

**City Council Regular Session
December 8, 2014**

The City Council of the City of Elizabeth City met in regular session on Monday, December 8, 2014 in Council Chambers, located on the 2nd floor of the Municipal Administration Building, 306 E. Colonial Avenue, Elizabeth City, NC.

MEMBERS PRESENT: Mayor Joe Peel
Councilwoman Jean Baker
Councilman Ray Donnelly
Mayor Pro Tem Anita Hummer
Councilman Tony Stimatz
Councilman Michael Brooks
Councilman Darius Horton
Councilman Montravias King

MEMBER ABSENT: Councilman Kem Spence *(In Raleigh, NC on business)*

OTHERS PRESENT: City Manager Rich Olson
City Attorney Bill Morgan
Finance Director Sarah Blanchard
Planning Director June Brooks
Chief of Police Eddie Buffaloe
Assistant to the City Manager Angela Cole
ECDI Director Rebecca Cross
Public Utilities Director Paul Fredette
Fire Chief Larry Mackey
IT Director Matthew Simpson
Inspections Director Stanley Ward
Parks and Recreation Director Bobbi White
City Clerk Vivian White

The City Council regular session was called to order by Mayor Joe Peel at 7:00 p.m. Mayor Peel welcomed everyone to the meeting and gave the invocation, after which he led the Pledge of Allegiance.

1. Agenda Adjustments and Approval:

Mayor Peel called for any adjustments to and approval of the agenda.

Motion was made by Mayor Pro Tem Anita Hummer, seconded by Councilman Darius Horton, to approve the agenda with any necessary items of adjustment. Those voting in favor were: Baker, Donnelly, Hummer, Stimatz, Brooks, Horton and King. Against: None. The motion carried unanimously.

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. Comments from the Public:

Mr. Keith Rivers, 104 Grandview Drive, Elizabeth City, NC read a prepared statement on behalf of the Pasquotank County Branch NAACP to express discontentment “with the current state of law enforcement and community relations in poor and ethnic minority communities throughout our country and North Carolina.” The statement “demanded change in communities where lives have been tragically lost due to excessive force by police, like in the cases of Michael Brown in Ferguson, MO, Eric Garner in Staten Island, NY and like young Jesus Huerta in Durham and Jonathan Ferrell, former Florida A&M football player, shot multiple times and killed by Charlotte-Mecklenburg police while simply seeking help after a car accident.” The statement “strongly encouraged our elected officials to support the following recommendations for local police departments: mandatory training on racial bias and police use of force; the required use of police officer body worn cameras to record every police-civilian encounter; better accountability of the use and potential distribution and use of federal military weapons by local law enforcement; the universal use of dash cameras in police vehicles; community training to educate residents of their right when dealing with law enforcement; greater and more effective community oversight over local law enforcement and policing tactics; and the establishment of a law enforcement commission to review policing tactics that would include representatives from the most impacted communities.” Mr. Rivers stated “we ask that you work with us to seek justice and ensure that long term systemic change is brought throughout our community to address not only excessive force by law enforcement, but the underlying racial profiling that continues to occur throughout the state.” Mr. Rivers announced that on Tuesday, December 16 the Pasquotank NAACP had “put together an informational forum – a know your rights forum” and reported that the Pasquotank County Sherriff, the Elizabeth City Police Chief, the District Attorney and another attorney had been invited to make up the panel. He stated that this forum will be the first in a series, because “much of our community is not heard”. He invited members of the City Council to attend and participate.

4. Approval of Minutes:

Mayor Peel called for the Council’s pleasure regarding approval of the minutes.

- a. City Council Work Session November 24, 2014

Motion was made by Mayor Pro Tem Anita Hummer, seconded by Councilman Darius Horton, to approve the minutes of the November 24, 2014 City Council Work Session. Those voting in favor were: Baker, Donnelly, Hummer, Stimatz, Brooks, Horton and King. Against: None. The motion carried unanimously.

- b. City Council Regular Session November 24, 2014

Motion was made by Councilman Montravias King, seconded by Councilman Darius Horton, to approve the minutes of the November 24, 2014 City Council Regular Session. Those voting in favor were: Baker, Donnelly, Hummer, Stimatz, Brooks, Horton and King. Against: None. The motion carried unanimously.

