

**City Council Regular Session
January 23, 2023**

The City Council of the City of Elizabeth City met in regular session on Monday, January 23, 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
Councilwoman Rose Whitehurst
Councilwoman Katherine Felton
Councilman Johnnie Walton

MEMBERS ABSENT: Councilman Javis Gibbs
Councilwoman Barbara Baxter

OTHERS PRESENT: City Manager Montre' Freeman
City Attorney Bill Morgan
Interim Electric Department Bob Vannoy
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
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 7:02 p.m. Mayor Rivers welcomed everyone to the meeting. Mayor Pro Tem Spence provided 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.

Mayor Rivers noted that Discussion of Water/Sewer Rates would be added to the Regular Agenda, followed by a summary for traffic calming and organizational changes for the Police Department as they were items carried over from the Work Session. He also added Land Acquisition as allowed by NCGS 143-318-11(a)(5).

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, Whitehurst, Spence, Felton and Walton. Against: None. Motion carried.

2. Comments from the Public:

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

Anthony Sawyer – 2715 West Main Street, Elizabeth City, NC – Mr. Sawyer said he'd come forward a few months ago with concerns about our slum lord situation in the City. During the Christmas cold spell, some of his regulars had pipes burst. Both of the families had their landlords tell them that it would be weeks before they could have their problems taken care of.

The Salvation Army could only put them up for three days each. They are very low income and were put up at the Quality Inn. After three days, one family paid out of their own pocket to stay; the other went home. Both asked the landlords to reimburse them and both told them no. He said he felt it was up to the landlords to ensure that their tenants have water. The tenants on Parsonage Street were told by the landlord that if they didn't like the two weeks it was going to take to get to them, they could move. He said he felt the City should do something. He said he'd written the two addresses down and would give it to the Clerk and the City Manager for the Council.

Mayor Rivers noted that during the last meeting, he'd had a mayoral recognition for SOULS and they had not been present, but they were here tonight and he wanted to give them their recognition this evening. SOULS is a local nonprofit 501c3 made up of volunteers who feed anyone who needs a hot meal 365 days a year. Councilwoman Whitehurst advised that SOULS had been in operation for 15 years and their ministry prepared meals every single night. They represent about 40 churches and businesses and about 300 volunteers, serving about 10,000 meals a year. They are recently a 501c3 and have a vision and a goal to eventually have a transformation center here in the City. Karen Butler said the way to a community's trust is through their stomach, providing a meal they could have every night, and having their trust is a gateway to other serving in the city.

3. Consent Agenda:

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

- a. Consideration – CDBG Fair Housing Plan Adoption;**
- b. Consideration – Adopt 2023 Budget Calendar;**

Date	Action
February 13, 2023	Distribute Budget Materials to Departments
March 9, 2023	Budget Info Entered Into Edmunds
March 13, 2023	Preliminary Revenue Estimates
March 20-24, 2023	Revenue Tentative Budget and Discuss Estimates with Directors
April 10, 2023	Manager's Presentation of Budget
April 24, 2023	General Fund Discussion
May 8, 2023	Enterprise Fund Discussion
May 15, 2023	Wrap-up Budget Discussion
May 23, 2023	Draft Budget Sent to LGC / Call for a Public Hearing
June 12, 2023	Hold Public Hearing for FY 2023-2024 Budget
June 26, 2023	Adopt Final Budget

- c. Consideration – Proposal for Curb Ramp Retrofits;**

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

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

4. Regular Agenda:

- a. Discussion – Water / Sewer Rates (Brought Forward from Work Session During Agenda Adjustments);**

Ms. Steward said she developed her numbers over a year and not six months and she'd based it off of the budgeted amount and projected revenue instead of actuals. Estimation is based off of numbers to June 2023. She said if the Council would prefer her to go back and do six months,

