City Council Regular Session
August 24, 2020

The City Council of the City of Elizabeth City met in regular session on Monday, August 24, 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
Councilman Chris Ruffieux
Mayor Pro Tem Johnnie Walton
Councilman Michael Brooks
Councilman Darius Horton
Councilman Gabriel Adkins

MEMBERS ABSENT: None

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

*(**Clerks Notation**: This meeting was conducted remotely due to the COVID-19 pandemic. Councilors met in Chambers and staff members participated remotely through Google Meet. The meeting was live streamed on Channel 11 and the City's website for the public, who were not allowed to attend the meeting. The public comments were received via email and are included in full as received.)*

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 Horton 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. Councilman Adkins asked that Item D on the Consent Agenda be moved to the Regular Agenda. Councilman Horton asked that Item C on the Consent Agenda be moved to the Regular Agenda. Councilman Brooks requested that an item be added to the Regular Agenda for discussion on Council Travel Donations. City Attorney Morgan replied that he did not believe under the current Remote Meetings Policy that additions should be made to the agenda. He noted that staff had reached out to the School of Government for an opinion on the matter since the topic had come up previously. Councilman Brooks expressed concern that "people are out here hurting and we're worried about a policy." Attorney

Morgan advised that it was simply due to the way meetings were being conducted during the pandemic. Councilman Brooks asked if the Council was allowed to vote during the Comments and Inquiries section of the agenda. Mr. Morgan said that he knew that in the past, voting had occurred during that period, but he wasn't sure if it was a best practice. Councilman Brooks asked Mr. Morgan to investigate the matter, stating, "I want to see something in writing." Mr. Morgan said he did not know if he could find something written, but advised that he would do his best to bring something back on it during the next meeting. Councilman Brooks agreed to discuss his concerns during Comments and Inquiries, but requested that the Clerk and Interim City Manager make sure that his topic was on the next agenda for discussion. Both the Clerk and Interim City Manager verified that they make sure it appeared on the posted agenda. Councilman Horton requested that the City's Remote Meetings Policy also be placed on the upcoming agenda. Interim City Manager Buffaloe noted his request and directed the Clerk to add it to the list.

Motion was made by Councilman Kem Spence, seconded by Councilman Chris Ruffieux to approve the agenda with the requested adjustments. Those voting in favor of the motion were: Young, Caudle, Walton, Adkins, Brooks, Spence, Horton, and Ruffieux. Against: None. Motion carried.

3. <u>Comments from the Public:</u>

(Clerk's Notation: The following comments were received via email due to the COVID-19 pandemic, as the public was unable to physically attend meetings due to the Governor's Executive Orders. In keeping with best practices as suggested by the UNC School of Government, the comments are included in full and as they were received by the clerk in writing prior to the meeting.)

Jason Gillis on Behalf of Perkins Estates Property Owners Association – 1010 Riley Drive, Elizabeth City, NC – Greetings Councilmembers: The undersigned property owners, along with the Board of Directors for the Perkins Estates Property Owners Association, hereby ask the City Council to consider aiding in the repair of our stormwater retention pond. As a background, our subdivision was developed in 2006; however, no homes were built until 2012. Originally, the subdivision was to have two phases consisting of approximately 82 homes, but only the 41 homes in Phase 1 have been built to date. Like other subdivisions built during this period, we are responsible for managing a stormwater retention pond. However, we have two ponds instead of one. A rather large, 1.5-acre pond was installed to support homes that were never built in Phase 2. It is this pond that is rapidly failing. Since Hurricane Matthew, this pond's banks have collapsed anywhere from three to four feet, largely due to wave action erosion. Contractors and our engineer estimated that the pond banks have collapsed over seven feet from the original plans. This stormwater pond is in imminent risk of encroaching upon an adjoining property owner not associated with our development and has already encroached on the DOT right of way on Perkins Lane. Unfortunately, despite the property owner's association responsibility and obligation to maintain this stormwater pond, we do not have the tools and resources to do so. The city did not require that the original developer set aside any funds to support these ponds, and our restrictions and covenants prohibit us from charging annual assessments of more than $150 at the current time. We have received two quotes to repair the pond and estimate that it will cost $200,000 to fully remedy this critical situation. We simply have no realistic way to raise those kinds of funds. For this reason, we are asking the City of Elizabeth City for help. On July 18, 2020, the property owners approved a resolution asking the City Council for assistance, which was delivered to city staff. As of this writing, we have not received any type of formal response as to what plan, if any, the city would be willing to consider to assist the taxpayers in this subdivision. To be clear, we are not asking for a handout. We understand that as homeowners it is our responsibility to ultimately pay for the upkeep and repairs of these ponds. We are, however, asking the city to assist us by providing the initial funding to repair the pond; and, for the City Council to establish a special taxing district to include the entirety of Phase 1 and the as yet undeveloped Phase 2 of the Perkins Estates subdivision, in order to allow the property owners to reimburse the city over a period of time. We appreciate your consideration in this matter.

4. **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 709 Herrington Road as Surplus and Begin Upset Bid Process;

Resolution # 2018 – 08-06
Declaring Real Property Surplus
and Authorizing Sale by Upset Bid Process

WHEREAS, the City of Elizabeth City is the owner of real property identified on the Pasquotank County Registry as PIN: 891312879218 and Map 26-A-12 and having a physical address of 709 Herrington Road; and

WHEREAS, the City of Elizabeth City has no current or future need for the property; and

WHEREAS, the City Council voted during their August 10, 2020 meeting to demolish the structure on this location, leaving only a vacant lot; and

WHEREAS, the City has received an offer of $3,500 to purchase the property from Rubenia S. Williams, the adjacent lot owner; and

WHEREAS, the City Council has authorized notice to be published to solicit bids for the sale of the property, pursuant to the upset bid process as outline in NCGS §160A-269.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Elizabeth City that the parcel of property identified on the Pasquotank County Registry as PIN: 891312879218 and Map 26-A-12, located at 709 Herrington Road is hereby declared surplus to the needs of the City of Elizabeth City; and

FURTHER, the City Clerk shall be authorized to begin the upset bid process as required by North Carolina General Statute §160A-269.

ADOPTED, this the 24th day of August 2020.

_____
Bettie J. Parker
Mayor

_____
April D. Onley, NCCMC
City Clerk

b. Consideration – Approve TA 01-20 for Halstead Overlay;

ORDINANCE #2020–08-03
Approving Text Amendment 01-20
To Amend the Unified
Development Ordinance
to clarify and modify the land development regulations within the Halstead Boulevard Extension Overlay District, specifically Article XII Environmental and Special Purpose Regulations, Section 12-10; Article XI, Sections 11-1.1(J) and (U)

WHEREAS, interest has been expressed by individuals to update and modify sections of the ordinance regarding the Halstead Boulevard Extension Overlay District since its adoption; and

WHEREAS, commercial development has steadily increased within the district; and

WHEREAS, the Planning Commission reviewed and considered public comment on TA 01-20; and

WHEREAS, as a result of this review, the Planning Commission supports the proposed text amendment to the City of Elizabeth City Unified Development Ordinance; and

WHEREAS, The City Council of the City of Elizabeth City finds the action to amend the text in Article 12, Section 12-10, Halstead Boulevard Extension Overlay District, of the Unified Development Ordinance to be consistent with the 2012 Pasquotank County, Elizabeth City Advanced Core Land Use Plan based on the following policy:

B. Elizabeth City Land Use Compatibility Policies

Policy 5: Elizabeth City will work with Pasquotank County to develop coordinated land use and development standards regarding signage, landscaping, and other aesthetic related requirements for the Halstead Boulevard Connector; and

WHEREAS, the following text and documentation is recommended to be adopted**:**

TA 01-20

Amend Article XI Development Standards, Definitions, specifically §11-1.1(J) and (U) as follows:

11-1.1 Definitions

(J) Entry Marker (Halstead Overlay District only)

The primary purpose of entry markers is to announce the name of a commercial or residential subdivision or development and to identify key anchors within the project. Entry markers may be used for developments of at least 10 acres in size, or with a minimum of four businesses with a total of at least 100,000 square feet of floor area. ~~A sign identifying primarily the name of commercial and residential developments or subdivisions, or an office, industrial or business park with a minimum of 10 acres or developments with at least four buildings with a total of over 150,000 square feet~~. The entry marker is permitted to contain logos, trademarks or other identifying symbols for up to ~~three~~ a maximum of 10 individual properties, tenants, or information relating to a permanent leasing office. The entry marker is not intended to be used for a single business. Message Area on an entry marker is the ~~advertising surface (or~~ area~~)~~ devoted to the name of the development in addition to business logos, trademarks or other identifying symbols. *(Amended 3/10/08)*

(U) ~~Portal Monument (Halstead Corridor Overlay Only)~~

~~A cohesively designed element(s) to a subdivision or development of at least 150 acres, intended to create a unique, identifying entrance area with the expressed purpose of identifying or drawing attention to the development and/or exercising control of ingress and egress to the development. There shall be only one portal monument per subdivision or development~~.

~~*(Amended 3/10/08)*~~

Amend Article XII Environmental and Special Purpose Regulations for the Halstead Overlay Extension Overlay District, specifically §12-10 as follows:

12.10 Halstead Boulevard Extension Overlay District Regulations

12.10.1 General

The Halstead Boulevard Extension Overlay District (HBEOD) is hereby established to provide a set of comprehensive land use regulations for the Halstead Boulevard Extension corridor. The overlay district allows industrial, commercial, and residential opportunities in a compatible relationship while maintaining an integrated and pleasing visual travel corridor. All permitted uses in this overlay district shall be subject to the procedures, standards and guidelines specified in the following sections, in addition to other applicable rules, regulations and permit requirements. In cases of conflicts with the regulations in the underlying zoning district, the more restrictive requirements shall apply.

The provisions shall apply to all areas designated as the HBEOD and defined on the official zoning map of the City of Elizabeth City. The provisions of this section shall also include areas within the city's extra territorial jurisdiction as shown on the official zoning map of the city.

12-10.2 Standards

(A) The use and development of any land or structure within the HBEOD shall comply at a minimum with the use regulations and intensity regulations applicable to the underlying zoning district

(B) All commercial and industrial zoned properties and multi-family developments shall be developed according to the following design and development standards:

1. Building and Facade Design

a. Facades shall be designed to reduce the massive scale of blank walls and the one-dimensional appearance of large retail buildings, ~~and to~~ by providing visual interest.

b. Facades greater than 50 feet in length measured horizontally, visible from a street or public area, shall incorporate wall plane projections or recesses ~~having a depth of at least 3 feet (~~for each 50 feet in façade length~~) to break up the expansiveness of the exterior.~~ All recesses shall be well lit to encourage a safe environment.

c. Any side of a building oriented toward a public area or street shall incorporate arcades, ~~about~~ windows, entry areas, awnings, ~~false windows,~~ or other features to add visual interest.

d. Facades that are not visible from a public area or street shall incorporate a repeating pattern that includes color change, texture change and material change, each of which shall be integral parts of the building which is not superficially applied trim, graphics, or paint. ~~At least one of these elements shall repeat horizontally.~~ The facade shall incorporate a coordinating color to complement the front and side facades.

Combination of brick, texture concrete, masonry

Predominate exterior building material should be incorporated in the the design of the facades

~~e. The structural or architectural bay pattern of the building shall be expressed on the exterior using reveals, projecting ribs, or offsets to a minimum depth of at least 12 inches.~~

~~f. Building entrances shall include weather protection features such as awnings or arcades having a width at least double that of the doorway over which they are located.~~

f. ~~g.~~ Building materials shall include brick, wood, fiber-cement siding, stone, textured split face block, tinted, and textured concrete masonry or synthetic stucco. Additional building materials may be presented for consideration subject to Planning Commission approval. Metal style buildings are prohibited.

2. Landscaping and Buffering

a. Any loading dock areas and dumpster enclosures ~~operations~~ within view of residential, office, ~~or~~ multi-family developments or public areas and streets shall be opaquely screened with ~~a landscaped berm or~~ a ~~landscaped~~ landscaping or a solid wall at least ~~six~~ 6 feet ~~(6') high~~ in height. The materials used for the enclosure shall be architecturally compatible with the building that the dumpster serves. The landscape screening ~~berm~~ shall be a minimum of ~~four foot (4')~~ 6 feet in height and planted, or placed, in close proximity to screen the loading areas and or dumpster enclosure from adjacent properties or streets. ~~high with a maximum side slope of 3:1 and a minimum 3' wide crown.~~ At least 50% of the landscaping shall consist of ~~a mixture of small and large shrubs and trees and at least 50% of the landscaping shall be~~ evergreen shrubs.

b. Parking areas shall follow the requirements ~~be enhanced with 20% additional landscaping over the requirements~~ in Section 11-3.1 (D). ~~Creative~~ Site design is to include preservation of existing ~~stands of~~ trees. Clustered landscaped areas, are encouraged over symmetrical rows of small landscaped islands.

c. Sites with existing trees and vegetation along the street frontage shall retain and incorporate those landscape features ~~and~~ to

enhance ~~integrate them into~~ the landscape plan. Existing natural features shall be differentiated shown on the site plan.

d. To the greatest extent possible, ~~25%~~ 35% of the overall landscaping shall be evergreen species.

e. Landscape islands shall be designed so that plant material is not located within ~~on the first two~~ 2 feet of the edge of the island. ~~where it is most likely to be trampled by individuals exiting and entering parked vehicles. Such edge shall be mulched or paved with porous paving material.~~ The edge of the landscape island shall be finished with natural, rubber, or stone mulches. Porous and permeable paving materials may also be used.

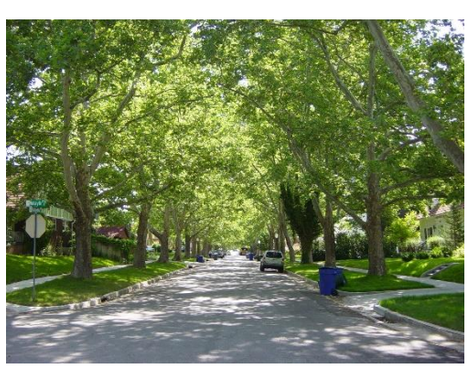
f. Landscaping shall be provided for islands within parking areas and islands separating out parcels and main parking areas.

g. A landscaping plan for shopping center complexes shall be developed by the applicant/developer and submitted for review and approval with the site plan.

h. 

