

**City Council Regular Session  
April 10, 2023**

The City Council of the City of Elizabeth City met in regular session on Monday, April 10, 2023 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 E. Kirk Rivers  
Mayor Pro Tem Kem Spence  
Councilman Johnson Biggs  
Councilman Joe Peel  
Councilwoman Rose Whitehurst  
Councilman Jarvis Gibbs  
Councilwoman Katherine Felton  
Councilwoman Barbara Baxter  
Councilman Johnnie Walton

MEMBERS ABSENT: None

OTHERS PRESENT: City Manager Montre' Freeman  
City Attorney Bill Morgan  
Electric Department Donnell White  
Interim Chief of Police J. Phillip Webster  
Deputy Chief of Police James Avens  
Human Resources Director Montique McClary  
Fire Chief Chris Carver  
ECDI Director Debbie Malenfant  
Finance Director Alicia Steward  
Assistant Finance Director Brian Lewis  
Interim Community Development Director, Reggie Goodson  
Public Utilities Director Dwan Bell  
Parks and Recreation Director Sean Clark  
Grants Management Specialist Jon Hawley  
IT Director Matthew Simpson  
IT Systems Analyst Pedro Holley II  
City Clerk April Onley

The City Council regular session was called to order by Mayor Kirk Rivers at 7:00 p.m. Mayor Rivers welcomed everyone to the meeting and recognized Councilman Gibbs to provide the invocation, after which Councilman Biggs led the Pledge of Allegiance.

**1. Agenda Adjustments and Approval:**

Mayor Rivers requested the Council's pleasure regarding approval of the prepared agenda.

He asked that the Council add an item to the agenda for the presentation of the state bill for housing by Representative Ward. He asked that they formally move the minutes from the consent agenda and make those their own items under their own header on the agenda. Councilman Gibbs asked to make the Church and Pritchard Street item a discussion on the regular agenda.

**Motion was made by Mayor Pro Tem Kem Spence, seconded by Councilwoman Katherine Felton to approve the agenda as amended. Those voting in favor of the motion were: Biggs, Peel, Gibbs, Whitehurst, Spence, Felton, Baxter and Walton. Against: None. Motion carried.**

**2. Proclamations:**

**a. Record Store Day;**

Mayor Rivers said it was always great to have new and unique businesses come into our downtown and thrive. He announced that we have a store in Elizabeth City known as Shut Up and Listen selling vinyl now and we have a proclamation that we'll be presenting him this evening. The store's proprietor, Mr. Blades thanked the Council for the proclamation and the

support. He said they were excited about Record Store Day and the block party he'd be having along with it. They were expecting about \$5,000 worth of limited edition albums, food trucks and live music and he hoped everyone would be able to come down and join them, even if they weren't music lovers. The store opens at 8:00 a.m., but people often start lining up extremely early, some go so far as camping out so he was expecting a fun event.

***PROCLAMATION***  
***Record Store Day***  
***April 22<sup>nd</sup>, 2023***

***WHEREAS***, the inaugural Record Store Day was held in 2007 to celebrate the culture of the independently owned record store; and

***WHEREAS***, it is a day that brings together fans, artists, and thousands of independent record stores around the world; and

***WHEREAS***, a number of records are pressed specifically for Record Store Day, with a list of releases for each country, and are only distributed to shops participating in the event; and

***WHEREAS***, the event has been heralded as "the single best thing that has ever happened for independent record shops" and as such, having one's application recognized and accepted to become a participant in Record Store Day is quite an achievement; and

***WHEREAS***, the City of Elizabeth City is honored to have a veteran-owned record store, Shut Up and Listen, located in our bustling downtown, and excited to announce that they are a recognized Record Store Day participant and will be taking part in the worldwide event on April 22<sup>nd</sup>.

***NOW THEREFORE***, I, E. Kirk Rivers, Mayor of Elizabeth City, do hereby proclaim the 22<sup>nd</sup> day of April as Record Store Day and hereby encourage all citizens to join in on the festivities at Elizabeth City's Shut Up and Listen.

***IN WITNESS WHEREOF***, I have hereunto set my hand and have caused the Seal of the City of Elizabeth City to be affixed this 10<sup>th</sup> day of April 2023.

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E. Kirk Rivers  
Mayor

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April D. Onley, NCCMC  
City Clerk

**b. GFWC-NC Elizabeth City Women's Club;**

Mayor Rivers requested that Bobbi White and Rhonda Watts come forward to receive the proclamation. Mrs. White thanked the Council on behalf of the Women's Club. They have been a club for 100 years as of January 17<sup>th</sup> 2023, which is amazing. There were many things in Elizabeth City that would not have existed without this club, including our original library and some of our crisis centers.

