

**City Council Regular Session
August 23, 2021**

The City Council of the City of Elizabeth City met in regular session on Monday, August 23, 2021 in Council Chambers, located on the 2nd floor of the Municipal Administration Building, 306 E. Colonial Avenue, Elizabeth City, NC.

MEMBERS PRESENT: Mayor Bettie Parker
Councilman Billy Caudle
Councilman Michael Brooks (*Arrived at 7:07 p.m.*)
Councilman Darius Horton (*Arrived at 7:07 p.m.*)
Mayor Pro Tem Johnnie Walton
Councilman Kem Spence
Councilman Gabriel Adkins (*Arrived at 7:05 p.m.*)
Councilwoman Jeannie Young
Councilman Chris Ruffieux

MEMBERS ABSENT: None

OTHERS PRESENT: City Manager Montre' Freeman
City Attorney Bill Morgan
Interim Finance Director Alicia Steward
Chief of Police Eddie Buffaloe
Deputy Chief of Police James Avens
Electric Superintendent Jason Value
Human Resources Director Montique McClary
Public Utilities Director Dwan Bell
Fire Chief Chris Carver
Community Development Director Kellen Long
ECDI Director Debbie Malenfant
Parks and Recreation Director Sean Clark
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 Bettie Parker at 7:00 p.m. Mayor Parker welcomed everyone to the meeting. The invocation was given by Councilman Kem Spence, followed by the Pledge of Allegiance.

Mayor Parker stated that the mask mandate had been reinstated for City facilities, which extended to both employees and citizens due to the recent surge of the Delta variant of the coronavirus.

Manager Freeman interjected that members of the Council would be receiving framed overhead shots of the Black Lives Matter street mural soon, and those who had attended the recent ceremony of rededication had already received theirs.

1. Agenda Adjustments and Approval:

Mayor Parker asked the Council's pleasure on the presented agenda.

Councilman Caudle added the two items requested by staff, which included a budget amendment and the award of bid for sanitary sewer, both for the consent agenda. Mayor Pro Tem Walton requested that a discussion about the use of the former Verizon building be added to the agenda.

Motion was made by Councilman Kem Spence, seconded by Councilman Billy Caudle Spence to approve the agenda with amendments. Those voting in favor of the motion were: Ruffieux, Spence, Brooks, Walton, Young, Horton, Caudle and Adkins. Against: None. Motion carried.

2. Statement of Disclosure:

The City Clerk read the Statement of Disclosure. No conflict of interest disclosures regarding items listed on the agenda were made.

3. Presentations:

a. Employee Retirement Plaque – Evelyn Benton;

Mrs. Benton thanked everyone for the honor of working for the City for many years. Mayor Parker presented her with a plaque honoring her 32 years of service.

b. Mayoral Certificates of Recognition to City Employees;

Mayor Parker presented three certificates of recognition to City employees Noah Cartwright, Andrew Cartwright and Jeff Simpson. Councilman Horton asked for background on what happened for these to be given out tonight. Councilman Spence explained that an employee was working in the Parks and Recreation Department, hit a hornet's nest and suffered a severe allergic reaction. The three gentlemen in question acted quickly and were able to help save the endangered employee.

4. Comments from the Public:

C. Dorsey Harris – 614 Shawboro Road, Shawboro, NC – Mrs. Harris explained that she was present as a representative of the League of Women Voters, as well as a board member. She requested that Mayor Parker and the Council pass a resolution to help change the political culture in NC to make it less acceptable for politicians to draw their own districts and pick their own voters. Mrs. Harris noted that the League of Women Voters has drafted a resolution for the City similar to the one passed by the County on June 21, 2021, and encouraged the Council to pass the resolution as well.

Bill Hiemer – 107 Osprey Cove, Elizabeth City, NC – Mr. Hiemer noted that he was originally present for the Council meeting two weeks ago to make these comments, but the meeting was canceled, which is why all the dates are old. He said he had a conversation with a friend, Mr. Rodney Walton, who serves on the Board of Zoning Adjustment, Airport Authority and the School Board, and who also happens to be the husband of Doris Walton, the former Deputy City Clerk and Executive Admin for the City. Since the departure of Angela Judge, former Assistant City Manager, he relied heavily on Doris to assist him with his questions and concerns, and she was always prompt, courteous, and kind to him. He explained how Doris received after-the-fact notice that she was being removed from her position as Deputy City Clerk. He chastised the Council for their unprofessional, inconsiderate and inappropriate way of allowing such business to be conducted. He noted that Mrs. Walton just received her Clerk's certification from the state. He wondered what the NC School of Government might have to say about this new approach to HR. Mr. Hiemer requested that the governing body investigate this very concerning incident. "We can do better than this." He noted that Councilman Brooks has long been a champion for mistreated employees and urged him to look into the incident.