5. Consent Agenda:

Mayor Peel recognized City Manager Olson to read the items on the Consent Agenda for the record. Mr. Olson pointed out that the format of the Consent Agenda had been modified in order to organize recommendations from the Finance Committee together. Mr. Olson recommended approval of all items, as follows:

Beginning of Consent Agenda:

a. Recommendations from the Finance Committee:

- (i) Consideration – Authorization to Submit Application to the Governor’s Crime Commission for Overtime Funding Grant in the amount of \$25,000;
- (ii) Consideration – Authorization to Submit Application to the Governor’s Crime Commission for Collaborative Gang Prevention and Intervention Grant;
- (iii) Consideration – Authorization to Execute Agreement with Sat-Dev, LLC for Halstead Boulevard Extended Traffic Signal;
- (iv) Consideration – Authorization to Execute Codification Agreement with the North Carolina League of Municipalities;
- (v) Consideration – Authorization to Execute Professional Engineering Services Agreement with Kimley-Horn for Halstead Boulevard Traffic Signal;
- (vi) Consideration – Adoption of Budget Amendments as required for accounting purposes, as follows:

BUDGET AMENDMENTS

BE IT ORDAINED by the City Council of the City of Elizabeth City that the following amendments be made to the annual budget ordinance for fiscal year ending June 30, 2015:

SECTION I. That the Police COPS Grant Revenue (103490.5102) be increased by \$25,649, Police Salaries Grant (105100.0201) be increased by \$34,199, and Public Buildings Refurbish Midget Building (105000.7301) be decreased by \$8,550.

(Partial first year of COPS grant including 25 percent match.)

SECTION II. That the Water & Sewer Retained Earnings Appropriated (313990.0000) and Water & Sewer Maintenance and Repairs to Buildings and Grounds (318280.1500) be increased by \$6,116.76.

(To record insurance proceeds for fences at pump stations damaged throughout City during tornado.)

Adopted, this 8th day of December 2014.

Joseph W. Peel, Mayor

Vivian D. White, CMC/NCCMC, City Clerk

- b. Consideration – Call for a Public Hearing to be held on January 12, 2015 at 7:30 p.m. in Council Chambers of the Municipal Administration Building to Adopt a Resolution Authorizing the Filing of an Application with the Local Government Commission for approval of a financing agreement authorized by NCGS 160-20;
- c. Consideration – Adoption of 2015 City of Elizabeth City Language Access Plan.

End of Consent Agenda.

Motion was made by Councilwoman Jean Baker, seconded by Councilman Montravias King, to approve the Consent Agenda as presented. Those voting in favor were: Baker, Donnelly, Hummer, Stimatz, Brooks, Horton and King. Against: None. The motion carried unanimously.

6. Regular Agenda:

- a. Consideration – Adoption of 2015 City Council Meetings Calendar.

Mayor Peel recognized City Manager Olson for his comments regarding this item. Mr. Olson stated that the calendar was prepared based on the past practice of meeting on the second and fourth Monday of the month at 7 p.m. for the regular session, with a work session on the fourth Monday at 5:30 p.m. He pointed out the two deviations from that schedule and the fact that only one meeting is scheduled for July and December.

Councilman Donnelly inquired regarding the scheduling of joint City/County meetings. Mayor Peel responded that neither the City nor the County have indicated a need to meet at the present time. Mr. Olson stated that joint City/County meetings are considered Special Meetings and would have to be advertised as a Special Meeting.

Motion was made by Councilman Tony Stimatz, seconded by Councilman Darius Horton, to adopt the calendar as presented. Those voting in favor were: Baker, Donnelly, Hummer, Stimatz, Brooks, Horton and King. Against: None. The motion carried unanimously.

