

**City Council Regular Session
September 27, 2021**

The City Council of the City of Elizabeth City met in regular session on Monday, September 27, 2021 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 Billy Caudle
Councilman Michael Brooks
Mayor Pro Tem Johnnie Walton
Councilman Kem Spence
Councilwoman Jeannie Young
Councilman Chris Ruffieux

MEMBERS ABSENT: Councilman Darius Horton
Councilman Gabriel Adkins

OTHERS PRESENT: Acting City Manager Eddie Buffaloe
City Attorney Bill Morgan
Interim Finance Director Alicia Steward
Deputy Chief of Police James Avens
Electric Superintendent Jason Value
Human Resources Director Montique McClary
Public Utilities Director Dwan Bell
Fire Chief Chris Carver
Community Development Director Kellen Long
ECDI Director Debbie Malenfant
Parks and Recreation Director Sean Clark
IT Director Matthew Simpson
IT Systems Analyst Pedro Holley II
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. Mayor Parker delivered the invocation, and asked everyone to join for the Pledge of Allegiance.

1. Agenda Adjustments and Approval:

Mayor Parker asked the Council's pleasure on the presented agenda.

Motion was made by Councilwoman Jeannie Young, seconded by Councilman Chris Ruffieux to move the closed session item to the top of the meeting, with a request for action to follow directly after.

Mayor Pro Tem said he saw that "everyone was doing their part." He asked to move items F and G from the consent agenda to the regular agenda. He asked that the closed session for personnel be removed from the agenda entirely. He also said he'd like to add a presentation by JMT Engineering for AIA.

Attorney Morgan noted that it would take a majority of the total membership to move the location of the closed session, so it would need a vote of at least six. He added that the item on the floor should be voted on separately from the other amendments.

Those voting in favor of moving the closed session to the top of the meeting were: Ruffieux, Brooks, Young and Caudle. Against: Spence and Walton. Motion fails for lack of supermajority.

Attorney Morgan advised Mayor Pro Tem's amendments would also need to be voted on separately.

Mayor Parker called for a vote on the addition of a presentation by JMT Engineering.

Motion was made by Mayor Pro Tem Johnnie Walton, seconded by Councilman Kem Spence to add the presentation. Those voting in favor of the motion were: Spence, Ruffieux, Brooks, Walton, Young and Caudle. Against: None. Motion carried.

Acting Manager Buffaloe advised it would become item C under Presentations.

Mayor Parker addressed the next request, which was to remove the closed session for personnel.

Motion was made by Mayor Pro Tem Johnnie Walton, seconded by Councilman Kem Spence to remove the closed session from the agenda. Those voting in favor of the motion were: Spence and Walton. Against: Ruffieux, Brooks, Caudle and Young. Motion failed.

Councilman Spence asked why we're adding an item that should have been removed in the first place. Councilwoman Young replied that the agenda is the Council's agenda and they can add anything they want to onto the agenda. She said she didn't understand why this was such a big deal. Mayor Pro Tem Walton asked why the closed session was on the agenda in the first place; who authorized it? The Clerk responded that she was under the impression that there was supposed to be a closed session for personnel on each agenda while the investigation into the city manager was being conducted in order for the Council to receive updates. Mayor Pro Tem Walton said that seemed like someone was trying to get someone to do something they shouldn't.

Councilwoman Young said she did not appreciate anyone accusing the Clerk of doing something suspicious. She opined that as a member of the Council, anyone had the right to add anything they wanted to the agenda. She stated that the Council should know how to add and remove things from the agenda.

Councilman Brooks said they needed to go ahead and move on because this entire discussion didn't make any sense. "We're going to be here until 11 o'clock again at night for something this simple. This is mind boggling. It will end up at the same place. If it was taken off, we can put it back on or vice versa. We're turning in confusion and saying the same things over and over again. Why do we keep saying it again and saying it again and saying it again?"

Councilwoman Young stated that she would have added a closed session for personnel if it wasn't already there, so she didn't understand what the problem was. She only wanted to move everything to the front of the agenda so we wouldn't be here all night because the closed sessions had been running so long.

