

**City Council Regular Session
November 23, 2020**

The City Council of the City of Elizabeth City met in regular session on Monday, November 23, 2020, in Council Chambers, located on the 2nd floor of the Municipal Administration Building, 306 E. Colonial Avenue, Elizabeth City, NC.

MEMBERS PRESENT: Mayor Bettie Parker
Councilman Kem Spence
Councilman Billy Caudle
Councilwoman Jeannie Young
Mayor Pro Tem Johnnie Walton
Councilman Michael Brooks
Councilman Darius Horton (*Arrived at 7:08 p.m.*)
Councilman Gabriel Adkins (*Arrived at 7:08 p.m.*)

MEMBERS ABSENT: Councilman Chris Ruffieux

OTHERS PRESENT: Interim City Manager Eddie Buffaloe
City Attorney Bill Morgan
Finance Director Suzanne Tungate
Deputy Chief of Police James Avens
Interim Electric Superintendent Bob Vannoy
Assistant City Manager Angela Judge
Human Resources Director Montique McClary
Public Utilities Assistant Director Amanda Boone
Interim Parks and Recreation Director Bobbi White
Fire Chief Chris Carver
ECDI Director Debbie Malenfant
IT Director Matthew Simpson
City Clerk April Onley
Deputy City Clerk Doris Walton

The City Council regular session was called to order by Mayor Bettie Parker at 7:00 p.m. Mayor Parker welcomed everyone to the meeting and recognized Councilman Spence to give the invocation, followed by the Pledge of Allegiance.

1. Statement of Disclosure:

The City Clerk read the Statement of Disclosure. No conflict of interest disclosures regarding items listed on the agenda were made.

2. Agenda Adjustments and Approval:

Mayor Parker asked the Council's pleasure on the presented agenda.

Motion was made by Councilman Kem Spence to approve the agenda with any necessary adjustments.

Mayor Pro Tem Walton requested to add a discussion on COVID-19.

Motion was seconded by Councilman Billy Caudle. Those voting in favor of the motion were: Young, Caudle, Walton, Brooks, and Spence. Against: None. Motion carried.

3. Comments from the Public:

Rev. Timothy Stallings Sr. – Northeastern Minister Association – 2703 West Main Street – Requested that the fees be waived for the Sunrise Easter Service for this year and each following year.

4. Approval of Minutes:

a. November 9, 2020 Regular Session;

Motion was made by Councilman Kem Spence, seconded by Councilwoman Jeannie Young. Those voting in favor of the motion were: Spence, Brooks, Walton, Young, Horton, Caudle and Adkins. Against: None. Motion carried.

5. Consent Agenda: (*Interim City Manager Recommends Approval*)

Mayor Parker asked that Interim City Manager Buffaloe read the items on the Consent Agenda into the record.

a. Consideration – Declare Electric Meters Surplus;

b. Consideration – Budget Amendment for Debt Payments;

BUDGET AMENDMENT

BE IT ORDAINED by the City Council of the City of Elizabeth City that the following amendment be made to the annual budget ordinance for fiscal year ending June 30, 2021:

SECTION I. That the General Fund Fire Department Debt Service Payment Account (10-5300-8106) will be increased by \$5,765.64,

That the General Fund Fleet Maintenance Division Debt Service Payment Account (10-5550-8100) will be increased by \$5,453.98,

That the General Fund Street Division Debt Service Payment Account (10-5600-8100) will be increased by \$5,453.98,

That the General Fund Powell Bill Division Debt Service Payment Account (10-5700-8103) will be increased by \$29,317.80,

That the General Fund Parks and Recreation Debt Service Payment Account (10-6300-8116) will be increased by \$2,817.99,

And that the General Fund Parks and Recreation Debt Service Payment Account (10-6300-8115) will be increased by \$3,428.22.

(This amendment will increase various department’s budgets to reflect current year debt service payments for new debt as previously approved by council.)

ADOPTED, this 23th day of November, 2020.

Bettie J. Parker
Mayor

Attest:

April Onley, NCCMC
City Clerk

c. Consideration – Senior Walking Club Grant Application;

d. Consideration – Drug Drop Box Grant Application;

e. Consideration – Call for a Public Hearing – SUB 05-19 Stockbridge;

(End of Consent Agenda)

Mayor Parker asked Council's pleasure on the Consent Agenda, as presented.

Motion was made by Councilman Darius Horton, seconded by Councilman Kem Spence to approve the Consent Agenda as presented. Those voting in favor of the motion were: Spence, Brooks, Walton, Young, Horton, Caudle, and Adkins. Against: None. Motion carried.

6. Regular Agenda:

a. Discussion – COVID-19 (*Added During Agenda Adjustments*);

Mayor Pro Tem Walton said six states were on the rise with COVID cases, one of which was Maryland. He felt that a lot of our establishments were not taking COVID very seriously. Prevention is the most important thing. He asked if we're enforcing the rules in place for gatherings because he was noticing a lot of unmasked people and a lot of people in groups. The city has been fortunate, but we don't have a lot of beds in our hospital. If COVID takes over, we're going to have trouble.

