

**City Council Special Meeting
September 21, 2015**

The City Council of the City of Elizabeth City met for a Special Meeting on Monday, September 21, 2015 in Council Chambers, located on the second floor of the Municipal Administration Building, 306 E. Colonial Avenue, Elizabeth City, NC.

This meeting was held in order to hold a Public Hearing to gather public comment relative to the intention of the City of Elizabeth City to apply for FY 2015 CDBG funding under Title I of the Housing and Community Development Act.

MEMBERS PRESENT: Mayor Joe Peel
Councilman Ray Donnelly
Mayor Pro Tem Anita Hummer
Councilman Tony Stimatz
Councilman Michael Brooks
Councilman Kem Spence
Councilman Darius Horton
Councilman Johnnie Walton

MEMBER ABSENT: Councilwoman Jean Baker

OTHERS PRESENT: City Manager Rich Olson
Planning Director June Brooks
Assistant to the City Manager Angela Cole
City Clerk Vivian White

The City Council Special Meeting was called to order by Mayor Joe Peel at 5:30 p.m. Mayor Peel welcomed everyone to the meeting and recognized Councilman Darius Horton to give the invocation, after which Mayor Peel led in the Pledge of Allegiance.

1. Agenda Approval:

Mayor Peel called for approval of the prepared agenda.

Motion was made by Councilman Darius Horton, seconded by Councilman Ray Donnelly, to approve the agenda as presented. Those voting in favor were: Donnelly, Hummer, Stimatz, Brooks, Spence, Horton and Walton. Against: None. The motion carried unanimously.

2. Consideration - Public Hearing to gather public comment relative to the intention of the City of Elizabeth City to apply for FY 2015 CDBG funding under Title I of the Housing and Community Development Act. The City of Elizabeth City intends to submit an application for a grant of approximately \$900,000 in CDBG infrastructure funds to replace the City's Raw Water Transmission Main.

Mayor Peel declared the meeting into Public Hearing and inquired of the City Clerk if persons were present who wished to be heard. Upon her reply that no one wished to speak, Mayor Peel declared the Public Hearing closed.

Mayor Peel recognized City Manager Olson to provide the background for this matter. Mr. Olson stated that City staff's request is for the Council to authorize the submission of a CDBG Small Cities Block Grant application for the construction of Phase II of the Raw Water Transmission Line Project. He advised that the grant application being requested is in the amount of \$900,000. He reported that the project includes replacement of the existing 10 inch cast iron raw water transmission main with 9,000 linear feet of 14 inch PVC pipe. He said that since the City is the total beneficiary for this project, the LMI population is 57%. Mr. Olson reminded the Council that the first phase of this project went from the Water Treatment Plant to an area just west of Knobbs Creek.

Motion was made by Councilman Tony Stimatz, seconded by Councilman Darius Horton, to adopt of the following resolution relating to the proposed CDBG infrastructure grant application for the raw water transmission line and authorize City staff and Mayor Peel to execute all grant-related documents. Those voting in favor of the motion were: Donnelly, Hummer, Stimatz, Brooks, Spence, Horton and Walton. Against: None. Motion carried unanimously.

**RESOLUTION # 2015-09-03
BY THE CITY COUNCIL OF THE CITY OF ELIZABETH CITY**

WHEREAS, The Federal Clean Water Act Amendments of 1987 and the North Carolina Water Infrastructure Act of 2005 (NCGS 159G) have authorized the making of loans and grants to aid eligible units of government in financing the cost of construction of drinking water distribution system projects, and

WHEREAS, The City of Elizabeth City has need for and intends to construct a drinking water distribution system project described as replacement of the existing 10" cast iron raw water transmission main with 9,000 linear feet of 14" PVC pipe beginning at Wellfield Road and continuing to the end of the Phase I project just north of Knobbs Creek along Main Street Extended, and

WHEREAS, The City of Elizabeth City intends to request state grant assistance for the project.

NOW THEREFORE BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF ELIZABETH CITY:

That the City of Elizabeth City, the Applicant, will arrange financing for all remaining costs of the project, if approved for a State grant award.

That the Applicant will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds, which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.

That the governing body of the Applicant agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of the City of Elizabeth City to make scheduled repayment of the loan, to withhold from the City of Elizabeth City any State funds that would otherwise be distributed to the local government unit in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.

That the Applicant will provide for efficient operation and maintenance of the project on completion of construction thereof.

That Mayor Joseph W. Peel, the Authorized Official, and successors so titled, is hereby authorized to execute and file an application on behalf of the Applicant with the State of North Carolina for a grant to aid in the construction of the project described above.

That the Authorized Official, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the Applicant has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto.

ADOPTED this the 21st day of September 2015 at Elizabeth City North Carolina.

Joseph W. Peel
Mayor

Attest:

Vivian D. White, CMC/NCCMC
City Clerk

3. Adjournment:

There being no further business to be discussed, Mayor Peel adjourned the meeting at 5:35 p.m.

Joseph W. Peel
Mayor

Vivian D. White, CMC/NCCMC
City Clerk