City Clerk Notion: The City Council meetings calendar for 2015 is as follows:

Date	Time	Meeting
January 12, 2015	7:00 p.m.	Regular Meeting
January 26, 2015	5:30 p.m.	Work Session
	7:00 p.m.	Regular Meeting
February 9, 2015	7:00 p.m.	Regular Meeting
February 23, 2015	5:30 p.m.	Work Session
	7:00 p.m.	Regular Meeting
March 9, 2015	7:00 p.m.	Regular Meeting
March 23, 2015	5:30 p.m.	Work Session
	7:00 p.m.	Regular Meeting
April 13, 2015	7:00 p.m.	Regular Meeting
April 27, 2015	5:30 p.m.	Work Session
	7:00 p.m.	Regular Meeting
May 11, 2015	7:00 p.m.	Regular Meeting
May 26, 2015 (<i>Tuesday</i>)	5:30 p.m.	Work Session
	7:00 p.m.	Regular Meeting
June 8, 2015	7:00 p.m.	Regular Meeting
June 22, 2015	5:30 p.m.	Work Session
	7:00 p.m.	Regular Meeting
July 13, 2015	7:00 p.m.	Regular Meeting
August 10, 2015	7:00 p.m.	Regular Meeting
August 24, 2015	5:30 p.m.	Work Session
	7:00 p.m.	Regular Meeting
September 14, 2015	7:00 p.m.	Regular Meeting
September 28, 2015	5:30 p.m.	Work Session
	7:00 p.m.	Regular Meeting
October 5, 2015 (<i>1st Mon. – NCLM on 2nd Mon.</i>)	7:00 p.m.	Regular Meeting
October 26, 2015	5:30 p.m.	Work Session
	7:00 p.m.	Regular Meeting
November 9, 2015	7:00 p.m.	Regular Meeting
November 23, 2015	5:30 p.m.	Work Session
	7:00 p.m.	Regular Meeting
December 14, 2015	7:00 p.m.	Regular Meeting

b. Discussion – Advocacy Goals to be considered during the NCLM Advocacy Goals Conference.

Mayor Peel recognized Councilman Stimatz for his comments. Councilman Stimatz stated that he thought it would be good to receive the Council's input on the goals being presented during the League's Advocacy Goals Conference before he and Mayor Peel attended the conference. He pointed out that the biggest issue is paring down the number of goals from 43 to 25. Councilman Stimatz asked if the Councilors had preferences as to the goals they would like to see advanced.

Councilwoman Baker stated that she would like to place preference on some type of local transportation other than the ICPTA. She stated that transportation was needed for people to utilize during events or an "around the City" type of transportation. She pointed out that a lot of communities have trolleys that they no longer use that would not be too expensive to acquire. She stated that a service such as a trolley could be offered as a City benefit, but with a charge. She said that the ICPTA is very limited in what they can offer and who they can transport. She reported that Governor McCrory has announced that he is looking for potential transportation funding; and that transportation issues are included in the suggested Advocacy Goals as Goal Number One. She stated that this goal is designed to seek or support legislation to generate additional revenues to address growing transportation needs in the state at the state and local level and enable local governments to enter into alternative financing mechanisms to complete local transportation projects.

Councilman Donnelly stated that he thought Goal Number Thirteen regarding broadband is significant. Mayor Peel pointed out that this goal is designed to support legislation to enhance the authority of municipalities to own and operate municipal broadband systems, which currently is not allowed.

Councilman King stated that he supported Goal Number Seven, which supports legislation enabling municipalities to access a portion of the proceeds of any statewide transportation bonds. He pointed out that the City is working on a lot of transportation projects currently, but could always improve and that the issue should continue to be a priority.

Councilman Donnelly stated that he didn't feel a lot of time should be spent on Goal Number Two regarding drawing legislative and congressional districts "because it always seems to be political anyway". He pointed out that the issue "changes every four years".

City Manager Olson reported that staff had reviewed all the goals and had identified a number of goals that he believed would be advantageous for the city to support. He stated that the number one goal should be Goal Number Five to seek legislation allowing the people to vote on an amendment to the NC Constitution establishing Home Rule authority for municipal governments, which would allow the City to determine its own fate. He stated that currently as a Dillon Rule state, all rules and regulations must appear somehow in state statutes.

