

**City Council Work Session
February 24, 2014**

The City Council of the City of Elizabeth City met in work session on Monday, February 24, 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 Kem Spence (*Arrived at 5:41*)
Councilman Montravias King

MEMBERS ABSENT: Councilman Michael Brooks
Councilman Darius Horton

OTHERS PRESENT: City Manager Rich Olson
City Attorney Bill Morgan
Finance Director Sarah Blanchard
Planning Director June Brooks
Chief of Police Eddie Buffaloe
Electric Department Superintendent Karl Clow
Assistant to the City Manager Angela Cole
ECDI Director Rebecca Cross
Public Utilities Director Paul Fredette
Deputy Fire Chief Dale Smith
Inspections Director Stanley Ward
Parks and Recreation Director Bobbi White
City Clerk Vivian White

The City Council work session was called to order by Mayor Joe Peel at 5:30 p.m. Mayor Peel welcomed everyone to the meeting and gave the invocation, after which all in attendance recited 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 Councilwoman Jean Baker, to approve the agenda as presented. Those voting in favor were: Baker, Donnelly, Hummer, Stimatz, and King. Against: None. The motion carried. (*Spence had not yet arrived.*)

**2. Presentation – Stormwater Drainage Plan for Halstead Boulevard
Extended by Pat McDowell, McDowell and Associates:**

Mayor Peel recognized City Manager Rich Olson to begin the discussion of this matter. Mr. Olson stated that Mr. Pat McDowell, of McDowell and Associates was present and would provide a presentation to the Council regarding a storm water drainage plan for the Halstead Corridor. He stated that Mr. McDowell had been working on a comprehensive storm water management plan for the City of Elizabeth City; and that one of the items being considered by the Storm Water Committee is a separate drainage plan for the Halstead Boulevard Extended area. Mr. Olson turned the discussion over to Mr. McDowell and Public Works Director Paul Fredette.

Mr. Fredette stated that the issue of storm water management was a difficult issue, both technically and politically. He said that staff would like to propose a solution to at least one portion of Elizabeth City - the Halstead Boulevard Extended Corridor – by recommending a special storm water management district for this corridor basically within the overlay district that has already been created. Mr. Fredette advised that this overlay district already contains a number of regulations in the City's UDO, Section 12.10, but that the references to storm water are fairly vague.

Mr. Fredette posed the question – why now and why the Halstead Overlay District? He stated that generally storm water regulations in the City have grown as a reaction to past problems and he suggested that the City needs to be proactive in order to deal with the growing problem in the Oxford Heights area. He said that the City has a real opportunity at this juncture to address storm water issues in a meaningful, results oriented way. He stated that the overlay district is largely undeveloped allowing for a proactive opportunity to set regulations. He pointed out that in the other main drainage districts in the City huge challenges exist because staff has to deal with development issues.

Mr. Fredette advised that to develop a special storm water district with an assessment, the City would have to pull together the information already on file for the developed parcels and determine control points to manage the downstream flow, which also affect other parts of the City. He said the district also provides an opportunity to establish a specific mathematic theoretical model for storm water in the area using a number of computer models to make future projections. Mr. Fredette turned the discussion over to Mr. McDowell.

Using a PowerPoint presentation containing pictures, maps and text, Mr. McDowell presented a series of slides designed to support evaluating a storm water management drainage district for the Halstead Boulevard Extension Overlay District. He stated that the plan would be a positive administrative tool for the future to organize this developing area. Mr. McDowell began by establishing the overlay district as an area containing approximately 2,100 acres and being three miles in length and one mile wide. He pointed out the area's relationship to Knobbs Creek by use of a map.

Mr. McDowell stated that the stakeholders of this proposed project consist of the City, property owners and developers, Pasquotank County, NCDOT, Dominion NC Power and the Railroad. He provided a listing of current City regulations that will need to be reviewed, revisited and updated, such as the Stormwater Utility Ordinance adopted in 2006. He advised that the present storm water utility fees would need to be reviewed to include the special district, which would have its own fees.

Mr. McDowell provided examples through maps and pictures of best practices for storm water management detention ponds. In addition, he provided pictures and explained existing control structures within the Halstead Overlay District and described how developers have worked together to manage flow within the district.

