


# MEMORANDUM

TO: Thomas M. Moton, Jr., Interim City Manager  
FROM: Scott P. M. Godefroy, P.E., Interim Director of Public Works  
DATE: July 20, 2012  
SUBJECT: Status of Debris Removal from the July 1, 2012 Storm



On July 1, 2012, the City of Greenville was affected by a thunderstorm and high winds that encompassed the entire City. Some areas received more tree damage than others; however, areas without significant tree damage still had a great amount of vegetative debris such as twigs, leaves and pine straw. Trees were blown over and blocked some streets for a brief period.

The storm caused a significant increase in the amount of vegetation placed at curbside for collection by Sanitation. Some areas had vegetation piles at every residence. Some streets were completely covered with vegetative debris.

The storm occurred on the weekend prior to a holiday week which allowed some residents additional time for clean-up of their yard waste, however because of the Holiday, it reduced our total available work hours for that week. Additionally, some residents were away from their homes (for vacations, etc.) and were not able clean up until after their return. By the storm damage occurring on Sunday night, those residents that were home, many were not able to get their debris at curbside for Sanitation collection on the Monday and Tuesday immediately following the storm.

The Sanitation Division assisted Building and Grounds on Monday, July 2, 2012, with tree removal from ECU's property. The Street Division helped remove debris strewn in the streets in some of the other heavier hit areas.

Immediately after the storm, the Sanitation Division was able to complete only Monday and Tuesday routes by Saturday July 7, 2012. During the week of July 9, 2012 through July 14, 2012, Sanitation was able to complete Thursday and Friday routes. These tasks were accomplished by working extended hours, overtime and both Saturdays. The Division accomplished the first pass for the entire City on Saturday, July 14. The work was done during a period of time that included a holiday, heat advisories for outdoor work, evening storms, equipment breakdowns and employee vacation/sick leave usage. However, much of the storm debris was brought to the curb after the first pass was completed and resulted in a slowdown or delay in the normal schedule for debris removal.

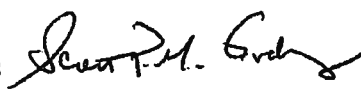
On Monday, July 16, 2012, Sanitation was back on their regular schedule but was unable to complete the Monday vegetation routes in one day. The vegetation from these routes had not been collected since the Monday following the storm and was much heavier than normal; therefore, the Tuesday routes for vegetation were delayed. For the week of July 16, 2012, through July 21, 2012, including Saturday, the Division is working to complete all vegetation routes except Friday's. Friday's vegetation will be collected on Monday, July 23, 2012.

The Division plans on returning to its regular collection schedule on July 30, 2012. All other Sanitation services were not affected by the storm and have been on schedule. Should there be any further questions regarding Sanitation's response to debris removal from the July 1, 2012 storm event, please do not hesitate to call me at (252) 329-4525.

cc: Delbert Bryant, Sanitation Superintendent

## MEMORANDUM

TO: Thomas M. Moton, Jr., Interim City Manager

FROM: Scott P. M. Godefroy, P.E., Interim Director of Public Works 

DATE: July 20, 2012

SUBJECT: Guaranteed Energy Savings Performance Contract Project – Project Details

### Overview:

The purpose of the Investment Grade Audit performed by Schneider Electric was to conduct field surveys and computer simulations in order to determine facility upgrades and energy-related efficiency improvements that could and should be made at the City of Greenville facilities. Consideration was taken for solutions that would have a positive life cycle cost as well as solutions that, while not self-funding, could improve occupant comfort and building efficiency. Schneider Electric also considered the project budget and savings constraints outlined by the City of Greenville. The ultimate deliverable of this audit is a turnkey project proposal for the design, implementation, commissioning, and monitoring of the proposed improvements.

During the audit, Schneider Electric evaluated each building system in terms of age, condition, and performance. The following were studied for each building:

- Existing Heating Ventilating and Air conditioning Systems (HVAC)
- Existing Lighting Systems
- Existing HVAC Control and Energy Management Systems
- Existing Building Envelopes
- Current Water Usage
- Miscellaneous Electrical Loads
- Building Operational and Occupancy Loads
- Current Building Expansions and Building Reductions
- Existing Energy Usage Baseline and Expected (Post Retrofit) Performance

This attached four page table includes a list of the ECMs (Energy Conservation Measures) that Schneider Electric developed during the Investment Grade Audit. The items with **green** backgrounds are included as part of the proposed performance contract. The items with **yellow** backgrounds were considered but not included. Each building has a subtotal listed for each component in the table for the ECMs proposed (only the green rows are summed). In addition, there is also a total for each building that sums up all possible ECMs and savings. Following the ECM Summary Tables are ECM descriptions on an individual building by building basis. Section 5 of the Investment Grade Audit (an 89 page document) contains detailed information on all of the ECMs included in the project and is available to be viewed in an electronic format.

The ECMs that were included in the project were determined by Schneider Electric, the Public Works Department, the Parks and Recreation Department and reviewed by Celtic Energy, the City's third party engineer. The next step is the City's approval of the turnkey construction project.

#### **Subcontractors and Pricing:**

The General Statutes in North Carolina that surround performance contracting supersede traditional bid laws in the state due to the complexity of the process and the language that governs these types of projects. Once an ESCO is competitively selected, they are to provide the governmental unit with a project in which the costs are covered by the savings generated from energy conservation measures. Since the ESCO is responsible for guaranteeing those savings for every year throughout the term of the contract, selection of quality subcontractors becomes a critical part of implementing a project that performs sustainably for many years into the future.

#### **Subcontractor Qualification and Selection:**

As the selected ESCO for the City of Greenville, Schneider Electric acts as the general contractor for performance contracts with all subcontractors directly under Schneider Electric's control and supervision. Subcontractors will be used as needed to install the various Energy Conservation Measures (ECMs) that are proposed as part of this project; however, Schneider Electric is responsible for the design, plans and specifications, construction drawings, record drawings, scheduling, construction management, start-up, punch-list development, and final acceptance inspections for all of its performance contracting projects.

To ensure sustainability of the project during the performance period as well as a high level of quality control during construction, Schneider Electric has a program for recruiting, training and certifying subcontractors. The subcontractors that will be used by Schneider Electric have all been through a rigorous qualification process and have proven performance on past projects with Schneider Electric.

When Schneider Electric is selecting subcontractors the main goal is to select partners with quality reputations as well as quality equipment to install so the City and Schneider see the savings throughout the contract years. Additionally, we often seek input from clients on construction contractors which with they have had favorable results. For example, during an initial meeting with the City of Greenville, Schneider Electric asked the City staff overseeing the project if they had any preferred subcontractors that they would like to use during the installation of the project. The City stated that one firm does a lot of HVAC service on their equipment but they did not have any particular subcontractors that they would like to use on the project for lighting, plumbing, or mechanical work.

**M/WBE Compliance:**

Schneider Electric has spoken with the City of Greenville's M/WBE Coordinator and will complete the required strategic plan to meet the City's goals in this area. A few examples of steps already taken include engaging a M/WBE contractor for the renewable portion of the project as well as seeking out M/WBE suppliers for other portions of the project.

**Project Pricing and Subcontractor Costs:**

Scope developed during the IGA is priced in a number of ways. For lighting upgrades and water conservation measures, subcontractors provide detailed equipment counts and associated pricing to replace or retrofit equipment. Schneider Electric reviews this pricing and compares it to historical data for similar scopes of work and projects within the same geographical region (i.e. labor market). This ensures that pricing for these measures remains economically competitive within that market.

For mechanical and HVAC upgrades, Schneider Electric prepares written scopes of work and provides that to the subcontractor to prepare a formal quotation. The subcontractor visits the site and submits a price for that scope of work. Schneider Electric then compares that pricing to cost estimates prepared by a group of professional estimators from Schneider's construction department. Subcontractor pricing is then negotiated as necessary to ensure market based pricing for similar scopes of work. Schneider's professional estimators are involved in almost every performance contracting project on which Schneider works across the entire country. As such, they have a wealth of experience and knowledge base on which to draw and their database of historical pricing information is extensive.

