummer – Yes  
Councilman King – Yes  
Councilwoman Baker – Yes  
Councilman Spence – Yes  
Councilman Donnelly – No**

**Mayor Peel announced that the motion carried.**

Mayor Peel announced that a motion remained on the floor and asked if there was any further discussion.

Councilwoman Baker read a statement from an unnamed constituent, which opposed changing the policy.

Councilman Donnelly stated that he had received the same letter and thanked Councilwoman Baker for reading it aloud. He stated that when the issue first come up for discussion, Councilman Horton had said that he would identify ministers that could come forward to offer the invocation. He asked if any progress had been made in that regard; or would the Council continue having Councilors offer the invocation. He asked for clarification on that question before he voted on the matter.

City Attorney Morgan replied that to be in compliance with the Supreme Court decision, offering the invocation needed to be opened up for all religious faiths. He said that having a policy that only allowed Councilors to pray would run contra to the Supreme Court's ruling.

Councilman Horton responded that there was so much discrepancy with the issue that he had not moved forward. He said that he certainly agreed that it should be open to all faiths, all religions. He pointed out that the basis for the City Attorney's suggested policy is that the Council not advance one religion over another.

Councilman Brooks commented that there were over 100 churches in Elizabeth City representing many faiths; and if the City touched based with them and offered the right to offer the invocation, it would not place the entire burden on Councilman Horton. He

said he did not know how to reach atheists. He reiterated that the point is that it should be inclusive.

Mayor Peel stated that the City Clerk had addresses for almost all the churches.

Councilman Stimatz stated that all Councilors take an oath to uphold the Constitution of the United States and the laws and Courts thereof. He reminded the Council that in 2012, there was a ruling regarding prayer, and the City Attorney advised that some action should be taken. Councilman Stimatz expressed that the only action that Council could agree on was a Moment of Silent Reflection. He said that it is now 2014, with a new Council and a new compromise on the Supreme Court ruling; and in keeping with the rule of a law-abiding Council, Councilors now have an obligation to follow the law and open the prayer to anyone. He asked that the proposed language include the words “and be consistent with opening a meeting” at the end of the Purpose statement. He said that he saw the invocation as a prayer for the Council, not for the town and not for the citizens and he was okay with that.

Councilman Spence stated that he did not feel any of the burden of finding ministers to pray should fall to Councilman Horton. He said that regardless of the number of local churches, the City should take on the responsibility of sending the letters. He expressed that if Councilman Horton was responsible, it could be said that the Council “picked and chose” who they wanted to pray.

Councilman Brooks stated that he concurred with Councilman Stimatz’ suggestion to add the phrase, “and be consistent with opening a meeting”.

Hearing no further discussion, Mayor Peel stated that a two-thirds vote was needed for the motion on the floor.

**The roll call vote is recorded as follows:**

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

**Mayor Peel announced that the motion carried.**

*(Clerk Notation: The following provides the revisions made to the Council’s Rules of Procedure as a result of this Council action.)*

POLICY FOR INVOCATIONS OFFERED DURING OPEN MEETINGS  
OF THE CITY OF ELIZABETH CITY COUNCIL AND  
OFFICIAL CITY OF ELIZABETH CITY BOARDS

Purpose:

This policy is intended to provide guidance to those individuals giving invocations during City Council meetings and other open meetings conducted under the name of the City of Elizabeth City. It is intended to encourage respect for the rich diversity of religious beliefs found in Elizabeth City, as well as to adhere to well-established Federal law requiring that those invocations be ~~non-sectarian~~ **not proselytize or coerce participation by those attending the meeting and be consistent with opening a meeting.**

Guidelines:

Pursuant to the interpretations of Federal Constitutional law, rendered by various Federal Courts, ~~non-sectarian~~ prayers are allowed during meetings of ~~public bodies~~ **the City Council**. The City of Elizabeth City's policy complies with the Courts' interpretation, since the following policy avoids marginalizing meeting attendees of different faiths and does not promote one religion or sect at the expense of another.

Once a speaker accepts the opportunity to deliver the invocation, he will be provided with a copy of this policy. ~~A recap of the Fourth Circuit Court opinion provides:~~

~~Religious leaders shall refrain from making references that are specific to any particular religion, denomination or sect or that promote particular religious figures, deities, images or symbols. The prayer should not be used to proselytize or advance any one faith or belief, nor should it be used to disparage any other faith or belief. Prayers shall not contain in content the name of any specific belief; however prayers may contain phrases such as "His name", "God Almighty", "Lord", "Creator", and end with "Amen".~~

Procedure:

Once the speaker agrees to abide by the rules imposed by these Federal Court decisions and the City's guidelines on invocations, he may render the prayer before the City Council meeting and other meetings of official boards.

