

**City Council Regular Session
March 27, 2017**

The City Council of the City of Elizabeth City met in regular session on Monday, March 27, 2017 in Council Chambers, located on the 2nd 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 Rickey King
Councilman Darius Horton
Councilman Johnnie Walton

MEMBERS ABSENT: Councilman Michael Brooks

OTHERS PRESENT: City Manager Rich Olson
City Attorney Bill Morgan
Finance Director Sarah Blanchard
Deputy Chief John Young
Electric Department Superintendent Karl Clow
Assistant City Manager Angela Cole
Interim Human Resources Director Monica Cole
Public Utilities Director Paul Fredette
Parks and Recreation Director Dexter Harris
Fire Chief Larry Mackey
ECDI Director Debbie Malenfant
Community Development Director Matt Schelly
Inspections Director Stanley Ward
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 Councilman Darius Horton to give the invocation, after which Mayor Peel led the Pledge of Allegiance.

1. Agenda Adjustments and Approval:

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

Motion was made by Councilman King, seconded by Councilwoman Baker, to approve the agenda with any necessary corrections.

Councilwoman Baker requested to add a discussion of Elizabeth City's 225th Anniversary.

Councilman Walton requested to remove from the Consent Agenda two items: "Authorization to Submit Urban Forestry NC Forest Service Grant Request for the proposed Charles Creek Educational Trail" and "Authorization to Submit NC Parks and Recreation Trust Fund Grant Application for Coast Guard Park and Adoption of Basic Facts and Assurances Document."

Councilman Walton requested to add a discussion of markers and monuments on City property.

Mayor Peel called for a motion to approve the amended agenda.

Those voting in favor of the motion were: Baker, Donnelly, Hummer, Stimatz, King, Horton and Walton. 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/ Proclamation:

a. Presentation - Recognition of Retiring Employees:

1. Mayor Peel invited Mr. Edward Wynn to join him at the podium. Mayor Peel announced that Mr. Wynn would be retiring from the City of Elizabeth City on April 1, 2017 as a Truck Driver/Grounds Worker with the Electric Department. He stated that Mr. Wynn began working for the City on September 18, 1986 and was a very hard worker who all the crews wanted to have on their jobsite. Mayor Peel noted that his colleagues will greatly miss him, but wish him all the best in his retirement. After presentation by Mayor Peel of his retirement plaque, Mayor Peel acknowledged the presence of Mr. Wynn's wife and stated "she's going to be your new boss!"
2. Mayor Peel announced that the second retiree was Donald E. Jones, who also would be retiring on April 1, 2017 as an Equipment Specialist III in the Public Utilities Department. Mayor Peel announced that Mr. Jones started working for the City on March 3, 1980 as a Warehouseman and later transferred to the Public Utilities Department. Mayor Peel noted that Mr. Jones' supervisors had stated that Mr. Jones is a very pleasant person to work with, always performs his duties in a timely manner and very rarely misses a day of work. Mr. Peel stated that Mr. Jones' departmental colleagues will miss him, but wish him the best in his retirement. *(Clerk notation: Mr. Jones was unable to attend the Council meeting.)*

b. Presentation – NCLM Risk Assessment Review of Police Department by Tom Anderson

Mayor Peel recognized City Manager Olson to introduce Mr. Tom Anderson. Mr. Olson stated that Mr. Anderson is a retired former police chief of Statesville, North Carolina who is serving as a Public Safety Risk Manager with the North Carolina League of Municipalities. He reported that over the last few months, Mr. Anderson had been looking at all the Police Department's standard operating policies and procedures to identify any deficiencies. He noted that before adopting any policies, the City consults with League staff.

Mr. Anderson thanked the Council for allowing him the opportunity to present his findings. He advised that the League had put together a panel of police chiefs in 2013 that were tasked with identifying high liability concerns that could result in lawsuits, such as use of force and car crashes. He said that the task is to determine what can be done for a better outcome based on common denominators and best practices.

Mr. Anderson stated that the number one initiative currently being undertaken by the panel is the Law Enforcement Risk Review Process, which is the process the Elizabeth City Police Department has completed.