she could do that. Councilman Biggs said when he looked at the total on page two and the estimated total through the end of June, the \$5,771,420.22, he saw that a 1% increase on that amount of money would be \$57,714.20. He said where he and Councilman Peel were concerned was the \$429,000 for the difference between what was budgeted and brought in, but that's not a 1% increase for the new unrealized revenue to the City. He said he would assume that would be the \$57,714.20. Ms. Steward said that would not be correct. Councilman Biggs said your projected total through July through December times two, is the total revenue to the City for water. If you increase your total revenue by 1%, it's \$57,714.20. Councilman Peel verified that's a year, right? Ms. Steward said yes, it was. Councilman Peel said he thinks he knows what she did now. The one amount is not the budgeted amount, it's the revenue amount. Only the \$57,714.20 is the projected new revenue from the 1% new raise. That's the projected revenue but that's not the increase. The increase is the \$57,714.20. Councilman Biggs felt the number was misleading because we're getting the \$57,714.20 and not the \$429,134.42. Manager Freeman asked if they'd like it prepared in a different fashion. Councilman Peel said no, he just was trying to understand what was there.

Mayor Rivers asked if there are any other options anyone else would like to see brought back? If we go with Raftelis's suggestion, we'll get about \$300,000 in new revenue. Councilman Peel asked if that gave us enough money to be able to borrow the several million dollars that we're probably going to need to fix things in the near future as he didn't know the answer to that. Mayor Rivers said we definitely didn't want to raise things so high people couldn't pay them, but maybe we should think about commercial rates a little differently. He asked the Council what they wanted to do in terms of this item; are they happy with these numbers, at least for residential rates?

Mayor Pro Tem Spence thanked Ms. Steward for her presentation. He said he felt that businesses should definitely not be paying less than residents. "I'm not saying charge businesses way above residences, but there's no way they should be paying the same thing or less than residential property. I know everybody hates to mention raising taxes or rates, but I don't feel like 1% is enough, but I also don't want to raise it so high that it hurts people too, so we have to find the happy medium." Mayor Rivers asked if he had any suggestions. Mayor Pro Tem Spence said he did not have a number in mind, but knew it needed to be raised.

Councilwoman Felton said she also felt the residents should not be left holding the heaviest end of the increases. She felt that the commercial rates should be increased in a fairer way, in a tiered way.

Councilman Peel said we can look at it three ways. Right now, he'd be okay doing the 4.06% and the 2.35%. He said he would suggest those rates for the residents only and believed we need more information for commercial rates at a subsequent meeting to make a determination. The third thing based on what the mayor said and the email from Ms. Edmundson on Friday, they have great concern that we have not gotten the Raftelis study updated. We don't really have any hard data on what the latest happenings are in the past two and a half years. I think we need to get the study updated to give us a better idea as we move into the budget season.

Mayor Rivers asked the Council when they do the study, are they prepared to raise the rates 10% if that's what the results say will need to be done? When you get the study, if you're not prepared to raise it, you just paid however much for the study for nothing in essence. What is the Council prepared to raise the rates up to? If we're not prepared to go up and the Council has already drawn their line and they tell us to do something else, did we just waste that money? It's like the pay studies when they come back and tell you to raise everyone's pay and then we leave it on the shelf. He stated that he wanted to make sure we think about those things before we call for a new study, particularly if there are lines drawn like we say we're not going over 4% or we want to wait for the Find and Fix It to move forward.

Councilman Peel said we just heard from Mr. Sawyer who talked about the two families who had water issues and they were told they had to wait two weeks. If we don't have the money to fix this, we'll be telling the whole community we can't fix it. He noted that he, Mayor Pro Tem Spence and Councilman Walton lived through the debacle with the utility rates and they remember all the nice people who came to visit City Council meetings for months on end and that was not a fun experience. He said he thought they needed to have some idea, even if they

decide not to raise the rates any higher, at least they'll know what the latest is and what it's going to cost. It's a little different than a salary study because it gives us information that we really need to know. He asked if the City Manager would contact Raftelis and see what it's going to cost to have an updated study conducted. Mayor Rivers stated that he wasn't for or against, but we're just now getting around to implementing things from years ago, so he wanted to make sure we were prepared to do what we needed to do. Councilman Peel pointed out that the updated study would at a minimum let us know where we stand and at least we'd be able to make a data-driven decision. Whether you have the political will to do what needs to be done or not from there, you'd at least have some idea of where you are.

