

**City Council Regular Session  
February 9, 2026**

The City Council of the City of Elizabeth City met in Regular Session on Monday, February 9, 2026 in Council Chambers, located on the 2<sup>nd</sup> floor of the Municipal Administration Building, 306 E. Colonial Avenue, Elizabeth City, NC.

MEMBERS PRESENT: Mayor Kirk Rivers  
Mayor Pro Tem Johnson Biggs  
Councilman Joseph Peel  
Councilwoman Rose Cartwright  
Councilman Jarvis Gibbs  
Councilman Kem Spence  
Councilwoman Katherine Felton  
Councilman Ronnie Morris  
Councilman Tim Jackson

MEMBERS ABSENT: None

OTHERS PRESENT: City Manager Reginald Goodson  
City Attorney Bill Morgan  
Chief of Staff Monica Cole  
Electric Superintendent Donnell White  
Interim Chief of Police Eddie Graham  
Public Utilities Director Dwan Bell  
Fire Chief Chris Carver  
HR Director Aresta Johnson  
Interim Finance Director Brian Lewis  
Development Services Director Carl Best  
Planner II Dylan Lloyd  
Parks and Recreation Director Stacy Williams  
Grants Administrator Jon Hawley  
IT Director Matthew Simpson  
ECDI Director Debbie Malenfant  
IT Systems Analyst Pedro Holley II  
City Clerk April Onley

Mayor Rivers called the City Council's Regular Session to order at 7:00 p.m. Councilman Gibbs provided the invocation, after which Councilman Morris led the Pledge of Allegiance.

**1. Agenda Adjustments and Approval:**

Mayor Rivers directed the Council's attention to the prepared agenda. He asked that two items be added to the Consent Agenda: *Consideration – Authorization to Submit Application for FY 2026 Bicycle Helmet Application* and *Consideration – Accept and Sign FPIC List for LGC*. Councilman Spence requested the addition of a Closed Session for Personnel as allowed by NCGS 143-318.11(a)(6). Mayor Pro Tem Biggs asked that the first item on the Regular Agenda be *Consideration / Discussion – Follow-up on Third-Party Stormwater and Engineering Consultants*.

**Motion was made by Councilman Kem Spence, seconded by Councilwoman Katherine Felton to approve the agenda as amended. Those voting in favor of the motion were: Biggs, Peel, Cartwright, Gibbs, Spence, Felton, Morris and Jackson. Against: None. Motion carried.**

**2. Comments from the Public:**

Mayor Rivers inquired of the Clerk if there were persons present who wished to speak before the Council. Upon the Clerk's reply that there were speakers, he asked that they be called forward.

**Will Thompson – 1408 Brothers Drive, Elizabeth City** – Mr. Thompson told the Council that he was a long-time resident of Elizabeth City and the budget director for ECSU. He was in favor

of the development on Halstead. When former manager Rich Olson was here, they discussed the difficulty of getting developers in to build here. Although developers understood the problems with affordable housing, they could not really address it at that time. The potential building on Halstead would give people somewhere to live that was affordable for the average household. In addition, new housing supply brought into the community would help bring down pressure on homes, which would help with affordability everywhere. If this is not an opportunity for affordable housing here, then what is it? He is a real estate investor and has tried hard to do something with this, so he would encourage the Council to approve this action.

**Missy Cullens – 102 Eyrie Lane, Elizabeth City** – Mrs. Cullens shared that she was inspired to be a good teacher by Councilman Peel. Her nephew is from northeastern NC and is working on this project. It's very difficult to afford anything here. People here need to be able to afford the American Dream. The very people who have made a difference in her life are sitting in this room tonight. She is proud of this county. When she worked under Councilman Peel, the other schools wanted to know what was going on in Pasquotank County, and they wanted to know why it was going so well. We have to bring that back and get things going great again. Give people an opportunity. They can get the education they need here to be successful, but they need to be able to live here too. We need to support our people from this area who love it and want to make it better.

### **3. Public Hearings:**

#### **a. Hold a Public Hearing – RZ 03-25 PilotRock;**

Mayor Rivers inquired of the Clerk if there were persons present who wished to offer comments before the Council. The Clerk confirmed that there were, and called them forward.

**Bruce Meads – 1041 Ham Overman Road, Elizabeth City** – Mr. Meads told the Council that he was a lifetime resident of Elizabeth City. He was present this evening because he had the opportunity to work with Cade. His company employed about 50 people as a small contractor and paid decent salaries, but none of those employees could afford their own homes. Cade was asking for local subs who he could use for this project. He's trying to use local resources as much as he can. He wants to build a business and keep the money in Elizabeth City. He would like to see things continue to improve so that his family can keep living here for years to come.

**Sean Lavin – 308 Planter's Run, Elizabeth City** – Mr. Lavin stated that he was a County Commissioner and unfortunately, the City and County haven't done each other any favors other the years. We have watered down our joint meetings, although there is one coming up and we can hopefully have some conversations then. If we continue growing at the pace we're going at now, it will be detrimental and we will place burdens on the taxpayers. We need to make sure our water, sewer and electric systems have the capacity to do these things. If we stay ahead of the growth, we will be able to manage it better. He wanted to begin working together more and interacting more as two elected bodies and to create a plan for the growth. The citizens deserve the growth without undue burdens on the current residents. I am not for or against, but wanted to make my thoughts known. We do have a 20-year plan for water, but will probably have to readdress it.

**Randy Keaton – 209 Orchard Drive, Elizabeth City** – Mr. Keaton believed it was impossible for the Council to make an informed decision on this tonight or even in the near future. Under the public utilities section of the staff write-up, it mentions that the supply will be provided by the City, but it will be provided by the County. It was also his understanding that the City sewer plant is operating at 71% capacity not including I&I, and there are numerous additional homes and a hotel that are not included yet. The staff report emphatically states that the infrastructure cannot carry the load, so this should not be considered. He spoke with the school superintendent and they told him they were not considering a new school at this time, which was not what was stated in the write-up. Staff recommends approval and says one thing, but then says something else in another sentence.

**Patti Bergman – 2135 Rivershore Road, Elizabeth City** – Mrs. Bergman said she was a resident of 30 years and would like the Council to think long and hard before approving any more housing. Our infrastructure is aging, and the sewer and water are struggling. Those needs must be worked on before more stress is added. The schools need to be addressed. The hospital is new, but people are having to wait to get a room due to overcrowding. We cannot accommodate the need if we keep adding people. The infrastructure must be addressed before we continue. If you do choose to accept the proposals, I would ask you to request that the

developers help defray some of the costs of what the taxpayers have to absorb from the infrastructure improvements and repairs.

