

The City Council of the City of Elizabeth City held its monthly work session on the above date and time in the City Council Chambers of the Municipal Administration Building with Mayor J. W. Peel presiding. Those members attending were: J. M. Baker, R. T. Donnelly, L. M. Hill-Lawrence, K. K. Spence, J. A. Stimatz and J. B. Walton. M. E. Brooks was absent. City 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, Planning Director J. C. Brooks, Human Resource Director K. W. Felton, Interim Police Chief J. A. Manley, Fire Chief L. M. Mackey, Inspections Director S. E. Ward, Electric Director K. F. Clow, Public Utilities Director P. A. Fredette, ECDI Director R. Cross and Parks and Recreation Director B. V. White.

Mayor Peel established a quorum was present and called the meeting to order at 5:30 p.m. He called for a moment of silent reflection after which he led the Pledge of Allegiance to the Flag of the United States of America.

1} AGENDA ADJUSTMENTS AND APPROVAL:

Mayor Peel called for approval of the prepared agenda.

A motion was made by Councilwoman L. A. Hummer, seconded by Councilwoman J. M. Baker to approve the prepared agenda as presented. Those voting in favor of the motion were: Hummer, Baker, Donnelly, Hill-Lawrence, Spence, Stimatz and Walton. Against: None. Motion carried.

2} AWARD OF COMMUNITY SUPPORT GRANTS FOR FISCAL YEAR 2012-2013:

Mayor Peel called upon Councilwoman Hummer for comments.

Ms. Hummer advised that the Finance Committee met and considered the allocation of funds regarding the award of fiscal year 2012-2013 Community Support Grants. The Finance Committee is recommending a total award of \$47,500 from the Council's Contingency Fund. They are also recommending that \$1,000 be allocated to the Highway 17 Association and that those funds be requested from the Tourism Development Authority as well as \$1,500 in TDA funding to River City CDC Juneteenth Celebration. The Finance Committee is also recommending that \$2,500 be allocated out of the 2012-2013 Community

Support Grants for the Work Camp and that an earmark is placed in the 2013-2014 fiscal year budget for an additional \$2,500. A recommendation is also included for the New Beginning on the Solid Foundation be awarded \$3,000; however, those funds would be used to pay utility bills for their facility.

Councilman Stimatz said he had written a memo to the Finance Committee and one of the areas that he pointed out was the request for grant funding required that everyone provide a financial statement. That has been a requirement for some time now and it goes back quite a few years to when we had difficulties with various non-profits not providing financials statements and having issues with their management of their businesses. His recommendation was if you did not meet the minimum requirements for application you should be automatically denied. That didn't happen in particular the American Legion, Girls, Inc, and New Beginnings. In addition, to the question of the funding for NC Highway 17 Association. His feeling is that is a lobbying organization and if we want to lobby then we should decide we want a lobbying organization and then we should say to ourselves where is that money coming from? He doesn't think it should come from community support grants. In fact last year when this came before Council we took it out of it because we had funds there. Council gave them \$1,000 specifically with the idea that if we were going to do it the following year we would find the funds some place else. He doesn't think TDA is appropriate because it is not a heads in beds issue. You are buying services for a lobbyist. Then the National Council for Negro Women, a great organization but in their stated bylaws it specifically says that they only support women of African descent. We are here to support everybody regardless of race, color, creed, origin, nationals, etc. In that regard he can not see us giving money to them. If you could get by that he is not really sure what the taxpayers would be getting for the money we are proposing to give them. It is not clear for \$1500 what the community is going to get. The reading recovery program which buys us kids who can read. It will make them better students, better adults, better jobs and better citizens and that to him is real value. He has trouble with those and as it stands he cannot vote for the proposed grant applications distribution.

Councilwoman Baker said along the same lines she has an issue with part of River CDC. She thinks part of the request is going for Juneteenth and that is why she has the issue based on the race thing as well. It is a celebration of black heritage and not all heritages. She thinks the work that they do for the group work camp is fabulous and should be funded every year which we do. Any celebration or help that is going to exclude a class of people should not be funded by the City.

Mayor Pro Tem Walton said contrary to what the two have said even though it is a black celebration it is not that everyone cannot go to that event. It is still a community affair. If we are having a Juneteenth and nobody shows up, even

representatives from this Council, he thinks that shows a sign of not supporting all groups. Black people are part of that group too.