**PROCLAMATION**  
**GFWC-NC ELIZABETH CITY WOMEN'S CLUB**  
**FEDERATION DAY ~ APRIL 24, 2023**

**WHEREAS**, the General Federation of Women's Clubs of North Carolina was founded in 1902 as a statewide charitable organization, dedicated to the improvement of the communities in which they serve. With approximately 150 clubs and 4,000 members, this state-wide federation contributes thousands of hours of volunteer service and over \$1 million to North Carolina each year; and

**WHEREAS**, the GFWC-NC Elizabeth City Woman's Club is a member of the General Federation of Women's Clubs of North Carolina and the General Federation of Women's Clubs, the world's largest organization of volunteer women; and

**WHEREAS**, the GFWC-NC Elizabeth City Woman's Club is a volunteer service organization that has been actively serving our community for over 100 years, providing crucial support for cultural, educational, health and other issues of importance to women, children and families.

**NOW, THEREFORE**, I, E. Kirk Rivers, Mayor of the City of Elizabeth City do hereby proclaim April 24, 2023 as **GENERAL FEDERATION OF WOMEN'S CLUBS DAY** in Elizabeth City and encourage all our citizens to recognize and honor the countless contributions made to our city by the volunteer members of the GFWC-NC Elizabeth City Women's Club.

**ADOPTED** this the 10<sup>th</sup> day of April, 2023.

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E. Kirk Rivers  
Mayor

*Attest:*

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April D. Onley, NCCMC  
City Clerk

Mayor Rivers stated that he did not formally add this next item to the agenda because he wasn't sure when a firefighter would be able to join us or would have to leave as they're always on call and things can happen at a moment's notice. He displayed the City's first bowling trophy, which was achieved thanks in large part to fire department personnel. They had recently won first place in the Chamber of Commerce's St. Patrick's Day bowling competition. The team consisted of Deputy Chief Avens, Deputy Fire Chief Brooks and Jonathon Nixon and Terrence Riddick, among others. He presented those in Chambers with medals for their win. He thanked them for representing the City so well.

**3. Approval of Minutes:**

**a. Consideration – Approve March 13, 2023 Regular Session Minutes;**

**Motion was made by Mayor Pro Tem Kem Spence, seconded by Councilman Joseph Peel to approve the minutes with any necessary corrections. Those voting in favor of the motion were: Biggs, Peel, Gibbs, Whitehurst, Spence, Felton, Baxter and Walton. Against: None. Motion carried.**

**b. Consideration – Approve March 27, 2023 Work Session Minutes;**

Motion was made by Councilman Johnnie Walton, seconded by Mayor Pro Tem Kem Spence to approve the minutes with any necessary corrections. Those voting in favor of the motion were: Biggs, Peel, Gibbs, Whitehurst, Spence, Felton, Baxter and Walton. Against: None. Motion carried.

c. **Consideration – Approve March 27, 2023 Regular Session Minutes;**

Motion was made by Councilman Johnson Biggs, seconded by Councilman Javis Gibbs to approve the minutes with any necessary corrections. Those voting in favor of the motion were: Biggs, Peel, Gibbs, Whitehurst, Spence, Felton, Baxter and Walton. Against: None. Motion carried.

**4. Comments from the Public:**

Mayor Rivers inquired if there were any persons who wished to speak before the Council. The Clerk advised that there was one write-in and asked if the Mayor would like it read into the record. The Mayor said that they would allow it.

*(Clerk's Notation – As is the practice with write-in comments, it is included in full for the record)*

**R. Michael Cox – 109 Persse Street, Elizabeth City, NC** – “In discussing speed bumps in October 2021 a councilman stated “since these are temporary, could we possibly do speed humps like we have at Enfield Park for a more permanent solution?” At that same meeting the Public Works Director “stated that these will suffice for a temporary solution, but are not meant to be permanent.” These are direct quotes from City minutes. It was also stated these speed bumps would bring traffic down 5-10 mph. While I’m not certain, there is likely not another government in North Carolina that has placed this type of speed bump on public streets. The City’s policy states this type of speed bump is “[typically used on private property for speed control-parking lots, apartment complexes, private streets and driveways” and “will slow vehicles to 5 mph or less” yet they are on streets listed as 25 mph. These speed bumps are damaging to vehicles. Let’s not forget the city violated its own policy by installing the speed bumps. Although past council made the decision, this council can correct the violation. I’ve heard many excuses and the latest being expense. The city has a multi-million-dollar budget and can properly address the issue. Please remember, I’m not asking for a favor; I’m asking you to follow your word and your policy. Please remove the speed bumps and consider more logical alternatives. Thank you. R. Michael Cox”

**5. Consent Agenda:**

Mayor Rivers read the Consent Agenda items into the record, as follows:

a. **Consideration – SCIF Curb Ramp Contract;**

**ORDINANCE # 2022-04-01  
CURB RAMP RETROFIT PROJECT  
CAPITAL PROJECT ORDINANCE**

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

**I.** The project authorized is the Curb Ramp Retrofit Project.

**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.

**III.** The following revenue is anticipated to be available to complete this project:

[10-3490-5601] OSBM (State Capital and Infrastructure Fund) \$250,000

**IV.** The following amount is appropriated for project expenses:

[10-5600-7303] Construction

\$250,000

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 10<sup>th</sup> day of April, 2023.