Rodney Walton, 109 Selden Street, Elizabeth City, NC – *(Written comment, and included in full)* – "Husband of Doris Walton, former Executive Administrator to the City Manager/former Deputy Clerk. I currently hold two appointed positions within the City, committee member on the Board of Adjustment, board member/treasurer at the Elizabeth City Regional Airport Authority. Doris has served as Executive Administrator and Deputy Clerk for the City of EC for four years this November. She is a North Carolina Certified Municipal Clerk, Notary Public and has internal and external relationships with City, County and private organizations. The training and her experience make her highly qualified to serve in this position. She knows state statutes and has institutional knowledge of the City that is extremely important to a new City Manager. I want to ask you as a City Council and as Mayor if you were aware that Doris is being removed from her position as Deputy City Clerk against her wishes? I want to ask you as a City Council and as Mayor if you were aware that her position was publicly advertised for applications without notification to Mrs Walton at all? She learned that the position she serves in and has served in for four years

was being advertised as “open” only when a colleague called to ask her if she had resigned. It took her proactively asking her boss (City Manager) and HR what was going on (with no direct answers, by the way). It took five days for them to meet with her to tell her she was being reassigned and replaced. Will she be replaced with someone who has the training and certifications she has, or will she be replaced with someone with no training? Ultimately, Doris was finally told that she is being transferred to the electrical department. She was given no option to remain in her job, despite her training, experience and qualifications. She is being forced to make this decision under duress. She has received no bad evaluations. She has met directly with the City Manager to discuss expectations, and he has given no indication, written or otherwise, in her personnel file indicating that her performance is subpar. Removing a trained and certified Deputy City Clerk and replacing her with someone inexperienced, with a new and inexperienced City Manager puts the City at risk and puts you the Council at risk. The HR department of the City is supposed to be the department where employees feel they can go when they aren't being treated fairly. From what I hear, very few city personnel trust the HR department any longer. We know pay inequity is an issue here in our City. What is an even bigger issue is the mistrust of the HR department and misuse and abuse of power in that department. What I am asking of you is this, listen to the facts? Fact check them for yourselves. Then come to your own conclusions as to whether this is what you envisioned when you hired this man for the City Manager position. I am not a subject matter expert in municipality employment, but I am able to see through bad leadership and management decisions. I understand that you have no control over city personnel moves, but your move was to hire a qualified City Manager. You (members of Council) hired that person. In what I would think is in reflection of your view of how you would want the city to be run. If this is the way that you would want your City Manager to conduct business, for an employee with an exemplary record, who you supported by way of becoming a certified Clerk, no infractions to date with dereliction of duties, on more than one occasion during these very council meetings, be praised for the work/work ethic that she brings to work with her every day. Is that how you want an employee to be treated? Without courtesy or respect? That is what has been done in this case. The job description that was given to Mrs. Walton upon her start of employment at the City and the job description that has since been pulled down from the City employment page are completely different with regards to responsibilities, is that how business is being conducted at City Hall? How many more cases like this exist or have potentially gone unreported for fear of retaliation and the employee accepted the demotion or resigned or was subsequently fired “for cause”? I say all of that to expose these sequence of events. Monday, July 26th, Mrs. Walton returns to work, business as usual after being on vacation the previous week. All seems normal with her interactions with Mr. Freeman as she begins her work responsibilities for the week. That is how the week runs through Thursday, July 29th. Sometime before Mrs. Walton's lunchtime (12:00), a colleague calls her to see if she has resigned from her position as Deputy Clerk/Executive Admin. Why? Because her position has been posted on the City's employment section for available/open positions. After said conversation, Mrs. Walton calls the City Manager to ask if she is being fired. She contacted HR to get information about why her job was posted. Both attempts resulted in anecdotal answers. My advice to her was to wait until the City Manager returned to the office to speak with him in person about the new circumstances. Around 5:30, Mrs. Walton decides to leave because the City Manager had not returned to his office. She did contact him and requested that they meet in the morning. First thing before he begins his day to discuss her issue to which he initially agreed. Friday morning, July 30th, Mrs. Walton goes into work as scheduled, awaiting her meeting with the City Manager. The City Manager does enter the office at some point that morning, but does not call in Mrs. Walton to begin their meeting, but informs her again, that “her job is safe, he's not going to fire her” and proceeds on with a scheduled meeting without regard to what must be going through Mrs. Walton's head. She gets sick later in the day with the anxiety of not knowing what is going on with her position and comes home for the rest of the day. Monday & Tuesday, August 2nd and 3rd Mrs. Walton returns to work. That morning, the City Manager and the HR Director ask to meet with her for a “conversation” about her job status. The City Manager skips the fact that Mrs. Walton's position was posted while she was sitting at her desk, but told her due to some cause and effect that she will be transitioned to the Electric Dept. because she would be the best fit “to hit the ground running” in that department. The issue with that is Mrs. Walton has no/limited knowledge of the Electrical Department and would be completely new to the ongoings of being an Office Manager in the Electrical Department. (There is more conversation that happened, that you can ask the City Manager if you so choose). She was afforded that day (less than 24 hours) the opportunity to discuss with me/her family (which

