

**City Council Regular Session
September 14, 2020**

The City Council of the City of Elizabeth City met in regular session on Monday, September 14, 2020 in Council Chambers, located on the 2nd floor of the Municipal Administration Building, 306 E. Colonial Avenue, Elizabeth City, NC.

MEMBERS PRESENT: Mayor Bettie Parker
Councilman Kem Spence
Mayor Pro Tem Johnnie Walton
Councilman Michael Brooks
Councilman Chris Ruffieux
Councilwoman Jeannie Young
Councilman Darius Horton (*Arrived at 7:10 p.m.*)
Councilman Gabriel Adkins (*Arrived at 7:10 p.m.*)
Councilman Billy Caudle

MEMBERS ABSENT: None

OTHERS PRESENT: Interim City Manager Eddie Buffaloe, Jr.
City Attorney Bill Morgan
Finance Director Suzanne Tungate
Interim Electric Department Superintendent Bob Vannoy
Deputy Chief of Police James Avens
Human Resources Director Montique McClary
Fire Chief Chris Carver
Interim Community Development Director Debbie Malenfant
Public Utilities Director Dwan Bell
Parks and Recreation Director Sean Clark
Planner Kellen Long
Grants Management Specialist Jon Hawley
IT Director Matthew Simpson
IT Systems Analyst Pedro Holley II
Executive Admin / Deputy City Clerk Doris Walton
City Clerk April Onley

The City Council regular session was called to order by Mayor Bettie Parker at 7:00 p.m. Mayor Parker welcomed everyone to the meeting and recognized Councilman Billy Caudle to give the invocation, after which Mayor Parker led the Pledge of Allegiance.

1. Agenda Adjustments and Approval:

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

Motion was made by Councilwoman Jeannie Young, seconded by Councilman Kem Spence. Those voting in favor of the motion were: Spence, Walton, Brooks, Ruffieux, Young and Caudle. Against: None. Motion carried.

2. Statement of Disclosure:

The City Clerk read the Statement of Disclosure. No conflict of interest disclosures regarding items listed on the agenda were made.

3. Comments from the Public:

There were no comments from the public.

4. Approval of Minutes:

a. August 24, 2020 Work Session;

Motion was made by Councilwoman Jeannie Young, seconded by Councilman Michael Brooks to approve the minutes. Those voting in favor of the motion were: Spence, Ruffieux, Brooks, Walton, Young and Caudle. Against: None. Motion carried.

b. August 24, 2020 Regular Session;

Motion was made by Councilwoman Jeannie Young, seconded by Councilman Kem Spence to approve the minutes. Those voting in favor of the motion were: Spence, Ruffieux, Brooks, Walton, Young and Caudle. Against: None. Motion carried.

5. Consent Agenda:

Mayor Parker requested that Interim City Manager Buffaloe read the Consent Agenda items into the record, as follows:

- a. Consideration – Accept Bid for Surplus Property at 1103 Peartree Road;**
- b. Consideration – Accept Bid for Surplus Property at 513 North Poindexter Street;**
- c. Consideration – Declare 710 Second Street as Surplus;**

**Resolution # 2020 –9-01
Declaring Real Property Surplus
and Authorizing Sale by Upset Bid Process**

WHEREAS, the City of Elizabeth City is the owner of real property identified on the Pasquotank County Registry as PIN: 892314340134 and Map 67-A-1 and having a physical address of 1404 Parkview Drive; and

WHEREAS, the City of Elizabeth City has no current or future need for the property; and

WHEREAS, the City Council has authorized an opening bid of \$6,750 received from Lee Norfleet via email correspondence; and

WHEREAS, the City Council has authorized notice to be published to solicit bids for the sale of the property, pursuant to the upset bid process as outline in NCGS §160A-269.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Elizabeth City that the parcel of property identified on the Pasquotank County Registry as PIN: 892314340134 and Map 67-A-1, located at 1404 Parkview Drive is hereby declared surplus to the needs of the City of Elizabeth City; and

FURTHER, the City Clerk shall be authorized to begin the upset bid process as required by North Carolina General Statute §160A-269, with an opening bid of \$6,750.

ADOPTED, this the 14th day of September 2020.