At the conclusion of Mr. McDowell's presentation, Councilman Stimatz posed the question "what's the next step?" Mayor Peel agreed and asked if there was something that the Council needed to act on during the meeting. Mr. Olson responded that what staff was looking for is some type of consensus among the City Councilors because the Thompson Thrift project would be moving forward within the next 60 days and will be using calculations for 25-year pre- and post- for storm water. He said whether or not a revision to that needs to be made should be decided as soon as possible. Mr. Olson advised that the City is months away from determining the level of storm water it will have. He also mentioned that there is the issue of vested rights for those developers who have already established plans that have not yet been completed. He said from staff's perspective, he would recommend that the Council move forward in order to "get where we want to be". He stated that to get rules in place, staff would use best practices that are established as of the current time.

Mayor Peel again inquired of Mr. Olson if action by the Council was needed. Mr. Olson stated that this project will take a lot of time for City staff to move forward and that Mr. McDowell still has a lot of work to do associated with storm water calculations in order to help the City determine how to proportion storm water run-off and what models will be used. He reminded the Council that the City would also need to have discussions with the County's consultant, Greg Johnson. He stated that he did not feel the Council needed to vote; instead, the matter had been provided as information to advise the Council that staff would move forward and use Storm Water Utility Fund money to fund the project. Mr. Olson asked Mr. McDowell what the City was looking at in terms of funding needed for the regulations and the modeling. Mr. McDowell responded that it would be approximately \$100,000 to get the project where it needed to be. Mr. Olson stated that as a part of the planning process, the City would require developers to use the same models when they prepare their storm water calculations.

Mr. Fredette stated that he thought it was prudent to remember that the City is attempting to regionalize storm water management so that individuals do not have to force best management practices onto their property. He said if the model is built, it is much easier for the designer to plug in his particular development. He said that there

was benefit beyond that of the City, which is significant, but also to future developers in that area.

Councilman Donnelly stated that he thought it was prudent to move forward with a plan for that area because it is not fully developed, but is moving quickly. He stated that he supported the project. He asked the City Manager if staff could provide information regarding whether a City-wide plan should be put in place. Mr. Olson responded that he would prefer at this time to have the Council establish the Halstead Overlay as its own district with its own taxing authority. He said everyone not a part of the overlay would continue to pay the existing storm water fees.

Mr. McDowell stated that if this area is isolated and it goes well, the logical expansion would be to rotate counter-clockwise, south and east of the district, because the 17 South corridor is also developing commercially and has high run-off. He suggested that the Council "bite off a piece now and do it well" and if the Council likes it, the plan could easily be grown.

Councilman Spence stated that he had heard the positives and inquired as to what the negatives would be. Mr. Olson stated that in an economy with little growth, growth could be hindered in that area because it would be another obstacle for developers to prepare. In addition, he pointed out that there would be additional costs to developers in all likelihood. He said should that occur the City would not receive the normal revenue from permit and utility fees.

Councilman King asked what the potential revenue from the special assessment would be. Mr. Olson stated that the current fee is \$36 per residential lot and \$.01 per square foot of impervious area for commercial properties, which generates approximately \$425,000 annually throughout the entire City. He said that an estimate of the amount of revenue that is currently generated from the Halstead Corridor would be \$40,000 to \$50,000; and if a regionalized fee was established for that corridor, the revenue would most likely double or triple.

Councilman Stimatz pointed out that the assessment would have to stay within the Storm Water Utility Fund and be used strictly for that purpose. Mr. Olson stated that the current storm water fee can be used anywhere within the City, but an assessment to the Halstead Corridor would require that the money be spent within that district for its improvements.

Mayor Peel asked if there were further questions or comments from the Council. Hearing none, he announced that it appeared consensus was reached to move forward with the project.

3. Consideration – Disposition of City-owned Property at 709 Herrington Road:

Mayor Peel recognized City Manager Olson for the staff report on this item.

Mr. Olson stated that the City-owned property at 709 Herrington Road had been operated by Garden of Hope House as a homeless shelter, but closed in September 2013. He said that since that time, City staff had tried to find another entity to take the shelter over, but had not been able to find a private group with adequate funding to operate the shelter. He stated that in October 2013, staff was directed by the Council to investigate options for the City to operate the homeless shelter at 709 Herrington Road, which revealed it would cost the City \$126,000 annually. In contrast, he stated that it would cost a non-profit organization approximately \$58,000 per year, with the difference mainly due to the additional staffing required for a public entity to operate a shelter. He stated that approximately \$16,500 in repairs had been identified as needed for the structure.

Mr. Olson reported that City staff advertised for proposals to operate the shelter and no one responded to the request. He said that staff had winterized the property and continues periodic safety/security checks on the property and structure.

Mr. Olson stated that since an operator for the shelter could not be found, staff was requesting that the Council declare the property surplus and allow staff to sell the property utilizing the upset bid process. He suggested that any proceeds received could be used to defray the \$50,000 needed for the Middle School project.

