

**City Council Regular Session
May 22, 2017**

The City Council of the City of Elizabeth City met in regular session on Monday, May 22, 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 Michael Brooks
Councilman Rickey King
Councilman Darius Horton
Councilman Johnnie Walton

MEMBERS ABSENT: NONE

OTHERS PRESENT: City Manager Rich Olson
City Attorney Bill Morgan
Interim Finance Director Evelyn Benton
Police Chief Eddie Buffaloe
Electric Department Superintendent Karl Clow
Assistant City Manager Angela Cole
Interim Human Resources Director Monica Cole
Parks and Recreation Director Dexter Harris
Fire Chief Larry Mackey
ECDI Director Debbie Malenfant
Public Utilities Director Joe Pearce
Community Development Director Matt Schelly
IT Director Matthew Simpson
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 Michael Brooks 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 Mayor Pro Tem Hummer, seconded by Councilman Stimatz, to approve the agenda with any necessary adjustments.

Councilman Walton suggested that the Council listen to the presentation on the Project Zebra World War II Monument, but not take action at this time. Councilman Brooks agreed; and stated that he would first like to absorb the information presented.

Mayor Peel called for a vote to approve the agenda with Councilman Walton's recommended change. Those voting in favor of the motion were: Brooks, Horton and Walton. Those opposed: Baker, Donnelly, Hummer, Stimatz and King.

Councilman Walton requested a vote by roll call, which revealed the same vote tally. Mayor Peel announced that the agenda was approved as presented without change.

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:

a. Presentation/Consideration: Project Zebra World War II Monument:

Mayor Peel welcomed and introduced the following three distinguished guests. He announced that the members of this delegation traveled to Elizabeth City from Washington, DC to provide information to the City Council regarding a monument being proposed to honor World War II veterans who perished in a plane crash in the Pasquotank River during Project Zebra.

1. Colonel Chris Forbes
Office of the Secretary of Defense
Director of POW/MIA Accounting Agency
Europe/Mediterranean Directorate
2. Dr. James G. Connell, Jr.
U.S. Department of Defense POW/MIA Accounting Agency
Executive Secretary-U.S. Side
Joint Commission Support Division for
US-Russia Joint Commission on POW/MIAs
3. Maxim N. Alekseyev, Counselor
Head of Russian Side's Washington Office
US-Russia Joint Commission on POW/MIAs
Washington, DC

COL Chris Forbes began the presentation by providing an overview of the Defense POW/MIA Accounting Agency's mission to research, investigate and recover the approximately 83,000 still missing Americans believed to be recoverable from World War II, the Korean War, the Cold War, and the Vietnam War. COL Forbes stated that the United States remains committed to recovering its missing soldiers wherever they rest; and he advised that several recoveries take place every year during which these honored soldiers are laid to their final rest. He advised that the US-Russian Joint Commission was created March 26, 1992 by Presidents George H. W. Bush and Boris Yeltsin with the threefold purpose of determining whether any American service members are or were held against their will in the former Soviet Union, to search out information relevant to the fates of missing American service members from conflicts since the beginning of World War II and to help Russia account for its missing service members. He said that the United States and Russia have worked very effectively together for 25 years toward this mission. He pointed out that those working on the assignment try to rise above politics, because the mission is humanitarian not political.

Dr. Connell explained that the monument being proposed for placement in Elizabeth City would be a memorial to Project Zebra, whereby Soviet aviators were trained in Elizabeth City to fly the Catalina Lend-Lease aircraft during World War II. He further stated that the top secret "Project Zebra" was personally approved by President Franklin D. Roosevelt to support the Allied war effort against Nazi Germany; and in all, 140 Soviet aviators were trained in Elizabeth City by their United States counterparts. He stated that two aircraft were lost during this mission, one in Norway in June 1944 and one in Elizabeth City in January 1945. He noted that many Elizabeth City locals were involved in Project Zebra.

Dr. Connell advised that according to a Diplomatic Note signed in 2009, each party may establish memorial symbols on its territory at those locations where the remains of Russian or American servicemen are discovered. He stated that the purpose of the Project Zebra monument is to memorialize the unified efforts of Allied Forces during World War II, to memorialize Allied losses involved in the Lend-Lease Program and to keep alive the memory of those who paid the ultimate sacrifice for current and future generations. He noted that similar memorials had been erected in Moscow and Alaska.

Counselor Alekseyev stated that the work of his commission is to locate and recover the remains of all Russian soldiers still on the battlefields of World War II. He noted that 27 million Russian and Ukrainian soldiers perished during that conflict and their relatives

were still waiting for information regarding their fate. He stated that the main task of his office is to research archives to clarify the fate of those who perished during World War II, whether Russian, Ukrainian or Armenian. He noted that they were all Soviet during the war and deserved to be treated in a proper manner. He stated that he appreciated the opportunity to visit Elizabeth City and speak about the importance of memorializing all lost servicemen for the benefit of future generations.

COL Forbes stated that he believed it to be very important for future generations to know about and realize the importance of a time when countries worked together for a common cause. He said that if that information is not kept alive, the desire to find common ground could be lost.

Mayor Peel recognized CDR Matt Bournonville of US Coast Guard Base Elizabeth City. CDR Bournonville stated that he had been involved in the planning meetings for the proposed Project Zebra memorial and reported that the Coast Guard is very supportive of this endeavor intended to honor those that were fallen in service to our country. He said that the Coast Guard is planning to place a plaque on Base property to recognize and honor the Project Zebra Project.

Mayor Peel announced that ECDI Director Deborah Malenfant and Community Development Director Matt Schelly were the City staff persons involved in the planning process for this project. He invited them to the podium for their comments.

Ms. Malenfant stated that during the plane crash in the Pasquotank River on January 11, 1945, five aviators were killed: one Ukrainian, three Russian and one Canadian. She said that the Joint Commission has asked the City to place a monument on the City's waterfront to honor those members who perished in the crash as well as the Allied partnership for Project Zebra.

Ms. Malenfant stated that the concept desired was to provide an easily accessible location with maximum visibility in a location near the Pasquotank River where the Project Zebra aviators trained. She provided details regarding the three different monuments presented for consideration and stated that staff recommended the design entitled "The Monument to Military Brotherhood," which features figures of the three pilots of the Allied Forces: the United States, Great Britain and the USSR standing together over a launching Catalina aircraft. She gave an overview of the seven locations considered for the monument's placement. She pointed out that the Coast Guard Park location met the criteria desired and would be an honored, prominent location worthy of the memorial. Renderings of Coast Guard Park were shown to provide a visual representation of the monument's recommended location as well as its design.