Bettie J. Parker
Mayor

April D. Onley
City Clerk, NCCMC

- d. Consideration – Declare 1404 Parkview Drive as Surplus;**

**Resolution # 2020 –9-02
Declaring Real Property Surplus
and Authorizing Sale by Upset Bid Process**

WHEREAS, the City of Elizabeth City is the owner of real property identified on the Pasquotank County Registry as PIN: 892314340134 and Map 67-A-1 and having a physical address of 1404 Parkview Drive; and

WHEREAS, the City of Elizabeth City has no current or future need for the property; and

WHEREAS, the City Council has authorized an opening bid of \$6,750 received from Lee Norfleet via email correspondence; and

WHEREAS, the City Council has authorized notice to be published to solicit bids for the sale of the property, pursuant to the upset bid process as outline in NCGS §160A-269.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Elizabeth City that the parcel of property identified on the Pasquotank County Registry as PIN: 892314340134 and Map 67-A-1, located at 1404 Parkview Drive is hereby declared surplus to the needs of the City of Elizabeth City; and

FURTHER, the City Clerk shall be authorized to begin the upset bid process as required by North Carolina General Statute §160A-269, with an opening bid of \$6,750.

ADOPTED, this the 14th day of September 2020.

Bettie J. Parker
Mayor

April D. Onley
City Clerk, NCCMC

e. Consideration –Declare Various Properties as Surplus;

**Resolution # 2020 –9-03
Declaring Real Property Surplus
and Authorizing Sale by Upset Bid Process**

WHEREAS, the City of Elizabeth City is the owner of real property identified on the Pasquotank County Registry as PIN: 891312877366 and Map 26-A-47 and having a physical address of 700 South Martin Luther King Jr. Drive; and

WHEREAS, the City of Elizabeth City has no current or future need for the property; and

WHEREAS, the City Council has authorized an opening bid of \$2,000 received from Edward Williams, Sr. via email correspondence; and

WHEREAS, the City Council has authorized notice to be published to solicit bids for the sale of the property, pursuant to the upset bid process as outline in NCGS §160A-269.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Elizabeth City that the parcel of property identified on the Pasquotank County Registry as PIN: 891312877366 and Map 26-A-47, located at 700 South Martin Luther King Jr. Drive is hereby declared surplus to the needs of the City of Elizabeth City; and

FURTHER, the City Clerk shall be authorized to begin the upset bid process as required by North Carolina General Statute §160A-269, with an opening bid of \$2,000.

ADOPTED, this the 14th day of September 2020.

Bettie J. Parker
Mayor

April D. Onley
City Clerk, NCCMC

**Resolution # 2020 –9-04
Declaring Real Property Surplus
and Authorizing Sale by Upset Bid Process**

WHEREAS, the City of Elizabeth City is the owner of real property identified on the Pasquotank County Registry as PIN: 891312873289 and Map 29-D-35 and having a physical address of 703 South Martin Luther King Jr. Drive; and

WHEREAS, the City of Elizabeth City has no current or future need for the property; and

WHEREAS, the City Council has authorized an opening bid of \$1,700 received from Edward Williams, Sr. via email correspondence; and

WHEREAS, the City Council has authorized notice to be published to solicit bids for the sale of the property, pursuant to the upset bid process as outline in NCGS §160A-269.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Elizabeth City that the parcel of property identified on the Pasquotank County Registry as PIN: 8913112876289 and Map 29-D-35, located at 703 South Martin Luther King Jr. Drive is hereby declared surplus to the needs of the City of Elizabeth City; and

FURTHER, the City Clerk shall be authorized to begin the upset bid process as required by North Carolina General Statute §160A-269, with an opening bid of \$1,700.

ADOPTED, this the 14th day of September 2020.

Bettie J. Parker
Mayor

April D. Onley
City Clerk, NCCMC

**Resolution # 2020 –9-05
Declaring Real Property Surplus
and Authorizing Sale by Upset Bid Process**

WHEREAS, the City of Elizabeth City is the owner of real property identified on the Pasquotank County Registry as PIN: 892309050844 and Map 25-C-99B and having a physical address of 606 Witherspoon Street; and

WHEREAS, the City of Elizabeth City has no current or future need for the property; and

WHEREAS, the City Council has authorized an opening bid of \$1,700 received from Edward Williams, Sr. via email correspondence; and

WHEREAS, the City Council has authorized notice to be published to solicit bids for the sale of the property, pursuant to the upset bid process as outline in NCGS §160A-269.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Elizabeth City that the parcel of property identified on the Pasquotank County Registry as PIN: 892309050844

and Map 25-C-99B, located at 606 Witherspoon Street is hereby declared surplus to the needs of the City of Elizabeth City; and

FURTHER, the City Clerk shall be authorized to begin the upset bid process as required by North Carolina General Statute §160A-269, with an opening bid of \$1,700.

ADOPTED, this the 14th day of September 2020.