Mr. Anderson reported that the process began with a comprehensive offsite review of the Police Department policies, which was followed by an onsite review of operations from start to finish to assure that operations are in line with stated policies and reflect best practices.

Mr. Anderson announced that the Police Department had successfully completed the process, which took about four months to conclude. He recognized City Manager Olson and Chief Buffaloe for their leadership in agreeing to go through the initiative. He also commended Lt. LaCombe for his tireless work and commitment to the review. Mr. Anderson opined that the Elizabeth City Police Department is an impressive agency and one that is making the profession proud.

Mr. Anderson presented a plaque to Mayor Peel and Deputy Chief Young recognizing the successful completion of the League's Law Enforcement Risk Review.

c. Proclamation – Lineman Appreciation Day in Elizabeth City

Mayor Peel read and presented a proclamation declaring Monday, April 10, 2017 as "Lineman Appreciation Day in Elizabeth City." The proclamation urged all citizens to remember the selfless work the City's linemen do every day to keep our lights on. The proclamation was accepted by Electric Superintendent Karl Clow, Lead Lineman Jason Value and retiring employee Ed Wynn.

4. Comments from the Public:

Shelia Simpson, P. O. Box 3056, Elizabeth City, NC stated that she was a member of the Elizabeth City Alumni Chapter of Delta Sigma Theta. She recognized other members of the organization also in the audience. She thanked the City Councilors for their leadership and commitment to the community. She advised that the members of Delta Sigma Theta had been involved through volunteer services in the community for over 65 years. She stated that the members of the organization would like to offer their help in any way they could assist. She asked that the Council consider during budget deliberations providing funding for the "Blast into the Exploration of the 21st Century STEM" program that the organization would like to initiate.

Joan Ellis, 1301 S. Williams Circle, Elizabeth City, NC noted that a stream runs along the side of her property and frequently becomes clogged. She reported that the Public Works Department had cleaned the stream completely and cut down all the overgrowth. She stated that the department did a phenomenal job and she just wanted to thank the City for a job well done.

John H. Snowden, 112 Maple Road, Currituck, NC stated that he also owns property on Cypress Street in Elizabeth City. He said his concern before the Council was the utility "fiasco." He stated that based on his extensive background in information technology, he felt he was qualified to speak about the City's utility billing issues. He stated that a six month period was inexcusable to roll out a packaged product. He noted that the intangible was inconvenience, frustration and the damage to customer confidence, which could not be measured. He noted that bills are late and inaccurate and calls to the Customer Service Department are not being answered. He provided an example of his personal billing errors and stated that if he had made errors like that in his employment he would be looking for a new job. He asked the Council to remember that in the real world, someone would have lost their job or be severely reprimanded for making such a poor management decision.

5. Consent Agenda:

(Note: All items recommended for approval by the Finance Committee during their meeting of March 23, 2017)

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

Beginning of Consent Agenda:

- a. Consideration – Adoption of the following Budget Amendment for Tanglewood Parkway Underground Distribution Line;

BUDGET AMENDMENT

BE IT ORDAINED by the City Council of the City of Elizabeth City that the following amendment be made to the annual budget ordinance for fiscal year ending June 30, 2017:

SECTION I. That the Electric Fund Retained Earnings Appropriated (303990.0000) and Tanglewood Capital Improvements (308300.7314) be increased by \$151,355.

(To record additional funds for Tanglewood Parkway Underground Distribution Project.)

ADOPTED, this 27th day of March 2017.

Joseph W. Peel
Mayor

Vivian D. White, CMC/NCCMC
City Clerk

- b. Consideration – Execution of Professional Engineering and Surveying Services Contract with Eastern Carolina Engineering for Phase III, Contract 2 of the Road Street Project;
- c. Consideration – Authorization for Police Department to Apply for the “Watch for Me NC” Program with the NC Department of Transportation;
- d. Consideration – Authorization to Submit TDA Application to Support Coast Guard Day 2017;
- e. Consideration – Authorization for Mayor Joseph W. Peel to execute the Loan Agreement (required by the Department of Commerce/CDBG grant) by and between the City of Elizabeth City and Southern Hotel of Elizabeth City, LLC.