The Mayor shall introduce the speaker by mention of his name only. (Example: Mr., Mrs. or Miss Smith will now render the invocation.) ~~The Mayor may also mention that the City's policy requires that only non-sectarian prayers may be rendered.~~

Any violation of this policy by those invited to deliver the invocation will “end” public **his or her** participation in the invocations; ~~after which only members of Council or the Mayor may render the invocation, following the same guidelines set forth in this policy.~~

*(Clerk notation: Councilman Horton left the meeting at this point in the agenda {8:05 p.m.} due to another commitment.)*

b. Consideration – Request Received for Grant from NC Blazers AAU Basketball Team.

Mayor Peel recognized City Manager Olson for a review of this request. Mr. Olson explained that the City had received a request for funding from Coach Antonio Moore, who coaches the AAU 16 & Under basketball team, to help defray the cost of attending their national tournament in Orlando, Florida on July 7, 2014. Mr. Olson stated that their need for funding falls outside the City’s normal Community Support Grant cycle. He advised that a review of the Community Support Grant balance indicates that there is \$1,400 remaining, which could be allocated this fiscal year. He said that Coach Moore is requesting \$100 per kid and for each coach out of the Community Support Grant fund; and reported that the team consists of 14 students and four coaches.

Mr. Olson stated that staff brought this matter before the Finance Committee during their meeting on June 5, 2014. The Finance Committee would like to utilize the \$1,400 remaining funds in the Community Support Grant fund to support the team this year, contingent upon Coach Moore completing the City’s application form and making a formal presentation before the Finance Committee.

**Motion was made by Councilman Kem Spence, seconded by Councilman Montravias King, to fund the AAU 16 and Under NC Blazers basketball team in the amount of \$1,400 contingent upon completion of the Community Support Grant application and a formal presentation being made by Coach Moore before the Finance Committee. Those voting in favor were: Baker, Donnelly, Hummer, Stimatz, Brooks, Spence, and King. Against: None. The motion carried.** *(Councilman Horton left the meeting at 8:05 p.m. His absence is recorded as an affirmative vote on this matter.)*

c. Discussion – Water Purchase Contract with Pasquotank County.

Mayor Peel called on City Manager Olson for a description of this item. Mr. Olson reported that there has been a lot of interest in the negotiations between the City and Pasquotank County regarding the rate adjustment for water purchased from the County RO Plant. He explained that in 2010, the City entered into a Water Purchase Contract with Pasquotank County to purchase 250,000 gallons of water per day from the County’s RO Plant. He advised that the City had recently received a detailed accounting of costs for the water that included the expenses pursuant to Exhibit A of the contract: labor cost, electricity cost, membrane replacement cost, chemical cost,

operational expenses, indirect cost and debt retirement. In addition, he said, there is a maintenance and capital reserve expense.

He said that City staff has no major issues with the accounting for operations, because the City also operates a plant and staff is aware of what those costs are. He stated that City staff does take issue with the manner in which the debt is being distributed. Using PowerPoint slides, Mr. Olson provided a mathematical explanation of the way staff believes the debt allocation to the City should be calculated. He explained that the annual County debt payment is \$1,248,451, which calculates to a monthly expense of \$104,037.65. Using 12.5% as the City's share, the City's debt per unit of water would be \$1.71. This amount, coupled with the per-unit operational expense of \$2.99, provides for a per-unit cost of \$4.70. Mr. Olson advised that the City is currently paying \$5.34 per unit of water; however, a full accounting has not been available because the new plant has not been operating for very long. Mr. Olson stated that the City's concern is that the County is distributing the debt, which is a fixed cost, over the amount of units that the plant produces. He advised that, although the City cannot tell the County how many units of water to produce, more units produced would result in a lower cost per unit.

Mr. Olson stated that Perquimans County is also a wholesale water customer of Pasquotank County; and Perquimans County staff agrees with City staff in this matter.

Councilman Stimatz commented that a recent newspaper article read that the County is considering a new rate of \$6.10 per unit. Mr. Olson responded that it was his understanding that the rate being considered is \$6.00 for both the conventional plant on Weeksville Road as well as the RO Plant.

Councilwoman Baker pointed out that it appeared the City has been overcharged with the \$5.34 current rate.

Councilman Stimatz asked if there is a generally accepted accounting practice when accounting for debt. Mr. Olson replied that it is really dependent on how you want to run a business. He stated that, realizing there would be variables, Exhibit A of the water purchase agreement did outline what would be included in the calculation. In retrospect, he added, how the debt would be allocated should have been spelled out. He stated that currently, the City and Perquimans County are paying a disproportionate amount of the County's debt on the RO plant.