Bettie J. Parker
Mayor

April D. Onley
City Clerk, NCCMC

**Resolution # 2020 –9-06
Declaring Real Property Surplus
and Authorizing Sale by Upset Bid Process**

WHEREAS, the City of Elizabeth City is the owner of real property identified on the Pasquotank County Registry as PIN: 891420918644 and Map 10-D-3 and having a physical address of 405 East Broad Street; and

WHEREAS, the City of Elizabeth City has no current or future need for the property; and

WHEREAS, the City Council has authorized an opening bid of \$2,800 received from Edward Williams, Sr. via email correspondence; and

WHEREAS, the City Council has authorized notice to be published to solicit bids for the sale of the property, pursuant to the upset bid process as outline in NCGS §160A-269.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Elizabeth City that the parcel of property identified on the Pasquotank County Registry as PIN: 891420918644 and Map 10-D-3, located at 405 East Broad Street is hereby declared surplus to the needs of the City of Elizabeth City; and

FURTHER, the City Clerk shall be authorized to begin the upset bid process as required by North Carolina General Statute §160A-269, with an opening bid of \$2,800.

ADOPTED, this the 14th day of September 2020.

Bettie J. Parker
Mayor

April D. Onley
City Clerk, NCCMC

**Resolution # 2020 –9-07
Declaring Real Property Surplus
and Authorizing Sale by Upset Bid Process**

WHEREAS, the City of Elizabeth City is the owner of real property identified on the Pasquotank County Registry as PIN: 891420904879 and Map 6-D-4 and having a physical address of 500 East Burgess Street; and

WHEREAS, the City of Elizabeth City has no current or future need for the property; and

WHEREAS, the City Council has authorized an opening bid of \$4,800 received from Edward Williams, Sr. via email correspondence; and

WHEREAS, the City Council has authorized notice to be published to solicit bids for the sale of the property, pursuant to the upset bid process as outline in NCGS §160A-269.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Elizabeth City that the parcel of property identified on the Pasquotank County Registry as PIN: 891420904879 and Map 6-D-4, located at 500 East Burgess Street is hereby declared surplus to the needs of the City of Elizabeth City; and

FURTHER, the City Clerk shall be authorized to begin the upset bid process as required by North Carolina General Statute §160A-269, with an opening bid of \$4,800.

ADOPTED, this the 14th day of September 2020.

Bettie J. Parker
Mayor

April D. Onley
City Clerk, NCCMC

**Resolution # 2020 –9-08
Declaring Real Property Surplus
and Authorizing Sale by Upset Bid Process**

WHEREAS, the City of Elizabeth City is the owner of real property identified on the Pasquotank County Registry as PIN: 891419712902 and Map 39-B-29 and having a physical address of 500 West Cypress Street; and

WHEREAS, the City of Elizabeth City has no current or future need for the property; and

WHEREAS, the City Council has authorized an opening bid of \$3,500 received from Edward Williams, Sr. via email correspondence; and

WHEREAS, the City Council has authorized notice to be published to solicit bids for the sale of the property, pursuant to the upset bid process as outline in NCGS §160A-269.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Elizabeth City that the parcel of property identified on the Pasquotank County Registry as PIN: 891419712902 and Map 39-B-29, located at 500 West Cypress Street is hereby declared surplus to the needs of the City of Elizabeth City; and

FURTHER, the City Clerk shall be authorized to begin the upset bid process as required by North Carolina General Statute §160A-269, with an opening bid of \$3,500.

ADOPTED, this the 14th day of September 2020.

Bettie J. Parker
Mayor

April D. Onley
City Clerk, NCCMC

**Resolution # 2020 –9-09
Declaring Real Property Surplus
and Authorizing Sale by Upset Bid Process**

WHEREAS, the City of Elizabeth City is the owner of real property identified on the Pasquotank County Registry as PIN: 891419619831 and Map 39-B-35 and having a physical address of 512 West Cypress Street; and

WHEREAS, the City of Elizabeth City has no current or future need for the property; and

WHEREAS, the City Council has authorized an opening bid of \$3,800 received from Edward Williams, Sr. via email correspondence; and

WHEREAS, the City Council has authorized notice to be published to solicit bids for the sale of the property, pursuant to the upset bid process as outline in NCGS §160A-269.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Elizabeth City that the parcel of property identified on the Pasquotank County Registry as PIN: 891419619831 and Map 39-B-35, located at 512 West Cypress Street is hereby declared surplus to the needs of the City of Elizabeth City; and

FURTHER, the City Clerk shall be authorized to begin the upset bid process as required by North Carolina General Statute §160A-269, with an opening bid of \$3,800.

ADOPTED, this the 14th day of September 2020.

