

CITY of WILMINGTON

North Carolina

2/7/2017

City Council
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Wilmington, North Carolina 28401

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OFFICE OF THE CITY MANAGER
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Dear Mayor and Councilmembers:

Attached please find a resolution and ordinance for your consideration. The resolution is for the approval of the proposed Brick and Stone Streets Policy and the ordinance is to adjust the Wilmington Fee Schedule for Brick Street Repairs.

City staff began the process of developing a Brick and Stone Streets policy in the fall of 2015 with a working group of staff and utility providers discussing issues surrounding these historic streets. Staff used these discussions to gather information in order to develop a public input process that involved an online survey and 2 separate public meetings. Overwhelmingly, input received was in support of properly preserving brick streets as a part of the fabric of our downtown urban core. In preparation for Council consideration of this resolution and with the support of the City Historic Preservation Planner, staff was able to present this updated policy to the Historic Preservation Commission. Attached is a copy of their resolution of support.

City Council was briefed on a final version of this proposed policy on August 1st and October 17th of 2016. The final version includes the following:

- requirements for brick streets and brick under asphalt streets,
- provisions for an official brick and stone streets policy map with annual updates, and
- requirements for handling of bricks or stone when disturbed.

With the approval of this policy and the official brick and stone streets policy map, streets shown as brick will remain as brick and brick under asphalt will have a long term goal of being restored to a brick or stone surface.

In addition, the ordinance to amend the fee schedule is necessary to facilitate City staff's implementation of this policy. The updated brick street repair fee reflects the City's actual cost to make these repairs. The new fee for asphalt removal for only brick under asphalt streets will support the utility companies by providing them the means to have the asphalt removed while reducing the chance of damaging the bricks or stone.

This resolution and ordinance supports Council's initiative for Efficient Transportation Systems and Promoting Culture, Arts and Public Spaces.

Passage of the attached Resolution and Ordinance is recommended.

Respectfully submitted,

Sterling B. Cheatham,
City Manager

O3a-1

Resolution



City Council
City of Wilmington
North Carolina

Introduced By: Sterling B. Cheatham, City Manager

Date: 10/17/2017

Resolution Adopting a Brick and Stone Street Policy

LEGISLATIVE INTENT/PURPOSE:

WHEREAS, historic brick and stone street paving materials are important character defining features and assets to the City’s historic district and urban core; and

WHEREAS, policies and procedures to repair, maintain, preserve, and restore brick and stone streets are crucial in order to protect this important historic fabric of the Wilmington community; and

WHEREAS, the current brick street policy, AP 87-3, was adopted August 25, 1987 and staff was directed to undertake the development of an updated policy for the restoration, preservation and maintenance of brick streets; and

WHEREAS, section 8.1.5 and 11.1.1 of the Comprehensive Plan Policies states that the preservation of existing historic brick streets in Wilmington should be prioritized; and

WHEREAS, City staff conducted an extensive policy development process using a work group of staff and utility providers that included a public survey, two public meetings, and data gathering to formulate a recommended policy; and

WHEREAS, the Historic Preservation Commission endorsed updating this brick and stone streets policy on January 12, 2017.

THEREFORE, BE IT RESOLVED:

THAT, the City Council approves the Brick and Stone Streets Policy for Wilmington to include an official Brick and Stone Streets Policy Map which will be updated annually.

Adopted at a _____ meeting
on _____ 2017

Attest:

Penelope Spicer-Sidbury, City Clerk

Bill Saffo, Mayor

Approved As To Form:

City Attorney

City of Wilmington Brick and Stone Streets Policy

1. Brick and Stone Streets Policy

The purpose of this policy is as follows:

- A. To update the official brick and stone streets policy map annually or on an as needed basis;
- B. to preserve and restore brick and stone streets to the extent possible;
- C. protect public health, safety, and welfare;
- D. partner with utility providers and other agencies to improve the condition of brick, stone and asphalt streets on an opportunistic basis; and
- E. to establish clear criteria for work performed within the city’s rights-of-way where brick and stone streets exist.

This policy does not establish or define how the city will pay for streetscape projects, utility work, brick or stone street restoration, or other projects; rather, it defines how work within the rights-of-way of brick or stone streets should be completed.

2. Official Brick and Stone Streets Policy Map

This policy includes the City of Wilmington Official Brick and Stone Streets Policy map (hereinafter referred to as “official map”). The official map identifies two types of brick streets, as defined below:

Brick streets – Any street that is primarily a brick surface that is not and has not been over laid with asphalt. Materials could be modern brick pavers, historic brick, pavers, or cobblestones.

Brick under asphalt streets – Any street that has been physically identified by city staff either by *visual observation* or *core sampling* to have brick or stone that has been overlaid with asphalt. It should be noted that not all locations where brick or stone under asphalt streets are known and may be additional locations discovered over time in a variety of ways (see D below).

