

**City Council Regular Session  
May 12, 2025**

The City Council of the City of Elizabeth City met in Regular Session on Monday, May 12<sup>th</sup>, 2025 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 Kirk Rivers  
Mayor Pro Tem Kem Spence  
Councilman Johnson Biggs (*Arrived at 7:09 p.m.*)  
Councilman Joseph Peel  
Councilman Jarvis Gibbs  
Councilwoman Rose Whitehurst  
Councilwoman Katherine Felton  
Councilman Ronnie Morris  
Councilman Johnnie Walton

MEMBERS ABSENT: None

OTHERS PRESENT: City Manager Reginald Goodson  
Chief of Staff Monica Cole  
City Attorney Bill Morgan  
Electric Superintendent Donnell White  
Police Captain Darrell Felton  
Assistant Public Utilities Director Raymond Staten  
Fire Chief Chris Carver  
HR Director Aresta Johnson  
Interim Finance Director Brian Lewis  
Interim Parks and Recreation Director Stacy Williams  
Grants Administrator Jon Hawley  
IT Director Matthew Simpson  
ECDI Director Debbie Malenfant  
IT Systems Analyst Pedro Holley II  
City Clerk April Onley

Mayor Rivers called the City Council's Regular Session to order at 7:00 p.m. Visitor Kayden Richardson provided the invocation, after which Councilwoman Whitehurst led the Pledge of Allegiance.

**1. Agenda Adjustments and Approval:**

Mayor Rivers directed the Council's attention to the prepared agenda. He requested the addition of a *Closed Session for Personnel as allowed by NCGS 143-318.11(a)(6)*, as well as *Update - Mayor's Appointments* to the Regular Agenda. Councilman Peel asked to add *Discussion - Traffic Signage* to the Regular Agenda. Councilman Walton requested the addition of *Discussion - TDA / ECSU Homecoming* to the Regular Agenda.

**Motion was made by Mayor Pro Tem Kem Spence, seconded by Councilwoman Rose Whitehurst to approve the agenda as amended. Those voting in favor of the motion were: Peel, Gibbs, Whitehurst, Spence, Felton, Morris and Walton. Against: None. Motion carried.**

**2. Comments from the Public:**

Mayor Rivers inquired of the Clerk if there were persons present who wished to speak before the Council. Upon the Clerk's reply that there were speakers, the Mayor asked that they be called to the podium to offer their comments.

**Tina Cannon – 917 Riverside Avenue, Elizabeth City, NC –** Mrs. Cannon advised that she was a resident of Riverside Avenue and felt that the roadway had become a racetrack. Many people walked along the street where there was a 25 mph zone, but it was very dangerous. Recently, a traffic trailer installed, which usually takes about two weeks to have the battery

depleted; however, it depleted in about a week and a half. She often saw people going about 40 or 45 mph. She felt that a sign being posted right by the bridge might help. The rowing team is on Riverside, COA houses their moth boats there, the playground and pavilion is used for picnics, and it's just very dangerous. Riverside is used many events and it's imperative that the public remains as safe as possible. Keeping the residents safe is in line with the City's Traffic Calming Policy. She understood that many of our police officers were not qualified for radar, not only on Riverside since that was just one of the City's streets, but throughout the City. Since there is a shortage of police officers, she felt that additional money in the budget could be used to pay overtime to those officers who had the credentials to work radar. She asked that the Council consider offering incentives for radar. She had twice encountered police officers on the street and she asked if they were there with radar and they informed her that they weren't. One officer in College Park told her they knew there was a problem with speeding in the area, but that was not what they were doing out there that particular day.

**Katie Canning – 1523 Hopkins Drive, Elizabeth City, NC –** Mrs. Canning stated that she was the mother of a child and alleged that he had been mistreated at a state-funded facility that was not required to have cameras.

*(Clerk's Notation: Councilman Peel advised that comments about schools needed to be heard by the School Board and were outside of the City's jurisdiction.)*

Mrs. Canning continued that she understood the City did not have authority at any of the schools, but she felt the issued needed to be handled by more than just the State because she did not feel they were taking care of things. She referenced a recent shooting at ECSU and an incident at a local facility where people were using slurs. She stated that ignoring red flags or failing to act allows the cycle to continue. She believed the City needed community events that involved law enforcement and not just chats over coffee. We should prioritize safety and not division.