Bettie J. Parker
Mayor

April D. Onley
City Clerk, NCCMC

**Resolution # 2020 –9-10
Declaring Real Property Surplus
and Authorizing Sale by Upset Bid Process**

WHEREAS, the City of Elizabeth City is the owner of real property identified on the Pasquotank County Registry as PIN: 891420810272 and Map 34-G-9 and having a physical address of 109 Glade Street; and

WHEREAS, the City of Elizabeth City has no current or future need for the property; and

WHEREAS, the City Council has authorized an opening bid of \$2,000 received from Edward Williams, Sr. via email correspondence; and

WHEREAS, the City Council has authorized notice to be published to solicit bids for the sale of the property, pursuant to the upset bid process as outline in NCGS §160A-269.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Elizabeth City that the parcel of property identified on the Pasquotank County Registry as PIN: 891420810272 and Map 34-G-9, located at 109 Glade Street is hereby declared surplus to the needs of the City of Elizabeth City; and

FURTHER, the City Clerk shall be authorized to begin the upset bid process as required by North Carolina General Statute §160A-269, with an opening bid of \$2,000.

ADOPTED, this the 14th day of September 2020.

Bettie J. Parker
Mayor

April D. Onley
City Clerk, NCCMC

**Resolution # 2020 –9-11
Declaring Real Property Surplus
and Authorizing Sale by Upset Bid Process**

WHEREAS, the City of Elizabeth City is the owner of real property identified on the Pasquotank County Registry as PIN: 891420810223 and Map 34-G-10 and having a physical address of 111 Glade Street; and

WHEREAS, the City of Elizabeth City has no current or future need for the property; and

WHEREAS, the City Council has authorized an opening bid of \$2,500 received from Edward Williams, Sr. via email correspondence; and

WHEREAS, the City Council has authorized notice to be published to solicit bids for the sale of the property, pursuant to the upset bid process as outline in NCGS §160A-269.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Elizabeth City that the parcel of property identified on the Pasquotank County Registry as PIN: 891420810223 and Map 34-G-10, located at 111 Glade Street is hereby declared surplus to the needs of the City of Elizabeth City; and

FURTHER, the City Clerk shall be authorized to begin the upset bid process as required by North Carolina General Statute §160A-269, with an opening bid of \$2,500.

ADOPTED, this the 14th day of September 2020.

Bettie J. Parker
Mayor

April D. Onley
City Clerk, NCCMC

**Resolution # 2020 –9-12
Declaring Real Property Surplus
and Authorizing Sale by Upset Bid Process**

WHEREAS, the City of Elizabeth City is the owner of real property identified on the Pasquotank County Registry as PIN: 891420914995 and Map 10-C-5 and having a physical address of 000 Walnut Street; and

WHEREAS, the City of Elizabeth City has no current or future need for the property; and

WHEREAS, the City Council has authorized an opening bid of \$1,500 received from Edward Williams, Sr. via email correspondence; and

WHEREAS, the City Council has authorized notice to be published to solicit bids for the sale of the property, pursuant to the upset bid process as outline in NCGS §160A-269.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Elizabeth City that the parcel of property identified on the Pasquotank County Registry as PIN: 891420914995 and Map 10-C-5, located at 000 Walnut Street is hereby declared surplus to the needs of the City of Elizabeth City; and

FURTHER, the City Clerk shall be authorized to begin the upset bid process as required by North Carolina General Statute §160A-269, with an opening bid of \$1,500.

ADOPTED, this the 14th day of September 2020.

Bettie J. Parker
Mayor

April D. Onley
City Clerk, NCCMC

- f. Consideration - – Acceptance of the 2020 NCPCV Law Enforcement Health & Wellness scholarship;**
- g. Consideration - Call for a Public Hearing to Relinquish Zoning Boundary for City of Elizabeth City ETJ;**
- h. Consideration – Call for a Public Hearing for CDBG Ray Street Application;**
- i. Consideration - Call for a Public Hearing for RZ 02-20 Submitted by Mid-Atlantic Christian University;**
- j. Consideration - Call for a Public Hearing for RZ 01-20 Submitted by MPB, Inc.;**

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

Motion was made by Councilwoman Jeannie Young, seconded by Councilman Chris Ruffieux to approve the Consent Agenda. Those voting in favor of the motion were: Spence, Ruffieux, Brooks, Walton, Young, and Caudle. Against: None. Motion carried.