After the cost of each cumulative scope of work provided by each subcontractor has been negotiated and totaled, and the full project scope and size are known, Schneider Electric's internal costs are incorporated to the project. These include the following items: investment grade energy audit, engineering & design, construction and project management, site supervision, contract administration, building permits and fees, construction risk, project and ECM commissioning, payment and performance bonds, insurance, third party reviews, financing placement fees, hazardous material removal, warranties, training, M&V setup, cost of guarantee instrument required by the North Carolina Local Government Commission, overhead, and profit.

**Summary:**

As mentioned above the summary of costs for each building is included in the attached four page spreadsheet. Further detail is available for more detailed information in Section 5 of the IGA and is available for viewing on an Adobe file which I will forward to you via email as backup to this memorandum. Additionally, I will include a PowerPoint presentation that was prepared by Schneider Electric for their presentation to Council on June 11<sup>th</sup>. Due to the time constraints for the presentation, there were number of slides that were deleted from the presentation that went

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into more detail for each of the City's buildings which may be of interest from an overall prospective.

Should there be any further questions regarding the Project Details of the Guaranteed Energy Savings Performance Contract Project do not hesitate to call me at (252) 329-4525.

cc: Kenneth Jackson, Operations Manager  
Kevin Heifferon, Building & Grounds Superintendent  
Mark Gillespie, Parks Superintendent, Recreation and Parks Department



ECM Summary Table														
ECM #	Description	Cost	Proposed Total Savings		Simple Payback	Electrical Savings			Natural Gas Savings		Propane Savings		Water Savings	
			Tracked Option C	Tracked Option A		kWh	kW	\$	Therm	\$	gal	\$	kgal	\$
	H. Boyd Lee Park Buildings													
1.16	Lighting	\$15,473		\$1,442	10.7	13,807	35	\$1,549	-122	-\$106				
2.16	Controls	\$39,640		\$4,305	9.2	16,404	-20	\$1,572	3,208	\$2,733				
5.16	Building Envelope	\$10,398		\$600	17.3	1,858	8	\$212	428	\$388				
	BUILDING PROPOSED PROJECT SUBTOTAL	\$65,113	\$0	\$6,747	9.6	30,211	15	\$3,121	3,085	\$2,627	0.0	\$0	0	\$0
	BUILDING COMPLETE SUBTOTAL	\$66,510	\$0	\$6,348	10.3	32,070	23	\$3,333	3,514	\$3,015	0.0	\$0	0	\$0
	River Park North Building													
1.17	Lighting	\$25,907		\$1,013	25.6	9,262	35	\$1,013						
2.17	Controls	\$15,402		\$3,337	4.6	34,107	-3	\$3,337						
	BUILDING PROPOSED PROJECT SUBTOTAL	\$15,402	\$0	\$3,337	4.6	34,107	-3	\$3,337	0	\$0	0.0	\$0	0	\$0
	BUILDING COMPLETE SUBTOTAL	\$41,309	\$0	\$4,360	9.5	43,368	32	\$4,360	0	\$0	0.0	\$0	0	\$0
	Greenfield Terrace Building													
1.18	Lighting	\$9,295		\$228	40.8	1,833	7	\$228						
2.18	Controls	\$9,902		\$722	13.7	5,836	0	\$722						
	BUILDING PROPOSED PROJECT SUBTOTAL	\$9,902	\$0	\$722	13.7	5,836	0	\$722	0	\$0	0.0	\$0	0	\$0
	BUILDING COMPLETE SUBTOTAL	\$19,196	\$0	\$960	20.2	7,669	7	\$960	0	\$0	0.0	\$0	0	\$0
	Greenville Aquatics and Fitness Center													
1.19	Lighting	\$35,804		\$4,173	8.6	57,788	105	\$5,774	-1,695	-\$1,601				
2.19	Controls	\$61,140		\$6,618	9.2	20,392	31	\$2,013	4,836	\$4,605				
3.19	Mechanical	\$329,288		\$10,596	31.1	43,213	31	\$4,120	6,427	\$6,477				
4.19	Water Improvements	\$10,104		\$4,626	2.2				608	\$636			545	\$3,990
5.19	Building Envelope	\$4,469		\$181	24.7	-178	6	\$8	190	\$173				
6.19	Chlorine Generator (Operational savings only)	\$26,880		\$3,000	9.0									
7.19	Baseline Adjustment			-\$17,612		-57,067	-215	-\$6,165	-12,348	-\$11,448				
	BUILDING PROPOSED PROJECT SUBTOTAL	\$463,216	\$0	\$29,013	16.0	121,393	167	\$11,906	10,177	\$10,117	0.0	\$0	646	\$3,990
	BUILDING COMPLETE SUBTOTAL	\$467,686	\$0	\$11,582	40.4	64,148	-41	\$5,760	-1,981	-\$1,168	0.0	\$0	646	\$3,990
	Bradford Creek Golf Course													
1.20	Lighting	\$25,641		\$4,830	5.3	39,252	149	\$5,118			-221.0	-\$289		
2.20	Controls	\$16,218		\$498	32.6	937	6	\$134			292.7	\$364		
5.20	Building Envelope	\$21,867		\$213	102.7	352	4	\$50			116.6	\$163		
11.20	Irrigation Pump VFDs and Controls	\$37,100		\$338	109.7	2,804		\$338						
	BUILDING PROPOSED PROJECT SUBTOTAL	\$25,641	\$0	\$4,830	5.3	39,252	149	\$5,118	0	\$0	-221.0	-\$289	0	\$0
	BUILDING COMPLETE SUBTOTAL	\$100,826	\$0	\$5,879	17.2	43,346	168	\$5,641	0	\$0	188.4	\$238	0	\$0
2.21	Controls Front End	\$29,354												
9.10	Asbestos Abatement	\$5,600												