This official map will be updated at least on an annual basis and more often if needed, based on the following process:

- A. City Council will approve by resolution City of Wilmington Official Brick and Stone Streets Policy map. Street segments will be added or removed from this official map based on approval by City Council.
- B. All street segments identified on the official map as a **brick street** will remain brick and be restored to brick or their original material if disturbed for any reason.
- C. All street segments identified on the official map as **brick under asphalt** will be restored to a full brick or their original material surface based on the following:
 - i. capital funds for brick street rehabilitation are made available, or
 - ii. disturbance due to a capital improvement project.
- D. Street segments that are discovered to be brick under asphalt that are not currently on the official brick street map would be subject to evaluation by staff in preparation of a

recommendation to City Council to add it to the official map. Staff will generally provide the following information in preparation of a recommendation:

- i. traffic volume
- ii. speed limit
- iii. street type
- iv. proximity to other brick street segments
- v. factors affecting efforts to rehabilitate street to brick surface.

3. Disturbance of Brick or Stone Streets

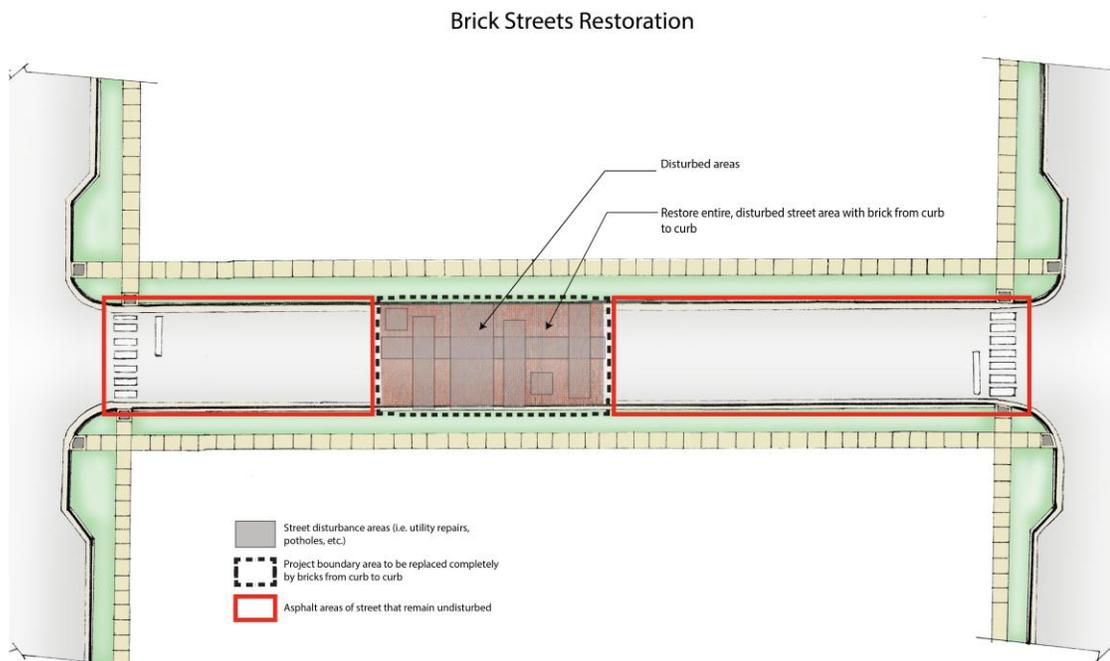
Applicability: The purpose of this section is to provide requirements for areas of brick or brick under asphalt streets that are disturbed as a result of a utility cut, capital improvement project or emergency work within the right of way.

- A. **Utility Cut** – Disturbance to the street surface needed to provide or repair utility service or services to a single parcel.
 - i. Brick Street – The utility company will remove and handle bricks in accordance with section 4. The city will replace bricks (brick street repair fee applies).
 - ii. Brick Under Asphalt Street – The city will remove asphalt from bricks (asphalt removal fee applies). The utility company will remove and handle bricks in accordance with section 4. The city will repave with asphalt (repair fee for utility cut applies; also refer to section 2C).
- B. **Capital Improvement Project** – Disturbance to the street surface from any project by the city or another utility provider that is improving, replacing or rehabilitating the street or utilities along a segment of street.
 - i. Brick Street – The project contractor will remove and handle bricks in accordance with section 4. The project contractor will be responsible for replacing all bricks following street disturbance work (no fee applies).
 - ii. Brick Under Asphalt Street – The project contractor will remove asphalt from bricks for length of street where disturbance occurs and for curb to curb width (no fee applies unless coordinated with the city; see figure below). The project contractor will remove and handle bricks in accordance with section 4. The project contractor will be responsible for replacing all bricks following street disturbance work (no fee applies). The city may elect to participate in project depending on scope of work, condition of existing street, coordination opportunities and available funding.
- C. **Emergency Work** - Disturbance to the street surface as a result of failure or imminent failure of infrastructure or other type of accident.
 - i. Brick Street – The utility company will remove and handle bricks in accordance with section 4. The city will replace bricks (brick street repair fee applies).
 - ii. Brick Under Asphalt Street – If possible depending on situation, the city will remove asphalt from bricks (asphalt removal fee applies). If situation does not allow for removal of asphalt from bricks prior to removal, then the utility company or its contractor will

remove and handle bricks in accordance with section 4. The city will repave with asphalt (repair fee for utility cut applies; also refer to section 2C).

