

**City Council Regular Session  
June 13, 2016**

The City Council of the City of Elizabeth City met in regular session on Monday, June 13, 2016 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 Joe Peel  
Councilwoman Jean Baker  
Councilman Ray Donnelly  
Mayor Pro Tem Anita Hummer  
Councilman Tony Stimatz  
Councilman Michael Brooks  
Councilman Rickey King  
Councilman Darius Horton (*left meeting at 7:56 p.m.—excused*)  
Councilman Johnnie Walton

MEMBERS ABSENT: None

OTHERS PRESENT: City Manager Rich Olson  
City Attorney Bill Morgan  
Finance Director Sarah Blanchard  
Planning Director June Brooks  
Police Chief Eddie Buffaloe  
Assistant to the Manager Angela Cole  
Human Resources Director Katherine Felton  
Public Utilities Director Paul Fredette  
Fire Chief Larry Mackey  
IT Director Matthew Simpson  
Inspections Director Stanley Ward  
Parks and Recreation Superintendent Michael “Hipp” Barcliff  
City Clerk Vivian White

The City Council regular session was called to order by Mayor Joe Peel at 7:00 p.m. Mayor Peel welcomed everyone to the meeting and recognized Parks and Recreation Department Superintendent “Hipp” Barcliff to give the invocation, after which Mayor Peel led the Pledge of Allegiance.

Mayor Peel announced that the City was having issues with the live streaming of the meeting and cautioned that some delays may be experienced by those watching online. He apologized for any inconvenience caused.

**1. Agenda Adjustments and Approval:**

Mayor Peel requested Council’s pleasure regarding adjustments to and approval of the prepared agenda.

- a) Mayor Pro Tem Anita Hummer requested to add a Closed Session as allowed by NCGS § 143-318.11(a)(6) to discuss personnel matters.
- b) Councilman Tony Stimatz requested to move “Authorization to Execute Agreements for Weatherization Assistance Program Contractor Services for Fiscal Year 2016-2017 from the Consent Agenda and place it on the Regular Agenda for discussion.
- c) Councilman Johnnie Walton requested to add Technical Advisory Committee to the agenda for discussion.
- d) Councilman Donnelly requested to add “Orlando Pulse” to the agenda for discussion.

**Motion was made by Councilman Rickey King, seconded by Councilman Ray Donnelly, to approve the agenda as amended. Those voting in favor of the motion were: Baker, Donnelly, Hummer, Stimatz, Brooks, King, Horton, and Walton. Against: None. The 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. Comments from the Public:**

- a. Jacqueline S. Latson, 1305 S. Williams Circle, Elizabeth City, NC 27909 provided information on the speakers that the Fourth Ward Quality of Life Community Organization has featured over the past six months. She announced that the group would be sponsoring an "Open Party for All People from All Wards" on Saturday, June 25 at Fish Court Park and invited members of the City Council to attend.
- b. *(Clerk Notation: For several weeks, supporters and members of The Master's Touch Church have been speaking during the Public Comments portion of the Council's agenda to encourage the Council to amend the City's Noise Ordinance to exempt churches. During this May 23, 2016 meeting, three individuals spoke in support of the Master's Touch Church request to exempt churches from the Noise Ordinance. These speakers are listed by name and address, as follows:)*
  1. Haywood Perry, 200 Melonie Drive, Elizabeth City, NC 27909
  2. Pastor Timothy Stallings, Jr., 99 Seagull Drive, Elizabeth City, NC 27909
  3. Pastor Rahtina Stallings, 99 Seagull Drive, Elizabeth City, NC 27909

## **4. Approval of Minutes:**

Mayor Peel requested the Council's pleasure regarding approval of the prepared minutes.

- a. City Council Work Session of May 23, 2016:

**Motion was made by Mayor Pro Tem Anita Hummer, seconded by Councilman Rickey King, to approve the City Council Work Session minutes of May 23, 2016. Those voting in favor of the motion were: Baker, Donnelly, Hummer, Stimatz, Brooks, King, Horton and Walton. Against: None. Motion carried.**

- b. City Council Regular Session of May 23, 2016:

**Motion was made by Mayor Pro Tem Anita Hummer, seconded by Councilman Rickey King, to approve the City Council minutes of the Regular Session of May 23, 2016. Those voting in favor of the motion were: Baker, Donnelly, Hummer, Stimatz, Brooks, King, Horton and Walton. Against: None. Motion carried.**

## **5. Consent Agenda:**

*(Clerk Notation: All items recommended for approval by the Finance Committee during their meeting of June 9, 2016.)*

Mayor Peel recognized City Manager Olson to read the items on the amended Consent Agenda into the record. Mr. Olson recommended approval of all items, as follows.