A motion was made by Councilman R. T. Donnelly, seconded by Mayor Pro Tem J. B. Walton to accept the following recommendations from the Finance Committee for the distribution of the Community Support Grants. Those voting in favor of the motion were: Donnelly, Walton, Hill-Lawrence, Hummer and Spence. Against: Baker and Stimatz. Motion carried.

<i>Food Bank of the Albemarle</i>	<i>\$7,500.00</i>	
<i>Healthy Carolinians of the Albemarle</i>	<i>\$1,000.00</i>	
<i>Highway 17 Association</i>	<i>\$ -0-</i>	<i>\$1,000 – TDA</i>
<i>Albemarle Family YMCA</i>	<i>\$1,500.00</i>	
<i>Kids First, Inc.</i>	<i>\$6,000.00</i>	
<i>New Beginning on Solid Foundation</i>	<i>\$3,000.00</i>	<i>Utilities</i>
<i>Pasquotank-Camden Library</i>	<i>\$1,500.00</i>	
<i>Northeast Coalition End Homelessness</i>	<i>\$9,500.00</i>	
<i>Girls, Inc.</i>	<i>\$1,000.00</i>	
<i>Port Discover</i>	<i>\$6,000.00</i>	
<i>Education Foundation Public Schools</i>	<i>\$2,500.00</i>	
<i>National Council of Negro Women</i>	<i>\$1,500.00</i>	
<i>River City CDC</i>	<i>\$2,500.00</i>	<i>\$1,500-TDA</i>
<i>American Legion Post 84</i>	<i>\$1,000.00</i>	
<i>NC Blazers 13 & Under</i>	<i>\$1,200.00</i>	
<i>NC Blazers 16 & Under</i>	<i>\$1,000.00</i>	
<i>EC Boxing Club</i>	<i>\$ 800,00</i>	
<i>Balance Unappropriated</i>	<i><u>\$2,500.00</u></i>	
	<i>\$50,000.00</i>	

3} CONTRACT 3 OF THE ELIZABETH STREET PROJECT:

Mayor Peel called upon City Manager Olson for comments.

Mr. Olson stated there are a number of action items that are needed that specifically address North Road Street. He would like for Sean Robey who is the engineer of record on our project to provide the Council with an update.

Mayor Peel called upon Sean Robey for an update on the Elizabeth Street Project, Phase III.

Mr. Robey stated we are in the construction portion of the Contract III. This is the final construction contract for the relocation of the utilities in coordination

with the NCDOT Project that is the rebuilding of Elizabeth Street and the work on the east bound bridge. This project was broken down into three portions. Contract II was the downtown project for Colonial, Water, Poindexter, MLK and McMorrine Streets. We have moved in to Contract III which is predominately Pearl, Glade and Poindexter on the north side. North Road Street was added into the project under a CDBG grant and we are progressing very nicely with the construction work. All of the water and sewer relocation work has been completed. It has taken about 60 days longer than anticipated. The contractor had many difficulties along the way and some of them were due to the delay in the award of the project. We are at a good place today. He proceeded to show a power point of the different areas within the project and explained in detail the situation at each location.

Mr. Olson stated we have been struggling with trying to get a new roadway. We have an engineer's estimate of \$850,000 to do that work. NCDOT will use up to \$330,000 from their resurfacing fund and the City will contribute \$264,705, which equates to the money we had in the project for patching the roadway. The final piece of funding is to make a formal request to Matt Wood, our NCDOT Highway Commissioner for some of his discretionary funding. To fully fund the project, \$250,000 will be needed from Matt Wood. To do this the City Council needs to take a number of actions. First of all a resolution needs to be adopted to request discretionary funding.

A motion was made by Councilman J. A. Stimatz, seconded by Councilwoman L. A. Hummer to adopt the following resolution requesting \$250,000 from the Division of Small Construction Funds. Those voting in favor of the motion were: Stimatz, Hummer, Baker, Brooks, Hill-Lawrence, Spence and Walton. Against: None. Motion carried.

**RESOLUTION #2012-09
REQUESTING DIVISION SMALL CONSTRUCTION FUNDS
FROM THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION
FOR
IMPROVEMENTS TO US 17 BUSINESS (NORTH ROAD STREET)
IN ELIZABETH CITY, NORTH CAROLINA**

WHEREAS, US 17 Business in Elizabeth City is a North Carolina Department of Transportation road; and

WHEREAS, the City of Elizabeth City has undertaken an extensive utility improvement project tied to NCDOT Project U4438; and

WHEREAS, the City of Elizabeth City would like to have US 17 Business rebuilt from Scott Street to Ward Street, said work to include curb and gutter, limited storm sewer improvements and a new sub-base and travel surface work; and

WHEREAS, the City of Elizabeth City has made a commitment to contribute \$264,705 in funding controlled by the City to help rebuild US 17 Business from Scott Street to Ward Street.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Elizabeth City would like to request \$250,000 in Division Small Construction Funds to help pay for the estimated \$850,000 cost to rebuild this section of road.