D. General Notes:

- i. Every effort should be made to restore the disturbed area with existing materials. Where gaps exist or materials are missing, like materials shall be used, including, but not limited to, brick, Belgian block, granite paving stones, and curbing materials.
- ii. Modern pavers approved by the city may be substituted for historic bricks when historic bricks are not available.
- iii. Granite and slate curbs, where they exist, should be preserved and returned to streets upon completion of the project or street disturbance.
- iv. Temporary asphalt patches (24 month maximum time limit) may be used on brick streets under the following conditions:
 - a) There are not enough bricks to fill the cut.
 - b) Additional cuts are expected within the temporary period, upon completion of which, all interruptions in the brick surface will be restored to brick.
- v. All work shall be completed in compliance with the City's Technical Standards and Specifications Manual, including any necessary repairs or upgrades for ADA compliance to ramps, curbs, etc.



4. Handling and Storage of Bricks or Stone Removed from City Streets

Bricks or stone may be removed for a variety of reasons. The intent of this section is to provide requirements for the proper handling and storage of these materials in order to minimize damage, loss, and theft. Should bricks or stone be removed, the following is required:

- A. Bricks or stone will only be removed based on city approval of a capital project or an approved right-of-way permit.
- B. Prior to removal of any bricks or other historic paving material, contact shall be made with the City of Wilmington Public Services Streets Division (910-341-7879) with the following information:
 - 1. Company/Name removing bricks or stone
 - 2. Location of brick or stone removal (address, intersection, etc.)
 - 3. Purpose of brick or stone removal
 - 4. Approximate number or area of bricks or stone to be removed
 - 5. Number of pallets requested
- C. Bricks and stone shall have asphalt delaminated from them prior to storage.
- D. The contractor is responsible for removing bricks or stone with care in order to minimize damage and loss of reusable material. The replacement cost due to careless removal resulting in loss of reusable bricks or stone is the responsibility of the contractor.
- E. The city may provide pallets for stacking and storage on a limited basis available for pick up at the city Operations Center on River Road. If the city does not have pallets available, the contractor shall be responsible for providing their own pallets. Once stacked with bricks or stone, pallets shall be labelled with the location of the removal.
- F. Once removed and palletized, all bricks or stone shall be delivered to the city's Operations Center on River Road on the same day. Under no circumstances shall bricks or stone that have been removed be allowed to stay on a project site overnight.



Resolution

Historic Preservation Commission
City of Wilmington
North Carolina

Resolution Recommending Approval of the Brick Street Policy Dated January 12, 2017

WHEREAS, historic brick street paving materials are important character - defining features and assets to the city's historic districts and urban core; and

WHEREAS, historic brick streets represent a sense of time and place in the history of the city; and

WHEREAS, the Historic Preservation Commission is charged with protecting, preserving and conserving the heritage of the City and its historic fabric, and

WHEREAS, policies and procedures to repair, maintain, preserve and restore brick streets are crucial in order to protect this important historic fabric of the community; and

WHEREAS, the current brick streets policy, AP 87-3 was adopted August 25, 1987; and

WHEREAS, the City Manager directed staff to undertake the development of a comprehensive policy for the maintenance, preservation and restoration of historic brick streets located in the incorporated areas of the City of Wilmington; and

WHEREAS, staff members of the Public Services and Planning, Development and Transportation Departments, along with area utility providers engaged in a process to identify the location of brick streets (including those that have asphalt overlayment), analyzed traffic volumes on identified brick streets, reviewed established speed limits on identified brick streets, reviewed costs associated with maintaining, preserving and restoring brick streets, and collected and reviewed input from various stakeholders and the public through public input sessions, and an on-line survey in order to formulate a comprehensive brick streets policy; and

WHEREAS, the Historic Preservation Commission reviewed a proposed Brick Streets Policy on June 23, 2016 at a special meeting and adopted a Resolution in support of the policy as presented at that time; and

WHEREAS, the policy proposed at the June 23, 2016 meeting has been revised based on input and discussions at public briefings, and further analysis, research and investigation by staff members of the Public Services and Planning, Development and Transportation Departments; and

WHEREAS, based on the aforementioned input, analysis, research and investigation, the Brick Streets Policy has been revised; and

WHEREAS, the Historic Preservation Commission reviewed the revisions to the City of Wilmington Brick Street Policy, as amended at their January 12, 2017 meeting and found that the revised policy is more comprehensive than the policy considered on June 23, 2016 in preserving brick streets, increasing the city's supply of historic brick pavers, protecting the health, safety and welfare of its citizens and visitors, partners with utility providers and other agencies to improve the condition of brick streets, and establishes clear and concise criteria for those working within the city's rights-of-way of brick streets; and

WHEREAS, the Wilmington City Council will consider adoption of a Brick Streets policy at a future date.

THEREFORE, BE IT RESOLVED:

THAT: The Wilmington Historic Preservation Commission hereby endorses the Brick Streets Policy as considered at its regular meeting held on January 12, 2017.



Rob Romero, Chairman
Historic Preservation Commission

Signed this the 13th day of JANUARY, 20 17