**Charles A. Gustarson – 3860 Waterside Drive, Apt. 108, Elizabeth City** – Said he was a resident at Tanglewood Lakes. Management has someone plow their road, but the secondary roads are never taken care of, which is a problem when the weather is bad. When the recent snow storm happened, it wasn't until Wednesday when those roads were finally cleared. It's been like that for three years. The school system is full. If there isn't another school built or at least planned for, you'll end up with modular trailers because there just isn't room in the classes.

**Beth Campbell – 611 Laura Lee Street, Elizabeth City** – Mrs. Campbell said she wanted to be a voice for walkability. It would be wonderful if included in this plan there would be a bike path as part of this development.

**Bobby Fiedler – 1412 Lambs Grove Road, Elizabeth City** – Mr. Fiedler said he'd started using AI or ChatGPT and he asked AI before he came to the meeting what the benefits of building housing before infrastructure would be. He reached out to a few nurses. They are understaffed at a brand new hospital and cannot facilitate the patients they have. He wanted to know the costs for these houses and how they were going to be affordable. He felt it was important to stay ahead of the growth or else we would end up like Richmond or Chesapeake.

**William Nelson – 511 Cedar Street, Elizabeth City** – Mr. Nelson told the Council that he bought first home in 2019. Elizabeth City is in need of housing that can be affordable, particularly for a one-income household. The city is in need of neighborhoods that have children of a similar ages with green spaces in a safe place. If you check on Zillow, there are only 25 properties in Elizabeth City listed for less than \$300,000, and none of them are remotely safe for a family. If you want them to have four bedrooms, there's nothing available at all. It's not affordable. Houses cost so much because of supply and demand. There's not a lot here anymore. There's a lot of people renting and not building any equity. Elizabeth City is one of the hottest markets in NC. We have a Coast Guard base that brings a lot of people here. We also have three universities. We want all these things to thrive and that means we need to housing. Looking back seven years ago and comparing it to the pricing now there is an immense difference.

**Kent Felton, Jr. – 104 Olivet Circle, Elizabeth City** – Mr. Felton stated that he had lived here his whole life and is the father of three boys. He felt like this would be a great development for someone in his situation who is stuck in an endless loop of paying rent. He would like to be able to stay in Elizabeth City and see his kids to stay here too. He wants to be better than what he experienced growing up. He hoped the Council would consider families like his when they made their decision.

**Cade Larabee – 1408 Brothers Drive, Elizabeth City** – Mr. Larabee advised that he was the applicant for the project in question. His concern had long been that working families who want to buy a new home do not have attainable choices. Of the recent new homes built, 87% were priced above \$300,000. Not a single one was a four-bedroom house. That matters because four-bedroom homes are what growing families need. We need to address that gap with price and quality of life. Every single home in this division will be four-bedroom and sub \$300,000 to attract families. This is also a walkable, family-focused area with a splash pad. It's a place where kids can ride bikes safely and families can live, not just reside. It will have 35 acres on the front-side. A lot of stores require a certain number of rooftops before they will come in. He is trying to leverage this development into bringing in new options, such as a Trader Joe's. He understands the concerns about infrastructure, but this is not going to happen overnight. This is going to happen over several years. It was approved unanimously by the TRC and the Planning Commission after a detailed review. In 2024, this body voted unanimously to approve R-4 zoning because new homes were priced between \$300,000 and \$500,000, which were prices deemed unattainable for working families. This development will help with that. Without the rezoning to this density, the price point is unattainable. We want to support families, strengthen the local workforce and help Elizabeth City's success.

**Ryan Enoch – Gateway Engineers, Selma, NC** – Mr. Enoch worked with Cade Larabee and PilotRock on this project. They have been working closely with Public Utilities on this and are fully aware of the infrastructure upgrades that are needed. Projects like this and the developer fees often end up paying for many of the upgrades. He wanted to reiterate that they heard the voices from the community and wanted to use them as feedback for the process. This is just the initial rezoning piece. They will work through concerns as they move forward with their final site plans in the future. They appreciate the Council's time tonight. If there are other questions, he is available to answer as needed.

Having no further speakers, Mayor Rivers declared the public hearing closed. He asked the pleasure of the Council.

Councilman Spence noted that it's already taken all the proper steps going through TRC and the Planning Commission. It's not like this is going to be built tomorrow. We're talking two or three years down the road before this comes to pass. We always talk about the growth in the city. There is a plan in place and a plan the Council has spoken about to move forward, so I don't think there's any reason to stop it. There's not a one-time approval for everything all at once. Each step has to come forward individually, so I don't see why this should be held up.

**Motion was made by Councilman Kem Spence to adopt Ordinance #2026-02-01 approving RZ 03-25 to rezone the entirety of Parcel 8903 269325 and a 71.1-acre portion of Parcel 8903158669 from R-8 to PUD-PDR. The motion was seconded by Councilman Jarvis Gibbs.**

Councilman Peel stated that he was not against the rezoning, but he could not vote for it because of many of the reasons we've already heard. We have significant water issues. The sewer is operating at 71% capacity. We have 300 units coming online this spring. In 2021, we were over capacity on two different occasions. The transportation plan mentioned earlier is 10 years old. If you go out to the Halstead Corridor any time of the day, traffic is significant. We don't have a plan for widening the highway. We're within three to four weeks of getting some financials. We have no idea how much we're going to have to raise our rates and taxes to have to pay for all of this. We should know in about a month. My recommendation would be to table this until we have more information and we're able to see clearly where we are or else we could find ourselves in a mess having approved more than we should have. I don't think we have enough information at this time on some of these areas. We don't have any timelines. We are moving as quickly forward as we can. We're to be commended for that, but we don't have those plans in place. He asked Manager Goodson about the note mentioning the item had been passed by the Planning Commission on a 2:1 vote. Director Best advised that notation was incorrect and it should read that it passed on a 3:1 vote. That was in error. Four was a quorum.