brings us to where we are today) the conversation that she FINALLY had with the City Manager. That evening, we discuss, I realize that they did not provide Mrs. Walton with a "complete job description" for this new position that she would be starting. There was no discussion about her new role or responsibilities. The City Manager did speak to her salary, "that it would not be affected." We diligently made a list of follow-up questions for the City Manager and the HR Director that would help us make an informed decision. By the next day, Thursday, August 5th, Mrs. Walton goes in with our questions and low and behold, what she was told just 24 hours ago had been altered. The City Manager admitted that he had misspoke on the position. She would not be going there in the capacity as Office Manager, but at the entry level position of Administrative Assistant. Yes, the Office Manager position exists, but is currently filled by someone. Mrs. Walton would be going from a grade level 20 to a grade level 13. Her money would not be affected at this stage of her employment but it would have an effect on her earning potential going forward because that grade level doesn't go with the employee, it stays with the position. As far as upward mobility within the organization it would be moot. But still, with these new questions and no real answers, the City Manager & HR Director still pressured Mrs. Walton for an answer. No job description in hand. No clear career plan discussed. They simply needed her answer immediately. Feeling like she would be asked to resign or fired if she said no, she had no choice but to accept and be transitioned the Electric Dept. Is this how the current City Manager and HR Director are handling personnel decisions? Again, I understand that you all cannot get involved with personnel matter. And let me be clear, I am not trying to save my wife's job or asking the Council to do so. But if this is how YOUR City Manager and HR Director are managing the city employment force, why would any of you be surprised about the turnover that is going on within our City. Why would anyone want to come forward? Sure, it's money/pay, but is it more to it than that? Could it be that others have been put in similar situations that they felt compelled to either accept the demotion with dignity or opt to leave their job or be terminated from it. The City Manager & the HR Director showed up for the meeting/conversation unprepared. With the intent to have a one-sided conversation with Mrs. Walton. Call it like it is. She didn't have a choice in the matter, her fate was decided more than a week before the City Manager had even spoken with her. He made a cowardly decision in purposely avoiding Mrs. Walton and the topic of her job security until it benefitted him. By some strange miracle, the Executive Admin to the City Manager/Deputy Clerk position came down on Friday. What does that mean? Is the position filled already, is he having second thoughts about his decision to transition Mrs. Walton? Probably not. But I will not be surprised to see that whoever Mr. Freeman hires to that position is a person that the City Manager and the HR Director wanted, as they were clearly instep with who they should hire no regard for anyone else that should have a say in that position. In summary, all I am asking from you all is to evaluate if this was fair treatment or you think this was a fair and equitable process that was afforded Mrs. Walton? What about other employees who have left the organization over the last 6-12 months. What about the people that have been added? What side of history do you all want to be on when the domino chips start to fall? I'm asking each one of you to ask yourself those questions. No one wants to be wrong when they make these types of decisions, but is it better to be wrong and correct it immediately or be wrong, overlook the mistakes and allow for greater mistakes to follow?"