ECM Summary Table															
ECM #	Description	Cost	Proposed Total Savings		Simple Payback	Electrical Savings			Natural Gas Savings		Propane Savings		Water Savings		
			Tracked Option C	Tracked Option A		kWh	kW	\$	Therm	\$	gal	\$	kgal	\$	
	Evans Park Building														
1.11	Lighting	\$5,331		\$424	12.6	4,076	4	\$505	-80	-\$81					
2.11	Controls	\$18,600		\$873	21.3	2,809	11	\$353	504	\$520					
3.11	Mechanical	\$12,211		\$95	128.7	756	5	\$95							
4.11	Water Improvements	\$1,123		\$112	10.1					\$42			9	\$69	
5.11	Building Envelope	\$1,115		\$59	19.0	176	1	\$22	34	\$37					
	BUILDING PROPOSED PROJECT SUBTOTAL	\$6,464	\$0	\$535	12.1	4,076	4	\$605	-80	-\$39	0.0	\$0	9	\$69	
	BUILDING COMPLETE SUBTOTAL	\$38,379	\$0	\$1,662	24.6	7,817	21	\$975	468	\$518	0.0	\$0	9	\$69	
	Elm Street Recreation Center														
1.12	Lighting	\$5,162		\$1,058	4.9	9,686	33	\$1,187	-125	-\$128					
2.12	Controls	\$10,978		\$180	60.9	776	7	\$98	77	\$82					
4.12	Water Improvements	\$1,123		\$559	2.0				242	\$136			58	\$423	
5.12	Building Envelope	\$2,881		\$47	61.3	131	1	\$15	29	\$32					
	BUILDING PROPOSED PROJECT SUBTOTAL	\$17,263	\$0	\$1,797	9.6	10,462	40	\$1,285	194	\$89	0.0	\$0	68	\$423	
	BUILDING COMPLETE SUBTOTAL	\$20,144	\$0	\$1,844	10.9	10,593	41	\$1,300	223	\$121	0.0	\$0	68	\$423	
	Jaycee Park Building														
1.13	Lighting	\$33,174	\$5,251		6.3	46,802	181	\$5,901	-721	-\$650					
2.13	Controls	\$45,155	\$10,577		4.3	53,439	-26	\$6,429	4,451	\$4,148					
3.13	Mechanical	\$130,626	\$1,118		116.8	4,243	29	\$544	628	\$574			42	\$306	
4.13	Water Improvements	\$16,279		\$350	46.5				50	\$44					
5.13	Building Envelope	\$8,039	\$300		26.8	122	4	\$27	305	\$273					
7.13	Baseline Adjustment	\$0	-\$12,682			-85,682	-97	-\$8,922	-4,275	-\$3,760					
10.13	Test and Balance	\$10,514													
	BUILDING PROPOSED PROJECT SUBTOTAL	\$88,844	\$16,828	\$0	5.6	100,241	165	\$12,330	3,730	\$3,498	0.0	\$0	0	\$0	
	BUILDING COMPLETE SUBTOTAL	\$243,788	\$4,664	\$360	49.6	18,924	91	\$3,978	438	\$630	0.0	\$0	42	\$306	
	Sports Connection														
1.14	Lighting	\$29,235		\$1,027	28.5	9,505	30	\$1,065	-39	-\$38					
2.14	Controls	\$19,527		\$2,669	7.3	14,491	2	\$1,699	977	\$970					
4.14	Water Improvements	\$1,123		\$100	11.2				36	\$37			9	\$63	
5.14	Building Envelope	\$13,004		\$442	29.4	1,050	2	\$117	321	\$325					
	BUILDING PROPOSED PROJECT SUBTOTAL	\$49,885	\$0	\$3,797	13.1	23,996	32	\$2,765	974	\$969	0.0	\$0	9	\$63	
	BUILDING COMPLETE SUBTOTAL	\$62,889	\$0	\$4,239	14.8	25,046	34	\$2,882	1,295	\$1,293	0.0	\$0	9	\$63	
	Gardner Training Center														
1.15	Lighting	\$4,067		\$655	6.2	5,713		\$734	-75	-\$80					
2.15	Controls	\$9,902		\$67	147.0	-424		-\$55	113	\$122			4	\$32	
4.15	Water Improvements	\$5,053		\$36	141.2				5	\$4					
5.15	Building Envelope	\$2,881		\$31	92.2	-35		-\$4	32	\$36					
	BUILDING PROPOSED PROJECT SUBTOTAL	\$4,067	\$0	\$655	6.2	5,713	0	\$734	-75	-\$80	0.0	\$0	0	\$0	
	BUILDING COMPLETE SUBTOTAL	\$21,902	\$0	\$789	27.8	5,255	0	\$675	75	\$82	0.0	\$0	4	\$32	

ECM Summary Table														
ECM #	Description	Cost	Proposed Total Savings		Simple Payback	Electrical Savings			Natural Gas Savings		Propane Savings		Water Savings	
			Tracked Option C	Tracked Option A		kWh	kW	\$	Therm	\$	gal	\$	kgal	\$
	6th Street Police Substation													
1.5	Lighting	\$1,118		\$314	3.6	2,502		\$314						
2.5	Controls	\$8,228		\$603	13.6	4,805		\$603						
4.5	Water Improvements	\$3,368		\$51	65.4				5	\$4			7	\$48
5.5	Building Envelope	\$1,675		\$32	52.9	252		\$32						
	BUILDING PROPOSED PROJECT SUBTOTAL	\$1,118	\$0	\$314	3.6	2,602	0	\$314	0	\$0	0.0	\$0	0	\$0
	BUILDING COMPLETE SUBTOTAL	\$14,389	\$0	\$1,001	14.4	7,659	0	\$949	5	\$4	0.0	\$0	7	\$48
	Eppes Recreation Center/Thomas Foreman Park													
1.6	Lighting	\$15,059		\$2,176	6.9	21,419	77	\$2,463	-301	-\$287				
2.6	Controls	\$39,733		\$7,025	5.7	41,939	-28	\$4,229	2,829	\$2,796				
4.6	Water Improvements	\$12,349		\$440	28.0				73	\$79			49	\$361
5.6	Building Envelope	\$14,576		\$862	16.9	1,939	19	\$261	646	\$601				
7.6	Baseline Adjustment	\$0		-\$485		-869	-7	-\$107	-402	-\$378				
	BUILDING PROPOSED PROJECT SUBTOTAL	\$64,793	\$0	\$9,201	6.0	63,368	49	\$6,692	2,528	\$2,509	0.0	\$0	0	\$0
	BUILDING COMPLETE SUBTOTAL	\$81,718	\$0	\$10,017	8.2	64,428	62	\$6,845	2,845	\$2,811	0.0	\$0	49	\$361
	Guy Smith Stadium													
1.7	Lighting	\$11,288		\$274	41.2	7,187	33	\$274						
4.7	Water Improvements	\$19,648		\$7,649	2.6	24,348		\$3,066					626	\$4,583
	BUILDING PROPOSED PROJECT SUBTOTAL	\$19,648	\$0	\$7,649	2.6	24,348	0	\$3,066	0	\$0	0.0	\$0	626	\$4,583
	BUILDING COMPLETE SUBTOTAL	\$30,936	\$0	\$7,923	3.9	31,535	33	\$3,340	0	\$0	0.0	\$0	626	\$4,583
	Public Works Complex													
1.9	Lighting	\$68,148	\$1,493	\$3,806	12.9	53,967	195	\$5,931	-722	-\$632				
2.9	Controls	\$109,051	\$16,645	\$3,113	5.5	124,365	-20	\$12,291	8,324	\$7,467				
3.9	Mechanical	\$105,539	\$238		442.7	1,634	17	\$238						
4.9	Water Improvements	\$14,595		\$677	21.6				130	\$123			90	\$554
5.9	Building Envelope	\$55,133	\$1,054	\$418	37.5	4,042	18	\$449	1,138	\$1,023				
7.9	Baseline Adjustment		-\$3,502	-\$1,709		-19,334	-68	-\$4,386	-959	-\$825				
10.9	Test and Balance	\$10,514												
	BUILDING PROPOSED PROJECT SUBTOTAL	\$293,251	\$18,377	\$6,919	11.6	179,966	192	\$18,460	7,602	\$6,835	0.0	\$0	0	\$0
	BUILDING COMPLETE SUBTOTAL	\$362,980	\$15,929	\$6,304	16.3	164,674	141	\$14,523	7,911	\$7,156	0.0	\$0	90	\$554
	South Greenville Recreation Center Building													
1.10	Lighting	\$32,481		\$3,465	9.4	30,456	103	\$3,707	-311	-\$242				
2.10	Controls	\$16,375		\$1,619	10.1	5,192	-12	\$640	1,220	\$979				
4.10	Water Improvements	\$6,737		\$534	12.6				67	\$42			67	\$492
5.10	Building Envelope	\$12,299		\$808	15.2	1,873	9	\$227	659	\$580				
	BUILDING PROPOSED PROJECT SUBTOTAL	\$55,594	\$0	\$5,618	9.9	36,647	91	\$4,347	977	\$779	0.0	\$0	67	\$492
	BUILDING COMPLETE SUBTOTAL	\$67,893	\$0	\$6,425	10.6	37,520	101	\$4,574	1,636	\$1,359	0.0	\$0	67	\$492