Councilman Gibbs understood that this is a rezoning only. He heard all the time about affordability, and these numbers will be less than \$300,000. We hear about infrastructure and all of that, but we do have a CIP that does a lot to address those needs and that may be something the general public isn't aware of. This Council has come on and we've progressed a lot with very little. I have faith enough to believe that with the position that we're in now as far as moving the City forward that this is a true opportunity to provide affordable housing and we should take it. We have a huge rental market, but home ownership is where we need to be. I made a note about the timeframe. From what I'm seeing, shovel in the ground could be two or three years away. I'm comfortable with my second.

Councilman Morris asked the manager for his opinion. Manager Goodson said he was comfortable with the staff's recommendation for approval. In NC, we cannot stop a developer from bringing something forward unless we have a moratorium in place. Without a moratorium, we cannot keep anyone from bringing us something. We have to be honest with them about the infrastructure. If they want to come forward anyway, then we carry on, and that's what they've done.

Councilman Spence verified that Manager Goodson was saying that staff had discussed this with the developers and it was documented. Manager Goodson replied that was correct.

Mayor Pro Tem Biggs clarified that his problem was not with this development in particular, but with the amount of growth we have coming to Elizabeth City. We have a CIP, but it largely addresses the needs of yesterday, but not tomorrow.

Manager Goodson agreed that the water needs in the CIP were probably "yesterday", but the electric is primarily "tomorrow". We are catching up.

Mayor Pro Tem Biggs continued that we have a lot of needs just to address where we are today and the growth we've seen in the last five years. We've got a lot of development coming forward that is going to have an impact on our infrastructure. We can't bind the developer to do affordable housing and we can't really define affordable housing, so we're getting outside of our future land use plan. There are not guarantees there. This property, once it's rezoned, it could be sold and moved on to a different developer. It's already zoned residential. We don't

have to grant it, just hear it. I understand the desire to get more in there, but I don't know that we have enough pre-planning involved with the vast amount of development we have coming with the needs in every department.

Councilman Jackson said that it was true that Elizabeth City had grown in the last five years. He'd noticed that there was only one way in and one way out in that neighborhood. We're also looking at trying to get another fire-station. We're going to have almost twice the number of people, cars, and everything else by the time we get that development going. I'm all for growth and affordable housing, but we need to be smart about it. We need to get in there with emergency services. Has anyone looked into doing another traffic study there?

Manager Goodson stated that Halstead Extended is a state road. It was designed as a limited access road, so they will have to decide if they want to allow more access points there. What we need to do as the City is allow more parallel access behind the steakhouse. Anyone who builds further will need to extend that down to the east and also down on the other side by the hospital, but that's typically done when development happens.

Councilman Jackson asked if that was part of the plan the developer wanted to do.

Mr. Enoch replied that yes, they intended to connect Patrick Way to the existing development to the west and then connect it across the frontage of the property. We are fully anticipating the City requiring a traffic impact study in the next part of the plan. We would submit a traffic scoping request and anything required at that time.

Councilman Peel asked what would happen if the traffic study came back and said we did not have the infrastructure to handle it. Manager Goodson explained that it would let us know if we needed more roads, etc. Councilman Peel asked who would be responsible for paying for that. Manager Goodson said that would be the developer.

Councilman Peel pointed out that right now, we're looking at a bond package of close to \$31 million, but that doesn't do anything to address the sewer issue. We found out a week ago how fragile that is. What did we lose, about 30% of our water in the ground? This Council is looking at probably doing revenue bonds for probably \$40 million to cover it. We've talked about police, trash trucks, but we don't have the actual numbers. We don't know what we're committing to. It's not going to hurt to wait to figure it out. You also need to understand that we're planning to sell revenue bonds. The way they work is that the people who buy them get their money back by those funds making money. Once we sell them, those people make their money back by us charging for utilities. We have to charge enough to make them back.

Mayor Rivers asked the pleasure of the Council on the motion on the floor.

**Those voting in favor of the motion were: Gibbs, Cartwright, Spence, Felton, Morris and Jackson. Against: Biggs and Peel. Motion carried.**

**Ordinance # 2026-02-01  
Rezoning Request RZ-03-25  
00000 Halstead Boulevard  
Parcels: 8903158669 and 8903269325**

**WHEREAS**, on December 2, 2025, the Planning Commission reviewed Petition RZ-03-25, a request to rezone the entirety of parcel 8903269325 and a 71.1-acre portion of parcel 8903158669 from R-8 to PUD-PDR; and

**WHEREAS**, the City Council called for a public hearing on January 12, 2025, which was held on February 9, 2026, at which time they considered any public comments received during the meeting; and

**WHEREAS**, the Planning Commission voted to 3:1 to recommend approval of the project, and staff recommended approval of the application as the density and character is harmonious with the surrounding area; and

**WHEREAS**, the Joint Pasquotank County/Elizabeth City Land Use Plan was considered; and

**WHEREAS**, after consideration of the technical merits of the request during the February 9<sup>th</sup> public hearing, the City Council has approved the rezoning provided any requirements imposed are satisfied.

**NOW THEREFORE, BE IT ORDAINED** that the City Council of the City of Elizabeth City does hereby approve the request to amend the Official Zoning Map to show that **00000 Halstead Boulevard (Tax Map P88-104 and P88-3A)** is rezoned from R-8 to PUD-PDR, to include the entirety of parcel 8903269325 and a 71.1-acre portion of parcel 8903158669 and has issued the following consistency statement:

***"The City Council of the City of Elizabeth City approves the rezoning from R-8 to PUD-PDR as the density and character is harmonious with the surrounding area and providing adequate housing options are consistent with the Elizabeth City Future Land Use Plan (LUP)."***

**ADOPTED**, this the 9<sup>th</sup> day of February 2026.

\_\_\_\_\_  
E. Kirk Rivers  
Mayor

\_\_\_\_\_  
April D. Onley, NCCMC  
City Clerk

**b. Hold a Public Hearing – TA 01-26 – Updates to Flood Plain Ordinance;**

Mayor Rivers declared the public hearing open and inquired of the Clerk if there were persons present who wished to offer comments before the Council. Upon the Clerk's response that there were no speakers present, Mayor Rivers declared the hearing closed.

**Motion was made by Mayor Pro Tem Johnson Biggs, seconded by Councilwoman Katherine Felton to adopt Ordinance #2026-02-02 approving TA 01-26. Those voting in favor of the motion were: Biggs, Peel, Cartwright, Gibbs, Spence, Felton, Morris and Jackson. Against: None. Motion carried.**

**ORDINANCE # 2026-02-02  
Approving Text Amendment 01-26  
TO AMEND CHAPTER 154: FLOODS  
in the Elizabeth City Code of  
Ordinances**

**WHEREAS**, NC Emergency Management issued an order on November 27, 2023 requesting the amendment of Chapter 154: Floods, specifically sections 154.01 and 154.07; and.

