

MONDAY-7:00 P.M.

JULY 14, 2008

CITY COUNCIL

The City Council of the City of Elizabeth City held its July 14th meeting on the above date and time in the City Council Chambers of Municipal Administration Building with Mayor S. S. Atkinson presiding. Council members in attendance were: J. M. Baker, D. B. Evans, L. A. Hummer, R. E. King, B. S. Meggs, E. K. Rivers, J. A. Stimatz and V. C. Watts. Staff members attending were: City Manager R. C. Olson, City Clerk D. S. Pierce-Tamplen, City Attorney W. H. Morgan, Deputy City Clerk V. D. White, Finance Director S. E. Blanchard, Public Utilities Director P. A. Fredette, Interim Fire Chief B. Overman, Parks and Recreation Director J. D. Overman, Planning Director J. C. Brooks, Inspection Director S. E. Ward, Police Chief C. E. Crudup and Electric Superintendent K. F. Clow.

Mayor Atkinson opened the meeting by welcoming those attending. He called upon Pastor Mike Frese for the invocation after which he led the Pledge of Allegiance to the Flag of the United States of America.

1} APPROVAL OF THE AGENDA:

Mayor Atkinson called for action regarding the prepared agenda.

Councilman Rivers asked to add; *Discussion of City Council.*

A motion was made by Mayor Tem J. M. Baker, seconded by Councilman J. A. Stimatz to approve the prepared agenda as presented to include the above item. Those voting in favor of the motion were: Baker, Stimatz, Evans, Hummer, King, Meggs, Rivers and Watts. Against: None. Motion carried.

2} APPROVAL OF THE MINUTES:

Mayor Atkinson called for approval of the previous meetings minutes.

A motion was made by Councilwoman L. A. Hummer, seconded by Councilman E. K. Rivers to approve the minutes of March 7, 2008 – with a minor correction, April 28 2008, May 27, 2008, June 18, 2008 and June 23, 2008. Those voting in favor of the motion were: Hummer, Rivers, Baker, Evans, King, Meggs, Stimatz and Watts. Against: None. Motion carried.

3} PROCLAMATION:

Mayor Atkinson read a proclamation proclaiming August 5, 2008 as National Night Out in Elizabeth City. He presented the proclamation to Chief C. E. Crudup.

4} COMMENTS FROM THE PUBLIC:

Mayor Atkinson asked the Clerk the number of individuals that had signed up to speak. Upon a reply of one, Ms. Pierce-Tamplen called Susan Neal Matousek to the podium.

Ms. Matousek, 703 Princess Ann Circle, Elizabeth City spoke regarding freedom rights, physical abuse from police officers and her constitutional rights being violated.

5} CONSENT AGENDA:

Mayor Atkinson called upon City Manager R. C. Olson to read the items listed on the Consent Agenda. After the reading Mayor Atkinson called for action regarding the Consent Agenda.

A motion was made by Mayor Pro Tem J. M. Baker, seconded by Councilman J. A. Stimatz to approve the following Consent Agenda. Those voting in favor of the motion were: Baker, Stimatz, Evans, Hummer, King, Meggs, Rivers and Watts. Against: None. Motion carried.

Consent Agenda

a} Called for a public hearing to be held on Monday, August 11, 2008 at 7:30 p.m. in the City Council Chambers of the Municipal Administration Building for consideration of Rezoning Application RZ-03-08 – Dolphin Docks Development.

b} Called for a public hearing to be held on Monday, August 11, 2008 at 7:30 p.m. in the City Council Chambers of the Municipal Administration Building to receive public input regarding a proposed amendment to the City's Code of Ordinances.

c} Accepted Certificate of Sufficiency and adopted the following resolution calling for a public hearing to be held on Monday, August 11, 2008 beginning at 7:30 p.m. in the City Council Chambers for consideration of a Petition for Voluntary Annexation for Lot #7-South Park Subdivision, Phase I owned by Food Bank of the Albemarle – 1:00 acre parcel

**RESOLUTION #08-07-1
FIXING PUBLIC HEARING ON QUESTION
OF ANNEXATION PURSUANT TO G. S. 160A-58.1, AS AMENDED
FOOD BANK OF THE ALBEMARLE
1.00 ACRE**

WHEREAS, a petition requesting annexation of the area described herein has been received; and

WHEREAS, the City Council has by resolution directed the City Clerk to investigate the sufficiency thereof; and

WHEREAS, certification by the City Clerk as to the sufficiency of said petition has been made;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Elizabeth City, North Carolina:

SECTION 1. That a public hearing on the question of annexation of the area described herein will be held at the Municipal Administration Building in the City Council Chambers at 7:30 PM on the 11th day of August, 2008.