ECM Summary Table														
ECM #	Description	Cost	Proposed Total Savings		Simple Payback	Electrical Savings			Natural Gas Savings		Propane Savings		Water Savings	
			Tracked Option C	Tracked Option A		kWh	kW	\$	Therm	\$	gal	\$	kgal	\$
	City Hall													
1.1	Lighting	\$13,856	\$593		23.4	6,089	7	\$593						
2.1	Controls	\$38,461	\$42,046		0.9	473,211	-395	\$42,046						
3.1	Mechanical	\$13,761	\$8,984		1.5	107,584	-228	\$8,984						
4.1	Water Improvements	\$1,123	\$143	\$90	4.8	1,546	0	\$143					12	\$90
5.1	Building Envelope	\$35,667	\$1,269		28.1	12,835	20	\$1,269						
7.1	Baseline Adjustment		-\$3,920			-39,890	-57	-\$3,920						
8.1	Solar Photovoltaic	\$32,928		\$551	59.8	5,965	0	\$551						
10.1	Test and Balance	\$27,118												
	BUILDING PROPOSED PROJECT SUBTOTAL	\$127,246	\$51,766	\$641	2.4	694,395	-615	\$52,317	0	\$0	0.0	\$0	12	\$90
	BUILDING COMPLETE SUBTOTAL	\$162,912	\$49,115	\$641	3.3	667,339	-652	\$49,665	0	\$0	0.0	\$0	12	\$90
	Municipal Building													
1.2	Lighting	\$9,467	\$1,028		9.2	10,133	22	\$1,028						
2.2	Controls	\$40,663	\$22,842		1.8	231,258	294	\$22,842						
3.2	Mechanical	\$183,271	\$64		2,864.5	4,004	-73	\$64						
5.2	Building Envelope	\$27,870	\$500		55.7	4,675	16	\$500						
7.2	Baseline Adjustment	\$0	-\$2,707			-23,530	-128	-\$2,707						
10.2	Test and Balance	\$25,200												
	BUILDING PROPOSED PROJECT SUBTOTAL	\$249,134	\$22,906	\$0	10.9	235,261	221	\$22,906	0	\$0	0.0	\$0	0	\$0
	BUILDING COMPLETE SUBTOTAL	\$536,605	\$44,634	\$0	12.0	461,801	353	\$44,634	0	\$0	0.0	\$0	0	\$0
	Police-Fire Rescue													
1.3	Lighting	\$85,175	\$14,314		6.0	179,227	353	\$17,888	-3,940	-\$3,574				
2.3	Controls	\$138,603	\$15,064		9.2	104,424	-417	\$8,059	7,714	\$7,005				
4.3	Water Improvements	\$16,279	\$185	\$891	15.1				202	\$185			122	\$891
5.3	Building Envelope	\$15,192	\$829		18.3	4,723	34	\$573	283	\$256				
8.3	Solar Thermal	\$41,216		\$1,088	37.9				1,415	\$1,088				
	BUILDING PROPOSED PROJECT SUBTOTAL	\$281,273	\$29,564	\$1,979	8.9	283,651	-64	\$25,947	5,391	\$4,705	0.0	\$0	122	\$891
	BUILDING COMPLETE SUBTOTAL	\$296,464	\$30,393	\$1,979	9.2	288,374	-30	\$26,520	5,674	\$4,961	0.0	\$0	122	\$891
	Park Maintenance Center													
1.4	Lighting	\$13,303		\$1,281	10.4	10,920	44	\$1,352	-112	-\$71				
4.4	Water Improvements	\$3,368		\$230	14.7				24	\$14			36	\$216
5.4	Building Envelope	\$5,508		\$154	35.9	338	2	\$42	196	\$112				
	BUILDING PROPOSED PROJECT SUBTOTAL	\$16,671	\$0	\$1,511	11.0	10,920	44	\$1,352	-88	-\$58	0.0	\$0	36	\$216
	BUILDING COMPLETE SUBTOTAL	\$22,180	\$0	\$1,664	13.3	11,258	46	\$1,394	108	\$64	0.0	\$0	36	\$216

Use or disclosure of data contained on this sheet is  
subject to the restriction on the title page of this proposal



## GREENVILLE POLICE DEPARTMENT

### MEMORANDUM

July 19, 2012

TO: Thom Moton, Interim City Manager

FROM: Joe Bartlett, Interim Chief of Police 

SUBJECT: CALEA Reaccreditation On-Site

As you know, the Greenville Police Department is accredited by the Commission on Accreditation for Law Enforcement Agencies (CALEA). First accredited in November 1995, the Department is required to undergo a CALEA reaccreditation on-site assessment every three years. Our next reaccreditation on-site is scheduled for August 11-15, 2012. Part of that assessment is the opportunity for public comment by telephone and at a hearing conducted by the CALEA assessors. Attached is the news release announcing the on-site and the public comment information. Please share this information with members of City Council.

pc: Accreditation



## **GREENVILLE POLICE DEPARTMENT NEWS RELEASE**

**July 19, 2012**

### **ACCREDITATION ASSESSMENT TEAM INVITES PUBLIC COMMENT**

**A team of national assessors from the Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA) will arrive on Saturday, August 11, 2012 to examine all aspects of the Greenville Police Department's policy and procedures, management, operations, and support services, Interim Chief Joe Bartlett announced today.**

**Verification by the team that Greenville Police Department meets the Commission's professional standards is part of a voluntary process to gain accreditation, considered a high recognition of law enforcement professional excellence. The Greenville Police Department first received its accredited status in November of 1995 and has been successful in maintaining the high expectations and identified professional standards since that time. The Department must be assessed every three years and is now up for its fifth reaccreditation assessment.**

**As part of the on-site assessment, agency employees and members of the community are invited to offer comments at a public information session on Monday, August 13, 2012 at 7:00 PM. The session will be conducted in the first floor training rooms at the Greenville Police Department located at 500 S Greene Street.**

**If for some reason an individual cannot speak at the Public Information Session but would still like to provide comments to the Assessment Team, he/she may do so by telephone. The public may call (252) 329-4595 on Sunday, August 12, 2012 between the hours of 3:00 PM and 5:00 PM.**

**Telephone comments as well as appearances at the public information session are limited to 10 minutes and must address the agency's ability to comply with CALEA's**

**DATE/TIME OF RELEASE: July 19, 2012                      2:57 PM  
RELEASE PREPARED BY: Sgt. Joe Friday  
NOTIFICATIONS:    E-Mail**

**standards.**

**A copy of the standards is available at the Greenville Police Department. The local contact is Corporal Cathy Williams, Accreditation Manager, 252329-4835.**

**Persons wishing to offer written comments about the Greenville Police Department's ability to meet the standards for accreditation are requested to write: Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA), 13575 Heathecote Blvd., Ste. 320 Gainesville, VA 20155**

**The Accreditation Program Manager for Greenville Police Department is Corporal Cathy Williams. She said the Assessment Team is composed of law enforcement professionals from out-of-state agencies that are usually similar in size to the agency they are assessing. The assessors will review written materials, interview individuals, and visit offices and other places where compliance can be witnessed.**

**The assessors are: Chief Michael Dickey of the Fairfield, Ohio Police Department and Commander Melvin Lange of the North Palm Beach, Florida Department of Public Safety. Once the Commission's assessors complete their review of the agency, a full written report will be sent to the Commission. Members of the Commission will then decide if the agency is to be granted reaccredited status.**

**Accreditation is for three years, during which the agency must submit annual reports attesting continued compliance with those standards under which it was initially accredited.**

**For more information regarding the Commission on Accreditation for Law Enforcement Agencies, Inc., please write the Commission at 13575 Heathecote Blvd., Ste. 320 Gainesville, VA 20155; or call (800) 368-3757.**

**DATE/TIME OF RELEASE: July 19, 2012  
RELEASE PREPARED BY: Sgt. Joe Friday  
NOTIFICATIONS: E-Mail**

**2:57 PM**

## MEMORANDUM

**TO:** Mayor and City Council Members  
**FROM:** David A. Holec, City Attorney *DAH*  
**DATE:** July 19, 2012  
**SUBJECT:** Closing on Property at 423 Evans Street Property

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For your information, the closing for the acquisition of the parcel owned by Phoenix Redevelopment of Greenville, LLC, and located at 423 Evans Street (Tax Parcels 14486 & 51695) was conducted on Thursday, July 19, 2012. The Redevelopment Commission of Greenville now owns this property. The contract price for the property was \$183,500 which is below the appraised value of \$198,250.