**Lyman Lawrence – 925 Riverside Avenue, Elizabeth City, NC –** Mr. Lawrence read a prepared statement concerning the speeding on Riverside Avenue. He thanked the Council for their continued attention to the matter, as it had become an ongoing safety issue. Pedestrians and bicyclists often utilize Riverside, but the constant speeding makes it very dangerous. He requested the Council look into infrastructure based solutions that would not overburden the taxed Police Department, such as clearly marked crosswalks and signage to alert drivers of pedestrians and the school at 801 Riverside Avenue.

**Jeff Terry – 1105 Riverside Avenue, Elizabeth City, NC –** Mr. Terry thanked the ECPD for placing a traffic-counting device in the Riverside area. He also thanked Councilman Peel and Officer Bray for attending his neighborhood's recent meeting to share their concerns about speeding in the area. He advised that he was a member of the church located at Riverside and Hunter, which had grown significantly in the last few years. He was on the Board of Covenant Classical Academy who also met at the church, and he was leader of the Elizabeth City Rowing Club. Although there have yet to be any major traffic accidents on Riverside, he did not want to wait until they happened to try to prevent them. He urged the Council to install additional signage and utilize enforcement to ensure everyone's safety.

**Ethan Alasin – 210 Ibis Way, Elizabeth City, NC –** Mr. Alasin advised that he was present as a local student representative of the Leadership Council and trying to learn more about government. He shared several details about his ambitions and future pursuits and said he was looking forward to listening and having the opportunity to participate in the Council's meeting.

### **3. Public Hearing:**

#### **a. Hold a Public Hearing – Amendments / Additional Funding for Ray Street Water & Sewer Replacement Project;**

Mayor Rivers declared the public hearing open and inquired if there were any persons present who wished to be heard. Upon the Clerk's reply that there were no speakers, Mayor Rivers declared the public hearing closed.

Grants Administrator Hawley reported that the amendments would require public hearing specific minutes that would be incorporated into overall meeting minutes. There was also certain dialogue that he must read into the record to satisfy the State's CDBG requirements. Mr. Hawley began by explaining the CDBG-I Program is administered through the NC Department of Environmental Quality (DEQ), and its purpose is to improve the quality of life for

people of low to moderate incomes by providing a safe, clean environment and clean drinking water through water and sewer infrastructure improvements and extensions of service.

He continued that the Ray Street project entails replacement of deteriorated water and sewer lines under Ray Street; through income surveys in 2020, the City determined the residents of this project area are 65 percent low- to moderate-income. It is funded through CDBG-I awards from two separate fiscal years' appropriations. The first award is grant number 19-I-3648, for \$224,274. The second award is 21-I-4004, for \$705,451. Combined, these awards provide \$929,725 for the Ray Street project. Each award funds separate but complementary parts of the project, as shall be detailed shortly.

Mr. Hawley continued that the City is seeking to amend its CDBG-I awards in order to request additional CDBG-I funding, specifically \$116,825.16. This would increase total CDBG-I funding for the Ray Street project from \$929,725 to \$1,046,550.16. This new amount corresponds to the construction bid the City has received for the work; McPherson Enterprises Plumbing and Trenching, Inc., bid \$1,046,550.16 for the project on April 10, 2025. City staff received this bid on a second readvertisement, and deemed it viable and acceptable.

He continued that the proposed amendments would increase the funding available to each of the City's grants; subsequently, this requires reconfiguring the scope of each award to align with the construction bid and the additional grant funding available in each fiscal year. Mr. Hawley detailed the amendments as follows:

Proposed Amendment to CDBG-I No. 19-I-3648:

CDBG-I Award No. 19-I-3648 entails replacing approximately 1,658 linear feet of deteriorated water main with 6" PVC pipe, installing necessary valves and fire hydrant assembly, and replacement of copper service lines. For this scope of work, \$224,274 in CDBG-I funds have been awarded.

Under the proposed amendment, Award No. 19-I-3648 would continue to entail replacing approximately 1,658 linear feet of water main, plus three fire hydrant assemblies and replacement of water service lines.

The amendment would also add sewer system work as follows: installing approximately 19 linear feet of 8" PVC gravity sewer piping, six new manholes, 31 sanitary sewer clean-out assemblies, connection/rehabilitation of one existing manhole, removal of four existing manholes, and necessary sewage bypass pumping. Under both the current and amended scopes of work, all work would occur on Ray Street.