Councilman Horton said we needed to make sure we were providing education because the rules are constantly changing. He was concerned about people's safety and he did not want Elizabeth City to become a hot spot. Councilman Adkins wondered if the restaurant owners were not following the rules, who enforces it to make sure that they do follow them? Do we have anything in place where if we ride by a restaurant and see it could be over capacity, does law enforcement do anything? Manager Buffaloe said that we enforce through education. Councilman Horton asked if there are regulations that we can put in place for our police to enforce? Attorney Morgan said there are no criminal penalties at least at this point for not following the order. All they can do is instruct the public to please wear a mask.

b. Consideration – Appointment to Urban Forestry Commission (*By Motion and Roll Call Vote*);

Motion was made by Councilman Kem Spence, seconded by Councilman Darius Horton to appoint Jared Tardiff to the UFC for a three-year term. Those voting in favor of the motion were: Spence, Brooks, Walton, Young, Horton, Caudle and Adkins. Against: None. A roll call vote followed, which yielded the same results.

c. Presentation / Update – Internal Audit;

Chief Buffaloe provided an overview of each department as follows:

ADMINISTRATION:

- The Administration Department consists of the City Manager, Assistant City Manager, City Clerk, and Executive Admin. | Deputy City Clerk. All expenditures for this department are located in the General Fund Account 104200.
- This year, the City budgeted \$578,205.00 for Salaries and Departmental Expenses, which included overtime for the Deputy Clerk and P/T wages for the NC Lead Fellow. As of September 30, 2020, Administration has expended 49% of the salary and overtime for the department.
- Travel and Education for City Administration has been cancelled due to COVID-19. However, some training continues to take place virtually and at a reduced fee; therefore, the expenses within the Travel & Education Department are nominal. To date, the total amount expended in this account is 3%.

- One item not listed in the current FY 2020-2021 Budget was the fee for Developmental Associates, the search committee for the City's new City Manager. A budget amendment was made to the Contracted Services account 10.4100.4500 to reflect this expenditure, and approved during the November 9, 2020 City Council meeting.
- At this time, all accounts within the Administration fund are in line or below with what was budgeted for this fiscal year.

BUILDING MAINTENANCE DIVISION:

- General Fund Account 10-5000 – Funds two and one-half building maintenance and custodial workers who perform multiple janitorial and repair tasks, specifically to the City Hall, A. Parker Midgett, Hugh Cale Community Resource Center, Public Safety Administration Building, Police Substation, Customer Service satellite office, Elizabeth City Downtown, Inc., as well as the surrounding grounds and parking lot. They also facilitate building and systems maintenance at Knobbs Creek and the Senior Center.
- The division is funded through the General Fund with a 2020-2021 Budget of \$611,711, including \$144,036 for personnel services expenditures; 289,625 for operating expenditures; \$15,000 for capital expenditures; and \$163,110 for other expenditures.
- There are two instances where expenditures were appropriated to the wrong cost center for authorized purchases and in the correct amount, but charged incorrectly within the division. Both errors were identified by Accounting staff and corrected.
- Fund is on target with the fiscal year timeline, although additional funds have been spent due to the pandemic. There was an unplanned \$2.00 per hour pay increase for Building Maintenance Supervisor during the second quarter.
- Two planned capital equipment purchases (HVAC unit #10 and #15) are completed and installed.
- Unexpected and repeated major plumbing line failures in Community Development to contend with.

COMMUNITY DEVELOPMENT DEPARTMENT:

- Community Development (CD) currently does not have any budget short falls and is operating within the approved budget. The three divisions of CD Department, Planning, Code Enforcement and Planning, overall are extremely busy with permitting, code enforcement and planning cases. Currently CD has two (2) Code Enforcement Officers, three (3) Building Inspectors, two (2) Planners and one (1) CD Administrative Assistant, all positions are fulltime. At its current level, the Department is fully staffed. The only future position that may need to be added is another building inspector, if the department stays at its current level of work load.
- Two major purchases: The Code Enforcement truck was repainted at a cost of \$1, 600. The paint had completely peeled and the clear coat had also peeled off; and the department leased a new high capacity printer. The current printer is nine years old and is breaking down constantly and cannot keep up with the amount of copies required.
- Budget challenges include City properties that are acquired through tax sale, as we never know how many we will end up with. For example, 710 Jefferson Street has a tree that has fallen on the house the grass and weeds have not been maintained. City has a quote and will be having the property abated shortly, which may require a budget amendment.

FINANCE DEPARTMENT:

- The Administration and Accounting Division of the Finance Department includes the Finance Director, Assistant Finance Director, two accounting technicians, an administrative assistant, and Grants Management Specialist. The demands on the accounting staff at specific times in the fiscal year far exceed the ability to produce the information required to distribute to departments, management and the Council in the timeliness and accuracy that they deserve. A part-time position added to this service level to assist with the daily responsibilities of the division would allow staff better opportunity to dedicate their time to more specialized duties such as the annual budget document and the comprehensive annual financial report.
- Upon review of the annual budget that was approved June 22, 2020, it was discovered that various debt service payments for the 2020/2021 fiscal year were not included. On August 10, 2020, the City Council approved financing for vehicles, equipment, and improvements in the General Fund in the amount of \$707,500. The vehicles included in financing were the purchase of five patrol vehicles, a truck for the Fire Department, a truck for the fleet maintenance division, a truck for the street division, an asphalt truck for the Powell Bill division, maintenance equipment for the Parks and Recreation Department, playground surface replacement at the River Road Complex, and a shade structure at Enfield Park. Debt payments for the patrol vehicles and the maintenance equipment for Parks and Recreation were budgeted in their respective line items; however, the payments for the remaining vehicles and improvements were not budgeted. The budget impact will be a total increase to include principal and interest payments in the amount of \$52,237.61. A budget amendment for this issue will be presented for consideration during the November 23, 2020 City Council meeting.