**WHEREAS**, these sections must be revised in order to comply with state law and to be consistent with directives from NCEM and the North Carolina Department of Safety; and

**WHEREAS**, the ordinance is used to regulate development in the floodplains in order to reduce flood damage and to maintain or reduce the risks associated with the other buildings in or next to the floodplain; and

**WHEREAS**, the definitions of UDO Subsection 12-2 will also require an update, but they will be revised at a later date; and

**WHEREAS**, TA 01-26 appeared as a Call for a Public Hearing during the City Council's January 26, 2026 Work Session, which was subsequently held on February 9, 2026 during such time that a quorum of the City Council was present; and

**WHEREAS**, the following text is to be adopted (changes are in red):

**§ 154.01 STATUTORY AUTHORIZATION.**

The Legislature of the State of North Carolina has in G.S. Ch. 143, Art. 21, Part 6; Ch. 160A, Part 19, Parts 3, 5, and 8; Ch. 160A, Art. 8, delegated to local governmental units the responsibility to adopt regulations designed to promote the public health, safety, and general welfare. Therefore, the City Council of the City of Elizabeth City, North Carolina, does ordain as follows.

#### **§ 154.07 BASIS FOR ESTABLISHING THE SPECIAL FLOOD HAZARD AREAS.**

The special flood hazard areas are those identified under the Cooperating Technical State (CTS) agreement between the State of North Carolina and FEMA in its FIS dated December 21, 2018 for Pasquotank County and associated DFIRM panels, including any digital data developed as part of the FIS, which are adopted by reference and declared a part of this chapter. Future revisions to the FIS and DFIRM panels that do not change flood hazard data within the jurisdictional authority of the city are also adopted by reference and declared a part of this chapter. Subsequent letter of map revisions (LOMRs) and/or physical map revisions (PMRs) shall be adopted by the city within three months of notification by FEMA.

#### **Proposed City Code Text Amendment:**

**Amend Title XV §154.01 and 154.07 as follows:**

##### **154.01 STATUTORY AUTHORIZATION**

The Legislature of the State of North Carolina has in ~~G.S. Ch. 143, Part 6~~, Article 21, ~~Part 6~~; of Chapter 143 ~~160A, Part 19, Parts 3, 5, and 8~~; Article 6 of Chapter 153 A: ~~Ch. 160A~~, Article 8 of Chapter 160A; and Article 7, 9, and 11 of Chapter 160D of the North Carolina General Statutes, delegated to local governmental units the responsibility to adopt regulations designed to promote the public health, safety, and general welfare. Therefore, the City Council of the City of Elizabeth City, North Carolina, does ordain as follows.

##### **154.07 BASIS FOR ESTABLISHING THE SPECIAL FLOOD HAZARD AREAS**

The Special Flood Hazard Areas are those identified under the Cooperating Technical State (CTS) agreement between the State of North Carolina and FEMA in its ~~Flood Insurance Studies~~ (FIS) dated December 21<sup>st</sup>, 2018, for Pasquotank ~~and Camden Counties County~~ and ~~their~~ associated DFIRM panels, including any digital data developed as part of the FIS, which are adopted by reference and declared a part of this chapter, ~~and all revisions thereto~~. Future revisions to the FIS and DFIRM panels that do not change flood hazard data within the jurisdictional authority of The City of Elizabeth City are also adopted by reference and declared a part of this chapter. ~~Subsequent letter of map revisions (LOMRs) and/or physical map revisions (PMRs) shall be adopted by the city within three months of notification by FEMA.~~

**Amend Title XV §154.05: Definitions as follows:**

##### **§ 154.05 DEFINITIONS.**

For the purposes of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**ACCESSORY STRUCTURE (APPURTENANT STRUCTURE).** A structure located on the same parcel of property as the principal structure and the use of which is incidental to the use of the principal structure. Garages, carports, and storage sheds are common urban ACCESSORY STRUCTURES. Pole barns, hay sheds and the like qualify as ACCESSORY STRUCTURES on farms and may or may not be located on the same parcel as the farm dwelling or shop building.

**ADDITION (TO AN EXISTING BUILDING).** An extension or increase in the floor area or height of a building or structure.

**ALTERATION OF A WATERCOURSE.** A dam, impoundment, channel relocation, change in channel alignment, channelization, or change in cross-sectional area of the channel or the channel capacity, or any other form of modification which may alter, impede, retard or change the direction and/or velocity of the riverine flow of water during conditions of the base flood.

**APPEAL.** A request for a review of the Floodplain Administrator's interpretation of any provision of this chapter.

**AREA OF SHALLOW FLOODING.** A designated Zone AO or AH on a community's Flood Insurance Rate Map (FIRM) with base flood depths determined to be from one to three feet. These areas are located where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident.

**AREA OF SPECIAL FLOOD HAZARD.** See SPECIAL FLOOD HAZARD AREA (SFHA).

**BASE FLOOD.** The flood having a 1% chance of being equaled or exceeded in any given year.

**BASE FLOOD ELEVATION (BFE).** A determination of the water surface elevations of the base flood as published in the Flood Insurance Study. When the BFE has not been provided in a special flood hazard area, it may be obtained from engineering studies available from a federal, state, or other source using FEMA approved engineering methodologies. This elevation, when combined with the freeboard, establishes the regulatory flood protection elevation.

**BASEMENT.** Any area of the building having its floor subgrade (below ground level) on all sides.

**BREAKAWAY WALL.** A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or the supporting foundation system.

**BUILDING.** See STRUCTURE.

**CHEMICAL STORAGE FACILITY.** A building, portion of a building, or exterior area adjacent to a building used for the storage of any potentially hazardous or dangerous chemical or chemically reactive products.

**COASTAL A ZONE (CAZ).** An area within a special flood hazard area, landward of a V zone or landward of an open coast without mapped V zones; in a Coastal A Zone, the principal source of flooding must be astronomical tides, storm surges, seiches, or tsunamis, not riverine flooding. During the base flood conditions, the potential for wave heights shall be greater than or equal to one and one-half feet. ~~COASTAL A ZONES are not normally designated on FIRMs.~~ (See LIMIT OF MODERATE WAVE ACTION (LimWA).)