Mayor Parker said there were still two items that needed action to be removed from the consent agenda, which were 9F – Third Party Booking and 9G – Installation of Speed Bumps on Main and Church Streets.

Motion was made by Mayor Pro Tem Johnnie Walton, seconded by Councilman Kem Spence to remove items 9F and 9G from the consent agenda and place them on the regular agenda. Those voting in favor of the motion were: Spence, Ruffieux, Brooks, Walton, 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. Presentations:

a. Employee Retirement Plaque – Tammy Sharp;

Mayor Parker read Mrs. Sharp's plaque into the record and noted delivery would be coordinated.

b. Alpha Delta Kappa Proclamation;

PROCLAMATION
International Alpha Delta Kappa Month
October 2021

WHEREAS, Alpha Delta Kappa, an International Honorary Sorority for Women Educators, is observing Alpha Delta Kappa Month during the month of October; and

WHEREAS, women in education constitute a great portion of the nation's working force, and are constantly striving to serve their communities and nation in educational, cultural, and charitable programs leading to harmony, happiness and peace among all people; and

WHEREAS, Alpha Delta Kappa is dedicated to educational excellence, leadership, altruism and world understanding, and recognizes outstanding women educators who are actively engaged in teaching, administration or in some specialized field of the teaching profession; and

WHEREAS, the local Gamma Iota Chapter of Alpha Delta Kappa is engaged in promoting education and charitable projects and activities, sponsoring scholarships, and furthering and maintaining worthy standards in the field of education on the local and state level.

NOW, THEREFORE, I, Bettie J. Parker, Mayor of the City of Elizabeth City, do hereby proclaim the month of October 2021 as "*International Alpha Delta Kappa Month*" in Elizabeth City; and I further encourage all citizens to join me in saluting this organization for its fine record of service to our community.

PROCLAIMED, this the 27th day of September 2021.

Bettie J. Parker
Mayor

Attest:

April D. Onley, NCCMC
City Clerk

c. JMT Engineering;

JMT Engineering introduced Ben Anderson to present the findings of the Asset and Inventory Study conducted primarily on inflow and infiltration. Mr. Anderson explained that the main goal of the assessment was to determine and articulate the basis of design for inflow and infiltration improvement projects. This included a desk top assessment; identifying and ranking 10 pump station service areas; field confirmation; CCTV; condition assessment; rehabilitation considerations; prioritization; and rehabilitation projects. He said there were six areas that required extensive rehab, and in order of priority those were: Grice Street; Dawson Street; Grace Drive; Pearl Street; Providence Road; and Cale Street.

Overall, a 6% reduction in I&I was a cost of about \$2.54 million in construction cost if it was attacked in small projects, and 41% I&I reduction with a cost of about \$6.6 million in construction costs. Their final recommendations labeled Grice Street as the highest priority project 35,494 linear feet of pipe rehab, 161,054 gal/day I&I reduction, 40% total I&I reduction and a cost of \$2.03 million. The second highest priority project was identified as Dawson Street, with 20,923 linear feet of pipe rehab, 106,733 gal/day I&I reduction, 40% total I&I reduction and a cost of \$1.47 million. These two major projects would result in a total cost of \$3.5 million and a 22% total system I&I reduction.

Councilman Caudle thanked JMT for their presentation, and said he'd like to dig deeper into it during a work session. Councilman Brooks asked if Pearl Street was one of the areas they mentioned? They said that it was. He asked how, if at all, that affected the ECMS project? They weren't aware of the project, and didn't think it had any impact. Councilman Brooks asked if it would have anything to do with water pressure. They said no, it wouldn't; this was strictly gravity pipe, not potable water.

