

**MONDAY-5:30 P.M.**

**NOVEMBER 28, 2011**

**WORK SESSION**

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 R. A. McLean presiding and Council Members L. A. Hummer, J. M. Baker, L. M. Hill-Lawrence, R. E. King, B. S. Meggs, J. A. Stimatz and J. B. Walton in attendance. Councilman M. E. Brooks was absent. Others attending were: City Manager R. C. Olson, City Clerk D. S. Pierce-Tamplen, City Attorney W. H. Morgan, Deputy City Clerk V. D. White, Parks and Recreation Director B. V. White, Finance Director S. E. Blanchard, Electric Director K. F. Clow, ECDI Director R. Cross, Police Chief C. E. Crudup, Public Utilities Director P. A. Fredette, Inspection Director S. E. Ward, Planner A. Cole and Assistant Fire Chief M. Cartwright.

Mayor R. A. McLean established a quorum was present and called the meeting to order at 5:30 p.m. He called upon Councilman R. E. King for the invocation after which the Pledge of Allegiance to the Flag of the United States of America was given.

**1} APPROVAL OF THE AGENDA:**

Mayor McLean called for action regarding the prepared agenda.

Councilman J. A. Stimatz asked to add, ***Discussion of the memo regarding the Fish Courts from the City Attorney.***

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

**2} COMPREHENSIVE ANNUAL FINANCIAL REPORT:**

Mayor McLean called upon City Manager Olson for comments.

Mr. Olson advised that we have with us tonight Ms. Donna Winborne, CPA with the Douglas A. Hollowell, P.C. firm. This particular firm has been doing the City's audits for sixteen years. They are under contract for at least one more year. You have received earlier a copy of the City's Annual Financial Report and she will hit the highlights of that report. Please feel free to ask any specific questions you may have.

Ms. Winborne stated she was pleased to present the City's Comprehensive Annual Financial Report for the year ending June 30, 2011. The Finance Department prepares the report and the statements are management responsibility. Our responsibility is to issue an opinion on the statements based on the audit. We did issue an unqualified opinion this year. That is the highest level that you can receive and it means that the statements are fairly presented in all material respects in accordance with generally accepted accounting principles. We did not issue a management letter this year. She went over the basic financial statement. She highlighted the respective changes in financial position and cash flows, where applicable, thereof and the respective budgetary comparison for the General Fund for the year then ended in conformity with accounting principles generally accepted in the United States.

Following the presentation, Mayor McLean called for a motion of approval.

***A motion was made by Mayor Pro Tem L. A. Hummer, seconded by Councilwoman B. S. Meggs to accept the Comprehensive Annual Financial Report for 2010-2011 as presented. Those voting in favor of the motion were: Hummer, Meggs, Baker, Hill-Lawrence, King, Stimatz and Walton. Against: None. Motion carried.***

### **3} NAMING POLICY FOR PUBLIC PROPERTIES/FACILITIES:**

Mayor McLean called upon City Manager Olson for comments.

Mr. Olson stated staff was charged with formulating a naming policy for public properties and facilities. We have presented a draft policy that we would like the Council to consider. We would like to sit down and go over this policy with you and discuss the items that staff has placed in it. If there are any suggestions or any changes that the City Council wishes to have incorporated into this policy please let us know. The statement itself is roughly three pages. It consists of a policy statement, criteria for consideration, process for consideration and guidelines that would be drawn on. The policy statement basically gives the City Council the sole authority to change the name of any facility within the guidelines of this policy. Criteria for consideration the City Council will consider proposals for naming of city property, a park, public open space, building or an area within a park, open space or building to recognize a person, organization, historical event, geographic location or feature, or a plant or animal indigenous to the Elizabeth City area. The property to be given names or title shall be either owned by the City government or leased by the City of Elizabeth City government for its use. The Council will consider naming of public property for an individual or organization only when the individual or organization has made exceptional contributions to the City and/or the community at large in the form

