

**City Council Work Session
June 28, 2021**

The City Council of the City of Elizabeth City met in work session on Monday, June 28, 2021 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
Mayor Pro Tem Johnnie Walton
Councilman Billy Caudle
Councilman Kem Spence *(Arrive at 6:07 p.m.)*
Councilman Michael Brooks *(Arrived at 5:43 p.m.)*
Councilman Gabriel Adkins *(Arrived at 6:49 p.m.)*

MEMBERS ABSENT: Councilwoman Jeannie Young
Councilman Chris Ruffieux
Councilman Darius Horton

OTHERS PRESENT: City Manager Montre' Freeman
City Attorney Bill Morgan
Finance Director Evelyn Benton
Public Safety Director Eddie Buffaloe
Deputy Chief of Police James Avens
Interim Electric Superintendent Bob Vannoy
Human Resources Director Montique McClary
Public Utilities Director Dwan Bell
Parks and Recreation Director Sean Clark
NC LEAD Fellow Shom Tiwari
Grants Administrator Jon Hawley
Community Development Director Kellen Long
Fire Chief Chris Carver
ECDI Director Debbie Malenfant
IT Director Matthew Simpson
City Clerk April Onley
Deputy City Clerk Doris Walton

The City Council Work Session was scheduled to begin at 5:30 p.m.; however, Mayor was unable to call it to order due to lack of a quorum. The first presentation on Fair Housing did not require action by the Council, so it was determined that staff could proceed. Mayor Parker noted that she would stop the presentation and call the meeting to order if enough Councilors arrived to allow for a quorum.

1. Presentation – Fair Housing:

Mayor Parker recognized Grants Administrator Jon Hawley and Jack Holtzman of Legal Aid NC. Mr. Holtzman explained that they'd been working with the NC Department of Commerce and CDBG to provide fair housing training to local governments for some time, which was the purpose of this presentation. In 1968, there was a commission that dealt with racial segregation in the US, which was a precursor to the Fair Housing Act by Congress. It is a federal act that covers the entire US. It also covers individuals and institutions that are involved in housing, and is very broad. Because the City receives CDBG funding, we are "on the hook" to further fair housing, even if it's just pass through money from HUD. In the coming year, a new regulation that applies to receipt of HUD money is expected to be enacted.

Grants Administrator Hawley explained that the City currently has two Fair Housing plans, the latest of which was approved on April 12, 2021. He noted that a summary of the latest Fair Housing survey, which ran from February to March had been provided to the Council as part of their agenda packet. He stated that we did receive a substantial response rate

to this most recent survey, with 181 responses coming in from SurveyMonkey and 316 paper surveys for a total of 497 responses.

2. Presentation – ADA Transition Plan Update;

Mayor Parker recognized NC LEAD Fellow Shom Tiwari for his comments. Mr. Tiwari advised that in 1990, the Americans with Disabilities Act stated that we must give people with disabilities equal access to facilities and services. In 2019, the City received a report from NCDOT that said the city was not ADA compliant, and provided the steps we needed to take to become compliant. He noted that this was not a problem unique to Elizabeth City; there are many municipalities including Edenton, Pembroke and Charlotte that also received the report. Some types of disabilities are visual, auditory, physical and cognitive and they can be addressed by means of closed captioning, braille and so on. The City created an ADA Team, which consisted of Public Utilities, Parks and Recreation, the City Clerk and Building Maintenance. The self-evaluation period occurred from September 2019 to March 2021, and included analyzation of the City's website, TV channel, events, pedestrian facilities (39 miles of sidewalks and 745 curb ramps), as well as 60 buildings.

Mayor Parker noted that a quorum of Councilors was now present and she'd like to briefly pause the presentation to formally call the meeting to order.

Mayor Parker called the meeting to order at 6:07 p.m. Invocation was given by Councilman Brooks, followed by the Pledge of Allegiance.

Agenda Adjustments and Approval:

Motion to approve the agenda as presented was made by Councilman Billy Caudle, seconded by Councilman Kem Spence. Those voting in favor of the motion were: Walton, Caudle, Spence, Brooks. Against: None. Motion carried.

Statement of Disclosure:

The City Clerk read the statement of disclosure. No conflict of interests regarding items on the presented agenda were made.

Mayor Parker requested that Mr. Tiwari continue his presentation. Mr. Tiwari explained the key findings of the study, which were that most of the City's communications met the ADA standards, except for video captioning. He said there were about 180 accessibility deficiencies across City buildings and facilities, as well as inaccessible parking spaces, and restrooms lacking proper features. Additionally, 88% of City curb ramps do not meet standards. There is also a lack of detectable warning for individuals with visual impairments. We have a problem with steep ramps, which can endanger wheelchair users. Roughly 62% of assessed City sidewalks do not meet standards; they are often too narrow and many have tree roots that have broken through the concrete.