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E. Kirk Rivers  
Mayor

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April D. Onley, NCCMC

City Clerk

This amendment is to accept a \$250,000 appropriation through the State Capital and Infrastructure Fund for sidewalk improvements/curb ramp retrofits. The grantor is the Office of State Budget and Management. (Rev. 10-3490-5601, Exp. 10-5600-7303)

**b. Consideration – LDG Contract for Downtown Street Improvements;**

**ORDINANCE #2022-04-02  
DOWNTOWN STREET IMPROVEMENT PROJECT  
CAPITAL PROJECT ORDINANCE**

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

**I.** The project authorized is the Downtown Street Improvement Project.

**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.

**III.** The following revenue is anticipated to be available to complete this project:

[10-3490-5602] LDG-NCDOC (Legislatively Directed Grant, NC Dept. of Commerce)  
\$250,000

**IV.** The following amount is appropriated for project expenses:

[10-5600-7303] Construction \$250,000

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 10<sup>th</sup> day of April, 2023.

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E. Kirk Rivers  
Mayor

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April D. Onley, NCCMC

City Clerk

This amendment is to accept a \$150,000 Legislatively Directed Grant from the NC Dept. of Commerce for support of ECDI. The proposed use of funds is street infrastructure and lighting, making Public Utilities the appropriate department/fund to oversee it. (Rev. 10-3490-5602, Exp. 10-5600-7303)

**c. Consideration – Acceptance of Sentara Gift for Pickleball Courts;**

Sentara Healthcare has awarded a \$30,000 grant to the EC-PC Parks and Recreation Dept. to support construction of pickleball courts. Funding is proposed for placement in a revenue line pending additional funds from other sources. (Rev. line 10-3490-6208, Exp. line 10-6200-7401.)

**d. Consideration - Submission of Preliminary Grant Application for COPS Law Office Mental Health and Wellness Act;**

**e. Consideration – Call for a Public Hearing – Rezoning RZ 03-23;**

Mayor Rivers requested the Council's pleasure on the Consent Agenda.

**Motion was made by Mayor Pro Tem Kem Spence, seconded by Councilwoman Katherine Felton to approve the consent agenda. Those voting in favor of the motion were: Biggs, Peel, Gibbs, Spence, Whitehurst, Felton, Baxter and Walton. Against: None. Motion carried.**

**6. Regular Agenda:**

**a. Presentation – State Housing Bill – Representative Ward (As Added During Agenda Adjustments);**

Representative Ward advised that several weeks ago, he'd attempted to have a local bill drafted for minimum housing standards and rental housing inspections. Upon review, the bill was in violation of the state constitution because it dealt with health nuisances amongst other things. He was provided with a copy of a state law, which he then distributed to the mayor and members of the Council. The bill drafting division has drafted a new public bill that has already been filed. The first reading on the floor will be Thursday. It will then be assigned to a committee and then come back for a vote. It is entitled "Rental Inspections" and meant to address health and safety concerns. It would allow local governments to perform inspections based on complaints for both single-family and multi-family dwellings. He believed it would enable us as a City to enforce minimum housing standards. He advised that there are punitive measures in the bill. One of which is that the local government may level a fee for properties that have more than two violations within the past 12 months.

Mayor Rivers thanked Representative Ward for everything he's attempting to do for our City. Representative Ward said this is the hometown and everyone needs to be represented equally across the board. Councilman Walton asked how many votes would we need to have this confirmed? Representative Ward said it would need a maximum of 2/3rds of the House for approval. Once approved there, it would go to the Senate for review, where they can accept as is or change. Then it goes back to the House for final approval. It could pass with 66 votes out of 120. Mayor Rivers noted that he had received a copy of the bill, which he would give to the City Clerk to make copies of to get to the full Council. He said he did not find the bill to be intrusive unless you are acting like a slum lord and not acting on problems in a timely manner. Representative Ward explained that it will allow inspectors to make recommendations for corrections. The owner would have a specified period of time to make corrections. If they ignore the inspector's recommendations and are found in violation again, punitive measures could be taken at that point. Councilman Walton asked if this had been a hot conversation? Representative Ward said this bill specifically had not, but when trying to file the local bill, there was much conversation and not a lot of support. He felt there would be support for this though, as all across the state there are issues with substandard housing. He believed this bill would be able to pass. Councilman Walton asked when it would be re-presented if it passed? Representative Ward replied in the short session. Councilwoman Baxter thanked Representative Ward for his work.

**b. Discussion / Consideration – Woodstock Apartments Bond Inducement;**

Attorney Morgan introduced Kristen Kirby of McGuire Woods. He advised that the company is proposing to purchase 206 units at Woodstock. They are proposing to obtain tax-exempt bonds from the finance agency. What would make them tax exempt is the City would be the conduit for the bonds. The City would have no financial obligation whatsoever. He asked Ms. Kirby to provide a brief overview of the project. Ms. Kirby advised that the proposed issue is to finance the acquisition and rehabilitation of Woodstock 1, 2 and 3. By financing this with tax exempt bonds, it ensures that the housing remains low income for many years. The developer is requesting an inducer resolution, which shows that the City is willing to serve as the bond inducer, which is required by the agency. If they are approved for the bonds and tax credits, they will receive them sometime in August. The bonds are not a debt of the City. They do not affect the legal debt limit or ratio. Any cost the City has related to the bonds, including counsel fees will be covered by the developer.