The Redevelopment Commission acquired the property for the purpose of creating a means of public access through the property to the Moseley Parking Lot behind the property and for the purpose of facilitating mixed use redevelopment of the property to include relocation of the City's visitor center back to the Uptown District.

cc: Thom Moton, Interim City Manager  
Merrill Flood, Director of Community Development  
Carl Rees, Senior Planner  
Gerry Case, Director of Human Resources  
Linda McCarthy, Risk Administrator

# Memorandum

To: Honorable Mayor and City Council Members

From: Thomas M. Moton, Jr., Interim City Manager

Date: July 18, 2012

Subject: Notice of Special Event Permits Approved

This week the following special event applications were approved by the Greenville Police Department. If you have any questions about this report, contact me or Interim Chief Joe Bartlett.

Name of Event	Event Date	Event Location	Event Organizer/ Sponsoring Agency	Law Enforcement Security Required
Family Reunion (amplified sound)	7/13/2012	Thomas Foreman Park	Hentz Family	No
Church Outing (amplified sound)	7/14/2012	Big B Parking Lot	Compassionate Faith Outreach Ministries	No
Block Party (street closing)	7/14/2012	Corner of North Skinner to Village Drive	Give and It Shall Be Given	No
Prayer Walk (amplified sound)	7/16/2012	Greenville Town Commons	Ignite Church	No
Motorcycle Ride and Poker Run (parade permit)	8/25/2012	Physician's East – Arlington Blvd.; end at Moe's	Riley's Army	Yes

Respectfully submitted,



Thomas M. Moton, Jr.

als

cc: Dave Holec, City Attorney  
Carol Barwick, City Clerk



**PROPOSED AGENDA  
GREENVILLE BOARD OF ADJUSTMENT  
Thursday, July 26, 2012  
7:00 PM  
City Council Chambers  
200 West Fifth Street**

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**I. ROLL CALL**

**II. APPROVAL OF MINUTES – June 28, 2012**

**III. NEW BUSINESS**

**1. PUBLIC HEARING ON A REQUEST FOR A SPECIAL USE PERMIT BY  
HSI/GREENVILLE INVESTMENTS, LLC**

The applicant, HSI/Greenville Investments, LLC, desires a special use permit to operate a commercial recreation facility (indoor/outdoor) pursuant to Appendix A, Use (6)i. of the Greenville City Code. The proposed use is located at 1820 Old Fire Tower Road. The property is further identified as being tax parcel number 49231.

**2. PUBLIC HEARING ON A REQUEST FOR A SPECIAL USE PERMIT BY  
JOHN PAUL BEST**

The applicant, John Paul Best, desires a special use permit to operate a fast food restaurant pursuant to Appendix A, Use (9)i. of the Greenville City Code. The proposed use is located at 1852 W. Arlington Boulevard. The property is further identified as being tax parcel number 48582.

**3. PUBLIC HEARING ON A REQUEST FOR A SPECIAL USE PERMIT BY  
MITCH BROWN**

The applicant, Mitch Brown, desires a special use permit to operate a personal service not otherwise listed (tattoo and body piercing) pursuant to Appendix A, Use (15)a. of the Greenville City Code. The proposed use is located at 240 SW Greenville Boulevard, Suite E. The property is further identified as being tax parcel number 63737.

**IV. ADJOURN**

DRAFT MINUTES PROPOSED FOR ADOPTION BY THE BOARD OF ADJUSTMENT  
JUNE 28, 2012

The Greenville Board of Adjustment met on the above date at 7:00 PM in the City Council Chamber of City Hall.

Scott Shook, Chairman\*

Charles Ewen *	John Hutchens *
Linda Rich X	Sharon Ferris X
Justin Mullarkey *	Bill Fleming *
Wiley Carraway *	Tom Taft, Jr. *
Claye Frank X	

The members present are denoted by an "\*" and those absent are denoted by an "X".

VOTING MEMBERS: Shook, Ewen, Fleming, Hutchens, Mullarkey, Carraway, Taft

OTHERS PRESENT: Mr. Merrill Flood, Community Development Director  
Mr. Mike Dail, Planner  
Mr. Wayne Harrison, Planner  
Mrs. Elizabeth Blount, Secretary  
Mr. Bill Little, Assistant City Attorney  
Council Member Kandie Smith, City Council  
Council Member Dennis Mitchell, City Council  
Mr. Jonathan Edwards, Communications Technician

**MINUTES**

Mr. Hutchens made a motion to approve the April 26 and May 24 minutes as presented, Mr. Fleming seconded and the motion passed unanimously.

**PUBLIC HEARING ON A REQUEST FOR A SPECIAL USE PERMIT BY FATHI ALI MUHSSSEN AND KAMAL AMOLGANNAHI-WITHDRAWN**

The applicant, Fathi Ali Muhssen and Kamal Amolganahi, desires a special use permit to operate a game center pursuant to Appendix A, Use (6)d. of the Greenville City Code. The proposed use is located at 1508 SW Greenville Boulevard. The property is further identified as being tax parcel number 27433.

Mr. Muhssen stated that he wanted to withdraw his application.

**Mr. Ewen made a motion to accept the withdrawal, Mr. Mullarkey seconded and the motion passed unanimously.**

## **PUBLIC HEARING ON A REQUEST FOR A SPECIAL USE PERMIT BY ASHREF ABED AND DEYA SARSOUR- DENIED**

The applicants, Ashref Abed and Deya Sarsour, desire a special use permit to operate a game center pursuant to Appendix A, Use (6)d. of the Greenville City Code. The proposed use is located at 1301 W. Fourteenth Street, Suite E. The property is further identified as being tax parcel numbers 17933, 17934 and 38522.

Mr. Dail delineated the area on the map. He said that the property is located in the center part of the city.

**Zoning of Property:** CDF (Downtown Commercial Fringe)

### **Surrounding Zoning:**

North: CDF (Downtown Commercial Fringe)  
South: CDF (Downtown Commercial Fringe)  
East: CDF (Downtown Commercial Fringe)  
West: CDF (Downtown Commercial Fringe)

### **Surrounding Development:**

North: Air Mania Screen Printing  
South: Harris Barber Shop, Shield of Faith Ministries, D&L Parts Company  
East: Midtown Grocery, Vacant Lots, Single Family Residential  
West: Single Family Residential

### **Description of Property:**

The subject property contains a 4,000 square foot commercial building with multiple units. The property is 0.37 acres in size and has 155 feet of frontage along W. 14<sup>th</sup> Street and 90 feet of frontage along Myrtle Street. Existing uses in the subject building are New Birth Outreach Ministries, a Barber Shop and World Wide Wireless.

### **Comprehensive Plan:**

The property is located within Vision Area "G" as designated by the Comprehensive Plan. The proposed use is in general compliance with the Future Land Use Plan which recommends mixed use/office/institutional development for the subject property.

### **Notice:**

Notice was mailed to the adjoining property owners on May 10, 2012 and June 14, 2012. Notice of the public hearing was published in the Daily Reflector on May 14, May 21, June 18 and June 25, 2012.

### **Related Zoning Ordinance Regulations**

The definition of a game center

### **Police Comments**

The area experiences large amounts of foot traffic, narcotics, gang and prostitution offenses. The police department does not recommend this business in this area.

Mr. Shook asked for clarity concerning the parcels.

Mr. Dail stated that the building sits on one parcel and the parking for the building is the other two parcels.

Captain Ted Sauls explained the police comments from staff report. He said that the location of the property is considered a hot spot for service calls. He stated that if the game center becomes a 24 hour establishment, that it will encourage hanging out and perhaps general more service calls. Within a year's time, the two block area which includes the proposed location have had several hundred service calls. The Police Department wants to ensure the protection of the residents in the area. The biggest issue is the location of the proposed establishment.

Mr. Hutchens asked if the proposed location will increase the difficulty of policing the area.

Captain Sauls said yes. He said people will be bringing and leaving with cash money which increases the chance of people being victimized. Hours of operation may also warrant loitering.

Chairman Shook asked what type of business would or would not be a concern for the area.

Captain Sauls said business that are productive to the community and do not encourage loitering.