Councilman Brooks stated that he did not have a problem with the proposed Project Zebra Monument, but felt that the City should be inclusive in honoring all fallen service members. He stated that there were 58,220 service men and women who perished during the Vietnam War. He noted that there were 17 million military persons who died in World War I. He advised that there have been 4,486 persons who have died during the Iraq conflict and 2,345 who have died in Afghanistan. He said that 7,800 American soldiers were unaccounted for from the Korean War. He pointed out that the City did not have memorials for any of those service members. He also noted that there "was no statue or memorial with a black face on it" and stated that Elizabeth City is comprised of a 56% minority population. He encouraged that something should be done to commemorate all those who have died in service to our country during wartime.

Councilman Walton stated that the reason he suggested action on this matter be removed from the agenda was because the Council had not previously discussed it as a group. He suggested that the Council should have been included in the planning process that had occurred. He pointed to past events in the Soviet Union, particularly under Joseph Stalin, and the current relationship between the United States and Russia; and opined that he did not think the time was right to consider placing the monument in Elizabeth City.

Councilman Donnelly stated that he felt this project went well beyond governments and politics. He said that it is about Memorial Day and the opportunity to recognize those who sacrificed to the end to protect and defend all of us. He said that the monument would be a tribute not only to those who died in Project Zebra, but to all the brave men and women who have given their lives to let us live.

Mayor Peel called for a vote on the motion, as follows:

Motion was made by Councilwoman Jean Baker, seconded by Councilman Tony Stimatz to accept the donation of the Project Zebra World War II monument and authorize its placement in Coast Guard Park. Those voting in favor of the motion were: Baker, Donnelly, Hummer, Stimatz, Brooks, King, Horton and Walton. Against: None. Motion carried unanimously.

b. Presentation/Consideration: Adoption of Resolution and Award of Gun, Badge and Plaque to Retiring Sergeant James Wade Brite

Mayor Peel welcomed retiring Elizabeth City Police Sergeant James Wade Brite to the podium; and requested Council's pleasure regarding adoption of the following resolution awarding to him his service sidearm and badge.

Motion was made by Councilman Tony Stimatz, seconded by Councilman Rickey King, to adopt the following resolution awarding Sergeant James Wade Brite his service weapon and badge in conjunction with his retirement effective May 31, 2017. Those voting in favor of the motion were: Baker, Donnelly, Hummer, Stimatz, Brooks, King, Horton and Walton. Against: None. Motion carried unanimously.

**RESOLUTION #2017-05-03
AWARDING BADGE AND SERVICE SIDEARM
TO RETIRING POLICE OFFICER
SERGEANT JAMES WADE BRITE**

WHEREAS, G.S. 20-187.2 provides that retiring members of municipal law enforcement agencies may receive, at the time of their retirement, the badge worn or carried by them during their service with the municipality; and

WHEREAS, G.S. 20-187.2 further provides that the governing body of the municipal law enforcement agency may, in its discretion, award to a retiring member the service sidearm of such retiring member; and

WHEREAS, Sergeant James Wade Brite served as a member of the Elizabeth City Police Department for a period of 29 years and will retire from the City of Elizabeth City on May 31, 2017.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Elizabeth City, North Carolina that the badge and service weapon worn and/or carried by Sergeant James Wade Brite shall be awarded to him on the occasion of his retirement on May 31, 2017.

ADOPTED this 22nd day of May 2017.

Joseph W. Peel
Mayor

ATTEST:

Vivian D. White, CMC/NCCMC
City Clerk

Mayor Peel read Resolution #2017-05-03 and congratulated Sergeant Brite on his retirement. He also presented a plaque to him recognizing and thanking him for his 29 years of service to the City of Elizabeth City and its citizens. Sergeant Brite recognized his family members who were in attendance and thanked the City Council for the opportunity to have served the City for 29 years.

c. Presentation: Recognition of Retiring Employee - Donald Fagans

Mayor Peel announced that Donald Fagans would be retiring from the City of Elizabeth City on June 1, 2017 as an Equipment Specialist III in the Public Utilities Department. He invited Mr. Fagans to join him at the podium, whereby he presented a plaque of appreciation for his 30 years of dedicated service to the City of Elizabeth City and its citizens. Mr. Fagans recognized his family members who were in attendance and thanked the City Council and his fellow employees for the recognition of his retirement.

4. Comments from the Public:

Holly Audette, 609 W. Main Street, Elizabeth City, NC complimented the recent very successful NC Potato Festival and all those who worked so hard to bring about the event. She thanked City employees for traversing through the very difficult billing dispute issue due to the recent software conversion. She said that she knew it was hard to respond to citizens who are justifiably frustrated over the issue and thanked City staff for their dedicated public service.

Ron Lowe, 625 S. Hughes Boulevard, Elizabeth City, NC stated that he thought the Project Zebra memorial was a great project. He reported that the residents of the new Morgan's Pointe Apartment Complex had not received a utility bill since January and expressed his concern regarding late fees being assessed whenever the bills are finally generated. He asked consideration for those residents when late fees are taken into account.

Jesse Harmon, 702 Parsonage Street, Elizabeth City, NC pointed out that a lot of Confederate monuments are being torn down in the South just because they represent Confederate history; and he expressed his concern for that matter. He suggested that anyone with a desire for a monument commemorating war veterans should advocate for it rather than complain about the good things others are doing. He cautioned that when Council members speak publicly about citizens, they should make sure they have their facts straight. He encouraged members of Council to listen to the people when they expressed their views.

George Converse, 1431 Weeksville Road, Elizabeth City, NC stated that it had been his intention to speak in favor of the Project Zebra monument being placed in Elizabeth City, but since the Council had already passed on that matter, he wanted to thank them for doing so.

