

**City Council Regular Session  
October 14, 2019**

The City Council of the City of Elizabeth City met in regular session on Monday, October 14, 2019 in Council Chambers, located on the 2<sup>nd</sup> floor of the Municipal Administration Building, 306 E. Colonial Avenue, Elizabeth City, NC.

MEMBERS PRESENT: Mayor Bettie Parker  
Councilman Kem Spence  
Councilman Johnnie Walton  
Mayor Pro Tem Rickey King  
Councilwoman Anita Hummer  
Councilman Darius Horton (*arrived at 7:07 p.m.*)  
Councilwoman Jeannie Young  
Councilman Gabriel Adkins

MEMBERS ABSENT: Councilman Billy Caudle

OTHERS PRESENT: City Manager Rich Olson  
City Attorney Bill Morgan  
Deputy Chief of Police James Avens  
Finance Director Suzanne Tungate  
Interim Electric Department Superintendent Bob Vannoy  
Load Management Specialist Ricky Albertson  
Assistant City Manager Angela Cole  
Human Resources Monica Cole  
Deputy Fire Chief Dena Richardson  
ECDI Director Debbie Malenfant  
Public Utilities Director Amanda Boone  
Parks and Recreation Director Dexter Harris  
Senior Center Stacey Williams  
Grants Management Administrator Jon Hawley  
IT Director Matthew Simpson  
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 Kem Spence 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.

Councilman Walton requested that item 9(b) – Consideration – Authorization to Submit TDA Application for Downtown Christmas Lights be removed from the consent agenda and placed on the regular agenda. City Manager Olson confirmed that it would become item 10(a) on the regular agenda.

**Motion was made by Mayor Pro Tem Rickey King, seconded by Councilwoman Jeannie Young to approve the agenda with any necessary adjustments. Those voting in favor of the motion were: Spence, Walton, King, Hummer, Young, and Adkins. 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 / Proclamations:**

**a. Proclamation - Pharmacy Week:**

Mayor Parker recognized Jennifer Burgess to join her at the podium to present the following proclamation:

***PROCLAMATION***

# PHARMACY WEEK IN ELIZABETH CITY OCTOBER 20<sup>th</sup>-26<sup>th</sup>, 2019

**WHEREAS**, pharmacists are experts in the successful use of today's complex medications, and

**WHEREAS**, patients in hospitals and outpatient clinics receive better care when pharmacists are directly involved in medication management decisions, and

**WHEREAS**, pharmacists' direct involvement in patient care helps reduce unnecessary costs and burden on the health system, and

**WHEREAS**, the pharmacists and pharmacy technicians practicing in the acute and ambulatory care settings of Elizabeth City contribute to the health and well-being of our citizens, and

**WHEREAS**, ASHP has declared October 20-26, 2019 as Pharmacy Week.

**NOW, THEREFORE BE IT RESOLVED** that I, Mayor Bettie J. Parker, do proclaim October 20-26, 2019 as **Pharmacy Week** in Elizabeth City and urge all our citizens to acknowledge the valuable services of the pharmacists and pharmacy technicians who work in inpatient, outpatient, home-care, and long-term-care settings and all they do to help patients make the best use of their medicines.

**ADOPTED** this the 14<sup>th</sup> day of October 2019. In witness whereof I have hereunto set my hand and caused this seal to be affixed.

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Bettie J. Parker  
Mayor

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April D. Onley  
City Clerk

#### **b. Presentation – Mayoral Certificate of Recognition:**

Mayor Parker recognized Elizabeth City Police Sergeant Tajuana Mitchell to join her at the podium. Mayor Parker thanked Sergeant Mitchell for going "above and beyond" the call of duty in assisting a citizen and presented her with a certificate of recognition on behalf of herself and the City Council.

#### **4. Comments from the Public:**

Mayor Parker inquired of the City Clerk if there were persons present who wished to speak before the Council. Upon the Clerks' response that there was one, the Mayor asked that they be called to the podium.

**Michael Brooks – 119 Carver Street, Elizabeth City, NC** – Mr. Brooks thanked everyone who took the time to go to the polls and vote. He praised Councilman Walton for the past weekend's Toast and Roast in his honor, as well as for his many achievements. He urged the Council to do something in honor of Councilman Walton.