End of Consent Agenda.

Motion was made by Councilman King, seconded by Mayor Pro Tem Hummer to approve the Consent Agenda. Those voting in favor of the motion were: Baker, Donnelly, Hummer, Stimatz, King, Horton and Walton. Against: None. Motion carried.

6. Public Hearings:

- a. Hold a Public Hearing to Receive Comment on Proposed Amendments to Section 90.01 “Beehives” of the City’s Code of Ordinances.

Mayor Peel announced the subject of the first public hearing and recognized Mr. Olson for his comments. Mr. Olson reported that state statute had changed regarding regulation of beehives and City staff had developed an ordinance amendment for consideration by the Council in order to comply with newly adopted state law. He reviewed the specifics of the changes contained in the amendment.

Mayor Peel declared the Public Hearing open at 7:30 p.m. and inquired of the City Clerk if persons were present who wished to be heard. Upon her reply that no one wished to speak, he declared the Public Hearing closed.

Mayor Peel requested the Council’s pleasure regarding this matter.

Motion was made by Councilwoman Baker, seconded by Councilman King, to adopt the following ordinance to effect amendments to Section 90.01 of the City’s Code of Ordinances to comply with NCGS 106-645.

Councilman Stimatz pointed out that in Section A, reference was made to “any and all hives shall be placed at ground level or securely attached to an anchor or stand.” He noted that the anchor or stand could be permanently attached to a roof surface. He asked if there was a building code that would kick in to allow for hurricane winds that needed to be referenced. Mr. Olson stated that he was unaware of any such regulation and pointed out that it would be just as any other attachment to a roof, such as a dish for television. He noted that it would have to be adequately secured, but did not know how to describe wind load standards for that situation.

Mayor Peel inquired if there was additional discussion. Hearing none, he requested a vote on the motion.

Those voting in favor of the motion were: Baker, Donnelly, Hummer, Stimatz, King, Horton and Walton. Against: None. Motion carried.

**ORDINANCE # 2017 – 03 - 01
TO AMEND**

**Title IX: General Regulations, Chapter 90 Animals,
Section 90.01 Beehives**

WHEREAS, Due to amendments adopted by the North Carolina General Assembly to NCGS § 106-645 “Limitations on Local Government Regulation of Hives” in 2015, Section 90.01 “Beehives” of the City’s Code of Ordinances needs to be amended in order to comply; and

WHEREAS, the Public Hearing to effectuate this ordinance amendment as required by the City Council Rules of Procedure was advertised on March 17, 2017 in The Daily Advance and was held on March 27, 2017, as required.

NOW THEREFORE BE IT ORDAINED that the City Council of the City of Elizabeth City hereby amends Chapter 90 Animals, Section 90.01 Beehives of the City of Elizabeth City Code of Ordinances, as indicated by the following add-delete format:

§ 90.01 ~~BEE~~HIVES.

(A) Location of ~~bee~~hives and other enclosures. No person shall locate, construct, reconstruct, alter, maintain or use any hives or other enclosures for the purpose of keeping any bees on any lot or parcel of land within the city limits unless every part of such hive or enclosure is located at least 75 feet from any dwelling located on adjoining property.—. Any and all hives shall be placed at ground level or securely attached to an anchor or stand. If the hive is securely attached to an anchor or stand, the city may permit the anchor or stand to be permanently attached to a roof surface.

(B) Number of hives or colonies. On lot sizes of 15,000 square feet or less, no more than four hives or colonies of bees or other bee-housing enclosures will be permitted. Up to five hives shall be permitted on a single parcel within the land use planning jurisdiction of the city. The hives or other enclosures shall be at least 15 feet from any adjoining property line. On lots larger than 15,000 square feet, additional hives or other enclosures will be permitted on the basis of one hive or other enclosure for each 5,000 square feet in excess of 15,000 square feet.

(C) Type of bees. This section shall pertain only to honey bees maintained in movable frame hives or enclosures and it does not authorize the presence of hives or enclosures with non-movable frames or feral honeybee colonies (honeybees in trees, sides of houses and the like) which shall be unlawful under this section.