Sarah Ownley, 307 Adams Creek Road, Elizabeth City, NC stated that although she knew the Council could not answer at this time, she had a number of questions, as follows: Why did the City not press forward with the software change; at any point will the City revert back to Edmunds; and if so, who will implement it and how will it be monitored; what does the City's accountability look like and when will it happen; who will be accountable for the "utility fiasco," is Edmunds software being used for utility billing; where does the City stand with accounts; how many more need corrections and how long will it take to get there. She stated that she felt it was only fair to waive late fees back to August or September since that is when she felt the problem started. She requested that the Council hold another Town Hall Meeting in a more suitable place with better sound. She made reference to the chairs used at the Knobbs Creek Recreation Center during the Town Hall Meeting and asked why it was necessary to "tie them down." She requested that the City have an outside audit of utility bills performed to

address citizen distrust. She stated that until the issue with the utility bills is resolved, she would not be paying any bills to the City of Elizabeth City; and had also asked that of other people – “to hold your money, save your money and put it aside, don’t plan poorly, because you are using utilities, but until this is rectified, hold your money. She continued “I wouldn’t give another dime to the City. If that means a couple months – hey, if that causes you to cash in investments and hurt your feelings, then so be it. We’ve been hurt enough.” She stated “I have definitely encouraged others to do the same thing because right now they are paying bills that a lot of us do not feel are correct.” She asked why billing staff told Mr. Bob Edmunds when he came to Elizabeth City to discuss the issues that he could not speak to anybody. She asked that the City provide accommodations for citizens who are disabled and hearing impaired. She stated that the group “Enough is Enough” is not about bashing the City, but wanted the community to prosper the way they knew it could.

John Bannow, 106 Tiara Court, Elizabeth City, NC thanked the Council for conducting the recent Town Hall Meeting. He read portions of an article entitled “Meter Tampering Against Utility Critic Dismissed” that was published in The Daily Advance. He noted that the article involved Sarah Ownley of the Enough is Enough group. He questioned how the article could be considered newsworthy and why the City would attempt to discredit Ms. Ownley in this way. He alleged that members of the City Council use the newspaper for “their own agendas.” He stated that in his opinion, if the case was dismissed as stated in the article, he felt it was a “non-issue.” He requested that the City Council request a “state investigation into this utility billing fiasco;” and he requested that the City Council give the City Manager a deadline to correct the utility billing situation.

Bridget Colbert, 1002 Asbury Lane, Elizabeth City, NC stated that the intention of the group, Enough is Enough, is not to bash the City, but to help it realize its full potential. She said that the group leaders love the community and have seen major situations that require “a grand audience” to make things happen. She expressed concern for the elderly and other groups that “were not getting answers they needed.” She suggested that better communication by the City to its utility customers was sorely needed. She suggested that the City switchboard needed a recording giving those persons on hold some sense of what is going on. She also suggested that the City should consider a system that would allow a message to be transmitted by phone, much like the school system employs. She recommended that the City hire someone to supervise the Customer Service Department in order to provide better service to customers. She requested that the City take a look at refunding late charges to an earlier period than November 2016.

Autumn Henderson, 107 Pine Lake Drive, Elizabeth City, NC stated that she considered coming to the meeting and personally attacking each and every Council member about their ethics and morals, how the Council has managed the City and how Council members have performed their jobs, but since it appeared members of Council didn’t feel “guilt” about what is going on or what citizens were going through, she decided against doing that. She used the historical stories of Paul Revere, the Industrial Revolution, the Women’s Suffrage Movement, the Civil Rights Movement, and Dr. Martin Luther King, Jr. to make the point that she felt the citizens of Elizabeth City are called upon now to join these Americans and fight for the community to accomplish resolution of the utility billing issue and any future issues that arise. She stated that the families that live outside the City’s corporate limits should have representation regarding their utility issues and suggested that the City create a position to represent those people or to allow them to seek other providers.

Alice Redding, 914 Riverside Avenue, Elizabeth City, NC complimented all those who worked to make the Potato Festival a success. She opined that the Town Hall Meeting was a “total fiasco” and stated that the City did not have a place suitable for a large public gathering without gaining approval from another entity or owner. She suggested that the City address this issue. She also requested clarification regarding why some properties, specifically the Shipyard Property on Riverside Avenue, are left in disrepair and poor condition, while other properties are required to be cleaned up.

5. Consent Agenda:

(Note: Items “a” through “g” recommended for approval by the Finance Committee during their meeting of May 18, 2017)

Mayor Peel recognized City Manager Olson to read the items 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 Amendments Required for Accounting Purposes;**

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 for fiscal year ending June 30, 2017:

SECTION I. That the General Fund South Park Revenue (103650.0061) and Parks & Recreation Advertising (106200.2600) be increased by \$5,000.

(To record purchase of promotional items to distribute at community events to be purchased with South Park revenue.)

SECTION II. That the General Fund Balance Appropriated (103990.0000) be increased by \$664; the Delinquent Taxes: Ad Valorem Revenue (103020.2015) be increased by \$3,182; Lot Clearing Revenue (103920.0010) be increased by \$681; Administrative Fees Revenue (103920.0000) be increased by \$120; and Foreclosed Property Expenditure (104600.4600) be increased by \$4,738.

(To record purchase of foreclosed property and return of taxes and special assessments.)

This amendment will decrease General Fund Balance by \$664.

ADOPTED, this 22nd day of May 2017.

Joseph W. Peel
Mayor

ATTEST:

Vivian D. White, CMC/NCCMC
City Clerk

- b. Consideration – Adoption of the following Resolution by Governing Body of Recipient and authorization for Mayor Peel to execute the Financial Award Offer of State Grant Number E-SAP-W-17-0008 from the North Carolina Department of Environmental Quality in the amount of \$995,000 and acknowledge by signature the Standard Conditions and Assurances;**

**RESOLUTION # 2017-05-04
BY GOVERNING BODY OF RECIPIENT**

WHEREAS, the North Carolina General Assembly has enacted Session Law 2016-124 to assist eligible units of government in meeting their disaster-related water infrastructure needs; and

WHEREAS, the North Carolina Department of Environmental Quality has offered a State Grant in the amount of \$995,000 to repair a wastewater or drinking water system; and

WHEREAS, the City of Elizabeth City intends to perform said project in accordance with the agreed scope of work.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ELIZABETH CITY:

That the City of Elizabeth City does hereby accept the State Grant offer of \$995,000.

That the City of Elizabeth City does hereby give assurance to the North Carolina Department of Environmental Quality that any Conditions or Assurances contained in the Award Offer will be adhered to.

That Mayor Joseph W. Peel and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project; to make the assurances as contained above; and to execute such other documents as may be required by the Division of Water Infrastructure.