FIRE DEPARTMENT:

- The Fire Department has several major needs that have not been budgeted, including a fire truck replacement (\$825,000); fire station replacement (\$5,000,000) and roof replacement of Station 1 (\$125,000).
- Unexpected engine repairs to E-2 that totaled more than \$14,000. Cracks were found in the suspension of E-2 and L-1 that are estimated to cost \$10,000 to complete both repairs. Total repairs to these two trucks alone have totaled \$43,000 this year so far.
- Most office supplies, equipment rentals, advertising amounts are nominal and expected to come in at budgeted amounts.
- Concern about uniforms for new personnel and rising costs of outfitting them. Firefighting gear has a 10-year life cycle, and the costs are rising drastically due to COVID-19.
- Currently, understaffed by two firefighters for suppression needs.

HUMAN RESOURCES DEPARTMENT:

- Human Resources is comprised of the HR Director, Senior Human Resources Analyst, Liability Coordinator/Safety Analyst, and a part-time Human Resources Assistant. The findings of the internal audit determined that additional staff is needed; one full-time Human Resources Generalist and another part-time employee.
- The Human Resources Department was budgeted for \$353,834.00 for fiscal year FY20/21. Human Resources has used and encumbered 60% of the current budget. Through the Cares Act/Coronavirus Relief fund, Human Resources has encumbered funds for an Onboarding and Training module using the existing NeoGov software platform; sneeze guards for the (HR) front desk area, conference room table, Human Resources staff work spaces and Novatime Carepoint Moduel: Thermal Reading and Voice Activation time clocks.

PARKS AND RECREATION DEPARTMENT:

- Our current organizational structure consists of 18 ½ full-time staff members; 15 assigned to 6200 and 3 ½ assigned to 6300. The part-time workforce fluctuates between 15 to 30 part-time staff based on our seasonal needs that typically increase during the spring and summer.
- Account 6200 Parks and Recreation’s operating budget is \$2,334,654.00, as of September 2020, 30% of the budget has been used.
- Account 6300 Senior Center’s operating budget is \$612,252, with 24% spent as of date.
- Account 6400 Cemeteries budget is \$50,000 which is set aside for maintenance and repair of eight city cemeteries.
- The Parks and Recreation budget should be able to sustain through the remainder of the current fiscal year with established funding. As we Approach the midpoint mark of the fiscal year Parks and Recreation has encountered a few budgeting constrains listed below.
- **16-6200-1510**- unexpected mold repairs at KCRC; estimated cost \$35,000
- **10-6300-4500**- line item should have been \$30,000 - set at \$1,500.
- **10-6300-1510**- Maintenance & Repairs Buildings - \$5,000, needed to be set around 35-40k Pending issues with electric, plumbing, and HVAC; Crosswalk was not budgeted correctly, budgeted for \$15,000 (were relying on grants. Grants were denied) cost is \$109k (before change orders) (responsible for half)
- **10-6300-1101**- Postage is currently negative \$57.45 due to mailing of COVID reopening announcements.
- **Communication** - Issued four additional smart phones to employees in August 2020 to meet communication needs.
- **10-6200-1100** – Currently at 38%, increased phone distribution may cause a budget overage.

POLICE DEPARTMENT:

- ECPD made of three divisions: administration, field operations, and support services. The agency has a total of 66 full-time sworn law enforcement officers, 10 full-time civilian support staff members, and one part-time PAL coordinator. Additionally, there are also four seasonal part-time school crossing guards and one part-time PAL mentor position (funded through grant funding). At the current time, we have five openings for sworn police officers, which we hope to have filled by January 2021.
- Total budget of \$7,573,954, which is broken down as \$5,005,160 in personnel services expenditures, \$1,664,314 in operating expenditures, \$464,245 in capital expenditures, and \$440,235 in other expenditures. Currently at 40% of total expenditures for the budgetary cycle.
- There were no budget inconsistencies found as related to the ECPD’s budget.

And additionally, I thought to might be beneficial to update you all on where we stand with our current grants:

GRANTS:

Summary, Status of Major Grant Awards

Raw Water Transmission Main Replacement Project

This project consists of two Community Development Block Grant-Infrastructure awards covering Phases IIA and IIB of replacing almost 8,000 linear feet of the City’s raw water transmission line, which is the only line that transports raw (untreated) water from the City’s wells to its Water Treatment Plant. These grants total \$1,070,436.55; the City has drawn down more than half this amount.

Current Status: Construction is substantially complete for both of these grants. The City anticipates moving to closeout in the coming months. Please also note that, as CDBG-funded work, this project carries numerous supporting requirements, including in labor

standards and Fair Housing. The Grants Administrator has ensured full compliance with these standards, verified by multiple external technical monitorings of the project.

