

The City Council of the City of Elizabeth City held its second meeting of the month on the above date and time in the City Council Chambers of the Municipal Administration Building with Mayor J. W. Peel presiding. Those council members in attendance were: J. M. Baker, M. E. Brooks, R. T. Donnelly, L. A. Hummer, K. K. Spence, J. A. Stimatz and J. B. Walton. L. M. Hill-Lawrence was absent. City staff members in attendance were: City Manager R. C. Olson, City Clerk D. S. Pierce-Tamplen, City Attorney W. H. Morgan, Fire Chief L. M. Mackey, Public Utilities Director P. A. Fredette, Planning Director J. C. Brooks, Parks and Recreation Director B. V. White, Finance Director S. E. Blanchard, Electric Director K. F. Clow, Police Chief E. M. Buffaloe and Inspections Director S. E. Ward.

Mayor J. W. Peel established a quorum was present and called the meeting to order at 7:00 p.m. He called for a moment of silent reflection after which he led the Pledge of Allegiance to the Flag of the United States of America.

**1} AGENDA ADJUSTMENTS AND APPROVAL:**

Mayor Peel called for Council's pleasure regarding the prepared agenda.

Councilwoman L. A. Hummer asked to ***add an appointment to the Animal Control Board for the SPCA Representative.***

Councilman M. E. Brooks asked to ***add article in Daily Advance; and he would like to remove Item #8-d-Removal of "No Parking" signs on Paxton Street from the Agenda.***

Councilman J. B. Walton asked to ***add 2013-2014 Budget and other increases.***

***A motion was made by Councilwoman L. A. Hummer, seconded by Councilwoman J. M. Baker to approve the prepared agenda as presented to include the above noted items. Those voting in favor of the motion were: Hummer, Baker, Brooks, Donnelly, Spence, Stimatz and Walton. Against: None. Motion carried.***

**2} PUBLIC COMMENTS:**

Ms. Susan Neal Matousek, 403 Princess Ann Circle, Elizabeth City, addressed City Council regarding Domestic Violence.

**3} CONSENT AGENDA:**

Mayor Peel called upon City Manager Olson to read the items listed on the Consent Agenda.

***A motion was made by Councilwoman J. M. Baker, seconded by Councilman J. A. Stimatz to approve the following Consent Agenda as presented. Those voting in favor of the motion were: Baker, Stimatz, Brooks, Donnelly, Hummer, Spence and Walton. Against: None. Motion carried.***

a} Called a public hearing on the fiscal year 2013-2014 Budget to be held on Monday, June 10, 2013 at 7:30 p.m. in the City Council Chambers of the Municipal Administration Building.

b} Called for a public hearing on a proposed Text Amendment to the UDO (TA-01-13) to add language to define and regulate banquet/reception hall establishments as a primary use on properties having a commercial zoning classification on June 10, 2013 at 7:30 p.m. in the City Council Chambers of the Municipal Administration Building.

c} Called for a public hearing on Rezoning Request (RZ-01-13) to rezone the Brite property located on the Halstead Boulevard Extension from Residential R-15 to General Business GB, Highway Business HB and Residential R8, on June 10, 2013 at 7:30 p.m. in the City Council Chambers of the Municipal Administration Building.

d} Called for a public hearing on Rezoning Request (RZ-02-13) on June 10, 2013 at 7:30 p.m. in the City Council Chambers to rezone 300 Forest Park Road from Residential R-15 to Office and Institutional O&I.

e} Authorized to void City Purchase Order #1558 in the amount of \$80,860 to Piedmont Parks; and further authorized issuance of a purchase order in the amount of \$83,010 which includes the total freight charge of \$3,300 to ICON Shelter Systems, Inc. to purchase the two ICON shelters for Charles Creek Park.

f} Authorized the submission of a grant application for SWAT equipment SLR15 rifles and rescue phone via the National Tactical Officers Association Grant Program.

g} Adopted the following resolution certifying to the City's commitment for a 5% Local Match for the Building Reuse and Restoration Fund-Vacant Program Grant Program.

**RESOLUTION #2013-16  
COMMITMENT FOR A 5% LOCAL MATCH  
BUILDING REUSE & RESTORATION FUND VACANT PROGRAM  
WATER'S EDGE GRILL PROJECT**

**WHEREAS**, on January 14, 2013, the City Council authorized submission of a Rural Center Building Reuse and Restoration Grant application on behalf of Water's Edge Grill; and

**WHEREAS**, the Rural Center has awarded a grant for this project in the amount of \$30,000; and

**WHEREAS**, a requirement of the grant award is the commitment of a 5% local match by the City of Elizabeth City;

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Elizabeth City that the City of Elizabeth City hereby commits to administration of this grant by the Planning and Community Development Department, a value equal to or exceeding the required 5% local match commitment.

**ADOPTED**, this 28<sup>th</sup> day of May 2013.

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Joseph W. Peel  
Mayor

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Dianne S. Pierce-Tamplen, MMC  
City Clerk

h} Authorized acceptance of a property donation along Hasting Lane and Old Oak Drive from Old Oak Homeowners' Association for future development of a neighborhood park.

**End of Consent Agenda**

**7} PUBLIC HEARING:**

Mayor Peel declared the meeting into public hearing. He asked the City Clerk if anyone had signed up to speak for or against the closeout of CDBG Grant 07-E-1749 for the Aviation. Upon a reply of no one had signed up, Mayor Peel declared the public hearing closed.