5. Public Hearings:

a. Hold a Public Hearing – BIG for 102 North Water Street;

ECDI Director Debbie Malenfant briefly presented the scope of work for the project deemed eligible. She explained that the property is on a major thorough-faire into downtown. Two smaller, separate, individual businesses will be accommodated. 11 individuals will be employed, though the agenda packet says nine, it has been upped. She noted that this is a local real-estate business that is women-owned by a native of Elizabeth City. The annual payroll is expected to exceed \$500,000. Annual property taxes are \$1,016.56 for the City and average utility service revenue to the City is \$14,400. She added that this particular project supports new and expanded business, as well as development and job creation. All requisite bids were submitted, and the applicant is the property owner. The matching reimbursable grant being sought is \$20,000.

Mayor Parker declared the public hearing open and inquired of the Clerk if there were any speakers. Following the Clerk's reply that there were none, the Mayor closed the public hearing.

Motion was made by Councilwoman Jeannie Young, seconded by Councilman Chris Ruffieux to approve the BIG for the project at 102 North Water Street in the amount of \$20,000. Those voting in favor of the motion were: Spence, Ruffieux, Brooks, Walton, Young, Horton, Caudle and Adkins. Against: None. Motion carried.

6. Approval of Minutes:

a. July 12, 2021 – Regular Session;

Motion was made by Councilwoman Jeannie Young, seconded by Councilman Kem Spence to approve the July 12, 2021 Regular Session minutes. Those voting in favor of the motion were: Spence, Ruffieux, Brooks, Walton, Young, Horton, Caudle and Adkins. Against: None. Motion carried.

b. August 9, 2021 – Regular Session;

Motion was made by Councilwoman Jeannie Young, seconded by Councilman Kem Spence to approve the August 9, 2021 Regular Session minutes. Those voting in favor of the motion were: Spence, Ruffieux, Brooks, Walton, Young, Horton, Caudle and Adkins. Against: None. Motion carried.

7. Consent Agenda: *(City Manager Recommends Approval)*

Mayor Parker asked that City Manager Freeman read the items on the Consent Agenda into the record.

a. Consideration – Declare 605 West Church Street as Surplus;

**Resolution # 2021 –08-01
Declaring Real Property Surplus
and Authorizing Sale by Upset Bid Process**

WHEREAS, the City of Elizabeth City is the owner of real property identified on the Pasquotank County Registry as PIN: 891307692062 and Map 47-D-1 and having a physical address of 605 West Church Street; and

WHEREAS, the City of Elizabeth City has no current or future need for the property; and

WHEREAS, the City Council has authorized an opening bid of \$1,500 received from Mr. Drew Spence via email correspondence; and

WHEREAS, the City Council has authorized notice to be published to solicit bids for the sale of the property, pursuant to the upset bid process as outline in NCGS §160A-269.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Elizabeth City that the parcel of property identified on the Pasquotank County Registry as PIN: 891307692062 and Map 47-D-1, located at 605 West Church Street is hereby declared surplus to the needs of the City of Elizabeth City; and

FURTHER, the City Clerk shall be authorized to begin the upset bid process as required by North Carolina General Statute §160A-269, with an opening bid of \$1,500.

ADOPTED, this the 23rd day of August 2021.

Bettie J. Parker
Mayor

- b. Consideration – Accept Final Bid for 500 West Cypress Street;**
- c. Consideration – Approve Final Bid for 200 West Burgess Street;**
- d. Consideration – Authorize Application to Walmart Community Grant Program for FY 2021;**
- e. Consideration – Authorize Applications for Annual Grants Offered Through FEMA;**
- f. Consideration – Authorize Application to Leary Firefighters Foundation;**
- g. Consideration – Ratification of TDA Application for Coast Guard Day;**
- h. Consideration – Adopt Resolution for Federal Funding (ARPA);**

Resolution # 2021 –08-02
Resolution for Accepting American Rescue Plan Act funds

WHEREAS, the City of Elizabeth City is eligible for funding from the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021 (CSLRF); and

WHEREAS, the North Carolina General Assembly will provide for the distribution of funds to eligible North Carolina municipalities; and

WHEREAS, before receiving a payment, the City Council is required to formally accept the CSLRF funds; and