Adopted this the 22nd day of May, 2017 at Elizabeth City North Carolina.

Joseph W. Peel
Mayor

ATTEST:

Vivian D. White, CMC/NCCMC
City Clerk

- c. Consideration – Renewal of Central Communications and Emergency Management Interlocal Agreements with Pasquotank and Camden Counties;**
- d. Consideration – Renewal of Interlocal Agreement for Animal Control Services with Pasquotank County;**
- e. Consideration – Termination of Republic Services of North Carolina LLC Agreement for disposal of leachate at the wastewater treatment plant pursuant to the provisions of Section 11 of the agreement;**
- f. Consideration – Addition of Public Comment Period to June 5, 2017 Budget Work Session to receive comments on the fiscal year 2017-2018 budget;**
- g. Consideration - Call for a public hearing to be held on June 12, 2017 in City Council Chambers of the Municipal Administration Building, 306 E. Colonial Avenue at 7:30 p.m. (or as soon thereafter as the agenda allows) to receive public comment on the proposed fiscal year 2017-2018 City of Elizabeth City budget; and further instruct the City Clerk to advertise the public hearing as required by NCGS §159-12.**
- h. Consideration - Call for a Public Hearing to gather citizen input regarding Rezoning Application RZ 01-17 to be held on Monday,**

June 12, 2017 at 7:30 p.m. (or as soon thereafter as the agenda allows) in Council Chambers of the Municipal Administration Building, 306 E. Colonial Avenue;

- i. **Consideration - Call for a Public Hearing to gather citizen input regarding Conditional Zoning Application CZ 01-17, to be held on Monday, June 12, 2017 at 7:30 p.m. (or as soon thereafter as the agenda allows) in Council Chambers of the Municipal Administration Building, 306 E. Colonial Avenue.**

END OF CONSENT AGENDA.

Mayor Peel requested the Council's pleasure regarding the Consent Agenda.

Motion was made by Councilwoman Jean Baker, seconded by Councilman Tony Stimatz to approve the Consent Agenda as presented. Those voting in favor of the motion were: Baker, Donnelly, Hummer, Stimatz, Brooks, King, Horton and Walton. Against: None. Motion carried unanimously.

6. Public Hearings:

At 7:30 p.m., Mayor Peel announced that the Council would direct its attention to the scheduled Public Hearings.

- a. **Hold a Public Hearing to Receive Public Input on the Small Cities Community Development Block Grant (CDBG) Downtown Redevelopment Program for the Southern Hotel.**

Mayor Peel announced the subject of the first Public Hearing and called on City Manager Olson to provide the background on the matter. Mr. Olson explained that staff had received notice approximately 18 months ago that the City had received a CDBG Downtown Redevelopment Program grant for the Southern Hotel Project. He noted that the CDBG grant process requires two public hearings, which the City had previously properly held. He advised that staff had been informed by the funding agency that since the first public hearing had been held on this project over 12 months prior, an additional public hearing should be held in order to complete the requirements of the application. He noted that the Council had called for this Public Hearing during the meeting of May 8, 2017 and that the appropriate advertisement had been made.

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

Motion was made by Councilman Tony Stimatz, seconded by Councilwoman Jean Baker to direct staff to transmit all grant documents to the North Carolina Department of Commerce regarding the CDBG Small Cities Community Development Block Grant Downtown Redevelopment Program for the Southern Hotel. Those voting in favor of the motion were: Baker, Donnelly, Hummer, Stimatz, Brooks, King, Horton and Walton. Against: None. Motion carried unanimously.

- b. **Hold a Public Hearing to receive public comment regarding approval of Hintonville Rentals' Downtown Improvement Grant Program request in the amount of \$7006.28 for a total project cost of \$14,012.55.**

Mayor Peel announced the subject of this Public Hearing and called on City Manager Olson to provide the background. Mr. Olson recognized ECDI Director Deborah Malenfant to provide the details of this matter.

Ms. Malenfant provided a recap of the Downtown Improvement Grant program for fiscal year 2016-2017. She reported that Bill and Brenda Ashburn, owners of the Hintonville Rentals property located at the corner of Colonial Avenue and McMorrine Street, also

known as the Lambert-Gaither Building, were requesting funding to upgrade their property in preparation for a new retail tenant. She provided specific details regarding the applicants' request for \$7,006.28 toward a total project cost of \$14,012.55. She noted that the applicants intend to do both interior and exterior improvements to the building. She stated that the proposed retail tenant should employ two fulltime individuals.

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

Motion was made by Councilwoman Jean Baker, seconded by Councilman Ray Donnelly to approve the application as presented. Those voting in favor of the motion were: Baker, Donnelly, Hummer, Stimatz, Brooks, King, Horton and Walton. Against: None. Motion carried.

7. Regular Agenda:

a. Update – City of Elizabeth City Utility Billing

Mayor Peel recognized City Manager Olson to provide an update on the utility billing progress. Mr. Olson stated that staff had closed out the month of April, to include all payments and work orders. He noted that all the April bills were being printed and mailed. He stated that the Southgate Mall Customer Service location remained open for extended customer service hours until 7 p.m. He reported that power consumption in April 2017 was relatively the same as in April 2016. He stated that the Logics and Edmunds operating systems should be successfully merged by May 23, 2017 at which time customers would be able to receive an up to date history report of their account. He noted that staff will be up to date on billing as of May 27, 2017, meaning all the data through May would be current. He reported that staff had requested that the new City auditor increase the sample size of utility billing to ensure the integrity of the billing software.

Councilman Brooks provided clarification regarding the process for utility payment agreements. He noted that the monthly agreement amount must be paid along with the current utility bill in order to avoid disconnection.

Councilman Stimatz reiterated his previous request for the Council to receive weekly cash balance reports for all funds. He stated that this is a critical issue, especially with regard to the Electric Fund. He stated that he agreed with speaker, Bridget Colbert, that a mass calling feature such as the school system uses and said that the City needed to explore that option. He requested that the matter be brought back to Council for consideration. Councilman Stimatz reported that the Customer Service Policies and Procedures Manual for utilities was developed in 1993 and revised in 1998. He said that staff needed to make it a priority to update that manual, and if additional resources were required, they should be identified. He noted the manual's importance to customers as being a handbook on what to expect with their utility services. He asked for feedback on his items mentioned to include a timetable for results.