**COASTAL AREA MANAGEMENT ACT (CAMA).** North Carolina's Coastal Area Management Act, this act, along with the Dredge and Fill Law and the Federal Coastal Zone Management Act, is managed through North Carolina Department of Environmental Quality (NCDEQ) Division of Coastal Management (DCM).

**COASTAL BARRIER RESOURCES SYSTEM (CBRS).** Consists of undeveloped portions of coastal and adjoining areas established by the Coastal Barrier Resources Act (CoBRA) of 1982, the Coastal Barrier Improvement Act (CBIA) of 1990, and subsequent revisions, and includes areas owned by federal or state governments or private conservation organizations identified as otherwise protected areas (OPA).

**COASTAL HIGH HAZARD AREA.** A special flood hazard area extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources. The area is designated on a FIRM, or other adopted flood map as determined in § 154.07, as Zone VE.

**DESIGN FLOOD.** See REGULATORY FLOOD PROTECTION ELEVATION.

**DEVELOPMENT.** Any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials.

**DEVELOPMENT ACTIVITY.** Any activity defined as development which will necessitate a floodplain development permit. This includes buildings, structures, and non-structural items, including (but not limited to) fill, bulkheads, piers, pools, docks, landings, ramps, and erosion control/stabilization measures.

DIGITAL FLOOD INSURANCE RATE MAP (DFIRM). The digital official map of a community, issued by the Federal Emergency Management Agency (FEMA), on which both the special flood hazard areas and the risk premium zones applicable to the community are delineated.

DISPOSAL. As defined in G.S. § 130A-290(a)(6), the discharge, deposit, injection, dumping, spilling, leaking, or placing of any solid waste into or on any land or water so that the solid waste or any constituent part of the solid waste may enter the environment or be emitted into the air or discharged into any waters, including groundwaters.

**DRY FLOODPROOFING.** A combination of measures that make a building and attendant utilities and equipment watertight and substantially impermeable to floodwater, with structural components having the capacity to resist flood loads. Please refer to NFIP Technical Bulletin 3, *Requirements for the Design of Dry Floodproofed Non-Residential and Mixed-Use Buildings*, from FEMA.

ELEVATED BUILDING. A non-basement building which has its lowest elevated floor raised above ground level by foundation walls, shear walls, posts, piers, pilings, or columns.

ENCROACHMENT. The advance or infringement of uses, fill, excavation, buildings, structures, or development into a special flood hazard area, which may impede or alter the flow capacity of a floodplain.

EXISTING BUILDING AND EXISTING STRUCTURE. Any building and/or structure for which the start of construction commenced before April 3, 1978, the effective date of the initial Flood Insurance Rate Map (FIRM). ~~community entered the NFIP, dated June 20<sup>th</sup>, 1973.~~

EXISTING MANUFACTURED HOME PARK OR MANUFACTURED HOME SUBDIVISION. A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) was completed before ~~the community entered the NFIP,~~ January 1, 1975, the initial floodplain management regulations were adopted by the community.

**EXPANSION TO AN EXISTING MANUFACTURED HOME PARK OR SUBDIVISION.** The preparations of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads.)

FLOOD or FLOODING. A general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) The overflow of inland or tidal waters; and/or
- (2) The unusual and rapid accumulation or runoff of surface waters from any source.

FLOOD INSURANCE. The insurance coverage provided under the National Flood Insurance Program.

FLOOD INSURANCE RATE MAP (FIRM). An official map of a community, issued by the FEMA, on which both the special flood hazard areas and the risk premium zones applicable to the community are delineated. (See also DFIRM.)

FLOOD INSURANCE STUDY (FIS). An examination, evaluation, and determination of flood hazards, corresponding water surface elevations (if appropriate), flood hazard risk zones, and other flood data in a community issued by the FEMA. The FLOOD INSURANCE STUDY report includes Flood Insurance Rate Maps (FIRMs) and Flood Boundary and Floodway Maps (FBFMs), if published.

FLOOD PRONE AREA. See FLOODPLAIN.

FLOOD ZONE. A geographical area shown on a Flood Hazard Boundary Map or Flood Insurance Rate Map that reflects the severity or type of flooding in the area.

FLOODPLAIN. Any land area susceptible to being inundated by water from any source.

**FLOODPLAIN ADMINISTRATOR.** The individual appointed to administer and enforce the floodplain management regulations.

**FLOODPLAIN DEVELOPMENT PERMIT.** Any type of permit that is required in conformance with the provisions of this chapter, prior to the commencement of any development activity.

**FLOODPLAIN MANAGEMENT.** The operation of an overall program of corrective and preventive measures for reducing flood damage and preserving and enhancing, where possible, natural resources in the floodplain, including, but not limited to, emergency preparedness plans, flood control works, floodplain management regulations, and open space plans.

**FLOODPLAIN MANAGEMENT REGULATIONS.** This chapter and other zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances, and other applications of police power. This term describes federal, state, or local regulations, in any combination thereof, which provide standards for preventing and reducing flood loss and damage.

**FLOODPROOFING.** Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitation facilities, structures, and their contents.

**FLOOD-RESISTANT MATERIAL.** Any building product [material, component, or system] capable of withstanding direct and prolonged contact (minimum 72 hours) with floodwaters without sustaining damage that requires more than low-cost cosmetic repair. Any material that is water-soluble or is not resistant to alkali or acid in water, including normal adhesives for above-grade use, is not FLOOD-RESISTANT. Pressure-treated lumber or naturally decay-resistant lumbers are acceptable flooring materials. Sheet-type flooring coverings that restrict evaporation from below and materials that are impervious, but dimensionally unstable are not acceptable. Materials that absorb or retain water excessively after submergence are not FLOOD-RESISTANT. Please refer to Technical Bulletin 2, *Flood Damage-Resistant Materials Requirements*, and available from the FEMA. Class 4 and 5 materials, referenced therein, are acceptable FLOOD-RESISTANT materials.

**FLOODWAY.** The channel of a river or other watercourse, including the area above a bridge or culvert when applicable, and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

**FLOODWAY ENCROACHMENT ANALYSIS.** An engineering analysis of the impact that a proposed encroachment into a floodway or non-encroachment area is expected to have on the floodway boundaries and flood levels during the occurrence of the base flood discharge. The evaluation shall be prepared by a qualified North Carolina licensed engineer using standard engineering methods and models.