of money, land, time or overall service to the community. No one living is eligible for this but there are two exemptions. A person who has made significant monetary contribution to the development of a public building or facility when such a contribution is made with the intent and agreement of the City Council until that said building or facility will be named for the contribution and leased property that has been conferred a name by the lessor that is a person's name need not be renamed if it has locational or other value. The City Council designation of the name of a park, public open space, building or an area within a park, public open space or building will only apply to that particular building or tract of land and the name cannot be transferred to another park, public open space or building without being proposed under the formal process outlined in this policy. Once the City liquidates the asset or gets rid of the asset the name no longer goes with the property. The City was the one that gave the name to the property and the individual that we sell it to decides to keep it in that name they may do so. Once we get rid of it then it no longer has that title or position with it. Official names or titles for property belonging to the City shall only be changed by the City Council as it deems appropriate. There is an exemption from the policy and that is the naming of subdivisions. Under the naming of a public building, facility or land may be generated in the following manner: City staff recommendation through an agenda request to the City Council in accordance with this policy. Staff's recommendation shall be made prior to the completion of any project to construct, renovate or develop a property. Consideration of the recommendation shall be made during a regularly scheduled public meeting. Naming initiatives by individual City Council members shall be provided to the City Manager for preparation as an agenda request for consideration by the City Council. The City Council accepts a donation of land, money, materials and/or services by an individual or organization where the donor has stipulated a naming will occur to recognize the contribution. In such situations the agreement is final and the name cannot be changed unless the City Council decides to return the land, money, materials or services to the individual or organization making the contribution or the individual or organization fails to deliver the agreed upon land, money, materials and/or services. Requests from a City citizen or a group of City citizens who wish to recommend the naming of a park, building, public open space or a particular area within a city facility to the Council shall be made in writing to the City Manager for consideration by the City Council. Under the guidelines there will be upon a receipt of the staff report and recommendation during an open meeting, the City Council shall state its intent to consider the adoption of a resolution for naming or renaming of the public building, facility or land at the next or some subsequent meetings as determined by the City Council; and call for a public hearing with proper public notice to hear comments on the proposal or application. The City Council may determine the public building, facility, or land is of significant public interest and may deem it appropriate to hold community meetings in targeted areas to solicit additional public input. Upon approval of

the resolution by the City Council, the public building, facility or land shall bear the name assigned to it from and after the date of the Council action or such subsequent dates as the Council may prescribe. Current names for property belonging to the City shall remain the same unless changed by the City Council upon resolution or change in function of the property. Official names or titles for property belonging to or leased by the City shall be based upon geographical, historical, ecological, functional or other such factors as the City Council deems appropriate. If a geographical reference of locational value is derived from the name of a person, it may be used in named City property. A public building/facility under construction/renovation or land purchased for park development or conservation/preservation will be given a working title that will only become the official title of the property when formally approved as such by the City Council. Leased property naming will respect historical names that may already be attached to the facility or as may be negotiated with the owner of the building. Exceptions to this policy of naming property belonging to the City may be made by the City Council, as it deems appropriate. This policy shall not be construed as the mechanism for selling the permanent naming rights to City structures, buildings, facilities or land. The above is the highlights of the policy. Staff looked at 25-30 different policies from other jurisdictions. The one we presented seems to be the easiest and most functional one to work with but if you want more detail, more specifics we will be happy to do that.

***A motion was made by Councilman J. A. Stimatz, seconded by Councilman R. E. King to table taking action on this item until the first work session in 2012. Those voting in favor of motion were: Stimatz, King, Baker, Hill-Lawrence, Hummer, Meggs and Walton. Against: None. Motion carried.***

#### **4} MEMO REGARDING FISH COURTS:**

Mayor McLean called upon Councilman Stimatz for comments.

Councilman Stimatz asked who has been paying taxes on the property for the last 40-years.

Mr. Morgan responded the property has been listed in the City's name so it has been exempted from taxes.

Mr. Stimatz said that is illegal since we don't own it. You just said we don't have any ownership interest so the County has been carrying it improperly. One would say that the County needs to do something about the back taxes. If they don't do something about the back taxes then put it up for sale and we could buy it.

Mr. Morgan said anyone could or rather the highest bidder could buy it.

Mr. Stimatz asked that the status of the back taxes be researched and brought back to the Council at a later time.