4. Comments from the Public:

Larry Crossit – 1013 West Main Street, Elizabeth City, NC – Mr. Crossit said he'd worked with Montre' Freeman on purchasing speed bumps for Church and Main Streets. He said he felt there were serious speeding problem in the neighborhood, which was not a new issue. He said now the citizens are waiting for what they were promised, which is the installation of the speed bumps. They contacted Chief Buffaloe about the speed bumps because Mr. Freeman told them he'd put them there, and Chief Buffaloe said he wanted to get Council approval before they were installed. He opined that there were not enough stop signs on Main Street or Church Street. Everyone races through the traffic lights. He said he felt this would help all the neighborhoods. He noted that the speed bumps have already been paid for and they should have been installed at the beginning of September when they were promised.

Ken Weaver – 809 West Main Street, Elizabeth City, NC – Mr. Weaver said he felt that people drive too quickly down Main Street and have done so for years. He believed there should be a stop sign at every intersection because people are coming through the neighborhoods much too quickly. Trash is being thrown from vehicles. He said he believed people are doing triple-digit speeds down Main Street. He said that when there's a police presence in the area, they do a great job, but as soon as they have to leave, people go back to speeding.

Scott Hilliard – 108 Persse Street, Elizabeth City, NC (*Comment Received Via Email and Included in Full*) – "I hope this email finds you well. Sadly, I am unable to attend the meeting tonight 9/27/2021 regarding traffic and public safety. I would kindly like to go on record as supporting any measures that would reduce the risk from speeding and reckless driving that I have witnessed on a continuous basis since my wife and I moved into our house on Persse Street. I have lived in the house since April and it's a daily recurrence of observing many vehicles, some drivers doing it multiple times a day speeding excessively and recklessly down Persse Street. In the close to 6 months I have lived there I have never once seen a motorist pulled over or even a police presence on the street monitoring speeds, I can see from my porch the whole length of Persse and the street that leads to Ehringhaus. Far too many drivers well exceed the speed limit and far too many would be in the reckless driving category with speeds in excess of 40 MPH. I shall not however just complain; It seems that four solutions are available for my street and the other surrounding streets. 1. Speeds bumps, Sadly the research is fairly dated but I have attached two that might be beneficial to town planners/managers and elected representatives. 2. One-way street grid. This would at the least cut down on the same cars using the same streets multiple times a day. 3. Expose the cobblestones that cover up some side streets, this more aesthetically pleasing option might deter some motorists from speeding. My guess would be that not every street in the area has these cobblestones under asphalt and might also be the most cost prohibitive option. 4. Effective enforcement of the speed laws. We all know that city and town finances have been stretched thinned the last 18 months and I can think of no better way to replenish city coffers by issuing tickets with the added benefit of getting

unfit drivers off the street even for a short time and may give them pause for thought when they drive in the future.”

Mark Crowley – 205 South Griffin Street – Concerned about street flooding on South Griffin Street, which prevents them from entering or exiting their home even during small rain events. Mr. Crowley said he believes the issue is with the storm drains located on and around his property. His second concern was with speeders in his neighborhood, who regularly endanger the children making their way to the City-owned park. He felt the Police Department was of help when they placed the radar device on the street, but as there are only so many to go around, it was moved to another street and speeding went back to its regular problematic levels. He said he believed the traffic lights on South Church and South Griffin should be made to a four-way stop, which might alleviate some of the problems.

5. Public Hearings:

a. Hold a Public Hearing – BIG Program Application Submitted by Erin Nixon for 508 East Main Street;

ECDI Director Malenfant explained that the BIG Program was in its ninth year, and \$80,000 had been budgeted in each of the nine years for grants of up to \$20,000 each. The application before the Council was received by the first-round deadline of September 1st. The property will have extensive interior and exterior renovations to remodel it into office and retail space. The total estimated cost of the project on the first level is up to \$268,000. One lease for an upcoming office space in the facility has already been signed. The space has been vacant for nearly 10 years. The applicant is the owner and they are requesting \$20,000 in BIG funding.

Mayor Parker declared the public hearing open and inquired of the Clerk if there were any speakers. Following the Clerk’s reply that there were none, the Mayor closed the public hearing.