Chairman Shook asked about hours of operation that would not be of concern.

Captain Sauls suggested that daytime hours would be better and closing as early as possible.

Mr. Ewen asked if the city's recommended hours of operation were sufficient.

Captain Sauls stated that 10 pm is too late for the warm times of the year.

Chairman Shook asked, in the police's expert opinion, would the health, safety and detriment of the people working or living in the neighborhood be affected by this establishment.

Captain Sauls said it is a public safety hazard.

Chairman Shook asked the officer the length of time he has been on the police force.

Captain Sauls stated this is his sixteenth year.

Mr. Deya Sarsour, applicant, spoke in favor of the application. He stated that he owns the building which currently has four tenants. He also owns the building across the street, Midtown Grocery. The proposed use of the building is an Internet Café opened during the daytime – not a twenty-four hour establishment. The applicant understands the problems in the area and the people in the neighborhood. He endeavored to help the community look as nice as possible for the proposed 10<sup>th</sup> Streeter Connector.

Mr. Taft asked was a business in the building before.

Sarsour stated he wasn't sure because he obtained the building in October 2011. A church was there but they moved out.

Mr. R. J. Hemby, co-chairman of the West Greenville Focus Group, spoke in opposition of the application. He reported that there were a total of 367 calls this past year to the area surrounding the proposed establishment. The Focus Group wishes to attract positive businesses to the area to appeal to the entire community and are willing to help the applicant find such a business.

Bishop Rosie O'Neal, founder of Koinonia Church, spoke in opposition of the application. She stated that the proposed business tends to exacerbate addiction and prey on low wealth individuals. This type of business incites impulsive behavior and gambling addiction and does not need to be a part of our community.

Ms Maxine White spoke in opposition of the application. In her personal investigation of two Internet Cafés, she proposed that the establishments were gambling houses. She talked to the managers about the process and monitored the number of people and the caliber of people entering the facilities. She stated that the proposed establishment is not in the best interest of the community.

Pastor Tim Butler, Pastor of People's Baptist Church, spoke in opposition of the application. He stated that the community should look into development but not by establishing casino gambling and Internet Sweepstakes Cafés. He gave statistics concerning addiction and domestic violence affiliated with gambling. He encouraged the board members to not just consider the revenue from the proposed business but at the lives of the people in the community.

Mr. Sarsour spoke in rebuttal to the opposition. He stated that he is willing to work with the officers to reduce crime in the area. He is not trying to cause any problems and is willing to give back to the community.

Mr. Dail read the staff recommendation: Based on the Police Department concerns for public safety because of the high amount of calls for service in this immediate area, the proximity to residential neighborhoods in general and the fact that the proposed use abuts existing single family residences, the Community Development Department is concerned as to whether this application can satisfy the criteria for approval - specifically the criteria of health and safety and detriment to public welfare. If the board determines from the evidence that the applicant can meet the criteria for approval, staff would recommend the following conditions be imposed:

No loitering shall be permitted outside of the establishment.

Trash receptacle must be placed outside of the establishment.

Operating hours shall be limited to 8 am-10 pm Monday through Saturday and 2 pm -10 pm on Sunday.

Chairman Shook closed the public hearing and opened board discussion.

Mr. Hutchens stated that he has been on the board for twelve years. He stated that the heart of the city is the neighborhood – the more emphasis placed on the neighborhoods the better the city becomes. He agrees with the city's recommendation.

Mr. Ewen stated that the state of North Carolina has determined that the proposed establishment is legal and the board has to make a decision based on the impact on specific locations.

Mr. Taft stated that the board cannot take a moral stand on the application but have to consider the input from the

professionals and the community.

Mr. Mullarkey stated that the board has to consider the safety in the area when you have people that live in the community say it is not safe along with the expert opinion of the police. This does help establish that this application is a determinant to public welfare.

Attorney Little reminded the board members that the facts must accompany any negative vote.

Chairman Shook read the required findings criteria. A vote was called for health and safety, detriment to public welfare and nuisance or hazard. The vote is as follows:

Health and Safety

Mr. Hutchens: No due to testimony from the police officer

Mr. Mullarkey: No due to testimony from the police officer, carrying cash, increase of loitering and close proximity to residential housing

Mr. Ewen: No, same reason

Mr. Shook: No, same reason

Mr. Carraway: No, same reason

Mr. Fleming: No, same reason

Mr. Taft: No due to carrying cash out

Detriment to Public Welfare

Mr. Hutchens: No due to testimony from the police officer and the expert testimony of the issuing of money

Mr. Mullarkey: No due to increase availability of cash

Mr. Ewen: No due to location being a troubled spot already and police officer comments of the proposed establishment making it worse

Mr. Shook: No due to expert testimony of police officer

Mr. Carraway: No, same reason

Mr. Fleming: No, same reason

Mr. Taft: No, same reason

Nuisance or Hazard

Mr. Hutchens: No due to testimonies and it will be negative to the neighborhood

Mr. Mullarkey: No, same reason

Mr. Ewen: No due to the number of police service calls to the area

Mr. Shook: No due to expert testimony of police officer

Mr. Carraway: No, same reason

Mr. Fleming: No, same reason

Mr. Taft: No, same reason and the nuisance

**Mr. Hutchens made a motion to adopt the finding of facts, Mr. Taft seconded and the motion passed unanimously.**

**Mr. Ewen made a motion to deny the petition, Mr. Hutchens seconded and the motion passed unanimously.**

Chairman Shook informed the applicant that the petition was denied and that he could see city staff for additional options.

Commission recessed for five minutes.

Mr. Frank asked to be excused from the meeting. Mr. Fleming made a motion to excuse Mr. Frank from the remainder of the meeting. Mr. Taft seconded and the motion passed unanimously.

### **PUBLIC HEARING ON A REQUEST FOR A SPECIAL USE PERMIT BY CORY SCOTT- APPROVED**

The applicant, Cory Scott, desires a special use permit to operate a game center pursuant to Appendix A, Use (6)d. of the Greenville City Code. The proposed use is located at 4320-J E. Tenth Street. The property is further identified as being tax parcel number 60442.

Mr. Dail delineated the area on the map. He said that the property is located in the Hardee's Shopping Center located in the extreme eastern part of the city.

**Zoning of Property:** CG (General Commercial)

**Surrounding Zoning:**

North: OR (Office Residential)  
South: CG (General Commercial)  
East: CG (General Commercial)  
West: CG (General Commercial)

**Surrounding Development:**

North: Hardee Square Parking Lot, Congregation Bayt Shalom, Homestead Cemetery  
South: Under Construction (Wal-Mart Shopping Center)  
East: Food Lion, Family Dollar, Under Construction (Wal-Mart Shopping Center)  
West: East Carolina Bank, Sheetz, Pinewood Cemetery

**Description of Property:**

The subject property is located in Hardee Square Shopping Center which contains two commercial buildings with multiple units. The applicants unit is in the southernmost building on the property. Hardee Square Shopping Center is 6.94 acres in size and has 570 feet of frontage along E. Tenth Street and has access to Portertown Road. Existing uses in the subject building are Wahoo Tanning, Savvy Diva, Speedy Wok, Love Nail, Edward Jones and U-Save Cleaners.

**Comprehensive Plan:**

The property is located within Vision Area "C" as designated by the Comprehensive Plan. The proposed use is in general compliance with the Future Land Use Plan which recommends commercial development for the subject property.

**Notice:**

Notice was mailed to the adjoining property owners on June 14, 2012. Notice of the public hearing was published in the Daily Reflector on June 18, 2012 and June 25, 2012.

**Related Zoning Ordinance Regulations:**

The definition of a game center.

**Other Comments:**

The proposed project must meet all related NC State fire and building codes prior to occupancy.

Mr. Ewen asked if the new Wal-Mart was near the proposed facility.

Mr. Dail stated yes.

Mr. Hutchens asked was the Wal-Mart notified of the petition.

Mr. Dail stated that all property owners were notified.