Councilman Walton said last time he said he thought the rates were modest and doable and he still thinks that. Raftelis's study was only two years ago. We cut it from 50% to 25%. We always knew we had problems with the infrastructure, we've been talking this for years. We can't fix it all in one or two years. Raftelis had a plan that went for nine years. We're off track a little but we can't fix it all. Another study is not going to help. They've been having pay studies for the longest time until last year when they finally did something about one, and even without that, we did the \$15 per hour minimum. You give them \$15 and take \$10, you're not doing anything but spinning wheels. We still don't know about the Find and Fix It. We're talking about doing an evaluation of the commercial rates. We don't know about that yet and I think we need to be modest until then for the residents.

Councilwoman Felton noted that the last study was 2020 through 2029, so what would be the point of having another one since we're still in that era? Councilman Peel said he's the chairman of the board at the NEAAAT school and they were getting ready to build a gym right before COVID. They'd gotten a quote of \$8 million for that build. Now, the quote is over \$19 million. The study from two years ago, with what's happened in the world, construction costs have changed so he felt it would be good to know where we are in today's costs.

Councilman Biggs said he was in the camp of saying we needed the Raftelis study updated but he didn't disagree with the Mayor's point about if we're not willing to adopt what's in the study, maybe we're throwing good money behind bad. The cost of a linear foot of pipe to go in the ground has increased a ton of money in the last few months and he didn't know if it will ever come back down. Now that they know people will pay for it, there's nothing short of a significant shift in the economy that will bring it down. I don't know if we are collecting enough for our daily operations for our water and sewer systems. I see cones where sewer lines are partially collapsed all the time and Director Bell's team is always chasing down emergencies that come at a cost. When we don't have the equipment or the manpower to fix them, it comes at a higher cost. I don't know if we're even collecting enough to maintain the system as is. We may think we're holding steady, but I don't know if we are. We don't have the staff or the budget to do the preventative maintenance to support the system and it's only a matter of time before something major happens that we're going to have to address. We can't depend on grants. We're now a Tier 2 and grant money is going to dry up. I don't know that we can keep operating the water and sewer utilities given the shape of the infrastructure. He added that he would also be interested to know what the average use of the residential customers are in the city.

Mayor Rivers said the Council has always considered taxes, electric rates and sewer rates. In 1996, we had the lowest water rates, so low the rates didn't even cover operational costs. The system did not pay for itself. When I used to be on Council, the Electric Department was the only utility that was supporting itself. As Council's change, some raise the rates and some don't, it just depends on the members sitting around the table. Over 60% of the houses in Elizabeth City are rentals. I would like to see where we compare, if we're still one of the highest in terms of electric, water, sewer and taxes. I'd hate to be in the top 10 of all of them.

Councilman Biggs said if we did the 4.06% and 2.35%, we're looking at being able to borrow a little over \$2.75 million, which isn't really a lot of money when we're looking at doing utility repairs. It wasn't this Council's fault, but we've got to start being prudent with the system because if not, we're only delaying the bill to the next generation. It's expensive today and I can only imagine what it's going to be like 12 months from now.

Mayor Pro Tem Spence mentioned when Raftelis did the study, he didn't think we had the I&I research yet, did we? Director Bell said at the time the study was done, the I&I study was not

completed, so it wasn't a part of the Raftelis rate proposal. Providing that would give them information they did not have at that time.

Councilman Walton said we can study ourselves to death, but we have to take the test after a while. We can't overburden people. Councilman Peel said he'd just like to know how much the cost of a study would be. Manager Freeman said he didn't think it would be the cost of a full study since it would just be an update, but he would find out for certain and bring that information back to the Council.

Mayor Rivers noted that if the Council is set with this proposed amount, there's no need in wasting time, but he's neither for it nor against it. He reminded them that updates are not free.

Councilman Walton said he felt that with us being on the UAL, as soon as they see the update, they're going to expect us to comply.

Councilwoman Whitehurst asked if we had complied with the results of the first study. Manager Freeman said the first study said that Council should raise rates 50% from where they were and the Council decided to raise them 25%. After that, they were supposed to raise them 2% or 3% each year. Councilwoman Whitehurst stated that we already know we're that much behind then. Manager Freeman advised they had raised rates another 28% in a subsequent year to make up for the other half of the original suggested 50% plus the 3% that should have been raised for the year. Mayor Rivers reiterated that if we're going to do a study, we have to listen to the study.