Motion was made by Councilwoman Jeannie Young, seconded by Councilman Chris Ruffieux to approve the BIG for the project at 508 East Main Street in the amount of \$20,000. Those voting in favor of the motion were: Spence, Ruffieux, Brooks, Walton, Young and Caudle. Against: None. Motion carried.

b. Hold a Public Hearing – BIG Program Application Submitted by Adam Swain for 210 North Poindexter Street;

ECDI Director Malenfant advised that this application was seeking \$20,000 for renovations and was received by the first-round deadline of September 1st. These renovations would include extensive interior and some exterior work for the purposes of turning the location into a high-end “speakeasy” cocktail bar. The total estimated cost of the project for the first-level is about \$125,000. The previous tenant was River City Bakery, and the space has been vacant for the past 10 years.

Mayor Parker declared the public hearing open and inquired of the Clerk if there were any speakers. Following the Clerk’s reply that there were none, the Mayor closed the public hearing.

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

c. Hold a Public Hearing – Nomination for a Proposed Elizabeth City Historic District Boundary Increase;

Community Development Director Kellen Long reminded the Council that in November 2018, the Council authorized a request to solicit consultants to update Elizabeth City’s historic boundaries. She explained that we have a local historic district as well as a national historic district, and we’re looking into areas that have contributing structures that were not included in the 1977 historic district. The boundary increase would add 45 properties and a total of 25 acres.

Mary Ruffin Hanbury of Hanbury Preservation told the Council the most important thing to understand was this process had no infringement on private property rights, but it did allow for incentives, such as the historic tax credits. Elizabeth City's original nomination did not have an extremely detailed inventory and it did not include which resources were contributing or which were not. She noted that architects were also not included, and although they're not required, those notes are nice to have now. Her scope of work had included resurveying the entire 1977 district and then exploring the possible expansion with site plans, documentations and digital databases. A full record of each contributing property now exists in the database. The period of significance will now include 1900-1970 and define the level of significance as "local." This item will be put on the advisory committee for the State Historic Preservation Office for final approval of nomination. They will vote to either accept, accept with changes or reject. Mrs. Ruffin-Hanbury noted that she believed it was very likely that this would be approved and move on to the National Park Service, where they would then have a period of time to review. Once the Park Service approves it, then we'll receive an official notification and a larger, more expanded historic district.

Mayor Parker declared the public hearing open and inquired of the Clerk if there were any speakers. Following the Clerk's reply that there were none, the Mayor closed the public hearing.

Motion was made by Councilman Billy Caudle, seconded by Councilman Kem Spence to submit this listing for the National Register. Those voting in favor of the motion were: Spence, Ruffieux, Brooks, Walton, Young and Caudle. Against: None. Motion carried.

d. Hold a Public Hearing – Voluntary Annexation Petition Submitted by Coastal Beverage Company;

Acting Manager Buffaloe advised that on August 23, 2021, a petition for Voluntary Annexation had been received from Paramounte Engineering, Inc. on behalf of Coastal Beverage Company for two properties located off of Forrest Park Road, adjacent to the Coastal Beverage Company site. The petition involves two tracts of land totaling approximately 2.3 acres that is contiguous to the present City limits. After a title search from the City Attorney and certification by the City Clerk as to the sufficiency of petition for the requested annexation, it was determined that the petition of voluntary annexation could move forward for City Council to accept the resolution of sufficiency for the petition and to call for a public hearing. The hearing was called for on September 13, 2022 and this evening is meant for the hearing itself.

Community Development Director explained that the two properties that were requesting annexation into city limits were in two separate jurisdictions. As you can't legally recombine properties that are in two jurisdictions, they are requesting annexation in order to recombine.

Mayor Parker declared the public hearing open and inquired of the Clerk if there were any speakers. The Clerk did not have any speakers, but Community Development Director received one email from an adjacent property owner.