**Motion was made by Mayor Pro Tem Kem Spence, seconded by Councilman Joseph Peel to pass the inducement resolution. Those voting in favor of the motion were: Biggs, Peel, Gibbs, Whitehurst, Spence, Felton, Baxter and Walton. Against: None. Motion carried.**

**c. Consideration – Call for a Public Hearing – CVCC Closeout;**

**Motion was made by Councilwoman Katherine Felton, seconded by Mayor Pro Tem Kem Spence to call for a public hearing on April 24, 2023 during the 7:00 p.m. Regular Session.**

Councilman Walton asked if it was correct that there was some funding that was not spent with this? Mr. Hawley said that was correct. The grant had two categories of funding. The entire grant was \$765,000. The primary was \$725,000 for the actual assistance itself. We were able to successfully spend down all of the funding for assistance. As we got towards the end of the program in mid-February, it became clear that our sub-recipients were not going to be able to exhaust all of the administrative funds. When they got to the end, there was about \$1,800 that they were not able to claim. That could have been helpful to a household, certainly. When we realized that all of the admin was not going to be used, we did ask if it could be rolled into the assistance fund, but the Department of Commerce advised that the process would have taken too long to convert the admin funding into assistance funding because we were working against a deadline of mid-March to obligate all the funds. There was also a question about some “fairness” or confusion that may occur if we froze the program and then reopened it for maybe one household. Councilman Walton said his personal opinion was that we should never send money back to the state. He asked if the next grant could include that if things have not been ironed out in a certain timeframe, it should revert back to citizens. He noted that \$1,800 is a lot of money to some people. Mr. Hawley agreed. Councilman Walton asked if a different closure to the grant was written, could it help? Mr. Hawley said if the City ever received assistance like this again, he hoped it would be something slightly more lenient than CDBG funding because although it’s a fantastic program, there’s a lot of red tape involved so our hands are tied in many ways. There wasn’t much we could do before coming up on deadlines

**Those voting in favor of the motion were: Biggs, Peel, Gibbs, Whitehurst, Spence, Felton, Baxter and Walton. Against: None. Motion carried.**

**d. Consideration – Request to Apply for Historic Preservation Fund Project for Old Oak Grove;**

**Motion was made by Councilman Johnson Biggs, seconded by Mayor Pro Tem Kem Spence to authorize the application. Those voting in favor of the motion were: Biggs, Peel, Gibbs, Whitehurst, Spence, Felton, Baxter and Walton. Against: None. Motion carried.**

**e. Update –Report from Pritchard Street Meeting;**

Councilman Gibbs noted that prior to the traffic study on Pritchard Street, the original focus had been on Church Street, which had kind of evolved. He’d been out there numerous times watching people speed, trying to beat the light. Church Street started the conversation, but it

migrated to Pritchard. The traffic study of Church has been done, but Chief Webster will present on Church and Pritchard. Chief Webster said the residents of the 100 and 200 block of Pritchard Street made them aware of their traffic concerns. A traffic analysis was conducted from March 9<sup>th</sup> to March 16<sup>th</sup>. Those results were presented on March 27<sup>th</sup>, after which the PD was directed to conduct a community meeting. Officers walked the area and handed out notices of the meeting. They conducted the meeting at Pete Hooker Park. Six community members came to the meeting, all of who spoke in favor of the traffic calming measures. Staff recommends installing speed humps or lumps on Pritchard Street, in accordance with our traffic calming policy. He also recommended the installation of the appropriate signage and striping. The project would be reassessed in six months to determine the effectiveness of those measures.

Councilwoman Whitehurst asked if he was requesting humps or lumps? Chief Webster said either humps or lumps, but not bumps. Councilman Peel asked what was on Church Street? Director Bell said those were humps. Councilwoman Whitehurst said she felt the pictures in our policy showed those as bumps. She felt that if we were going to follow our policy, we needed to adhere to the whole things, including the pictures, as they were very clear.

Mayor Pro Tem Spence said the speed humps and lumps had different degrees of elevation or rise. According to what we purchased, we technically had humps and we had those on hand now. Within our policy, what we'd placed on Church Street were humps. Councilwoman Whitehurst disagreed. Mayor Pro Tem Spence said the humps and lumps were better for emergency equipment than the bumps because emergency equipment is able to straddle it. He noted that our policy is black and white and we have to go by it.

Councilwoman Baxter asked about the speed limit. She noted that it was 25 mph on Pritchard and wasn't sure what we'd need to do to get it to be lowered. She suggested bringing the speed limit down lower for the street and said she definitely agreed with the idea of lines.

