

The City Council of the City of Elizabeth City held its second meeting of the month on the above date and time in the City Council Chambers of the Municipal Administration Building with Mayor R. A. McLean presiding. Those counselors in attendance were: L. A. Hummer, J. M. Baker, M. E. Brooks, L. M. Hill-Lawrence, R. E. King, B. S. Meggs, J. A. Stimatz and J. B. Walton. City Staff members in attendance were: City Manager R. C. Olson, City Clerk D. S. Pierce-Tamplen, City Attorney W. H. Morgan, Planning Director J. C. Brooks, Public Utilities Director P. A. Fredette, Finance Director S. E. Blanchard, Fire Chief L. M. Mackey, Human Resource Director K. W. Felton, Lt. J. Lacombe and Parks and Recreation Director B. V. White.

Mayor R. A. McLean established a quorum was present and called the meeting to order at 7:00 p.m. He called upon Councilman M. E. Brooks 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 McLean called for action regarding the prepared agenda.

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

2} COMMENTS FROM THE PUBLIC:

Mr. Ernest Askew, 1405 West Main Street Extended, Elizabeth City spoke in opposition to the proposed second delivery station site on West Main Street Extended.

Mr. Richard Mansfield, 395 N 343, Camden, North Carolina spoke in opposition to the taking of his family's property located on West Main Street Extended.

Mr. Shelby Mansfield, 250 Pond Road, Shawboro, North Carolina spoke in opposition to the taking of his family's property located on West Main Street Extended for the site of the new sub station.

Ms. June Gibbs, Providence Road, Elizabeth City spoke in opposition to the \$500 fee being charged to the Internet Sweepstake Cafés.

Ms. Linda Gibbs, 307 Rhode Island Avenue, Elizabeth City spoke in opposition to the \$500 fee being charged to the Internet Sweepstakes Cafés.

Mr. Bob Luther, 2086 Rivershore Road, Elizabeth City spoke in opposition to the \$500 fee being charged to the Internet Sweepstakes Cafés.

3} PRESENTATION:

City Manager R. C. Olson presented to the City on behalf of the US Coast Guard a plaque of appreciation in honor of the Coast Guard Day.

4} APPROVAL OF THE MINUTES:

Mayor McLean called for action regarding the minutes of the October 10, 2011 Regular City Council Meeting.

A motion was made by Mayor Pro Tem L. A. Hummer, seconded by Councilwoman J. M. Baker to approve the minutes of October 10, 2011 as presented. Those voting in favor of the motion were: Hummer, Baker, Brooks, Hill-Lawrence, King, Meggs, Stimatz and Walton. Against: None. Motion carried.

5} CONSENT AGENDA:

Mayor McLean called upon City Manager Olson to read the items listed on the Consent Agenda.

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

CONSENT AGENDA:

- a} Accepted the results of the Municipal Election held on October 11, 2011.
- b} Called for a public hearing for each of the following to be held on Monday, November 14, 2011 at 7:30 p.m. in the City Council Chambers of the Municipal Administration Building:

1} CONSIDERATION – CUP-02-09A: For James Southerland to increase the number of sweepstakes terminals to 40 at Triple S sweepstakes at 1871 West Ehringhaus Street

2} CONSIDERATION – CUP-04-09A: For Robert Luther of Sweepstakes I to increase the number of internet sweepstakes terminals to 32 at 1016 West Ehringhaus Street

3} CONSIDERATION – CUP-05-09A: For Richard Chapman to increase the number of sweepstakes terminals to 40 at Past Times Sweepstakes at 1501 West Ehringhaus Street

END OF CONSENT AGENDA

6} REGULAR AGENDA:

a} Consideration – Internet Sweepstakes Cafés fees:

Mr. Olson advised that in February 2011 the City Council established a fee/privilege license for internet sweepstakes cafés of \$100 per machine. Since this is a privilege license, the fee would be due by September 1st of each year. During the preparation of the Fiscal Year 2011-2012 Budget, staff provided a survey which showed how much other jurisdictions were charging. In May 2011, Council approved a new fee of \$2,000 per location and \$500 per machine. The cost increases authorized by the Council was anticipated to generate \$36,000 annually. It was noted that Internet Sweepstakes Cafés pay no state fees because they are still technically illegal under State Law. Staff is recommending that we keep the Internet Sweepstakes Cafés fees at \$2,000 per location and \$500 per machine.