#### **5. Public Hearings:**

**a. Hold a Public Hearing – BIP for Hockmeyer;**

Mayor Parker recognized City Manager Olson to give an overview on the matter before opening the public hearing. Mr. Olson stated that Hockmeyer, Inc. is expanding its current operation in Elizabeth City. He pointed at that 90 new jobs would be created and \$6.13 million in investment would be coming into the City. Mr. Olson added that Hockmeyer currently pays \$5,618 in property taxes, which would be raised to \$40,142 with the new expansion. He reminded the Council that the BIP would be capped at \$100,000 for both the City and County over a five-year period.

Mayor Parker declared the public hearing open and inquired of the City Clerk if there were persons present who wished to speak. Upon the response that there were none, Mayor Parker closed the hearing.

**Motion was made by Mayor Pro Tem King, seconded by Councilwoman Young to authorize the BIP for Hockmeyer. Those voting in favor of the motion were: Spence, Walton, King, Hummer, Horton, Young, and Adkins. Against: None. Motion carried.**

**b. Hold a Public Hearing – Non-Downtown BIG Award for Currituck BBQ;**

Mayor Parker invited City Manager Olson to brief the Council on the matter prior to opening the public hearing. Mr. Olson requested the ECDI Director Debbie Malenfant lead the discussion. Ms. Malenfant stated that \$90,000 was in the Business Improvement Grant (BIG) allocation for the 2019-2020 year. She advised that the grant application for CBC Elizabeth City, LLC was seeking to bring a new restaurant to Elizabeth City, which would be located at 118 South Hughes Boulevard. She pointed at that the total estimated cost of the project is \$374,000; and the grant being sought was for \$20,000. Ms. Malenfant noted that this project had been reviewed by staff and scored a total of 93.75, the highest ever scored by any BIG project since its inception.

Mayor Parker declared the public hearing open and inquired of the City Clerk if there were persons present who wished to speak. The City Clerk indicated that there were no speakers, but did advise the Council that Paul Robinson, owner of Currituck BBQ was present should the Council have any technical questions they need to ask directly. Mayor Parker closed the hearing.

**Motion was made by Councilwoman Young, seconded by Mayor Pro Tem King to approve the BIG for CBC, Elizabeth City, LLC. Those voting in favor of the motion were: Spence, Walton, King, Hummer, Horton, Young, and Adkins. Against: None. Motion carried.**

**5. Consent Agenda: (Items “a” through “f” recommended by the Finance Committee during their October 10, 2019 meeting)**

Mayor Parker requested City Manager Olson read the consent agenda into the record

- a. Consideration – Award of 34kV Switch Replacement;**
- b. Consideration – Authorization to Submit TDA Application for Downtown Christmas Lights; (Removed from the Consent Agenda by Councilman Walton – Becomes item 10(a) on Regular Agenda**
- c. Consideration – Authorization to Submit TDA Application for Funding of South Park Complex Improvements to Dugouts;**
- d. Consideration – Call for a Public Hearing – Downtown BIG for Center Square Development – 202 North Poindexter Street;**
- e. Consideration – Call for a Public Hearing – Amendment to 2017 CDBG Raw Water Transmission Line Scope of Work;**
- f. Consideration – Call for a Public Hearing – Additional Funding for Raw Water Transmission Line CDBG;**

**g. Consideration – Authorize Live Burn at 800 Raw Street;**

**Motion was made by Mayor Pro Tem King, seconded by Councilwoman Hummer to approve the consent agenda. Those voting in favor of the motion were: Spence, Walton, King, Hummer, Horton, Young, and Adkins. Against: None. Motion carried.**

**6. Regular Agenda:**

**a. Consideration – Authorization to Submit TDA Application for Downtown Christmas Lights (*As moved to the regular agenda from the consent Agenda by Councilman Walton*)**

City Manager Olson recognized ECDI Director Debbie Malenfant to present the item to the Council. Ms. Malenfant advised the Council that during the last ECDI Board meeting, the board voted to spend additional funds for new holiday decorations; both the County and Visit Elizabeth City also agreed to submit \$5,000 in funding for new lights. Ms. Malenfant stated that the intent was to extend decorations onto streets where there are no decorations, as well as to add additional decorations where they might be “lacking.”