Councilman Walton inquired as to the reason the City had retained a new auditor for the coming fiscal year. Mr. Olson responded that engaging a different auditor periodically was a Council decision made several years prior. He noted that the Council had awarded the contract to the new auditor during a recent City Council meeting.

Councilman Stimatz asked for information regarding increasing the sample size for auditing utility billing. Mr. Olson responded that would be a matter to be worked out with the auditor, but he anticipated the increase to be 300 accounts versus the normal 100 accounts. Councilman Stimatz noted that he believed at least 600 – 700 accounts would be subject to audit by City staff, simply because of customer request. Councilman Stimatz suggested that the City's bills should indicate the date payments are received because he had noted variances with his own utility bills.

b. Discussion – Town Hall Meeting and Race *(Requested by Councilman Brooks)*

Mayor Peel recognized Councilman Brooks for his comments.

Councilman Brooks stated that before the Town Hall Meeting was held, he and Councilman Walton had called for a Special Meeting of Council to allow citizens to “vent out” and talk about what the City needed to do to get things back on track. He pointed out that only he, Councilman Walton and Councilman Horton attended that meeting. He said that subsequently Councilman Walton suggested holding a Town Hall Meeting and noted that it was good to hear the citizens vent, even though the acoustics at Knobbs Creek Recreation Center were not good. He said that people must understand that there is a division on the Council – the “three amigos” and everyone else. He stated that he was okay with that, but he felt it is the citizens who suffer because of that division.

Councilman Walton stated that he and Councilman Brooks had visited the Museum of the Albemarle and found that it would have been available as a location for the Town Hall Meeting. He said no one had bothered to see if that location could have been used. He said “it’s hard to try to do the thing right. Anything you bring up, they will shut it down on you.” Mayor Peel pointed out that the midway rides associated with the Potato Festival had been set up in front of the museum, necessitating closure of the surrounding streets at the time of the Town Hall Meeting.

Councilman Walton stated that he and Councilman Brooks had suggested to the City Manager and the City Clerk “that just because everybody was going to be at the meeting that’s on Council, we tried to let them know that we felt that the Mayor was not the person to preside over the meeting.” He stated that staff was not cooperative and he had asked for an opinion on the matter from “the lady in Raleigh.” He stated that the Mayor had advised that the time period for the Town Hall Meeting could not be extended, but it was later determined that it could. He said “we make some people go by the rules and other people do what they want to do.” He stated “it is the rule, because they have the votes.” He stated that “people will tell you what they want to tell you, you can listen if you want to – if you don’t check it, it’s going to be your fault.”

Councilman Horton asked City Attorney Morgan if the time period advertised for the Town Hall Meeting could have been extended. Mr. Morgan responded that if he had been asked that question during the meeting, he would have responded with the same answer given by the City Clerk – that since it was advertised to be conducted from 6 p.m. to 8 p.m., the meeting should have concluded at 8 p.m. He said that if the comments provided by Professor Bluestein are read carefully, you would note that she said that it could be argued either way. He noted that Professor Bluestein had stated that if the Council wanted to, the time could have probably been extended. He reminded the Council that there are very strict rules regarding Special Called City Council Meetings and stated that the City Clerk had made the decision based on what she felt to be correct at the time, a decision he agreed with.

Councilman Horton stated that his problem with the Town Hall Meeting was that the Council never requested a timeframe. He stated that he felt it was “an absolute disgrace to our citizens that took time – some took off from work – some took away from their family to be able to come out and to address us as a Council about situations that they are having.” He stated that he felt it was a travesty that only about half of the citizens that had signed up to speak actually had the opportunity to do so. He said that the citizens want to see results and have answers, and the Council is responsible for making sure that change happens.

Councilman Horton said that he was bothered by the fact that residents had not only lost trust in City staff, but had lost trust in the City Council, as well. He said that the situation had become “too political.” He stated that citizens felt that based on a letter from Edmunds, City staff wanted to manipulate the utility bills, along with persons who don’t want to pay their bills because they don’t know if the bills are accurate. He said “this is a major problem and it starts with the leadership.” He said that he personally liked Mr. Olson, but “when the residents of the City and the City Council lose trust in the

manager and City staff, that's a problem." He continued "whenever integrity is called into question, that's a problem." He stated that the Town Hall meeting should have been held at a place where everyone could have been heard. He said that residents want an audit because they feel as if the City is hiding things "under the rug."

Councilman Horton opined that when a citizen comes before the Council to express concerns and then appears on the front page of the newspaper, it sends a message that the Council doesn't want to hear from the residents. He said he had made a promise to represent the people and did not believe in a whole lot of unnecessary speaking, but when the time comes to speak up, it has to be done. He said that the City of Elizabeth City is heading in the wrong direction. He suggested that it was time for the Council to come together; and if need be, expose those who do not want the City to move forward.

(Clerk notation: The following statements by Councilman Horton are provided in a modified verbatim format.)

Councilman Horton: "Anytime you're in favor of having someone employed for the City that is dividing the City and the citizens don't trust them, you need to be exposed. And when election time comes, you don't need to be elected. When you sit on this Council and you make comments about 'you people' who are struggling, who can't even pay their bills – that's a problem. I have a problem with that. And something has to be done. Something has to be done. And I believe we need to start with our City Manager. I received an email about Ms. Blanchard – I want to read this to you."

City Attorney Morgan cautioned Councilman Horton regarding the confidentiality of personnel matters. Councilman Horton responded that he "knew how far to go."

(Clerk notation: Modified verbatim transcription continues for Councilman Horton.)

Councilman Horton: "You know, Ms. Blanchard was fired – terminated for the inability to oversee the utility billing software; providing false or less than complete information on the utility billing conversion; here autocratic management style, which limits productive feedback from her subordinates; failure to provide clear direction, misleading me about the extent of utility problems – and then I saw in the newspaper that Mr. Nicholas was fired because he wasn't effective. You know, I don't feel our City Manager is effective. I think, you know, that's a problem. I don't feel that he is effective and it's too much division among the City. I for one am a peaceful person. And every time I go in my Ward, every time I go to Wal-Mart, every time I go to Food Lion, McDonald's – I'm getting bothered to the point that I'm ready to say I can't take City Council no more – because everybody is saying the same thing. The same thing. What you going to do about it? Don't you and Brooks and Walton get up there and fuss, ya'll need to do something. Don't you get up there – and like I said, I can't take it and as a Councilmember I made a pledge that I will represent the people of the Fourth Ward. And the people of the Fourth Ward have come to me. **And I make a motion now that the City Manager be terminated effective immediately.**"

Councilman Walton seconded the motion.