The ADA Transition plan officially began in March 2021 and is currently ongoing. Approximate timelines included sidewalks by 2030; curb ramps by 2040; communications by 2030; and public spaces and facilities by 2040. Cost estimates sidewalk improvements at \$140,000; curb ramps at \$1.3 million; communications and public spaces/facilities TBD. Implementation strategies include ensuring that new facilities and services meet the ADA standards, ensuring that alterations meet standards, capital improvement plan and coordination with developers. Public engagement has been ongoing. Community outreach through the Senior Center, schools and universities, assisted living centers, veterans' organization and city events and spaces. There is also a city accessibility survey that can be completed online, by phone, in person and in either English or Spanish.

Mayor Pro Tem Walton asked if this was adding to the strategic plan. Mr. Tiwari said he was not familiar with the strategic plan. Mr. Freeman said it would become part of the strategic plan.

Councilman Caudle asked if the sidewalk improvements had been incorporated into the yearly plan for the Public Utilities Department. Mr. Tiwari replied they had to some degree via the street resurfacing program. The sidewalk improvements were a huge endeavor, overall.

Councilman Brooks asked if the \$140,000 included the terrible sidewalk on Herrington Road. Mr. Tiwari said Herrington Road was a state road and the City could only do improvements on city-owned roads. Councilman Brooks said he believed whatever the City needed to do to contact the state to urge them to fix those sidewalks needed to be done as quickly as possible. He asked what part could the City play in getting the state to make this happen? Mr. Tiwari said they would look into it, and added that the next presentation would include some of the Herrington Road sidewalks, but if that did not address his particular concerns, he would bring it up with the Public Utilities Director.

Mayor Pro Tem Walton asked if there was a map that existed that showed the City's sidewalks and their individual lengths and distances. Mr. Tiwari said there was a map on the GIS website that showed sidewalks, but he was unsure if it addressed the distances. Mayor Pro Tem Walton said we should add distances and/or lengths for people who have certain challenges. Mr. Freeman said he would make note of that and bring it up with the Parks and Recreation Director.

Councilman Brooks asked about the circle near Forest Park – how did that come to pass? Mr. Tiwari said the multi-use path was created through agreements with developers, but it was not fully developed as of yet. Councilman Brooks asked if the city had a hand in it or only the state? Mr. Tiwari replied that it was a combined effort. Councilman Brooks opined that if we could do that, then we could have a combined effort to fix Herrington Road's sidewalks as that was an existing community.

3. Consideration / Discussion – Application to the Water Resources Development Grant Program;

Grants Administrator Jon Hawley advised that the WRDG Program is administered by the NC Department of Environmental Quality and offers dollar-for-dollar matching grants for projects that benefit public waters, up to a recommended maximum project cost of \$200,000. Projects may include stream restoration, water management, water-based recreation sites and studies for implementation of these projects. The low-lying neighborhoods off of Dawson, Hunter, Morgan Streets and Tuscarora Avenue experience frequent flooding due to heavy rains, as well as tidal flow from the Pasquotank River. The City's local match for this project would be \$100,000.

Councilman Caudle asked if the match for this would come from the stormwater fund. City Manager Freeman said he believed it would. Councilman Caudle said it was much-needed improvement in the area because the streets seemed to be sinking lower and lower quickly.

Mayor Parker asked how we would deal with the water coming all the time. Would the streets need to be built up to make the flooding less severe? Mr. Hawley said the grant prioritized nature-based solutions, so if we could find one of those, it would be the most cost effective. City Manager Freeman said he and Director Bell spent hours out there with citizens and Director Bell identified sink holes and drains, so he had done as much as could be done up until this point. Director Bell has been looking at ways to fund this project, but so far this is the only way that appears feasible to take care of it.

Motion was made by Councilman Billy Caudle, seconded by Mayor Pro Tem Johnnie Walton to authorize staff to submit a Water Resources Development Grant Program application in the amount of \$200,000 for the Dawson-Hunter Street Stormwater Improvement Study, authorize the Mayor to execute necessary documents, and adopt the required resolution. Those voting in favor of the motion were: Spence, Brooks, Walton, and Caudle. Against: None. Motion carried.

Resolution # 2021 –06-03 In Support of the Dawson-Hunter Street Stormwater Improvement Study

WHEREAS, the City of Elizabeth City desires to sponsor, the Dawson-Hunter Street Stormwater Improvement Study, which shall assess the stormwater infrastructure in the Dawson and Hunter Street areas and recommend new or improved infrastructure

to reduce repetitive flooding that causes economic and other harms to private residents and public property.