**FREEBOARD.** The height added to the BFE to account for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, blockage of bridge or culvert openings, and the hydrological effect of urbanization of the watershed. The BFE plus the freeboard establishes the regulatory flood protection elevation.

**FUNCTIONALLY DEPENDENT FACILITY.** A facility which cannot be used for its intended purpose unless it is located in close proximity to water, limited to a docking or port facility necessary for the loading and unloading of cargo or passengers, shipbuilding, or ship repair. The term does not include long-term storage, manufacture, sales, or service facilities.

**HAZARDOUS WASTE MANAGEMENT FACILITY.** As defined in G.S. Ch. 130A, Article 9, a facility for the collection, storage, processing, treatment, recycling, recovery, or disposal of hazardous waste.

**HIGHEST ADJACENT GRADE (HAG).** The highest natural elevation of the ground surface, prior to construction, immediately next to the proposed walls of the structure.

**HISTORIC STRUCTURE.** Any structure that is:

~~(1) Any structure that is:~~

(a) Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of Interior) or preliminarily determined by the Secretary of Interior as meeting the requirements for individual listing on the National Register;

(b) Certified or preliminarily determined by the Secretary of Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;

(c) Individually listed on a local inventory of historic landmarks in communities with a Certified Local Government (CLG) Program; or

~~(2)~~ (d) Certified as contributing to the historical significance of a historic district designated by a community with a Certified Local Government (CLG) Program. Certified Local Government (CLG) Programs are approved by the U.S. Department of the Interior in cooperation with the North Carolina Department of Cultural Resources through the State Historic Preservation Officer as having met the requirements of the National Historic Preservation Act of 1966 as amended in 1980.

LETTER OF MAP CHANGE (LOMC). An official determination issued by FEMA that amends or revises an effective Flood Insurance Rate Map or Flood Insurance Study. LETTERS OF MAP CHANGE include:

(1) LETTER OF MAP AMENDMENT (LOMA). An official amendment, by letter, to an effective National Flood Insurance Program map. A LOMA is based on technical data showing that a property had been inadvertently mapped as being in the floodplain, but is actually on natural high ground above the base flood elevation. A LOMA amends the current effective Flood Insurance Rate Map and establishes that a specific property, portion of a property, or structure is not located in a special flood hazard area.

(2) LETTER OF MAP REVISION (LOMR). A revision based on technical data that may show changes to flood zones, flood elevations, special flood hazard area boundaries and floodway delineations, and other planimetric features.

(3) LETTER OF MAP REVISION BASED ON FILL (LOMR-F). A determination that a structure or parcel of land has been elevated by fill above the BFE and is, therefore, no longer located within the special flood hazard area. In order to qualify for this determination, the fill must have been permitted and placed in accordance with the community's floodplain management regulations.

(4) CONDITIONAL LETTER OF MAP REVISION (CLOMR). A formal review and comment as to whether a proposed project complies with the minimum NFIP requirements for such projects with respect to delineation of special flood hazard areas. A CLOMR does not revise the effective Flood Insurance Rate Map or Flood Insurance Study; upon submission and approval of certified as-built documentation, a LETTER OF MAP REVISION may be issued by FEMA to revise the effective FIRM.

LIGHT DUTY TRUCK. Any motor vehicle rated at 8,500 pounds gross vehicular weight rating or less

which has a vehicular curb weight of 6,000 pounds or less and which has a basic vehicle frontal area of 45 square feet or less as defined in 40 CFR 86.082-2 and is:

(1) Designed primarily for purposes of transportation of property or is a derivation of such a vehicle, or

(2) Designed primarily for transportation of persons and has a capacity of more than 12 persons; or

(3) Available with special features enabling off-street or off-highway operation and use.

LIMIT OF MODERATE WAVE ACTION (LiMWA). The boundary line given by FEMA on coastal map studies marking the extents of Coastal A Zones (CAZ).

LOWEST ADJACENT GRADE (LAG). The lowest elevation of the ground, sidewalk, or patio slab immediately next to the building, or deck support, after completion of the building.

**LOWEST FLOOR.** The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access, or limited storage in an area other than a basement area is not considered a building's LOWEST FLOOR, provided that such an enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this chapter.

**MANUFACTURED HOME.** A structure, transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term MANUFACTURED HOME does not include a recreational vehicle.

**MANUFACTURED HOME PARK OR SUBDIVISION.** A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

**MAP REPOSITORY.** The location of the official flood hazard data to be applied for floodplain management. It is a central location in which flood data is stored and managed; in North Carolina, FEMA has recognized that the application of digital flood hazard data products carry the same authority as hard copy products. Therefore, the NCEM's Floodplain Mapping Program websites house current and historical flood hazard data. For effective flood hazard data the NC FRIS website (<http://FRIS.NC.GOV/FRIS>) is the map repository, and for historical flood hazard data the FloodNC FEMA Map Service Center website (<http://FLOODNC.GOV/NCFLOOD>) (<https://msc.fema.gov/portal/home>) is the map repository.

**MARKET VALUE.** The building value, not including the land value and that of any accessory structures or other improvements on the lot. MARKET VALUE may be established by independent certified appraisal; replacement cost depreciated for age of building and quality of construction (actual cash value); or adjusted tax assessed values.

**NEW CONSTRUCTION.** Structures for which the start of construction commenced on or after the effective date of the initial floodplain management regulations and includes any subsequent improvements to such structures.

**NEW MANUFACTURED HOME PARK OR SUBDIVISION.** A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after January 1, 1975, the effective date of the initial floodplain management regulations adopted by the community.

**NON-ENCROACHMENT AREA (NEA).** The channel of a river or other watercourse, including the area above a bridge or culvert when applicable, and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot as designated in the Flood Insurance Study report.

**OTHERWISE PROTECTED AREA (OPA).** See COASTAL BARRIER RESOURCES SYSTEM (CBRS).

**POST-FIRM.** Construction or other development for which the start of construction occurred on or after April 3, 1978, the effective date of the initial Flood Insurance Rate Map.

**PRE-FIRM.** Construction or other development for which the start of construction occurred before April 3, 1978, the effective date of the initial Flood Insurance Rate Map.