Providence Road (Oxford Heights) Bridge Replacement/Relocation Project

Through Hurricane Matthew-related disaster recovery funding, Golden LEAF in late 2018 awarded the City \$250,000 to replace or relocate the two-lane bridge that provides the only entry and exit for the Oxford Heights neighborhood. (This does not consider a back gate used only for emergencies and not suitable for regular traffic.) The City had originally hoped to construct a new bridge in a better, less flood-prone location. Unfortunately, railroad companies would not grant a required crossing. The City is therefore planning to build a new bridge in roughly the same location as the current one. The City has also secured \$1.14 million from the NC Department of Transportation to reduce the local share of funding. Total project costs are tentatively estimated at \$1.425 million.

Current Status: This project has encountered delays due to the setback with the railroad crossing; NCDOT also has not approved moving up the construction window for this project, which officially is set for 2026. This is far beyond the project lifespan desired by Golden LEAF, which has already granted project extensions. City staff continue working with NCDOT to expedite this vital project; Golden LEAF would like to see meaningful progress in the coming months.

Raw Water Reservoir Rehabilitation Project

This project consists of a loan of \$1,073,303 from the Drinking Water State Revolving Fund; approximately \$805,000 of this amount is a "principal forgiveness" loan, which is functionally a grant. The total project cost is estimated at over \$1.5 million. This project is necessary to respond to environmental notices against the City's water system several years ago; the project will pay to repair and cover the 3-million-gallon reservoir to prevent animal waste and other contaminants from entering pre-treated water. Please note these issues never compromised the safety of treated water.

Current Status: The primary Raw Water Reservoir remains out of service pending this work. The Public Utilities Department and the project engineering firm, AECOM, submitted design documents to the state several months ago. State approval was expected by Nov. 2, but approval is still pending and Public Utilities is following up on the delay. The project is supposed to be advertised for bids by March 1, 2021.

Sanitary Sewer Pump Station Replacement Project

Through disaster recovery funds, Golden LEAF has awarded the City \$996,300 to make repairs and enhance the resiliency of nine sanitary sewer pump stations throughout the City. These pump stations are located in especially low-lying areas and the project includes numerous improvements that will allow them to withstand more flooding before being rendered inoperable. The project will reduce damage to the pump stations and surrounding infrastructure, as well as reduce sanitary sewer overflows.

Current status: The project engineering firm, JMT, is on schedule to complete design documents by January 1, 2021, meeting Golden LEAF's timeline. Bidding and procurement must be complete by June 1, 2021. Bids will include work beyond the scope of the Golden LEAF award, which did not cover all work Public Utilities found is needed for these stations. Some local funds may be included, but are not required, for the contract award. The City will determine the final, feasible project scope based on bids received.

Grant Application Summary, Calendar Year 2020

The grants administrator also works to help fulfill the City Council's formal Goals and Objectives, chiefly Goal 1 (Ensure Sound Fiscal Responsibility), Objective 1 (Write and submit a minimum of 20 grants each year). The grants administrator also works to track grant applications across all City departments. Below is a summary of grant applications submitted to date. As stated previously, the grants administrator is not directly involved in public safety-related grants.

For convenience, this summary is broken down by departments, with subtotals and a cumulative total at the end. For reference, this report is consistent with and builds on the second quarterly "Goals and Objectives" report submitted to the City Council in June 2020.

It is unfortunate but expected that multiple grants were denied. Grant dollars are extremely limited and competitive every year, but City staff remain diligent and persistent

in seeking funding for the community's needs. Some major projects may take several grant cycles to win funding.

Public Utilities

<u>Grant Purpose</u>	<u>Grantor</u>	<u>Status</u>	<u>Amount Requested</u>	<u>Amount Awarded</u>
Sanitary Sewer Pump Stations	Golden LEAF	Awarded	\$2,250,000	\$996,300
Ray Street Water and Sewer Replacement Project (CDBG)	NCDEQ	Pending	\$929,563.45	TBD
		Totals, Calendar Year	\$3,179,563.45	\$996,300
		Total Local Match	\$436.55	\$0
		Net External Funding	\$3,179,126.90	\$996,300

Public Safety (ECPD and ECFD)

<u>Grant Title/Purpose</u>	<u>Grantor</u>	<u>Status</u>	<u>Amount Requested</u>	<u>Amount Awarded</u>
Body-worn Cameras	Governor's Crime Commission	Pending	\$24,500	TBD
In-car cameras	Governor's Highway Safety Program	Denied	\$30,000	\$0
Traffic Safety Materials	Watch For Me Program (NCDOT)	Awarded	\$13,000	\$13,000
Hire Police Officers	COPS Program (USDOJ)	Awarded	\$187,500	\$183,513
Cameras, Equipment, Training	Project Safe Neighborhoods	Pending	\$126,406	TBD
Thermal Imaging Cameras	Firehouse Subs	Awarded	\$21,630.41	\$21,630.41
Firefighting Breathing Apparatus (ECFD)	Assistance for Firefighters (FEMA)	Denied	\$117,325	\$0
Law Enforcement Recruitment, Retention	Micro-Grant (USDOJ)	Denied	\$10,000	\$0
Popcorn Machine, Table (Support Community Policing)	Walmart	Pending (Note: Resubmission, prior apps denied)	\$5,000	TBD
Body-worn Cameras	Bureau of Justice Assistance (USDOJ)	Awarded	\$14,500.50	\$13,826.00
COVID-19 Supplies	BJA (USDOJ)	Awarded	\$33,111.93	\$33,148
COVID-19 Supplies (ECFD)	FEMA	Denied	\$4,400	\$0
Tech. for Investigations	BJA (USDOJ)	Awarded	\$10,115	\$10,134
Police drone donation	Skydio	Pending	\$2,600	TBD