(D) Restrictions on manipulating bees. The hives or colonies or enclosures of bees may not be manipulated between the hours of sunset and sunrise unless the hives or enclosures are being moved to or from another location.

(E) Water source. No person shall establish or maintain any hive or other enclosure for purposes of keeping bees upon any lot within the city limits unless an independent water source is established and continuously maintained for the hive or other enclosure upon the same property on which the hive or other enclosure is located.

(F) The city may require removal of the hive if the owner no longer maintains the hive or if removal is necessary to protect the health, safety, and welfare of the public.

(G) For purposes of this section, the term "hive" has the same definition as in G.S. 106-635(15).

SECTION II. EFFECTIVE DATE: This Ordinance shall take effect on March 28, 2017.

SECTION III. CODIFICATION. The provisions of this Ordinance shall be published as appropriate in the City of Elizabeth City Code of Ordinances as soon as practicable after its adoption.

SECTION IV. SEVERABILITY CLAUSE. If any section, or part or provision of this Ordinance is declared unconstitutional or invalid by a court of competent jurisdiction, then it is expressly provided and it is the intention of the City Council of the City of Elizabeth City in passing this Ordinance that its parts shall be severable and all other parts of this Ordinance shall not be affected thereby and they shall remain in full force and effect.

READ, CONSIDERED, AND ADOPTED at a regular meeting of the City Council of the City of Elizabeth City, North Carolina, during which a quorum was present, held on the 27th day of March 2017.

Joseph W. Peel
Mayor

Attest:

Vivian D. White, CMC/NCCMC
City Clerk

- b. Hold a Public Hearing to Receive Comment on a Proposed CAMA Grant Application; Authorization to submit the CAMA Local Planning and Management Grant Program Application; and Adoption of a Resolution Committing to the 10% Local Match.

Mayor Peel announced the subject matter of this public hearing and called on Mr. Olson for his comments. Mr. Olson advised that staff's request is for the Council to authorize an application for a CAMA planning grant. He reported that the City had previously applied to CAMA for a grant to do a waterfront master plan, but that application had not been funded. He noted that during the current fiscal year, CAMA is only receiving applications that somehow relate to Hurricane Matthew and the damages directly attributed to that storm.

Mr. Olson stated that staff would like to submit a \$20,000 grant request that would require a \$2000 local match, in order to look at Charles Creek flooding mitigation from Riverside to Herrington Road.

Mayor Peel declared the Public Hearing open and inquired of the City Clerk if persons were present who wished to be heard. Upon her replay that no one wished to speak, he declared the Public Hearing closed.

Mayor Peel requested the Council's pleasure regarding this matter.

Motion was made by Councilwoman Baker, seconded by Councilman King, to authorize staff to submit a CAMA local planning and management grant application in the amount of \$20,000 for creation of a Charles Creek Flooding Mitigation Plan and adopt the following resolution committing to the required 10% local match.

Councilman Stimatz asked what conditions the project would be designed to solve. He noted that the City had recently raised Herrington Road and put in a pump station to take care of a lot of the problems. Mr. Olson noted that the Dawson Creek area was an

area of concern as well as the area behind the Charles Creek Park Pavilion and the area between Southern Avenue and Herrington Road, as well as the homes that abut Southern Avenue and Charles Creek.

Councilman Stimatz asked if staff would continue to look for money to do the Downtown Waterfront Master Plan. Mr. Olson stated that staff had been unable to identify funding and suggested that staff would take a look at enlarging the flooding mitigation grant if it is received.

Mayor Peel requested a vote on the motion.

Those voting in favor of the motion were: Baker, Donnelly, Hummer, Stimatz, King, Horton and Walton. Against: None. Motion carried.

**RESOLUTION # 2017-03-01
Commitment for a 10% Local Cash Match by the City of Elizabeth City
CAMA Local Planning and Management Grant for
Charles Creek Flooding Mitigation Plan**

WHEREAS, on March 27, 2017, the City Council authorized submission of a CAMA Local Planning and Management Grant application in the amount of \$20,000; and

WHEREAS, a requirement of the grant, if awarded, is a 10% local cash match by the City of Elizabeth City.