### **Beginning of Consent Agenda:**

- a. Consideration – Adoption of Various Budget Amendments Required for Accounting Purposes, as follows:

#### **BUDGET AMENDMENTS**

**BE IT ORDAINED** by the City Council of the City of Elizabeth City that the following amendments be made to the annual budget ordinance and Capital Project Ordinance for fiscal year ending June 30, 2016:

**SECTION I. That the Aviation Park Fund Balance Appropriated (633990.0000) and Aviation Park Land Debt Payment (639008.8101) be increased by \$545,012.**

**(To record remaining four debt payments of \$136,253 per year for Aviation Fund land purchase debt.)**

**SECTION II. That the Middle School Fund Balance Appropriated (643990.0000) and Transfer to General Fund Expenditure (649012.9000) be increased by \$681.**

**That the General Fund Balance Appropriated (103990.0000) be decreased by \$681 and Transfer from Middle School Revenue (103930.6400) be increased by \$681.**

**(To close out Middle School Fund cash.)**

**This amendment will increase General Fund Balance by \$681.**

**SECTION III. That the Middle School Fund Balance Appropriated (643990.0000) and Transfer from General Fund Revenue (643970.1000) be increased by \$4,579.**

**That the General Fund Balance Appropriated (103990.0000) and Transfer from Middle School Fund Expenditure (106600.9164) be increased by \$4,579.**

**(To set up escrow for Middle School Grant required due to subcontractor wage violations.)**

**This amendment will decrease General Fund Balance by \$4,579.**

**ADOPTED, this 13<sup>th</sup> day of June 2016.**

---

**Joseph W. Peel**  
**Mayor**

---

**Vivian D. White, CMC/NCCMC**  
**City Clerk**

- b. Consideration – Authorization for Police Department to Submit Lowe’s Charitable and Educational Foundation Grant Application in the amount of \$40,000;
- c. Consideration – Authorization to a Execute Water Tower Attachment Agreement with New Cingular Wireless PCS, LLC;
- d. Consideration – Amendments to the City of Elizabeth City Fee Schedule for Fiscal Year 2016-2017 effective July 1, 2016, as follows:
  - 1. Addition of new Public Records Duplication Fees schedule;
  - 2. Addition of fee for copies of accident reports and minor text changes in the Police Department Fee Schedule;
  - 3. Deletion of Alley Lighting Policy and Procedures from the fee schedule;
  - 4. Increase in parking lease fees from \$15 to \$25 per month and text corrections to the Parking Rental fee schedule;
  - 5. Addition of fee schedule for Electric Service Equipment Rates and Costs.

**End of Consent Agenda.**

**Motion was made by Councilman Ray Donnelly, seconded by Councilwoman Jean Baker, to accept the Consent Agenda as**

**amended. Those voting in favor were: Baker, Donnelly, Hummer, Stimatz, Brooks, King, Horton and Walton. Against: None. Motion carried.**

Mayor Peel moved to the Regular Agenda at 7:17 p.m. in order to hold the Public Hearing at 7:30 p.m.

**6. Public Hearing:**

- a. Hold a Public Hearing to receive comment on the Proposed Fiscal Year 2016-2017 City of Elizabeth City Budget.

*(Clerk Notation: Councilman Horton left the meeting at 7:56 p.m. prior to the vote on this matter due to a commitment that required his presence. The City Council excused him by motion and vote at the end of the meeting.)*

Mayor Peel recognized Mr. Olson at 7:30 p.m. to provide the background for this discussion.

Mr. Olson noted that a number of changes had been made by the Council to the Manager’s Recommended Budget over the course of their four budget work sessions. He briefly reviewed the major items in his recommended budget and then spent time reviewing the following information, which documents the changes made by the City Council:

**REVISIONS TO FY 2016/17 BUDGET**

	<b>Increase</b>	<b>Decrease</b>
<b>General Fund</b>		
<b>Revenue</b>		
Other Financing Source	998,659	<i>(Vehicles \$255,500, VIPER \$743,159)</i>
One and Half Cent Tax Increase	174,000	
Pasquotank County Recreation Fee		569,917
Private Donation Recreation Donation		6,666
Employee Health Insurance Revenue	40,082	
Total	1,212,741	576,583
<b>Increase in Revenue</b>		<b>636,158</b>
<b>Expenditure</b>		
Health Insurance Savings		110,640
Health Insurance Buy Up	35,008	
Health Insurance Buy Up - Retiree	5,074	
Police Debt Payment	41,000	
Inspection Debt Payment	5,000	
Planning Debt Payment	5,000	
2% COLA	187,382	
Street Lighting		21,000
Parks and Recreation Capital Outlay		45,000

Parks and Recreation Capital Outlay - County		569,917
Contingency		65,747
VIPER Debt Payment	160,000	
Shortfall for Central Communications	206,841	(206841 / 3)
City VIPER	743,159	
Emergency Management	45,430	29,301/with Co. grant
Leadership Training Program	3,500	
Total	1,437,394	812,304
<b>Increase in Expenditures</b>		625,090
<b>Surplus</b>		11,068

## Electric Fund

### Revenue

Payment from Water/Sewer Fund	20,000	
Electric Energy Sales		1,078,171
Retained Earnings Appropriated	185,455	
Employee Health Insurance Revenue	9,132	
Total	214,587	1,078,171
<b>Decrease in Revenue</b>		863,584

### Expenditures

Health Insurance Savings		23,442
Health Insurance Buy Up	7,610	
Health Insurance Buy Up - Retiree	1,522	
Customer Service P/T Salaries	30,000	
Contingency		916,087
2% COLA	36,813	
Total	75,945	939,529
<b>Decrease in Expenditures</b>		863,584

## Water/Sewer Fund

### Revenue

Employee Health Insurance Revenue	7,610	
Total	7,610	
<b>Increase in Revenue</b>		7,610

### Expenditures

Health Insurance Savings		26,586
Health insurance Buy Up	7,610	

Customer Service P/T Salaries	30,000	
Pasquotank County Purchased Water		289,000
Additional Cost to Produce Water	151,110	
2% COLA	35,898	
Contingency	98,578	
Road Street Improvements		1,400,000
Transfer to Road Street Improvements	1,400,000	
Total	1,723,196	1,715,586
<b><i>Increase in Expenditures</i></b>		7,610

## **Stormwater Fund**

### **Expenditure**

Health Insurance Savings		220
2% COLA	591	
Roanoke Avenue Debt Payment	150,641	
Contingency		151,012
Total	151,232	151,232 -

## **Solid Waste Fund**

### **Revenue**

Employee Health Insurance Revenue	6,088
Total	6,088

***Increase in Revenue*** 6,088

### **Expenditure**

Health Insurance Savings		9,354
Health Insurance Buy Up	6,088	
2% COLA	13,192	
Contingency		3,838
Total	19,280	13,192

***Increase in Expenditures*** 6,088

Councilman Walton questioned the Leadership Training Program appropriation of \$3,500 and said that it was his recollection that the Council had not agreed to go forward with that expense.

Councilman Brooks stated that he remembered the discussion of that matter because he questioned the requirement that persons must graduate from college in order to participate in the program. He also said that he did not remember a vote.

Mr. Olson said that he was of the impression that the expenditure was to be included in the budget by consensus, but it could be removed if that was Council's desire.

**Motion was made by Councilman Tony Stimatz, seconded by Councilman Rickey King to include \$3,500 for the leadership development program.**

Councilman Brooks stated that he would prefer to have the guidelines for the program to make sure that participation was inclusive before voting.

Councilman Horton inquired if any criteria for the program had been developed. Mr. Olson responded that the appropriation was just a number in the budget at present and the policies and procedures would still have to be drawn up as with any policy decision. He stated that the Council would have to approve the program guidelines prior to implementing it.

Councilman King stated that it was his recollection that was what the consensus was all about. He said that the Council had decided to place the funds in the budget and staff would present the program details after adoption of the budget.

Mayor Peel said that the suggestion for the program was his; and he asked to review his idea for members of the Council. He stated that the thought was to design a program, as had been conducted years ago by the Chamber of Commerce. He noted that the Chamber leadership programs had an extensive cost associated and his intent was to have a program that all members of the community could participate in if they desired to do so. He reminded the Councilors that they had received a written copy of the proposed program in January during the City Council retreat. He said that his hope is to run the program using the Community Relations Commission in order that it can be inclusive. He said that it would not cost anyone to participate. He stated that the program would be for persons who are working, but they did not have to possess a college degree. He said he did not believe the program should be for college or high school students, because a different kind of program would be needed to do that.