7. Regular Agenda:

a. Any Item Pulled from the Consent Agenda

No items were pulled from the Consent Agenda.

b. Discussion – Council Travel Donation;

Councilman Brooks said he'd asked this item to come forward during the last meeting. He knew Council had donated to the AAU basketball in the past and wanted to know if they could do something like that again. He didn't know why anyone was analyzing anything because he knew it had done previously. He felt that staff did not understand what he was asking for so they went to the School of Government and they should have just asked him. Council is the governing body for the city. He stated that he did not remember the whole process from before, but he knew the donation came out of his travel pay and that's all he'd asked they look into. He did not feel that anyone was going to use their travel money right now. We have citizens struggling to pay their electric bills, so he felt that he'd like to donate the travel money to families until it's exhausted. It's not a lot of money. He asked Director Tungate if the travel pay for Council was a special line item. Director Tungate said it was. He asked if the funds for AAU were taken from contingency, when did that stop? Director Tungate said she didn't know that it was taken from contingency, nor did she know when it stopped. Councilman Brooks said he was just trying to get to the bottom of what was going on because he had a memo that said it came out of contingency. He requested that Interim Chief Buffaloe and Director Tungate look into the matter and bring it back during the next meeting. Mayor Parker clarified that his objective was to use travel money to put into a fund to go back to the community. Councilman Brooks said that was correct.

Councilwoman Young noted that we couldn't give the money to private citizens, but we might be able to give it to a nonprofit who could give it to citizens. It would have to be an action of the Council from what she understood. Councilman Caudle said since they would not be able to travel this time, maybe they should establish a contingency. He said there would definitely have to be a public hearing and all those sorts of things. Mayor Parker noted that we would put a pin in this until a later meeting when we had additional information.

d. Discussion – Remote Meeting Policy;

Manager Buffaloe advised that staff drafted a remote meeting policy which was drafted in April 2020. When the policy was originally drafted, it was encouraged that the agenda should not be modified except by super majority for the benefit of any absent councilors and the public. He asked the Council for direction.

Mayor Pro Tem Walton said he felt that it was important to continue as we'd been going, but sometime emergencies came up and they needed to be taken into account. He felt they should be able to add onto the agenda if they needed to do so. Councilman Horton agreed.

Motion was made by Councilman Darius Horton to change #8 on the remote meeting policy so they could add to the agenda if they needed to. The motion was seconded by Councilman Michael Brooks. Those voting in favor of the motion were: Spence, Ruffieux, Brooks, Walton, Young, Horton, Caudle and Adkins. Against: None. Motion carried.

e. Discussion / Update – Utility Billing;

Councilman Brooks noted that when we submitted the waiver to the governor, we said that we would resume cut-offs in July and we talked about COVID agreements. He asked if this was still the plan? Are we still in sync with what we had proposed? Manager Buffaloe said the July 24th deadline was set, but staff was instructed to continue to take the existing balance and allow customers to enter into agreements, so technically it has been extended. Staff would like to set a date to stop that. Councilman Brooks asked what he felt a good date to set would be? Manager Buffaloe said that due to the fact that we're about 60 days out, he felt that September 30th would be a good date.

Motion was made by Councilman Michael Brooks to set the date of cut-offs for payment plans as September 30th, seconded by Councilwoman Jeannie Young.

Mayor Pro Tem Walton asked how much money we had in cash to pay our bills right now? Director Tungate said at the end of August, the electric fund had about \$5 million in cash, but that was before the electric bill. After we pay the bill, we'll have about \$3 million left. Mayor Pro Tem Walton asked if they were having many complaints because he knew there were some high bills. He felt each case should be at the discretion of the city manager. We were going to have some special exceptions. Mayor Parker noted this was just the cessation of the COVID agreements, which were the ones that were being paid back at no more than \$100, and on some we did even better than that and combined the two. Some people didn't even show up and let us help them though.

Those voting in favor of the motion were: Spence, Ruffieux, Brooks, Walton, Young, Horton, Caudle and Adkins. Against: None. Motion carried.

8. Comments and Inquiries on Non-Agenda Items:

Councilman Adkins had no further comments.

Councilman Caudle had no further comments.

Councilman Horton had no further comments.

Councilwoman Young had no further comments.

Councilman Spence thanked Manager Buffaloe and Code Enforcement for helping him out with an issue that was reported to him.

Councilman Ruffieux had no further comments.

Councilman Brooks thanked Manager Buffaloe for taking care of the trash pickup at 410 Davis Avenue so quickly for him. He said he appreciated it.

Mayor Pro Tem Walton noted Manager Buffaloe was getting a lot of things done and he thanked him for everything he was doing. He warned people to be very careful with COVID because it was still very dangerous.

Mayor Parker advised for dates and locations for early voting. She said that absentee voting had already begun.

9. Adjournment:

There being no further business to be discussed, Mayor Parker adjourned the meeting at 8:07 p.m.

Bettie J. Parker
Mayor

April Onley, NCCMC
City Clerk