WHEREAS, revenue received under the CSLRF must only be spent for purposes authorized by the CSLRF, and applicable regulations, and by state law; and

WHEREAS, revenue received under the CSLRF must be accounted for in a separate fund and not co-mingled with other revenue for accounting purposes; and

WHEREAS, the City of Elizabeth City must comply with all applicable budgeting, accounting, contracting, reporting, and other compliance requirements for CSLRF funds.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Elizabeth City that we do hereby accept and request CSLRF funding to be distributed by the State of North Carolina; and

BE IT FURTHER RESOLVED that the City of Elizabeth City affirms that the CSLRF revenue will only be used for the purposes prescribed in the CSLRF, and in US Treasury guidance in 31 CFR, Part 35, and any applicable regulations, and in accordance with state law; and

BE IT FURTHER RESOLVED that the City of Elizabeth City will comply with procedures created by the North Carolina General Assembly and the US Treasury Department to receive funds under the act; and

BE IT FURTHER RESOLVED that the City of Elizabeth City will account for CSLRF in a separate fund and not co-mingle it with other revenues for accounting purposes and will comply with all applicable federal and state budgeting, accounting, contracting, reporting, and other compliance requirements for CSLRF funds; and

BE IT FURTHER RESOLVED that the City Council of the City of Elizabeth City designates and directs the City Manager to take all actions necessary on behalf of the City Council to receive the CSLRF funds.

ADOPTED, this the 23rd day of August, 2021.

Bettie J. Parker
Mayor

Attest:

April D. Onley, NCCMC
City Clerk

i. Consideration – Adopt Resolution to Investigate Sufficiency of Petition for Annexation;

**RESOLUTION #2021-08-03
DIRECTING THE CITY ATTORNEY TO INVESTIGATE A
PETITION RECEIVED UNDER G. S. 160A-31 COASTAL
BEVERAGE COMPANY
2.3 ACRES**

WHEREAS, a petition requesting annexation of an area described in said petition has been received on August 23, 2021 by the City Council; and

WHEREAS, G. S. 160A-31 provides that the sufficiency of the petition shall be investigated by the City Clerk before further annexation proceedings may take place; and

WHEREAS, the City Council of the City of Elizabeth City deems it advisable to proceed in response to this request for annexation;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Elizabeth City that the City Clerk is hereby directed to investigate the sufficiency of the above described petition and to certify as soon as possible to the City Council the result of her investigation.

ADOPTED, this the 23rd day of August 2021.

Bettie J. Parker
Mayor

April Onley, NCCMC
City Clerk

j. Consideration – Authorize Donation of Patrol Vehicle to EC Airport;

k. Consideration – Declare 504 Brown Street as Surplus;

**Resolution # 2021 –08-04
Declaring Real Property Surplus
and Authorizing Sale by Upset Bid Process**

WHEREAS, the City of Elizabeth City is the owner of real property identified on the Pasquotank County Registry as PIN: 891312972320 and Map 26-E-24 and having a physical address of 504 Brown Street; and

WHEREAS, the City of Elizabeth City has no current or future need for the property;
and

WHEREAS, the City Council has authorized an opening bid of \$1,500 received from Mr. Edward Williams via email correspondence; and

WHEREAS, the City Council has authorized notice to be published to solicit bids for the sale of the property, pursuant to the upset bid process as outline in NCGS §160A-269.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Elizabeth City that the parcel of property identified on the Pasquotank County Registry as PIN: 891312972320 and Map 26-E-24, located at 504 Brown Street is hereby declared surplus to the needs of the City of Elizabeth City; and

FURTHER, the City Clerk shall be authorized to begin the upset bid process as required by North Carolina General Statute §160A-269, with an opening bid of \$1,500.

ADOPTED, this the 23rd day of August 2021.

Bettie J. Parker
Mayor

April D. Onley
City Clerk, NCCMC

I. Consideration – Adopt Budget Amendment for 2021 Certified Local Government Grant Project for Old Oak Cemetery (As Added During Agenda Adjustments and Approval);

m. Consideration - Award of bid for Sanitary Sewer Pump Station Replacement Project (As Added During Agenda Adjustments and Approval);

(End of Consent Agenda)

Mayor Parker asked Council’s pleasure on the Consent Agenda, as presented.