The 25-foot landscape buffer along Halstead Boulevard shall be improved with one tree per each ~~500~~ 1,500 square feet of buffer area and one shrub per each ~~50~~ 400 square feet of buffer area. At least 50% of the plant materials selected shall be native or nativar species, meaning a native cultivar. The trees shall be a mixture of canopy and understory trees. Within the buffer area the plant materials shall be staggered and not in symmetrical rows.

i. Shrubs shall be at least 18 inches (18") in height ~~tall/three gallons in size large shrubs shall be at least 24 inches tall/five gallon in size~~, canopy trees must be at least ~~two~~ 2 inches ~~(2")~~ in diameter ~~caliper (~~measured 6 inches above the grade~~) and a minimum of eight feet (8') in height~~ at time of planting. Understory trees shall ~~have a minimum of height of four feet (4') and~~ be at least ~~one~~ 1 inch in diameter ~~caliper (~~measured 6 inches above the grade~~)~~ when planted. Ground cover can be substituted for shrubs by the following ratio: two (1 gallon) ground cover plants equals one (3 gallon) shrub plant. Ground cover should not exceed 10% of the total approved shrub count for the development.

j. 

Street trees are a feature to provide shade to pedestrians, aesthetics to developments and generate a cooling affect in the area. ~~Each~~ All subdivisions shall provide for street trees located in the parkway, the area between the ~~street right-of-way~~ roadway and the sidewalk. Trees located outside of the street right-of-way, inside of a lot, do not meet the definition of street trees.

The parkway should be minimum of 4 feet in width. Trees shall be spaced ~~a maximum~~ approximately ~~of~~ 50 feet apart ~~on center~~. The side walk shall be placed no more than one foot off the street right-

of-way behind the tree planting area. If utilities or site lines interfere with placement of the trees, then staff will work with the developer to place trees elsewhere on the lot or throughout the development to count towards the street tree requirement.

k. The selection of plants and plant materials shall be conducive to the specific area in which they are located for optimal growth. Reference to the North Carolina Cooperative Extension Gardener Plant Toolbox is suggested when determining appropriate plants and plant materials for our climate.

l. Landscaped areas not within the vehicular surface area shall be maintained with a natural mulch or ground cover.

m. Tree and shrub trimming and maintenances shall adhere to proper maintenance techniques suitable for the tree or shrub species. If proper tree and shrub trimming techniques are not adhered to and the shrub is dead or cannot grow back to its intended form, replacement of that tree or shrub is required.

3. Parking and Circulation

a. Vehicular parking areas shall be distributed around at least three (3) sides of retail buildings in order to reduce the overall scale of the paved parking surface. The Technical Review may reduce this requirement to two (2) sides during site plan review.

b. The vehicular circulation system, which provides access to the parking area, shall be designed to reduce the number of vehicular conflicts to a minimum. Adequate stacking for vehicles of at least 100 feet in length should be provided at the access points from the parking area for retail developments.

c. Parking spaces shall be at least 9 feet in width ~~9'~~ by ~~19'~~ 19 feet in length.

d. Internal streets ~~and ways~~ shall be constructed to meet or exceed construction standards for the state and city ~~maintained~~ streets or roads.

e. Parking lots that contain one or more double stacked parking rows, shall provide a paved pedestrian walking path through the parking lot to the building entrance(s). The intent of the paved pedestrian walking paths is to avoid foot traffic through the landscape islands and provide pedestrian safety. Shopping centers with multiple tenants should provide a paved pedestrian walking path to at least the primary anchor stores. The paved pedestrian walking path should not be less than four feet in width and should provide the most direct route to the entrance(s) of the building(s). The paved pedestrian walking path should be easily

visible, by markings, signage or change in materials. The parking requirements for the development can be reduced by one parking space for each 171 square feet (9' x 19' = 171 sf) of paved pedestrian path area.

4. Pedestrian Access

a. Out parcels shall be connected to each other and to the main shopping center by pedestrian walkways and/or bikeway access.

b. Continuous internal pedestrian walkways~~,~~ of not less than ~~five~~ 5 feet in width, shall be provided to the principal customer entrance of all principal buildings on the site.

c. Walkways shall connect focal points of pedestrian activity such as, transit stops, street crossings, building and store entry points, and parking areas.

d. Walkways shall feature adjoining landscape areas that include trees, shrubs, flower beds, ground covers, or such other materials to enhance the appearance of the walkway areas and shall have adequate lighting.

e. Building entrances shall include weather protection features such as awnings or arcades. ~~having a width at least double that of the doorway over which they are located.~~

5. ~~Ground~~ Signs

a. No ~~advertising signs (~~billboards~~)~~ shall be located within the Halstead Boulevard Extension Overlay District.

b. Style, size, color, and building material of all signs on the site shall be coordinated, including signs for any out parcel development, on-site directional signs, and signs to be located on the face of any structure.

c. Colors for sign bases (foundations, supports, and/or frames) shall be primarily neutral or earth tone (no primary colors). ~~A limited amount of brighter accents (primary colors), such as those found in corporate logos, are acceptable in sign messages but not in sign bases.~~

d. Sign materials shall be durable, attractive, and coordinated with materials used on the primary structure(s). Sign bases shall be constructed of masonry or similar materials.

e. Freestanding, monument, ground signs, or entry markers~~, where permitted,~~ should not be closer than 100 feet to any other previously permitted ~~detached,~~ freestanding~~, or~~ monument, ground signs, or entry marker signs located on the same side of the street.

f. Freestanding, monument or ground signs, with the exception of entry markers, are prohibited along Halstead Boulevard. These signs shall be located along the interior street fronting the site. Corner lots are permitted only one freestanding, monument or ground sign and it can be located on either interior street fronting the lot.

g. Freestanding signs associated with a commercial lot shall be a solid based monument style with a maximum height of ~~eight~~ 8 feet ~~(8')~~ above the highest adjacent road grade and a maximum length of ~~twelve~~ 12 feet ~~(12')~~ (including supports) and have a message area of not more than 32 square feet. The overall size of the sign, including architectural elements and supports, shall not exceed 72 square feet. A minimum of 80 square feet of landscaping, consisting of at least ~~25%~~ 35% evergreens, shall be included at the base of the sign. Free formed landscaped areas are encouraged.

h. Wall signs shall be limited to 1.5 square feet of sign area for each linear foot of building elevation that abuts a street.

i. Free standing, solid based monument style signs at the main entranceway(s) to a shopping center shall have a maximum height of 8 ~~eight~~ feet ~~(8')~~ above the highest adjacent road grade and a maximum length of 12 feet (including supports) and have a message area of not more than 50 square feet. A minimum of 120 square feet of landscaping, consisting of at least ~~25%~~ 35% evergreens, shall be included at the base of the sign. Free formed landscaped areas are encouraged.

j. Free standing solid based monument style signs at auxiliary entranceway(s) to a shopping center shall have a maximum height of 7 feet and a maximum length of 12 feet above the elevation of the state or city maintained street or road closest to it and have a message area of not more than 24 square feet. A minimum of 100 square feet of landscaping, consisting of at least ~~25%~~ 35% evergreens, shall be included at the base of the sign. Free formed landscaped areas are encouraged.

k. All electrical or mechanical devices associated with freestanding signs shall be designed to be housed inside the base of the sign.

6. Entry Markers

a. ~~The Planning Commission may permit entry markers for commercial subdivisions or developments of more than 10 acres or developments with at least four businesses with at least 150,000 square feet of floor area at an entrance to the development subject to approval. In addition, entry markers may be used at the entrance to residential developments. Entry markers are subject to the following guidelines:~~

Entry markers are ground signs for commercial or residential subdivisions, or developments at least ten acres in size, or with at least four businesses with at least 100,000 square feet of floor area. Entry markers may also be used at the entrance to residential developments. The primary purpose of this signage is to announce the name of the subdivision or development and to promote businesses within the project.