Councilman Spence stated that he was the Councilor who had asked that staff look into the costs for operating the shelter. He said that he still had not changed his mind. He pointed out that it appeared money is found to do other things that Council wants to do, but when it comes to keeping children and women off the streets, it is an issue. He said he was not comfortable with selling the property or of shutting it down. He said the Councilors stated during their campaigns that they cared about children and would look out for the public. He said it appeared to him that the Council did not want to go the extra mile to save the homeless shelter for women and children. He said that if the City could not find anyone to run the shelter, that the City should do it.

Councilman King stated that he concurred with Councilman Spence for a number of reasons. He said that he personally had helped a homeless woman recently who was behind on her bills and knew that there was only one shelter operating that was not big enough. He said that the Councilors may not always see homeless people, but he knew that "they are out there". He stated that he was not in favor of selling the house until the City had exhausted all its options. He encouraged a willing non-profit to step forward and stated that there must be some type of grant to help with a homeless shelter.

Mayor Pro Tem Hummer stated that in her role as Finance Chairwoman, she tried to look at this matter long and hard. She said that she agreed that there is a very big homeless problem in our City – as well as being a national problem that is on the news every day. She stated that the City could not just provide a building and put a sign out front that reads “homeless shelter”. She pointed out that the shelter would have to be staffed 24/7 with an intake person with a degree, healthcare would have to be provided and transportation would be needed. She stated that the \$126,000 cost would mean that the Council would have to decide what it wanted to give up in order to run the shelter. She advised that the house did not have appliances and needed approximately \$17,000 in repairs. She said that providing shelter for 30 days for the homeless is a temporary fix and she asked who would care for them after the 30 days is over. She pointed out that the issue was a very complicated problem.

Councilman Donnelly pointed out that the cost to run the shelter was an annual cost that had to be considered. He stated that the City has three types of shelters currently: Hopeline for battered women, Tabernacle of Faith for women and children and New Beginnings for men.

Councilwoman Baker asked if Pasquotank County had provided any input on this issue, since the County is charged with Social Services. She stated that she also wondered about the Homeless Coalition and asked if that entity was still operational. Mr. Olson stated that to his knowledge, the Homeless Coalition was not operational and pointed out that the organization did not apply for Community Support Grant funding this fiscal year. He said that the issue of homelessness was a service that should be handled through the Social Services function, but City staff had not approached Pasquotank County concerning this matter. He stated that for a shelter to be eligible for grant funding, it would have to be operational for one year. He said that there is no money available that staff had been able to identify through state or federal sources.

Councilman Stimatz stated that the Council has been adamant about not taking on things that were a County burden. He pointed out that this is the County’s job and stated that the City could not afford to run the shelter. He said that the shelter would benefit perhaps ten people - and posed the question if the amount of money needed to run the shelter could be better used to serve more people. He said he was not unsympathetic to the plight of homelessness and agreed that it was a tough problem. He advised that the law says that the entity responsible is the County. He suggested that perhaps a better approach would be to ask the County to do its job. He said coming up with the money to run the shelter was not going to be easy without raising taxes, especially in view of some initiatives that the Council was considering for the upcoming budget.

Councilman Spence suggested that before the City made a decision, staff should approach the County to see if they were willing to do anything. He reiterated that he wanted to exhaust all options before making a decision to sell the property. He pointed

out that the City already takes care of cemeteries, even though by law that is a County function.

Councilman Stimatz inquired of Councilman Spence what he thought a reasonable timeframe would be to hold off on a decision. Councilman Spence stated that three months would be acceptable.

Councilwoman Baker stated that she was not willing to meet the County half-way. She said that if the care of the homeless was a County function, it should be theirs to do and not fall to the City. She pointed out that the good thing about this situation is that the City is not closing an existing homeless shelter because the shelter is already closed.

Motion was made by Councilman Kem Spence, seconded by Councilman Tony Stimatz, that the Council put off the sale or disposition of 709 Herrington Road for a period of at least 90 days until contact with the County is made to see what other avenues can be taken. Those voting in favor were: Baker, Donnelly, Hummer, Stimatz, Spence and King. Against: None. The motion carried.

4. Presentation – Final Action Team Reports for Vision 2020 Initiative by Mayor Joe Peel:

Mayor Peel provided a booklet to the City Council, which represented a compilation of eight reports from the Vision 2020 Initiative Action Teams. He said that he wanted to thank everyone who participated in the creation of the document. He stated that the information contained in the report was the result of input received from approximately 2,500 of the City's residents. He reported that approximately 250 people had given a lot of their personal time to work on the Vision 2020 Initiative over the last 15 months; and he said that he thought the report would provide good direction for the City in the coming years.