Councilman Peel asked if they could get the estimate of the water and sewer fund balances separately. Director Steward said they were added together. Councilman Biggs mentioned that he didn't remember seeing the 28% increase the manager discussed. He only remembered rates going up once. The Clerk stated she would send the Council over the former manager's budget messages for the years in question, as the rate increases were included and broken down there.

Mayor Rivers asked what are we instructing the manager to do? \$4.06 and \$2.25 for residential? There was a general consensus amongst the Council that those rates were agreeable, but they'd like to see something else for businesses. Manager Freeman said he would also compare what like-size cities were doing. He said he would also get the cost of the study update in case they decided to go that route.

a2. Discussion / Presentation – Summary on Traffic Calming (*Moved forward Work Session During Agenda Adjustments*);

Manager Freeman said the updated traffic calming policy allowed him and his team to move forward with new traffic measures. There have been several citizens who are questioning what we're doing with the temporary speed bumps and as many have asked to have them taken up, there are double that number who want them left down. That's the pleasure of Council, so that's up to them. If they'd like to discuss, they can or they can save it for another date. The purpose was for them to have the temporary ones in place until the new ones get there. Councilwoman Whitehurst asked what the resolution was for the speedbumps that were down now? Mayor Pro Tem Spence said he was on the Council when they were placed down and they were definitely supposed to be temporary. If they worked, we'd take them up and put down permanent ones, but we needed to find the right ones. We can find the proper ones and put those down. He felt that most of the complaints are coming from people who don't even live on those streets, they just drive through sometimes. Councilman Peel felt that Kellen had redone the policy extremely well, and he thought they'd have to take them up to do the study and then put them down again. Manager Freeman said that was correct. Councilman Peel said with the one individual who was upset about them, the main issue was the previous Council did not follow their own policy, but they also didn't have the proper equipment to follow the policy. Councilwoman Whitehurst asked when the equipment would be in. Interim Chief Webster said he would find out, but he wasn't sure.

Mayor Rivers said we know we can't put down any more speed bumps without this policy, so the ones that are down now are under the previous Council. If we do a study and this road doesn't meet the criteria, then we can't put them back down. Are these grandfathered in?

Councilman Peel said you have people trained now to go slow and if you pull them up, they may go slow for another week or so, which may skew your study. Councilman Biggs said another thing we need to think about is if we pull them up and determine that there is a problem and our policy says we have to go back with an asphalt speed bump, do we have the money or are we willing to commit it to fix it? We have to be able to identify the funding. The ones there are a short-term solution and I don't think those are the right ones for that area and I think that's what makes people so angry, other than the handful of people we hear from frequently. The residents want them. I go down Church Street two or three times day and don't mind them, I'd want them there if I lived on Church Street. He agreed that they have to do something. People only slow down for patrol cars when they see them.

Mayor Pro Tem Spence said he was on Council when the sidewalk and the whole lobby was full of people from those streets fussing and complaining about the speed bumps. The citizens that live on the streets like the speed bumps. I see people walking all over those streets. I asked someone the other day and they said they love them. The ones complaining do not live on the streets and I am not in favor of pulling them up.

Mayor Rivers said the Council has solved the problem because they put the proper policy in place. Things that were grandfathered before that policy, let it go before the petition comes before the Council. We were at fault because we went against our policy, but nothing we can do about that now. We just need to keep it moving. We dealt with the issue and passed a great policy. He asked if there was any action at this time.

Motion was made by Councilwoman Rose Whitehurst that once the equipment is in, we take the current speed bumps up and monitor the street. Motion died for lack of a second.

Mayor Pro Tem Spence pointed out that Director Bell brought the asphalt prices and we don't have the money to afford those. Councilman Biggs asked why we wouldn't do a public hearing at the next meeting to talk about it? Mayor Pro Tem Spence explained that they'd held a hearing last year and that's why they decided to leave them down.

a3. Public Safety Committee / Organizational Changes *(Moved Forward from Work Session During Agenda Adjustments);*

Mayor Pro Tem Spence advised that the Public Safety Committee had not met, but he'd talked to several of our officers and they are burnt out and something has to be done. He commended all of ECPD and thanked them for their service and enduring this particularly difficult period. He said the Chief was coming up to give a presentation and asked the Council to take the presentation to heart when considering what they were discussing. Manager Freeman said he was extremely proud of our Police Department. He said he'd tasked Chief Webster on restructuring the Police Department, which would lead to command staff being a lot more involved. Chief and Deputy Chief had gotten a lot of input from simply asking our officers questions. There's a retention and recruitment piece to the restructure and it can all be funded through lapsed salaries.

