

**City Council Special Meeting
September 30, 2021**

The City Council of the City of Elizabeth City met in a special meeting on Thursday, September 30, 2021 in Council Chambers, located on the second floor of the Gardner Municipal Building at 306 East Colonial Avenue in Elizabeth City, NC.

MEMBERS PRESENT: Mayor Bettie Parker
Mayor Pro Tem Johnnie Walton
Councilman Billy Caudle
Councilman Kem Spence
Councilman Michael Brooks
Councilman Chris Ruffieux
Councilwoman Jeannie Young

MEMBERS ABSENT: Councilman Darius Horton
Councilman Gabriel Adkins

OTHERS PRESENT: Interim City Manager Eddie Buffaloe
City Attorney Bill Morgan
City Labor Attorney John Leidy
IT Systems Analyst Pedro Holley II
City Clerk April Onley

Mayor Parker called the special meeting to order at 6:00 p.m. Invocation was given by Councilman Spence, followed by the Pledge of Allegiance.

1. Statement of Disclosure:

Manager Buffaloe read the Statement of Disclosure into the record on behalf of the Clerk. No conflict of interest disclosures regarding items listed on the agenda were made.

2. Agenda Approval:

Mayor Parker requested a motion and a second to move into closed session for Consultation with City Attorneys and Discussion of Personnel.

Councilman Caudle asked if the Council shouldn't approve the agenda first. Mayor Parker replied that yes, that would be customary. Councilman Caudle said he wanted to make sure there would be a discussion or action item when the Council returned to open session; and Mayor Parker confirmed that there would.

Motion was made by Councilman Billy Caudle to approve the agenda as presented, and noted that the last action item would need to be taken in open session after the Council returned from closed session. The motion was seconded by Councilwoman Jeannie Young.

Councilman Caudle reiterated that before they moved forward, he wanted to make sure that they wouldn't suddenly "get adjourned and go home." Mayor Parker confirmed that would not happen this evening. Mayor Pro Tem Walton said as long as everyone behaved in a professional manner, we wouldn't have to worry about it, but if things got out of hand, he would go home.

Mayor Pro Tem Walton said that he did want to have some time to address what was printed in The Daily Advance because it was not correct. Attorney Morgan noted that this was a special meeting and we could not discuss that item during this particular meeting or anything that had not been expressly approved and advertised. Mayor Pro Tem Walton explained that all he wanted to say was that the reason the other meeting had been adjourned was that it was chaotic and out of control and that's why he left.

Those voting in favor of the motion to approve the agenda as presented were: Spence, Ruffieux, Brooks, Walton, Young and Caudle. Against: None. Motion carried.

Mayor Pro Tem Walton added that since tonight was apparently a night of sarcasm, he would like to how the city attorney could become a mayor since he had functioned as one the other night. Attorney Morgan replied that he could ask him about that after the meeting. Councilwoman Young asked why we were discussing this at this time. Mayor Pro Tem Walton asked Councilwoman Young to calm her voice. Councilwoman Young asked the mayor to get the meeting back on track. Mayor Parker told Councilwoman Young she was behaving in a disgruntled manner, and if she continued to do so it may not lead to a normal meeting.

Mayor Parker advised that the purpose of tonight's special meeting was to enter closed session for Consultation with the City's Attorneys and for Discussion of Personnel. She requested a motion to proceed.

3. Closed Session – As Allowed by NCGS 143-318.11(a)(3) Consultation with City Attorneys and NCGS 143-318.11(a)(6) Discussion of Personnel;

Motion to enter closed session as allowed by NCGS 143-318.11(a)(6) and NCGS 143-318.11(a)(3) for Consultation with the City's Attorneys was made by Councilman Billy Caudle, seconded by Councilwoman Jeannie Young at 6:08 p.m. Those voting in favor of the motion were: Spence, Ruffieux, Brooks, Walton, Young and Caudle. Against: None. Motion carried.

Mayor Parker advised there would be a three-minute recess to transition into closed session.

The Council returned to open session at 7:33 p.m.

Motion was made by Councilman Billy Caudle to terminate the City Manager without cause as provided by the employment agreement effective immediately. The motion was seconded by Councilman Chris Ruffieux.

Councilman Spence said he wanted it to be clear that he didn't support the motion. He didn't feel like it gave the manager a fair shake. He said he didn't feel like he'd done enough to be released from his position. He thought he did a good job coming to the city during civil unrest, the budget and a pandemic and for us to act on this motion to relieve him of his duties was unprofessional in his opinion and he disagreed with it. He said he appreciated Mr. Freeman's services and hoped he was blessed. "Sometimes we do things right and sometimes we do things personal, but you will reap what you sow. If you aren't being professional and doing things out of anger or dislike, you will reap what you sow."

Councilman Brooks said he found it interesting and he'd listened attentively to campaign speeches and hate and disrespect. "All the special meetings, coming up at 10:30, 11:30, 12:30 at night, this was a plethora of things. It wasn't just the investigation. When you talk about reaping and sowing ... I won't preach you a sermon because you don't throw a Bible verse out there. That's all I have to say. Me and Mr. Freeman used to have good conversations. He used to see me often. That's not the question. What I was listening to was what we talked about outside of what the investigation was. With the whistleblowers, we had to do that. The city manager works at the pleasure of the Council. If the Council's integrity is called into question, we'll be able to release some things, so continue to watch as some things unfold. I've been praying and God hasn't directed me other than to do what I've done."

Mayor Pro Tem Walton apologized to Mr. Freeman that people didn't talk to him. That wasn't good. He lost a lot of respect. He said that the correspondence, whether it was late or in between, everybody would have to feel that. "It does come back around, that's divine intervention. That's what God will do to you. That's what I learned from the Bible. You get out of here and hurt somebody in this community, they'll do it to you. I've heard

this so many times. You haven't gotten away. It'll come back at you and it's going to be more doors. Chief thought his door would be closed, but his door opened so fast. It'll be so many doors if you want them. They'll open for you. You beat the others 117 to 88, that's a lot of numbers. It wasn't because of you, it's because of us. The more things change, the more they stay the same. The more they stay the same. You a Black man that can handle it, my friend. Black lives do matter. Trust me. I've been there and done that. I'll look out for black as much as I can."

Mayor Parker said she concurred with Councilman Spence and Mayor Pro Tem Walton. She thanked Mr. Freeman for all that he did and she'd seen a lot of what he'd done. She didn't know where a lot of information came from, but she did know about his performance. She wanted him to be at peace because she was at peace because she knew that there was no right way to do wrong and she wished him the best in the future.

Mayor Parker called for the vote on the motion on the floor. Mayor Pro Tem Walton requested that the vote be taken in roll call.

Councilman Caudle: Yes.
Councilwoman Young: Yes
Mayor Pro Tem Walton: No
Councilman Brooks: Yes
Councilman Ruffieux: Yes
Councilman Spence: No

The final vote yielded results of 4-2 in favor of firing the city manager. The motion carried.

4. Adjournment:

There being no further business to be discussed, Mayor Parker asked for a vote to adjourn the meeting.

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

Mayor Parker declared the meeting adjourned at 7:42 p.m.

Bettie J. Parker
Mayor

April D. Onley
City Clerk, NCCMC