Grain Bin Rescue Equipment	NCDPS (Emergency Management)	Awarded	\$34,856	\$34,856
		Totals, Calendar Year	\$634,944.84	\$310,107.41
		Total Local Match	\$116,707.80	\$80,312.80
		Net External Funding	\$518,237.04	\$229,794.61

Parks and Recreation

<u>Grant Purpose</u>	<u>Grantor</u>	<u>Status</u>	<u>Amount Requested</u>	<u>Amount Awarded</u>
Senior Center Support/Equipment	Cannon Foundation	Awarded	\$19,700	\$19,700
Senior Center Door Controls	Homeserve Cares Foundation	Denied	\$16,078	\$0
Senior Center Support	Albemarle Community Trust	Denied (Program Priorities Changed)	\$5,000	\$0
Senior Center Support	State Farm Foundation	Awarded	\$500	\$500
Senior Center Crosswalk/Lights	AARP Community Challenge	Denied	\$10,000	\$0
Coast Guard Park Phase II	Division of Coastal Management	Denied	\$226,800	\$0
Youth "Pop-Up" PE Activities	Albemarle Community Trust	Awarded	\$3,000	\$3,000
Mobile Art Program Supplies	ALDI Smart Kids Program	Denied	\$4,000	\$0
New Facilities for Enfield Park	Parks & Rec. Trust Fund	Denied	\$147,525	\$0
Senior "Pop-Up" Activities	Elizabeth City Foundation	Denied	\$6,000	\$0
Senior Walking Club	America Walks Community Change Program	Pending	\$1,500	TBD
		Totals, Calendar Year	\$440,103	\$23,200
		Total Local Match	\$172,725	\$0
		Net External Funding	\$267,378	\$23,200

Various Depts.

<u>Grant Purpose</u>	<u>Grantor</u>	<u>Status</u>	<u>Amount Requested</u>	<u>Amount Awarded</u>
Dorian Recovery (Admin./Finance Depts.)	FEMA	Pending	\$376,768	\$289,373.82
Financial Wellness Grant (Human Resources)	Nat. Assoc. of State Treasurers	Awarded	\$22,000	\$22,000

Coronavirus Care Collaborative (Admin./Finance Departments)	NC Dept. of Commerce	Pending	\$765,000	TBD
		Totals, Calendar Year	\$1,163,768	\$311,373.82
		Total Local Match	\$0	\$0
		Net External Funding	\$1,163,768	\$311,373.82

Grand Totals (All Depts.)

Total Net External Funding Requested: \$5,128,509.94

Total Pending: \$1,854,569.45

Total Awarded: \$1,640,974

Total Local Match: \$80,312.80

Total Net External Funding Awarded: \$1,560,168.43

(NOTES: (1)“Amounts Requested” includes the amounts of actual outside funding sought, not total project budgets, which may include local matching dollars. (2) Grants that have yet to be awarded may have local match commitments, which is why the “Total Local Match” is lower in the “Amount Awarded” column. (3) Local match numbers only count match requirement, not total local funding that may be necessary to complete a project.)

d. Discussion – Homelessness / Potential Shelter and/or Funding Options;

Assistant City Manager Judge said that for several years, the Elizabeth City Council has tasked City staff with facilitating the opening of a homeless shelter. If properly run, a homeless shelter can be vital to helping someone resolve the personal crises that caused their homelessness and restoring them to long-term, sustainable housing. While it is difficult to fully count those experiencing homelessness or housing instability, it remains clear there are homeless people in Elizabeth City who would benefit from a homeless shelter. Aside from the Pasquotank County Department of Social Services. There are a handful of non-government organizations in Elizabeth City that work towards aiding the local indigent population, including the Food Bank of the Albemarle, Salvation Army, Room in the Inn, Serving Others in Unity, Love and Spirit, River City Community Development Corporation, the Community Care Collaborative, and the Albemarle Area United Way and their affiliates. Each of these organizations provide one or two services that benefit persons in need, whether food staples, short-term lodging, daily meal service, counseling and long-term housing options, or emergency utility and rent payment. None, however, provide the 360-degree service level needed to help the less fortunate in our community. Despite the merits, opening a homeless shelter has eluded City staff. Securing a facility and identifying sustainable funding for the shelter operator remain major challenges.

Councilors may find the following timeline – by no means exhaustive – helpful to their discussions:

February 2018: The “Visions of Hope” homeless shelter at 709 Herrington Road is shut down due to a bedbug infestation; 709 Herrington Road is a City-owned house.