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

Beginning at a point situate on the southeastern margin of Capital Trace, which beginning point further marks the westernmost corner of Lot 8, Phase I, South Park Subdivision, as delineated on plat thereof recorded in Map Book 23, at Pages 18 & 19, of the Pasquotank County Registry; thence, from said point of beginning, South 51° 12' 56" West 201.97 feet to a point situate on the Norfolk-Southern Railroad Right-of-Way, a corner; thence, along said Railroad Right-of-Way, South 43° 02' 30" East 225.62 feet to a point, a corner; thence North 51° 12' 56" East 185.23 feet to a point, a corner; thence North 38° 47' 04" West 225.00 feet to **THE POINT AND PLACE OF BEGINNING**. And being all of Lot No. 7, of Phase I, South Park Subdivision, as delineated on plat recorded in Map Book 23, at Pages 18 & 19, of the Pasquotank County Registry, said tract of land having Parcel No. of 8922 285370, and being assigned Map No. P123-203 in the Office of the Tax Supervisor of Pasquotank County.

SECTION 3. Notice of said public hearing shall be published in the Daily Advance, a newspaper having general circulation in the City of Elizabeth City, at least ten (10) days prior to the date of said public hearing.

ADOPTED, this 14th day of July, 2008.

Stephen S. Atkinson
Mayor

Dianne S. Pierce-Tamplen, MMC
City Clerk

d} Accepted Certificate of Sufficiency and adopted the following resolution calling for a public hearing to be held on Monday, August 11, 2008 beginning at 7:30 p.m. in the City Council Chambers for consideration of a Petition for Voluntary Annexation for Lot #8-South Park Subdivision, Phase I owned by Northeastern CDC – 1:00 acre parcel.

**RESOLUTION #08-07-2
FIXING PUBLIC HEARING ON QUESTION
OF ANNEXATION PURSUANT TO G. S. 160A-31
NORTHEASTERN COMMUNITY DEVELOPMENT CORPORATION
1.00 ACRE**

WHEREAS, a petition requesting annexation of the area described herein has been received; and

WHEREAS, the City Council has by resolution directed the City Clerk to investigate the sufficiency thereof; and

WHEREAS, certification by the City Clerk as to the sufficiency of said petition has been made;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Elizabeth City, North Carolina:

SECTION 1. That a public hearing on the question of annexation of the contiguous area described herein will be held at the Municipal Administration Building in the City Council Chambers at 7:30 PM on the 11th day of August, 2008.

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

Beginning at a point situate on the western margin of Tidewater Way, which beginning point further marks the northeastern corner of Lot 9, Phase I, South Park Subdivision, as delineated on plat thereof recorded in Map Book 23, at Pages 18 & 19, of the Pasquotank County Registry; thence, from said point of beginning, along a curve having radius of 320.00 feet, length of 81.71 feet, tangent of 41.08 feet, chord of 81.48 feet, delta of 14° 37' 46", bearing North 31° 28' 11" West to a point; thence North 38° 47' 04" West 105.00 feet to a point; thence, along a curve having radius of 25.00 feet, length of 39.27 feet, tangent of 25.00 feet, chord of 35.36 feet, delta of 90° 00' 00", bearing North 83° 47' 04" West to a point situate on the southeastern margin of Capital Trace, a corner; thence South 51° 12' 56" West 243.85 feet to a point which marks a corner for this lot and Lot 7, South Park Subdivision, Phase I; thence South 38° 47' 04" East 112.50 feet to a point, a corner; thence North 72° 02' 32" East 276.54 feet to **THE POINT AND PLACE OF BEGINNING**. And being all of Lot No. 8, of Phase I, South Park Subdivision, as delineated on plat recorded in Map Book 23, at Pages 18 & 19, of the Pasquotank County Registry, said tract of land having Parcel No. of 8922 287520, and being assigned Map No. P123-204 in the Office of the Tax Supervisor of Pasquotank County.

SECTION 3. Notice of said public hearing shall be published in the Daily Advance, a newspaper having general circulation in the City of Elizabeth City, at least ten (10) days prior to the date of said public hearing.

ADOPTED, this 14th day of July, 2008.