Mayor Peel called for a motion.

***A motion was made by Councilman J. A. Stimatz, seconded by Councilman M. E. Brooks to authorize staff to submit the closeout documents for CDBG Grant 07-E-1749 to the North Carolina Department of Commerce, Department of Community Investment and Assistance. Those voting in favor of the motion were: Stimatz, Brooks, Baker, Donnelly, Hummer, Spence and Walton. Against: None. Motion carried.***

**8} REGULAR AGENDA:**

a} Appointment to the Tourism Development Authority:

Mayor Peel called upon City Manager Olson for comments.

Mr. Olson stated that this particular item was on the May 13, 2013 City Council agenda and was tabled until staff could come back with some additional information. At the May 13<sup>th</sup> meeting there was some concerns voiced by members of City Council about what happens if we appoint Jean Baker to the TDA and she decides not to seek reelection or is not reelected. According to the TDA Bylaws a sitting city council member which Ms. Baker is needs to be on the TDA Board. If she decides not to run for reelection or if she is defeated then she will have to resign or the County will remove her because she is a specific slot on that board.

Councilman Walton stated he had some concerns at the last meeting and he still has those concerns. His concern was and he thinks Councilwoman Hill-Lawrence had a great point that some time a person continuously serves over and over

and it doesn't give another individual a chance to serve. Along with longevity sometimes come other things that people should be aware of. A person sometimes becomes more arrogant because to him the statement that was made at a prior meeting offended him. It was listed in the newspaper that because of a certain increase on a person's salary it was personal to him. Trust him that was not personal to him but somebody coming to this meeting stating what Ms. Jean Baker said well that was personal to him. Even this past week she said some people from Elizabeth City State came and tried to lower the rates because he knows tourism has to love homecoming. In 2005 we boycotted and he will put his name in because he was a part of it because they were gouging the prices. He doesn't know what the prices are but he knows every homecoming every bed is filled. Now for her to come in here as a city council member and congratulate Mr. Pete Gilbert because of the students on that campus. He thinks that is an injustice to him and everybody that is sitting around this board. Then to come back and want to be put back on the Tourism Board, do we realize how much money that campus brings to this city every year. The Potato Festival is fine but it doesn't come close to what those students spend in this city. It is just an injustice and she has not apologized and he doesn't think she will because she is arrogant.

Mayor Peel stated Mr. Walton you need to be careful to what you are discussing.

Mr. Walton stated she wasn't careful and nobody has said a word about it. How do you feel about it Mr. Mayor? We are in discussion and let's discuss it then.

Mayor Peel stated you are making a comment and you have the floor.

Mr. Walton stated let him make it then and don't be gaveling him down.

Mayor Peel stated he would gavel you if you are disrespectful.

Councilwoman Baker stated point of order he is attacking not commenting.

Mr. Walton said since you want to discuss then why did you make that statements. If he has the floor why do you allow her to talk?

Mayor Peel stated because she feels you are attacking her that is why.

Mr. Walton stated he was personally attacked when she attacked those kids. If he doesn't fight for them nobody in the Fourth Ward will and he is going to fight for them. She made a statement that was offensive to him. He is part of this Ward. You don't feel that way do you Mr. Mayor?

Mayor Peel stated she may make a statement that you don't agree with but as long as she is not being disrespectful she can do that. We don't have to agree with everything.

Mr. Walton stated he is not being disrespectful.

Mayor Peel said when you use words like arrogance that becomes close.

Mr. Walton stated with that being said he would like to put Mr. Ray Donnelly in this vote along with Ms. Jean Baker.

***A motion was made by Councilman J. A. Stimatz, seconded by Councilman R. T. Donnelly to reappoint Councilwoman J. M. Baker to a two year term to the Tourism Development Authority to end June 30, 2015.***

Mayor Peel stated that Mr. Walton made his as a motion.

Councilman Stimatz stated point of order Mr. Mayor, is the floor open for nominations. That is your call. Is the floor open for nominations?

Mayor Peel stated the floor is not open for nominations but is open to discuss the item that is on the agenda.

Councilman Brooks stated it is amazing to him as he listens to the relic that was going on and the statements that Mr. Walton was making. Our memories are very short. When you were talking about investigating him, go back and read the minutes, and see what was being said. That was a personal attack and when he tried to intervene you tried to gavel him. What he is saying is we have got to play on an equal tilt. When he read those minutes and he reads them over and over again we have got to have some kind of balance. He didn't like it then because it wasn't good but when he tried to speak saying you were attacking him personally you gaveled him continuously. Then when Councilman Walton did what you yourself had done then all of a sudden it becomes an attack. We have to have some kind of balance here. He didn't want to go up and read exactly what was said during the attack you put upon him because it is unnecessary. Let's have a balance and let's not be on this side when it comes to one and the other side when it comes to the other. Let's go straight down the middle.

Mayor Peel stated he appreciates your perspective but his perspective is that it is his job to run this meeting according to Rule 7 of our Rules and Procedures. Rule 18, if you don't agree to how it is being run then you have an option to make a motion to overrule a ruling that he has made. He tries to be fair and he

thinks that he has been. He thinks when we get into trouble is when we start using words that label people in different ways. He tries not to do that but when people do that he does try to stop it. That is his job. If you don't agree with that then you have an option to challenge that.