NOW THEREFORE, be it resolved by the City Council of the City of Elizabeth City that the City of Elizabeth City hereby commits to provide a local cash match in the amount of \$2,000 as required by the CAMA Local Planning and Management Grant Guidelines.

ADOPTED, this the 27th day of March 2017.

Joseph W. Peel
Mayor

Attest:

Vivian D. White, CMC/NCCMC
City Clerk

7. Regular Agenda:

- a. Consideration – Appointment of Richard Turner to the Fireman’s Relief Fund Board:

Mayor Peel requested the Council’s pleasure regarding this appointment.

Motion was made by Councilman Stimatz, seconded by Councilman King to appoint Mr. Richard Turner to serve a two year term on the Fireman’s Relief Fund Board to expire January 31, 2019. Mayor Peel requested the vote by roll call, which revealed the following. Those voting in favor of the motion were: Baker, Donnelly, Hummer, Stimatz, King, Horton and Walton. Against: None. Motion carried.

- b. Discussion – Mapping of Planning and Building Inspection Processes: (requested by Councilman Stimatz)

Mayor Peel recognized Councilman Stimatz for his comments.

Councilman Stimatz stated that this issue is one that the Council had been dealing with for some time. He said that historically, there have been actual and perceived problems with interactions with the Planning and Building Departments. He noted that many of the complaints, concerns and observations have come from citizens, who are ordinary people trying to live within the rules; business owners trying to start new ventures; or contractors and builders trying to construct or modify various structures.

Councilman Stimatz opined that the Council, in some cases, has not followed its own procedures. He stated that too often there have been situations where staff or the Council have failed to follow proper procedures. He said this has included several instances of Council inadvertently taking actions not conforming to statute or ordinance. He noted that most recently, the Council stumbled over annexation and rezoning cases, ordinance changes, parking sign placement, zoning and code enforcement, building code issues and just plain consistency of action for all citizens.

Councilman Stimatz stated that Vision 2020 had identified this as a critical issue in job creation and business development. He noted that the Council continues to hear from constituents and others that the process is not user friendly or consistently followed. He reported that during the Council retreat, this matter was discussed and he recalled that it was the consensus to move ahead with the project after the hiring of the new Community Development Department head. He noted that hiring had occurred and he felt the Council should move to the next step to contract with an outside agent to complete the project. He said that it is now more critical with the merging of these two functions under one new department head and the pending retirement of the City Clerk.

Councilman Stimatz pointed out that an outside agency is necessary for several reasons: one, it allows staff to continue to perform their daily functions with minimal disruption; and two, it taps into professional capabilities not present in our current staff. He noted that it also would enhance a global view and avoid stove-piped thinking along division lines. In addition, he said that it would ensure that the Council has a product that would be professionally prepared and documented for the City to use in other initiatives such as information technology enhancements and development. He stated that the City could not place this matter on the back burner and expect things to change.

Motion was made by Councilman Stimatz, seconded by Councilwoman Baker, to add this project as Objective “I” under Council Goal 5 “Deliver Cost-Effective Quality Service” with contracting date no later than June 1, 2017 and a completion date of January 1, 2018 and that the Finance Committee take up the funding question prior to our April 10, 2017 meeting. Those voting in favor of the motion were: Baker, Donnelly, Hummer, Stimatz, King, Horton and Walton. Against: None. Motion carried.

c. Discussion - Elizabeth City's 225th Anniversary (*added to agenda by Councilwoman Baker*):

Mayor Peel recognized Councilwoman Baker for her comments. Councilwoman Baker stated that she had been contacted regarding a celebration potential for Elizabeth City's 225th Anniversary, which is in 2018. She said that she wanted to bring that information to City staff's attention to determine if an organization within the City and the community could be created to discuss plans for a celebration of this important milestone.

Motion was made by Councilman Stimatz, seconded by Councilwoman Baker, that staff be directed to come back with a proposal for how we might celebrate our 225th Anniversary. Those voting in favor of the motion were: Baker, Donnelly, Hummer, Stimatz, King, Horton and Walton. Against: None. Motion carried.