Stephen S. Atkinson
Mayor

Dianne S. Pierce-Tamplen, MMC
City Clerk

e} Accepted Certificate of Sufficiency and adopted the following resolution calling for a public hearing to be held on Monday, August 11, 2008 beginning at 7:30 p.m. in the City Council Chambers for consideration of a Petition for Voluntary Annexation for Lot #9 South Park Subdivision, Phase I owned by Albemarle Food Bank/Pantry – 1:19 acre parcel

**RESOLUTION #08-07-3
FIXING PUBLIC HEARING ON QUESTION
OF ANNEXATION PURSUANT TO G. S. 160A-31, AS AMENDED
ALBEMARLE FOOD BANK/FOOD PANTRY
1.19 ACRE**

WHEREAS, a petition requesting annexation of the area described herein has been received; and

WHEREAS, the City Council has by resolution directed the City Clerk to investigate the sufficiency thereof; and

WHEREAS, certification by the City Clerk as to the sufficiency of said petition has been made;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Elizabeth City, North Carolina:

SECTION 1. That a public hearing on the question of annexation of the area described herein will be held at the Municipal Administration Building in the City Council Chambers at 7:30 PM on the Monday, August 11, 2008.

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

Beginning at a point situate on the southwestern margin of Tidewater Way, which beginning point further marks the easternmost corner of Lot 8, Phase I, South Park Subdivision, as delineated on plat thereof recorded in Map Book 23, at Pages 18 & 19, of the Pasquotank County Registry; thence, from said point of beginning, along a curve having radius of 320.00 feet, length of 337.43 feet, tangent of 186.30 feet, chord of 322.01 feet, delta of 60° 24' 57", bearing South 06° 03' 10" West to a point, a corner; thence North 47° 07' 55" West 216.45 feet to a point; thence North 38° 47' 04" West 112.50 feet to a point, a corner; thence North 72° 02' 32" East 276.54 feet to **THE POINT AND PLACE OF BEGINNING**. And being all of Lot No. 9, of Phase I, South Park Subdivision, as delineated on plat recorded in Map Book 23, at Pages 18 & 19, of the Pasquotank County Registry, said tract of land having Parcel No. 8922 288355, and being assigned Map No. P123-205 in the Office of the Tax Supervisor of Pasquotank County.

SECTION 3. Notice of said public hearing shall be published in the Daily Advance, a newspaper having general circulation in the City of Elizabeth City, at least ten (10) days prior to the date of said public hearing.

ADOPTED, this 14th day of July 2008.

Stephen S. Atkinson
Mayor

Dianne S. Pierce-Tamplen, MMC
City Clerk

f} Accepted Certificate of Sufficiency and adopted the following resolution calling for a public hearing to be held on Monday, August 11, 2008 beginning at 7:30 p.m. in the City Council Chambers for consideration of a Petition for Voluntary Annexation for Lot #10 South Park Subdivision, Phase I owned by Albemarle Food Bank/Pantry – 1:00 acre parcel

**RESOLUTION #08-07-4
FIXING PUBLIC HEARING ON QUESTION
OF ANNEXATION PURSUANT TO G. S. 160A-58.1, AS AMENDED
ALBEMARLE FOOD BANK/FOOD PANTRY
1.00 ACRE**

WHEREAS, a petition requesting annexation of the area described herein has been received; and

WHEREAS, the City Council has by resolution directed the City Clerk to investigate the sufficiency thereof; and

WHEREAS, certification by the City Clerk as to the sufficiency of said petition has been made;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Elizabeth City, North Carolina:

SECTION 1. That a public hearing on the question of annexation of the area described herein will be held at the Municipal Administration Building in the City Council Chambers at 7:30 PM on the August 11, 2008.

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

Beginning at a point situate on the northwestern margin of Tidewater Way, which beginning point further marks the southernmost corner of Lot No. 9, Phase I, South Park Subdivision, as delineated on plat thereof recorded in Map Book 23, at Pages 18 &19, of the Pasquotank County Registry; thence, from said point of beginning, along a curve having radius of 320.00 feet, length of 83.52 feet, tangent of 42.00 feet, chord of 83.29 feet, delta of 14° 57' 17", bearing South 43° 44' 17" West to a point; thence South 51° 12' 56" West 120.70 feet to a point situate on the northeastern margin of the Norfolk-Southern Railroad Right-of-Way, a corner; thence, along said Railroad Right-of-Way, North 42° 08' 03" West to 225.40 feet to a point, a corner; thence North 51° 12' 56" East 185.23 feet to a point, a corner; thence South 47° 07' 55" East 216.45 feet to **THE POINT AND PLACE OF BEGINNING**. And being all of Lot No. 10, of Phase I, South Park Subdivision, as delineated on plat recorded in Map Book 23, at Pages 18 & 19, of the Pasquotank County Registry, said tract of land having Parcel No. of 8922 287157, and being assigned Map No. P123-206 in the Office of the Tax Supervisor of Pasquotank County

SECTION 3. Notice of said public hearing shall be published in the Daily Advance, a newspaper having general circulation in the City of Elizabeth City, at least ten (10) days prior to the date of said public hearing.