Councilman Horton apologized that he was not present when the agenda was amended at the top of the meeting, but he was concerned about the Cemetery Grant Project item addition to the consent agenda. He stated that he felt it should, at the very least, be moved to the Regular Agenda for discussion, if not tabled until a later meeting when the Council had more time to research the item. He asked Manager Freeman if the Oak Grove Cemetery was the one in front of the Debry housing area. Manager Freeman said he believed so, but he wasn’t sure.

Director Sean Clark verified that Oak Grove Cemetery was across from the housing development in question. Councilman Horton questioned if this was an item that had already been voted on, as the provided memorandum suggested that Council had previously received information on this grant opportunity. He said he didn’t understand why we would seek a grant for an inherited property where we did not even allow burial, especially not \$20,000. He noted that it costs us money to maintain the cemetery, but it’s considered “full”, so what are we going to do with \$50,000 more in funding for it?

Director Clark said he believed the grant was for mapping in the cemetery, as very few records of where burials had occurred in the space existed. Councilman Horton noted that he didn’t want to necessarily stop the process, but he would like more information.

Motion was made by Councilman Darius Horton to remove item L – Consideration to Adopt Budget Amendment for 2021 Certified Local Government Grant Project for Old Oak Cemetery and place it on the next meeting’s agenda. The motion was seconded by Councilman Kem Spence.

Councilwoman Young asked Manager Freeman if he was able to provide any additional information on the topic. Mr. Freeman replied that it began initially as remains were being unearthed in the cemetery on three separate occasions. He stated that in his conversations

with Grants Administrator Hawley, it was brought to his attention that funding was extremely limited, which was why the matter was appearing now.

Those voting in favor of the motion were: Spence, Ruffieux, Brooks, Walton, Young, Horton, Caudle and Adkins. Against: None. Motion carried.

Motion to approve the Consent Agenda was made by Councilman Billy Caudle, seconded by Councilwoman Jeannie Young. Those voting in favor of the motion were: Spence, Ruffieux, Brooks, Walton, Young, Horton, Caudle and Adkins. Against: None. Motion carried.

8. Regular Agenda:

a. Any item Pulled from the Consent Agenda

There were no items pulled from the Consent Agenda.

b. Consideration – Appointment to Board of Adjustment (*By Motion and Roll Call Vote*);

Community Development Director Long advised the Council that an application had been received from Mr. Jason Mizelle seeking to becoming a member of the Board of Adjustment. According to Mr. Mizelle's application, he has over two decades of experience in surveying and land planning, and has worked with both private property owners and municipalities, including Elizabeth City. She noted that he is familiar with the City's UDO, which will be of benefit. Mr. Mizelle would serve a three-year term if appointed.

Motion was made by Councilwoman Jeannie Young, seconded by Councilman Chris Ruffieux to appoint Jason Mizelle to a three-year term on the Board of Adjustment. Those voting in favor of the motion were: Spence, Ruffieux, Brooks, Walton, Young, Horton, Caudle and Adkins Against: None. A roll call vote followed, which yielded the same results. Motion carried.

c. Consideration – Appointment to Historic Preservation Commission (*By Motion and Roll Call Vote*);

Community Development Director Long advised that staff had received an application for the Historic Preservation Commission from Valerie Mitchell. At this time, the Commission has one vacancy. Valerie Mitchell owns commercial property in the City's local Historic District, and in 2017, she and her husband renovated the 1885 former Friendly Wig Shop at 106 North Poindexter Street. They were awarded the prestigious Gertrude S. Carraway Award through Preservation NC, which gives recognition to individuals or organizations who have demonstrated a genuine commitment to historic preservation. With this in mind, staff believes that Mrs. Mitchell would be an ideal candidate to serve on the Historic Preservation Commission.

Motion was made by Councilwoman Jeannie Young, seconded by Councilman Chris Ruffieux to appoint Valerie Mitchell to a three-year term on the Historic Preservation Commission. Those voting in favor of the motion were: Spence, Ruffieux, Brooks, Walton, Young, Horton, Caudle and Adkins Against: None. A roll call vote followed, which yielded the same results. Motion carried.

d. Consideration – Appointment to Planning Commission (*By Motion and Roll Call Vote*);

Community Development Director Long explained that staff received an application from Alyn Goodson seeking appointment to the Planning Commission. Staff feels that Mr. Goodson would be an excellent appointment due to his experience with state compliance mandates and North Carolina General Statute.