Mr. Olson advised that City staff would continue to work with County staff to see what can be done to redress the allocation methodology. He pledged that staff would keep the Council informed as negotiations develop.

- d. Consideration – Adoption of Resolution Regarding Elizabeth City State University.

Mayor Peel recognized City Manager Olson to begin the discussion of this item. Mr. Olson stated that “as alluded to by one of the citizen commenters” he, along with Councilman Spence and Councilman Donnelly, attended Town Hall Day on Wednesday of the previous week in Raleigh. He said that they had discussed a variety of issues with the legislative delegation. He reported that one of the items discussed was the removal from the Senate budget bill of the study to close ECSU. He advised that they had hand-delivered a copy of the Council’s resolution opposing that proposal, which was adopted during a June 2, 2014 Special Meeting, to each member of the City’s legislative delegation.

He reported that they had also discussed an idea with the legislative delegation that had been presented during Chancellor Becton’s earlier Town Hall Meeting whereby in-state tuition rates would be extended to residents in the Tidewater area of Virginia in order to increase the declining enrollment of the university. He stated that North Carolina residents attending ODU do not have to pay out-of-state tuition rates to attend that university because of a special pilot program at ODU.

Mr. Olson submitted that based on that notion, they held discussions with our legislative delegation while in Raleigh. He reported that staff had subsequently prepared a resolution for Council’s consideration of adoption and forwarding to our legislators and the UNC Board of Governors requesting that a pilot program be instituted at ECSU allowing students living within 70 miles of Elizabeth City to pay in-state tuition rates.

Mr. Olson stated that the resolution had been reviewed by Chancellor Becton.

Councilman Stimatz stated that as he understood this matter, it was an idea of Chancellor Becton based on a program already in place in Virginia. Mr. Olson responded that was correct.

Councilman Spence commented that it was his understanding a similar pilot program is already being conducted in North Carolina at Appalachian State and he felt if “one end of the state could do it, the other end of the state could do it”.

Councilman Brooks stated that he thought it would “have a little more meat to it” if the Pasquotank County Commissioners also participated in the resolution. Mr. Olson said that he agreed, but thought all the counties in Northeastern North Carolina covered by ECSU should pass a similar resolution.

Councilman Brooks inquired if the item should be tabled until the County Commissioners could consider participating in order to show a united effort. Mr. Olson responded that the issue was time critical because the Legislature was nearing the end of the short session. Mr. Olson stated that staff could send a copy of the resolution adopted by the City Council to all counties in ECSU’s service area for their consideration.



**Motion was made by Councilwoman Jean Baker, seconded by Councilman Kem Spence, to adopt the following resolution, as presented; and forward it to the North Carolina General Assembly and UNC President Tom Ross. Those voting in favor were: Baker, Donnelly, Hummer, Stimatz, Brooks, Spence, and King. Against: None. The motion carried unanimously. (Councilman Horton left the meeting at 8:05 p.m. His absence is recorded as an affirmative vote on this matter.)**

**RESOLUTION # 2014 – 06-02  
ENCOURAGING A PILOT PROGRAM TO INCREASE STUDENT ENROLLMENT  
AT ELIZABETH CITY STATE UNIVERSITY BY THE UNC BOARD OF GOVERNORS AND/OR THE  
NORTH CAROLINA GENERAL ASSEMBLY**

**WHEREAS**, although now removed from the Appropriations Act of 2014, Section 11. 6 of Senate Bill 744 provided for a study of the feasibility of dissolving any constituent institution whose fall full time equivalent student enrollment declined by more than twenty percent between the 2010-2011 fiscal year and the 2013-2014 fiscal year and to develop a plan for its dissolution; and

**WHEREAS**, Elizabeth City State University is the only campus in the 17-member University of North Carolina system that meets this stated criteria; and

**WHEREAS**, it is acknowledged and agreed that Elizabeth City State University has suffered an enrollment decline in recent years, which has led to a significant budget shortfall; however, major steps have been taken to address these enrollment and budget challenges and progress is being made under the direction of capable University leadership; and

**WHEREAS**, the City of Elizabeth City supports all efforts by Elizabeth City State University and the UNC Board of Governors to increase student enrollment, engage a chancellor, and retain qualified and dedicated instructors and staff, because the loss of the University would do irreparable harm to the economy of Elizabeth City, Pasquotank County and Northeastern North Carolina and deny educational opportunity to a populace that might otherwise not be able to attain a higher education and the better life afforded by that education; and

**WHEREAS**, local government officials in Northeastern North Carolina have long realized that partnering in a regional approach to economic development is the most prudent course to follow for an economically-challenged region such as ours, a concept embraced by Governor Pat McCrory when he encouraged capitalizing on our region's close proximity to Hampton Roads, Virginia; and

**WHEREAS**, in times of flat and/or declining state appropriations as now is being experienced, allowing out-of-state enrollment at an in-state tuition rate would serve to augment a declining student enrollment and enhance student quality; and

**WHEREAS**, Elizabeth City State University is currently unable to fill its available student seats with in-state college entrants; and

**WHEREAS**, Elizabeth City State University is uniquely located within close proximity of a major metropolitan area in the State of Virginia.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Elizabeth City supports and encourages the development of a pilot program by the UNC Board of Governors and/or the General Assembly to allow students living within a distance of seventy miles from Elizabeth City to be allowed to pay in-state tuition rates to attend Elizabeth City State University.