To accomplish this new scope of work, the City will request an increase in FY19 CDBG-I funding of \$109,143.37, raising the total 19-I-3648 funding from \$224,274 to \$333,417.37. The project area will not change and it will continue to benefit a population that is 65-percent low-to moderate-income.

Proposed Amendment to CDBG-I No. 21-I-4004:

CDBG-I Award No. 21-I-4004 entails: abandoning/removing approximately 1,658 linear feet of water main and service lines; abandoning and removing old sewer main and laterals; manhole removal; installation of approximately 1,659 linear feet of gravity sewer pipe; installing approximately 485 feet of sewer laterals, installing six manholes, and installing cleanout assemblies.

Under the proposed amendment, Award No. 21-I-4004 would continue to include line abandonment/removal and sewer system work, but would slightly reduce the linear footage of sewer line installed; approximately 1,640 linear feet of 8" PVC gravity sewer line would be installed, down from 1,659. The award would also continue to include installing approximately 485 linear feet of 4" sanitary laterals. The amendment would remove all water line work, which would be shifted to Award No. 19-I-3648 as previously described. The proposed amendment would also add the following, necessary construction activities: erosion and sediment control; grading; seeding; mulching; landscaping; incidental construction work; temporary traffic control; and pavement demolition and replacement. Under both the current and amended scopes of work, all work would occur on Ray Street.

To accomplish this new scope of work, the City will request an increase in FY21 CDBG-I funding of \$7,681.79, raising the total 21-I-4004 funding from \$705,451 to \$713,132.79. The project area will not change and it will continue to benefit a population that is 65-percent low-to moderate-income.

Mr. Hawley said that, taken together, the amendments will accomplish the complete scope of the Ray Street project, and benefit residents of the project area as first proposed.

Mr. Hawley continued that the City would submit the proposed amendments within two weeks of this hearing. Documentation for the proposed amendments will be available for review during normal business hours at 302 East Colonial Avenue, Elizabeth City. Additional information is available from the Grants Administrator in the Finance Department office, reachable at 302 East Colonial Avenue, or by phone or email at 252-621-7352 and [jhawley@elizabethcitync.gov](mailto:jhawley@elizabethcitync.gov), respectively. He said that, should anyone have any complaints or grievances regarding the subject public hearing, they should be addressed to the addressee mentioned above within 10 business days or by May 26, 2025, and a written response to the written complaints and/or grievances will be sent by the City within 10 business days, where practicable.

Mr. Hawley asked if the Council had any additional comments or questions about the CDBG program, and about the project and proposed amendments.

**Motion was made by Mayor Pro Tem Kem Spence, seconded by Councilwoman Katherine Felton to authorize submission of the amendments and necessary documentation, and to adopt public hearing specific minutes with any necessary changes. Those voting in favor of the motion were: Biggs, Peel, Gibbs, Whitehurst, Felton, Morris and Walton. Against: None. Motion carried.**

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

##### **a. Consideration – Approve April 28, 2025 Work Session Minutes;**

**Motion was made by Councilwoman Katherine Felton, seconded by Councilman Johnson Biggs to approve the minutes with any necessary corrections. Those voting in favor of the motion were: Biggs, Peel, Gibbs, Whitehurst, Spence, Felton, Morris and Walton. Against: None. Motion carried.**

##### **b. Consideration – Approve April 28, 2025 Regular Session Minutes;**

**Motion was made by Mayor Pro Tem Kem Spence, seconded by Councilman Johnson Biggs to approve the minutes with any necessary corrections. Those voting in favor of the motion were: Biggs, Peel, Gibbs, Whitehurst, Spence, Felton, Morris and Walton. Against: None. Motion carried.**

#### **5. Consent Agenda:**

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

##### **a. Consideration – Accept Final Bid for 00000 Ludford Road (Rear);**

##### **b. Consideration – Authorize Application for T-Mobile Grant;**

##### **c. Consideration – Call for a Public Hearing – TA 02-25 – Text Amendment for Pet Grooming;**

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

**Motion was made by Councilman Johnson Biggs, seconded by Councilwoman Katherine Felton to approve the Consent Agenda. Those voting in favor of the motion were: Biggs, Peel, Gibbs, Whitehurst, Spence, Felton, Morris and Walton. Against: None. Motion carried.**

#### **6. Regular Agenda:**

##### **a. Any Item Removed from the Consent Agenda;**

No items were removed from the Consent Agenda.