ADOPTED, this 14th day of July 2008.

Stephen S. Atkinson
Mayor

Dianne S. Pierce-Tamplen, MMC
City Clerk

g} Adopted the following Budget Amendment

**BUDGET AMENDMENT
NUMBER 2009-7
JULY 14, 2008**

BE IT ORDAINED: by the City Council of the City of Elizabeth City that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2009:

SECTION I: That the General Fund Police donations (103220.0050) and the Police Department Supplies (105100.3300) be increased by \$1,700.

(To record proceeds from sale of calendars.)

ADOPTED, this 14th day of January, 2008.

Stephen S. Atkinson
Mayor

Dianne S. Pierce-Tamplen, MMC
City Clerk

h} Adopted the following resolution calling for a public hearing to be held on Monday, August 11, 2008 in the City Council Chambers of the Municipal Administration Building to consider a Voluntary Annexation Petition submitted by Steven S. Berry – 106.89 acre parcel.

**RESOLUTION #08-07-5
FIXING PUBLIC HEARING ON QUESTION
OF ANNEXATION PURSUANT TO G. S. 160A-31, AS AMENDED
STEVEN S. BERRY
106.86± ACRES**

WHEREAS, a petition requesting annexation of the area described herein has been received; and

WHEREAS, the City Council has by resolution directed the City Clerk to investigate the sufficiency thereof; and

WHEREAS, certification by the City Clerk as to the sufficiency of said petition has been made;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Elizabeth City, North Carolina:

SECTION 1. That a public hearing on the question of annexation of the area described herein will be held at the Municipal Administration Building in the City Council Chambers at 7:30 PM on the Monday, August 11, 1008.

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

Being a tract of land approximately three miles Southwest of Elizabeth City, North Carolina and being Northwest of and contiguous to United States Highway Number 17 Business and Southeast of and contiguous to the Norfolk and Southern Railroad and being approximately three miles Northeast of the intersection of United States Highway Number 17 Business and United States Highway Number 17 Bypass in Mount Herman Township, Pasquotank County, North Carolina and being more particularly described as follows:

BEGINNING at a found iron pipe in the Northwestern Right-of-Way line of United States Highway Number 17 Business that is the Southeast corner of the Steven S. Berry property as shown on a plat attached to Deed Book 502, Page 668 in the Pasquotank County Registry. Said beginning point being approximately 537 feet plus or minus in a Southwesterly direction from a point where the city limit line of Elizabeth City intercepts with the Western Right-of-Way line of United States Highway Number 17 Business, thence from the point of beginning so located S 49° 15' 07" W – 1,082.63 feet with and along the Northwestern Right-of-Way line of United States Highway Number 17 Business to a point the Southeastern corner of the Steven Berry property described in Deed Book 696, Page 840 and shown as Parcel "D" on a plat recorded at Plat Book 28, Page 40, thence S 49° 19' 37" W-260.91 feet with and along the Northwestern Right-of-Way line of United States Highway Number 17 business and with and along the Southeastern line of the above referenced Steven Berry property to a set iron rebar, the Southeast corner of the Albemarle Educational Foundation property as described in Deed Book 278, Page 267; thence leaving the Northwestern Right-of-Way line of United States Highway Number 17 Business, N 36° 39' 29" W – 548.82 feet with and along the Western line of the above referenced Steven Berry property and with and along the Eastern line of the Albemarle Educational Foundation property as described in Deed Book 278, Page 267 to a point at the centerline intersection of a ditch; thence N 36° 41' 32" W – 1,547.95 feet with and along the Eastern line of the Albemarle Educational Foundation property as described in Deed Book 696, Page 815 and Deed Book 696, Page 843 and with and along a ditch to a 5/8" rebar in the

center of a farm path; thence N 36° 41' 00" W – 1,082.74 feet with and along the Eastern line of the property of Mildred and Maurice Berry as described in Deed Book 724, Page 120 and with and along a ditch as shown on a plat attached to Deed Book 502, Page 668 to an iron rebar; thence N 72° 00' 30" E – 438.55 feet to an iron rebar; thence N 36° 37' 30" W – 21.00 feet to a rebar in the Southern Right-of-Way line of the Norfolk and Southern Railroad; thence N 72° 00' 30" E – 2,456.10 feet with and along the Southern Right-of-Way line of the Norfolk and Southern Railroad to an iron rebar; thence S 49° 07' 30" W – 1,079.77 feet approximately along the South top of a bank of a ditch to a pinched top iron pipe; thence S 27° 53' 01" E – 2,124.03 feet with and along a line approximately 6 feet East of a measured normal to the edge of an existing canal, to the **POINT OF BEGINNING** containing 106.86 acres plus or minus