Mr. Brooks stated that is exactly what he did and because you think and say that is your job what you did was you gaveled me when he was telling you what it was. You gaveled him so you can't tell him it is your job to be unfair because that is what it was. Based on the conversation that Councilman Walton and you had concerning what he said about Jean Baker. It is your job to conduct the meeting but it is also your job to conduct the meeting fairly. You have to do it equally. He is not discussing whether you are right in your entire decision making, he is discussing that you need to be fair because you attacked him and he will pull the minutes up and tell you exactly what was said. What Councilman Walton said about Jean Baker was child's play compared to what you said about him. He was correcting you and you were gaveling him. He knows it is your job to conduct the meeting but it is not his job to sit here and listen to you attack him personally and sit here like he is a little child. Johnnie had the floor and he understands what you were trying to do. When it is you doing it to another council member and they correct you on it and you gavel them and said point of order and said you were going to have him removed and in your job function you can't have him removed when he has the floor and you are out of order. He didn't address it then and if you continue in this thing he will go back and pull the minutes up and read them verbatim.

Mayor Peel said Mr. Brooks the only point he is trying to make is that if you look at Rule 18 and if you don't agree with the decision that he has made on how the meeting is being run then you have an option to address that.

Mr. Brooks said he did that and you gaveled him. Are you listening to what he is saying? He said point of order and you gaveled him because you are sitting in that seat. There is nothing else he can do as a council person. If you said to Jean what Johnnie said and then if Jean said no she is not going to let you say that to her and you gavel her and say point of order. What more can she do?

Mr. Walton stated if you are discussing something then let him or Ms. Hummer have the gavel if you want to follow the rules.

Mayor Peel said he understands what the rules are.

Councilwoman Hummer said to clear the air Mr. Donnelly did you indicate that you were interested in this position.

Mr. Donnelly said no he did not. It was a surprise to him and he seconded the motion to appoint Jean Baker.

Mayor Peel said we have a motion and a second to reappoint Ms. Baker. Any other discussion?

Mr. Walton stated he still says she offended him that you allowed her to come on this Council and make a derogatory statement like she did and nobody thinks there is anything wrong with it. That tells a lot about the makeup of this Council.

Mr. Donnelly stated the only other point is he forgot that his wife serves on this Board. He thinks the County Commissioners makes the appointment. Even if he did choose and accept that he thinks it would be a conflict of interest. Mr. Brooks asked if it would be a conflict of interest as there is no money as far as that seat is.

Mr. Morgan stated if those are unpaid positions and Mr. Donnelly's position as a board member does not resolve in any favorable treatment then he doesn't believe it would rise to the level of conflict of interest.

Mr. Donnelly stated he wanted to add that it would be a conflict of interest to him from his own personal perspective.

Mayor Peel called for a roll call vote.

**Roll Call Vote**

<b><i>Donnelly</i></b>	<b><i>Yes</i></b>
<b><i>Spence</i></b>	<b><i>Yes</i></b>
<b><i>Baker</i></b>	<b><i>Yes</i></b>
<b><i>Hummer</i></b>	<b><i>Yes</i></b>
<b><i>Walton</i></b>	<b><i>No</i></b>
<b><i>Stimatz</i></b>	<b><i>Yes</i></b>
<b><i>Brooks</i></b>	<b><i>No</i></b>

***5- yes votes and 2-no votes. Motion carried.***

b} Appointment to the Animal Control Board:

Mayor Peel called upon City Manager Olson for comments.

Mr. Olson stated about a year ago the City Council created the Animal Control Board. The Animal Control Board consists of a representative from the SPCA, a



city council person and an individual from the community. We received notice from Mr. Graves who is the SPCA representative that he has moved out of the area to Manteo and we now need to fill his vacant position. On that board the SPCA is recommending that we appoint Mr. John Miner to replace Mr. Graves. This will require a roll call vote.

***A motion was made by Councilwoman J. M. Baker, seconded by Councilman R. T. Donnelly to appoint Mr. John Miner, 1117 Northside Road, Elizabeth City to serve as the SPCA Representative on the Animal Control Board.***

**Roll Call Vote**

<b><i>Donnelly</i></b>	<b><i>Yes</i></b>
<b><i>Spence</i></b>	<b><i>Yes</i></b>
<b><i>Baker</i></b>	<b><i>Yes</i></b>
<b><i>Hummer</i></b>	<b><i>Yes</i></b>
<b><i>Walton</i></b>	<b><i>Yes</i></b>
<b><i>Stimatz</i></b>	<b><i>Yes</i></b>
<b><i>Brooks</i></b>	<b><i>Yes</i></b>

***7 – yes votes – 0 – no votes. Motion carried.***

c} Award of Community Support Grant:

Mayor Peel called upon Mr. Olson for comments.

Mr. Olson stated on May 10, 2013 the City received a request from the AAU 15 and under ball team coached by Allen Brothers to provide financial support for them to attend a tournament in Hampton, Virginia. The National Tournament is June 30<sup>th</sup> through July 3<sup>rd</sup>. Usually when we support the AAU teams we do not have a tournament that is so close or basically in our back yards. Last year the City Council had decided to support the team by \$100 per player. It is a twelve member team and that would be \$1200. The Finance Committee did discuss this at their May 23<sup>rd</sup> meeting. They recommended a \$600 Community Support Grant because it is so close and people can commute back and forth. The second request is the next item on the agenda and that tournament is being held in Orlando, Florida. It is a lot more expensive to go to Orlando than to Hampton.