**b. Consideration – Adopt Resolution Opposing House Bill 765 ;**

**Motion was made by Councilman Joseph Peel, seconded by Mayor Pro Tem Kem Spence to adopt Resolution #2025-05-01 in opposition of House Bill 765 and other related bills by the NC General Assembly. Those voting in favor of the motion were: Biggs, Peel, Gibbs, Whitehurst, Spence, Felton, Morris and Walton. Against: None. Motion carried.**

**City of Elizabeth City  
Resolution #2025-05-01  
Opposition of House Bill 765 and Other Related Bills  
By the North Carolina General Assembly**

**WHEREAS**, House Bill 765 has been introduced in the 2025 session of the North Carolina General Assembly that changes many aspects of local planning and zoning authority and that would undermine local autonomy and community-specific planning practices; and

**WHEREAS**, House Bill 765 dramatically impacts the ability of local governments to ensure that growth and development decisions are in keeping with the will of the citizens it impacts; and

**WHEREAS**, House Bill 765 proposes significant changes to eliminate the City's ability to require basic planning practices that would improve the safety, and wellbeing of its citizens; and

**WHEREAS**, local governments with input from their citizens can best recognize and enforce the need for planning and zoning ordinances; and

**WHEREAS**, the City of Elizabeth City strongly feels that local governments are best suited to represent their citizens on local matters; and

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Elizabeth City formally opposes North Carolina House Bill 765 and other related bills which severally undermine the rights of the local citizens and their elected local government officials, and appointed board members, and urges the General Assembly to reconsider the bill's provisions in favor of legislation that respects local authority.

**ADOPTED**, this 12<sup>th</sup> day of May 2025.

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E. Kirk Rivers  
Mayor

*Attest:*

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April D. Onley, NCCMC  
City Clerk

(SEAL)

**c. Update – My Civic App;**

IT Director Matthew Simpson advised that an event had been scheduled for June 24, 2025 at the Senior Center, which would kick off the citizen awareness campaign for the City's upcoming mobile apps. The event would pick up again the following day, June 25<sup>th</sup>, at City Hall. IT staff would be educating the public on two apps, My Civic and IntelHome. They would be on site to show citizens how to download and navigate the apps. There will be various announcements on social media and the website in the coming days to let citizens know that this is happening.

**d. Update – Mayor's Appointments** *(As Added During Agenda Adjustments);*

Mayor Rivers shared that he wanted to create a new board called the "Mayor's Task Force on Crime." He would like each councilor to provide him with the name of someone they believed would be beneficial to serve on such a board. There are different avenues and approaches we need to seek because one thing alone will not solve the problems, but the more people sitting around the table the better. He believed this would show that the Council is actively listening to the concerns of the citizens and the community, and they can work together to bring their ideas back to the group. Right now, the preliminary topic of discussion is going to be gunfire and the frequent area shootings. He did not have a board size determined yet, but asked that everyone try to provide him with names by the following Monday.

Councilwoman Felton asked if the person they recommended needed to come from their respective wards. Mayor Rivers said no; just send the names of the people you think would be best and we can go from there. Councilman Walton asked if this new committee would interfere with the task force that already existed. Mayor Rivers stated that he was not aware of another committee or task force like the one he was putting together. Councilman Walton pointed out that it is sometimes hard to get anywhere if you only duplicate the same things repeatedly. Mayor Rivers reiterated that he was not aware of any other existing task force. Councilman Peel suggested that the Mayor try to gather as diverse a group as possible. He felt the Mayor should also allow himself some leeway in his appointments.

Mayor Rivers advised that there is currently a bill kicking around in the state legislature that stipulates that if you are 18, you have the right to carry a concealed gun without any permit, credentials or anything. We are on the receiving end of the repercussions of ideas like that. This bill is in the Senate and the House. We will see what happens with this. He believed the Council needed to weigh in on it and send a resolution of opposition. Allowing something like this when we already have the issues that we have is just terribly misguided. We will see the fallout from something like that. The bill is putting guns right into people's hands. Councilman Peel was familiar with the bill and thought it already passed. Mayor Rivers believed it already passed on one side but still had to get through the other. Councilman Biggs stated that the Senate version of the bill passed, but it stalled on the House side from what he understood.