Mr. Cory Scott, applicant, spoke in favor of the request. He said he is currently and has been a sweepstakes owner for three years. His businesses are successful and have not had any problems at any of his locations. He has 24 hour surveillance inside and outside. He understands that the perception of the business is not good but he works very hard to keep the establishment clean and safe.

Mr. Taft asked where the other applicant's businesses were located.

Mr. Scott said in the Kmart shopping center and the Food Lion Shopping Center on Memorial Drive near Peaden's Pl.

Mr. Mullarkey asked how long the applicant had been in business.

Mr. Scott said since November 2009.

Ms Alysa Aarup, property manager of Hardee Village, spoke in favor of the request. She stated that Mr. Scott was a good tenant, pays bills on time and she has received no complaints concerning his business. His business helps surrounding businesses. The property management company has a one strike policy for this type of business. If they get a complaint from surrounding business or a service call from police, the tenants are asked to move.

Mr. Shook asked if the one strike policy is in the rental agreement.

Ms. Aarup stated yes.

Mr. R. J. Hemby spoke in opposition of the request. He asked the board to put the one-strike policy and respectable hours as conditions if the board approves the request.

Mr. Scott spoke in rebuttal to the opposition. He said his current location in the Kmart Shopping Center is 24 hours. It provides security for the surrounding business and plenty of lighting. He asked that his proposed business be allowed to operate 24 hours due to him not previously having any problems.

Hutchens asked how much business is conducted at 3 am.

Mr. Scott said on Friday, Saturday and Sunday there is business at 3 am for those who may work third shift. It is not a whole lot but it provides security for the surrounding business to know that we are open during those hours. He also stated that his businesses provide jobs for the community.

Mr. Mullarkey asked is the Sheetz store in front of the proposed location open 24 hours.

Mr. Dail stated yes. He reported that staff has no objection to the request.

Chairman Shook closed the public hearing and opened for board discussion.

Mr. Ewen asked Captain Sauls did he have any concerns or objections to the request.

Captain Sauls stated that location is key. The proposed location is not a high call volume area. The surrounding areas are commercial so he did not have any objections to the request.

Mr. Mullarkey said that the proposed location is in a retail dominated market and not close to residents. The request does not propose a detriment to the public.

Mr. Taft said the hours were at question but the Sheetz store is open 24 hours.

Mr. Ewen said the board cannot vote in accordance to their personal take on Internet Sweepstakes but have to judge on the facts. The location is the key component.

Chairman Shook read the criteria. No objections.

**Mr. Taft made a motion to adopt the finding of facts, Mr. Hutchens seconded and the motion passed unanimously.**

**Mr. Mullarkey made a motion to approve the petition, Mr. Taft seconded and the motion passed unanimously.**

#### **PUBLIC HEARING ON A REQUEST FOR A SPECIAL USE PERMIT BY MAGDY TAHA-APPROVED**

The applicant, Magdy Taha, desires a special use permit to operate a private convention center pursuant to Appendix A, Use (8)l. of the Greenville City Code. The proposed use is located at 1809 Dickinson Avenue, Suite 100. The property is further identified as being tax parcel numbers 15064, 17863 and 17864.

Mr. Dail delineated the area on the map. He said that the property is located close to the center of the city along Dickinson Drive.

**Zoning of Property:** CDF (Downtown Commercial Fringe)

#### **Surrounding Zoning:**

North: CDF (Downtown Commercial Fringe)

South: CDF (Downtown Commercial Fringe)

East: CDF (Downtown Commercial Fringe)  
West: IU (Unoffensive Industry)

**Surrounding Development:**

North: Home Builders Supply, Taylor Warehousing, Sam's Lock & Key, Aladdin Taxi  
South: Vacant Commercial Building  
East: Vacant  
West: Fabric Restoration

**Description of Property:**

The subject property contains a 50,000 square foot commercial/warehouse building with multiple units. The property is two acres in size and has 304 feet of frontage along Dickinson Avenue and 240 feet of frontage along S. Skinner Street. Existing uses in the subject building are Mack's Furniture and Adoria Beauty Supply.

**Comprehensive Plan:**

The property is located within Vision Area "G" as designated by the Comprehensive Plan. The proposed use is in general compliance with the Future Land Use Plan which recommends commercial development for the subject property.

**Notice:**

Notice was mailed to the adjoining property owners on June 14, 2012. Notice of the public hearing was published in the Daily Reflector on June 18, 2012 and June 25, 2012.

**Police Comments:**

Locations experiencing issues when used for rental space typically are associated with nighttime activities. Closing at 10 pm should be considered very important.

**Other Comments:**

The proposed project must meet all related NC State fire and building codes prior to occupancy.

Mr. Mack Taha, owner of Mack's Furniture, spoke in favor of the request. He stated that he wanted to open a family-oriented convention center for birthday parties. The center will be a very nice, clean, and professional operation. He promised to protect the business, property, neighborhood and community.

Mr. Ewen asked if the operating hours were sufficient for the applicant.

Mr. Taha said no. He stated that the business will not serve liquor nor food. It will contain meeting rooms for business meeting and valet parking. The business is going to strive to close at 10 pm.

Mr. R. J. Hemby spoke in favor of the request. He stated that the applicant's business is the image of professionalism that is needed in the community.

Mr. Dail reported that staff is of the opinion that the applicant can meet the criteria for approval if the board so recommends the following conditions be placed on the special use permit if approved:

- o Operating hours shall be limited to 6 am - 10 pm daily

Chairman Shook closed the public hearing and opened board discussion

Mr. Mullarkey stated that the business owner invested a lot of time and money in making sure the area of town looks good. He said that the business is an encouragement to the community.

Chairman Shook asked for clarity concerning hours of operation.

Captain Sauls stated that the 10 pm time was pick arbitrarily due to calls in the area. The police have had no problems with the business but do have concern with management. Location is still key in the proposal. The location offers the opportunity for unwanted activity if not managed properly. The police do not foresee this problem with the proposed request but do suggest a definitive closing time.

Chairman Shook asked if the police would have a problem with 11 pm closing time.

Captain Sauls stated no.

Chairman Shook stated that the staff recommendation should be from 6 am -11 pm.

Attorney Little instructed the board that they must include in the finding of facts that the applicant made an oral modification to change the hours.

Chairman Shook read the criteria. No objections.

**Mr. Ewen made a motion to adopt the finding of facts to include the closing time of 11 pm, Mr. Mullarkey seconded and the motion passed unanimously.**

**Mr. Hutchens made a motion to approve the petition, Mr. Taft seconded and the motion passed unanimously.**

### **PUBLIC HEARING ON REQUESTS FOR SPECIAL USE PERMITS BY HUMBERTO MARTINEZ-APPROVED**

The applicant, Humberto Martinez, desires special use permits to operate a automotive major repair facility pursuant to Appendix A, Use (9)a. of the Greenville City Code. The proposed uses are located at 1100 N. Greene Street and 1114 N. Greene Street. The property is further identified as being tax parcel numbers 18499, 18503 and 18504.

Mr. Dail delineated the area on the map. He said that the property is located in the northern portion of the city's jurisdiction.

**Zoning of Properties:** CDF (Downtown Commercial Fringe)

**Surrounding Zoning:**

North: CDF (Downtown Commercial Fringe) & R6 (Residential)

South: CH (Heavy Commercial) & CDF (Downtown Commercial Fringe)  
East: CDF (Downtown Commercial Fringe)  
West: R6 (Residential) & IU (Unoffensive)

**Surrounding Development:**

North: Vacant, El Azador Restaurant  
South: Afford-A-Bond Bail Bonding  
East: Miranda's Convenience Store & Barber Shop, Rays Laundromat  
West: Single Family Residences (West Meadowbrook Neighborhood), Vacant Lots

**Description of Properties:**

The 1100 N. Greene property contains a 1,616 square foot commercial building. The property is 0.55 acres in size and has 208 feet of frontage along N. Greene Street and 116 feet of frontage along Martin Street. The 1114 N. Greene Street contains a 14,070 square foot commercial building with multiple units. The property is 0.93 acres in size and has 160 feet of frontage along Martin Street and 253 feet of frontage along N. Pitt Street. Existing uses in the subject building are Miranda's Convenience Store & Barber Shop and Ray's Laundromat.