Entry markers are subject to the following conditions:

1) Only one entry marker shall be permitted at each northern and southern limited access point on Halstead Boulevard Extended.

2) The minimum setback shall be 5 feet from any street right-of-way or property line. ~~from any public street right-of-way line or any property line shall be equal to or greater than five feet.~~

(a) Entry markers shall not encroach upon any utility lines or traffic control devices. When a conflict is encountered, the developer or property owner shall be responsible for removing or relocating the said utility or traffic control device.

~~The entry marker shall be placed so as not to encroach upon utility lines or traffic control devices whether such lines or devices be located overhead or underground; and where a conflict is indeed encountered, the developer or designated property owner shall be responsible for the removal or relocation of the said features or a part thereof.~~

(b) The entry markers shall not be placed as to create a visual obstruction. Any entry marker illumination shall be placed to be unobtrusive to traffic and adjacent properties.

~~The entry marker shall be placed so as not to cause a visual obstruction and thereby create a traffic hazard, and any entry marker illumination shall be placed to be unobtrusive to moving traffic lanes or adjacent properties~~.

3) Entry markers located at intersections with Halstead Boulevard Extension shall not exceed a maximum height of ~~ten~~ 10 feet ~~(10')~~ above the adjacent road grade, with a maximum message area of 100 square feet per face, including any logos**,** trademarks, or symbols incorporated into the entry marker. The maximum length ~~of the ten foot high section~~ shall not exceed ~~be~~ 15 feet ~~(15')~~. Entry markers located off Halstead Boulevard Extension shall not exceed a maximum height of ~~six~~ 6 feet ~~(6')~~ and a maximum message area of 32 square feet per face, including any logos**,** trademarks, or symbols incorporated into the entry marker. If the maximum height is exceeded due to architectural features, the signage shall be reviewed on a case-by-case basis.

(a) The primary purpose for an entry marker is to display the name of the subdivision, development, or Business Park. To promote businesses within the project, up to 60% of the 100 square foot message area may be used for up to 10 logos or trademarks. No one property or tenant logo or trademark shall be larger than 60% of the allowable area for logos, trademarks, or symbols.

~~The content of an entry marker shall be limited to the name of the subdivision, development, office, industrial or business park. Such entry markers may include an area of up to 60% of the message area that contains logos**,** trademarks, or symbols for a maximum of ten (10) individual properties, tenants, or information relating to a permanent leasing office. No one property or tenant logo shall be larger than 30% of the allowable message area. Such supplemental information shall be clearly subordinate to the name of the development or subdivision, and shall be incorporated into the design consistent with the guidelines and standards for signage in these guidelines~~.

(b) ~~Logos or signage for individual businesses shall be deducted from the maximum allowable wall signage for that company or site.~~

4) The wall to which the message area is attached shall not be counted as sign area.

5) Entry markers shall be located in a free formed planted landscaped area, extending a minimum of ~~five~~ 5 feet ~~(5')~~ from all sides of the entry marker base, ~~which is of a shape, design, and size that will provide a compatible setting and ground definition to the entry marker~~. The planted landscaped area shall be a minimum of 100 square feet and shall be maintained in a neat and healthy condition.

The landscaped area may include ~~trees,~~ shrubs, ground covers, flowering annuals and perennials, fountains, water features, rock work, planters, sculpture, and decorative paving~~, all of which are to be complimentary to the entry marker. Turf grass is not considered landscaping for purposes of this subsection.~~

6) Entry markers should not be closer than 100 feet to any other previously permitted detached, freestanding or monument sign located on the same side of the street.

7) All entry markers shall be compatible with the architectural style or theme of the development or subdivision through the use of matching forms, colors, and materials. ~~Characteristic architectural details and patterns should be carried through into the design of the entry marker.~~

8) All entry markers are to be constructed of durable materials such as stone, brick, stucco, wood, cast concrete, tile, or similar materials. Bare wood, metal, or other non-durable materials shall be reviewed on a case-by-case basis.

9) Entry markers may be located in the public or private street right-of-way with the approval of the Planning Commission.

(a) The entry marker may be placed in the public right-of-way provided:

(i) ~~Prior approval is granted by the Public Works Director or The NCDOT District Engineer; and~~

An encroachment agreement is issued by the Public Utilities Director or the NCDOT District Engineer;

(ii) After written notice to the applicant and/or owner the City may require the relocation of any entry monument located in the public right-of-way, as necessary for maintenance or reconfiguration of the right-of-way or for other public projects, or take any other action or combination of actions necessary to protect the health and welfare of the City. The relocation will be at the applicant/owner's expense,

~~A bond is submitted in an amount to cover the removal of said features if deemed necessary at a later date by the Public Works Department. The bond shall have an initial ten-year life and shall be renewed for five-year periods thereafter; and~~

(iii) An executed covenant, stating that all structures shall be maintained in good condition and repair and that all landscaping shall likewise be so maintained, shall be delivered for review and, upon approval, shall be duly recorded prior to the issuance of any permits.

10) Entry markers shall be either backlit or illuminated by means of a recessed light fixtures at the sign base. ~~Backlit sign letters fixed directly to the sign face are encouraged over cabinet signs or other types of sign lettering.~~

a) Flashing or digital message boards shall not be permitted.

11) The owners, Property Owners Association or similar entity, shall have the perpetual responsibility of properly maintaining the entry markers and landscaping that are placed on private property or within the street right-of-way. To assure the proper maintenance of the entry markers:

a) An executed covenant, stating that all structures shall be maintained in good condition and repair and that all landscaping shall likewise be so maintained, shall be submitted for review and, upon approval, shall be duly recorded prior to the issuance of any permits or final approvals.

b) Any live landscape material such as shrubs and trees, which may die, shall be replaced within 90 days.

12) For subdivisions, a copy of the bylaws or other documentation of the association that will have permanent responsibility for maintenance of the entry marker and the required landscaping shall be submitted for review and approval.

13) The site plans or preliminary plats for the development shall show the location of the entry markers noting the required landscape areas and setbacks. The plans shall note that the entry markers will require a separate sign permit.

14) Signage plans and details for entry markers shall be submitted at the time of application for approval of sign permit. The plans and details are subject to the approval of the ~~Planning Commission~~ Community Development Director and shall include:

a) A site plan showing the detailed location of all entry marker elements and setbacks

b) Elevations of all sides of the entry marker along with any associated landscaping or sculptural elements (i.e., fountains, water features, planters, rockwork, etc.)

c) All materials, colors and dimensions noted

d) All type (copy) shall be accurately represented.

e) Lighting details

f) Detailed landscape plan for the entry marker locations

15) ~~Review and approval by the Planning Commission is required of all entry marker signage.~~

(Section 6 added by City Council 03/10/08)

~~7. Portal Monument~~

~~a. Definition: A portal monument shall be defined as a cohesively designed element(s) to a subdivision or development, intended to create a unique, identifying entrance area with the expressed purpose of identifying or drawing attention to the development and/or exercising control of ingress and egress to the development. There shall be only one portal monument per subdivision or development. The portal monument shall be located within a common open space area or landscape easement, adjacent to a street on the perimeter of the subdivision, span no more than twenty-five (25) linear feet, identify a single development or subdivision of a minimum of one hundred fifty (150) acres and be composed of, but not limited to, at least two of the following components: ornamental walls, fences, identifying lettering, works of art and other decorative structures,~~