**PRIMARY FRONTAL DUNE (PFD).** A continuous or nearly continuous mound or ridge of sand with relatively steep seaward and landward slopes immediately landward and adjacent to the beach and subject to erosion and overtopping from high tides and waves during major coastal storms. The inland limit of the primary frontal dune occurs at the point where there is a distinct change from a relatively steep slope to a relatively mild slope.

**PRINCIPALLY ABOVE GROUND.** At least 51% of the actual cash value of the structure, **less land value**, is above ground.

**PUBLIC SAFETY and/or NUISANCE.** Anything which is injurious to the safety or health of an entire community or neighborhood, or any considerable number of persons,

or unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake, or river, bay, stream, canal, or basin.

#### RECREATIONAL VEHICLE (RV).

- (1) A vehicle, which is:
  - (a) Built on a single chassis;
  - (b) Four hundred square feet or less when measured at the largest horizontal projection;
  - (c) Designed to be self-propelled or permanently towable by a light duty truck;
  - (d) Designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel, or seasonal use; and
  - (e) Fully licensed and insured, and ready for highway use.

(2) For the purpose of this chapter, tiny homes/houses and park models that do not meet the items listed above are not considered RECREATIONAL VEHICLES and should meet the standards of and be permitted as residential structures.

**REFERENCE LEVEL.** The top of the lowest floor for structures within special flood hazard areas designated as Zones A, AE, AH, AO, or A99. **For structures within SFHAs designated as VE or Coastal A zones, the reference level is the bottom of the lowest horizontal structural member of the lowest floor.**

**REGULATORY FLOOD PROTECTION ELEVATION.** The base flood elevation plus the freeboard. In special flood hazard areas where base flood elevations (BFEs) have been determined, this elevation shall be the BFE plus two feet freeboard. In special flood hazard areas where no BFE has been established, this elevation shall be at least four feet above the highest adjacent grade.

**REMEDY A VIOLATION.** To bring the structure or other development into compliance with state and community floodplain management regulations, or, if this is not possible, to reduce the impacts of its noncompliance. Ways that impacts may be reduced include protecting the structure or other affected development from flood damages, implementing the enforcement provisions of this chapter or otherwise deterring future similar violations, or reducing federal financial exposure with regard to the structure or other development.

**RIVERINE.** Relating to, formed by, or resembling a river (including tributaries), stream, brook, and the like.

**SALVAGE YARD.** Any non-residential property used for the storage, collection, and/or recycling of any type of equipment, and including but not limited to vehicles, appliances and related machinery.

**SAND DUNES.** Naturally occurring accumulations of sand in ridges or mounds landward of the beach.

**SHEAR WALL.** Walls used for structural support but not structurally joined or enclosed at the end (except by breakaway walls). SHEAR WALLS are parallel or nearly parallel to the flow of the water.

**SOLID WASTE DISPOSAL FACILITY.** Any facility involved in the disposal of solid waste, as defined in G.S. § 130A-290(a)(35).

**SOLID WASTE DISPOSAL SITE.** As defined in G.S. § 130A-290(a)(36), any place at which solid wastes are disposed of by incineration, sanitary landfill, or any other method.

**SPECIAL FLOOD HAZARD AREA (SFHA).** The land in the floodplain subject to a 1% or greater chance of being flooded in any given year, as determined in § 154.07.

**START OF CONSTRUCTION.** Includes substantial improvement, and means the date the building permit was issued provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the permit date. The ACTUAL START means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of

excavation; or the placement of a manufactured home on a foundation. PERMANENT CONSTRUCTION does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the ACTUAL START OF CONSTRUCTION means the first alteration of any wall, ceiling, floor, or other structural part of the building, whether or not that alteration affects the external dimensions of the building.

STRUCTURE. A walled and roofed building, a manufactured home, or a gas, liquid, or liquefied gas storage tank that is principally above ground.

SUBSTANTIAL DAMAGE. Damage of any origin sustained by a structure during any one-year period whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50% of the market value of the structure before the damage occurred. See definition of SUBSTANTIAL IMPROVEMENT.

SUBSTANTIAL IMPROVEMENT. Any combination of repairs, reconstruction, rehabilitation, addition, or other improvement of a structure, taking place during any one-year period for which the cost equals or exceeds 50% of the market value of the structure before the start of construction of the improvement. This term includes structures which have incurred substantial damage, regardless of the actual repair work performed. The term does not, however, include either:

(1) Any correction of existing violations of state or community health, sanitary, or safety code specifications which have been identified by the community code enforcement official and which are the minimum necessary to assure safe living conditions; or

(2) Any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure and the alteration is approved by variance issued pursuant to § 154.29.

#### TECHNICAL BULLETIN AND TECHNICAL FACT SHEET.

(1) A FEMA publication that provides guidance concerning the building performance standards of the NFIP, which are contained in Title 44 of the U.S. Code of Federal Regulations at Section 60.3. The bulletins and fact sheets are intended for use primarily by state and local officials responsible for interpreting and enforcing NFIP regulations and by members of the development community, such as design professionals and builders. New bulletins, as well as updates of existing bulletins, are issued periodically as needed. The bulletins do not create regulations; rather they provide specific guidance for complying with the minimum requirements of existing NFIP regulations.

(2) It should be noted that Technical Bulletins and Technical Fact Sheets provide guidance on the minimum requirements of the NFIP regulations. State or community requirements that exceed those of the NFIP take precedence. Design professionals should contact the community officials to determine whether more restrictive state or local regulations apply to the building or site in question. All applicable standards of the state or local building code must also be met for any building in a flood hazard area.

TEMPERATURE CONTROLLED. Having the temperature regulated by a heating and/or cooling system, built-in or appliance.

VARIANCE. A grant of relief from the requirements of this chapter.

**VE ZONES. The Special Flood Hazard Area (SHFA) subject to flooding and high velocity wave action from storms surges and seismic activity. Base flood elevations have been derived from detailed hydraulic analyses.**

VIOLATION. The failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in §§ 154.25 through 154.29 and §§ 154.40 through 154.45 is presumed to be in violation until such time as that documentation is provided.

WATER SURFACE ELEVATION (WSE). The height, in relation to NAVD 1988, of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

WATERCOURSE. A lake, river, creek, stream, wash, channel, or other topographic feature on or over which waters flow at least periodically. WATERCOURSE includes specifically designated areas in which substantial flood damage may occur.

**NOW THEREFORE, BE IT ORDAINED** that the City Council of the City of Elizabeth City does hereby amend Chapter 154 of the Elizabeth City Code of Ordinances as detailed above.