Chief Webster told the Council that as of today, we are down 28 officers, not counting a resignation he received on Friday. We will have 31 open positions by February. There are three critical areas where our staff has not been supported. Number one is leadership. In order to address our shrinking workforce, we have to concentrate on patrol. They have already begun shutting down services. As staff is lost, they have to pull task force officers, ending much-needed partnerships with ALE, PAL, etc. They cannot staff Special Events without volunteer assistance. They expect to be in the low 20s for staff numbers by the summer. They had a call over the weekend and needed sheriff's deputies from Camden and Pasquotank to help. All but the absolute required training will cease. They will be completely reactive to crime without the ability to be proactive. The fear of safety will drive more loss of personnel. Exhaustion will create more loss and danger. He's never seen a department in such a precarious position.

Councilman Peel explained that Chief Webster came to the Public Safety Committee a few months ago with this proposal to increase salaries. With the absence of so many officers, there's money to be spent. At that time, the cost was about \$240,000.

Motion was made by Councilman Joseph Peel to approve the Lieutenant's position and the \$5,000 increase as requested.

Chief Webster said they were also proposing a recruitment plan to pay any City employee \$1,000 to recruit a police officer. Manager Freeman clarified that any City employee who brings a new recruit in who signs up to be an officer gets \$500. When they go through BLET, they get the other \$500. If they bring in a sworn officer, they get \$500 and after training get another \$500. All of this can be funded through lapsed salaries.

Councilman Joseph Peel restated his motion to include approval of the proposed recruitment initiative for City employees. The motion was seconded by Mayor Pro Tem Kem Spence.

Councilman Biggs said his question was he didn't know exactly where we were on starting pay. When we increase our pay, neighboring agencies may increase too. \$5,000 is a start and a step in the right direction, but he asked if that would bring the salary ranges to where they're even competitive in today's market. Manager Freeman said he believed it would. Chief Webster said he took a snapshot of 29 agencies around the state, specifically those near us. Of those 29, we were the lowest paid. Pasquotank starts their lowest deputies at \$40,000, and we're about \$4,000 behind that. Edenton is at \$41,000, and ECSU is at \$42,500. Starting pay-wise, we're about \$6,000 to \$7,000 from being competitive. The average came out around \$4,400 or so.

Councilman Biggs said given that we're at less than 50% sworn, that dollar amount of what we're going to have to pay is going to get more and more expensive. As we continue to lose officers, it's going to become a harder sell in the marketplace to recruit. People are more mobile now and officers are sought after. There's ability to live in Elizabeth City and go to a neighboring agency and you don't necessarily have to live there. For \$5,000 to start, I don't know if that's going to give you the tool that you need. Councilman Peel asked if he had a number he'd consider? He would be happy to raise the amount he stated in his motion. Councilman Biggs said that was a question for the two professionals in the room. Councilman Peel noted that we're about \$8,000 below state agencies and about \$4,400 in general from what he was hearing. Manager Freeman said we could go higher if it was the pleasure of the Council. Councilman Biggs said he was good with \$6,500 because this was not somewhere we can be cheap. People want their water and sewer, but they need safe communities and protection. We're not going to be in the position where we can add on 15 new officers. We're going to have lapsed salaries for a long time. If you don't do something quickly, you'll have to look at what contracted services can provide from an outside agency. If the manager says he can support \$6,500, he recommended that the Council go with it.

Councilman Walton said he didn't think it was being unprofessional and we can't outbid certain agencies. It is starting a war for no reason. I think the recommendation given is sufficient. Instead of not doing anything, Councilman Peel gave us something to start with. The force would be appreciative of it. They do a great job. There were two shootings this past weekend. Policemen can't be everywhere, but it's how you respond and we have people respond well and that's the best you can do. We don't need to rethink and overthink everything. I think it was a good motion and we need to go with it.

