

**City Council Work Session
March 23, 2026**

The City Council of the City of Elizabeth City met in Work Session on Monday, March 23, 2026 in Council Chambers, located on the 2nd floor of the Municipal Administration Building, 306 E. Colonial Avenue, Elizabeth City, NC.

MEMBERS PRESENT: Mayor Kirk Rivers
Mayor Pro Tem Johnson Biggs
Councilman Joseph Peel
Councilman Jarvis Gibbs
Councilwoman Rose Cartwright
Councilwoman Katherine Felton
Councilman Ronnie Morris
Councilman Tim Jackson

MEMBERS ABSENT: Councilman Kem Spence

OTHERS PRESENT: City Manager Reginald Goodson
City Attorney Bill Morgan
Chief of Staff Monica Cole
Electric Superintendent Donnell White
Chief of Police Eddie Graham
Public Utilities Director Dwan Bell
Fire Chief Chris Carver
HR Liability Analyst and Payroll Coordinator Kenya Wilson-Turner
Interim Finance Director Brian Lewis
Development Services Director Carl Best
Planner II Dylan Lloyd
Parks and Recreation Director Stacy Williams
Grants Administrator Jon Hawley
IT Director Matthew Simpson
ECDI Director Debbie Malenfant
IT Systems Analyst Pedro Holley II
City Clerk April Onley

Mayor Rivers called the City Council's Work Session to order at 5:31 p.m. Councilwoman Cartwright provided the invocation, after which Development Services Director Best led the Pledge of Allegiance.

1. Agenda Adjustments and Approval:

Mayor Rivers asked the Council's pleasure on the prepared agenda. He asked that they include Parks and Recreation's *Consideration – One-Time Cash Exception for Tournament Admissions* to the Regular Agenda. Councilman Peel stated that he had an additional item that would fall under the existing reason listed for Closed Session. Manager Goodson requested a brief moment for *Update – Upcoming Joint Meeting*.

Motion was made by Mayor Pro Tem Johnson Biggs, seconded by Councilman Jarvis Gibbs to approve the agenda as amended. Those voting in favor of the motion were: Biggs, Peel, Cartwright, Gibbs, Felton, Morris and Jackson. Against: None. Motion carried.

2. Presentations:

a. Proclamation – Senior Nutrition Month;

*PROCLAMATION
Senior Nutrition Month
March 2026*

WHEREAS, since 1972, the National Senior Nutrition Program has funded local agencies and organizations to serve home-delivered and congregate meals that help to ensure older adults have opportunities to stay healthy, independent, and connected; and

WHEREAS, more than 10 million older Americans face hunger each year and food insecurity disproportionately impacts older adults with limited ability to obtain food or prepare meals; and

WHEREAS, local senior nutrition programs help older adults access healthy foods, nutrition screening, education, counseling, social opportunities and other supports that encourage well-being; and

WHEREAS, the Senior Nutrition Program is having a positive impact on our community and its senior members, as demonstrated by more than 1,000 congregate meals served per month and more than 75 Meals-on Wheels home deliveries served daily.

NOW, THEREFORE, I, E. Kirk Rivers, Mayor of the City of Elizabeth City do hereby proclaim the month of March 2026 as Senior Nutrition Month in Elizabeth City and urge all citizens to recognize older adults and the people who support them through nutrition services as essential contributors to the strength of our community.

PROCLAIMED this 23rd day of March 2026.

E. Kirk Rivers
Mayor

Attest:

April D. Onley, NCCMC
City Clerk

3. Finance Committee:

a. Consideration – Repayment of Loan from Electric Fund to Water / Sewer Fund;

Manager Goodson explained that in the early 2000s, the Electric Fund loaned money to the Water / Sewer Fund. Now, the Electric Fund's balance is quite low and the Water / Sewer Fund is healthier. They have been making installment payments yearly, but this is a request that to pay the remainder of the balance, which is \$580,000.