Mr. Olson identified Goal Number Eleven to oppose legislation that weakens or removes local control over public assets as a priority. He agreed with the Councilors that both Goals One and Thirteen should be priorities as had already been mentioned. He supported Goal Number Seventeen seeking legislation to create a cooperative municipal-county framework for growth that allows for orderly development. Mr. Olson stated that staff also supports Goal Number Nineteen opposing the legalization of internet sweepstakes operations. He pointed out that Goal Number Twenty-two seeking legislation that allows for aesthetic-based design standards is an issue that has been discussed during the Vision 2020 Initiative. He stated that another goal that is near and dear to Elizabeth City is supporting a rental inspection fee, which is discussed in Goal Number Twenty-Six. He reminded the Council that the City lost roughly \$60,000 when a limit was placed by the legislature on how much could be charged for rental inspections. Mr. Olson stated that staff also supported Goal Number Thirty, which seeks legislation to alter the current statutes governing distribution of local sales taxes.

Councilman Stimatz pointed out that the “home rule issue” would help with a lot of the other stated goals, to which Mr. Olson responded that it would. Councilman Stimatz stated that because of that, he thought Goal Number Five regarding Home Rule legislation should be prioritized. Mr. Olson stated that as long as the home rule power was based on the Constitution, the Legislature could not change it; but in contrast, statutory home rule power could be changed at any time by the Legislature.

Mr. Olson stated that a goal that may be mildly controversial is Goal Number Forty-one, which seeks legislation to ensure that assessed property value more accurately reflect market values between property revaluations. He said that staff would support that issue because reappraisal is only required every eight years and should happen more frequently to allow for highs and lows in the real estate market.

Mayor Peel thanked everyone for their input on this matter.

7. Comments and Inquiries on Non-Agenda Items:

Councilman Brooks stated that he listened to the comments made by NAACP President Keith Rivers and had a concern with all the tragic deaths that Mr. Rivers mentioned; but was particularly concerned with the death of Michael Brown in Ferguson and Eric Garner in Staten Island. He stated that when Dr. Martin Luther King went to help the sanitation workers in Memphis, he was told not to get involved in protesting. He said that at that time, Dr. King said that the issue was injustice – the refusal of Memphis to be fair and honest with its public servants who happened to be sanitation workers. He pointed out that event was almost fifty years ago and could practically be worded the same way today. He said the “issue is injustice by the Grand Jury to not indict police officers who have basically murdered an unarmed man”. He pointed out that this has “struck a nerve with the public” because protests are being carried out even in England for the same cause. When referring to “the chokehold”, he stated that his concern is that you can deal with policy, but if policy is not followed, it doesn’t mean anything. He commented that a body camera would not have done any more than the existing video tape in the Garner arrest. He said that he could not understand how anyone could look at that video and say that there was no chokehold, when the autopsy indicated

otherwise. Councilman Brooks stated that for a human being to hold his hand up to give up as Michael Brown did, no matter what happened before – “and he got shot four times in the chest and two in his head and the officer was not indicted”. He stated that “we have not come that far and have a long ways to go”. He said there are probably other instances that “we haven’t even heard about – California, New York, Pennsylvania”. He said that police also murdered a twelve year old kid - because he had a play gun - one minute and thirty eight seconds after arriving. He stated that people don’t want to talk about race, but being a black male, he said he “liked to think race has a factor to do with it”. He said he no longer jogs through neighborhoods that he was unfamiliar with. He stated “they are shooting unarmed men without cause”. He ended his comments with a quote of Dr. King: “Somewhere I read about the freedom of assembly, somewhere I read about the freedom of speech, somewhere I read about the freedom of press, somewhere I read that the greatness of America is the right to protest for right”. Councilman Brooks stated “It will be right for those people to protest and it was definitely wrong and a bad mark on the United States to not even indict that man for murder”. He said “they sent Michael Vick to prison for two years for dog fighting, but you can shoot an unarmed man four times in the chest and two in the head and not even indict – he don’t even have his day in court”.

Councilman Brooks stated that he is also concerned because “we are a Tier I County - that means we are economically in bad shape”. He said that as of late, he does not understand how the Council “could vote not to bring a job in Elizabeth City by somebody who was born and raised here”. He said he was talking about Mr. Simpson. He stated that the proposed convenience store was going to employ people and he could not believe the Council voted against bringing employment to Elizabeth City by somebody homegrown when jobs are leaving Elizabeth City. He said “also for the sake of youth, it would have kept them from walking across Ehringhaus Street”. He said he was bothered by that because it appeared that nobody cared if they “get hit”. He stated that he walks the neighborhood all the time and sees them crossing the street and almost getting hit by vehicles. He said he was frustrated that Mr. Simpson was not allowed to open the store that would have prevented people having to walk across a major highway.