ADOPTED, this 24th day of September 2012.

Joseph W. Peel
Mayor

Dianne S. Pierce-Tamplen, MMC
City Clerk

b} State Small Construction and Primary Resurfacing Agreement:

Mayor Peel called upon City Manager Olson for comments.

Mr. Olson advised the second action that needs to be approved is the authorization of a State Small Construction and Primary Resurfacing Agreement (WBS Element: 43678), which will be presented to the NCDOT meeting being held on October 3rd and 4th.

A motion was made by Councilman J. A. Stimatz, seconded by Councilman R. T. Donnelly to authorize the execution of the State Small Construction and Primary Resurfacing Agreement. Those voting in favor of the motion were: Stimatz, Donnelly, Baker, Hill-Lawrence, Hummer, Spence and Walton. Against: None. Motion carried.

4} **UPDATE – PROGRESS TOWARD RECOMMEDATIONS FROM MAYOR’S ENERGY EFFICIENCY COMMISSION:**

Mayor Peel called upon City Manager Olson for comments.

Mr. Olson stated he had placed in front of each of you the matrix that we created for the Energy Commission recommendations for the City Council. We updated these items as of 9-24-2012. He briefly went over the matrix. We have completed developing the two rating scales to communicate approximate cost and efficiency of each dwelling unit utilizing historic data. We also developed a Dwelling Efficiency Rating scale that will rate the efficiency of every housing unit in the City based on kWh/sq. ft. We are in the process of implementing that scale right now. We are still working on the development of a comprehensive communications plan that will utilize the City's web site. We will be allocating our money in January 2013. We will have a meeting with the Salvation Army to address a number of concerns the Commission had with how that money is allocated. Some of the other work like reformatting the electric bill is out there a little further. We are looking at some new software packages and that will be something we will address once we get the new software. More aggressively criminal action under state law against contractors or citizens who disconnect load management switches. We have not had that to come up. The next section deals more with the number of city codes issues. He will be conducting a windshield tour of the City next week on October 1st and 2nd with Code Enforcement and a number of department heads. We will be looking for some very specific enforcement.

Councilman Stimatz asked that they also include violations by the City.

We have allocated additional money for demolishing dwellings in the city's budget. The Council has adopted a modification to the City's Code that only allows structures to be boarded up for six months instead of 12 months. We have hired an additional code enforcement officer who took over as of September 11th. We have also adopted a code that addresses a chronic offender. To developed an accurate listing of all rental properties within the City using the tax records. What we are doing there is we are utilizing the county tax records. Those individuals that have more than one residential property we will sort them and then go through them manually and determine whether or not it is a rental property. Then compare that to those individuals that have licensing agreements with us. The next goal is to strengthen and expand the city's current weatherization program. We have developed a dwelling efficiency rating scale so they will know going in what their anticipated utility bill will be. We have developed an alpha numeric rate and a matrix which puts everyone in A, B, C, D, and F. If you are a C or below we encourage you to have an energy audit done. This is only done for the electric. We will be having some in service training for our employees downstairs in order that they will be better prepared to answer our customers' questions and concerns. There was a lot of discussion of us having landlords being a part of the rental rehab program. What we have

found out is there are no federal funds available for landlords to do any type of weatherization of their homes so we will not be using any of our money until the federal funds are made available. Right now all our money will be utilized for owner occupied weatherization.

5} COMMITTEE REPORTS:

a} Albemarle Economic Development Commission:

Councilwoman Hummer, Councilwoman Baker, Councilwoman Hill-Lawrence and Mayor Peel:

Councilwoman Hummer stated she was unable to attend the meeting.

b} Central Communications Advisory Board: Mayor Pro Tem Walton:

Mayor Pro Tem Walton stated they did not have a meeting due to a lack of a quorum. We do have a new Director, Jody Rolling. He started about three weeks ago and has a background with the US Coast Guard.

c} Firemen's Relief Fund Board: Councilman Spence:

Councilman Spence advised that they have not met.

d} Joint Land Use Plan Committee: Councilman Stimatz:

Councilman Stimatz stated we are waiting for our next cycle to get started so we can get started on the updates to the Joint Land Use Plan.