**Motion was made by Councilwoman Young, seconded by Mayor Pro Tem King to authorize application to TDA for the decorations.**

Councilman Walton advised that he moved this item from the consent agenda because “it seems like TDA will support the things that they want to support. I think we need a critical, honest discussion about the things we do support.” He opined that the application was not specific enough.” Councilman Walton asked Ms. Malenfant if this \$5,000 was going to be part of a yearly ask; she responded that this was a one-time request. Ms. Malenfant continued that normally ECDI funds the Christmas decorations, but this year they were lucky enough to have the County, Visit Elizabeth City, and possibly the City contribute to make the event better than ever. Councilman Walton reiterated that he would like to see the request better explained within the application.

City Manager Olson reminded the Council that he had sent a memo earlier in the afternoon with the terms and conditions and general statute that ruled the Tourism Development Authority for better explanation.

Councilwoman Young stated that she was a member of the TDA board and they had very strict guidelines for how they could spend money.

Councilman Walton read from the documents the City Manager had distributed earlier that day. He pointed out that he did not see where funding Christmas lights fell into the guidelines by which the TDA operated. Mr. Olson responded that it was the view of the TDA that Christmas decorations could drive “heads in beds” and tourism, if upgraded. Councilman Walton stated that he was not against funding Christmas lights, but he wanted to see more fairness across the board.

**Those voting in favor of the motion were: Spence, Walton, King, Hummer, Horton, Young, and Adkins. Against: None. Motion carried.**

**b. Consideration – Approval of Resolution for Census 2020;**

Mayor Parker recognized City Manager Olson to give an overview of the matter at hand. Mr. Olson advised the Council that every 10 years, the Census Bureau, by way of the Constitution, is required to perform a complete count of the population. He pointed out that data collected by the census requires extensive work and partnership efforts with businesses, governments, and organizations. Elizabeth City and Pasquotank County will have a Complete County Committee (CCC), which will be comprised of community members, business representatives, and City and County staff for the purpose of assisting with the 2020 Census. He directed the Council's attention to the attached resolution, which they would be required to pass in order to add City representatives to the committee.

**Motion was made by Councilman Adkins, seconded by Councilman Horton to approve the resolution for the 2020 Census. Those voting in favor of the motion were:**

**Spence, Walton, King, Hummer, Horton, Young, and Adkins. Against: None. Motion carried.**

**RESOLUTION# 2019-10-01  
Resolution for 2020 Census Partnership**

**WHEREAS**, the U.S. Census Bureau is required by the U.S. Constitution to conduct a complete count of the population and provides a historic opportunity to help shape the foundation of our society and play an active role in American democracy; and

**WHEREAS**, Elizabeth City is committed to ensuring every resident is counted; and

**WHEREAS**, federal and state funding is allocated to communities, and decisions are made on matters of national and local importance based, in part, on census data and housing; and

**WHEREAS**, census data helps determine how many seats each state will have in the U.S. House of Representatives and is necessary for an accurate and fair redistricting of state legislative seats, county and city councils, and voting districts; and

**WHEREAS**, information from the 2020 Census and American Community Survey is vital for economic development and increased employment; and

**WHEREAS**, the information collected by the census is confidential and protected by law;

**WHEREAS**, a united voice from business, government, community-based and faith-based organizations, educators, media and others will enable the 2020 Census message to reach more of our residents; and

**WHEREAS**, the Census count requires extensive work, and the Census Bureau requires partners at the state and local level to insure a complete and accurate count; and

**WHEREAS**, Elizabeth City will join together with the County's appointed Complete Count Committee, which will bring together a cross section of community members who will utilize their local knowledge and expertise to reach out to all persons of our community.

**NOW, THEREFORE, IT RESOLVED** that Elizabeth City is committed to partnering with the U.S. Census Bureau and the State of North Carolina and will:

1. Support the goals for the 2020 Census and will disseminate 2020 Census information;
  2. Encourage all City and County residents to participate in events and initiatives that will raise the overall awareness of the 2020 Census and increase participation;
  3. Provide CCC members and Census advocates to speak to City, County and Community Organizations;
  4. Support census takers as they help our City and County complete an accurate count;
- and,
5. Strive to achieve a complete and accurate count of all persons within our borders.