Councilman Walton felt the order of how these things would occur would be important. He asked if the Mayor was putting the task force together in response to the bill. The bill is something at the state level. He noted that he would need to know more about it, personally. Mayor Rivers clarified that the task force is a separate initiative, although with the gun violence problem they will be targeting, the bill is in that same circle although it is something happening in the legislature right now. The bill authorizes 18-year-olds legally to have a concealed gun in their possession with no permit. If Council supports the opposition, we can send something in.

Councilman Biggs realized they needed to be as possible, but he had not had a chance to read the bill in its entirety. There were 10 pages worth of language on it, and he would not feel comfortable casting a vote without reading the entire document.

Councilwoman Felton asked if they read the bill and wanted to support the opposition, could they sign something individually. Mayor Rivers believe that they could send individual letters if so desired. The Clerk informed the Council that several other municipalities have prepared draft language for opposition so they do have something to go off if they are interested.

**e. Discussion – Traffic Signage** *(As Added During Agenda Adjustments);*

Councilman Peel reported that as mentioned, he did attend a community meeting with Riverside residents and one of the things they discussed was that they did not know if people were aware that the citywide speed limit is 25 mph. He checked several entryways and confirmed that none of them made it clear. For example, the speed limit is not displayed on Edgewood until you get about 2/3 down the road. Some of our streets are state roadways and those are posted 30 mph. If we erect signs that say "25 mph unless otherwise posted", it would clear some of this up. He believed that they needed to look into appropriate signage. Do we have any signs like this? Do we have enough signs? It is important that people know the rules. He requested that Manager Goodson look into signage and return with a report or some suggestions for improvement.

Councilman Biggs wondered if this should be a capital item for consideration. We are in budget season; should we put funding toward getting more traffic illumination to deploy these speed trailers and things like that? If the Police Department needs something to help us be more proactive and bring more awareness to safety, we just need to know so we can add it.

Councilman Walton was glad to hear that the growing concern about speeding on the side roads. He said he had been fighting for years over how fast people drove over by ECSU on Weeksville Road. It took a young woman being killed a few years ago to get the state to finally bring the speed limit down five mph. He pointed out that he was against more apartments going up over there until some measures were taken. Cars still fly through there but it doesn't become a concern. Someone else was killed on Weeksville Road a few months ago, but only now is it a concern. He noted that speeding was a concern all over Elizabeth City. If we can meet around the table and talk about speeding on Riverside, we should talk about speeding around ECSU. The things that have already happened will happen again. We do not have to wait until someone comes up and talks about it. Everyone voted to put more apartments over there anyway. He often felt like no one listened to him until something bad happened, and it is only then that we turn around and aggressively do the things the way we should. We need to look at all the neighborhoods the same way, through the same lens. Everyone should have the same chance at a quality life.

Mayor Rivers shared that Councilman Morris sent a letter to the state about six months ago to relay his concerns with the speeding around ECSU.

Councilman Walton called for Point of Order. He noted that he still had the floor. He asked the Mayor the reference point for his previous statement. Mayor Rivers explained that Councilman Walton had just been talking about speeding by ECSU. The road is controlled by DOT, but we do have a letter pending with the state DOT requesting them to consider a decrease. Councilman Walton stated that as the other 4<sup>th</sup> Ward representative, he would have appreciated being provided with that information when it happened.

Councilman Peel said he had met with ECSU representatives about the speed several times when he was mayor. The Council had taken a resolution requesting a decrease to the state, but they would not touch it until someone died. Another problem is that the speed limits are never enforced over there. The state troopers need to be out there. Cars will just fly past you on Weeksville Road. If law enforcement was known to have a presence in that area and gave a few tickets over there occasionally, it would slow them down. Once the dorms were built across the street, better lighting and the crosswalk were put in, but before that, nothing was there. They are supposed to get a skywalk at some point. He reiterated that he believed enforcement was a big part of the problem there.

Councilman Morris advised that he had a 4<sup>th</sup> Ward Town Hall several months back to which Councilman Walton was invited, but unable to attend due to a conflict. During that Town Hall, the speed and the lighting in that area were both topics that came up and were discussed. Director Bell, Superintendent White and the former manager went out there and checked into it. We also spoke with the state DOT. We are still trying to get them to do something about it. He pointed out that he did not think the town fully understood State versus City. We can petition them, we can ask them for things, but it is very hard to get the state to comply with requests. We are working diligently to slow down the traffic, but it is a difficult fight especially when you have to involve the state. When the Coast Guard Base dismisses at 2:30 p.m. or 3:00 p.m., that roadway transforms into a raceway from the Base all the way to the light at Ruby Tuesday.