Motion was made by Councilman Joseph Peel, seconded by Mayor Kirk Rivers to approve the repayment of the balance owed to the Electric Fund from the Water & Sewer Fund. Those voting in favor of the motion were: Gibbs, Cartwright, Peel, Biggs, Rivers, Felton, Morris and Jackson. Against: None. Motion carried unanimously by the Finance Committee. Item will

carry forward to April 13, 2026 Regular Session for full Council consideration.

b. Consideration – Adoption of Investment Policy and Corresponding Resolution;

Mayor Pro Tem Biggs noted that this item was previously on the Consent Agenda and they moved it back to Work Session to allow for additional discussion. Manager Goodson advised that Consultant Tezai was available if there were in-depth questions. This has been an on-going process for the City. This policy is concerned with responsible investments that meet general statutes and requirements so that the City will not put its money in harm's way.

Mayor Pro Tem Biggs asked if they could expand on the quarterly reports a bit more. As it is written, the policy does not spell out the months in which they would be received. Can that be put in the policy so that it will say that we will receive reports in October, January, April and July? We will get reports for quarter-end then to flow with everything else. If the auditors keep asking for this, they may also ask for some additional information about it when we provide the document.

Mayor Pro Tem Biggs asked Mrs. Tezai if municipalities usually have a policy around setting a minimum where they want to keep fund balance and cash positions for certain enterprise funds. Mrs. Tezai explained that the City does not have one for its enterprise funds. A next step after adoption of the investment policy would be to approach a good fund balance policy for the City, which will require input from the Council. The Council will need to determine what it deems appropriate. You are typically aligned with your peers at 45%. It becomes a red flag to LGC if you fall under 25%. That's too low for Elizabeth City, but you want to set something that's not excessive. Proprietary funds are full accrual so they have net position. One of the things that came out of the FPIC responses was a note on the Electric Fund. You want to set a threshold available in unrestricted fund.

Mayor Pro Tem Biggs asked if that was something the Council could look at next month during a Finance meeting. Manager Goodson confirmed that it was. Mayor Pro Tem Biggs felt that it was important to at least start having conversations about it.

Motion was made by Councilwoman Katherine Felton, seconded by Councilman Joseph Peel to approve the investment policy for the City of Elizabeth City with the recommended modifications. Those voting in favor of the motion were: Gibbs, Cartwright, Peel, Biggs, Rivers, Felton, Morris and Jackson. Against: None. Motion carried unanimously by the Finance Committee. Item will carry forward to April 13, 2026 Regular Session for full Council consideration.

c. Consideration – Authorization to Apply to the National Coastal Resilience Fund Grant (Dawson Street);

Motion was made by Mayor Kirk Rivers, seconded by Councilman Joseph Peel to authorize staff to submit proposals to the National Coastal Resilience Fund for site assessment and preliminary design. Those voting in favor of the motion were: Gibbs, Cartwright, Peel, Biggs, Rivers, Felton, Morris and Jackson. Against: None. Motion carried unanimously by the Finance Committee. Item will carry forward to April 13, 2026 Regular Session for full Council consideration.

Councilman Peel asked where they were with the project on Riverside. Mr. Hawley explained that in regard to the Flora Street Stormwater Improvement Project, we worked with the two property owners who were most impacted to identify some restoration work for their yards and reached a fair deal. We've executed the task order with AECOM. The engineer is ramping back up and making some minor adjustments based on agreements with property owners and then we'll work toward bidding. Director Bell added that most of the holdup has been property owners.

d. Consideration – Reappropriate Grant Funds to the Raw Water Reservoir Replacement;

Manager Goodson reminded the Council that some time ago, the City received \$9 million in funding from the State. Bids were recently opened for the Raw Water Reservoir Project, and the lowest came in at \$6.6 million. Staff has recommended that the money set aside for sedimentation basin repair (\$2.1 million) and some pump station rehabs (\$1.5 million) be reallocated to the raw water reservoir because it is the top priority. We had significant water breaks not long ago and could use this water.