Mayor Rivers asked what was left in lapsed salaries. Manager Freeman advised there was \$620,000. Councilman Peel stated that this will cost \$190,000 if they go to \$6,500. He said he believed they needed their numbers to go where ECSU's are to be on par with that. Mayor Rivers asked if this is new officers only or across the board? Councilman Peel replied that this increases are across the board.

Councilwoman Felton thanked the Police Department for all that they do and for their many sacrifices. She said the HR person in her wanted to know if the recruits would be cleared with pre-employment checks before the \$500 was disbursed. Chief Webster said they would be required to be in a position to be hired, not just someone who put in an application. Manager Freeman agreed that they would be ready to be on our team when that \$500 is cut. Mayor Pro Tem Spence said he was glad we offered higher than \$5,000 because if you are tired, fatigued, you're not going to think properly, you won't be focused and you will be short-tempered and the least thing can set you off. We can't afford a lawsuit, we can't afford having officers park their cars and sleep because they're exhausted. If we don't give them some help, then the city

is going to need some help. Elizabeth City has a higher volume of calls than surrounding counties, but we have the least amount of officers. That doesn't line up. Highest volume of crime and calls and the least amount of officers is not safe.

Councilman Joseph Peel amended his original motion to from a \$5,000 increase to a \$6,500 increase. The amendment was accepted and seconded by Mayor Pro Tem Kem Spence.

Mayor Rivers asked if someone moved over from the Administrative side of the Police Department to the sworn side of the Police Department, would they get \$1,000 for recommending themselves? Manager Freeman said sure.

Mayor Rivers called for the vote on the motion on the floor:

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

b. Consideration – Appointment to the Senior Advisory Committee *(By Motion and Roll Call Vote)*;

Motion was made by Councilman Joseph Peel, seconded by Mayor Pro Tem Kem Spence to appoint Chery Morrison to the Senior Advisory Committee for a two-year term. Those voting in favor of the motion were: Biggs, Peel, Whitehurst, Spence, Felton and Walton. Against: None. Motion carried. A roll call motion followed, which yielded the same results.

c. Consideration / Discussion – Water / Sewer Rates / Call for a Public Hearing;

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

d. Consideration / Discussion – Naming Policy / Name Change for Dog Corner Park;

Mayor Rivers said he'd done some recent research and "Dog Corner" was not officially a name for the park in question; it was just that the road "dog-legged" to the right, so it was more of a nickname that stuck. He wanted to request that the Council change the name of that park, and in essence, finally give it an official name. Based off of Elizabeth City being fortunate to have three colleges, he felt it would be fitting to name the park "College Park". Councilman Peel pointed out that they may want to consider that a brand new sign had just been put up by TDA reflecting the name Dog Corner, which would need to be taken down and a new one put in its place. Mayor Rivers said he did mention the idea to the three presidents of the colleges / universities and they felt it was a fitting idea as well.

Motion was made by Mayor Pro Tem Kem Spence, seconded by Councilwoman Katherine Felton to call for a public hearing for the purpose of gathering public input on the renaming of Dog Corner Park to be held on Monday, February 14th, 2023 during the 7:00 p.m. Regular Session. Those voting in favor of the motion were: Biggs, Peel, Whitehurst, Spence, Felton and Walton. Against: None. Motion carried.

e. Consideration – Approval of Manager's Evaluation Form;

Motion was made by Mayor Pro Tem Kem Spence, seconded by Councilman Johnnie Walton.

Councilwoman Felton said she just wanted to make sure it included the few corrections that she'd previously brought forward. Councilman Peel asked if we needed to approve the 360 separately. Councilwoman Felton noted that the presented form indicated that the 360 would be added.

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

f. Update – Manager’s Report;

Manager Freeman said that we’d received a redline draft of the Customer Service Policy from Ms. Sharon Edmundson’s office. The Customer Service Manager was going through the document to consolidate and identify what had already been corrected and what needed to be corrected, and then it would be brought before the Council for final approval. An email also went to the Council from Ms. Edmundson on the 20th. He asked what the pleasure of Council was on that email. He said it was in response to the email that he’d sent her, and the Council had a copy of that. Councilman Peel said that he would like a copy of whatever Manager Freeman sent her by the 27th, which was the date she requested to be responded to.