SECTION 3. Notice of said public hearing shall be published in the Daily Advance, a newspaper having general circulation in the City of Elizabeth City, at least ten (10) days prior to the date of said public hearing.

ADOPTED, this 14th day of July, 2008.

Stephen S. Atkinson
Mayor

Dianne S. Pierce-Tamplen, MMC
City Clerk

End of Consent Agenda

6} PUBLIC HEARING:

Mayor Atkinson called upon Planning Director Brooks for comments.

Ms. Brooks advised that on June 23, 2008, Council called for a public hearing to be held on July 14, 2008 to seek citizens input and inform the residents that the City plans to apply for a neighborhood revitalization grant for North Road Street revitalization (Sawyertown and Pennsylvania areas). According to HUD and DCA regulations, the City must hold two public hearings before applying for a revitalization grant. The City will send an application to DCA in order to apply for the \$850,000 grant. The funds will be distributed as follows:

Infrastructure (Pearl Street)	\$340,000
Housing Rehabilitation	\$230,000
Acquisition	\$120,000
Demolition	\$ 50,000
Relocation	\$ 30,000
Administration	\$ 80,000

Ms. Brooks noted that on each house we will be able to spend up to \$40,000. The City will need to approve a 5% matching fund for this grant. The staff is recommending \$42,500 to be set aside as matching these funds.

Mayor Atkinson declared the meeting into public hearing. Since no one was present who wished to speak for or against the proposed grant, Mayor Atkinson declared the public hearing closed.

A motion was made by Councilman J. A. Stimatz, seconded by Mayor Pro Tem J. M. Baker to authorize the Mayor to execute all pertinent documents associated with the submission of a revitalization grant request in the amount of \$850,000 to DCA for North Road Revitalization Project (Sawyertown and Pennsylvania areas). Those voting in favor of the motion were: Stimatz, Baker, Evans, Hummer, King, Meggs, Rivers and Watts. Against: None. Motion carried.

7} REGULAR AGENDA:

a} Calls for public hearings:

A motion was made by Councilman J. A. Stimatz, seconded by Councilwoman V. C. Watts to call for a public hearing for each of the following to be held on Wednesday, July 30, 2008 in the City Council Chambers of the Municipal Administration Building beginning at 5:30 p.m. Those voting in favor of the motion were: Stimatz, Watts, Baker, Evans, Hummer, King, Meggs and Rivers. Against: None. Motion carried.

1} Consideration – Electric Utility rate increase to 14%.

2} Consideration – public input regarding the CDBG grant for the Aviation Grant

b} Donation from Non-profit Contingency Fund:

Mayor Atkinson advised that this is a request from the Coast Guard for the Coast Guard Day celebration which is August 4, 2008. In appreciation for the Coast Guard's presence in our community, he feels like a donation of \$1,000 would be worthy of Council's consideration.

A motion was made by Councilwoman B. S. Meggs, seconded by Councilwoman L. A. Hummer to approve a donation to the United States Coast Guard to be designated for the Morale, Well-being and Recreation Fund in support of Coast Guard Day 2008 in the amount of \$1,000 from the Non-profit Contingency Fund. Those voting in favor of the motion were: Meggs, Hummer, Baker, Evans, King, Rivers, Stimatz and Watts. Against: None. Motion carried.

c} Rate Structure for GIS:

Mayor Atkinson called upon Public Utilities Director P. A. Fredette for comments.

Mr. Fredette stated that the current fee structure does not address the costs of maps/plans produced by the City. It does not address large format drawings nor does it address a request by citizens for information that will be available in the GIS office. It is a bit higher than what the County is currently charging and that is because we have a lot more information than they do. He went over the proposed fee structure.

Councilman Stimatz said that you may want to indicate that we can provide a data file via the internet for some reduced amount.

A motion was made by Councilman J. A. Stimatz, seconded by Councilwoman L. A. Hummer to adopt the following GIS Fee Schedule to include the info on the data file. Those voting in favor of the motion were: Stimatz, Hummer, Baker, Evans, King, Meggs, Rivers and Watts. Against: None. Motion carried.