**ADOPTED** this the 9<sup>th</sup> day of June 2014.

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Joseph W. Peel  
Mayor

ATTEST:

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Vivian D. White, NCCMC  
City Clerk

e. Addition to Agenda Requested by Councilman Donnelly: Discussion of Juneteenth Celebration

Mayor Peel recognized Councilman Donnelly for his comments. Councilman Donnelly stated that it had come to his attention that there was a problem with street closures for the Juneteenth Celebration because of a previously scheduled event at the Fish Hut. He said he thought there was some way that the issue could be resolved.

Councilwoman Baker noted that sometimes the City closes off more area than needs to be for smaller events and hoped that the new Special Event Policy would address that situation.

**Motion was made by Councilman Ray Donnelly, seconded by Councilman Tony Stimatz, that City staff work with River City Community Development to resolve the traffic situation, so people can access the Fish Hut and get their meals. Those voting in favor were: Baker, Donnelly, Hummer, Stimatz, Brooks, Spence, and King. Against: None. The motion carried unanimously. (Councilman Horton left the meeting at 8:05 p.m. His absence is recorded as an affirmative vote on this matter.)**

**9. Comments and Inquiries on Non-Agenda Items:**

Councilman Brooks stated that he had served four terms on Council and had to endure vicious and malicious attacks from The Daily Advance, from lawyers appearing before the Council and from Councilmembers. He stated that an opinion is just that – an opinion. He said that everyone is entitled to their own opinion; and he does not let it bother him. He stated that he wanted to make sure everyone understood that the same Constitution that applied to someone giving an opinion about him, applies to him; and although no one has to like his opinion, he has a right to give it. He said that he stood firmly on his faith and quoted Scripture to say that “no weapon that is formed against me will prosper; and every tongue that rises against me in judgment shall be condemned”. He said he believed that, because it had always worked for him. He said it was a travesty for anyone to come behind the podium to overtly attack a Council member and vice versa with Council members.

Councilman Stimatz had no comments.

Mayor Pro Tem Hummer pointed out that the City has had some much needed positive exposure during the last few weeks, starting with the Potato Festival and the Art Splash event. She said events like these give people activities to participate in and provide businesses and artists with an outlet for their talents and wares. She stated that she thought events such as these were the key to revitalizing the downtown. She said that she is proud of people who are courageous enough to come downtown to start a new business and encouraged the use of building reuse grants and downtown improvement grants.

Councilman King had no comments.

Councilwoman Baker thanked everyone who had been involved in the events surrounding Art Splash Week. She especially noted the service of Parks and Recreation Director Bobbi White and her husband, Wayne, the Public Works Department staff and the Electric Department staff. She credited the 25 restaurants that participated in the Taste of the Albemarle event with helping to make it such a fabulous event.

Councilman Spence encouraged everyone to attend the Juneteenth celebration and thanked Lenora Jarvis-Mackey and River City CDC for their work in putting on the important event. He said that he had received some negative comments from the public regarding his support of the resolution for ECSU. He said that ECSU brings good revenue to the City; and he pledged to continue his support of any college in Elizabeth City because he felt the Council should support them. He said he did not apologize for his stance in supporting the resolution.

Councilman Donnelly announced that if it rained for the Mariners' Wharf Film Festival, the event would be moved inside at MACU. He complimented the events during Art Splash Week and thanked everyone who helped to make it such a success.

Mayor Peel recognized the hard work of Bobbi White and thanked her and the Parks and Recreation Department for all they do for the City. He said he wished to respond to a previous speaker's comments regarding attendance at Town Hall Day in Raleigh. He said that the event was open to any Council member who wanted to go and those who attended were the only ones who chose to attend. He congratulated City Clerk Vivian White and ECDI Director Rebecca Cross for being recognized as a Woman of Excellence during the recent Chamber-sponsored event.

## **10. Adjournment:**

There being no further business to be discussed, Mayor Peel adjourned the meeting at 8:46 p.m.

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Joseph W. Peel  
Mayor

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Vivian D. White, NCCMC  
City Clerk