**5} COMMITTEE REPORTS:**

a. Albemarle Economic Development Commission – (Mayor Pro Tem Hummer, Councilwoman Hill-Lawrence and Mayor McLean)

Mayor Pro Tem Hummer stated they will be holding their last meeting for this year next week and at their first meeting in January that will be under new leadership. It is the County's turn for chairmanship.

b. Central Communications Advisory Board – (Councilman Walton)

Councilman Walton stated the Board has not met. We were sent a memo that Ed will be retiring and someone else will be in charge of it.

c. Elizabeth City-Pasquotank County Airport Authority – (Councilwoman Hill-Lawrence)

Councilwoman Hill-Lawrence stated she doesn't have much to report. We just had our meeting and we are still working on the parking lot. Of course you need to see the interior of the building. It is really nice.

d. Fireman's Relief Fund Board – (Councilman Stimatz)

Councilman Stimatz stated they had no meeting scheduled.

e. Joint Land Use Plan Committee – (Councilman Stimatz)

Councilman Stimatz stated an item is on the agenda for tonight's council meeting.

f. Joint Redevelopment Commission - (Councilman Brooks)

Councilman Brooks was absent.

g. North Carolina Eastern Municipal Agency – (City Manager Olson)

City Manager Olson stated at our last meeting we did approve the budget for next calendar year. The budget will be approximately \$719,000,000 for the agency. We also elected two officers to the Board of Directors of Electricities.

h. Solid Waste Committee – (Councilman King}

Councilman King stated he did not have a report.

i. Tourism Development Authority – (Councilwoman Baker)

Councilwoman Baker stated we didn't have a meeting in November.

j. ECDI – (Councilwoman Meggs)

Councilwoman Meggs said we always meet at 8:00 a.m. We had a big meeting the other morning and we discussed our Christmas program that we had last Friday night. She wants to say if you didn't go you missed something really great. She has heard the estimated number of people was 400. She really appreciated the Chief and his department, Karl and his department, Paul and his department, Wayne Harris and our Mayor Pro Tem did a good job of plugging in the lights. We had Encore Theater that presented a wonderful program. The Arts of the Albemarle Center players were terrific. We had groups singing and face painting for the children, Santa Claus at the Arts of the Albemarle, and refreshments at the RBC Bank. We had music by the Mid-Atlantic group and donations for everything that we did. She also wants to thank Tim Williams and his wife for all their hard work. It was just a wonderful downtown Elizabeth City function. She was so proud of it and she thanks Rebecca for all she did. The Christmas parade will be held on December 3<sup>rd</sup>.

k. Water Committee – (Councilwoman Baker, Councilman King and Councilman Walton)

Councilwoman Baker stated that we don't go to that committee meeting any more.

l. Chamber Board – (Councilwoman Meggs)

Councilwoman Meggs stated we had the meeting last Tuesday morning. The new officers were installed and at this time she does not have the list of them.

m. Youth Task Force – (Councilman Walton)

Councilman Walton stated they have not met.

n. Storm Water Drainage Task Force – (Councilman Stimatz)

Councilman Stimatz stated we just passed the resolution adopting the report and recommendations and we will be putting an advisory group together and getting started next year.

o. Finance Committee – (Mayor Pro Tem Hummer)

Mayor Pro Tem Hummer stated the Finance Committee has not met since the last Council meeting.

p. Personnel Committee – (Councilwoman Meggs)

Councilwoman Meggs stated they have not met.

q. Parks and Recreation Advisory Commission – (Councilman King)

Councilman King stated he was unable to attend the last meeting.

r} Alleyway Committee – Mayor Pro Tem Hummer

Mayor Pro Tem Hummer stated they had a meeting last week and we went on a field trip where we actually walked the alleyways in the Fourth Ward. We have plans to take a field trip for the other three Wards as well. To get a handle on the alleyway situation will take some time as the process is very long.

**6} ADJOURNMENT:**

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

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

Mayor McLean adjourned the meeting at 6:30 p.m.

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Dianne S. Pierce-Tamplen, MMC  
City Clerk

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Roger A. McLean  
Mayor