Mayor Rivers asked what was installed in Enfield Park? Director Bell said he didn't know what it was titled when installed, but to him, it was more of a lump or a traffic table because it was a lot wider than a normal lump. Mayor Rivers asked what the normal dimensions of lumps and humps were within our policy. Our policy has already been passed so we have to stick with whatever is in there and we can see what the difference is. Chief Webster said a speed bump is a raised surface with a height of three or six inches. A hump is the pavement being raised and cannot be used in roads that are primary access routes. He said he believed that's what was in Enfield. Our policy does not reference specific height as far as humps are concerned. Lumps are a modified humps, which have openings added to accommodate emergency vehicles. There are no listed dimensions. He pointed out that the only listed dimensions are for bumps, which are three and higher. Director Bell said what we've proposed to put down are 2 ¼ raised.

Councilman Gibbs said he just wanted to bring some relief to the area. The citizens have come and told the Council about their fears. We need to put something down and we don't need to be sorry we didn't do something when we could have. Something needs to be done on Pritchard Street from Church Street to the light as well as the cut-through on Pritchard. It all started from speeding on Church and has now swelled to the traffic on Pritchard. He didn't want the Council to haggle over the words. His opinion on the emergency vehicles was that he felt they'd stay on the main roads for the most part. He didn't see them cutting down side roads.

Councilwoman Whitehurst said she agreed, but it was important to note that we've created a well-defined policy and we must follow it.

Councilman Walton said going by 7-11 onto Church is where you get the most speed. He asked if we could maybe put a warning sign by the 7-11 on the south side, as someone might not know that the speed has changed. Sometimes you get used to doing something and don't know it's changing. Then if they don't do anything about that, maybe we place a police "trap." If we write up a few tickets, it'll change the whole atmosphere of that location.

Councilman Peel said he felt that what Councilman Walton suggested would work. He'd gotten a ticket when he was mayor on Edgewood because he wasn't aware of the speed but he was definitely aware after it happened. He said he didn't know what the answer was, but if we put the speed humps/bumps/lumps down on Pritchard, what's next? Where does they traffic go



then? Harrell? Do they go down Main another block and then down Ashe? Chief Webster said he felt that Pritchard was uniquely positioned for a cut-through.

Mayor Rivers said he thought Harrell might be next, but it's that stoplight that gives you a left turn, where if you go to Harrell you have to go across the traffic. Councilman Peel said it really depends on which direction you're coming from. Mayor Rivers said he supposed that we'd find out.

Councilwoman Felton said that Chief Webster has the policy and he's making sure we go by it, regardless of the terminology. Manager Freeman said we're under the three inches and we're covered by the policy. If we need to remove the picture, we can do that, but the Council will have to direct him to do that. Mayor Rivers said he felt the pictures should correlate with what the policy has. Mayor Pro Tem Spence said the problem on Pritchard wasn't the speed, but it was the volume. Almost 11,000 cars went through it. It's a cut-through and it's a ton of cars all the time.

**Motion was made by Mayor Pro Tem Kem Spence to move forward with the recommendation to put the speed humps down that are in stock on Pritchard Street, seconded by Councilwoman Felton.**

Councilwoman Whitehurst asked if we should consider making it a one-way? Mayor Pro Tem Walton said that was a determination for after this study. Mayor Rivers said right now, we're just looking at putting down speed humps on Pritchard Street in accordance with our traffic calming policy. Councilwoman Whitehurst asked if we can see a picture of this because she thought they were supposed to look like what's behind Enfield. Mayor Rivers said he believes they're going to be just like the ones on Church Street. Director Bell confirmed that would be correct. They ordered humps for Church and Main because they did not want to cause damage to vehicles. It's often said they're not adequate for streets, but he was in Maryland recently and saw the same ones there. You do have different widths for them, and maybe that's what is missing from the policy. He felt that what's at Enfield is a traffic table, which is a gradual raise and a gradual incline. He pointed out that he gave the asphalt prices some time back for regular speed humps, which were very high, so these current ones were decided on.

Councilman Gibbs said we've addressed Pritchard, but now we're back to West Church Street. Mayor Rivers said we have to follow the process for that one. Manager Freeman said what we have done is temporary and this was part of the process. We do have a study for West Church Street, so the only thing to do there is to have a community meeting and we can move forward.

Councilman Biggs said he didn't disagree that something needed to be done because if he lived there, he'd be very concerned. He didn't want to get into the debate of whether it should be bumps, lumps or humps. The majority of the complaints he received about Church and Main right now regarded the material and that people were concerned they had to come to a complete stop in order to go over. He said he had not personally seen anything like them other than in a parking garage. He was willing to do them on a temporary basis as long as we were willing to look at something in a different material at some point. He'd seen speed tables or the elongated ones in other municipalities that don't give you that jolt and there's a big difference.

Councilman Walton called for the question. Mayor Rivers redirected the Council's attention to the motion on the floor.