~~earthworks, water bodies, fountains, landscape elements, pedestrian gates, signs and associated decorative items such as lights and finials.~~

~~b. Minimum Setback and Placement. Portal monuments shall be placed so as not to encroach upon utility lines or traffic control devices whether such lines or devices be located overhead or underground; and where a conflict is indeed encountered, the developer or designated property owner shall be responsible for the removal or relocation of the said features or a part thereof portal monuments shall be placed so as not to cause a visual obstruction and thereby create a traffic hazard, and should the use of illumination be incorporated in said features, such illumination shall be placed so as to be unobtrusive to moving traffic lanes or adjacent properties. The portal monument shall be set back a minimum of fifteen (15) feet from the street right-of-way. On a corner lot no structure, planting, sign or object of natural growth that obstructs visibility shall be placed, or permitted to remain, within the sight triangle. A structure, planting, sign or object of natural growth exceeding a height of thirty (30) inches, excluding trees taller than a height of six feet (6'), shall be deemed as obstructing visibility. This measurement shall be made from the top-of-curb.~~

~~c. Maximum Permitted Height. The maximum permitted height of a portal monument is thirty (30) feet above the natural grade, at a setback of fifteen (15) feet from the right-of-way. A portal monument height up to thirty-five (35) feet is permitted, provided that the setback increases two feet for every one foot of monument height over thirty (30) feet. An adjoining fence or wall height of up to six feet is permitted. Fence or wall columns may exceed the actual fence or wall height by a maximum of one foot, provided there is a minimum distance between columns of six feet. Lights, finials, and other decorative appurtenances may extend up to three feet above the top of the portal monument. In no case shall the combined height of the portal monument, column and decorative appurtenances or architectural features exceed thirty-five (35) feet. If the maximum height is exceeded due to architectural features, the signage shall be evaluated on a case-by-case basis.~~

~~d. Landscaping. A minimum of five-foot wide free formed landscape area shall be provided extending from all sides of the base of the portal monument.~~

~~e. Required Materials. The character and scale of entrance features shall be of a design such that said features are complementary to the identified development or subdivision and compatible with the immediate neighborhood insofar as its overall impact is concerned. The portal monument shall be substantially opaque constructed of materials such as stone, brick, stucco, wood, cast concrete, tile or similar material. Bare wood, metal, or other non-durable materials shall be reviewed on a case-by-case basis. Walls or fences intended for limiting property access and/or security shall also be opaque and serve as visual barrier. Other elements such as wrought iron may be used in the fence composition. All structures within entrance features shall meet all standards of the North Carolina Building Code and any other applicable standards.~~

~~f. Maintenance. The owners, Property Owners Association or similar entity, shall have the perpetual responsibility of properly maintaining the portal monument and landscaping that are placed on private property or within the street right-of-way. To assure the proper maintenance of the portal monument:~~

~~a) An executed covenant, stating that all structures shall be maintained in good condition and repair and that all landscaping shall likewise be so maintained, shall be~~

~~submitted for review and, upon approval, shall be duly recorded prior to the issuance of any permits or final approvals.~~

~~b) Any live landscape material such as shrubs and trees, which may die, shall be replaced within 90 days.~~

~~c) For subdivisions, a copy of the bylaws or other documentation of the association which will have permanent responsibility for maintenance of the portal monument and the required landscaping shall be submitted for review and approval~~

~~g. Application. The site plans or preliminary plats for the development shall show the location of the portal monument noting the required landscape areas and setbacks. The plans shall note that the portal monument will require a separate sign permit.~~

~~Signage plans and details for portal monuments shall be submitted at the time of application for approval of a sign permit. The plans and details are subject to the approval of the Planning Commission and shall include~~

~~1) A site plan showing the detailed location of all portal monuments elements and setbacks~~

~~2) Elevations of all sides of the portal monument along with any associated landscaping or sculptural elements (i.e., fountains, water features, planters, rockwork, etc.)~~

~~3) All materials, colors and dimensions noted~~

~~4) All type (copy) shall be accurately represented.~~

~~5) Lighting details~~

~~6) Detailed landscape plan for the portal monument location~~

(Section 7 added by City Council 03/10/08)

7 ~~8~~. Outdoor Display Areas, Machines and Ground Level Mechanical Equipment

a. All outdoor display areas, including garden centers and any seasonal sales, shall be enclosed on all sides with high-quality fencing such as fencing resembling wrought iron, (chain link fencing is prohibited). Screening shall be added to the fencing for unsightly displays.

b. All outdoor display areas shall be designated on the site plan and must not extend into parking areas. Limited seasonal outdoor displays, in designated areas, may be approved by the Community Development Director. Outdoor storage is prohibited.

c. Vending machines shall not be visible from public pedestrian areas outside the business structure, including garden areas.

d. Mechanical or HVAC equipment shall not be installed at ground level along any portion of a building facing a state or city maintained street, road, internal street, or way unless such location is necessitated by the nature and design of the building it serves. Roof top installation may be allowed provided that such equipment is concealed behind a parapet wall.

e. A solid fence or wall and native plants shall screen any ground level equipment. Block or brick enclosures, if used, may include decorative openings within the block or brick pattern.

8. **Development Standards**

All ~~residentially zoned~~ property shall be developed in accordance with the standards set forth in the applicable zoning districts in addition to the following.

A. **Buffer Areas**

1. In residential districts, a buffer strip at least ~~fifty~~ 50 feet in depth, in addition to normal lot depth, shall be provided adjacent to all railroads and Halstead Boulevard Extension. This strip shall be a part of the platted lots and shall have the following notation lettered on the face of the plat: 'This strip is reserved for the planting of trees or shrubs by the owner; the building of structures hereon is prohibited."

B. **Streetscapes**

1. Residential and commercial developments shall be designed to encourage pedestrian traffic. Street design and elements such as sidewalks, bikeways, and walking trails should be incorporated for visual appeal.

2. 

Residential and commercial developments and all subdivisions ~~with 40 lots or more~~ shall have entry ~~statements~~ features that create a distinctive image of a particular ~~residential~~ development. ~~Any~~ Entry ~~statement or~~ features shall be designed to assist passing motorists to easily identify the development, and shall complement the overall appearance of the greater community. ~~of which it is a part~~. Water features and or other architecturally designed features ~~shall~~ are encouraged to be incorporated as part of an entry statement feature.

3. Each development shall provide for street trees located in the parkway, the area between the ~~street right-of-way~~ roadway and the sidewalk. Each single-family lot shall ~~have~~ provide at least one street tree. Multi-family and commercial developments shall have trees spaced ~~a minimum of~~ approximately 50 feet apart.

4. Parks, opens space or community gathering areas shall be provided in all residential districts. These areas should be located adjacent to residential streets or in areas that have community wide ~~use~~ access. Open areas encircled by residential lots are discouraged.

C. **Storm Water Management**

1. Stormwater management facility ponds shall provide ~~be attractively landscaped with amenities. All ponds shall be aerated with a fountain or waterfall type feature.~~ wetlands benching. ~~fountains, and~~ The incorporation of walking trails and pedestrian benches around the perimeter of the ponds are ~~all~~ encouraged. Lighting of these areas is required for safety.

2. Should a storm water management pond be enclosed; chain link fencing is prohibited.

~~3.~~ ~~To the greatest degree possible, stormwater management shall utilize existing regional stormwater management facilities.~~

D. **Streets**

1. Subdivisions, commercial and multi-family developments shall be designed to connect with a street network in any adjacent development or neighborhood creating an interconnected street network.