**ADOPTED** in Elizabeth City, North Carolina this 14<sup>th</sup> day of October 2019.

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Bettie J. Parker  
Mayor

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April D. Onley  
City Clerk

**c. Consideration – Authorize Execution of Senior Center Facility Capital Campaign;**

Assistant Manager Cole greeted the Council and gave an overview of the capital campaign, which was before them for approval this evening. Ms. Cole reminded the Council that the Senior Center project was \$52,769 over budget, even with recent project modifications. With the new center becoming operational in March 2020, new equipment, tables, chairs, pool tables, and so on would need to be purchased in the very near future. She stated that these furnishings were estimated at about \$200,000 on top of the existing deficit for the project. She advised the Council that staff requests covering some of these costs by running a capital campaign in which individuals who donate will be recognized at certain levels. The levels presented were: Bronze up to \$999; Silver up to \$4,999; Gold up to \$9,999; and Platinum would be \$10,000 and up. Ms. Cole recommended accepting all donations; no minimum would be required. She showed the Council illustrations of a “giving tree” or “giving moth boat” as options for wall art that would recognize donors whose gifts were at certain thresholds. She pointed out that there was consideration to giving the highest level bidders plaques or “most boat awards” of some sort that they could take home.

Ms. Cole stated that grants were also being sought to cover some of the excess funding necessary. She reminded the Council of the AARP the City was turned down for the prior year, noting that it would be reapplied for by Grants Administrator Hawley when open for the 2020 year.

**Motion was made by Councilwoman Young, seconded by Mayor Pro Tem King to authorize the capital campaign to raise funds for the new senior center facility.**

Councilman Horton asked how staff intended to reach out to donors and inform them of the opportunity to give. He wondered if there would be a marketing campaign as well. Ms. Cole confirmed that there would be a campaign, including ECTV, publishing within the website, newspaper, FYI, community boards, amongst others.

Ms. Cole reminded the Council that concerning naming the building itself, the County had requested involvement. She furthered that the Council had a specific naming policy in place that would need to be adhered to with County consideration.

**Those voting in favor of the motion were: Spence, Walton, King, Hummer. Horton, Young, and Adkins. Against: None. Motion carried.**

**d. Consideration – YMCA / Golf Course Partnership;**

City Manager Olson was recognized by Mayor Parker to begin the discussion. Mr. Olson stated that the YMCA had requested an on-going earmark of \$25,000 from both the County and the City to help run The Pines golf course. Mr. Olson reminded the Council that earmarks are determined during each budget process; one City Council could not be bound by the decisions of another.

Councilman Walton opined that this was a challenging issue and he did not feel that we should dip into the general fund for this project. He stated that he felt that application should be made to the TDA before resorting to funding it through the general fund. Mr. Walton added that with the appeal to the retirees and the people the golf course brought in for activities, he did not feel that there should be a problem with funding through TDA.

**Motion was made by Councilman Walton to apply to TDA for \$25,000 funding for the YMCA / Golf Course.**

Councilman Walton stated that the golf course had tried multiple courses of action before involving ECSU. He urged that the golf course should also seek partnerships with all the City’s school of higher learning, including COA and MACU. He pointed out that MACU has a golf team and should be “put in the package” too.

**Councilman Horton seconded Councilman Walton’s motion to apply to the TDA.**

Councilwoman Young stated that she was the Council's board member to the TDA and that although she represented the Council, she also had to follow the guidelines set in place by the TDA. She continued, "just because I'm on that board doesn't mean I can change the rules." She said, "Just because I'm a board member doesn't mean I can go against the strategic plan they have in place." She added that based on that, she would not be able to support the application going to the TDA board because she did not feel that it adhered to the new guidelines. Councilwoman Young opined that maybe a golf tournament with an action plan in place might be able to be approved, but she did not believe that was the case.