Mr. Brooks stated that we normally have members of these teams come up here and request funds. When he goes around during the course of the day he has never seen so many AAU teams. How do we deal with the ones that are going through the same process but haven't asked for any funds?

Mr. Donnelly stated what he is pleased about is they submitted an application. He thinks any other AAU team if they submit an application when they move along we can take it under consideration at that time.

Councilman Walton stated when you get 10-15 kids plus the gas money you can spend \$600 in two days. Food is expensive. He thinks a \$1000 is somewhat more down the line. He thinks this suggestion comes from the Finance Committee. That is not a lot of money for four days. You also have to have the fees to get in. Those kids are worthy. They are all working and they put a lot of time in it. They do car washes and other things to make it happen.

Ms. Hummer stated it was her understanding with what was presented to the Finance Committee that this was just for one day that they weren't going to spend the night.

Mr. Olson stated it was his understanding that they were going to be commuting back and forth to Hampton. He has not had any direct conversations with Allen Brothers. His letter doesn't say they are going to be spending the night in Hampton as it is only 65 miles away. They asked for \$1200.

***A motion was made by Councilman M. E. Brooks, seconded by Councilman K. K. Spence to award a \$1200 Community Support Grant out of the Fiscal Year 2013-2014 Budget to AAU 15 and Under Basketball Team. Those voting in favor of the motion were: Brooks, Spence, Baker, Donnelly, Hummer, and Walton. Against: Stimatz. Motion carried.***

d} Award of Community Support Grant:

Mayor Peel called upon Mr. Olson for comments.

Mr. Olson stated this was another request for a Community Support Grant. This one is from the AAU 17 and Under Basketball Team coached by Antonia Moore. They are requesting \$1300. Their tournament is in Orlando, Florida July 9-12, 2013. The Finance Committee is recommending \$1300 be awarded.

***A motion was made by Councilman K. K. Spence, seconded by Councilman R. T. Donnelly to award a \$1300 Community Support Grant out of the Fiscal Year 2013-2014 Budget to AAU 17 and Under Basketball Team. Those voting in favor of the motion were: Spence, Donnelly, Baker, Brooks, Hummer, Stimatz and Walton. Against: None. Motion carried.***

e} Proposed Cost of Living adjustment for city employees:

Mayor Peel called upon City Manager Olson for comments.

Mr. Olson stated this particular item did come up at the Finance Committee meeting last Thursday to discuss giving city employees a COLA. Staff was requested to give three different options. A 1%, a 1.5% and a 2% COLA and what the financial impact would be if we did that. The Finance Committee is recommending to the City Council to give employees a 1.5% COLA. That will have an impact of \$143,368 on the General Fund, \$25,807 on the Electric Fund and \$24,883 on the Water and Sewer Fund. The Finance Committee recommended that the General Fund be budgeted from the Fund Balance Appropriated that we had taken out and also utilizing a portion of the funds allocated to contingency fund to fund the COLA out of the General Fund. The Water and Sewer and Electric would come out of the operating budgets of each department.

Councilman Walton stated the Fund Balance keeps getting beat upon, doesn't it. How much is in the Electric Fund now?

Mr. Olson replied \$4 million in the Electric Fund and \$2 million in the Water and Sewer Fund.

Councilman Stimatz said we were asked by the newspaper to comment and quite frankly he had great misgivings all along. Then he went back and did some research. We had an increase in our medical costs even though we found a cheaper vendor we still had an increase. If he is not incorrect Mr. Olson that additional costs is equal to about 1% COLA. The City has already absorbed that in our budget. Now, Social Security Administration has declared a COLA for 2013-2014 of 1.7%. He would argue that 1% of the 1.7% has already been provided because we absorbed that rate increase in the medical fund. So he would suggest that the .5% is not out of line considering Social Security Administration COLA which we have as a council over a number of years tried to match as much as we can give the economic conditions. That being said, what is .5% equating to in terms of costs?

Mr. Olson replied about \$50,000.

Mr. Stimatz said so we would have to find \$50,000 to make that .5%. His point would be that you already count the medical costs we absorbed as 1% that we are not passing on. If you want to add a half percent then find the money because he just doesn't see it. Taking it out of savings is not his choice. Right now we have \$36,000 in the contingency fund so you would have to come with about another \$10,000 somewhere in the budget.

Councilwoman Hummer stated she discussed with Mr. Olson and he indicated that there would be revenue coming in from some money that is owed us by DRS and this would be in the General Fund.

Mr. Olson stated that there is under the aviation grant money in the aviation grant account will need to be redistributed to both the City and the County at some point in time once we close out all our contingency line ability. There is a spread sheet that we have shown the Council about three or four years ago that showed how much money would be distributed back to the City over a period of time for reimbursement of money we actually spent out of pocket or staff time allocated for different grants.

Ms. Hummer stated she would also like to point out that the County must have had no regard for the Social Security Administration as they are giving their employees 2% COLA. The thing that she pointed out was that city tax payers are taxed double by the city and the county. The city tax payers are in essence funding part of that 2% increase that the County is giving their employees. Also, Economic Development Commission is jointly funded and again tax payers are funding a COLA for those employees so in her mind all this completely left out the city employees and other agencies that we have that is jointly funded. She just thinks that we need to level the playing field and to say the money isn't there is not exactly correct as we do have some money coming in. We also freed up some money \$136,000. She just wanted to point out all these things. As she mentioned we have grown a lot, we have done a lot and we are going to continue to grow according to all indicators. Our city employees helped us grow and without them we wouldn't grow.