E. **Setbacks**

1. Building setbacks along Halstead shall be 50 feet from the edge of the right-of-way of Halstead Boulevard Extension.

2. Building setbacks along Thunder Road within the overlay boundary shall be 50 feet from the edge of the right-of-way of Thunder Road.

3. Building setbacks along Forest Park Road within the overlay district shall be 25 feet from the edge of the right-of-way from Forest Park Road

4. Building setbacks along Wellfield Road within the overlay boundary shall be 50 feet from the edge of the right-of-way from Wellfield Road.

F. **Outdoor lighting and Utilities**

1. All outdoor lighting shall be shielded in such a manner that no direct glare from the light source can be seen from adjacent properties or public streets ~~Halstead Boulevard~~. All lighting shall be in accordance with the North Carolina Department of Transportation Standards as per AASHTO publication "Roadway Lighting Design Guide, 2005."

2. All commercial and multi-family parking lots shall be adequately lit.

3. All utility lighting poles shall be black in color.

4. All utility lighting poles shall be decorative ~~in material~~ and subject to the approval of the City of Elizabeth City Public Utilities Director to ensure consistency of design and construction.

5. All utility supplies shall be underground.

G. Halstead Boulevard Access

All properties within the Halstead Boulevard Extension Overlay District shall access Halstead Boulevard at a "designated access" as illustrated on the official overlay-zoning map. Those properties that do not have direct access to Halstead Boulevard shall be granted access through those properties that do have a "designated access."

H. Development Fee

All properties abutting Halstead Boulevard shall pay a development fee equal to the costs to install a ~~four~~ ~~(4)~~ 4-foot-wide concrete sidewalk based on the frontage of the property along Halstead Boulevard. The Director of Public Utilities of the City of Elizabeth City shall approve ~~determine~~ the costs of such improvements.

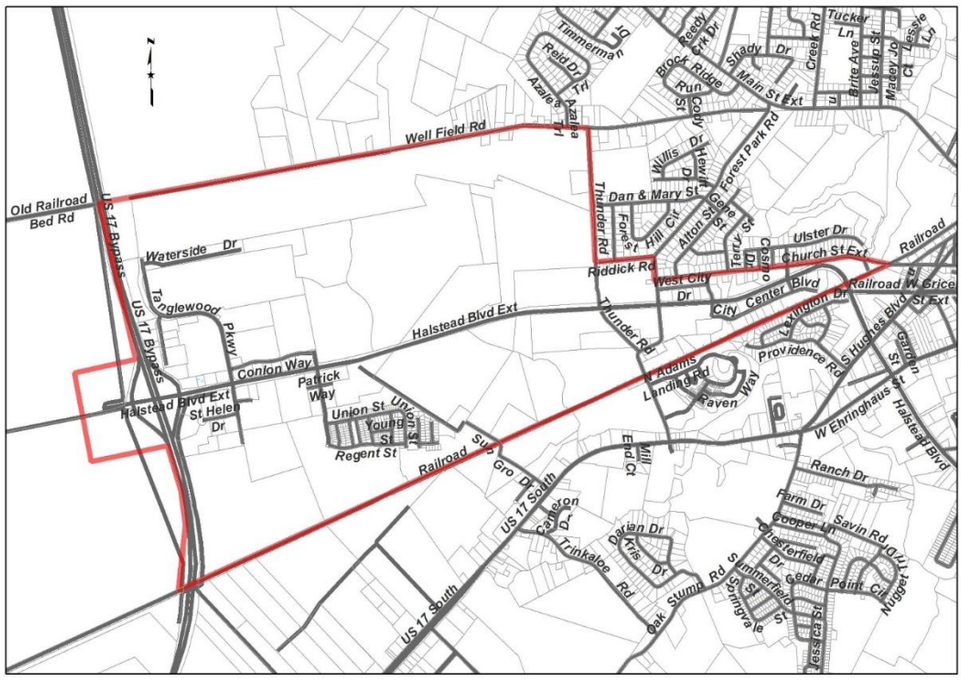
I. Administrative Variances

~~Any person aggrieved may take appeals from the requirements of the Halstead Boulevard Overlay District to the Planning Commission. The Planning Commission shall follow the requirements of the appeals and variances in Article 7 of the Elizabeth City Unified Development Ordinance.~~

An administrative variance may be granted for a hardship of not being able to meet the required regulations and will be considered on a case by case basis. The administrative variance will be issued by the Zoning Administrator for minor modifications in landscaping, parking, signage, lighting, and dimensional requirements if the modifications are not more than a 10% reduction or alternation to the current requirement. Any reductions or modifications of the regulations that exceed 10% of the current requirement shall be presented to the Board of Adjustment (BOA) for a variance, as required in Article VII of the Ordnance.

UPDATED MAP

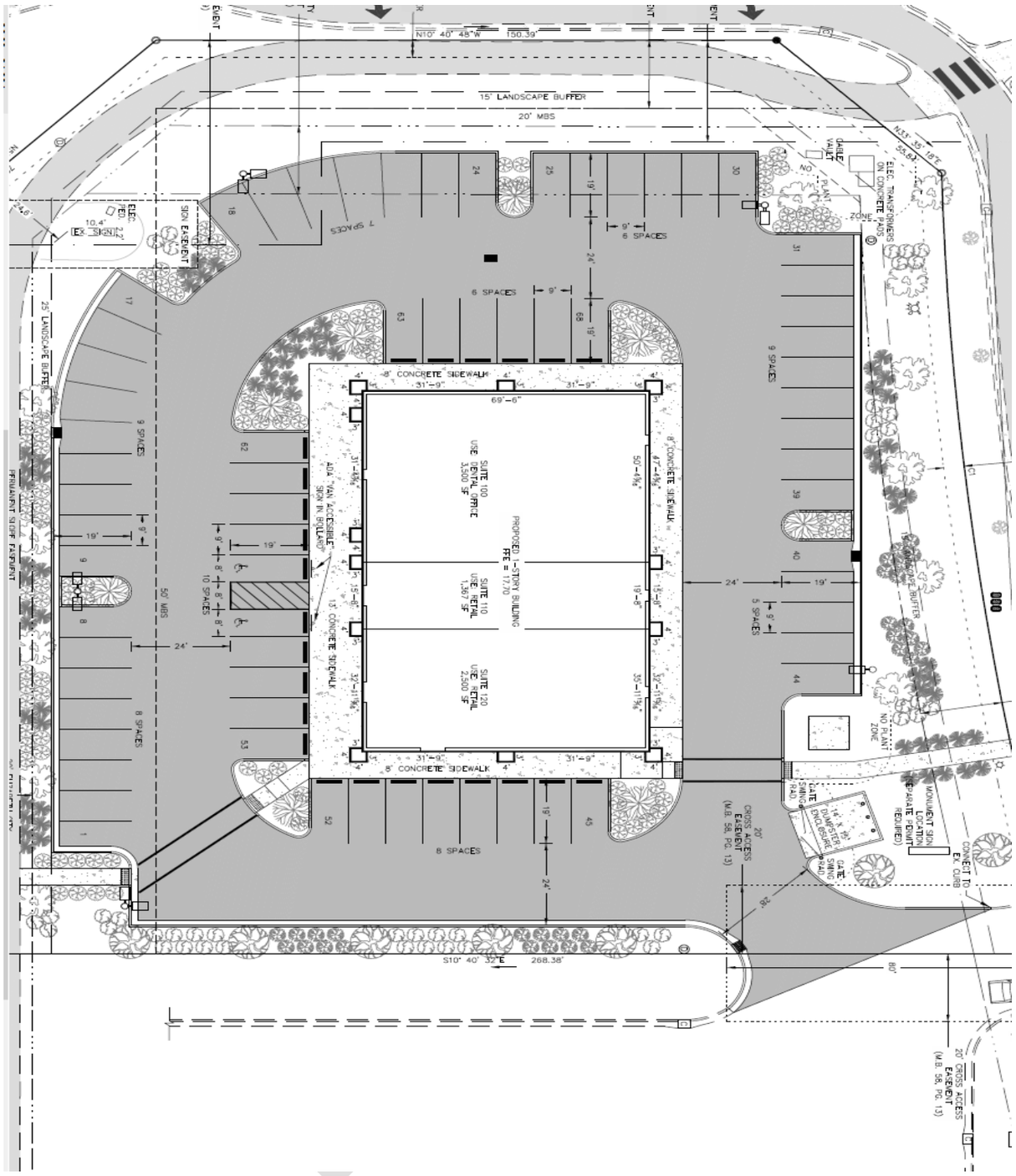
Halstead Boulevard Extension Overlay District