Councilman Peel pointed out that the bid came in at twice the expected amount. Director Bell stated that the reservoir was a little over \$3 million itself, so what drove it so high was the labor, which was nearly as much as the cost of the tank.

Motion was made by Councilman Joseph Peel, seconded by Mayor Kirk Rivers to authorize reappropriation of SL2023-134 funds to the Raw Water Reservoir Replacement.

Mayor Pro Tem Biggs noted that we're almost two and a half years into this process now. How does it take that long to get that money to the point to where we are now? Director Bell said they were several factors contributing to the delay. It's right up against the substation. There's underground there, overhead voltage design, laydown space, property owners on the backside of the tower, and the project required approval from Dominion. There's a lot of stakeholder conversation that held things up as well. We also had to readvertise. There were dozens of questions from the pre-bid. All of those things kind of delayed the project.

Mayor Pro Tem Biggs asked what would happen with the remainder of the funding for the pump stations once the \$1.5 million was reassigned. Director Bell said they would still use it for pump stations, and just apply it to the most critical needs.

Mayor Pro Tem Biggs inquired how reallocating the \$1.5 million might impact the ability to grow the City. He knew there were issues with pump stations being at capacity. Until he was on Council, he didn't know they had to worry about capacity at pump stations too. He knew there were several that were either at capacity or that we were trying to work through on capacity. How does this affect that? What about those with bypass pumps hooked to them a majority of the time?

Director Bell explained that we have quite a few pump stations that either don't have pumps in them or are operating on a single pump. Many of them are being rehabbed. This will put us in a position to get our equipment updated. He added that he believe growth should pay for that. For what we're doing now, we're just trying to get our pump stations back into an operable state.

Councilman Peel asked if this could possibly have an impact on the bond package. Director Bell pointed out that they did not include the pump stations, just the infrastructure side when estimating funding needed. We would probably want to put some of that in there. We are still addressing the key pump stations, the most critical ones now. It's the ones that are smaller that we can request in capital or put it in the bond.

Mayor Pro Tem Biggs asked if there was a chance the total might come back less than estimated. Director Bell agreed that it was possible that they might realize they don't need as much as they thought they did, but we won't know that until demolition starts.

Mayor Pro Tem Johnson Biggs requested a friendly amendment to the motion that if the project came back under budget that any remaining money would go back to the pump station rehab. Both Councilman Joseph Peel and Mayor Kirk Rivers agreed to the friendly amendment.

Those voting in favor of the amended motion were: Gibbs, Cartwright, Peel, Biggs, Rivers, Felton, Morris and Jackson. Against: None. Motion carried

unanimously by Finance Committee. Item will carry forward to the April 13, 2026 Regular Session for full Council consideration.

- e. Consideration – Approve 6th Amendment to Parks & Recreation Interlocal Agreement;

Motion was made by Councilman Javis Gibbs, seconded by Councilman Joseph Peel to approve the sixth amendment to the Interlocal Agreement for Parks and Recreation. Those voting in favor of the motion were: Gibbs, Cartwright, Peel, Biggs, Rivers, Felton, Morris and Jackson. Against: None. Motion carried unanimously by the Finance Committee. Item will carry forward to the April 13, 2026 Regular Session for full Council consideration.

- f. Consideration – Approve Amendment to Agreement for Fire Protection Services;

Motion was made by Mayor Kirk Rivers, seconded by Councilman Joseph Peel to approve the Contract for Fire Protection Services with Pasquotank County. Those voting in favor of the motion were: Gibbs, Cartwright, Peel, Biggs, Rivers, Felton, Morris and Jackson. Against: None. Motion carried unanimously by the Finance Committee. Item will carry forward to the April 13, 2026 Regular Session for full Council consideration.