Councilman Biggs asked if we were supposed to adopt the Customer Service Policy by the end of January. Manager Freeman said he thought we were initially, but that date has changed twice. The initial conversation was they were going to go through it, redline it for us and then the Council would adopt it. Then there were the 11 matters he brought forward last time that he responded to after bringing them to the Council. There’s been no conversations about the Customer Service manual. He noted that it seemed like whatever he sent, there was always going to be something else and the target continued to change. Councilwoman Felton asked what happens if we do not meet the 27th deadline. Manager Freeman said he did not know. During the December 12th meeting, the presentation was that this would be done by the end of January. Doretha Harrell, our Customer Service Manager was working on this, then I pulled her to work on the 11 items. There’s been no further mention of the policy, which is the piece you all would vote on. I can put that in an email.

Mayor Rivers noted that there would have to be a public hearing anyway. Councilman Biggs said maybe some of the stuff she’s asking for in the January 20th email might drive some of the things in the policy. If you’ve got some of this information, it might allow us to make some better decisions on whether we want to amend payment plan processes and things like that. We may need to look at it and see how many new people have gone on payment plans and see how the decisions we make when we amend this policy are going to be affected. We talk about the \$8 million in aging receivables, but that came mainly from utility billing and COVID, so we need to drill down and know what is out there off of true, every day non-COVID stuff. What are we not collecting in a normal world? I would like to maybe ask for an extension. We may have to have a work session to sit down and go through it. We can’t rush through it because it affects too many lives. I would ask that you print off a redline for me and I’ll pick it up so I can make my notes on it. It’s not like we’ve turned a blind eye to this. Mayor Rivers asked the manager to print nine copies and have the Police Department deliver them to the Council’s homes tomorrow.

Manager Freeman thanked the Council for everything they did this evening. No manager wants to come in asking for everything, but sometimes you have to. Councilman Walton said he heard a lot of positive comments from his Transaction to Transform initiative and his recent work with Big Boss Burrito. Manager Freeman explained that the first Fridays of the month are for large entities, and January’s was Sentara. The third Fridays are for a small business. This month’s small business was Big Boss Burrito, so we went and shot live at that location and told people all about them. If you have a business and you’re interested, we draw on the second Friday. I was able to go down and interview Junior, the owner, earlier today, which was great. Next month’s big entity is going to be ECSU, which we’ll shoot on February 1st. Then we’ll draw a small business on the second Friday.

He mentioned that Channel 11 is also back up and thanked Matthew Simpson for staying on Spectrum to get it working again. Going forward, we’re going to have more things coming out on Channel 11 and we’re going to tell the story of Elizabeth City.

Mayor Rivers advised that the next council meeting would be on 2/13. On 2/14, he’d be giving a State of Elizabeth City address to the citizens as we go into budget season.

Manager Freeman said that on Thursday evening, a contractor hit one of our main water lines. Our crews were called in and they never complained. At 2:10 a.m., we thought we had a plan.

At 6:00 a.m., I checked on Director Bell and he told me he walked in the door at 5:15 a.m. Friday morning. I had meetings all morning. That night, I said if you can cut your guys, cut them. It only worked 80%, we still had to leave a guy out there to watch it. He wanted to take a moment to praise Director Bell and his team for how hard they always worked and thank them for always showing up.

5. Closed Session – As Allowed by NCGS 143-318.11(a)(6) Discussion of Personnel and NCGS 143-318.11(a)(5) Land Acquisition *(As Added During Agenda Adjustments);*

Motion was made by Councilman Joseph Peel, seconded by Mayor Pro Tem Kem Spence at 9:24 p.m. to enter closed session as allowed by NCGS 143-318.11(a)(5) for Land Acquisition and NCGS 143-318.11(a)(6) for Discussion of Personnel. Those voting in favor of the motion were: Biggs, Peel, Whitehurst, Spence, Felton and Walton. Against: None. Motion carried.

The Council returned to open session at 10:13 p.m.

6. Adjournment:

Having no further business to be discussed, Mayor Rivers adjourned the meeting at 10:13 p.m.

E. Kirk Rivers
Mayor

April Onley, NCCMC
City Clerk