Councilwoman Baker stated she is not opposed to a cost of living increases but she is a fan of performance evaluation increases to exceed 1.5% or more when warranted. Her concern is always we can find the money this year but where are we going to find it next year. We don't always have that extra money we can count on. If we have it in the General Fund or we have it in one fund or another and we could pull out for one year but this is a growing thing every year hereafter. It just multiplies by itself. She told the paper she would not vote against the budget just because we gave a COLA but she would like to see where we can generate money and not just get it from a fund.

Councilman Walton stated he thinks this Council should do things and look out for the average person. If we don't look out for the average person then we will never reach that happy medium that we should be moving toward. We need to give our employees something to let them know that they are thought about and appreciated. He thinks Ms. Hummer has made a good suggestion.

***A motion was made by Councilman K. K. Spence, seconded by Councilman R. T. Donnelly to give the 1.5% COLA to our city employees as proposed. Those voting in favor of the motion were: Spence, Donnelly, Baker, Brooks, Hummer and Walton. Against: Stimatz. Motion carried.***

f} Newspaper Article:

Mayor Peel called upon Councilman Brooks for comments.

Mr. Brooks stated he didn't have too much to say about the employees and the 1.5% COLA. Councilman Stimatz you voted against giving the employees a 1.5% COLA that equates on the average about \$500 a year but you voted to give the city manager a \$15,000 pay hike. You have got to have some consistency here. The article read that City Council approves the \$15,000 this week for city manager Rich Olson after Mayor Peel said Olson was considering leaving Elizabeth City for a better paying job. If someone wants to leave Elizabeth City and money is the motivation then his view is to let them go. It further states that Johnnie and he walked out of the meeting and yes we did but that is considered yes vote but a yes vote for those that are so smart means that we can bring it up again. It can be voted on again because we were on the majority vote side. We can bring it back up again as this is not etched in stone if you have someone to look at reality and fought against giving the employees a 1.5% COLA but they couldn't see why they should give the city manager a \$15,000 increase. The problem that he has with that is when the city manager first came here he was making \$95,000 a year. Nine years later he has an increase of \$28,000 which went from \$95,000 to \$123,000. Then this council with exception of Johnnie and himself voted to give him another \$15,000 raise. All the people that have talked to him since this article came out come up before council and voice your displeasure. We only have one vote. Maybe you can touch the minds of those that took it upon themselves to try to pay the city manager to stay here. It doesn't make any sense. He will say that because they come after him anyway. He will tell you his phone has been ringing off the hook. If we don't have the money to give the employees we don't have money to give the city manager so let him go. As he was reading the article it is sort of aggravating and Councilwoman Baker you talked about the job but that is equalivant to merit raise based on performance. We stopped that because it was unfair and that is why we stopped doing merit raises. They were unfair. This is not the first job that the city manager has applied for as he has been trying to get out of Elizabeth City for a long time. Those who think if Rich Olson is no longer here that the City will go down the drain have got it wrong. We must understand management is not just dealing with money as it is dealing with personnel. He would like to have the number of people that have been fired, the number of jobs that has been closed or we are not hiring to fill those positions

because of the economic situation, and we needed all that before we voted on such an extreme thing of giving someone \$15,000. For whatever reason he thinks it is unfair to the citizens of Elizabeth City and especially the employees. If you had given 1.5% across the board and that included the city manager he would have been ok with that because he would still be on the top end. He would have still gotten about \$1200 extra to what he was making. You are going to tell him that he will get \$15,000 extra a year and we are worried about where the 1.5% COLA is going to come from on a continuing basis for the employees. He knows the employees can't come up here because they would face termination if they do but he can say it. He can defend his own. When you go back and read the minutes and what you will find out is the personnel faults and flaws that the city manager has done on a consistent basis to include what has happened to him. He is still talking about this article and this article is public information and what he is talking about is public information. You cannot deny him the right to say it. He has the floor.

Mayor Peel stated he has not denied you anything.

Mr. Brooks said point of order Mr. Mayor as he will continue. And the article went on to say that according to counselors attending the meeting both Johnnie Walton and Michael Brooks walked out of the council meeting in protest of the vote and under the council rules of procedure counselors who leave a meeting without being excused are considered a yes vote if a vote is taken in their absence. He will say this to the people have come to him in great numbers to come up before Council and let your voice be heard. Don't let him be the only sounding board. He will repeat, when Councilman Walton and he walked out under protest that yes this Rule is correct as it is considered a yes vote. But with a yes vote we can bring it back up. If you come up here and put pressure on the ones that voted to give the City Manager a \$15,000 raise then maybe things will be fair across the board.

Councilman Spence said he would like to say in reference to entries Councilman Brooks is right on some things but he has personally asked for some information about city managers pay with cities our size. His exact words were, "if we are under paying him, according to cities our size then he is willing to go and be equal to what they said". He has looked at some cities our size from 19,000 to 20,000 people and at \$123,000 he was at least \$10,000 above all the other managers. He personally doesn't have a problem with Mr. Olson as everything he has asked him for he has given it to him. He can't judge him for what other people are doing however we are talking about \$15,000 and now we are giving the city employees a 1.5% COLA which on top of his \$15,000 he will receive and that is another raise. Fundamental fairness is all he is asking. That is a lot of money.