Elizabeth City GIS Fee Schedule

Copies of Plans/Plats:

8 1/2 " x 11" or 11"x 17"	\$ 2.00
24" x 36"	\$15.00
36" x 48"	\$25.00

City GIS Base Maps (includes parcels, centerlines, zoning, hydrology, city limits, railroads, subdivisions, etc. Attribute data will also be available with the requested map information.)

	<u>Base Map</u>	<u>with Orthos</u>	<u>Photo Paper</u>
11" x 17"	\$10.00	\$20.00	\$25.00
24" x 36"	\$25.00	\$35.00	\$40.00
36" x 48"	\$35.00	\$45.00	\$50.00

Customization of maps: \$40.00/hr (1 hour minimum)

Information in Digital Format CD or DVD

	Complete	with Utilities Data
Base Map w/attribute data	\$ 250.00	\$350.00
Base Map with Orthos & attribute data	\$400.00	\$450.00

DISCLAIMER:

"Users of the data are hereby notified that public primary information sources should be consulted for verification.

City of Elizabeth City assumes no legal responsibility for the information contained herein or on the media."

The dataset(s) and any updates cannot be resold or redistributed to third parties for any reason.

d} Appointment to Tourism Development Authority:

Mayor Atkinson advised that he would like to submit the name of Gwendolyn Sanders to fill the vacancy on the Tourism Development Authority that was created by the desire of Jacqueline Gilchrist to not be reappointed. Ms. Sanders is the Executive Assistant to Chancellor Willie Gilchrist.

A motion was made by Mayor Po Tem J. M. Baker, seconded by Councilman R. E. King to recommend Ms. Gwendolyn Sanders to the Pasquotank County Commissioners for consideration as a member of the Tourism Development Authority. Those voting in

favor of the motion were: Baker, King, Evans, Hummer, Meggs, Rivers, Stimatz and Watts. Against: None. Motion carried.

e} Discussion of City Council:

Mayor Atkinson recognized Councilman Rivers for comments.

Mr. Rivers said that he would like to make mention that someone came to him regarding some statements that a council person made while attending a community crime watch meeting in the Second Ward. He felt that the comments were not true nor were they professional. There were also several comments made that should have been kept confidential as they came from the Closed Session that we had at the last meeting. Members of the Meeting forward their minutes to him and he was very shock to see what happened. The minutes showed that even some of the increases in salaries were discussed. He would encourage everyone to think before you speak and perhaps items discussed in Closed Session would not be out. It makes the entire council look bad when this happens and we are putting the City in jeopardy of lawsuits when this happens.

Councilwoman Hummer asked to put in the minutes that Mr. Rivers was not talking about her as she did not relay any comments to Mr. Rivers.

8} COMMENTS AND INQUIRIES ON NON-AGENDA ITEMS:

Mayor Atkinson advised that he would call for comments from the Manager and Council members.

City Manager Olson stated that included on the dais is a copy of the power point presentation that will be given by Ken Raber of the Eastern Agency. We will have a special called City Council meeting on Friday, July 18, 2008 at 10:00 a.m. in the City Council Chambers. Please review the information. If you would like Mr. Raber to address other specific issues associated with the rate increase, please let him know and he will have him modify his presentation for you.

Councilman Evans stated he had no further comments.

Councilwoman Watts asked Mr. Olson were there any changes or did she misunderstand were there any changes in Oak Grove. Is that what we are waiting for, approval of changes that are being made?

Mr. Olson replied that earlier today he had a meeting with NCDOT on a variety of different road projects. We discussed that issue with them. They have not given us or issued the encroachment agreement that is needed for that particular project. That project is scheduled to go out to bid mid August. We still have two

permits that are required and we would like to have the permits before we go out to bid.

Ms. Watts asked as far as assessment and evaluations how long ago has it been since that we had evaluations of our departments. Is that something that is done. The reason why is like Mr. Rivers people has been calling her about complaints in certain areas and she just wondered if there were some type of formal evaluation and/or assessment. When was the last one done?

Mr. Olson asked of the departments or the department managers?

Ms. Watts replied departments.

Mr. Olson said that he usually has his discussions with the Department Directors.

Ms. Watts said so there is no formal evaluation of departments.

Mr. Olson replied that no he has never done formal evaluations of departments before as it is usually the department director just like the City Council holds him accountable for the actions of the entire city. He holds the Department Director accountable for the actions within their respective departments.