May 2018: Visions of Hope informed City staff it was disbanding. City staff recommended selling 709 Herrington Road as surplus property. The council declined to do so; at the recommendation of Councilor Darius Horton, the council instead approved publishing a request for proposals (RFP) seeking a third-party operator for a homeless shelter.

June 2018: The Council voted to commit up to \$50,000 from the 2018-2019 budget to support operations of a homeless shelter.

August 2018: City staff determined 709 Herrington Road cannot be reopened due to a deteriorated structure and not meeting building codes.

September 2018: Divine Inspiration Outreach, a Chesapeake-based nonprofit, submitted a written proposal to operate a homeless shelter.

October 2018: Following a Council directive to find an alternative shelter site, City staff proposed requesting to lease a portion of the former Pasquotank County Health Department building at the corner of Cedar and Harney streets for a shelter; Council approved.

January 2019: Citing severe structural issues at 709 Herrington Road, City staff recommended Council approve demolition of the building; the vacant property would be sold as surplus or turned into a passive park. Council deferred action on the demolition.

February 2019: County commissioners requested the City lease the entire health department building. City staff concluded the entire building, at almost 11,000 square feet, is too large to lease and maintain. The Council requested the Mayor and City Manager further discuss the issue with county officials.

March 2019: The County maintained its position on the lease; the Council rejects the lease and directs City staff to consider alternative sites. (Notably, the City also received some public comment opposed to locating the shelter at the former health building.)

April 2019: City staff re-evaluated repairs to 709 Herrington Road and possible renovation of two houses acquired by the City through foreclosure. City staff consulted with local contractors and determine each structure needs extensive work to be used as shelter -- \$75,000 or more.

May 2019: In response to City officials' requests, State Rep. Howard Hunter III proposed legislation to provide \$100,000 in state funds towards establishing a homeless shelter. The appropriation was later integrated into the state budget, which was not been passed due to an unrelated disagreement between Gov. Roy Cooper and Republican lawmakers.

November 2019: The City Council authorized the City's "Cold Weather Voucher Program" to provide emergency sheltering for our homeless population. The program began December 1, 2019 and ran through February 9, 2020. During the program period the following actions have taken place:

- Three hundred eighty-six (386) Cold Weather Vouchers were issued
- The City spent \$22,148.45 towards vouchers during the program period
- There were thirty-six (36) males and twenty-nine (29) females who utilized the voucher program
- Queen Elizabeth Motel was the only participating hotel in the City's 2019-2020 voucher program

During the November 9, 2020 Regular Meeting, Councilor Darius Horton and others reaffirmed the need help our local homeless population both in the short-term during the winter 2020-2021 season and in the future by establishing a shelter location. Staff is instructed to identify properties to be used as a homeless shelter for the governing body's consideration. A successful homeless shelter has three fundamental components: an effective operator, a proper facility, and sustainable funding. Since the closure of Visions of Hope, the City has made limited progress on these three fronts. Two potential operators have expressed interest, but a facility has not been secured and sustainable funding remains undetermined.

City staff have long recommended that a 501(c)(3) nonprofit organization operate a homeless shelter, rather than the City doing so directly. City staff maintain that recommendation. Though municipalities in North Carolina have the legal authority to operate homeless shelters, it would be far more expensive for the City to operate a shelter. This is primarily because the City would have to hire a shelter manager and possibly support staff. The City's personnel costs could add \$100,000 or more to the cost of shelter, whereas a nonprofit might operate the shelter at a fraction of that cost thanks to lower salaries and volunteer labor.

As indicated above, the nonprofit Divine Inspiration Outreach (DIO) submitted a proposal to operate the shelter. In staff's opinion, DIO's leadership has strong credentials and experience in running a shelter, and it submitted a thorough plan for well-structured shelter operations. However, DIO submitted its proposal prior to City staff determining 709 Herrington Road should be demolished. Because DIO's proposal was based on occupying that structure, City staff must recommend issuing a new RFP once an alternative site is identified. This will help respondents detail their operational plans and costs.

A second organization, River City Community Development Corporation (RCCDC) has recently expressed interest in partnering with the City to provide holistic support services, including financial counseling, emergency sheltering, mentoring, and permanent housing. The RCCDC has a proven track record in Elizabeth City and the region to access Federal, State and private dollars to fund its multitude of objectives through the years. Likewise, years of sheltering and housing individuals within specific subsets of the population, specifically veterans, young adults and youth has solidified the RCCDC as a community partner affecting positive results. In recent years the RCCDC has expanded services to include almost any individual or family experiencing displacement and housing crises. The RCCDC has successfully secured funding and operated an emergency housing program for two years and has expressed interest to assist the City with both the short and long-term emergency shelter mission. City staff held a conference with the RCCDC leadership and frontline staff to learn more about their current-year operation and possible partnership. This partnership could resolve the Council's short-term aim for winter 2020-2021. The organization's staff have already initiated researching and identifying long-term shelter operations that could be mirrored in Elizabeth City. City staff has been invited to learn more and participate in a visit to the western North Carolina facility.

In preparation for this report, City staff have also learned that no other local organizations are operating emergency shelters during this winter 2020-2021 season, including Room in the Inn. The COVID-19 coronavirus pandemic has resulted in a number of smaller charities to downsize or retreat from normal operations.