Councilman Walton said since Mr. Spence asked for that information he took his time and did some research. He pulled some of those cities up that are our size because when the cities were reported to us, they brought high end cities back to us. When you compare Rocky Mount to Elizabeth City there is no comparison. You look at 18,000 compared to 57,000. With the place that is supposed to have offered him the job, Monroe which is up by Charlotte, almost 35,000 people. That is one third more people than Elizabeth City. What we are talking about comparing Wake Forrest, North Carolina their city manager is making \$141,000. But the medium income of a family is \$60,000. We are talking about Apex, Salisbury, but let's bring it on home. Let's come back to where he found these numbers. He went to *What Government Costs in North Carolina Cities and Counties*. Turnersville-23,000 people-\$96,600 for the City Manager. Havelock – 22,500 - \$111,500; Albemarle – 16,338 - \$113,547; Henderson – 15,368 - \$114,515; Lumberton – 21,924 - \$114,934. The list goes on and on. Clemens – 18,666 - \$116,295; Lexington – 18,978 - \$119,810. Southern Pines – 12,334 - \$119,830 with a medium income of \$60,685. This is a community of retirees, golf courses. Archdale – 11,415 - \$123,805. That is what we were paying Mr. Olson, but guess what, 93% in that community are whites and we all know that whites are going to make a fair share of all the monies in this country. Elizabeth City – 18,683 and he was making \$123,465 and now it is \$138,465. Morrisville – 18,110 and \$134,574 and that is in Wake County. We adjoin Camden, Perquimans, Chowan and it is no comparison but we were brought some information that was not right. Don't bring information back to us unless you are being fair with the information. Don't just bring us something and think we are going to make a decision. It is not fair to just bring people things and then we take it and make decisions according to how you want them made. That is not right.

Ms. Hummer said since you guys brought it up she is going to say one more time she made a business decision when she voted for the \$15,000. As she said then, you have a bridge under construction over here that is at least two and a half more years on it. Elizabeth Street is not quite completed. You have the Knobbs Creek Bridge which is being replaced and then we have the Harrington Road fiasco and she wasn't here when Mr. Olson was hired but she believes he was hired for his expertise in Public Works and infrastructure but do you think you could bring another manager in here in the middle of all these major infrastructure projects. They wouldn't have a clue. At least he meets with all the employees of the construction companies that are involved in these projects. She is a woman and maybe if some of you guys came up here everyday or every other day like she does and ask what the problems are going on around us you might see how critical all these things were. We have a lot of problems. It is true that no one is indispensable but you have got to be careful changing horses in the middle of the stream. You just can't conduct business that way. If there were malfeasant or something like that it would be a different story. Like she

said you can't base it on not liking someone as it has got to be based on a business perspective. That is what it has to be based on. Maybe we should all try harder working together even with the City Manager. Maybe then things would go a little better and we would look a little better.

Mr. Spence said he doesn't dislike Mr. Olson but the simple question that he has is this. If we could not have given the city manager the \$15,000 and he said he was going or if we offered him the \$15,000 and he said that is not enough, what would we have done? Every contract that he has done should have been documented. Hopefully someone could come in and take over. There are managers out there that are just as smart as he is or smarter. They can read those documents and contracts and know what needs to be done. When Rich gets ready to leave he doesn't care how much we offer him he is leaving. When he is fed up he is gone anyway.

Councilwoman Baker stated given everything that Anita said and add to that the Aviation Park, the reverse osmosis system with the county, our parks and rec, the new South Park and everything else that is going on and yes if he makes a decision and when he makes the decision to leave we are going to be able to get somebody else. We are not going to be able to get somebody else for \$123,000. Not someone that is going to come in and take over that mess. When you compare one city with our city and all the stuff that we have got going on, you are not comparing apples with apples when you pull in some little town that doesn't have what we have going on. You are not being fair and you are attacking him like you attack her.

Mr. Brooks stated Rich came here making \$95,000 a year. When Rich applied for the job he wasn't the only city manager that applied for the position. His statements were based on a business decision also. You are not going to tell him what he is saying depends on whether he likes Rich or not. If it was up to him he would have been gone five years ago. You know that as he has said it many times. It is about our Charter, our ordinances, our policies, State law, and Federal law. It is not just about money. We have people and you can't put things and stuff over people. He can't hold us hostage because everything is torn up. That is a business decision and it has nothing to do with whether he likes Rich or not. It was amazing that Tony clapped his hands because he gave Tony a high compliment last week that he could run the city. Evidentially he threw that out the window. Normally if a city counselor reacted the way Tony did in clapping, that would out of order. But what happen is he refuses to believe that was a business decision. We don't talk about people protection under the law. We don't talk about federal law and state law and our charter, etc. It is more than just tearing up stuff. That is the business decision that has to be made. He will not back off that. You can't make an argument of why they gave someone \$15,000 and you struggle to give the employees 1.5% COLA. He



didn't think about that but Councilman Spence had a great point. You just voted to give him 1.5% COLA too.