Ms. Watts asked if he had done that lately.

Mr. Olson said that he meets periodically with the different department directors and discuss different issues within their departments.

Ms. Watts said her last question is by chance has Ms. Brooks contacted St. Stephens Missionary Baptist Church and have they been informed of the extra parking so they could get the amount of seating in their church.

Ms. Brooks said that she has had discussions with Mr. Olson about the parking and there are some issues that we have with it and she will be glad to share those.

Councilman King asked if Ms. Brooks if we could get the information now because he would like to respond also.

Ms. Brooks said that Ms. Watts had identified an alternative site to help St. Stephens with their parking. She had identified Chauncey's Pawn Brokers. After we talked with him he advised that he has a written lease with Montero's to share his parking with them. They have brunch on Sunday's the same hours that St. Stephens has church so we are unsure whether it would work. We are

still willing to work with St. Stephens on finding additional parking. We haven't closed that door at all.

Mr. King asked if St. Stephens came to you and talked about Sheep Harney.

Ms. Brooks said that they have not talked with her but they may have talked with one of the other staff members. We are at a standstill as they have not approached us. Councilwoman Watts is the latest approach that we have had on trying to find them additional parking. We have not had any contact that she is aware of from the Church that they have proposed something and let us look at it.

Councilwoman Hummer said that she would like to ask the City Manager when the additional surveillance cameras will be ordered. She is asking since someone from Blackwell Church has pledge a donation. She will give you the name of the contact person so that the donation will be worked in when you do order them.

Ms. Hummer said that in the original purchase of the cameras it was her understanding that the card in the police cruiser would enable the cameras to be panned from the cruiser. Were they in that price or are they in the process of being installed?

Chief Crudup said that we are in the process now trying to get them all installed in the cars. We found the right card and probably within the next month or so we should have all of them installed.

Ms. Hummer asked if there was an additional charge for those or was it all in the original price.

Mr. Crudup replied that it was all included in that same original price quote.

Mayor Pro Tem Baker said that she has one thing. The North Carolina League Conference coming up in October conflicts with our October Council Meeting scheduled for the 13th.

Councilman Rivers stated he had no further comments.

Councilwoman Meggs said that she has a sign up sheet for any of you that are interested in serving on Coast Guard Day. She has to have a list so that she can get cleared about getting on the base.

Councilman Stimatz said that he has a number of comments and some questions for the record. The first one concerns the audit status. When do we expect them to start? Do they have a target at all?

Mr. Olson replied that it would be the first week in August.

Mr. Stimatz asked what was their response to our desire to make accounting for program income our first priority.

Mr. Olson replied that those would be some of the issues that we will be addressing in Closed Session.

Mr. Stimatz said that these are the three items that are carried over from our May 12th meeting. He got the past letters of engagement from our regular audits and he wants to thank you for those. He had also asked to be provided with the written portions of all audits by Hollowell and DCA that specifically relate to reviews of the City's accounting practices within the Hugh Cale Revitalization Strategies Grant. He has been told that they looked at them and found no problems and he would like to see what they wrote about it. Whatever is written he would like to see it. If there is nothing written you can come back and tell him there is nothing written.

We had discussed having DCA approve a swap of the non CDBG property of equal or greater value for the two lots at the corner of Southern Avenue and Shephard Street. Has DCA gotten back to us on that?

Mr. Olson replied no they have not. He hasn't even approached DCA because he thought that the direction the Council was heading was with the roundabout that we had brought back to you.

Mr. Stimatz said that the idea was if we could take those two lots, swap them for lots of equal value someplace else then they would no longer be a CDBG lot and no longer subject to all the restrictions of CDBG and it gives us more flexibility. That was the idea.

Mr. Olson said that he just took it that the roundabout was the direction that Council wanted to go.

Ms. Stimatz said he thinks if we free up the land then we would free ourselves up.

On February 12th the Mayor sent a letter to Congressman Butterfield asking for his support to become an entitlement city and have we heard back from the Congressman?

Mr. Olson replied no we have not. We sent another letter to the Congressman in May requesting that information once again.

He has a few new requests. Following up on what Ms. Hummer said, before we leap off this bridge of cost sharing and that is the idea from the community. They would like to be able to cost share on buying a camera he thinks that we need to come up with some type of policy on how we are going to do that. That also goes into the question of where are we going to site the next group of cameras and if we are going to move any of the existing cameras. He will tell you that there will be a lot of resistance to moving any of the existing cameras. So, when we go to discuss this at some point when the Chief comes back we need to have a more comprehensive plan, one that specifically address if a group wants to either purchase a camera totally or cost share and how do we go about handling these requests.