**Those voting in favor of the motion to move forward with the speed bump installation on Pritchard Street were: Biggs, Peel, Gibbs, Whitehurst, Spence, Felton, Baxter and Walton. Against: None. Motion carried.**

Mayor Rivers asked for their opinion on West Church Street. Manager Freeman advised that the next step would be to hold a community meeting. Mayor Pro Tem Spence said he believed that most of the people who came last time to speak during the public hearing were from Church Street. The Chief needed to give people notices about the community meeting. Mayor Rivers said as long as there was a community meeting that should be okay. Chief Webster said they conducted a traffic study in 1200-1300 West Church Street. The portion of West Church Street intersects with multiple residential feeder streets. It handles a great volume of traffic. They started at March 20<sup>th</sup> and continued through March 27<sup>th</sup>. The data revealed the speed limit of 25 with an average speed of 28. The 85<sup>th</sup> percentile was 32 mph. Total vehicle count was more

than 21,000. Average daily peak time was 11-12 a.m. and 4:00-5:00p.m. Small vehicles-121, medium - 20,868 and large - 325. Chief Webster noted that large vehicles are primarily trucks. After reviewing data, they concluded there are two issues. Most vehicles operators go 7 mph over the speed limit, which would get a warning ticket. Volume is the primary concern. This street appears to be used as a main thoroughfare for downtown traffic. The traffic calming policy indicates the same treatments, which is speed humps and lumps for the area.

Councilwoman Whitehurst said volume is the greatest issue. If you put what's on Church Street on those streets, people will not want to go down those streets, so that should take care of it. Our volume may continue to grow though, as we're growing. Chief Webster said he'd hope some of it would deter some of the cut-through residential traffic. Councilman Peel noted that 7 mph when you're only supposed to be going 25 mph is considerably faster than you should be going. He suggested Chief Webster have that conversation with the DA to encourage more than just warnings for that.

Chief Webster noted that staff is recommending speed humps or lumps again in this situation. Mayor Rivers asked how many? Chief Webster said they haven't looked into that yet. They have to ride the area and get a good estimation on how many they need and where they should go.

**Motion was made by Councilman Javis Gibbs to move forward with the policy to hold a community meeting and then follow through with implementing traffic calming measures. The motion was seconded by Mayor Pro Tem Kem Spence.**

Mayor Rivers noted that we didn't need a motion to direct the PD to conduct the public meeting. Councilman Peel said what we're really talking about is just extending what's on Church Street past Griffin Street, so they're going to need several speed humps most likely. Manager Freeman said they'd hold the community meeting and then move forward with the information.

Mayor Rivers asked when they'd be installed on Pritchard? Director Bell said they were ready to move forward now.

#### **f. Discussion – Trash Amnesty;**

Mayor Rivers said with the summer coming up, we want to make conservative efforts to get volunteers and encourage communities to clean up. He felt the best way to begin was to start with trash amnesty, which would be you could put anything at the curb within a week or two-week period, as long as our landfill would receive it, and we'd pick it up. Neighborhoods may have some things that they think they can't put out to be taken away, but we'll get rid of them. Any kind of clutter, we'll pick it up for a week or two. Director Bell said it takes about two weeks to do the entire city, where it used to take about three days because we've grown.

Councilwoman Felton said she felt it was an excellent idea and she recalled that they used to do it. She asked if Director Bell would be able to schedule his staff to handle so much additional pickup? Director Bell said once the dates were identified, they'd let staff know the focus would be more on pickup than some of the smaller things for those few weeks. They'd need all hands on deck during that period. They would include everything that could not be picked up so people would be aware because there are some things the landfill will not accept. Mayor Rivers said the key is to get rid of everything we can. He planned to do a live on Channel 11 to tell everyone what cannot be picked up. He hoped it would kick-start a clean city push to keep the city beautiful. Director Bell said we normally don't pick up some things like tires and metal and construction materials, but if we did an amnesty week, we'd take it as long as the landfill would. Mayor Rivers asked for a consensus of the Council to move forward with an idea like this, and the Council agreed.

#### **g. Discussion – LGC Letter;**

Mayor Rivers asked Manager Freeman to share an update. Mr. Freeman said about 30 minutes ago, he received notice that the 2020-2021 audit had been officially submitted to the portal. He said it'd been tough, but two of the three things he promised when he got here had now happened, including catching up the bank reconciliations and getting the first of the audits completed and submitted. He expected four to six weeks on getting the next audit completed

and hopefully we'd have the current one completed within the next 10 months. He felt that even though much of our team is young, they are committed and dedicated. Mayor Rivers said one audit down, and hopefully we'll have the second one sometime between June 1<sup>st</sup> through June 15<sup>th</sup>. He noted that staff was working well together to provide everything as quickly as possible. We are on the UAL and we wanted to get off of that. Our audits have been late since 2017, so this is not new. We cannot be late on our first official audit, 2023. By October 31<sup>st</sup>, audits must be in and we are determined to get that in when it needs to be. He thanked the Council for their quick decisions and commitment to move the city forward and for listening to one another. He did not believe in picking a fight with the state treasurer. He did let him know this would be on the agenda as an update and we are going to work together even when we have differences.