Councilman Walton stated that he could “give a leadership conference for less than that, but what we do – Tony is on that committee – CRC - so he says okay guys we gonna find something for ya’ll to do this year. We gonna give you \$3,500 and the County might give you \$3,500 – that’s \$7,000 – we have never give you that much before – that’s how things go, ya’ll.”

Mayor Peel pointed out that Councilman Stimatz did not have anything to do with the suggested program.

Councilman Walton asked why the Council would give a leadership conference “for someone who’s not going to stay in Elizabeth City.” He said “it’s no guarantee that if we put \$3,500 and people might end up what – Rich, from Kansas, Rich?” He stated “I know you think that \$3,500 is not a lot of money, but you know, if you can play with \$3,500 like that, you can play with a million dollars. When you want to force something – that’s one reason I said let’s discuss the TAC, because they gonna be talking about a whole lot of money in that TAC – there are people that shouldn’t go to meetings and push things through. If you can’t discuss something and be truthful for what you are saying, you not doing your citizens justice. You not doing your citizens justice when you just make a motion and then you think you gonna push it through cause you got the votes. That’s not the right way to do it.”

Councilman Donnelly said that it was his understanding that just because the Council allocates for an expense, doesn’t mean the Council will expend it. He said that the Council still gets to vote on whether or not the money will be spent on a specific program. He noted that it is simply putting the money in the budget to move forward with the concept. He said if the Council decides that it does not like the concept, it won’t be approved.

Councilman Brooks stated that his problem was not with budgeting \$3,500, he simply wants the program to be more inclusive. He said the Council needs some kind of “blueprint” for the program before voting on the allocation.

Mayor Peel said that a blueprint was not available at the current time. Councilman Brooks asked if a motion could be made that the program be inclusive. Mayor Peel stated that he would be more than happy to involve Councilman Brooks in the decisions regarding the makeup of the leadership program.

**Councilman Stimatz stated that he would accept Councilman Brooks' friendly amendment that any program that is created be inclusive to anyone who is a high school graduate and above and the criteria will be based on that. Councilman King accepted the friendly amendment.**

Councilman Walton stated "like I said before I can give you a better program for cheaper. I went through a program, ya'll – we went in, we wrote grants and we had to go through an interview process. The next night they had a big gathering of executives, big businesses – all we got to do is get certain – whatever age bracket you want – let them do a project – I mean, they're learning – do a project. The next day let's judge see who put the best project out there and then interview business people from our City. We got enough businesses around here so they can talk to kids. You can do that for under \$3,500. It's just so simple. I want to be on that committee if one gonna be made. We don't have to have the CRC to do it."

Mayor Peel stated that the intent is for a program that will last about ten months.

Councilman Walton said "I don't need ten months to do mine. It took us two days to do it. I mean, ya'll talking about going to visit the sewer plant. We don't need to do that. I read your proposal – you said on the fifth month, let's go visit some other location. To me, that's irrelevant. For them to go to a sewer plant to learn? Learn what? We can do better than that, man."

Councilman Brooks asked what he would have to do to be a part of the committee to help determine who can participate. Mayor Peel said "make sure I have your phone number."

Councilman Walton said "I would like to be on it also."

Mayor Peel stated that there was a motion on the floor and asked if there was any further discussion about the motion.

Councilman Stimatz stated that if he understood correctly, the list of revisions presented by staff still had to be voted on, either during this meeting or by adopting the budget ordinance. Mr. Olson responded that was correct. Councilman Stimatz pointed out that the allocation of \$3,500 was going to be voted on – regardless.

Mayor Peel called for a vote on the motion.

**Those voting in favor of the motion were: Baker, Donnelly, Hummer, Stimatz, Brooks and King. Against: Walton. Motion carried. (Councilman Horton had left the meeting and was excused by the City Council.)**

Mayor Pro Tem Hummer asked for clarification on the \$65,747 expenditure shown as General Fund Contingency. Mr. Olson stated that his recommended budget included a General Fund contingency of \$65,747; however after processing all the revisions, the surplus (contingency) amount is now \$11,068.

Mayor Peel declared the meeting into public hearing at 8:05 p.m. and inquired of the City Clerk if persons were present who wished to be heard. The Clerk responded that no one had signed up to speak. She noted that the public hearing advertisement invited both oral and written comments and stated that a letter had been received and copies had been provided for the Councilmembers' consideration.

