

**City Council Work Session  
September 23, 2019**

The City Council of the City of Elizabeth City met in work session on Monday, September 23, 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  
Councilman Billy Caudle  
Councilwoman Anita Hummer  
Councilman Darius Horton (*arrived at 5:54 p.m.*)  
Councilwoman Jeannie Young  
Councilman Gabriel Adkins

MEMBERS ABSENT: None

OTHERS PRESENT: City Manager Rich Olson  
City Attorney Bill Morgan  
Finance Director Suzanne Tungate  
Chief of Police Eddie Buffaloe Jr.  
Interim Electric Superintendent Bob Vannoy  
Assistant City Manager Angela Cole  
Public Utilities Assistant Director Amanda Boone  
Parks and Recreation Jeff Simpson  
Deputy Fire Chief Chris Carver  
IT Director Matthew Simpson  
Grants Management Administrator Jon Hawley  
NC Lead Fellow Shom Tvari  
City Clerk April Onley

The City Council work session was called to order by Mayor Bettie Parker at 5:30 p.m. Mayor Parker welcomed everyone to the meeting and recognized Councilman Spence to give the invocation, followed by the Pledge of Allegiance.

**1. Agenda Adjustments and Approval:**

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

**Motion was made by Mayor Pro Tem King, seconded by Councilwoman Young to approve the agenda. Those voting in favor of the motion were: Spence, Walton, Caudle, 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. Presentation – Fair Housing:**

Grants Administrator Jon Hawley was recognized to present the Fair Housing item to the Council. Mr. Hawley advised the Council that a CDBG awarded in February 2018 required that the City present quarterly Fair Housing workshops for the public. Mr. Hawley stated that he would be hosting a Fair/Affordable Housing Workshop on September 25 in the Pasquotank Library's Community Room from 5:00 p.m. until 6:30 p.m., and encouraged members of the Council to attend to invite any members of their wards that they thought might benefit from receiving the information.

**4. Consideration / Update – Consistency Statement:**

Assistant Manager Angela Cole was recognized to present the Consistency Statement to the City Council. Ms. Cole stated that the Council had updated the Flood Ordinance within the UDO and the Code of Ordinances. She advised that when the update had taken place, a consistency statement had not been adopted at that time. Ms. Cole noted that in 2017 legislative session, lawmakers developed an amendment regarding planning and development regulations. She further advised the Council that the consistency statement included in the memo would need to be read into the official minutes. Councilman Caudle asked if she would be able to read the proposed consistency statement into the record for the Council and then allow them to vote upon it. Ms. Cole agreed and read the following into the record:

The City Council of the City of Elizabeth City finds the action to amend the text in Article 12, Section 12-2.1 of the Unified Development Ordinance is not inconsistent with the Pasquotank County, Elizabeth City Advanced Core Land Use Plan based on the following policies:

D. Elizabeth City Natural Hazard Areas Policies

- Policy 2: The City shall continue to require development and redevelopment within special flood hazard areas to meet the standards of the National Flood Insurance Program and the City's Flood Hazard District Overlay. Particular attention should be given to water and wastewater systems located in areas of special flood hazards to insure that the systems are designed to minimize or eliminate floodwater infiltration
- Policy 6: New public facilities and structures, as well as improvements to existing public structures and facilities, shall be located and designed to mitigate natural hazards. When placement in a natural hazard area is unavoidable, compliance with the National Flood Insurance Program and the City's Flood Hazard District Overlay shall be required

**Motion was made by Mayor Pro Tem Rickey King, seconded by Councilwoman Jeannie Young to adopt the proposed consistency statement. Those voting in favor of the motion were: Spence, Walton, Caudle, Hummer, Young, and Adkins. Against: None. Motion carried.**

**5. Update – Hunting on the River:**

Chief Eddie Buffalo gave the Council information and clarification regarding hunting on the river in Elizabeth City. Chief Buffalo advised that this item was coming forward based on the number of calls the City received during this time of year asking for clarity on hunting on the river. Chief Buffalo stated that he had spoken with North Carolina Wildlife Commission representative, Sergeant Brad Stoop to get details on the topic. Chief Buffalo explained to the Council that there is currently no NC General Statute that prohibits hunting or shooting on the river unless it's considered a "wanton disregard to public safety." He advised that most cases are dealt with on a case-to-case basis. Chief Buffalo drew the Council's attention to Chapter 247, House Bill 598 of the General Assembly Session of 1991, which states:

"AN ACT TO PROHIBIT THE RECKLESS USE OF FIREARMS IN PASQUOTANK COUNTY. The General Assembly of North Carolina enacts: Section 1. Any person who uses a firearm: (1) Carelessly and heedlessly, and in willful or wanton disregard of the rights or safety of others; or (2) Without due caution and circumspection, and in a manner so as to endanger or be likely to endanger any person or property; is guilty of the reckless use of a firearm. Any discharge of a firearm that poses a hazard to any person or to property, or any discharge of a firearm that results in a projectile crossing the property of another person without his or her permission, constitutes a violation of this section. Sec. 2. Violation of this act is a misdemeanor punishable by a fine not to exceed fifty dollars (\$50.00) or by imprisonment not to exceed 30 days, or by both, in the discretion of the court. Sec. 3. This act is enforceable by law enforcement officers of the Wildlife Resources Commission, by sheriffs and deputy sheriffs, and by peace officers with general subject matter jurisdiction. Sec. 4. This act applies only to Pasquotank County. Sec. 5. This act becomes effective October 1, 1991."