Kurt Dorsey – 1833 Forest Park Road, Elizabeth City, NC – Asked how this annexation would affect his property. Would he be placed in City limits with additional taxes? Will there be a canopy of vegetation between our property and the new property? He said he felt that the entire process felt like a "see no evil, hear no evil" scenario. He asked if there would be a buffer and would it finally be enforced? Will be illegal access points be removed? Will this affect my home value? Does this mean my property is included in the annexation? Will they be building low-income housing here?

Director Long noted that she had responded to these concerns via email.

Having no further comments, the Mayor closed the public hearing.

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

6. Consent Agenda: (*Acting City Manager Recommends Approval*)

Mayor Parker asked that Acting City Manager Freeman read the items on the Consent Agenda into the record.

a. Consideration – Accept Final Bid for 504 Brown Street;

b. Consideration – Adopt Budget Amendment for 2021 Human Resources Budget Adjustment;

BUDGET AMENDMENT

BE IT ORDAINED by the City Council of the City of Elizabeth City that the following amendment be made to the annual budget ordinance for fiscal year ending June 30, 2022:

Section I: That the General Fund Wages (10-5100-0200) will be increased by \$519.74.

That the General Fund Wages (10-5600-0200) will be increased by \$609.82.

That the General Fund (10-3990-0000) will be increased by \$1,129.56.

That the Enterprise Fund Wages (30-4500-0200) will be increased by \$264.22.

That the Enterprise Fund Wages (30-7200-0200) will be increased by \$1,060.94.

That the Enterprise Fund Wages (30-8300-0200) will be increased by \$1,590.68.

That the General Enterprise Fund (30-3990-0000) will be increased by \$2,915.84.

That the Enterprise Fund Wages (31-8280-0200) will be increased by \$2,386.38.

That the General Enterprise Fund (31-3990-0000) will be increased by \$2,386.38.

That the Enterprise Fund Wages (40-5800-0200) will be increased by \$1,740.54.

That the General Enterprise Fund (40-3990-0000) will be increased by \$1,740.54.

(To increase budgeted General Fund and Enterprise Fund revenue for wage increase to \$15.00 per hour.)

ADOPTED, this 27th day of September, 2021.

Bettie J. Parker
Mayor

Attest:

April Onley, NCCMC
City Clerk

**c. Consideration – Adopt Revised Resolution for Financing for FY 2021-2022
Loan Installment;**

RESOLUTION# 2021-9-05

**Resolution for Purchased to be Funded by Five-Year Installment Purchase
Financing**

WHEREAS, during the June 30, 2021 meeting of the City Council, the Council approved the budget for fiscal year 2021-2022; and

WHEREAS, that budget included the purchase for various vehicles and other requisite items across several departments, including five police cars, one fire truck, one Harper Hawk mower and one bucket truck; and

WHEREAS, the total funding required for the purchase of these items is \$1,473,223.12, which includes interest of \$38,254.12; and

WHEREAS, of the nine banks approached for financing, the City received three bids, the lowest of which was from Towne Bank of Currituck, which had a fixed rate of 1.04%.

NOW THEREFORE, be it resolved by the City Council of the City of Elizabeth City to approve the five-year installment purchase financing for the aforementioned items as approved in the annual budget for the City of Elizabeth City.

ADOPTED, this the 27th day of September 2021.

Bettie J. Parker
Mayor

April D. Onley, NCCMC
City Clerk

**d. Consideration – Authorize Application for the Domestic Preparedness
Grant;**

**e. Consideration – Adopt Resolution for Completion and Presentation of State
Grant Project No. E-AIA-W-20-0197 Wastewater Asset Inventory and Assessment;**

RESOLUTION# 2021-9-06

**By the City Council of the City of Elizabeth City
Completion and Presentation of State Grant**

Wastewater Asset Inventory and Assessment

WHEREAS, the North Carolina General Statutes Chapter 159G has created Asset Inventory and Assessment (AIA) grants to assist eligible units of government with meeting their wastewater infrastructure needs; and

WHEREAS, the North Carolina Department of Environmental Quality has awarded a State Reserve Grant in the amount of \$150,000 to the City of Elizabeth City to perform asset inventory and assessment work; and