- g. Consideration – Unfreeze Five (5) PD Positions for FY 2026-2027;

Motion was made by Councilman Javis Gibbs, seconded by Councilwoman Katherine Felton to unfreeze the five positions for placement in the FY 2026-2027 budget. Those voting in favor of the motion were: Gibbs, Cartwright, Peel, Biggs, Rivers, Felton, Morris and Jackson. Against: None. Motion carried unanimously by the Finance Committee. Item will carry forward to the April 13, 2026 Regular Session for full Council consideration.

4. Regular Agenda:

- a. Any Item Removed from the Finance Committee Agenda;

No items were removed from the Finance Committee Agenda.

- b. Call for a Public Hearing – TA 02-26;

Motion was made by Councilwoman Katherine Felton, seconded by Councilman Javis Gibbs call for a public hearing on TA 02-26 to be held on April 13, 2026 at the 7:00 p.m. Regular City Council meeting. Those voting in favor of the motion were: Gibbs, Cartwright, Peel, Biggs, Felton, Morris and Jackson. Against: None. Motion carried.

- c. Consideration – Annexation – Sanctuary @ Tooley Harbor;

Motion was made by Councilman Joseph Peel, seconded by Councilman Tim Jackson to adopt Resolution #2025-03-03 directing the City Attorney to investigate the sufficiency of the petition for annexation. Those voting in favor of the motion were Gibbs, Cartwright, Peel, Biggs, Felton, Morris and Jackson. Against: None. Motion carried.

**RESOLUTION #2026-03-03
DIRECTING THE CITY CLERK TO INVESTIGATE
A PETITION RECEIVED UNDER G. S. 160A-31
3N1, INC.
+/- 11.4 ACRES – THE SANCTUARY AT TOOLEY HARBOR
TAX BLOCK TM P123
TAX LOT 42C**

WHEREAS, a petition requesting annexation of an area described in said petition has

been received on March 23, 2026, by the City Council; and

WHEREAS, G. S. 160A-31 provides that the sufficiency of the petition shall be investigated by the City Clerk and City Attorney before further annexation proceedings may take place; and

WHEREAS, the City Council of the City of Elizabeth City deems it advisable to proceed in response to this request for annexation;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Elizabeth City:

THAT the City Clerk and City Attorney are hereby directed to investigate the sufficiency of the above described petition and to certify as soon as possible to the City Council the result of her investigation.

ADOPTED, this the 23rd day of March 2026.

E. Kirk Rivers
Mayor

April Onley, NCCMC
City Clerk

d. Consideration – One-Time Cash Exception for Tournament Admissions *(As Added During Agenda Adjustments);*

Manager Goodson explained that this request was just for a one-time exception for this particular tournament. It would be better if Parks & Recreation could allow for the use of cash for this event.

Mayor Pro Tem Biggs inquired if dual control measures would be put into place. Director Williams confirmed that they would, and staff would work with Finance to ensure that bags were turned in daily, including multiple runs if needed.

Motion was made by Mayor Pro Tem Johnson Biggs, seconded by Councilman Jarvis Gibbs to approve the one-time exception for cash payments during the All-Star Tournament at South Park and Holmes Field. Those voting in favor of the motion were: Gibbs, Cartwright, Peel, Biggs, Felton, Morris and Jackson. Against: None. Motion carried.

e. Update – Upcoming Joint City-County Meeting *(As Added During Agenda Adjustments);*

Mayor Rivers reminded the Council that the meeting was scheduled for Monday at Knobbs Creek, and was set for 6:00 p.m. with dinner at 5:30 p.m. He read through the proposed agenda items. He asked if the Council had any other items they would like to include.

Councilwoman Felton mentioned that she had been contacted about why the new hospital did not have a helicopter pad. Mayor Rivers assured her that they do have one. The hospital is working and they are under consideration of adding a pharmacy and expanding their beds. We often hear that that don't have many rooms, but the state is the one who gives the occupancy number. You can't just build a 200-bed hospital. The state gives you that number. With that said, the hospital does have a helicopter pad. He noted that he would ask President Teresa Watson to provide at presentation during the next joint meeting.