Mayor Peel called for discussion on the motion.

(Clerk notation: The following discussion is provided in a modified verbatim format.)

Councilman Brooks: "Ya'll just don't know how tickled I am to hear somebody say what I been saying for ten years. I been saying it for ten years; and I like the way Councilman Horton said it – he said the people that he represents in the Fourth Ward say that. And Rich will tell you right now – and I said it a couple Council meetings ago – I said that the people I represent in the Third Ward tell me this. I said, Rich, there's no problem – I have no problem with you – but I represent them, they don't represent me. And they say you gotta go, if the vote come up, I done told them how I going to vote. I've been telling you that for how many years, now Rich? It's not personal. I'm just tickled to hear somebody say and I don't have to say it. This has made my night to hear somebody to say that because - now you're going to be talked about in the paper

tomorrow – but at least you said it. But thank you, Mr. Mayor. I just wanted to get that out. I'm tickled, ya'll – this made my day – I going to buy me a big Black (and Mild cigar) after this – I'm going to enjoy this one."

Councilman Stimatz: "I'll speak to the motion then I would like to speak back to the issue. I'm all for accountability and it will happen. I don't think this is the time to pull the trigger on this issue. I think that, first of all, we are in the midst of a budget – putting that to bed. Secondly, we are in the midst of converting back and that's not done yet. I am not at this time ready to vote on this issue one way or the other. I guess I'd vote against not firing the manager at this time. I am waiting to find out some more information; I have some other things I'm working on myself; pending those outcomes, then I'll make a decision in the future."

Councilman King: "Right now is a bad time to dismiss him, but to say that he doesn't need discipline, he does because of the mere fact - that something I've always said to Rich. When you start costing the City money, I have a problem. And right now, you're in charge, you're costing money. But until we get this thing settled, I think Rich needs to stay here. We're in the middle of a budget, we're in the middle of Edmunds and Logics. He created this problem, he needs to stay here to solve the problem. And after it's solved, if we want to discipline him, I have no problem."

Councilman Walton: "Well, I'm getting mixed up. I thought the Finance Director caused the problem. That's who caused the problem. That's what the ruling was when she got fired. The same thing is just happening now as was happening then. And nobody came to her – she was the closest thing to it, just like this auditor – the one we got rid of. Now we got a new one. It's going to take a while. Anytime you do something new, it takes a while. Now here's something that might help some of you. I was going to do it during our Closed Session, but I just as well do it now because the Mayor and Mr. Olson already had one. Pass this around, Jean, you don't have to read it, I know you won't, put pass it around if you would. This afternoon, Mr. Edmunds wrote me this – now I asked him this because I received a letter on Thursday (after the Town Hall Meeting)."

(Councilman Walton, reading from a document) "We will be having a City Council tonight beginning at 5:30 p.m. I am interested in knowing if Mr. Olson responded to your letter of which you sent me a copy. If you will please call or email me as soon as you can today. I would like to have this information for tonight's meeting." "Now this is what he – I don't know why he sent it to me on Thursday after the Town Hall Meeting Wednesday. Bob Edmunds, date Thursday, May 18. He sent it to the Mayor, he sent it to me, and he sent it to Rich Evoy – I don't know who that is – that may be his attorney. But he attached a meter screen and two or three other things. The subject – incorrect and damaging comments. And it reads, Richard, I was forwarded your video from yesterday's meeting. I understand that you have minimal personal experience with our products and electric billing in general. Your information must be coming from some source. Please advise me who your source of information is. I've attached three screen shots of our system, with the options for number of digits the meter has can be 99. Multiple types of compound reads and an actual E. City account with seven digits. Believe you publicly said we were limited to four and did not handle compound meters. I don't know what all that means – maybe the IT person can let us know. But he went on to state my initial thoughts were to also cc Jon Hawley, but will see you response and desire to retract your incorrect comments directly to him."

Councilman Walton: "You hear me, Ms. Hummer? What I just read?"

Mayor Pro Tem Hummer: "I'm sorry? I just read it."

Councilman Walton: "Oh you did? Okay. *(Continued reading)* As someone who has never used legal action toward a client in over 40 years, your continued inaccurate public comments and looking for a scapegoat are wearing my patience and becoming slanderous. Please advise if you would like me to forward your IT experts a summary if you have not had chance to read. I'm happy to discuss this with you or any member of the governing body. Sincerely, Bob Edmunds."

Councilman Walton: “And then he wrote me back today before the meeting. *(reading)* Rich called me this past Friday to discuss. He was a bit rushed. Believe he said there was a Potato Festival happening in Elizabeth City and some personnel matters that were priority. Not much discussed.”

Councilman Walton: “Now I don’t know if he called him or not, but to me this was very important to call this man back. This was very important to call this man back. But he still had not talked to him about the whole situation. Something’s not right with that. Thank you, Joe.”

Mayor Peel: “You’re welcome Johnnie.”