Mr. Walton said what he put on the agenda is kind of coinciding with this so we are just going to tie it all in. Like it was said, we try to trick or treat people. You treat employees real good by giving them 1.5% COLA but the trick comes in when you give Mr. Olson a 13.5% raise. We are still looking out for him. The only thing that scares him is this is a month and a half ago, Ms. Baker brought up giving him a raise and he said he didn't need a raise that you all have been looking out for him pretty good all these years and he doesn't need a raise. All of a sudden and Rich don't worry about it because Adam was tricked the same way 2000 years ago. All of a sudden \$160,000 was put out there and you are ready to go out of town. That isn't right. Then the next thing comes up and the Mayor says if we offer him this then we can try to keep him from going. He guessed he talked him into it because he is not ready to go. He can run the city. He can get in his car and ride around and say Paul is that bridge coming up right, Sarah is the records right, that is what you have department heads for. They are doing their jobs. If they weren't doing their jobs he wouldn't be doing his job. He will ride around and ask Karl if he is doing his job. Go to the police and ask if they are finding anything underneath those stones at Elizabeth City State. That is what he is doing. When he left and went out of town for a week business kept on going and he didn't see anything stop. He doesn't know what you all are seeing. He was gone and everything kept on moving forward. Everything still continues as it was. All of sudden someone comes in with those falsified documents. Trick or treat council here. Treat means you do the right thing for once. Then all of sudden the trick come out. Trick or Treat Council.

g} 2013-2014 Budget:

Mayor Peel called upon Councilman Walton for comments.

Mr. Walton stated he feels this conversation was needed because during the first meeting next month we are going to be asking for a public hearing and he thinks this is premature with all the kayos going on during this budget process. Council is mandated to pass a budget but we are trick or treating on this Council and he feels the citizen of this city deserves better. One moment we are acting in a logic fashion, treat then all of a sudden we spend like drunken sailors. That is the trick. Apparently someone has been introducing fantasy stories that exaggerate instead of pulling people to the center to work together. Some are trying hard to divide by distorting the truth. As a council we must remember that just as contracts comes before bids choices comes before decisions solving problems don't mean choosing sides. We must stop tricking and treating the citizens and become the stewards of their interest as promised. The process began very negative in that the city employees were being asked to pay \$25 per

pay period to pay for their health insurance equaling \$650 per year. A couple meetings later options chosen eliminate that. Monies were found, what a treat. From one extreme to another, from having no money to having enough to pay the bills. A few meetings later Ms. Baker brought up possibly giving the city manager a raise. There was no acknowledgement of confirmation on that thought. Mr. Olson stated somewhat to the fact that he did not need a raise and that the city had been good to him over the years. Treat. On Monday, May 13, 2013 Ms. Baker brought up the same statement as to giving the city manager a raise. Some counselors opposed the idea. On Monday, May 20, 2013, Mayor Peel stated something to the point that Mr. Olson was considering leaving Elizabeth City for a better paying job. The counselors began discussing the process of even to the point that the Mayor had passed out information to show why the increase in pay was justifiable. Trick. All of a sudden Mr. Stimatz put an increase in pay for Mr. Olson in a motion. In the Daily Advance it was written that Olson wrote an email to the Daily Advance stating he was approached by consultants working for a city seeking a new city manager and would offer \$160,000, a very competitive benefit package decline to name the city in the email. Reluctant to violate their confidence. But, Mayor Joe Peel stated he had received a job offer from the City of Monroe in western North Carolina. He also stated it was long overdue. Experience and salary not kept pace with what similar municipalities are paying. He just disproved that a few seconds ago. We are very competitive with the municipalities that are our size. We cannot compete against Rocky Mount, Wake Forest, Monroe and those larger places. Monroe city manager's slot has been vacant for a long time. It has not just come open and they are trying to fill it. They are really impressed with their assistant city manager. Now, the \$138,465 is less than the \$143,000 as the Assistant City Manager in Monroe stated by the Mayor. We need continued continuity to complete the projects. Ms. Baker states a generic thing. Giving Olson a raise was way overdue. He gives 150% and now you are talking about personal, he might use the word arrogant but in the newspaper she states Walton and Brooks opposition to Olson's raise was strictly personal. If you can give him some comments then he can give you comments back.

**9} COMMENTS AND INQUIRIES ON NON-AGENDA ITEMS:**

Councilman Donnelly stated he had no further comments.

Councilman Spence said he wanted to say to Cindy and Tim Williams that they did an awesome job with the Potato Festival. It was a lot of fun although he got into trouble. He wanted to congratulate them on a job well done. And, he looks forward to Juneteenth and getting the same support as we did for the Potato Festival.

Councilwoman Baker said she wonders why we can't get good people to run for council when they sit here and watch TV. Watch one council person attack another and then attack the city manager and be sincere in their attacks. Why the heck can't we ever get anybody to run? The Fourth Ward and other wards please think what you are putting back up here on Council. This is unbelievably disrespectful. We have operating principles and we don't even read them. Absolutely insane. Ladies especially you see the abuse please look at it and please think carefully. Look at history and what you have got.

Councilwoman Hummer stated she has no further comments.

Councilman Walton asked the audience and TV land please look at it because your vote will count. He is not going to cry but he is going to tell you that you need to make a change because he will get up here and tell you exactly what he feels. He will not duck or dodge at all but some people do it behind closed doors better than anybody he has ever seen. IHOP is our IHOP Council. That is where they go and that is where they are meeting. That is where they make their decisions. Like he said before, choices before the citizens so when you go to that poll you mark the right ballot.

Councilwoman Hummer asked who goes to IHOP.

Councilman Stimatz stated he has nothing.