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

- That this Council has received a full report on the scope and methodology of the wastewater assessment performed, and the priority projects identified, as a result of the AIA State Reserve Grant of \$150,000.
- That this Council finds the aforementioned AIA has yielded valuable data that enables the City's Public Utilities Department to undertake more timely, proactive, and strategic repairs and improvements to the City's sanitary sewer infrastructure.
- That this Council finds the AIA was completed in a proper, professional manner, and in compliance with this grant award's conditions and assurances.
- That this Council hereby authorizes Mayor Bettie J. Parker, and successors so titled, to execute this resolution on its behalf, and to continue to represent this City in reference to this project, including the furnishing of any information or document executions which may be required by the North Carolina Department of Environmental Quality.

ADOPTED this the 27th day of September, 2021, at 306 E. Colonial Ave., Elizabeth City, North Carolina.

Bettie J. Parker

Mayor

April D. Onley, NCCMC

City Clerk

CERTIFICATION BY RECORDING OFFICER

The undersigned duly qualified and acting City Clerk of the City of Elizabeth City does hereby certify: That the above/attached resolution is a true and correct copy of the resolution authorizing the filing of an application with the State of North Carolina, as regularly adopted at a legally convened meeting of the Elizabeth City City Council, duly held on the 27th day of September, 2021; and, further, that such resolution has been fully recorded in the journal of proceedings and records in my office. IN WITNESS WHEREOF, I have hereunto set my hand this 27th day of September, 2021.

f. Consideration – Authorize Contract for Third-Party Bookkeeping; (*Removed During Agenda Adjustments and Approval*)

g. Consideration – Approve Speed Bump Installation on Main and Church Streets; (*Removed During Agenda Adjustments and Approval*)

h. Consideration – Authorize Donation of Body-Worn Cameras;

i. Consideration – Authorize Repurposing Funds in Public Utilities Budget;

j. Consideration – Approve Special Separation Allowance Policy for Firefighters;

k. Consideration – Adopt Ordinance for Condemnation and Demolition of Property;

(End of Consent Agenda)

Mayor Parker asked Council's pleasure on the Consent Agenda, as presented.

Motion to approve the Consent Agenda was made by Councilman Billy Caudle, seconded by Councilman Kem Spence. 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

Council did not address the pulled items at this time.

b. Update – Old Oak Grove Information;

Acting City Manager Buffaloe advised that during the September 13th, 2022 Council meeting, there was a question about whether or not the property next to Old Oak Grove could be used for additional burials. He stated that the property next to the cemetery was not zoned for cemetery use and would require a special use permit. One of the developmental standards required for a cemetery require it to be a specific size; it would have to be recombined with Old Oak Grove in order to serve as such.

c. Update – LGC Information;

Acting Manager Buffaloe stated that the LGC had presented the City with a response for a corrective action plan, which he'd placed on the dais to be signed by all members of the Council.

Motion was made by Councilman Billy Caudle, seconded by Councilman Ruffieux to accept the letter and corrective action plan as presented.

Mayor Pro Tem Walton said he didn't like getting things at such a late date. He asked by the Council signing the document, what would happen? Manager Buffaloe explained that their signatures would indicate that they approved of the corrective action plan. He noted they'd received a notice from the LGC on September 3 and again on September 15 about what was going on and this letter was the City's financial response. Mayor Pro Tem Walton asked what happened that warranted things getting to this point. Manager Buffaloe replied that the audit was extremely late, which had kicked off this whole process. Mayor Pro Tem Walton reiterated that he wasn't clear on any of this and would not be signing. Manager Buffaloe said that from the letters the LGC sent, it was clear on what they wanted from the Council. He noted that the Interim Finance Director had prepared corrective action. Mayor Pro Tem Walton asked what UAL was. Manager Buffaloe replied, "It's a financial watch list. We are now on a watch list." Mayor Pro Tem Walton said he knew nothing about this. He said the last he heard, they were talking about sending somebody in and now we're talking about hiring a third party. He asked what it is they're looking for? Manager Buffaloe said they aren't looking for anything, but our Finance Department needs assistance to get off the UAL list, and that assistance was approved by the Council. He explained that the assistants

will be going to go back to July 2020, which was the last time our bank reconciliations were done.