Councilman Brooks: “When Johnnie read that, the statement that jumped out at me was ‘as someone who has never used legal action against a client in over 40 years.’ And talked about being slanderous. Now, the motion was made, the motion was seconded and I’ll tell you exactly how it’s going to go. The three amigos will vote one way, and the other five going to vote the other way. My problem is, at least the people in the Fourth Ward, they are consistent. I have no consistency. I’m doing what the people in the Third Ward tell me to do. I guess the Third Ward is divided, too. And, see, it goes back to the same thing, I said it a long time ago. I read the article in The Daily Advance, when Rickey King got elected, they said he always vote against Horton, Johnnie and Brooks. So, you know before the vote comes up how it’s going to turn out. You know? And the issue I have is that they keep saying until after the budget. If Rich Olson dropped dead right now, what they going to do? Raise him back from the grave and put him right back in the seat – he’ll sit right up in there. You know, that’s basically what I’m hearing. I hear it all the time before this even came up. And me and Rich had a good conversation. Rich, believe it or not, me and Rich do conversate [sic] – we have good conversations. Rich can tell you some stuff if you listen and talk to him. He’ll tell you some stuff. He made a great comment – and I never thought anything about it. When the Enough is Enough group first came up, and ya’ll did well – I mean ya’ll was on fire and ya’ll keep losing more and more of your steam, so this had to be done now, because ya’ll losing ya’ll fight. Okay. Okay. But they came up there and I mean, they was voicing their discontent and aggravation. And then the second meeting, there was no person, African-American, black came up there and said anything behind the podium. And I had to give you that setting so I can tell you the conversation me and Rich had. And he was just as right as he could be. I said, Rich, you know they came up there the second time they’re fighting for a right cause, but didn’t any black people show up to the podium. Rich looked at me – good conversation – and it hit me like a ton of rocks. He said you know what Mike, they been going through it all the time. I mean – he didn’t mean no malice by it, he was sharing something with me. And I let you know, he didn’t mean any malice by it, he was sharing something with me that was true. You know? So I’m looking at him saying ‘wait a minute. Elizabeth City, North Carolina is better than this. We are better than this.’ I’m going to tell you what’s better than this. And I’ve been several places – lived in several countries. If we can get our government part right, we got it going on. We just got to get that right. And I’m going to stop talking because a motion is on the floor and Anita got her hand up. She hasn’t spoken and I don’t want to cover. Because I’m still tickled that Councilman Horton said what he said. I’m just tickled.”

Mayor Pro Tem Hummer: “Someone best have a cool head and figure out the repercussions in what we’re facing and what we’re trying to solve. However, when you fire those that are in charge of the finances, there are state guidelines and I believe the manager followed those when he took the action he thought he had to take. For those of you in the audience who don’t realize what the repercussions would be, if we fire the city manager on the heels of the finance director not being here, we wouldn’t have anyone as experienced in leading the City through the financial problems we are facing. We are in the middle of a budget; we have the utility billing, which we have to find a solution to before we can settle all that, and our fund balance is low. You might scoff at the idea –oh, they’re worried about their fund balance-it’s your money. It’s your money. Not ours. Your money - that you need to be concerned about. The fund balance is low because of things that have taken place. And, at some point very soon, the Local Government Commission could come into Elizabeth City and take over. They could run the City. You think that would be a good thing? You would never get any more grants

for infrastructure or anything else that you would like to see when we get enough money. You would lose your bond rating. You would lose your credit rating. You wouldn't be able to borrow any money at these nice low rates that we have now to do some infrastructure. And you may never even get your City back. So, we take the criticism, but at the same time you need to think that there is a cost involved in firing everybody before it's a good time and we're in the middle of a \$64 million budget, and I don't think we have the staff that has been one-on-one involved in it that could take over immediately, but we surely have good staff. But we all need to think about it. Council members need to think about it, too. And you know, I know you guys like to call yourselves the three amigos, but I don't think I'd do that to myself and keep talking about it."

Councilman Brooks: "Well, let me address that, since she brought it up. I didn't want to address it. I'm trying to stay out of the conversation, but ya'll keep drawing me in it. You know? The reason why three amigos came up – we didn't give ourselves that name. When Johnnie, Horton and myself ran last time, we got the name three amigos because in The Daily Advance they were telling the people...Listen, when the Justice Department made the Ward system, they wanted to be inclusive and look like what the population of Elizabeth City is. That's how the Ward system came in. So they made the Third and Fourth Wards predominantly black and they made the First and Second Wards predominantly white. So they can get a look at how to represent our City properly. And I think it was a good thing. So, when Johnnie, Horton and I ran – I'm trying to be good – some Council members, they know who they were, in the paper openly – I was on vacation and people were telling me that they were telling people in my Ward that is predominantly black, not to vote for Johnnie, Horton and myself. And we got the name three amigos. I don't mind being called an amigo. Amigo means friend. I don't mind at all. It don't hurt me at all. And I'm going to continue to call us the three amigos as long as ya'll keep voting against the wishes of those citizens out there. I'm going to continue to do it. I have not problem with that. You know? Go ahead Mr. Mayor."

Councilman Walton: "You know, people can say what they want to say. Some people can make you fear things like if you go too far in the water, you'll fall off the cliff and all that stuff. It's not going to happen like that. Like Mike said, if Mr. Olson leaves tomorrow, somebody else will take over. Somebody will take over and we would still exist. We'd keep right on going. We would miss him, but we would still keep going. Then there are people that's going to be on a team. If everybody don't win, the whole team is not winning. And right now, we have a team that don't mind losing just to win. They will vote anything the same way just to be on the same side. That's not helping our citizens. That's not the way it should be in a democratic society. I talked about Joe Stalin, but he had his people, he was a dictator. He had his people so wrapped up, if they wouldn't follow his direction, he put a famine on them. He wouldn't let them eat and seven million people died. So ya'll keep on following everything that's wrong. Rather than doing what's right, we'll do what's wrong. Does that make any sense? That's what we do. It's time to do what's right sooner or later."

Councilman Donnelly: "I personally want to make it very clear that I vote the way I feel my constituents would want me to vote. That's the direction I'm going and I disagree with the motion. I will not vote in favor of the motion. This is a major issue that we have going on with the billing. I see progress in it. I see the city manager working trying to solve it. There's a \$64 million budget going on here and we're talking about tunnel vision. One issue. And that's why we should say goodbye. I don't buy it. It's a serious issue, don't take me wrongly. But it's just one issue. And there's so many things going on in this City. Check out the infrastructure."

Councilwoman Baker: "I agree Ray. And not because we're both First Ward, but I agree 100%. I'm not going to call names, but I am going to say that there's somebody on this Council that has said multiple times – and I will do the research, because I can do research, too – 'I don't want Mr. Olson fired -that isn't my intention-I don't want Mr. Olson fired.' Well, we saw that change tonight. Thank you. I call for the question."

Councilman Horton: "Thank you, Mr. Mayor. I just want to say this. When I was in Perquimans High School, I had an English teach named Ms. Rita Roberts. She used to

make us, when we would come in with an excuse, we had to go to the board and write this, and it says 'Excuses are the tools of the incompetent. They are used to build monuments of nothingness. Those who specialize in these excuses are seldom capable of anything else. Therefore, at Perquimans County High School, there will be no excuses.' Everybody has got an excuse – why I'm not going to do this, why I'm not going to this. Our City residents had to endure this hardship. The credibility of our city manager is in question and all we can come up with is an excuse. We have an excuse why your bill is late. We have excuse why you received the wrong bill. We have excuse why you haven't received a bill. And it's time out for excuses. I know some say this is just one issue, we have a whole lot. But I guarantee you as the City is rallied up – and you know I'm a preacher, I don't consider myself to be a prophet – but I'm going to say this. This one issue is going to cause people not to be re-elected. This one issue, because I'm telling you, everywhere I go I keep hearing the same thing. So that's all I have to say."