Motion was made by Councilman Darius Horton, seconded by Councilman Billy Caudle to appoint Alyn Goodson to a four-year term on the Planning Commission. Those voting in favor of the motion were: Spence, Ruffieux, Brooks, Walton, Young, Horton, Caudle and Adkins. Against: None. A roll call vote followed, which yielded the same results.

e. Consideration – Call for a Public Hearing – CUP for 417 South Hughes Boulevard;

Director Long stated that this item was a request for a Council Use Permit filed by Elizabeth City Pawn and Jewelry for property located at 417 South Hughes Boulevard for the use of a pawn shop. CUPs are quasi-judicial in nature and all public comments and presentations will need to be heard at one time. Staff requests that the Council call for a public hearing for September 13, 2021 in Council Chambers at 7:00 p.m.

Motion was made by Councilman Chris Ruffieux, seconded by Councilman Kem Spence to call for a public hearing on CUP 03-21 for 417 South Hughes Blvd as filed by Elizabeth City Pawn and Jewelry for September 13, 2021 at 7:00 p.m. in Council Chambers. Those voting in favor of the motion were: Spence, Ruffieux, Brooks, Walton, Young, Horton, Caudle and Adkins. Against: None. Motion carried.

f. Discussion – SOULS / Verizon Building (*Added During Agenda Adjustments*);

Mayor Pro Tem Walton said he was glad that this item had come up during the work session because it needed to be addressed. The developer will not be doing work on the EC Middle School until 2022, so this isn't an immediate problem, but it still needs to be looked into. He said he'd spoken with TDA and was told they'd fund a project he'd been visualizing. The former Verizon building was purchased and we'd discussed tearing it down. Since June, the African-American Experience is trying to really get off the ground, and he felt like we should use that building for an African American gallery or museum. He opined that we have a lot of pictures that could be put into the potential museum for young people, as well as relics. He said that we need to change the number of Black men dying in the world, whatever the reasons are, and making a museum for them might give them hope. He felt that it would be progress toward changing the culture.

Councilman Adkins said one of the reasons he was concerned about the new apartments going in the former middle school was due to the displacement of the SOULS program. The line in the evenings to feed the poor and homeless is huge. He noted that we do need more homes, but we need more homes for the people who actually live here. He said that he was not opposed to Mayor Pro Tem Walton's concept, but he felt that a bigger facility might be best used for his idea. If SOULS believed they could run their program out of the building, he felt we should allow them to use it. They are reaching out to us for this building, and we should give it to them. We're not doing anything with it; it's just sitting there and it's empty so we should use it for the good of the community and let SOULS use it.

Councilman Brooks stated he'd been working with the drug and homeless problems in the city for 32 years with Gideon Forces. He related that he'd come across some homeless individuals on Ehringhaus Street who were sleeping in empty buildings. He felt that he was not allowed to speak about the issues that were plaguing his community and he was cut off when he tried to talk. The former Verizon building is vacant and has been for years. He did not understand why it had been allowed to sit there and look the way it looks, with broken glass and grown-up grass right in the center of town.

Councilman Spence said he had a special interest in the SOULS ministry, as his church fed there the first Saturday of the month. He wasn't sure if the Verizon building was large enough to house their program. On average, at least 30 or 40 people showed up and needed seating. Additionally, you needed storage and an area for serving. He agreed with Councilman Brooks that there was a vacant building on Ehringhaus Street beside CVS that might worth checking into. He believed the City looked at purchasing it in the past, but the owner wanted an excessive amount of money. He reiterated that the former Verizon building was likely going to be too small for the SOULS feeding program just because of the large number of people who showed up and the amount of room required for set up.

Councilman Brooks asked that the manager speak with the owner of the building beside CVS because he knew that building was not up to code, considering the broken glass and dilapidated state that it was in. He felt that some department in the City should be handling citations for the poorly maintained building and houses that were right on some of our main roadways and easily visible.

Mayor Pro Tem Walton said he'd spoken with Director Ruffieux of the TDA and she liked the idea of using the building for an African-American museum. Elizabeth City had a lot of African-American history and culture and it should be on display. He thought that we could possibly have events outside of the building as well. He noted that Ms. Selma White had an unused building and she'd indicated that she'd like to help the SOULS ministry if they were interested.