e} NC Eastern Municipal Power Agency: City Manager Olson and Mayor Peel:

Mr. Olson stated the next meeting will be held this coming Wednesday.

f} Solid Waste Committee: Councilman Spence:

Councilman Spence advised that they have not met.

g} Elizabeth City Downtown, Inc.: Councilman Donnelly:

Councilman Donnelly stated the City-wide cleanup that was held this past Saturday was a big success. They had 30+ volunteers that showed up to help. The annual retreat was held last Thursday and new goals were established. They are gearing up for Ghost Walk and are prepared to hold

a dinner at the PNC Bank. You can eat indoors or take out. Tickets are available at AoA, Muddy's Coffee Shop, Page after Page or from any ECDI Board Member.

h} Elizabeth City Area Chamber of Commerce Board: Mayor Peel:

Mayor Peel reported that Ms. Brady was offered an opportunity for a higher job and she turned in her resignation as Membership Director. We have selected a new membership director, Amy Alcocer and look forward to working with Amy.

i} Finance Committee: Councilwoman Hummer, Councilman Donnelly, Councilwoman Hill-Lawrence and Mayor Peel:

Councilwoman Hummer stated the Finance Committee met and recommended the award of the Community Support Grants to the various organizations as adopted previously.

j} Parks and Recreation Advisory Board: Mayor Pro Tem Walton:

Mayor Pro Tem Walton stated they have not met.

k} Alleyway Committee: Councilwoman Hummer, Councilwoman Baker, Councilman Brooks and Councilwoman Hill-Lawrence:

Councilwoman Hummer stated the Committee has not met.

l} Elizabeth City/Pasquotank County Airport Authority: Councilman Stimatz:

Councilman Stimatz stated last week they had their strategic planning session prior to the regular meeting. We made some good progress. We are focusing on the growth of the airport and we will do some follow up on that. Things are going well. The big events coming up in October are First Flight which is when the Candy Bomber comes and we are also bringing in a second airplane. We will have two groups of radio control groups. In addition, a college aviation competition will be held here in Elizabeth City over a three day period.

m} Storm Water Drainage Task Force: Councilman Stimatz, Councilman Donnelly and Councilman Brooks:

Councilman Stimatz stated the committee was working on various projects and will be meeting some time in October to close the loop on some things.

n} Tourism Development Authority: Councilwoman Baker:

Councilwoman Baker stated they will be having a meeting on Thursday.

Mayor Peel stated he and Ms. Hill-Lawrence serve on a NCLM Committee and he would like to tell you a little bit about it. We had a meeting about three weeks ago and we have another one tomorrow. It is called the Governmental Committee Report and it was really a fascinating meeting and somewhat disturbing. Paul Myer who is the Chief Lobbyist in the General Assembly for the League of Municipalities talked about the last Legislative session. During the last session there was a bill passed where the Legislative actually took the City of Asheville Water Plant and Airport and turned them in to a regional entities and did not compensate the City in any way. That seems to be something that they are doing more and more of. He thinks Asheville is planning to sue them over it. The Legislative is becoming a watchdog over the cities and no longer seems to be a partner with the cities. There is talk of privatizing all of the cities services. The only thing the City Council would do is to hire the City Manager and everything else would be privatized. There are some cities in Georgia that operate that way. The difference between a city like us and those cities is those are brand new cities. There is significant conversation about changing the tax structure in the State and going to a 10-12% sales tax and reducing individual and corporate tax rates. They are talking about reforming the transportation funding. There is a lot of conversation in the legislation about changing our employee's retirement system. Privatizing it and changing it from a defined benefit plan to a defined contribution plan. In other words you would not be guaranteed a certain retirement. It would be based on the market and how that money was invested. They are talking about changing the rules or doing away completely the ETJ. There are also plans afloat of doing away with the Clean Water Trust Fund. The message was that the environment in Raleigh towards cities has changed dramatically over the last General Assembly session. Also, four of us went to Washington DC week before last. This was an event that was sponsored by NC Chamber of Commerce called "Taking Care of Business." There were four individuals that talked about what needs to happen in NC to facilitate growing businesses. There were several speakers but the big speakers came Tuesday morning. We had an opportunity to visit our two Senators, Burr and Hagan and we talked about a lot of issues here in our area. Both were very congenial and very interested in what we had to say.

6} ADJOURNMENT:

There being no further business to come before the Work Session at this time,
Mayor Peel adjourned the meeting at 6:52 p.m.

Dianne S. Pierce-Tamplen, MMC
City Clerk

Joseph W. Peel
Mayor