Mayor Peel stated that there had been a call for the question. He asked for a vote on the motion on the floor.

Those voting in favor of the motion were: Brooks, Horton and Walton. Against: Baker, Donnelly, Hummer, Stimatz, King and Donnelly. Motion failed.

Councilman Horton requested a roll call vote, which revealed the same vote tally.

Mayor Peel recognized Councilman Brooks for his comments on "race." Councilman Brooks stated that he was a member of the Community Relations Commission (CRC). He pointed out that the function of the CRC is to bring the City together. He said that he was supposed to help take down the CRC tent after the Potato Festival, but he did not want to go and deal with the people like that. He said what he did do was stand at the Museum of the Albemarle away from people and watched. He stated that he didn't want anyone coming to him and telling him their issues with the City. He said what he saw was very impressive. He stated that he saw kids of all backgrounds and cultural diversities having a good time together. He reported that at that time, he had a sliver of hope – and remembered Dr. Martin Luther King's speech when he said that "one day on the red hills of Georgia the sons of former slaves and the sons of former slave-owners will be able to sit down together at the table of brotherhood." He stated "that's what I saw in a flash, but all of a sudden reality hit me again." He advised that it was his opinion that the issues being faced in Elizabeth City are issues between the 'haves' and 'have nots.' He said that he had been going through this situation for ten years but was now through with it. He said that there was no way he would sit in the midst and see a divided Council consistently. He stated "you can bet your bottom dollar Michael Edward Brooks is not going to run for Council in the City of Elizabeth City, never. I don't want anything to do with this. It's not stressful, it's aggravating."

7. Comments and Inquiries on Non-Agenda Items:

Councilman Brooks stated that if two people are representing the same Ward and they don't talk, something is wrong. He said that the only way changes will be made is if the citizens keep the pressure on those not voting their wishes. Councilman Brooks admonished City Manager Olson and City Attorney Morgan for whispering during his comments.

City Attorney Morgan asked to have a comment on the record that he had been listening to Councilman Brooks; and that his and the manager's comments were completely unrelated to what the Councilman was saying. He noted that they frequently must confer during meetings.

Councilman Stimatz stated that the public was being told by some members of Council that a special meeting had been called to allow citizens to express their opinions on the utility issue. He pointed out that the meeting was a Special Closed Session on personnel. He stated that there would have been no opportunity for citizens to speak on the utility issue. He applauded Councilman Walton for bringing up the Town Hall

Meeting idea, but pointed out that it took a vote of the entire Council to authorize it. He said that because votes are “5-3” many times doesn’t mean the Council is divided. He noted that there are many things the Council agrees on, but it is often portrayed by the minority side that the Council is divisive and doesn’t get along. He said that if the record is searched, he thought it would show that 90% of all motions are passed by the Council unanimously. He stated that the Council agrees on many things, but when “we don’t agree, we don’t agree.” He pointed out that many times, Council members are castigated by their colleagues for “being in collusion, for meeting secretly, for having secret handshakes, for having secret deals, for wanting to put people down, and et cetera.” He said that he had been on Council for 12 years and had listened to it, but had been patient. He said that he did not take it personally, because he considered the source. He stated that the information being put out for the public is entirely wrong. He encouraged citizens to go back and watch the videos and read the record to determine who is misstating the facts to suit their own purposes and who is pandering to the crowd and seeking to divide the citizens to get on other Councilmembers’ case so they can win on an issue that has not been completely thought through. He noted that there is more to running the City than knee jerking to 15, 20, 30 or 40 constituents. He said that if that were true, the mob rules.

Mayor Pro Tem Hummer requested that City staff proceed with mosquito control activities.

Councilman King had no further comments.

Councilwoman Baker complimented the Potato Festival and stated that she thought all 30,000 to 40,000 people had a great time. She recognized everyone who worked to make the festival such a fabulous event for the City. She stated that when guests are present for Council meetings, it would do the City proud if everyone would pay attention to what is being said instead of texting or writing.

Councilman Walton said that it is hard to fight a losing battle. He said that he was battle tested and hoped that some on Council would come along and do the right thing.

Councilman Donnelly stated that he was elected by his constituents, is pleased to serve and votes the way he feels is correct. He reminded everyone about an upcoming event on June 11, 2017 at Mariners’ Wharf Park – the Equality Rally for Unity. He encouraged everyone to attend. He congratulated everyone involved with the Potato Festival and complimented this “spectacular” event.

Mayor Peel stated that he believed Elizabeth City has two realities; one, such as had been talked about during this meeting focusing on divisiveness and looking backwards and going nowhere. He said that the second reality is exemplified by the recent Potato Festival attended by “blacks, whites, Hispanics, Asians, old folks, young folks, poor folks, rich folks - and everybody had a smile on their face.” He said that people who live in Elizabeth City and watch Council meetings have a choice regarding the reality they choose.

(Clerk notation: Councilman Horton left the meeting at 9:36 p.m. without a vote of the Council to excuse him. All subsequent votes taken by the Council indicate an “aye” vote for Councilman Horton.)

9. Closed Session as allowed by NCGS 143.318-11(a)(6) to discuss personnel
(Requested by Councilman Brooks)

Mayor Peel requested a motion to go into Closed Session.

Motion was made by Mayor Pro Tem Hummer, seconded by Councilman Rickey King to go into Closed Session as allowed by NCGS 143.318-11(a)(6). Those voting in favor of the motion were: Baker, Donnelly, Hummer, Stimatz, Brooks, King, Horton and Walton. Against: None. Motion carried.

Mayor Peel declared a five minute recess at 10:03 p.m. after which the Council retired into Closed Session.

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

The Council returned to Regular Session at 10:14 p.m.

10. Adjournment:

There being no further business to be discussed, Mayor Peel adjourned the meeting at 10:15 p.m.

Joseph W. Peel
Mayor

Vivian D. White, CMC/NCCMC
City Clerk