Councilman Stimatz stated that what has happened is unfathomable in some cases and did not make any sense. He said that the community’s concerns were relevant to the City and to the Council and he thought every effort should be made to prevent any such incident, especially in Elizabeth City. He said that he thought the input from Mr. Rivers was timely and appropriate and noted that Chief Buffalo had already responded to the points in Mr. Rivers’ letter and provided substantial evidence that the City is doing well. He stated “are we doing the best we can – probably not. But that is what we have to strive to do – the best we can.” He said he thought he could speak for everyone in that the Council welcomes dialog on this issue regarding things that can be done. He stated that he was proud that the Council had made in-dash cameras mandatory in patrol vehicles because it was felt to be important both for the public and the officers. He stated that he thought body cameras were also important; and come budget time, he was sure it would be in the budget. He said that even if it cost more tax dollars, if that is the price for preventing these types of things, then he thought that is what the Council

should do. He said that the thing he enjoyed most is the broad and diverse representation on City Council and the viewpoints that come from all the members based on their personal experiences and those of their constituents. He stated that Elizabeth City is in the eight or ninth poorest Congressional district in America and he is very conscious of that fact, as is staff. He stated that the Council does want to hear from the citizens and said "you are not unheard".

Councilman Horton had no comments.

Mayor Pro Tem Hummer stated that she hoped in the upcoming budget that the Council will look long and hard at crime prevention tools - and if more money is needed - it needs to be made a priority. She said that she was honored to take part in the Grand Illumination and said that it was a very nice event and well attended. She thanked City staff, the many volunteers and the downtown organizations that put the event together. She said it was worth the effort because downtown is a beautiful Christmas scene.

Councilman King thanked everyone for attending the meeting as well as those watching at home. He thanked Bobbi White and the Parks and Recreation staff for their work on the Christmas parade. He stated that he knew there was a lot going on in the nation and in the community. He said that he thought the good thing about Elizabeth City is that the City has been proactive in terms of race relations with the Community Relations Committee. He said that he thought the Chief of Police and the Police Department have done a great job in terms of community policing. He said that while he was raking leaves in his yard the Saturday before, an officer came by, stopped and asked how things were going. He said that the officer does that every other Saturday or so and those are the types of things that are good for the City and the community, our state and our nation - and are things that citizens will continue to see done in Elizabeth City. He said it is great that the dialog is being held and issues are being addressed. He stated that he thought the City is doing a great job; and he concurred with Councilman Stimatz that the City can always do better. He said he wanted to acknowledge the strengths of our community because he feels sometimes we focus so hard on the weaknesses - but he pointed out that Elizabeth City is a great place to live and it is a good community in which people want fairness and equality for everyone.

Councilwoman Baker stated that Mr. Brooks was not at the last Council meeting and she wanted him to know that Mr. Simpson's request was brought back to that meeting for reconsideration. She stated that the matter was going back to the Planning Department and that Council had waived the fee on a unanimous vote. She pointed out it would be coming back before the Council.

Councilman Brooks thanked the Council "for making the right decision after reconsideration".

Councilwoman Baker stated that it is a great time of year and she wished everyone a happy holiday season and a Merry Christmas.

Councilman Donnelly wished everyone a happy holiday and great new year. He stated that he had attended the American Legion Post 6060 Pearl Harbor Day memorial event

and that it was a very nice ceremony and fairly well attended. Councilman Donnelly remarked that he is personally very proud of the police force and the Police Chief and for what the Chief has done since coming to Elizabeth City. He also commended the NAACP for planning and hosting the forum and dialog on December 16. He encouraged anyone that could to attend and stated that he thought it would be worthwhile. He said that everyone needs to work together and that “we have a great City here and a lot to be thankful for”. He said he was proud to be a resident and a representative for many people in the community.

Mayor Peel thanked everyone for their comments. He thanked Mr. Rivers and the NAACP for attending the meeting and for bringing a matter up that should be of concern to everyone in the country. He stated that he echoed the sentiment of several other Councilors in that he was also very proud of our Police Department and felt that the department was doing a lot of things right. He pointed out that it had been mentioned during Council’s comments that Chief Buffaloe had already written a response to the NAACP letter that had been received from Mr. Rivers, and he asked to take a few minutes to read some of the information in Chief Buffaloe’s report.

