



# MEMORANDUM

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**TO:** Mayor and City Councilors

**FROM:** Rich Olson, City Manager  
Morgan Jethro, Community Development Manager

**DATE:** March 4, 2015

**REF:** Consideration - Call for a Public Hearing for NC Department of Commerce Small Cities Community Development Block Grant (CDBG) Infrastructure Grant Application—Herrington Road Sewer Project

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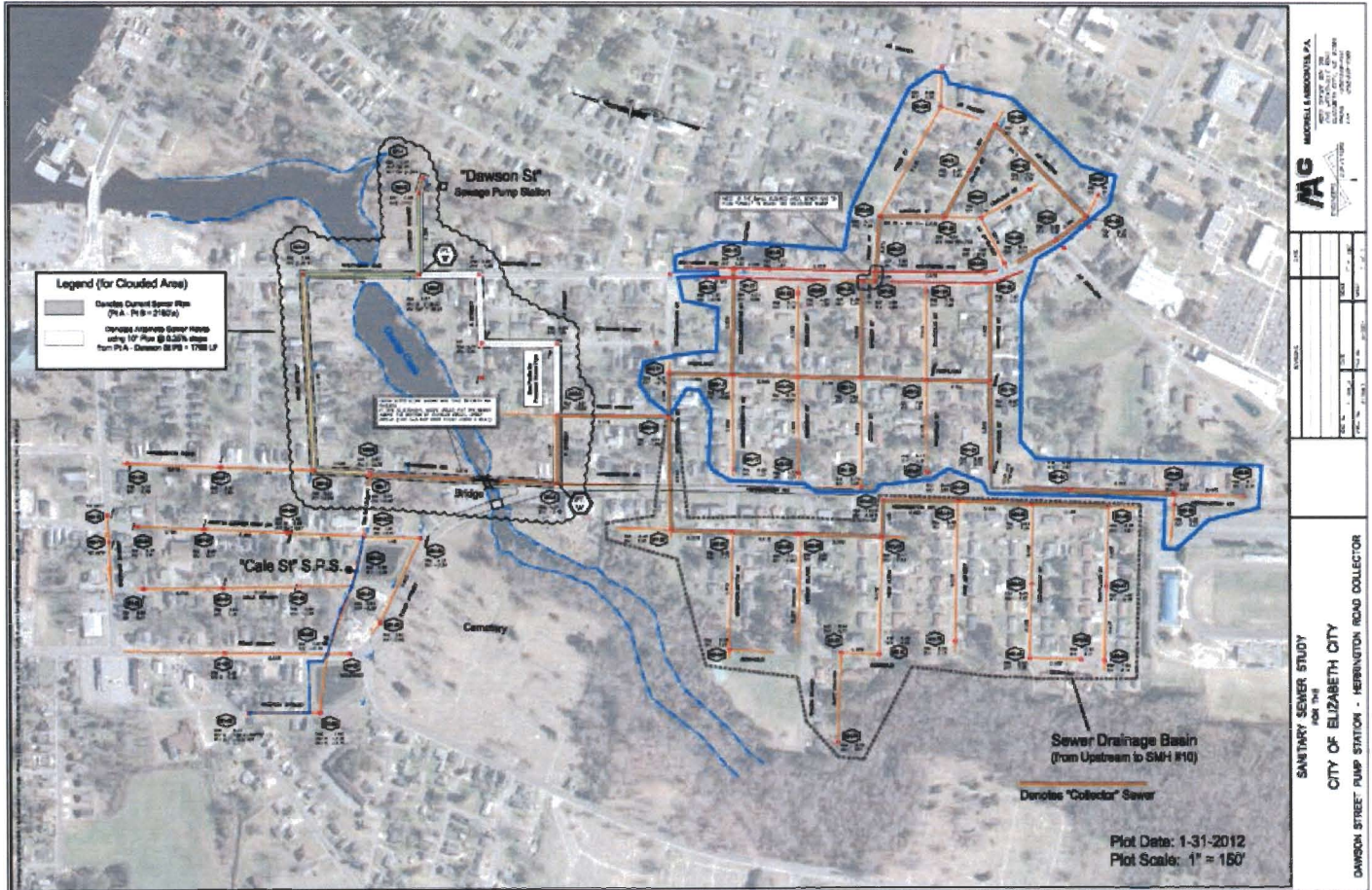
***BACKGROUND:***

City Staff intends to apply to the North Carolina Department of Commerce for Small Cities Community Development Block Grant (CDBG) Infrastructure Grant. Twenty-six million dollars are available in a competitive grant process for infrastructure needs. A public hearing prior to grant submission is required whereby citizens are invited to comment and express concerns about the current grant application.