He added that he had not made any conscious choice to dismiss or neglect Councilman Walton from the discussion; he simply had not been at the meeting in question.

Councilman Walton opined that the Council should place a moratorium on new development in that area until the skywalk is in place to ensure there are no further incidents. Actions speak louder than anything we say. We can say it is hard to do something with the state. It was hard to fix up Rivers Landing too, but we did it. The other young woman on the board, Barbara Baxter pushed that project. It is too easy to say that we cannot do anything because of corporate this or that. Ms. Baxter worked on that project hard. Mr. Freeman put together a task force and got those buildings shaped up so that they look better than any other buildings. They fixed the mold, the bathrooms. We need to work on things as a whole Council, and not people off working on their own things. He felt that if you are working on your own thing, you are being selfish because you want more credit than what someone else might get. We should be in this together. When we start talking about fixing up Riverside, we need to talk about all other the roads too. We need to talk in a logical way and come up with a corporate answer because working together is better than one or two doing it alone.

**f. Discussion – TDA / ECSU Homecoming (As Added During Agenda Adjustments);**

Councilman Walton stated that he was a member of the Tourism Development Authority. There are three pots of money that funnel through the TDA: City, County and TDA. The money is based around hotels because the money that comes to the City is from occupancy taxes. The problem is that with ECSU's Homecoming, the local hotels are trying to charge \$500 per night. He said he placed this item on the agenda because we wanted to gauge the Council's opinion on that action. The alumni he had spoken with told him it feels like a slap in the face. How does this board feel? He felt that it would be very unfortunate to see a boycott, but that's what the alumni are talking about doing. He asked Councilwoman Felton for her thoughts.

Councilwoman Felton offered that as an alum of ECSU herself, she was very passionate about the situation. Before she would pay such an exorbitant rate, she would go to Virginia. She noted that it is not only \$500 per night, but there is a two-night minimum required so it is really \$1,000. She said she loved Elizabeth City, but she would stay in Virginia before she paid such a price.

Councilman Whitehurst inquired if the rates and requirements are legal Is this something the hotels can do legally? Councilwoman Felton replied that it is morally wrong but unfortunately legal.

Councilman Walton told Councilwoman Whitehurst that Mayor Rivers had been to some of the meetings and she could direct inquiries to him if needed. Councilwoman Whitehurst said she was just shocked that the practice was legal.

Mayor Rivers shared that he, Mayor Pro Tem Spence, Manager Goodson and the Chancellor had gone together to meet with the different hotels. The rates they gave were about \$300 or \$350. They have given rates under \$300. The owner of Fairfield Inn is a local and he has pushed to keep the rates from being exorbitant. He wants to work with the alumni. They are still negotiating prices. There are only 101 rooms at the Hampton Inn and the visiting football team had a hold on 80 rooms. If the football team for the opposing side decided not to take the rooms, then there may be more available there. They were just talking about proprietary rates.

Mayor Pro Tem Spence confirmed that they had been told the football team had not confirmed the rooms at that time. His question was if the team was coming from the north down to Elizabeth City why would they pay \$350 for a room when they could just stop in Chesapeake and pay much less? He also asked why they would not rent to alumni who are ready to book instead of holding rooms for a team that has not committed. We were told that the hold expired last week and they have not heard anything yet. We were also told that the rate might go down as it gets closer to Homecoming. He added that personally, he would not deal with it. He would just go somewhere else.

Councilman Morris said he did not have much more to say than what had already been said. He agreed that it was unfair. He added that he had a lot of family who came down for Homecoming but they will not be coming this year unless they can get an Airbnb.

Councilman Biggs stated that he did not know a lot about the situation other than what he had heard tonight and from speaking with Mayor Pro Tem Spence about it several weeks ago. He knew the Mayor and Mayor Pro Tem met with the hotels in an effort to get some kind of resolution. Unfortunately, it is a supply and demand issue. He did not agree with the practice, but he had seen it happen. He had also seen a two-night minimum when he traveled to Greenville to see East Carolina play. We do not have the authority to regulate a private business. The market will adjust accordingly for rooms that are not rented. Councilman Walton asked Councilman Biggs if he paid \$500 per night in Greenville. Councilman Biggs replied that he did not say that, but the amount he paid in a different situation is irrelevant to the topic at hand.