Councilman Donnelly commented that he would like to see the celebration effort coordinated with organizations in the community.

d. Consideration – Authorization to Submit Urban Forestry NC Forest Service Grant Request for the proposed Charles Creek Educational Trail (*removed*)

from Consent Agenda by Councilman Walton) (Recommended for approval by the Finance Committee during their meeting of March 23, 2017):

Mayor Peel recognized City Manager Olson for his comments. Mr. Olson stated that staff's request is to submit an Urban Forestry Grant application, which had been recommended by Parks and Recreation Department employee, Jeff Simpson and the City's Urban Forestry Commission. He stated that the project would be phased: and the grant application amount of \$30,000 had to be matched with \$30,000 of local funding. He noted that if funded, the grant would impact the 2017-2018 budget. He stated that the total estimated cost for the project was \$90,000.

Mr. Olson opined that staff believed that there were synergies with the Museum of the Albemarle, Port Discover and Coast Guard Park and the Charles Creek Park project being recommended.

Mayor Peel recognized Councilman Walton for his comments. Councilman Walton stated that he thought "things should start in this room." He opined that the Council should have received the same information that the Finance Committee had received. Mr. Olson noted that the information provided to the Council in the agenda packet was the same information received by the Finance Committee.

Councilman Walton questioned the information provided regarding the use of City personnel and equipment by pointing out that would be an added expense. Mr. Olson responded that personnel time and equipment use could be considered as in-kind services when documenting the local match amount. Mr. Olson directed attention to the conceptual sketch provided in the agenda packet and stated that staff would not design the overall plan for the proposed park unless and until funding was received.

Motion was made by Councilman Stimatz, seconded by Mayor Pro Tem Hummer, to authorize submission of grant application to the NCFS Urban and Community Forestry Grant Program for a project total of \$90,000, and a grant request for \$30,000. Those voting in favor of the motion were: Baker, Donnelly, Hummer, Stimatz, King, Horton and Walton. Against: None. Motion carried.

- e. Consideration – Authorization to Submit NC Parks and Recreation Trust Fund Grant Application for Coast Guard Park and Adoption of Basic Facts and Assurances Document *(removed from Consent Agenda by Councilman Walton) (recommended for approval by the Finance Committee during their meeting of March 23, 2017):*

Mayor Peel recognized Mr. Olson for his comments on this matter. Mr. Olson stated that City staff is requesting permission to submit a PARTF grant for Coast Guard Park. He said that the estimated total project cost is \$320,000. He noted that PARTF requires a one to one match and the City's share, if funded would be \$160,000. He said that the work would include a canoe and kayak launch area, floating docks, and a boardwalk. He stated that the master plan for the park had been shown to the City Council over a year ago.

Mayor Peel recognized Councilman Walton for his comments. Councilman Walton stated "okay, this is another project that's going to take some in-kind services." He continued "this will involve City staff wouldn't you think?" Mr. Olson responded that all the grant applications require some effort by City staff to coordinate; and if possible, utilize in-kind services.

Councilman Walton asked if the City was going to share the project with the Coast Guard. Mr. Olson responded that the park is a City park that just happens to be named "Coast Guard Park." Councilman Walton said "well you have canoe and kayaking, floating boat dock and a few items to be installed." He continued "that could be anything and it could be costly." Mr. Olson stated that the grant is limited to the project cost of \$320,000. He noted that previously the Council had authorized submission of a Boating Infrastructure Grant (BIG) application for improvements to Coast Guard Park, which had been awarded; but the Council subsequently turned the grant funding back in because it did not cover the cost of the improvements. He pointed out that is the reason

why the PARTF grant is being submitted in order to possibly receive \$160,000 rather than the BIG amount of \$32,000.

Councilman Walton stated “it’s going to cost us somewhere down the line so we may as well be transparent with what the cost might be.”

Mayor Peel invited additional discussion. Hearing none, he requested the Council’s pleasure on this matter.