Councilman Stimatz stated that it was appropriate to read the letter received into the record.

The City Clerk read aloud the following letter.



To the Mayor, City Councilors & The City Manager,

May 25<sup>th</sup> 2016

In Reading the Daily Advance I see you have decided to raise the property taxes the water & sewer rates and in another item you proposed to put an additional fee on any who use more than 1000 wats of energy.

You also are giving the city workers a 1% raise COLA.... Now more than half of your home owners are seniors who did not get a COLA raise and are subsidizing from month to month on Social Security doing the best they can as every other item re Health Supplemental Insurance Prescription Insurance groceries, service charges are being raised. How do think they are going to cope with yet another raise just so you can give it to city workers?? You need to either rethink some of your budget or start giving seniors a discount to help the pay for life essentials. We as seniors cannot sustain all these raises you are proposing without going without either food or meds or insurance .

I see the manager said it would be a small amount added to the water /sewer bills BUT all these small amounts add up when we are not getting any COLA increases to our fixed income . Think about that FIXED income that means when something increases in cost we have to deduct something else to accommodate those increases that is not easy for folks with limited room to shift their budget. Most of us are being squeezed to the limit. You need to think about that as I say more than half of the homeowners are seniors and not rich seniors either >

You seriously need to rethink this or you are going to see seniors up and leave then you will not be getting any property taxes until the home is sold ( which is not happening if you look at Church St alone

you will find homes that have been on the market for almost a year with no looker never mind buyers you are driving folks way)

Do you really need a Splash pad & Dog park and I'm sure the city workers are not going to up and leave a safe city job because they cannot get a COLA raise ? If the health insurance for the city has increased then blame the current Govt. after all they caused it with their promise of "Affordable Health Care " we the seniors did not cause that expense so why should our taxes be raised to compensate for it

As to the efficiency of the city workers 21 years ago we requested a new garbage bin as the wheel had broken off ours ( we still have not received a new one) My husband repaired ours when it was quite clear our request was not being forthcoming ) Yeah a 1% Cola will fix that no doubt.

Very upset Senior Citizen Tax Payer  
Mrs Margaret Docherty  
304 W Church St  
Elizabeth City  
252-202-3178  
[mdoc12@yahoo.com](mailto:mdoc12@yahoo.com)

**Motion was made by Councilwoman Jean Baker, seconded by Councilman Tony Stimatz that the Council accept the recap of the revisions made to the Manager's Recommended Budget and further instruct staff to prepare the budget ordinance for adoption on June 27, 2016.**

Councilman Donnelly asked Mr. Olson for the dollar savings realized by the new employee health insurance program. Mr. Olson responded that it was roughly \$160,000. Councilman Donnelly noted that amount was significant.

Councilman Stimatz reminded everyone that the 2% COLA is not really a 2% COLA, since the Council voted to eliminate the employee 1% Christmas Bonus and roll it into a cost-of-living adjustment that would be permanent. He stated that he had not received the comparison of COLAs given since 2007 that had been requested earlier. He said that the Council had worked very hard in 2007 on the pay comparison study and tried to make the commitment that the Council would match the Social Security Administration's annual COLA adjustment every year to the extent possible. He pointed out that when the economy went south a few years later, that commitment fell behind. He requested that the COLA information be provided to him by the next budget meeting.

Councilman Stimatz pointed out that the electric rate restructure would actually result in a decrease for those utility customers using over 1,000 kW. He noted that the proposed dog park is not a part of the budget. He stated that the Splash Park was something that had been discussed by the Council since former Mayor McLean was mayor and is an issue of providing a safe water activity that local children can get to. He said that it was his opinion that it was long overdue.

Mayor Pro Tem Hummer requested that the City Manager explain the reasoning for the 1.5% tax increase. Mr. Olson explained that the increase is to pay for the expenses

related to the Pasquotank County migration to the state's 800 MHz VIPER communications network. He said the City's expense was approximately \$958,000, with \$743,000 being for the mobile and portable radios and base stations that would be used by the police and fire departments.

Councilman Brooks' reiterated his position that he supported retaining the 1% Christmas Bonus for employees out of fear that it would never be restored. He pointed out that if the Social Security Administration does not increase its cost-of-living adjustment, the City would not either leaving the employees without anything additional.

Councilman Walton expressed his empathy for the letter writer and stated that he agreed that the City was running people away with increased fees and taxes.

Mayor Peel called for a vote on the motion.

