

**City Council Regular Session
August 28, 2023**

The City Council of the City of Elizabeth City met in regular session on Monday, August 28, 2023 in Council Chambers, located on the 2nd 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
Councilman Javis Gibbs
Councilwoman Rose Whitehurst
Councilwoman Katherine Felton
Councilwoman Barbara Baxter
Councilman Johnnie Walton

MEMBERS ABSENT: None

OTHERS PRESENT: City Manager Montre' Freeman
City Attorney Bill Morgan
Electric Superintendent Donnell White
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
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 Mayor Pro Tem Spence 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 noted that the Closed Session would need to be removed, as it had been covered during the Work Session instead. Councilman Peel requested a discussion on golf cart communities be added to the Regular Agenda.

Motion was made by Councilman Johnson Biggs, seconded by Mayor Pro Tem Kem Spence 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. Mayoral Recognition:

a. Employee Retirement – Robert Boyce;

Mayor Rivers stated that Mr. Boyce had been unable to attend the meeting, but staff would coordinate with him to ensure that he received a plaque to commemorate his many years of service with the City of Elizabeth City.

He took a moment to also remind everyone that tomorrow, the Welcome Back Bash would be held at Waterfront Park. Last year, College of the Albemarle won the Mayor's Cup, and he was looking forward to see who'd be the champions this year.

b. Montique McClary – PELA Graduate;

Mayor Rivers stated that Human Resources Director McClary recently had the opportunity to participate in the Public Executive Leadership Academy at the UNC School of Government, and he was always proud to acknowledge our staff accomplishing great things. Director McClary thanked the manager and the Council for allowing her to attend PELA. She'd waited three years for the opportunity to attend and found the experience to be worth the wait. She felt she made a lot of great connections and was glad she got to represent the City in that capacity. She did receive scholarships for the program, so the amount the City had to front was very minimal, which was also nice.

c. Police Department – Cook-Off Champions;

Mayor Rivers pointed out that it's always good to let staff have a little fun and he was a big believer in food bringing people together. He wanted to recognize Chief Webster of the Police Department and Finance Director Steward for their individual cook-off wins. The Finance Department won against IT, HR and Community Development and just the previous week, the Police Department took on the Fire Department and won. Director Steward thanked everyone and promised to make some more of her famous rolls. Chief Webster said he knew Chief Carver was still holding a grudge about the Police Department taking down the Fire Department, but it was a great day and the food was wonderful.

3. Comments from the Public:

Mayor Rivers inquired of the Clerk if there were persons present who wished to speak before the Council. Upon the Clerk's reply that there was one, the mayor asked that they be called forward.

Trey Rogers – 404 Spinnaker Street, Elizabeth City, NC - Mr. Rogers said he'd come to request that his subdivision be granted similar authority as the Sherriff's Department had for golf carts and golf cart usage. He noted that he was located in the Tooley Harbor subdivision.

4. Approval of Minutes:

a. Consideration – Approve August 14, 2023 Regular Session Minutes;

Motion was made by Councilman Johnson Biggs, 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.

5. Consent Agenda:

Manager Freeman read the Consent Agenda items into the record, as follows:

a. Consideration – Award Bid for Curb Ramp Retrofit Project;

b. Consideration – Approve Budget Amendment for Wawa;

AMENDMENT TO FISCAL YEAR BUDGET ORDINANCE
CITY OF ELIZABETH CITY

BE IT ORDAINED by the City Council of the City of Elizabeth City, North Carolina:

SECTION I. To amend the Budget Ordinance for Fiscal Year 2024, the appropriations are to be changed as follows:

Account #	Department / Account Title	Decrease	Increase
30-8300-3301	Purchase of Consumer Materials		\$109,300.00
	Total	\$	\$109,300.00
Total change in Expenses \$			109,300.00

SECTION II. To amend Fiscal Year 2024 Budget Ordinance, the estimated revenues are to be changed as follows:

Account #	Department / Account Title	Decrease	Increase
30-3350-0020	Consumer Material Fee		\$109,300.00
	Total	\$	\$109,300.00
Total change in Expenses \$			109,300.00

These amendments will appropriate the quoted revenue and expenditures for the WAWA transformer purchase and electrical line relocation.

ADOPTED, this 28th day of August 2023.

E. Kirk Rivers,
Mayor

April Onley, NCCMC
City Clerk

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

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

6. Regular Agenda:

a. Discussion – Golf Cart Community *Added During Agenda Adjustments*);

Councilman Peel said he and Councilman Biggs had recently received a very detailed letter and would like the City Manager to research the question of golf carts. Manager Freeman noted that he did meet with Mr. Rogers, the evening's public commenter last week and had started looking into the process at that time. Councilman Biggs said he saw some of the smaller communities across North Carolina beginning to use golf carts and he believed it would be beneficial to know where we couldn't have them as well as where we could. Mayor Rivers requested that this item be sent to the Public Safety Committee for the September session. He asked that as soon as the manager had some information, if he'd go ahead and provide that to the Council so they could have ample time to review. Councilman Biggs suggested that we look at any other cities who may have moved forward with something like this and find out what has worked and/or what hasn't.

b. Appointment to the Tourism Development Authority (By Motion and Roll Call Vote);

Mayor Rivers stated he was bringing forward an applicant for appointment for a seat that came open back in October, which had been vacated by Mr. Andy Montero. He would like to request that the Council to confirm his suggestion of Joshua "Sy" Davis.

Motion was made by Councilman Johnson Biggs, seconded by Mayor Pro Tem Kem Spence to recommend appointment of Sy Davis to the Tourism Development Authority. A roll call vote was held, which yielded the following results:

**Biggs – Yes
Peel – Yes
Gibbs – Yes
Whitehurst – Yes
Spence - Yes
Felton – Yes
Baxter – Yes
Walton – Yes**

Motion carried.

Councilman Walton requested that a letter of appreciation be sent to Mr. Montero for his service to the TDA.

c. Manager's Announcements;

Manager Freeman thanked the Council for continuing to be patient and for supporting him and staff as they went through a huge restructure. He was absolutely trying to discover the true cost of running the City because he felt the Council should have real numbers. He was going across the entire organization in analysis, and right now, he was working on the restructure of the IT Department. Everyone in the country is struggling with the problem of trying to hire enough people. He did want to automate more services where possible. He was meeting fairly often with Director Simpson to find out what we might be able to automate and where. Last Friday, they spent half a day with Load Management going through every generator location and viewing some of the substations. There will be some changes coming up and he will keep the Council in the loop about everything. He was looking at the meter readers and how that information is tracked. The other half of this process will take place in December, when he intended to hold a capital budget retreat. During that retreat, staff will only discuss things that were to be multi-year purchases and identify the most important ones. He was calling on the Council quite a bit and would continue to do so. He thanked the directors and employees for continuing to answer the call without complaining.

He noted that this coming holiday will be the first time that our trash truck drivers will be going to get a day off on the actual holiday since last September. He was happy to announce that trash for next Monday's cycle will be picked up on Tuesday. It has not been easy for them, but they have stood tall and continued to work hard. Councilman Peel asked if we'd received our new truck yet? Director Bell said it was supposed to be here sometime this week. Manager Freeman thanked the Council for everything they did to continue to bring fun events to the employees.

7. Closed Session – As Allowed by NCGS 143-318.11(a)(6) Discussion of Personnel;*(Removed During Agenda Adjustments)*

8. Adjournment:

Having no further business to be discussed, Mayor Rivers adjourned the meeting at 7:27 p.m.

E. Kirk Rivers
Mayor

April Onley, NCCMC
City Clerk