A motion was made by Councilman R. E. King, seconded by Councilman J. A. Stimatz to forward this item to the Finance Committee for their consideration and a recommendation be made back to Council at the next meeting. Those voting in favor of the motion were: King, Stimatz, Baker, Brooks, Hill-Lawrence, Hummer, Meggs and Walton. Against: None. Motion carried.

b} Update on Fish Court:

Mayor McLean called upon Parks and Recreation Director B. V. White for comments.

Ms. White stated that we have looked at the Fish Court situation for several months now. It is being proposed to move it just about two blocks up the road.

We have met with the Fourth Ward and she has also met with the First Ward. Both wards agreed that we need to move those basketball courts so that children can enjoy playing basketball. As it is right now, the Fish Courts are underwater probably 75% of the year. Every time you turn around they are flooded. Even when the court itself is not flooded the surrounding ground is wet and soggy. We did look at raising the courts. We can do that at the same cost but they will be in the middle of a moat. You will have a hard time getting to the basketball court where if we move it to Dog Corner it will be more visible, the police department feels like it would be easier for them to patrol that area and that area never floods. What we have talked to the different wards about too is coming back and hiring a landscaper to turn Fish Courts into an open area where you can go and fish. We will add some benches, grass over the basketball court and leave it as an open park or open space park.

A motion was made by Councilman R. E. King, seconded by Councilwoman L. M. Hill-Lawrence to approve the moving of the Fish Court to Dog Corner Park with the construction to start as soon as possible; and further to make sure that the old location be restored and to forward a request of \$5,000 for the restoration project to the Finance Committee for their consideration. Those voting in favor of the motion were: King, Hill-Lawrence, Baker, Brooks, Hummer, Meggs, Stimatz and Walton. Against: None. Motion carried.

c} Update – 1165 Highway 17 South

Mayor McLean called upon City Manager Olson for comments.

Mr. Olson advised that on October 20, 2011 he discussed the status of the drainage project located at 1165 US 17 South with Jerry Jennings. The State Hydrologist visited the site on October 18th to evaluate several design options. He had voiced some concerns on whether the size of the City's cobblestones were large enough based on the design velocity of the ditch. In addition, he wanted more information on the tail water effect. He is trying to determine how much of the ditch will need to be riff raff past the Barclift House. He is determining the most cost effective way to handle the problem.

d} Renaming of Charles Creek Park:

Mayor McLean called upon Parks and Recreation Director B. V. White.

Ms. White stated that Charles Creek Park was developed in the early 1970's as a Land and Water Conservation Fund Project. Jerry Allen, the City's first Parks and Recreation Director applied for the grant in 1970 and the park was completed in

1972. This was a 3 acre park with a picnic shelter with tables, restrooms, volleyball court and a small playground climbing apparatus. This was the first park located in the community that was built after the city had an established Recreation Department. In 1990, Charles and Elise Watts deeded the front portion of the property to the City. This is the property where the playground equipment for children ages two to five years old is now located along Riverside Avenue. This playground equipment was purchased by Smart Start in 1996. Charles Creek Park was named because it is located along the Charles Creek. It was not named after any one person. At the October 10, 2011 council meeting, Councilman Rickey King approached council about renaming Charles Creek Park to Moses Grandy Park. Councilman King said that Moses Grandy was a slave from Camden County who had bought his freedom three times. He also stated that there is a Moses Grandy Trail in Chesapeake, Virginia and he would like to see Elizabeth City name a park after Mr. Grandy as well. Councilman King also spoke at the October 13, 2011 Recreation Advisory Board meeting concerning the renaming of Charles Creek Park. The Recreation Advisory Board did not have an objection to the renaming of Charles Creek Park to Moses Grandy Park. Mr. Grandy was a native of Camden County. Mr. Grandy is a very well deserving man who should have a park named in his honor. However, there are also many well deserving residents and natives of Elizabeth City and Pasquotank County who are equally as deserving to have parks named in their honor. The City does not have a policy for naming facilities or parks and this is where she needs direction. She feels like before we rename anything or we name something else she needs to have a policy that we can go forth and get this done.

Councilman Stimatz said he would like to suggest that we involve the HPC when we are writing our process. They are the area that any recommendation should go to first.