Motion was made by Mayor Pro Tem Johnnie Walton to repair the former Verizon building. The motion was seconded by Councilman Michael Brooks.

Attorney Morgan suggested that he direct the manager to get figures for what it would take to repair the building, rather than move forward with direction to repair because there was no telling what the cost might be at this time.

Councilman Adkins asked if we could be more specific. What exactly do we need prices on? He understood it had asbestos. Mayor Pro Tem Walton said that everything to fix it up didn't have to be done at one time, but it just had to be inhabitable and safe.

Mayor Parker clarified that the direction to the manager was to have someone go in and assess the building and bring back pricing on the cost of repair.

9. Comments and Inquiries on Non-Agenda Items:

Councilman Adkins noted that children returned to schools today, and his kids were emotional because they were so afraid they were going to get sick with COVID. Numbers are on the rise and vaccines have been approved, but vaccinated people are still getting COVID, so we need to be careful because it's scary.

Councilman Caudle had no further comments.

Councilman Horton had no further comments.

Councilwoman Young said she was unable to attend the last meeting because she was isolating after being possibly exposed to COVID. Her sister's family had gotten COVID after her son attended a church retreat.

Mayor Pro Tem Walton said his son's family in Tampa had unfortunately been hit by COVID. He encouraged everyone to follow the guidelines to protect themselves.

Councilman Brooks noted that the vaccines helped you survive if you did get COVID. We are trying to reach 70% herd immunity. He urged everyone to get their vaccines so they didn't end up on a ventilator or worse if they were exposed. He asked the manager about houses in Elizabeth City that needed to be boarded up. Was there a timeframe for that to happen? Manager Freeman said there was a timeframe. Councilman Brooks mentioned 105 Roanoke, 201 Roanoke, 700 Block of Bunnells Avenue, a burned down house on Southern Avenue, 118 Celeste Street and, 801 Roanoke Avenue. These are eyesores and it looks like no one cares about the City when they see those. There's grass out there five feet tall. He said he was also interested in knowing what the City's responsibility was on sidewalks. Davis Avenue and Tatem Lane are particularly bad, as is part of Walkers Avenue near Walkers Landing.

Councilman Ruffieux had no further comments.

Councilman Spence had no further comments.

Mayor Parker said she was glad to hear concern about the rise of COVID and the action toward getting vaccines and taking precautions against getting it or transmitting it. The delta variant is a new version and we were warned that if we did not get up to 70% herd immunity we might end up here. She urged anyone who was not vaccinated to get vaccinated to protect themselves and others.

10. Closed Session – As Allowed By NCGS 143-318.11(a)(6) – Personnel

Motion was made by Mayor Pro Tem Johnnie Walton, seconded by Councilman Kem Spence to enter closed session as allowed by NCGS 143-318.11(a)(6) for Personnel at 8:46 p.m. Those voting in favor of the motion were: Spence,

**Ruffieux, Brooks, Walton, Young, Horton, Caudle and Adkins. Against: None.
Motion carried.**

Mayor Parker announced there would be a three-minute recess while Chambers cleared.

11. Adjournment

The Council returned to open session at 10:56 p.m.

Motion was made by Councilman Billy Caudle, seconded by Councilman Chris Ruffieux to appoint Chief Eddie Buffaloe as Acting City Manager

Councilman Adkins advised the Council that there are people outside on Facebook Live waiting for them. Manager Freeman has been just outside the whole time. He went to the restroom and was told that there are people waiting for them to go outside for whatever reason. He noted that there is an officer downstairs.

Councilman Brooks said he had a problem being in closed session with the city manager outside the door listening. He did not feel that he should have been listening to a conversation like that after he was asked to leave the room.

Those voting in favor of the motion were: Spence, Ruffieux, Brooks, Walton, Young, Horton, Caudle and Adkins. Against: None. Motion carried.

Motion to adjourn was made by Councilman Kem Spence, seconded by Councilman Chris Ruffieux. Those voting in favor of the motion were: Spence, Ruffieux, Brooks, Walton, Young, Horton, Caudle and Adkins. Against: None. Motion carried.

There being no further business to be discussed, Mayor Parker adjourned the meeting at 10:57 p.m.

Bettie J. Parker
Mayor

April D. Onley, NCCMC
City Clerk