Mayor Peel invited everyone to attend the community unveiling of the report on March 4, 2014 from 3 p.m. to 6 p.m. at the K. E. White Graduate Center. He stated that at that time, the recommendations will be presented by the eight action teams and team members will be available to answer questions about the work they are doing.

Mayor Peel recognized Bishop Ernest Sutton for his leadership as co-facilitator of the Vision 2020 Initiative and thanked him for his service.

Mayor Peel pointed out that the report would serve as an excellent planning tool going forward for the City and stated that a review of this magnitude by citizens is something that most communities do not have. Mayor Peel briefly reviewed the document for the

Council and pointed out the recommendations provided by each of the Action Teams as follows:

- Building Strong Families
- Championing Diversity
- Youth Job and Entrepreneur Training
- Business Climate
- Downtown
- Economic Development
- K-12 Education
- Waterfront

At the conclusion of his review, Mayor Peel stated that one of the things that will be done going forward is to appoint a committee to oversee and monitor each of the plans developed by the Action Teams over the next several years. He stated that he would be asking the Council to appoint a Council member to serve on that committee. He said that the group will meet several times each year and the Council member will be able to report back to the Council regarding progress being made. He pointed out that would be a way to hold the Council accountable and support the work that had been done by all the citizens involved.

Mayor Peel pointed out that three of the action teams had something to do with education of citizens that represented a span of life from birth to career. He stated that the report would be a good tool to use when the Hugh Cale Center became available later in the year to develop a community center designed to focus on expanding opportunities for children, young adults and workforce development.

He asked that the Councilors review the document and begin to consider how the Council could assist with the recommendations.

5. Committee Reports:

- a) EC-PC Economic Development Commission: Mayor Pro Tem Hummer, Councilwoman Baker, Councilman King and Mayor Peel

Mayor Pro Tem Hummer stated that a meeting would be held on Wednesday of the current week.

- b) Central Communications Advisory Board: Councilman Spence

Councilman Spence had no report.

- c) Fireman's Relief Fund Board: Councilman Brooks

Councilman Brooks was not present.

d) NC Eastern Municipal Power Agency: City Manager Olson and Mayor Peel

Mr. Olson stated that the big news is the potential sale of the generating assets to Duke Power. He stated that the Council would have a meeting to discuss this matter with the CEO of Electricities in mid-March.

e) Elizabeth City Downtown, Inc.: Councilman Donnelly

Councilman Donnelly stated that vendor applications, sponsorship forms and volunteer applications for the Potato Festival were available on the Potato Festival website. He said the NC Main Street Conference was rescheduled to March 31 – April 1 in New Bern due to inclement weather. He said that the ECDI-sponsored “Cash Mob” was very successful.

f) Elizabeth City Area Chamber of Commerce Board: Mayor Peel

Mayor Peel stated that several of the Councilors attended the Chamber Annual Meeting, which featured performances by students from Arts of the Albemarle Center Players, ECSU and Encore Theater. He said that he is always amazed by the caliber of talent in our community.

g) Finance Committee: Mayor Pro Tem Hummer, Councilman Donnelly, Councilman Horton and Mayor Peel

Mayor Pro Tem Hummer stated that the Committee met and discussed several items that are included on the Council’s regular agenda for this evening. She provided an overview of the items forwarded to the full Council.

h) Parks and Recreation Advisory Board: Councilman Horton

Councilman Horton was not present.

i) Elizabeth City/Pasquotank County Airport Authority: Councilman Stimatz

Councilman Stimatz stated that the main issue discussed during the last meeting was the issue of engineering consultants. He said long-term, the Authority is looking at rebuilding the second runway and do maintenance and repair to the main runway, which will require coordination with the Coast Guard.

j) Storm Water Drainage Advisory Board: Councilman Stimatz, Councilman Donnelly and Councilman Brooks

Councilman Stimatz stated that in addition to the proposed Halstead Storm Water Drainage District discussed previously during the meeting, the committee is moving on with the Tiber Creek project and will formulate budget recommendations for that project. He said the out-flow point for the Fairgrounds Property is being finalized.

k) Tourism Development Authority: Councilwoman Baker

Councilwoman Baker stated that a meeting will be held on Thursday of the current week.

6. Adjournment:

There being no further business to be discussed, Mayor Peel adjourned the meeting at 6:55 p.m.

Joseph W. Peel
Mayor

Vivian D. White, NCCMC
City Clerk