Motion was made by Councilman King, seconded by Mayor Pro Tem Hummer, to authorize staff to submit a authorize staff to submit a North Carolina Parks and Recreation Trust Fund Grant Application in the amount of \$160,000 to be used for Coast Guard Park; and further, authorize execution by Mayor Joseph W. Peel of the PARTF 2016-17 Basic Facts and Assurances document as provided. Those voting in favor of the motion were: Baker, Donnelly, Hummer, Stimatz, King, Horton and Walton. Against: None. Motion carried.

f. Discussion – Markers and Monuments on City Property (*added to agenda by Councilman Walton*):

Mayor Peel recognized Councilman Walton for his comments. Councilman Walton stated that the City Manager’s March 17, 2017 FYI stated that Mayor Peel and Mr. Olson had met with some “representatives from Russia” about putting a monument on City property. Councilman Walton asked for an update on that matter.

Mr. Olson stated that at the current time there is no information to share because the City does not yet know what the proposal will be. He said his FYI only advised that there had been communication with the Joint US-Soviet Commission on MIAs and POWs and that they would like to place a monument somewhere, either on City property or private property in the City. He advised that another meeting had been planned for Wednesday, March 29; and since he was not available to attend, Councilman Stimatz would accompany City staff to the meeting during which plans may be proposed.

Councilman Walton stated “this is one of those items that I don’t want to be at the tail end of it.” He said “if you go tell them something that we don’t agree with, that wouldn’t be going in the right direction.” He continued “me, myself, the way the trends of the country are going right now, I don’t feel like we need to be involved with anything Russia is trying to put forward in our community.” He furthered “to have a marker placed on our territory would be inexcusable and to me disrespectful to this Council at this time.” Councilman Walton requested Mayor Peel’s thoughts on the matter.

Mayor Peel reported that in 1941-1942 when World War II was getting started, President Roosevelt decided that Soviet President Stalin might be a better person to work with than Hitler. He said that when the Germans attacked Russia, initially they attacked the Ukraine since that is where the Russian Air Force was located. He noted that Germany took out about 70% of the Russian Air Force.

Mayor Peel advised that Roosevelt, Stalin and Winston Churchill agreed to work together behind the scenes. He stated that subsequently President Roosevelt agreed that the US would build planes to help the Russians rebuild their Air Force. He pointed out that the planes were built in Philadelphia as a top secret operation that had only been declassified in 1997. He said that over the course of about sixteen months, the planes were built and then flown to Elizabeth City to the Naval Base where Navy pilots trained the Russian pilots to fly the planes. He reported that approximately 200 Russian pilots had been trained in Elizabeth City.

Mayor Peel stated that eventually all the planes were flown back to Russia, but two of the planes actually crashed: one in Norway on an island where a monument had since been placed; and the second plane crashed in the Pasquotank River with five casualties, one Canadian and four Russians.

Mayor Peel stated that the first time he heard this story was when he was contacted by an author living in California who was beginning to write a book about the events. He said that this particular author had written ten books, and three of them concerned times in history when the US and Russia collaborated for a positive outcome.

Mayor Peel stated that just recently the City received a call from the delegation from Washington, DC tasked with tracking missing in action veterans from both Russian and the United States.

Councilman Stimatz stated that regardless of the state of the world, the US-Russia Commission has been in place for 26 years. He said that it is a state-department level joint commission with the job to find, identify and return the remains of KIA and MIA military from both countries. He said that the situation is that it is known that five people died but three of the bodies were unaccounted for. The Commission is looking to recover the bodies and return them for interment to provide closure for the families. He said the Commission is not about politics – it's about honoring heroes and military veterans and working together cooperatively on something we can agree on instead of not working at all on anything.

Councilman Stimatz stated that the Commission hopes to install a marker at the Coast Guard Base where the plane took off' with another monument somewhere in the City to commemorate the crash site in the Pasquotank River. He noted that regardless of current relationships, during World War II the US and Russia were allies.

Councilman Walton stated that he would “protest Russia putting something here.”

8. Comments and Inquiries on Non-Agenda Items:

Councilman Donnelly stated that he had attended a meeting of the Hope Group and River City CDC's YouthBuild. He stated the meeting was productive and he felt both organizations were working to make Elizabeth City a better place to live. He said that he was impressed by the participants' involvement in the meeting and commitment to making things happen.