**ADOPTED** this the 9<sup>th</sup> day of February 2026.

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E. Kirk Rivers  
Mayor

*Attest:*

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April D. Onley, NCCMC  
City Clerk

**4. Approval of Minutes:**

**a. Consideration – Approve January 12, 2026 Regular Session Minutes;**

**Motion was made by Councilman Kem Spence, seconded by Councilwoman Katherine Felton to approve the minutes with any necessary corrections. Those voting in favor of the motion were: Biggs, Peel, Cartwright, Gibbs, Spence, Felton, Morris and Jackson. Against: None. Motion carried.**

**5. Consent Agenda:**

Mayor Rivers read the Consent Agenda item into the record, as follows:

**a. Consideration – Adopt Resolution Requesting Traffic Study by NCDOT to Decrease Speed on North Poindexter Street (MACU Campus);**

**RESOLUTION #2026-02-01  
REQUESTING THAT THE NC DEPARTMENT OF TRANSPORTATION  
CONDUCT A FEASIBILITY STUDY ON DECREASING THE SPEED LIMITS  
ON NORTH POINDEXTER STREET IN FRONT OF MACU CAMPUS**

**WHEREAS**, North Poindexter Street from its intersection with East Elizabeth Street to its intersection with East Ward Street is heavily travelled by local and through traffic; and

**WHEREAS**, North Poindexter Street from its intersection with East Elizabeth Street to its intersection with East Ward Street is a favorite route for motorists travelling from the south of the City to and through the downtown area; and

**WHEREAS**, North Poindexter Street intersects with and is adjacent to Mid-Atlantic Christian University, and its housing and residential areas; and

**WHEREAS**, the City of Elizabeth City Council members have taken notice of motor vehicles speeding in excess of the posted speed limits on these roads and share great concern for the safety of university students who must cross North Poindexter Street to and from their residences, as well as all other students who frequently walk and ride bicycles in this immediate area.

**NOW THEREFORE, BE IT RESOLVED** that the City Council of the City of Elizabeth City, North Carolina respectfully requests that the North Carolina Department of Transportation perform speed limit feasibility studies on these two sections of roadway to determine if the existing speed limits warrant a decrease for the safety of pedestrians and cyclists.

**READ, CONSIDERED, AND ADOPTED** at a regular meeting of the City Council of the City of Elizabeth City, North Carolina, during which a quorum was present held on the 9<sup>th</sup> day of February 2026.

\_\_\_\_\_  
E. Kirk Rivers  
Mayor

**Attest:**

\_\_\_\_\_  
April D. Onley, NCCMC  
City Clerk

- b. Consideration – Approve Chemical Purchase for Odor Control & Budget Amendment;**
- c. Consideration – Adopt FY 2026 Council Budget Meetings Calendar;**

Date	Action
April 6, 2026	Manager’s Presentation of Budget (Special Work Session)
April 27, 2026	General Fund Discussion (Held During Existing Work Session)
May 11, 2026	General Fund Discussion Continued (Special Work Session)
May 18, 2026	Enterprise Fund Discussion (Special Meeting)
May 26, 2026	Wrap-Up Discussion (Held During Existing Work Session)
June 8, 2026	Additional Questions / Discussion (Special Work Session ) / Call for Public Hearing
June 22, 2026	Hold Public Hearing and Adopt Budget

- d. Consideration – Authorization to Submit Application for FY 2026 Bicycle Helmet Application (As Added During Agenda Adjustments);**
- e. Consideration – Accept and Sign FPIC List for LGC (As Added During Agenda Adjustments);**

Mayor Rivers asked the Council’s pleasure on the Consent Agenda.

**Motion was made by Councilwoman Katherine Felton, seconded by Councilman Kem Spence to approve the Consent Agenda. Those voting in favor of the motion were: Biggs, Peel, Cartwright, Gibbs, Spence, Felton, Morris and Jackson. Against: None. Motion carried.**

**6. Regular Agenda:**

- a. Consideration / Discussion – Follow-Up on Third-Party Stormwater Engineering Consultants (As Added During Agenda Adjustments);**

Mayor Pro Tem Biggs said that with as much development as we have coming, there’s a lot of concern about stormwater. I think it would be beneficial to have someone review this behind us and protect the properties that are there and those around it and downstream. He told the Council he intended to make a motion to have Manager Goodson begin that process; however, he needed to know if it would be a policy change or UDO change.

Director Bell explained that they already send the stormwater to the developer, so they are currently involving third parties now. Mayor Pro Tem Biggs asked if we were charging them though. Director Bell replied that we are not. Director Best added that our new UDO could make it a requirement.

Motion was made by Mayor Pro Tem Johnson Biggs to call for a public hearing on March 9, 2026 at the City Council's 7:00 p.m. Regular Session to address adoption of a new fee plan and policy around stormwater review. The motion was seconded by Councilman Kem Spence. Those voting in favor of the motion were: Biggs, Peel, Gibbs. Cartwright, Spence, Felton, Morris and Jackson. Against: None. Motion carried.

**b. Consideration – Approve Mariners' Wharf Stage Design;**

Motion was made by Mayor Pro Tem Johnson Biggs, seconded by Councilman Joseph Peel to accept the conceptual drawings and proceed with the next steps as outlined. Those voting in favor of the motion were: Biggs, Peel, Gibbs, Cartwright, Spence, Felton, Morris and Jackson. Against: None. Motion carried.

**7. Closed Session: As Allowed by NCGS 143-318.11(a)(4) for Land Acquisition and NCGS 143-318.11(a)(6) for Personnel (As Added During Agenda Adjustments);**

Motion was made by Councilman Kem Spence at 8:05 p.m. to enter Closed Session as allowed by NCGS 143-318.11(a)(4) for Land Acquisition and NCGS 143-318.11(a)(6) for Personnel. The motion was seconded by Councilwoman Katherine Felton. Those voting in favor of the motion were: Biggs, Peel, Cartwright, Gibbs, Spence, Felton, Morris and Jackson. Against: None. Motion carried.

Mayor Rivers announced there would be a five-minute recess to clear the room.

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The Council returned to open session at 9:00 p.m.

**8. Adjournment:**

Having no further business to be discussed, Mayor Rivers adjourned the meeting at 9:00 p.m.

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E. Kirk Rivers  
Mayor

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April Onley, NCCMC  
City Clerk