The long range plan to establish a homeless shelter in Elizabeth City will take a great deal more time, Council consideration and funding authorization (a great deal more than the \$47,765.00 allotted in this year's budget). There are land use regulations, Building and Fire Code laws and controls, managing partner or operator, and consistent funding source(s) to be navigated and secured in order to start a fulltime shelter operation. A few of these are summarized here:

Zoning ordinances and fire safety codes place numerous restrictions on the siting and characteristics of a shelter facility. The City's Unified Development Ordinance provides that a homeless shelter must: provide a facility contained within a building and operated by a government agency or nonprofit organization; provide a minimum floor space of 50 square feet for each individual sheltered; and the facility operator shall provide "continuous on-site supervisions by an employee(s) and/or volunteer(s) during the hours of operation."

Additionally, building codes provide that, if the building is not fully covered by a sprinkler system, every sleeping room must have a window or door leading directly outside for emergency exit. The NC Fire Code also requires that a homeless shelter must be sprinkled, with an exception for a house with a maximum occupancy of five people, including residents and staff.

Further, a homeless shelter may be operated on certain residential and office institutionally zoned properties contingent upon approval of Special Use Permit by the Planning Commission and Board of Adjustment. If the property is located in a commercially zoned district, a rezoning would be required, or the City could initiate a text amendment to the Unified Development Code to allow for homeless shelters in commercial districts.

Due to very limited funds, City staff have sought to repurpose an existing structure, rather than build one. However, even this approach has led the City to face considerable expense. Purchasing residential property in good condition and offering adequate square footage for an 8-10 person shelter could cost \$100,000 or more. Foreclosed properties may be acquired at little to no cost, but those savings will likely be offset by the need for

extensive repair and renovation. Additionally, a large house converted into a homeless shelter is likely to need a sprinkler system, another considerable expense.

Due to constant, high occupancy, homeless shelters also put significant wear and tear on a residential structure. That has prompted City staff to instead focus on repurposing commercial or institutional property. City staff are looking for viable properties for sale, but, barring a generous donation, acquisition and renovation costs will still be substantial.

The last component of a successful homeless shelter – sustainable funding – also remains unresolved. Unfortunately, the City has seen several nonprofits start shelters only to face a loss of donations and other support after a few years. This raises the risk that the shelter’s quality of operations will suffer and it will close despite support from the City. City staff strongly urge Council to require any potential shelter operator to provide a detailed budget with realistic, sustainable revenues – otherwise, paying facility costs may ultimately be a waste of money.

City staff recognize these not as impossible obstacles, but as substantial hurdles that can be overcome in time and with support from all community partners. Several local governments within North Carolina have been contacted in an effort to learn how others are handling sheltering, shelters, and displacement housing during the pandemic. Police CIU Agent Barbara Morgan has submitted a report detailing research results. A copy is attached.

Also for this communication, Councilor Horton identified two vacant residential structures on a single property that a benevolent organization would be willing to donate to the City for use as homeless shelters. The structures would require relocation to property that the City presently owns or would purchase. City staff conducted cursory research. A report from the chief Zoning Administrator, Director Carter Thompson is appended to this communication. GIS Coordinator Amy Durden and City Clerk Onley have identified nine parcels that are: 1) owned or controlled by the City; 2) vacant land; 3) have utility connection within the abutting right-of-way; and 4) are at least 6,000 square feet in area (the minimum lot size for a residential dwelling). This opportunity would require Council consideration and direction to City staff.

There are a number of vacant commercial buildings and properties within the city center. However, the City Council should be mindful that the buildings’ assessed value may differ significantly from the owners’ asking prices for the properties; whether they would sell them for an affordable amount will be determined. City staff will compile a list of known property available for purchase and provide this list to the City Council in the appropriate format. Beyond each facility’s purchase price, the costs to renovate and operate property as a shelter is to be determined.

There were several questions the Council needed to answer:

1. Is the Council willing to partner with the RCCDC organization during the winter 2020-2021 season to facilitate emergency “white flag” sheltering for the homeless within the city?
2. If to the RCCDC, what type of support is the City Council willing to authorize City staff to provide – fiscal, in-kind, public safety, grants writing and administration, transportation, etc.?
3. Is the City Council interested in learning more about the longer term homeless shelter operation solutions identified by other cities and counties? If so, should staff arrange in-person and/or virtual presentations, discussion groups, and tours?
4. With no state funds secured for the homeless shelter, is the Council prepared to spend \$100,000 or more to acquire/renovate a property to serve as a homeless shelter? Is it prepared to raise taxes or limit spending on core services to accomplish this?
5. Would the Council solicit the County for current-year and long-term funds to support a local shelter / sheltering operation?