Councilman Peel said he would not be staying here if faced with those rates. He would be with Mayor Pro Tem Spence up in Chesapeake.

Councilman Gibbs said that as an ECSU alum and a lifelong resident of Elizabeth City, he did not find this particular business aspect hospitable. There is a strong push to have alumni start investing in Elizabeth City to help prevent this issue whether it is buying houses or whatever. He had people ask if the price of rooms were inflated during the recent Bass Tournament. After the fact, he was told the rooms were somewhere in excess of \$300. Now they are going higher than that. He went on the Hilton app and it showed almost \$500. We have a stake in this. We get a lot of revenue because of this weekend. We want to be hospitable. If a person comes and has no other choice but to spend a majority of their money on a hotel, then they have no money to enjoy themselves so they will not come. He understood that only in states of emergency could the state regulate pricing.

Councilman Walton stated that when he talked to the alumni they wanted to know what kind of leadership the City had to have nobody to speak out about the situation. It is not a good statement. Either we support the alumni or we do not support them.

Mayor Pro Tem Spence noted that he had not had a single alumni call him and discuss the situation. He was uncertain how anyone could comment on leadership if no one was calling the actual leadership. If they called the Chancellor, the Chancellor would have informed them that the Chancellor, the Mayor, the Mayor Pro Tem and the City Manager all met with the hotels to talk and try to negotiate. One of the hotels even mentioned that if they do not get the customers, it would not hurt them.

Councilman Walton offered that he personally did not even know they had met so he did not know why they would think alumni in Maryland would know. Mayor Pro Tem Spence relayed that the Chancellor knows though, and they talked about it.

Councilman Peel pointed out that they'd mentioned they were going to meet with the hotels at the last meeting. Councilman Walton stated that he did not get any information about that. Councilman Peel said that was likely because it had not happened yet at that time. Now it has happened and they just gave an update. Councilman Walton urged that the Council should support one side or the other, either the alumni or the hotels. We need to write a letter to the TDA and tell them which side the City Council supports. To sit back and do nothing is not good.

**Motion was made by Councilman Johnnie Walton to issue a statement to the TDA showing Council support for alumni.**

Mayor Pro Tem Spence reminded Councilman Walton that the TDA has nothing to do with the hotel's rates. Councilman Walton noted that the TDA gives the City revenue from hotels..

Mayor Pro Tem Spence wanted to know exactly what Councilman Walton was asking to be done. The Council cannot just write a letter saying they are wrong for doing this because they can legally do whatever they want.

Councilman Walton disagreed. There is a law in NC that says you cannot raise rates more than 10% over what they have been. This is more than 10%.

Mayor Pro Tem Spence agreed that if that is the law then we can write something stating that, but they own the hotel. They can make it \$1,000 a night. This would be like going to McDonald's and telling them not to charge for a cheeseburger.

Councilman Walton said that if no one complains, then the hotels would think its fine. He told the Mayor to put a task force together. You have 180 days. You put one together for everything else. We need to make a stand or sit back and do nothing.

**Motion died for lack of a second.**

**7. Closed Session: As Allowed by NCGS 143-318.11(a)(3) for Consultation With City Attorney Regarding "The City of Elizabeth City v. The City of Elizabeth City Board of Zoning Adjustment and Williamson & King" and NCGS 143-318.11(a)(6) For Personnel (As Added During Agenda Adjustments);**

**Motion was made by Councilman Johnson Biggs to enter Closed Session at 8:12 p.m. as allowed by NCGS 143-318.11(a)(3) for Consultation with City Attorney Regarding "The City of Elizabeth City v. The City of Elizabeth City Board of Zoning Adjustment and Williams & King" and NCGS 143-318.11(a)(6) for Personnel. The motion was seconded by Mayor Pro Tem Kem Spence. Motion carried.**

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The Council returned to open session at 9:06 p.m.

**Motion was made by Councilman Johnson Biggs to accept the settlement and consent order between The City of Elizabeth City v. The City of Elizabeth City Board of Zoning Adjustment and Williamson & King. The motion was seconded by Mayor Pro Tem Spence. Those voting in favor of the motion were: Biggs, Peel, Gibbs, Whitehurst, Spence, Felton, Morris and Walton. Against: None. Motion carried.**

**8. Adjournment:**

Having no further business to be discussed, Mayor Rivers adjourned the meeting at 9:07 p.m.

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E. Kirk Rivers  
Mayor

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April Onley, NCCMC  
City Clerk