Councilman Peel noted that two meetings ago, we'd discussed whether we were going to upgrade the Raftelis study or go with Rural Water – did you ever get a price? Mr. Freeman said Raftelis would be \$25,000. Rural Water wouldn't be able to get to us before December at the earliest, but they did not provide a total. Councilman Peel asked that to be on the next agenda for work session. He noted that we'd gotten a document of suggested changes for our collection policy and haven't really heard anything back. He felt that we needed to begin to address that and begin to take some action there as well. Mayor Rivers said we sent one that was 40 pages or so and then there was a second one. Councilman Peel said he thought it was the same document, but it took us forever to get through the first few pages. He felt that staff would need to go through that. Manager Freeman said staff had gone through what they were sent and addressed every single item and sent it back to Deputy Treasurer Edmundson. Some of the things they red-lined were incorrect and some we were already doing. He said he would make the presentation and Council could adopt it if they wanted to go ahead and do that as well. Mayor Rivers advised that this would be on the next work session as well.

Mayor Rivers asked if the Council was available to have the audit presentation tomorrow evening or was that not a good day? He'd guess probably 5:30 or 6:00 p.m. Councilwoman Felton said tomorrow would not work for her. Councilman Gibbs said it was not good for him either. Manager Freeman said he would get some additional dates and maybe we could have it coincide with a budget session.

Mayor Pro Tem Spence said it's been a long journey and we've got a long way to go, but he urged staff to trust the process and keep going. People will keep coming after you and a lot of it's personal and people being mean. He promised that if everyone keeps doing what's right, that will help you stand against anything they can do to you. Councilman Walton said it took so long to get this part of this process going, we need to get the presentation going as soon as we can. He opined that if you adjust to everyone, it could take forever. Mayor Rivers said a 24-hour turnaround time, that's probably too quick. He asked the manager to get in touch and give us some dates, maybe Monday or Tuesday of next week and we can see what's going on from there and let you know in the next 48 hours or so.

#### **h. Consideration / Discussion – Budget Calendar;**

Mayor Rivers advised that the first budget calendar listed tonight as the manager's budget presentation. He asked that the manager's presentation be moved to April 17<sup>th</sup> at 5:00 p.m. He asked that the current sessions originally adopted be kept, aside from adding April 17<sup>th</sup> at 5:00 p.m.

**Motion was made by Councilman Johnson Biggs, seconded by Councilwoman Katherine Felton to adopt the original budget calendar with the additional date of April 17<sup>th</sup>. Those voting in favor of the motion were: Biggs, Peel, Gibbs, Whitehurst, Spence, Felton, Baxter and Walton. Against: None. Motion carried.**

#### **i. Discussion – Living Conditions (As Requested by Councilwoman Baxter);**

Councilwoman Baxter said she wanted to make the City and Council aware that we still had a lot of issues going on throughout the city. In some areas, we still have residents with low oxygen levels. We have children about to take EOGs who are suffering from poor health conditions because of this. She urged that we do not let the fire burn out. She did not want Rivers Landing to be the only place that we hold to the fire. Some tenants are afraid to come out and speak. She said she witnessed someone in a full contamination suit just to be able to go into their

home. The environmental specialist was on the property and very concerned about Ms. Hunter's property. The only way some people care is when you hit them in their pockets. Many of these places get subsidies from the government and are major complexes. Herrington Village has over 300 children. Walkers Landing was remodeled 10 years ago and the ceilings should not be falling in. There shouldn't be mold everywhere. It's worse over there than Rivers Landing. Until we can get something moving like we did with Rivers Landing, I will stand firm to my word and keep putting this on the agenda. We have to come together as a community and a Council and get something done. She said she had reached HUD and they had no idea what was going on, even though people had been sending complaints. The representative was out of Atlanta, so she couldn't just make a trip up. Many of the people in the HUD office were working from home during COVID. If you're not visiting them in person, you're not going to get anywhere. She said she did get in touch with them and they're doing what they should be doing now. She thinks we can tackle it now because they're subsidized. She asked Manager Freeman if he knew when there might be a good time to have another task force meeting. Manager Freeman said he'd spoken with Councilwoman Felton because Walkers Landing was in her ward. He'd pushed it back a bit to concentrate on the budget, so he was shooting for June. He was thankful for the report from Representative Ward. They have started the conversations and he will be keeping her abreast of how it's going.

Mayor Pro Tem Spence said he and Councilwoman Felton had met with all the managers of the complexes in the third ward except for Walkers Landing. He'd called several people there. The manager is out of Edenton and they're helping Walkers Landing, but just with rentals, not maintenance. The lady he called was out due to a death in the family. He'd called the corporate office several times and received no response. When he called the lady back who was helping to manage the place, they didn't know what to tell him because they didn't have anything to do with the maintenance. They did talk to Woodstock, Southgate, were shown mold tests and gave them suggestions on how to better test. They cannot get a response from Walkers Landing though. He noted that no one knew they were coming. They just showed up and let them know what the City was expecting and everyone, minus Walkers Landing, had been very kind and helpful.