***ANALYSIS:***

The sewer collector along Herrington Road has been a concern of City staff for quite some time. The goal of applying for this CDBG Infrastructure Project is to abandon the sewer crossing at Herrington Road and Charles Creek. This collector serves the Herrington Road/Massachusetts Avenue neighborhood; which consists of the following streets: A St, B St, Wood St, Goodwin Ave, Witherspoon St, Hemlock St, Spruce St, Magnolia St, Arbutus St, Highland Ave, Rhode Island Ave, New York Ave, New Jersey Ave, Delaware Ave, Maryland Ave, Gosnold Ave, Massachusetts Ave, Price St, Lincoln St, Douglas St, Moore St, Hoffler St, Southern Ave and Herrington Road.

The Herrington Road gravity sewer collector was constructed with 8" and 10" diameter terra cotta clay pipe. The entire system was constructed more than 60 years ago. Problems with settlement of pipe, dislocated joint sealing material and numerous protruding taps plague the system.



The Herrington Road/Massachusetts Avenue neighborhood sewer also suffers from an initial installation of flat or low slope sewer. Much of the sewer along Highland Avenue was installed at slopes less than the current minimum slope by today's standards. This low slope has created a high occurrence of sewer backups. Low slope in sewer causes the velocity of waste moving through the pipe to be too slow, resulting in solids not being carried downstream and left as deposits in the pipe. The Elizabeth City Public Works Department has reported at least three occasions within the past year where residential properties experienced sewer backups resulting in sewer in homes causing property damage and health risk. According to a Preliminary Engineering Report completed by Hyman and Robey, the approximate total cost of the project is \$800,000.

***STAFF RECOMMENDATION:***

By motion, call for a public to be held on March 23, 2015 at 7:30 p.m. in City Council Chambers of the Municipal Administration Building, 306 E. Colonial to gather citizen input relating to the adoption of the attached resolution on the proposed CDBG infrastructure grant application for the Herrington Road Sewer Project.

**RESOLUTION # 2015-03-\_\_\_\_\_**  
**AUTHORIZING SUBMISSION OF CDBG APPLICATION TO**  
**North Carolina Department of Environment & Natural Resources**  
**(NCDENR) Division of Water Infrastructure for the**  
**Herrington Road Wastewater Collection Project**

**WHEREAS**, Title I of the Federal Housing and Community Development Act of 1974, as amended, has established the U.S. Housing and Urban Development (HUD) Community Development Block Grant (CDBG) Program, and has authorized the making of grants to aid eligible units of government in funding the cost of construction, replacement, or rehabilitation of water and wastewater infrastructure, and that the North Carolina Department of Environment & Natural Resources (NCDENR) Division of Water Infrastructure (DWI) was delegated the authority by the state legislature to administer the water and wastewater infrastructure portion of the state grant monies received from the U.S. HUD CDBG program by Session Law 2013-360, Section 15.15(a) as amended by Section 5.3 of Session Law 2013-363; and

**WHEREAS**, the City of Elizabeth City has need for and intends to construct a wastewater collection system project described as a sewer collection system to serve the Herrington Road/Massachusetts Avenue neighborhood, which consists of the following streets: A St, B St, Wood St, Goodwin Ave, Witherspoon St, Hemlock St, Spruce St, Magnolia St, Arbutus St, Highland Ave, Rhode Island Ave, New York Ave, New Jersey Ave, Delaware Ave, Maryland Ave, Gosnold Ave, Massachusetts Ave, Price St, Lincoln St, Douglas St, Moore St, Hoffler St, Southern Ave and Herrington Road; 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:**

1. That the City of Elizabeth City, herein referred to as 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.
2. That the Applicant will provide for efficient operation and maintenance of the project on completion of construction thereof.
3. That Mayor Joseph W. Peel, herein referred to as 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.

4. 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.
5. 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 23<sup>rd</sup> day of March, 2015 at Elizabeth City, North Carolina.

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Joseph W. Peel  
Mayor

*ATTEST:*

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Vivian D. White, CMC/NCCMC  
City Clerk

*CERTIFICATION BY RECORDING OFFICER*

The undersigned duly qualified and acting City Clerk of the City of Elizabeth City does hereby certify: That the above/attached resolution is a true and correct copy of the resolution authorizing the filing of an application with the State of North Carolina, as regularly adopted at a legally convened meeting of the City Council duly held on the 23<sup>rd</sup> day of March, 2015; and further, that such resolution has been fully recorded in the journal of proceedings and records in my office.

IN WITNESS WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of March, 2015.

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Vivian D. White, CMC/NCCMC  
City Clerk