Mayor Peel stated that one of the bullets in Mr. Rivers’ comments involved “mandated training on racial bias and police use of force”. He read the following statement from Chief Buffaloe’s response:

“It is normal protocol within the Elizabeth City Police Department to provide its officers with racial bias training, as well as training regarding use of force. Since December 2012, officers have received cultural diversity training, juvenile sensitivity and minority training, as part of the regular, yearly in-service curriculum, and officers are currently slated to attend “Impartial Policing” training within the next month. All of these curriculums provide officers with instruction that will aid in preparing them to effectively communicate with individuals of different backgrounds and cultures. Officer “use of force” training is basic and is taught in Basic Law Enforcement Training, as well as refresher courses given over an officer’s career. Also, in regards to “use of force” reports, the Elizabeth City Police Depart has had an internal audit in place, which is utilized any time that an officer uses force during an arrest. First, a “use of force’ report is completed at the time of the arrest, which is submitted to the officer’s supervisor for review. The report is then processed through the chain of command, with the final stop being the Chief of Police Office, as part of checks and balances to ensure that all departmental policies and procedures were adhered to when an officer used force on a suspect/arrestee. Last, and in regards to “use of force” reports, the Elizabeth City Police Department has policy chapters on both use of Non-Lethal and Lethal Force and all departmental policies are reviewed daily at roll-call to ensure officers have constant refresher courses in what the policy mandates pertaining to use of force and all other departmental functions”.

Mayor Peel stated that the next bullet point in Mr. Rivers' letter was with regard to the required "use of police officer body-worn cameras to record every police-civilian encounter". He read the following from Chief Buffalo's report:

"Since Chief Buffalo's tenure as Chief of Police, the department has been actively seeking grants that would provide funding to purchase body mounted cameras. The State Farm Insurance Grant program was one funding source looked into. Taser International is currently being explored as a funding source and staff is drafting proposals to be considered at the beginning of Taser's next grant cycle, which starts in January 2015. The Police Department did request money for the purchase of 40 body mounted cameras, which would be enough to outfit the entire Patrol Division; however, budget cuts necessitated that the cameras be denied for this budget. The Department will again continue seeking these possibilities and will resubmit that in the upcoming budget."

Mayor Peel stated that in light of what has happened, this request will probably receive a different result. He continued reading from Chief Buffalo's response, as follows:

"In addition, the City's insurance provider, RMS, is considering a pilot program, which will cost share the cost of body worn cameras with the City. City staff will be following up on this pilot program and report back in the very near future".

Mayor Peel stated that another bullet point in Mr. Rivers' letter was "better accountability of the use and potential distribution and use of federal military weapons by local law enforcement". Reading from Chief Buffalo's statement, Mayor Peel stated:

"The Police Department does have weapons in inventory that are in addition to the standard, hand-held issued duty weapons. Weapons that have specifically been issued to the Elizabeth City Police Department, as part of the loaner program of the federal program Law Enforcement support services, are two Colt AR-15 rifles. The two weapons are currently on file with the Department and issued to two of our SWAT Team Supervisors. The federal department requires that the inventory be checked on a yearly basis and confirmed with them, as part of their checks and balance system. They also require a picture of all property the loan department has as well as documentation of serial numbers. The use of any of these weapons would depend upon the circumstance at hand."

Mayor Peel next responded to Mr. Rivers' bullet point – "the universal use of dash cameras in police vehicles" - by reading from Chief Buffalo's response, as follows:

"The Department has used in-car dash cameras for a number of years. The City Council passed a mandate on approved standardized police officer and patrol vehicle equipment in April 2011 and the Police Department has followed the policy, which requires that in-car dash cameras be installed in all marked patrol car units."

Mayor Peel pointed out that this request by Mr. Rivers has been in place for a number of years.