Mr. Olson stated what staff is looking for is for permission to formulate a policy. Two to three years ago Pasquotank County developed a policy. That was done for the naming of the Witherspoon Library. He thinks the University has recently modified a policy concerning naming facilities or buildings on the university. He believes the School Board has a policy concerning naming of facilities also. We don't have one and that is what staff is asking. Let us take your input and come back with a formal policy and go from there.

A motion was made by Councilwoman B. S. Meggs, seconded by Councilman J. B. Walton to instruct City Staff to draft a policy for Council to follow in renaming any of our City parks; and further, consideration should be given to naming it after someone who lives in or has lived in that particular neighborhood and contributed to the City in some way. Those voting in favor of the

motion were: Meggs, Walton, Baker, Brooks, Hill-Lawrence, Hummer, King and Stimatz. Against: None. Motion carried.

7} COMMENTS AND INQUIRIES ON NON-AGENDA ITEMS:

City Manager Olson stated this afternoon you received what he considers a very important memo from City staff concerning us relocating the Customer Service Department to the Mall during construction of basically what is called Phase IV of Contract II of the Elizabeth Street Utility relocation. He provided you a copy of that to make sure that there were no issues that City Council would have with doing such a temporary assignment. The majority of the Customer Service department would be relocated over to the Mall. We have reached an agreement with Southgate Mall in locating a Customer Service Office there. We would still have minimal amount of operational capability here at City Hall in case someone can make it here. The staff has grave concerns about people parking, people getting to City Hall, etc. We have 7500 people a month that pay their utility bills at City Hall. Our traffic volume far exceeds any other facility in the downtown area. We thought it was best if we go ahead and set up a satellite operation over at the Southgate Mall which will begin December 1, 2011 and be in operation through March 31st. That is when the constructions are all completed from Phase IV of the Utility Relocation project. Phase IV is the second most difficult construction sequence. The first phase dealt with Water Street and you recently saw some of the pictures that Sean Robey showed at his presentation. We have very similar type issues here on Martin, Colonial and Poole Street. The disadvantage we will have is that in all likelihood our drive up window will be out of commission and people will have to actually have to come into the building.

Councilwoman Baker said she wanted to say we had a very successful conference in Raleigh for the NC League of Municipalities. Great breakout sessions on economic development, tourism, storm water and lots of things. They were well presented and very good. She always appreciates the opportunity to go.

Councilman Walton stated he had no further comments to make tonight.

Mayor Pro Tem Hummer stated that October has really been the month for ribbon cuttings. November is lining up to be the same way. For each ribbon cutting that is a new business or a business that is expanding and more importantly perhaps a new medial specialty office which is great for our community so that we don't have to travel to Virginia for some of the services. A really important one is next week when the VA Medical Center opens and that will really be an asset to our community. With each one it is a few more jobs

and a few more opportunities for our citizens. It really looks good in that respect.

Councilman Stimatz stated as Jean said the NC League of Municipalities was a great event. A lot of stuff going on. There were some very interesting speakers.

Councilman Brooks stated when we make decisions we must be mindful for the reasons why we were elected. We need to keep the citizens in mind. We have to be mindful of our citizens. As a city with the economic times we are dealing with he thinks we should look out for our small business owners. We can't afford to allow them to fall by the wayside. We need to help one another. He encourages those living in the Third Ward to go out and vote.

Councilman King said he would like to remind everyone of the Veteran Day celebrations that are planned. Please make an effort to attend these great events.

Mayor McLean stated he wanted to thank the staff for all the hard work that they do and the members of Council for the work that you do. He paid tribute to Patricia Franzese who passed away last week. With her passing she left two vacancies on two of the City's committees. They are the HPC and the Community Relationship Committee. If you know of anyone that would be interested in serving please have them contact our City Clerk.

8} ADJOURNMENT:

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

A motion was made by Mayor Pro Tem L. A. Hummer, seconded by Councilman R. E. King to adjourn the meeting. Those voting in favor of the motion were: Hummer, King, Baker, Brooks, Hill-Lawrence, Meggs, Stimatz and Walton. Against: None. Motion carried.

Mayor McLean adjourned the meeting at 8:25 p.m.

Dianne S. Pierce-Tamplen, MMC
City Clerk

Roger A. McLean
Mayor