**Those voting in favor of the motion were: Baker, Donnelly, Hummer, Stimatz, Brooks, King and Walton. Against: None. (Councilman Horton had left the meeting and was excused by the City Council.)**

## **7. Regular Agenda:**

- a. Consideration – Reappointment to Elizabeth City-Pasquotank County Airport Authority:

Mayor Peel announced that Councilman Tony Stimatz' term on the EC-PC Airport Authority would end on June 30, 2016. He requested the Council's pleasure regarding his reappointment to a two year term expiring June 30, 2018 by Roll Call vote. The vote is recorded as follows:

**Brooks – yes  
Stimatz – yes  
Horton – yes  
Hummer – yes  
King – yes  
Baker – yes  
Walton – yes  
Donnelly - yes**

- b. Consideration – Reappointment to Pasquotank County ABC Board:

Mayor Peel announced that Dr. Andrea Williams' term on the Pasquotank County ABC Board would end on June 30, 2016. He requested the Council's pleasure regarding her reappointment to a four year term expiring June 30, 2020 by Roll Call vote. The vote is recorded as follows:

**Brooks – yes  
Stimatz – yes  
Horton – yes  
Hummer – yes  
King – yes  
Baker – yes  
Walton – yes  
Donnelly - yes**

- c. Discussion/Update – Progress report on Public Street and area lighting policy and inventory:

Mayor Peel recognized Mr. Olson to begin the discussion of this matter. Mr. Olson stated that one of the Council's adopted goals for the current fiscal year included a directive that staff take a look at street lighting within the community. He advised that staff was reviewing a policy manual that had been adopted in 1980 that included guidelines for electric service, metering, periodic testing, new construction, and underground service. He stated that parts of the handbook had been amended over the

years and noted the policy for underground service as an example. He said that the entire manual needed updating, including the public street and area lighting policy that was included. He reported that a small staff working group had been created and the groups was currently about three quarters of the way in completing their review. He stated that when the proposed amendments to the manual were complete, the document would be submitted to the Council for review and consideration. He noted that the process would include a total re-write of the current manual.

Angela Cole informed the Council that language would also be included in the updated manual dealing with the City's weatherization program.

Hearing no questions or comments from members of the Council, Mayor Peel thanked staff for the update.

d. Discussion – Retiree Health Insurance Benefits:

**Motion was made by Councilman Rickey King, seconded by Councilman Ray Donnelly, to recuse himself from the discussion. Those voting in favor were: Baker, Donnelly, Hummer, Stimatz, Brooks, King, Horton and Walton. Against: None. Motion carried.**

*(Clerk Notation: Councilman King is a City of Elizabeth City retiree.)*

Mayor Peel called on Mr. Olson to provide background for this item. Mr. Olson stated that Mayor Pro Tem Hummer had requested that staff place this discussion on the Council's agenda due to requests she had received from several citizens.

Mr. Olson explained that the City had recently made changes in its health insurance policy and those changes also impacted retirees. He said that City staff has been working on this issue for a number of years and had received an opinion in 2013 from labor attorney, John Leidy regarding compliance with the Affordable Care Act. He said that prior to staff recommending a dual option health insurance plan to the Council for the coming fiscal year, he again sought guidance from Mr. Leidy. He noted that Mr. Leidy's opinion letter had been included in the agenda packet.

Mr. Olson advised that upon presentation of this matter to the Finance Committee, the committee requested further clarification from Mr. Leidy. In order to comply with the committee's request, he stated that he requested an additional letter from Mr. Leidy, which was also included in the agenda packet. He reported that the most recent letter advised that the City can change benefits of retirees; that the City is obligated to provide and pay for coverage of retirees; that the City can offer retirees a buy-up option just as regular employees; and that the City cannot differentiate between regular employees and retirees.

Mr. Olson also pointed out that retirees who choose to participate in the buy-up option and do not pay their premiums to the City in a timely fashion when billed, their coverage can be terminated. He explained that retirees could receive COBRA coverage if that was to occur and they would be allowed to reenroll during the next open enrollment period if they chose to do so.

Mr. Olson explained that the City has three groups of retirees, as follows:

(1) Those individuals who were already retired as of June 30, 1996. Based on the 1996 policy, their health insurance benefits were not changed and will be covered by the City until their death.

(2) Those individuals who were hired before June 30, 1996 and are now retired or not yet retired. These employees/retirees receive health insurance benefits until they are Medicare eligible, after which they receive a stipend for a verifiable Part B supplemental insurance policy. They must work 20 years to receive this benefit.