Mr. Stimatz asked if staff could provide Council with a list of all community watch groups, their time and place of their meetings and their president or point of contact, including an e-mail address. That would be very helpful to all of us. He also would suggest that we may want to put this on our web site because it is very valuable to those wanting to join a crime watch and it is there for potential new residents to look at and find that information as well. He would suggest that.

Mr. Stimatz said that this is a follow up on from when Councilman Walton was on Council. We asked this question and we were told that we couldn't do it because the data base wasn't set up to do it. He talked with Sarah a month or so ago and asked if she could provide Council a ward by ward breakdown for city property taxes paid in 2007. Do it by commercial and residential land. He would also like to know what percentage of acreage in each ward is tax exempt.

Mr. Stimatz said that in reading the minutes of the March 7th meeting where we discussed the electric payment policy it was noted that staff was to bring back several suggestions for a new extension policy because at the time our policy was if you were on cycle and save you got five extensions and if you weren't on cycle and save you got two extensions. We have changed the rules so everybody has to go to cycle and save so the idea was to make the rule the same for everyone. That was supposed to be brought back to us in March but we haven't closed the loop on this and can we put this on our agenda for the second meeting in August.

Mr. Stimatz asked Mr. Morgan if he had an update on the political sign ordinance.

Mr. Morgan said that he sent you an e-mail earlier today saying that he had called David Owens with the School of Government last Wednesday and left a very detailed message for him as to the status of this and seeking his input. His

voice mail message just indicated that he was away from his desk and it did not say he was out of town or anything along those lines. He has not called him back. He also copied Ms. Brooks on his e-mail earlier to you today. She in the past has had a little more luck getting more responses from him via e-mails than he has by telephone or letter. He is just asking her to follow up with him this week just to see if we could get some feedback from him. She was out of the office last week so he did not ask her to do it today as he realized she had a lot to do today. He certainly hopes to have an update for you by the August 11 meeting.

Mayor Atkinson said that he had a couple of quick comments. He wanted to remind everybody about July 18th with Ken Raber. He will be here and the public is invited. Also he was fortunate to be invited to lunch the other day at the VFW. He had a very interesting meeting with some of those folks out there. They mentioned several things but one thing that kind of caught his attention was the fact that they provide a service there for disposing of American Flags properly. It is very important to these fellows that it is done properly. He just wanted everyone to know that if you take your flags that are damaged and if you want them to be disposed of properly you can take them to the VFW out on 17N and they will take care of the flag properly.

Also it is a State law when you have a marked crossing such as the one at Mariner's Wharf going over to Cypress Creek area you must yield to the pedestrian. It is a State law that you yield to the pedestrian. We have run this on the electric bills at the bottom. It is on Channel 11 numerous times a day and has been for a long time. He mentioned this to the City Manager and he quickly had the chief in the office and we discussed it and we know that it is a very serious thing especially with the additional traffic that is being generated by the Farmer's Market on Saturday mornings, at lunch time and in the evening. He just wants everyone to be aware that if someone steps in the crosswalk you have to yield. There will be warning tickets given and regular tickets if it is in violation. He doesn't want anyone to get a ticket and he doesn't want anyone hurt or killed at these crossings so be very conscious of this fact as you travel on our streets.

The last thing that he wants to mention is the National Night Out and encouraged our citizens to attend.

9} CLOSED SESSION:

Mayor Atkinson called for a motion to retire into Closed Session.

A motion was made by Mayor Pro Tem J. M. Baker, seconded by Councilman R. E. King to retire into Closed Session for

Consultation with the City Attorney to protect the attorney-client privilege as per NCGS 143-318.11 (a) (3) and discussion of Personnel as per NCGS 143-318.11 (a) (6). Those voting in favor of the motion were: Baker, King, Evans, Hummer, Meggs, Rivers, Stimatz and Watts. Against: None. Motion carried.

Upon the end of Closed Session,

A motion was made by Councilman J. A. Stimatz, seconded by Mayor Pro Tem J. M. Baker to return to regular session of Council. Those voting in favor of the motion were: Stimatz, Baker, Evans, Hummer, King, Meggs, Rivers and Watts. Against: None. Motion carried.

ADJOURNMENT:

There being no further business to come before Council at this time, Mayor Atkinson adjourned the meeting at 8:03 p.m.

Dianne S. Pierce-Tamplen, MMC
City Clerk

Stephen S. Atkinson
Mayor