Mayor Pro Tem Walton said, "Tungate was the Finance Director in 2020. That's probably why she left and disappeared." Attorney Morgan cautioned Mayor Pro Tem Walton against discussing employees in open session. Mayor Pro Tem Walton said he could not abide by us hiring someone and paying them \$100 an hour. He asked if the investigation has been completed. Manager Buffaloe explained that there's no investigation happening. We're hiring someone to come in and assist the Finance Department to get us off the UAL. He said that to his knowledge, we weren't on the watch list because of misappropriation of funds. We were put there because the audit was late. He said that was his interpretation, but he was also coming in at the 11th hour. He said we haven't reconciled our bank statements, so we can't even bring auditors in to begin conducting the audit. Mayor Pro Tem Walton said we needed to go back and see where the problems were. Manager Buffaloe said they were only going to go back and prepare last year's statements. This third-party was going to come in and help us prepare last year's books. He noted again that he'd been given direction by the Council to find a third-party to help our Finance Department get off the UAL. Mayor Pro Tem Walton said last year, he and Councilman Horton wanted an internal audit done and something should have been found then. Manager Buffaloe stated that if something was wrong, the auditors would find it. Mayor Pro Tem Walton reiterated that he would not be signing the letter.

Mayor Parker asked for those in favor of accepting the letter.

Those voting in favor of the motion were: Spence, Ruffieux, Brooks, Young and Caudle. Against: Walton. Motion carried.

d. Consideration – Third Party Bookkeeping (*Removed from Consent and Added to the Regular Agenda*);

Mayor Parker asked Mayor Pro Tem Walton if he had any further comments regarding this item. Mayor Pro Tem Walton indicated he'd covered what he wanted to discuss within the previous LGC topic.

Motion was made by Councilman Billy Caudle to contract with the Greg Isley Firm for third-party bookkeeping. The motion was seconded by Councilman Chris Ruffieux. Those voting in favor of the motion were: Spence, Ruffieux, Brooks, Young and Caudle. Against: Walton. Motion carried.

e. Consideration – Speed Bumps on Main and Church Streets (*Removed from Consent and Added to the Regular Agenda*);

Mayor Parker recognized Mayor Pro Tem Walton for his comments. Mayor Pro Tem Walton said he pulled the item because he thought people should look at his neighborhood too, not just Main and Church Streets. He directed Manager Buffaloe to look into the large trucks driving down his street because they caused a lot of damage.

Councilman Ruffieux noted this was the first he'd heard of the speed bumps. He said he understood they'd been purchased already and asked if this was something the Council had authorized. Manager Buffaloe said the Council had not authorized the purchase. He advised that he'd found out about their purchase from Director Bell, at which point he told him to stop everything until the Council could be brought into the loop and/or give their approval. Councilman Ruffieux asked who had given Director Bell the order to purchase the speed bumps if not the Council? Manager Buffaloe replied that Director Bell had been given direction from Manager Freeman.

Councilman Ruffieux asked if any other options for speed control were looked into prior to coming to this point. Manager Buffaloe said he did not believe so. He noted that according to the write-up, these conversations had occurred "behind the scenes" last fiscal year. He added that he'd told Public Works to stop because the Council had a traffic calming policy and measures such as these needed to come before them before being enacted.

Councilwoman Young said, "We've already started this and paid for the materials, but the Council did not approve or authorize any of this, correct?" Manager Buffaloe said that was correct. She stated that she knew about the traffic problem, but she reminded everyone of the speed bumps or humps that had been put in and then removed due to damages on

Church Street sometime the past. She agreed that we needed to do something to help with traffic, but this was not how it should have been handled. She stated that she had a problem with this being promised to citizens without ever coming before the Council. She said that was her understanding of what happened and asked Manager Buffaloe if that was a corrected statement. Manager Buffaloe replied that was correct.