Councilman Walton stated: “you know, we call this the Harbor of Hospitality, but I think we need to rebrand or reframe to say the harbor of adaptation - because this community will adapt to anything.” He inquired if Mayor Peel had asked Superintendent Cartner to come and provide a presentation to the Council on the model schools. Mayor Peel stated that he had not. Councilman Walton asked again that the invitation be extended.

Councilwoman Baker thanked the Parks and Recreation Department for meeting with parents to “teach them how to behave with regard to their kids being on baseball teams or other teams.” She thanked Councilman Stimatz for clarifying what the State Department is doing as far as identifying military people and bringing their remains home.

Councilman King thanked Mr. Ed Wynn for his service to the City of Elizabeth City. He requested more information from speaker Shelia Simpson regarding what the Deltas are trying to do. He announced that the City will soon be opening a splash pad. He noted that when the discussion first began about a splash park, the mayor at the time was former Mayor Roger McLean, who championed the cause. He asked if the Council would consider naming the facility in his memory.

Mayor Pro Tem Hummer reminded everyone to join the Council on April 7 for the ribbon cutting ceremony and dedication of Veterans Park. She congratulated the retiring employees and thanked them for their service.

Councilman Horton had no further comments.

Councilman Stimatz congratulated the retiring employees, the Police Department for excellent marks on the risk assessment survey and the Electric Department personnel for their upcoming “Lineman Appreciation Day.” He stated that citizens should give thanks daily to the employees of Elizabeth City and the work they do. He thanked Ms.

Ellis for coming to the podium to talk about an example of excellent response and work by the Public Works Department.

Councilman Stimatz reported that the City had received a visit from the Central Elementary School third graders, which he termed as "incredible." He noted that Assistant City Manager Cole, the Police Department, the Fire Department, the Parks and Recreation Department head and the head of the Community Development Department and Mayor Peel had all participated. He said that he attended the presentation by Mr. Harris and Mr. Schelly and reported that they had done a fantastic job. He noted that they were engaging and entertaining.

Mayor Peel noted that the City, state and the country have a problem with drugs. He said that the Police Department deals with drug overdose on an all too frequent basis. He announced that a showing of the movie "Generation Found" would be offered on Tuesday, March 28 at Gateway Cinema that would create some awareness of the drug issue and serve as a way to pull some things together that the community might be able to do. He encouraged everyone to attend the showing if their time permitted.

9. Closed Session as allowed by NCGS 143.318-11(a)(5) Acquisition of Property, NCGS 143.318-11(a)(3) Consultation with City Attorney and NCGS 143.318-11(a)(6) Discussion of Personnel:

Mayor Peel requested a motion to go 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)(5) Acquisition of Property, NCGS 143.318-11(a)(3) Consultation with City Attorney and NCGS 143.318-11(a)(6) Discussion of Personnel. Those voting in favor of the motion were: Baker, Donnelly, Hummer, Stimatz, King, Horton and Walton. Against: None. Motion carried.

Mayor Peel declared a five minute recess at 8:10 p.m. after which the Council retired into Closed Session.

Motion was made by Councilman Stimatz, seconded by Mayor Pro Tem Hummer to come out of Closed Session and return to Regular Session. Those voting in favor of the motion were: Baker, Donnelly, Hummer, Stimatz, King, Horton and Walton. Against: None.

The Council returned to Regular Session at 8:48 p.m.

Motion was made by Councilman Stimatz, seconded by Councilman King to approve the hiring of Mr. Pearce for the position of Public Works Director. Those voting in favor of the motion were: Baker, Donnelly, Hummer, Stimatz, King, Horton and Walton. Against: None. Motion carried.

Motion was made by Councilman Stimatz, seconded by Councilman King, to direct the Manager to continue to look for an assistant public works director. Those voting in favor of the motion were: Baker, Donnelly, Hummer, Stimatz, King, Horton and Walton. Against: None. Motion carried.

10. Adjournment:

There being no further business to be discussed, Mayor Peel adjourned the meeting at 8:50 p.m.

Joseph W. Peel
Mayor

Vivian D. White, CMC/NCCMC
City Clerk