Motion was made by Mayor Pro Tem Johnson Biggs, seconded by Councilwoman Katherine Felton to accept the proposed agenda, as presented. Those voting in favor of the motion were: Gibbs, Cartwright, Peel, Biggs, Felton, Morris and Jackson. Against: None. Motion carried.

f. Discussion – Former River Wind Complex / Ice Plant / Shipyard Properties;

(Clerk's Notation: Mayor Rivers left the meeting at 6:03 p.m.)

Attorney Morgan advised that the procedures that may be followed regarding these three properties should not be divulged in open session, so if the Council wanted to go in depth, they should go into closed session. He can provide the general statute to the Council if they would like him to email it. He would be referencing Chapter 160D. In general, what has to start the process is the building inspector or his designee, through investigating the properties has to decide that the property is especially dangerous to life, health or safety. Once that determination is made, the property has to be posted on a conspicuous spot on the building. Once that notice goes out, the notice directs the owner to take corrective action to improve the deficiencies. If that is not followed up on, the building inspector schedules, again with written notice, an administrative hearing. That hearing cannot be more than 10 days after the date of the notice. That can get messy when we aren't sure where the owner is located. We often deal with heired property or with a corporate "web" that's been created making it much more difficult to determine who owns the building. We have to give notice of the hearing and the hearing must take place within 10 days. There is a special section to reference if we cannot locate the owner. The notice shall be considered properly and adequately served if it's posted on the outside of the building and published in the newspaper for one-week prior to the hearing .At the hearing, the owner has the right to contest the decisions of the inspector and present evidence to try to convince the inspector that conditions aren't as bad as initially believed. After the hearing a written order is issued if the inspector determines things are going to proceed. The order gives 60 days to correct. The exception to this is if there's an imminent threat to life. If the property owner ignores the order then after the 60 day period, the inspection department can apply to the Council to condemn or demolish the building. These are the type of ordinances that come before the Council periodically. The situation Development Services has encountered before is one where property owners take minimum steps to avoid the demolition process. At any point there is nothing that prevents the owner from suing the City in superior court to halt these actions.

Mayor Pro Tem Biggs asked what process the lien holder has in this if there's an outstanding debt on the building. Attorney Morgan explained that the lien holder is not really an owner but the better course of action would be that we notice any recorded lien holder as to the process. It would help them put some pressure on the property owner to take the requested steps. There's no provision in the general statute about them whatsoever.

Mayor Pro Tem Biggs asked if that meant the lien holder had no recourse. Attorney Morgan said they would not have recourse against the City except they could probably file some civil action in certain circumstances.

Mayor Pro Tem Biggs asked if the lien holder forced the property into a court proceeding, would it get in the way of the City moving forward with its process. Attorney Morgan felt that the better thing would be for the City to establish a joint plan because it's in the lien holder's best interest to improve the property.

Councilman Jackson verified that within the 60 days, the property owner can file a suit against the City. Attorney Morgan confirmed there was nothing that prevented that; however, in his 20 plus years of working through these, he was not aware of any owner having done that, but it could always happen. As to any specific properties, he would ask that they were discussed in closed session.

5. Closed Session – As Allowed by NCGS 143-318.11(a)(3) Consultation With City Attorney;

Motion was made by Councilwoman Katherine Felton to enter Closed Session at 6:12 p.m. as allowed by NCGS 143-318.11(a)(3) for Consultation with City Attorney. The motion was seconded by Councilwoman Rose Cartwright. Those voting in favor of the motion were: Gibbs, Cartwright, Peel, Biggs, Felton, Morris and Jackson. Against: None. Motion carried.

The Council returned to open session at 7:42 p.m.

6. Adjournment:

Having no further business to be discussed, Mayor Pro Tem Biggs adjourned the meeting at 7:42 p.m.

E. Kirk Rivers
Mayor

April Onley, NCCMC
City Clerk

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