Councilwoman Young asked Director Bell if he told to move forward with buying and placing these speed bumps by Manager Freeman without input from the Council. Director Bell confirmed that he was. Councilwoman Young noted that within our traffic calming policy there are many steps, one of which is a public hearing. Manager Buffaloe agreed that was one thing that would need to happen. Councilwoman Young said she wanted to table this for the moment until we could truly figure out what was going on and meet with the community. She said she didn't understand how one group of people could come forward and say "I want this" and we jump right in, when we may need them in many different places. She thanked Manager Buffaloe for catching this. Manager Buffaloe reiterated that he'd only just become aware of the problem, at which point he told Director Bell not to put the speed bumps down because that was definitely a Council decision and a policy-related matter. He noted that Director Bell had been told to do it by Manager Freeman. She thanked Director Bell for his attention to the matter as well. She said again that she'd like to table it if possible.

Motion was made by Councilwoman Jeannie Young to table the decision on speed bumps until such time that further discussions could be held. The motion was seconded by Councilman Billy Caudle.

Mayor Pro Tem Walton asked Councilwoman Young if it made her feel better about not spending money now after it took her that much time to crucify somebody. Mayor Pro Tem Walton asked Director Bell what the date on the purchase order was? Director Bell said he didn't have it with him, but it was made shortly after July 1st. He said he'd met with Deputy Chief Avens and Manager Freeman who'd talked to people in the community about traffic and they'd talked about what to do. He said after they met, Mr. Freeman told him to order the speed bumps, but he'd had to wait a bit because they couldn't order anything until July 1st because purchasing was frozen at that time. Mayor Pro Tem Walton asked the mayor if she was authorized to sign the POs. Mayor Parker said she was not, but it was her electronic signature on the check, the same one which appeared on every check issued from the City.

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

8. Comments and Inquiries on Non-Agenda Items:

Councilman Caudle had no further comments.

Councilwoman Young advised the public that the motion to table the speed bumps was procedural. She said there was a policy in place and now that it came to light that there had been some discrepancies, they needed to have some time to analyze and make sure they followed proper protocol.

Councilman Spence stated that he wanted it made clear that no one was targeting the City Clerk earlier about placing the closed session on the agenda.

Councilman Ruffieux had no further comments

Councilman Brooks stated that seniors had come to him about Virginia Dare. He said he didn't know if the Council could do anything, but he'd said that he would mention it in front of the camera. He noted that they'd named several issues, but he did want everyone to know and the management at Virginia Dare to know and listen. He also mentioned that there's a lot of ads on telephone poles, "but it's been too tedious to write them all down, but sometimes when there's a lot of junk laying around, it draws more junk to it."

Mayor Pro Tem Walton opined that the Council has to back up as a group. He said he felt that they don't let the employees do their jobs.

Mayor Parker provided an update on the ongoing COVID-19 pandemic.

9. Closed Session – As Allowed by NCGS 143-318-11(a)(6) –Personnel and NCGS 143-318.11(a)(5) Acquisition of Property;

Mayor Parker asked for a motion to go into closed session.

Motion was made by Councilman Billy Caudle, seconded by Councilwoman Jeannie Young to enter closed session at 9:33 p.m. Those voting in favor of the motion were: Ruffieux, Brooks, Young and Caudle. Against: Spence and Walton. Motion carried.

Mayor Parker announced there would be a five-minute recess prior to beginning.

10. Adjournment

The Council returned from closed session at 10:43 p.m.

Attorney Morgan explained that the City Council had been in closed session and three of the present members, Mayor Parker, Mayor Pro Tem Walton and Councilman Spence, departed the meeting before they officially came out of closed session, leaving only Ruffieux, Brooks, Caudle and Ruffieux in the room, so we cannot take any official action at this point. Unfortunately, we cannot officially adjourn the meeting or take any further action. The time is 10:44 p.m.

Bettie J. Parker
Mayor

April D. Onley, NCCMC
City Clerk