Councilman Horton stated that he concurred with Councilman Walton that going to the TDA to submit an application was the best course of action. He added that bringing people to the area for tournaments should certainly drive "heads in beds." Councilman Horton questioned why the YMCA did not seek a community support grant for this purpose. He opined that putting the YMCA as an earmark in the budget, when compared to "true non-profits" such as the Food Bank and Hopeline, did not seem right. He continued, "I definitely could not support that, but I would support it going to the TDA. If the TDA denies the application, I do not think I could support it." He added, "We as a City have to be very cautious giving this very large amount of money after we've already passed the budget, and after we have other organizations that have the same type of goals and ambitions to move Elizabeth City forward. It does not seem right making 14 other organization fight over \$30,000 and just giving the YMCA this amount of money."

Councilman Spence questioned if this was an item that would even qualify for funding by the TDA. He opined that there was no reason to even go through the motion if they knew it would fail. City Manager Olson responded that in staff's conversations with the TDA, the director stated that the TDA most likely would not fund it because it would be considered "on-going" funds.

Mayor Pro Tem King reminded that he had asked Ms. Ferguson during the Joint City-County meeting if it would be possible and she said she was unsure. He echoed Councilman Spence's concerns about wasting staff time applying if there was no chance it would be passed by the TDA.

Councilwoman Hummer stated that she had received a lot of feedback from her constituents who were against the money being taken from the general fund. She pointed out the only way she would support it would be if the TDA funded it.

Councilman Horton stated "it's called the TDA board. Even though the director is here, I feel like if this Council wants to send it to the board, we need to do that. It's up to the board, not just one young lady. We can't go off of one person. We need to send it to the board." Councilman Walton concurred with Councilman Horton's statement. He added, "You can't just go on the actions of one person. If you do that, you don't need a board ... We need to let it go through the process before we do anything else" Councilman Walton stated, "We need The Pines, but at least go through the process." He pointed out that people coming out for golf tournaments would most likely be staying overnight, which should drive heads in beds.

Councilwoman Young reminded the Council that a new series of rules and regulations had recently been put in place within the TDA, which were unanimously approved.

**Councilman Spence called for the question. His call was seconded by Councilman Horton. Those voting in favor of the motion were: Spence, Walton, King, Hummer, Horton, Young, and Adkins. Against: None. Motion carried.**

Mayor Parker asked the Clerk to read the original motion as made and seconded back into the record.

**The Clerk stated that motion was made by Councilman Walton, seconded by Councilman Horton to apply for \$25,000 in TDA funding for YMCA / The Pines. Those voting in favor of the motion were: Spence, Walton, Hummer, Horton, and Young. Against: King and Young. Motion carries.**

Councilman Spence asked if the item would come back to the Council after the TDA's meeting; Mr. Olson responded that it would and if the Council desired to move forward, they would need to call for a public hearing.

Councilman Horton asked the City Manager to reach out to the YMCA and find out if the Council did not approve the \$25,000, could they still operate? Mr. Olson confirmed that he would find out and bring the information back to the Council.

#### **7. Comments and Inquiries on Non-Agenda Items:**

Councilman Adkins thanked everyone for his re-election. He stated that "I feel as though being re-elected, that I've done some things right. It does my heart justice."

Councilwoman Young thanked everyone who voted. She expressed concern in the very minimal turnout of voters.

Councilman Horton had no further comments.

Councilman Hummer stated in December she would be ending her 24<sup>th</sup> year on the Council. She thanked everyone for doing their civic duty in voting. She addressed the new Council members, saying, "You have an opportunity to do so many things for the City." She gave a list of several items that the sitting Council had overseen. She also thanked City Manager Olson for all that he does daily.

Councilman Spence thanked the voters and those who re-elected him to the Council.

Councilman Walton asked that the Goals and Objectives be updated on the website, with old goals being removed and replaced by new ones. He mentioned that he couldn't find the Council's mission statement on the website; Ms. Cole stated that it was on the Goals and Objectives page. She offered to have it moved to the front of the Council's page so that it would be more easily accessible.

Mayor Pro Tem King asked that staff bring back information about changing the name of Hoffler Street to the next meeting.

Mayor Parker thanked the voted and stated she was pleased to serve as Mayor again.

#### **8. Adjournment:**

There being no further business to be discussed, Mayor Parker adjourned the meeting at 8:26 p.m.

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Bettie J. Parker  
Mayor

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April D. Onley  
City Clerk



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