Case Study: Corner lot in the Halstead Overlay District

Site Area: 64,908 sf

AC: 1.49



The ***current landscape ordinance*** would require the following landscaping requirement below for this proposed development.

Total Requirements:
- **32 Trees**
- **231 Shrubs**

Landscape Requirement
Street side buffer:
Halstead Blvd Frontage Area =3,276 SF
- 3,276/500 =7 Trees
- 3,276/50 = 66 Shrubs

Tanglewood Pkwy Frontage =150 LF
- 150/50 = 3 Trees
- 150/4 = 38 Shrubs

Conlon Way Frontage =231 LF
- 231/50 =5 Trees
- 231/4 =58 Shrubs

Vehicular Surface Area: 28,615 SF
Requirement: 1 Tree per 2,000 SF X 1.2 (HBEOD)
- 28,615/2,000 = 14.30 x 1.2=17.16 =17 Trees

Requirement: 1 Shrub per 500 SF x 1.2 (HBEOD)
- 28,615/500 = 57.23 x 1.2 =68.67 =69 Shrubs

With the ***proposed text amendment***, this would reduce the current landscape requirement for the same development by the following figures.

Total Requirements Reductions:
- **24 Trees**
- **161 Shrubs**

Landscape Requirement
Street side buffer:
Halstead Blvd Frontage Area =3,276 SF
- 3,276/1500 =2 Trees
- 3,276/400 = 8.19 =8 Shrubs

Tanglewood Pkwy Frontage =150 LF
- 150/50 = 3 Trees
- 150/4 = 38 Shrubs

Conlon Way Frontage =231 LF
- 231/50 =5 Trees
- 231/4 =58 Shrubs

Vehicular Surface Area: 28,615 SF
Requirement: 1 Tree per 2,000 SF
- 28,615/2,000 = 14.30 =14 =14 Trees

Requirement: 1 Shrub per 500 SF
- 28,615/500 = 57.23=57 =57 Shrubs

NOW THEREFORE, BE IT ORDAINED that the City Council of the City of Elizabeth City does hereby amend the above text of the Unified Development Ordinance.

ADOPTED, this the 24th day of August 2020 to become effective upon the signing of this ordinance.

_____
Bettie J. Parker
Mayor

Attest:

April Onley
City Clerk

c. Consideration – Ratify City Manager Search Committee's Hiring and Contract Execution of Developmental Associates *(Moved to Regular Agenda by Councilman Horton during Agenda Adjustments and Approval)*;

d. Consideration – Authorize Execution of Contract with Interim City Manager *(Moved to Regular Agenda by Councilman Adkins during Agenda Adjustments and Approval)*;

(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 Councilwoman Jeannie Young to approve the Consent Agenda as presented. Those voting in favor of the motion were: Spence, Ruffieux, Brooks, Walton, Young, Horton, Caudle, and Adkins. Against: None. Motion carried.

5. <u>Regular Agenda:</u>

a. Consideration – Authorize Execution of Contract with Interim City Manager *(Moved to Regular Agenda by Councilman Adkins during Agenda Adjustments and Approval)*;

Mayor Parker recognized Councilman Adkins to address his concerns with the matter. Councilman Adkins said he moved the item to the Regular Agenda because he wanted clarity on actions taken during the last meeting when the vote was conducted that Interim City Manager Buffaloe would be considered just Interim City Manager and not Chief of Police while he held the position. He noted that he was confused because he had received press releases over the weekend that indicated that he was still acting in his Chief of Police position. Mayor Parker stated that the City Manager also oversaw the Chief of Police position. Councilman Adkins wanted to know if the press releases were going to continue to say "from the office of the Chief of Police – Eddie Buffaloe." Interim City Manager Buffaloe responded that they would continue to read that way.

Councilwoman Young responded, "He's still our police chief even though he's interim for three months."

Councilman Adkins expressed concern that "we spent a lot of time at the last meeting saying he was not going to be both … I have the right as a Councilman to come in and ask that question." Mayor Parker responded that her understanding was that Chief Buffaloe would be in a dual position, but his title would only reflect that he was the Interim City Manager.

Councilwoman Young said "he's our interim, yes, but when we get a press release from the office of our police chief, he's still our police chief. His deputy chief has stepped up and is going to be running the day." She noted that City Managers oversaw all departments anyway.

Councilman Horton said he believed it was a conversation the Council needed to have to put the topic at rest. He said "when the motion was made, it was made saying he would be the manager. That's the motion that was made." He said he understood that with all the crime in the City, he understood that Chief Buffaloe could not turn his back totally to the Police Department. He said he was concerned about comments made in The Daily Advance that referred to Chief Buffaloe as both titles. He continued, "I'm not worried about cards and letterhead, but from a standpoint, has the deputy chief moved up to be the acting police chief or is our manager still the police chief? My understanding that Buffaloe would be the manager … but he's not the director of each department. He's the manager."

Mayor Parker reminded the Council that former City Manager Olson had served as both manager and Fire Chief, as well as manager and Electric Superintendent when

necessary. She noted that he was not paid for both positions, nor would Chief Buffaloe be, but did want to point out that things that this had occurred in the past.

Councilman Spence reminded the Council that he made the motion after Chief Buffaloe made the comment that he didn't mind filling both roles. He said he believed some of the confusion came from the discussion about making the deputy chief the acting chief, but it was decided that that should be held off on. He said he believed a solution would be to execute the deputy chief as the interim chief and allow him to make the calls, although Chief Buffaloe would still be in charge. He added that he did not believe the Council needed to be involved, but it was within Chief Buffaloe's authority to move Deputy Chief Avens up to acting chief. Mayor Parker concurred that would be a good solution if the concern was just his name being on official documents.

Councilman Adkins said he wasn't worried about that, he just wanted clarity on whether Chief Buffaloe was both Interim City Manager and the Police Chief because of what was specifically stated during Councilman Spence's motion during the last meeting. He said "we tend to forget what's said during meetings, we tend to forget what we do." Mayor Parker said she did not recall that Chief Buffaloe saying he would not do both roles, and that the concern was in title alone.

Councilman Caudle said that after the last closed session, Chief Buffaloe had asked him if he believed he needed to appoint an acting chief while he served as interim, and he had responded that he did not believe that was in the spirit of the conversation or the final motion. He asked Interim City Manager Buffaloe what his feelings were on the matter.