NOW, THEREFORE, BE IT RESOLVED THAT:

- 1) The City Council of the City of Elizabeth City requests the State of North Carolina to provide financial assistance to City of Elizabeth City for the Dawson-Hunter Street Stormwater Improvement Study in the amount of \$100,000 or 50% of nonfederal project costs, whichever is the lesser amount;
- 2) The Council assumes full obligation for payment of the balance of the study costs (or non-federal portion);
- 3) The Council/Board will comply with all applicable laws governing the award of contracts and the expenditure of public funds by local governments.

ADOPTED, this the 28th day of June 2021.

Bettie J. Parker
Mayor

April D. Onley
City Clerk, NCCMC

4. Consideration / Discussion – Federal Grant Application for Pedestrian Infrastructure Planning;

Mayor Parker recognized the presentation by WalkEC. The first survey, which was active from May 5, 2020 to July 1, 2020 had 360 participants, 4,100 individual data points and more than 650 written comments. Participants were asked to rate economy, mobility, health, environment and safety for WalkBike NC, obstacles that made it challenging to walk, and to provide input on project identification, identify safety concerns and identify key destinations. We learned that pedestrian safety is a major concern along major roadways; connections to key destinations is desired, especially to downtown, the waterfront and schools; there's a lack of safe crossing opportunities for pedestrians and existing sidewalk condition and connectivity is a notable concern outside of the downtown area. We also learned that we have quite a large walking population, with many individuals walking several times a week, if not on a daily basis. The most important theme identified for WalkEC was safety at 67%; mobility was 10%; health at 8%; environment at 10% and economy at 6%. The number one obstacle identified was the lack of sidewalks, followed closely by personal safety, unsafe crossing, poor sidewalk condition and unsafe vehicle and distance to destination. The project and surveys were advertised in two separate utility bills, two Daily Advance ads, flyers and email blasts. A second survey was active from December 7, 2020 to January 25, 2021, which garnered 220 participants, collected 5,400 individual data points and more than 300 written comments. This survey asked participants to rate draft multi-use paths, sidewalk and pedestrian crossing recommendations; identify new multi-use paths, sidewalks and pedestrian crossing facilities; and identify priority multi-use paths, sidewalks and pedestrian crossing paths. The steering committee was able to identify 10 priority projects: North Road Street sidewalk; Herrington Road sidewalk; NC 344 Halstead Boulevard Sidewalk; inactive railroad corridor multi-use path; NC 344 Halstead Boulevard / Weeksville Road multi-use path; Peartree Road multi-use path / sidewalk; US 17 at West Main Street crossing improvement; US 17 at Church Street crossing improvement; NC 344 at Edgewood Drive crossing improvement; and NC 344 at River Road crossing improvement. Staff also identified a separate federal grant opportunity that could advance several of these projects, facilitated by the US Department of Transportation and known as the Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grant program.

Motion was made by Councilman Billy Caudle to authorize staff to make application for the RAISE grant program. The motion was seconded by Mayor Pro Tem Johnnie Walton. Those voting in favor of the motion were: Spence, Brooks, Walton, Caudle and Adkins. Against: None. Motion carried.

5. Committee Reports:

- a) **EC-PC Economic Development Commission: Councilman Adkins, Councilman Caudle, Mayor Parker** – Councilman Caudle reported that the Commission finalized their budget.
- b) **Central Communications Advisory Board: Councilman Brooks** – Did not meet.
- c) **Fireman’s Relief Fund Board: Councilman Adkins, Councilman Spence** – Did not meet.
- d) **NC Eastern Municipal Power Agency: City Manager Freeman and Mayor Parker**- Manager Freeman stated he will be taking over as liaison to the NCEMPA board, but has not yet met with them at this time.
- e) **Elizabeth City Downtown, Inc.: Councilwoman Young** – Councilwoman Young was not present to give a report.
- f) **Elizabeth City Area Chamber of Commerce Board: Mayor Parker** – Mayor Parker reported that ex-officio members are not meeting at this time.
- g) **Parks and Recreation Advisory Board: Mayor Pro Tem Walton** – Mayor Pro Tem Walton stated they had not met.
- h) **Storm Water Advisory Board: Councilman Spence, Councilman Ruffieux and Councilman Horton** – Councilman Spence advised the board had not met.
- i) **Tourism Development Authority: Mayor Pro Tem Walton** – Mayor Pro Tem Walton said the board had met, but he was unable to attend due to illness.
- j) **Community Relations Commission: Councilwoman Young** – Councilwoman Young was not present to give a report.
- k) **Airport Authority: Councilman Caudle** – Councilman Caudle advised the board had met the previous Wednesday; however, the majority of business had been conducted in closed session.
- l) **Albemarle RPO Transportation Advisory Committee – Councilman Ruffieux**- Councilman Ruffieux was not present to give a report.

6. Adjournment:

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

Bettie J. Parker
Mayor

April D. Onley
City Clerk, NCCMC