(3) Those employees hired on or after July 1, 1996. These employees receive no health insurance benefits at retirement. (Exception: An employee who works 30 years and is not yet 65.) Mr. Olson noted that each of these employees, as well as future hires, sign a statement acknowledging that their benefits are subject to change from time to time.

In summary, Mr. Olson reiterated that the City must treat retirees the same as current City employees with regard to health insurance coverage. He reminded the Council that for fiscal year 2016-2017, the City will provide employees and retirees a basic level of coverage; and it is at the employees' and retirees' option whether or not they want to buy-up to an enhanced plan at a cost of \$521 annually.

Councilman Stimatz inquired if the years of service requirement for employees hired after July 1, 1996 had to all be entirely with the City of Elizabeth City. Human Resources Director Katherine Felton advised that the City's policy, as written, requires that employment service must be with the City of Elizabeth City.

Councilman Donnelly asked if any of the individuals who retired before June 30, 1996 had opted to go on Medicare coverage. Mr. Olson responded that none had, because the City pays 100% of their health insurance premium.

- e. Consideration – Authorization to Execute Agreements for Weatherization Assistance Program Contractor Services for Fiscal Year 2016-2017 *(Item recommended by the Finance Committee for approval during their meeting of June 9, 2016. Removed from Consent Agenda by Councilman Stimatz for discussion.):*

Mayor Peel recognized Councilman Stimatz for his comments. Councilman Stimatz stated that he did not have an issue with the request to execute the contractor agreements, but wanted to take an opportunity to talk about the weatherization program.

He stated that he had spoken with participants of the City's weatherization program who had indicated that they were told that they had to do the improvements according to the City's Scope of Work in order to have the expenses paid. He said that if a citizen wanted to use another insulation method that may be more expensive, such as foam insulation, they were not allowed to do so. He said that it was his opinion that the City should be able to accommodate those persons who wished to do that. Councilman Stimatz stated that for older homes with knob and tube wiring, blown in cellulose and batts insulation was not appropriate for attic floors. He said his preference would be to do something in the eaves of the attic, which was appropriate for spray in foam.

He asked that the City's policy regarding insulation be revisited and that staff take a look at establishing an upper limit for the weatherization allowance.

Councilman Walton reiterated his opinion that the City should use local contractors to do weatherization work.

Councilman Stimatz pointed out that the agreements represented vetted contractors that are able to do weatherization work. He noted that the City can choose to do business with one or all of them. He said that if a citizen elected to use spray foam and the reimbursement policy was amended to allow for it, the citizen could contract with anyone to do the work and still be reimbursed.

**Motion was made by Councilman Tony Stimatz, seconded by Councilwoman Jean Baker to accept the list of approved contractors. Those voting in favor of the motion were: Baker, Donnelly, Hummer, Stimatz, Brooks and King. Against: Walton. Motion carried. (Councilman Horton had left the meeting and was excused by the City Council.)**

- f. Technical Advisory Committee – *(added to agenda by Councilman Walton)*

Mayor Peel recognized Councilman Walton for his comments.

Councilman Walton stated that he had read an article in the newspaper about the Airport's Technical Advisory Committee and requested that Councilman Stimatz provide an update.

Councilman Stimatz stated that the committee is a part of the long-term strategic planning effort for the airport. He noted that he had been on the Airport Authority Board for about 12 years. He said that part of the Authority's job is to determine where the airport is going in the future. He advised that the airport does not belong to the City. He noted that the Coast Guard owns the airport and the airfield and the Authority has a section of it as a user. He said that the North Carolina Department of Transportation (NCDOT) requires an Airport Master Plan to make sure the "heavy lifting" has been done prior to considering grant funding requests. He advised that the State was willing to pick up the \$400,000 tab for the master plan with their airport money, and the Authority only has to put in \$40,000. He stated that having the Airport Master Plan makes the Airport Authority extremely eligible for NCDOT funding in terms of multimillion dollars. He noted the rehabilitation of the now-closed runway I-19 as a perfect example of how general aviation could be improved at the Coast Guard complex.

He said the TAC is simply a group of people that has been put together, most of whom already sit on the Airport Authority, to work with the hired consultant on developing the Master Plan.

Councilman Walton asked if ECSU and COA should be included in the planning. Councilman Stimatz responded "not particularly" but noted that Orestes Gooden is a member of the Authority and is employed in ECSU's aviation program and that Johnny Houston is also a member and is a retiree of the university. He said where it is appropriate the TAC will consult with those institutions.