Chief Buffalo continued that it is lawful for an individual in a boat in a public waterway to shoot on a river, sound, or creek; private property requires permission from the landowner. He added that anyone hunting on a river that is considered within City limits, City Ordinance 130.10(b) could be charged against them. He reiterated that if the waterway was public, no charges could be filed.

Councilman Walton asked that Chief Buffalo place the information he shared with the Council somewhere other than the FYI. Chief Buffalo stated that he would communicate any updates or changes with The Daily Advance

#### **6. Update – Status of Current Water and Sewer Projects;**

City Manager Olson recognized Public Works Director Amanda Boone to provide the Council with an update on this item. Ms. Boone gave a list of all the current water and sewer projects, including pricing, and explained whether or not those jobs had been emergency repairs. She advised that the Jones Avenue project had been extremely expensive and had not yet been fully signed off on. Ms. Boone gave the Council a map, which illustrated water and sewer lines currently being worked on within the City. She pointed out that the total water projects had come in over budget; the sewer projects were over \$250,000 over budget due to emergency repairs.

Councilman Caudle asked if there were any projects that were not going to be completed because of the lack of budget or the backup. Ms. Boone responded that all the projects that were in the budget were going to be completed.

Councilman Walton asked if the drainage problem on Lincoln Street had been repaired. Ms. Boone responded that she would look into it.

#### **7. Update – Review of Completed Water and Sewer Projects:**

Ms. Boone continued her presentation with a description of the completed water and sewer projects from the last 10 years. She provided the Council with a map that showed all of the recent completed projects. Councilman Walton asked for another map with all indicators presented on it; Ms. Boone responded that she would have one prepared and distributed to him the following day. She noted that in order to add all the streets in, the scale would have to be quite large; she would supply it as a PDF file so Councilors would be able to zoom in for further clarity.

#### **8. Community Support Grant Update:**

City Manager Olson stated that the Community Support Grant update had been pulled from the Work Session due to the uncertainty of time it would take for Director Boone to present the water and sewer line projects. He asked the Mayor's consideration in adding the item back to the Work Session. The general consensus of the Council was to allow the update. Assistant City Manager Cole returned to the podium for the presentation. Ms. Cole advised the Council that the Community Support Grant process was underway. She stated that the required Pre-Application Workshop had been completed, and all candidates, save one, had attended. Councilman Spence requested to know which organization had not attended; Ms. Cole responded that it was the NC Blazers, who were generally deficient in their application. She reminded the Council that they had awarded the NC Blazers \$2,100 in off-cycle funds, which had been deducted from the overall \$40,000 in the Community Support Grant pot; however, they had reapplied for funding for the following year, which would have to be removed from the 2020-2021 pot, if allowed.

#### **8. Committee Reports:**

##### **a. EC-PC Economic Development Commission:**

Mayor Pro Tem King stated that everything was going well and according to plan.

##### **b. Central Communications Advisory Board:**

Mayor Pro Tem King stated the board had not met.

**c. Fireman's Relief Fund Board:**

Councilman Spence stated the board had not met.

**d. NC Eastern Municipal Power Agency:**

City Manager Olson stated the agency would meet the following Wednesday, with the main topic a vote to not pass along the additional costs association with rider number one.

**e. Elizabeth City Downtown, Inc.**

Councilwoman Young stated that the last Music on the Green of the season would be the following Tuesday. She added that the development projects on Water Street were progressing, as was the Weatherly Loft project.

**f. Elizabeth City Area Chamber of Commerce Board:**

Mayor Parker shared results from the Business Expo at the K.E. White Center, which went well. She noted that the Chamber would have Coffee with the Chamber on the 11<sup>th</sup>; the Coast Guard Summit for HBCUs would be held at ECSU; and Aviation Day would be on October 25<sup>th</sup>.

**g. Finance Committee:**

Mayor Pro Tem King stated that three items had been moved to the Consent Agenda from the Finance Committee.

**h. Parks and Recreation Advisory Board:**

Councilman Walton shared that the board held a walkthrough of the new Senior Center.

**i. Storm Water Advisory Board:**

Councilman Spence stated the board had not met.

**j. Tourism Development Authority:**

Councilwoman Young had nothing to report.

**k. Community Relations Commission:**

Councilman Horton had nothing to report.

**l. Airport Authority:**

Councilman Caudle stated the last meeting of the Airport Authority had been August 8<sup>th</sup>, which included a fuel sales report and an update on new technology being installed in the airport building. He added the next meeting would be Wednesday.

**m. Joint Committee on Homelessness:**

Councilman Horton had nothing to report.

**10. Adjournment:**

There being no further business to be discussed, Mayor Parker adjourned the meeting at 6:23 p.m.

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Bettie J. Parker  
Mayor

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April D. Onley  
City Clerk

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