6. Will the shelter serve homeless women and children, or homeless men? (Gender segregation is required to ensure safe, orderly operations. To serve both populations would require two shelters, with all the associated costs.)
7. If Elizabeth City opened a shelter, it would be one of the few in the region. This creates a likelihood that homeless persons from surrounding communities will seek to come to Elizabeth City for shelter and other services – effectively competing with homeless persons who have long resided in Elizabeth City. Is this a concern, and how should it be addressed?
8. What level of recurring funding is the City willing to provide a shelter operator?
9. What will be the City's expectations/benchmarks for a successful homeless shelter? Is the council prepared to reduce funding or revoke a lease agreement if the shelter fails to follow its operational plan or proves ineffective in guiding people to permanent housing?
10. Who are the key partners a shelter operator should work with to ensure the success of the shelter, and what role does the City have in facilitating those partnerships?
11. Even when a shelter is opened, the City will not be able to provide temporary shelter to every homeless person in Elizabeth City. What are the key services and collaborations City staff should pursue to help homeless persons outside of a shelter?

Councilman Horton thanked Assistant Manager Judge and Deputy Chief Avens for working on the issue. He said he was of the opinion that the recommendation from the staff with the white flag program was not the way to go. He felt that if there is already an entity in the City that has been helping the homeless and doing a great job, if we have funds for a shelter, that has been helping the homeless and doing a great job, if we have funds for a shelter, we need to go back to our original plan and find a building, purchase it or even receive a gifted house. Right now, we do not need to take any action except to continue to allow staff to find an acceptable place for an organization to go into. He said he spoke to the nonprofit from Virginia and they still wanted to come and run a shelter for us.

Mayor Pro Tem Walton suggested we look back at the building behind the CVS. We'd looked at it before and been turned down, but COVID has changed a lot of things, so it's worthwhile to check into it.

Mayor Parker said from what she was hearing, it sounded like the interest was to keep the money in the budget for now and then eventually find a shelter and have a nonprofit run it. Councilman Horton said he was just one person, but that was his desire. He noted the RFP from the people in Virginia had a ton of resources. There is money out there somewhere. He said he did not want us to "get in the homeless business", just find a house to provide.

Motion was made by Councilman Kem Spence to table the item until such time that staff could provide some additional information, maybe after the first of the year. The motion was seconded by Councilman Darius Horton. Those voting in favor of the motion were: Spence, Brooks, Walton, Young, Horton, Caudle and Adkins. Against: None. Motion carried.

e. Update / Discussion – Perkins Estates Stormwater (As Requested by Councilman Caudle);

Councilman Caudle said they'd received some communication back in August from Perkins Estates and then they got another communication in September. They were going to send staff to look at it, but didn't want to get it forgotten about. He knew we didn't have a solution yet, but felt that we should be working toward something. Manager Buffaloe said he'd look into it and get it on the right people's radars and bring it back when he had an update, hopefully by the next meeting. He noted that being in transition with the Finance Director, they'd hit a holding pattern, but they would return to the discussion. Mayor Pro Tem Walton said he felt that the new city manager should provide after-action reports so they could make sure things were being carried out.

f. Discussion – Wayfinding Signage (As Requested by Mayor Pro Tem Walton);

Mayor Pro Tem Walton noted the TDA would be bringing forward a proposal for wayfinding signs and it was going to be somewhat costly so he wanted to make sure the Council was prepared. Councilwoman Young said she felt it was important that we support the project because it was going to both unify and beautify our community. The signs would tell people how to get downtown, to the universities and the parks. Councilman Caudle asked if they were wanting us to use our TDA money? How much? Mayor Pro Tem Walton said he wasn't sure the total, but was expecting in the \$70,000s range likely as that's what the TDA board itself was talking about spending.

7. Comments and Inquiries on Non-Agenda Items:

Councilman Adkins wished everyone a Happy Thanksgiving and hoped everyone stayed safe and looked out for each other.

Councilman Caudle said everyone had a lot to be thankful for this year, even though it had been hard. He thanked the city staff and said he felt they were "tremendous" and great to work with.

Councilman Horton said we need to remember the things and the people we take for granted. He told his church to count their blessings and not their problems. He encouraged everyone to take time to count the people who meant so much to them. We have to enjoy those we have while we have them. He told the Council he was thankful for them too.

Councilwoman Young stated she was thankful for the staff during COVID-19 because they'd never stopped going and never stopped serving our community. She thanked Manager Buffaloe for stepping up to lead us.

Councilman Spence said he would be teaming up with Amen Ministries to feed as many people as they could. Anyone who wanted to come out who come to the PAL building and eat with them.

Councilman Brooks commended the Council for how civil they've been in the last few meetings. He thanked God for his lifelong assignment as an activist. His journey was to bring justice to the needy and afflicted. He said you'll always have more critics than fans, but you must never give up.

Mayor Pro Tem Walton said giving thanks is what it's all about and he was very thankful for everything he had in front of him today.

Mayor Parker provided an update on COVID and information from the governor's office.

8. Closed Session as Allowed by NCGS 143-318-11(a)(6) Personnel

Motion was made by Mayor Pro Tem Johnnie Walton at 8:38 p.m. to enter closed session for discussion of Personnel, as allowed by NCGS 143-318-11(a)(6). The motion was seconded by Councilman Darius Horton. Those voting in favor of the motion were: Spence, Brooks, Walton, Young, Horton, Caudle and Adkins. Against: None. Motion carried.

The Council returned to open session at 9:31 p.m.

9. Adjournment

There being no further business to be discussed, Mayor Parker adjourned the meeting at 9:32 p.m.

Bettie J. Parker
Mayor

April D. Onley
City Clerk, NCCMC