Councilman Biggs said he was assuming Walkers Landing had a lot of HUD participants. He noted that Congressman Davis had been great about being in Elizabeth City since he was sworn in. He asked if there was anybody that he could go meet with the next time he was here. Seeing it yourself is worth more than anything. He mentioned that Representative Ward used to be a deputy sheriff and knew how rough some of the rentals were on the youth and the elderly. If you haven't seen it firsthand, it may not be as impactful. I didn't know this was going on until I got on Council. When Councilwoman Baxter started sharing pictures, it was mind-boggling that people were living in these conditions. Now that Congressman Davis has had some time to get into his new role, maybe there's someone he can reach out to. Mayor Rivers asked if the City Manager would email Representative Davis to find out when he'd be in town. Councilman Biggs suggested that Mayor Rivers reach out to him.

Councilman Peel said he was going to make similar suggestions. If you can find out who in HUD you need to contact, we have travel money in the budget and this would be a fine use of it. Councilman Biggs noted that they have way more money and they can come to us. Councilman Peel said the photos are extremely moving and we need to get them in front of people.

Councilman Walton said he felt the Rivers Landing project was successful was because of a process spearheaded by the manager. If you see it, you have to believe it. If you have contacts and the right people, go through the proper chain of command, things have a chance of working. He agreed that we should try to get Congressman Davis involved. They may not listen to every single random person, but if the right people put the work together and work in the same direction, it's hard to beat a team. You can't pick and choose who does something; you need a strategic process and then you let it work. He asked Mr. Freeman about the process he went through with Rivers Landing. Mr. Freeman said he'd been allowed to create a housing task force, which included the mayor and Councilwoman Baxter, amongst other people. They provided some legal grounds on how we could fight it, but there were also some other efforts that happened behind the scenes. He suggested we go about it the same way again. The next step now is to come back with the task force again except now Walkers Landing is the new Rivers Landing and we'll see if there's anyone on that task force that can do anything in that area. He doesn't want anyone to do anything outside of their spectrum, but there's a team effort

and now Tina Cannon of DMS has also been added. He said he appreciated Mayor Pro Tem Spence and Councilwoman Felton for also identifying Walkers Landing because we don't have the manpower to identify all of the places not being kept up to par. Councilman Walton said when he went to Rivers Landing, back when it was Herrington Village, he was ordered off the property years ago. He noted that we had a process and we should follow it through. If everyone on the team will do their job, it will be successful.

Councilwoman Baxter said she hated having debates, but every time she said something, it seemed like it was always getting downgraded. She said there was a plan in place and there was a plan in place before the manager came. Yes, he put a task force in place, but pictures don't mean anything until you go to the places themselves. She noted that we had councilors who were on the Council before and she didn't know what the issue was but felt they kept putting her somewhere and acting like she's a one-man team and she's not. There have been a lot of people behind the scenes that have helped along the way. She said she was not taking anything from the city manager, but every time this comes up, her contributions are taken away and given back to the manager. I will not allow anyone else to take anything from me. If I'm going to swing the axe, I'm going to swing it hard every time.

Mayor Rivers said we want to make sure citizens keep bringing forward living condition concerns because we want to help everyone we can. He thanked everyone who had been involved.

#### **j. Mayor Announcements;**

Mayor Rivers advised that on this Saturday, there will be more than 300 cyclists in town for the TarWheel Cycling event. There are 33, 64 or 100-mile runs through Elizabeth City, Pasquotank and Perquimans. He encouraged everyone to show their hospitality for the racers coming into the community. The kick-off is at 8:00 a.m. at College Park. He advised that employees are walking daily at 5:15 leaving from City Hall – the public is invited as well. Various routes will be walked through downtown and other areas. A healthy city is a wealthy city. This begins tomorrow at 5:15. He noted the College Park unveiling will be on 4/26 at 10:00 a.m. recognizing the three educational institutions. Sentara gave a \$30,000 for pickleball, and we have a lot of enthusiasts in the area. We're also applying for other grants for Parks and Rec. We'll be doing a larger press release with other partners in the near future.

#### **7. Closed Session – As Allowed by NCGS 143-318.11(a)(3) Consultation with City Attorney;**

Mayor Rivers asked the Council to add NCGS 143-318.11(a)(4) Business Expansion to the closed session listing.

**Motion to enter closed session as allowed by NCGS 143-318-11(a)(3) and NCGS 143-318-11(a)(4) was made by Councilman Johnnie Walton, seconded by Councilwoman Katherine Felton at 9:13 p.m. Those voting in favor of the motion were: Biggs, Peel, Gibbs, Whitehurst, Spence, Felton, Baxter and Walton. Against: None. Motion carried.**

The Council returned to open session at 9:50 p.m.

#### **8. Adjournment:**

Having no further business to be discussed, Mayor Rivers adjourned the meeting at 9:50 p.m.

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E. Kirk Rivers  
Mayor

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April Onley, NCCMC  
City Clerk

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