Mayor Peel next provided Chief Buffaloe's response to Mr. Rivers' request for "community training to educate residents of their right when dealing with law enforcement". He said that, he too, wanted to commend Mr. Rivers for the upcoming meeting and stated that he would unfortunately be out of town and unable to attend. He continued by reading from Chief Buffaloe's statement:

"Since 2005, the Police Department has held a "citizens police academy" that is open to all area residents, and has been a useful tool in providing the public more insight on the daily operations of the police department. As part of the guest speakers, judges, prosecutors and other members from the criminal justice/law enforcement arena are invited to attend and share pertinent information with citizens. As part of the program curriculum, citizens are exposed to an array of topics and some of the topics provide information to citizens on how they should respond when approached by police, what their rights are as it relates to interrogation, and general information involving police-citizen interactions, including the department's complaint process, which citizens should utilize if they feel an officer's conduct has been inappropriate, rude or unlawful. It should be noted that all citizen complaints are reviewed by the Police Chief and delegated accordingly. Complaints are mandated by our policy to be investigated within 21 days and the police officer assigned to the investigation is required to keep the Chief up to date on the process. Findings of all complaints are reviewed on an individual basis."

Mayor Peel commented that the police academy was just held and graduation was just completed. He stated that he thought the last session included about 15 people. He encouraged all citizens to be on the look-out for the next session because he felt it was a very, very good program.

Mayor Peel stated that Mr. Rivers' final bullet referred to "greater and more effective community oversight over local law enforcement and policing tactics and the establishment of a law enforcement commission to review policing tactics that would include representatives from the most impacted communities". He read from Chief Buffaloe's response, as follows:

"The Police Department, as well as all other local police agencies throughout North Carolina, operates under certain mandates and guidelines, which are administered by the NC Criminal Training and Standards Division. The North Carolina Criminal Justice Education and Training Standards Commission, through NCGS Chapter 17C, establishes minimum employment, training and retention standards for the state's criminal justice officers. The Commission plans for the effective implementation of innovations in the state's system of criminal justice employment, training and education. The Commission is comprised of 31 members who represent the interest of law enforcement, corrections and juvenile justice personnel. They conduct their business through three standing committees and an executive committee".

Mayor Peel stated that in addition to all of this, he felt that Chief Buffaloe has run a very proactive number of programs to engage the community such as "cop on the block" and

visiting businesses during the evening hours. He stated that he thought members of the City Council, the City Manager and himself would be glad to meet with anyone with any ideas on how the City might improve on the effectiveness of the police department. He again thanked Mr. Rivers for coming forth and speaking to the Council on this issue. He stated that if there is anything he could do to further the response prepared by Chief Buffaloe, he would be glad to do so.

Mayor Peel thanked Parks and Recreation Director Bobbi White and all City staff for all their hard work on the City's Christmas parade. He stated that he also wanted to thank everyone who participated in the parade because the weather wasn't the best of circumstances. Mayor Peel wished everyone a Merry Christmas and Happy New Year.

8. Closed Session as allowed by: NCGS 143-318.11(a)(3), Consultation with City Attorney in re Pasquotank County Water Dispute Lawsuit and; NCGS 143-318.10(e), Approval of Closed Session Minutes.

Motion was made by Councilman Montravias King, seconded by Councilwoman Jean Baker, to go into Closed Session as allowed by NCGS 143-318.11(a)(3), Consultation with City Attorney in re Pasquotank County Water Dispute Lawsuit and NCGS 143-318.10(e), Approval of Closed Session Minutes. Those voting in favor were: Baker, Donnelly, Hummer, Stimatz, Brooks, Horton and King. Against: None. The motion carried unanimously.

Mayor Peel declared a five minute recess at 7:56 p.m. after which the Council reconvened in Closed Session.

Motion was made by Councilman Tony Stimatz, seconded by Councilman Michael Brooks, to come out of Closed Session. Those voting in favor were: Baker, Donnelly, Hummer, Stimatz, Brooks, Horton and King. Against: None. The motion carried unanimously.

Motion was made by Councilman Tony Stimatz, seconded by Mayor Pro Tem Anita Hummer, to approve the Closed Session minutes as presented. Those voting in favor were: Baker, Donnelly, Hummer, Stimatz, Brooks, Horton and King. Against: None. The motion carried unanimously.

9. Adjournment:

There being no further business to be discussed, Mayor Peel adjourned the meeting at 8:40 p.m.

Joseph W. Peel
Mayor

Vivian D. White, CMC/NCCMC
City Clerk