Interim City Manager Buffaloe said, from a retirement point of view, if he was going to undergo an official title change, he would have to check with his retirement company because it could affect his law enforcement retirement. He reminded the Council that he mentioned these concerns early on, which is why he asked if he needed to turn day-to-day activities over to the deputy chief. He added, "I do not want a title change because I am the Interim City Manager but I was hired as the police chief."

Councilwoman Young concurred with Interim City Manager Buffaloe's statements and said she took no issue with keeping it the way it was. Mayor Parker said the only reason the ratification of the contract was on the agenda was because it wasn't properly stated during the last meeting; the contents of the contract were not being discussed and had already been fully approved.

Councilman Spence reiterated that when he made the original motion he did not mean to take Chief Buffaloe's title and his actual position away; he still wanted him to have oversight into the police department, but didn't want him to get bogged down with the police department's day-to-day while he was trying to serve as Interim City Manager.

Mayor Pro Tem Walton commented that he believed the discussion had cleared the concerns up. He noted that "he's chief of all the departments now … you may have to move deputy chief up for the time being." He added that, however, that was something Interim Chief Buffaloe could do himself without Council instruction.

> **Motion was made by Councilman Chris Ruffieux, seconded by Councilwoman Jeannie Young to ratify the agreement made with Chief Buffaloe and authorize execution of the contract appointing him as Interim City Manager.**

Mayor Pro Tem Walton said the only thing in the contract that concerned him was the part that said the Council could terminate the interim. He said he didn't believe he had seen a contract like that before. Councilman Brooks said North Carolina was an "at-will" state and employees could be fired for any reason whatsoever, aside from discrimination. He noted they could have fired former City Manager Olson for any reason they saw fit. Mayor Parker encouraged the Council not to publicly disclose too many details of his contract, as much of it was confidential information.

> **Those voting in favor of the motion were: Spence, Ruffieux, Brooks, Walton, Young, Horton, and Caudle. Against: Adkins. Motion carried.**

(a1). Consideration – Ratify City Manager Search Committee's Hiring and Contract Execution of Developmental Associates *(Moved to the*

***Regular Agenda by Councilman Horton During Agenda Adjustments and Approval)*;**

Mayor Parker said the Council had received an email on this from former City Manager Olson as his last "official action" on an agenda. Mayor Parker recognized Councilman Horton to present his concerns. Councilman Horton said the reason he pulled the item from the Consent Agenda was because of the language in the background and analysis sections of the memorandum, which said the reason the item was on the agenda was to satisfy his concerns and "better utilize valuable Council time." He said he did not feel that was correct, and the reason it was on the agenda was because it was not correctly voted on in the first place. He noted that "from a procedural standpoint, when we charged the Mayor's search committee to meet, it should have come back to Council and been approved." He further expressed concern that former City Manager Olson signed the contract instead of Mayor Parker, as he did not feel that was his place. He added that he was troubled that former City Manager Olson admitted that action took place after the meeting was formally closed, which is not the correct way to do business.

Motion was made by Councilman Darius Horton, seconded by Councilwoman Jeannie Young to ratify the hiring and contract execution of Development Associates. Those voting in favor of the motion were: Spence, Ruffieux, Brooks, Walton, Young, Horton, Caudle, and Adkins. Against: None. Motion carried.

b. Presentation / Consideration – Coronavirus Relief Fund Plan;

Interim Chief Buffaloe asked that Assistant City Manager Judge present the Coronavirus Relief Fund Plan, as she had worked tirelessly on the matter. Mrs. Judge explained that in July 2020, the NC General Assembly approved a second allocation of Coronavirus Relief Fund (CRF) money. Pasquotank County will receive a total of $1,670,852 and the City of Elizabeth City will receive a total of $417,713. Pasquotank County had agreed to give the City $225,000 from the first allocation. That was based on Hazard Pay to Essential Employees, the micro-grant program administered by ECDI and additional costs for PPE and cleaning supplies. For the second allocation, we anticipate using the funds for additional costs for PPE and cleaning supplies as well as personnel expenses for the extra cleaning time through December 2020. In addition, several technology improvements designed to aid social distancing and virtual training, continuing education and conferences for City employees. She noted that the NC General Assembly approved allocations to be distributed to Municipalities and Counties to provide ready funding to address unforeseen financial needs and risks created by the COVID-19 public health emergency. Local governments are required to submit plans in order to access their allocations; municipalities submit to their respective county and counties submit all plans to the State for consideration. City staff has drafted a plan for consideration by the City Council. Plans may be amended after their submittal. She noted that all funds must be incurred by December 30, 2020, and unspent and misappropriated funds are subject to State claw back.

Mayor Pro Tem Walton asked why Camden County was included in the allocation. Mrs. Judge responded that it was because the City of Elizabeth City had a small percentage of its population in Camden County. She said that in speaking with the State Treasurer's office, she realized that they would not be able to include them because it would be considered "double dipping."

Motion was made by Councilman Billy Caudle, seconded by Councilwoman Jeannie Young to approve the use of the Coronavirus Relief Fund plan as presented. Those voting in favor of the motion were: Spence, Ruffieux, Brooks, Walton, Young, Horton, Caudle, and Adkins. Against: None. Motion carried.

6. <u>Comments and Inquiries on Non-Agenda Items:</u>

Councilman Adkins reminded everyone to think of the struggling businesses and citizens during this difficult time.

Councilman Caudle had no further comments.

Councilman Horton had no further comments.

Councilwoman Young had no further comments.

Mayor Pro Tem Walton expressed concern about the parking at Waterfront Park over the weekend, in particular. He said the boaters seemed to be running other citizens out the park. He said he didn't know how to solve the problem but that "boaters should not have all the privilege and parking. It is a problem." He added that many of the license plates reflected visitors from Virginia, which meant they were keeping our taxpayers out of their own parks. He asked Interim City Manager Buffaloe to possibly try to find out how many people come into Waterfront Park from Virginia or elsewhere. He said "I think all the people in Elizabeth City should have the privilege to use the waterfront like everyone else." Additionally, he said he felt the Storm Water Advisory Board was important because of letters like we received during public comment this evening. He urged the Council to find people to serve on the Board because he felt it should not be dissolved and could be made much better.

Councilman Caudle responded to Mayor Pro Tem Walton and said he shared his concerns about Waterfront Park, but he did believe that there was some sort of tournament this weekend, which had brought many visitors in. Councilman Caudle asked for further information in the near future about the Perkins Lane Estates concerns.

Councilman Brooks said he wanted to make sure that his travel fund donations appeared on the next agenda. He thanked Tammy Sharp and Jason Value in the Electric Department for taking care of some of his concerns after he felt he had been given a "song and dance" by the Public Works Department.

Councilman Ruffieux had no further comments.

Councilman Spence had no further comments.

Mayor Parker welcomed Interim Chief Buffaloe on board officially as acting City Manager, and said she was very pleased with what she had observed so far. She said the Council had employed Developmental Associates and indicated they would like public comment on the hiring of the next City Manager, and a survey had been subsequently developed, which was posted on the City's website and would be in the FYI as well. She mentioned that she had taken part in the Senior Nutrition Program, which had delivered to local seniors door-to-door due to the high risk classification of seniors instead of them having to go out to the waterfront market to redeem their vouchers.

7. <u>Adjournment</u>

There being no further business to be discussed, Mayor Parker adjourned the meeting at 8:14 p.m.

_____

Bettie J. Parker
Mayor

_____

April D. Onley
City Clerk, NCCMC