Councilman Walton asked how much information the Council needed to know. Councilman Stimatz responded by inviting him to attend a planning meeting, as they are open to the public. He noted that it was an advantage to the Authority for the public to have input.

g. Orlando Pulse – *(added to agenda by Councilman Donnelly)*

Mayor Peel recognized Councilman Donnelly for his comments. Councilman Donnelly stated that he was certain everyone was aware of the "horrific and hateful" action that took place at the nightclub in Orlando, Florida recently. He noted that it was truly tragic and had triggered in him a need to bring forth a motion.

**Motion was made by Councilman Ray Donnelly that we pass a resolution in the City Council to protect and defend and support the LGBT Constitutional rights throughout our community.**

Mayor Peel asked if there was a second to Councilman Donnelly's motion. Hearing none, he declared the motion dead for lack of a second.

## **8. Comments and Inquiries on Non-Agenda Items:**

Councilman Brooks thanked the Police Department and the City Council for the expedient installation of the security camera on Roanoke Avenue.

Councilman Stimatz reminded everyone about the upcoming Fourth of July celebration and noted Independence Day's importance to our Country and the preservation of citizens' rights.

Mayor Pro Tem Hummer introduced an idea that had been presented to her by some citizens, which she thought was a good idea. She asked for the Council's consideration

of placing a sign honoring world-renown billiard player Wimpey Lassiter on US Highway 17. She requested that the City Manager look into the request.

Councilman King reported that he and Councilman Walton attended Town Hall Day in Raleigh on Wednesday, June 8. He noted that it was exciting and interesting and he enjoyed seeing the Legislature in action.

Councilwoman Baker reported that Wimpey Lassiter was going to be one of the characters portrayed in the "Best 20 Years of Ghostwalk" this year. She stated that a proposal to change the name of East Colonial Avenue where his pool hall was located to Wimpey Lassiter Avenue was being discussed. She congratulated Angela Cole for being named a Woman of Excellence.

Councilman Walton encouraged citizens to make sure they know the representatives they will vote for in November and be cognizant of the newly drawn district lines. He congratulated Northeastern High School and Pasquotank High School for the good job they were doing and noted the number of students who received scholarships to attend institutions of higher learning.

Councilman Donnelly commended City staff on the impressive improvements to the boardwalk at Waterfront Park. He invited citizens to take a look at the renovations that had taken place.

Mayor Peel noted the improvements to Charles Creek Park and commended the Parks and Recreation Department for their work. He reminded citizens to participate in the Dine Out to Help Out campaign for the Food Bank of the Albemarle. He also noted the upcoming jazz event at Arts of the Albemarle.

**9. Closed Session as allowed by NCGS § 143-318.11(a)(6) to discuss personnel matters.** *(Added to Agenda by Mayor Pro Tem Hummer.)*

Mayor Peel requested a motion for the Council to retire into Closed Session.

**Motion was made by Mayor Pro Tem Hummer, seconded by Councilman Stimatz to go into Closed Session as allowed by NCGS § 143-318.11(a)(6) to discuss personnel matters. Those voting in favor of the motion were: Baker, Donnelly, Hummer, Stimatz, Brooks, King and Walton. Against: None. Motion carried.**

Mayor Peel declared a five minute recess at 8:47 p.m., after which the Council reconvened in Closed Session.

**Motion was made by Councilman Stimatz, seconded by Councilman Donnelly to go into Closed Session as allowed by NCGS § 143-318.11(a)(6) to discuss personnel matters. Those voting in favor of the motion were: Baker, Donnelly, Hummer, Stimatz, Brooks, King and Walton. Against: None. Motion carried.**

The Council returned to Regular Session at 9:42 p.m.

Mayor Peel explained that Councilman Horton had informed him of a commitment that required that he leave the meeting early. He requested that the Council excuse Councilman Horton from all votes taken after his departure.

**Motion was made by Councilman King, seconded by Councilwoman Baker to excuse Councilman Horton from all votes taken after he left the meeting. Those voting in favor of the motion were: Baker, Donnelly, Hummer, Stimatz, Brooks, King and Walton. Against: None. Motion carried.**

**10. Adjournment:**

There being no further business to be discussed, Mayor Peel adjourned the meeting at 9:43 p.m.

---

Joseph W. Peel  
Mayor

---

Vivian D. White, CMC/NCCMC  
City Clerk