Councilman Brooks stated a while back this Council voted to eliminate prayer before the meetings. He is sure people notice that he doesn't come in for the moment of silence for reflections. Those are just empty words. The reason why we have so much chaos and confusion is because God is not in our mist. We pushed him on the outside. These are his comments because this was on the agenda before. We pushed God away trying to use man's law over the Divine Order of God. The truth is God created man. Man did not create himself. In his faith he is told that he who exults himself shall be humbly brought down. That might be what this council is seeing right in the mist. Like he said there are those that seem to be confused because basically eliminating prayer in the meetings you attack his faith and he is not grateful of that. His faith was attacked. When we eliminate God that is why we have such great confusion. We think we are smarter than God. There are those that are so confused they don't know the difference between the Lord's Prayer and the Model Prayer. There is a difference and they are not the same thing. He got a call today that there will be a public education rally at Cornerstone Baptist Church at 6:30 p.m. tomorrow. The purpose of the rally is to educate the local community on extreme policies in the legislature of North Carolina. There will be lawyers and leaders across the State there and this is sponsored by the NAACP and the Coalition of Pastors. He would like to invite all of you to come because there are

some things going on that we need to be aware of and we need to be astute to them. If we are going to be the Harbor of Hospitality and work as one unit we have got to throw some things to the side. It appears it is just not happening. First we have to invite God within our mist. God never comes where he is not invited.

Mayor Peel stated on May 21<sup>st</sup>, 2013, the North Carolina General Assembly adopted House Resolution 1010. This was a resolution honoring the life and memory of Leander Respass who was the first African American police officer in the Elizabeth City Police Department. He has a copy of the resolution here and he plans to give it to Mr. Olson and he thinks we will get it framed and hang it by Mr. Respass' picture in the police department. He would like to thank Representative Steinberg for seeing that happened. You know it is easy to be negative. To say that is not any good, he has got some ulterior motive but the problem with being negative is it is a real downer and it doesn't really attract anything. In fact it is a detractor. When he ran to be your Mayor he pledged a couple of things. One was that he would listen to people and he would try to be positive. He wants to take a minute tonight to tell you why he believes keeping our city manager is filled with positives and why he believes the six city council members voted to keep him did so in the best interest of our city. He wants to do it because he believes there is misinformation out there and when you hear the whole story you too will be more positive about this decision. Mr. Olson is in his tenth year as our city manager. During that time he has brought in over \$60 million dollars in state and federal grants from approving our city's infrastructure, our water, our sewer, our Stormwater, our streets and our bridges. He has also during that time overseen the construction of our Aviation Park. In the process has gotten over \$11 million from outside sources to develop that park. Now you might ask why that is important. That is important because we have over 500 jobs out there right now and has tremendous potential for expanding dramatically over the next three to five years. It is also important because that place is pumping annually \$177 million dollars in our local economy which means not only providing 500 jobs for the people that work there but it is providing lots of other people that provide services and products and goods for those companies out there, jobs as well. When Mr. Olson came ten years ago, Elizabeth City was basically broke. We had less than 1% in our General Fund Balance. He is not sure why the state had not taken the City over. Today that has built to around 12% and basically what that means is we have money in the bank to protect our citizens if we need it. He has also built a strong management team. Our new police chief is the latest example of that. Does he care about children you might ask? Well, he is the guy that has found funding and oversaw the building of South Park, the River Road Soccer Complex and Mariner's Wharf downtown. Then he worked with Chief Anderson to start the Police Athletic League. Those are some of his accomplishments. Let's take a look at what is still ongoing. He just got us a \$.5 million in grants to renovate

the middle school so we can move the Boys and Girls Club into that facility and expand our services to children but we are short of what it is going to cost so he is currently looking for an additional \$150,000 so we will have enough money to complete that project. If you look around town as already mentioned there is still quite a bit going on. The drawbridge of the Knobbs Creek where they are getting ready to tear out that bridge and there is still a lot of construction in play that someone has to coordinate. Someone like Mr. Olson who is an engineer and understands and can talk with those kinds of people. We also have a new police chief who is doing an excellent job but it still helps him to have someone experienced as our city manager to discuss things with. We are moving to making our airpark self sufficient and looking to expanding it as well. Mr. Olson's history with this project is something that we just simply can't afford to lose at this point in time. There is one thing that you need to know at no time as was stated earlier did Mr. Olson ask him or city council for a raise. He talked with him several weeks ago when he heard he was seriously being pursued by another city. He asked him to please tell him if he got another offer so that we might be able to provide a counter offer to keep him. If you look at the salaries and comparables across North Carolina and Virginia, there are Assistant City Managers in some of the cities that were named tonight that are making more money than Mr. Olson is making with his raise. Those are the kinds of people that we are going to be going after when we try to replace him. There is one thing that he has done over his career and that is to hire a lot of people. Hiring someone is sort of like opening a new box of chocolates. They all look good but until you actually pick one up and bite into it you really are not sure what you have got. And, he thinks the decision that was made was made based upon we know what we got and we know he can do the job. Let him summarize. Over \$60 million in grants for our infrastructure, expanded parks and services for our kids, over a million dollars for the development of our airpark. Mr. Olson is on call 24 hours seven days a week. He is everywhere. As Ms. Hummer said, we don't change horses in the middle of the stream. Thank you for watching and have a good evening.

**10} ADJOURNMENT:**

There being no further business to come before the Council at this time, Mayor Peel adjourned the meeting at 8:44 p.m.

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Dianne S. Pierce-Tamplen, MMC  
City Clerk

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Joseph W. Peel  
Mayor