**Comprehensive Plan:**

The properties are located within Vision Area "B" as designated by the Comprehensive Plan. The proposed uses are in general compliance with the Future Land Use Plan which recommends commercial development for the subject properties.

**Notice:**

Notice was mailed to the adjoining property owners on June 14, 2012. Notice of the public hearing was published in the Daily Reflector on June 18, 2012 and June 25, 2012.

**Related Zoning Ordinance Regulations:**

Definition of major and minor repair facility

**Other Comments:**

The proposed project must meet all related NC State fire and building codes prior to occupancy. These properties are located within the 100-year flood plain boundary and will have to meet the provisions for the flood damage prevention ordinance when remodeled.

Mr. Humberto Martinez, applicant, spoke in favor of the request. He stated that he would like to use the buildings for a used tire shop and a small mechanic repair shop.

Mr. Fleming asked did the applicant have an existing business.

Ms Rita Mirando, wife of applicant, spoke for her husband due to his inability to speak clear English. She stated that they have a salon and barber shop in the same building.

No one spoke in opposition of the application.

Mr. Dail stated that staff had no objection to the request.

Chairman Shook closed the public hearing and opened for board discussion.

Mr. Carraway asked if the city has an ordinance about motor parts properly stored for auto repair shops.

Mr. Dail read the specific zoning ordinance associated with minor and major repair facilities.

Chairman Shook read the criteria for the 1100 N. Greene Street request. No objections.

**Mr. Hutchens made a motion to approve the finding of facts as presented, Mr. Carraway seconded and the motion passed unanimously.**

**Mr. Fleming made a motion to approve the petition request, Mr. Ewen seconded and the motion passed unanimously.**

Chairman Shook read the criteria for the 1114 N. Greene Street request. No objections.

**Mr. Fleming made a motion to approve the finding of facts as presented, Mr. Taft seconded and the motion passed unanimously.**

**Mr. Hutchens made a motion to approve the petition request, Mr. Mullarkey seconded and the motion passed unanimously.**

Chairman Shook stated the June meeting was Mr. Hutchens' last meeting. He thanked him for his many years of service.

**With no further business, Mr. Fleming made a motion to adjourn, Mr. Mullarkey seconded, and it passed unanimously. Meeting adjourned at 8:49 p.m.**

Respectfully Submitted

Michael R. Dail, II  
Planner

**FOR MORE INFORMATION**

**Suddenlink:** Pete Abel, +1 314 315 9346, [pete.abel@suddenlink.com](mailto:pete.abel@suddenlink.com)

**BC Partners (U.S.):** Chuck Dohrenwend or Dana Gorman, +1 212 371 5999, [cod@abmac.com](mailto:cod@abmac.com), [dtg@abmac.com](mailto:dtg@abmac.com)

**BC Partners (U.K./Europe):** Peter Hower or Ed Orlebar, +44 20 7353 4200, [bcpartners@tulchangroup.com](mailto:bcpartners@tulchangroup.com)

**CPP Investment Board:** May Chong, +1 416 868 8657, [mchong@cppib.ca](mailto:mchong@cppib.ca)

**BC Partners, CPP Investment Board, and Management Agree  
to Acquire Suddenlink for \$6.6 Billion**

*New Partnership Positions Leading U.S. Cable Operator for Continued Growth*

ST. LOUIS (July 18, 2012) – Cequel Communications Holdings, LLC, which does business as Suddenlink Communications ("Suddenlink" or "the Company"), announced today that it and its existing equity holders have reached an agreement under which BC Partners and CPP Investment Board (CPPIB ") will partner with Suddenlink's management team, led by Chairman and CEO Jerry Kent, to purchase the Company for \$6.6 billion.

Suddenlink's enterprise value of \$6.6 billion – a multiple of approximately 8.6 times the Company's first quarter 2012 annualized EBITDA before non-recurring expenses – includes \$1.985 billion of total equity to be invested by BC Partners, CPPIB, and certain members of Suddenlink management, plus incremental debt of \$500 million and assumption of existing net liabilities of \$4.094 billion as of March 31, 2012. Proceeds will be used to acquire the ownership stake of all holders of Suddenlink's preferred and common equity, led by Goldman Sachs Capital Partners and including Quadrangle and Oaktree Capital Management. The transactions are expected to close in the fourth quarter of this year, subject to customary closing conditions, including receipt of required regulatory approvals.

Suddenlink is the seventh-largest cable system operator in the United States and the leading television and Internet service provider in its markets. Suddenlink offers television, high-speed Internet and telephony services to over 1.4 million residential and commercial customers, primarily in Texas, West Virginia, North Carolina, Oklahoma, Arkansas and Louisiana. The Company's network passes 3.0 million homes, is interconnected by a national backbone, and was recently upgraded to state-of-the-art technology through the Company's \$350 million "Project Imagine." Suddenlink is positioned to benefit from a number of positive industry trends, including continued strength in television viewership, as well as growth in commercial services, high-speed Internet adoption and data consumption.

In the 12 months ending March 31, 2012, the Company generated \$1.96 billion in revenue and \$743 million in adjusted EBITDA, pro forma for acquisitions, divestitures, and non-recurring expenses. Suddenlink is one of the fastest growing cable operators in the U.S., with pro forma compounded annual growth in revenues and adjusted EBITDA before non-recurring expenses of 7.4 percent and 11.2 percent, respectively, since 2007. In the first quarter of 2012, Suddenlink continued to outperform the industry with pro forma growth in revenue of 6.2 percent; in adjusted EBITDA before non-recurring expenses of 9.0 percent; and in revenue generating units of 4.2 percent over the comparable period in 2011.

"This agreement will allow us to continue to invest in our infrastructure, new technology, and most importantly, our people," said Suddenlink's Chairman and CEO Jerry Kent. "We have 6,000 employees who are dedicated to providing a superior level of customer care, and who generate consistent, industry-leading operating results. The injection of fresh, forward-looking capital is a testament to their hard work and capabilities. We thank our lenders and original investors who believed in us and helped us build such an amazing company. We believe our new partners are a perfect match for our management team, to help us keep doing what we do best – taking better care of our customers than our competitors – and we look forward to continuing our long, successful track record of delivering superior returns."

"Cable is an industry we know well in both Europe and the United States, and epitomizes the defensive growth characteristics we typically seek in an investment," said BC Partners Co-Chairman and Managing Partner Raymond Svider. "Suddenlink is one of the most attractive cable companies in the U.S. today, with a world-class infrastructure and a dedication to providing customers with the very best offering and service. We are excited to be partnering with Jerry Kent and the high quality and experienced management team he has assembled. Jerry and his team have an enviable track record of delivering strong equity returns to shareholders, and we are looking forward to working with them to help continue growing Suddenlink and take it to the next level."

"This represents a unique opportunity to acquire a leading cable operator that has consistently generated industry-leading results," said André Bourbonnais, Senior Vice-President, Private Investments, CPPIB. "We are delighted to partner with Suddenlink's management team and BC Partners to position the company for continued growth and long-term success."

"The creation and growth of Suddenlink into one of the country's leading cable operators represents the successful marriage of capital, expert management, and a well-defined business plan in the context of a classic private-equity buildup," said Gerry Cardinale, a senior partner in Goldman Sachs' private equity group. "Jerry Kent and his team have consistently delivered superior financial and operating performance. Today, the geographically clustered and well-capitalized cable systems we aggregated deliver the most robust pipe into the home for the delivery of phone, TV, and high speed Internet services. Suddenlink has tremendous growth potential, and we expect it to continue to produce great returns for the company's owners going forward."

In connection with the acquisition, a newly formed subsidiary of the Company has entered into a commitment letter with Credit Suisse for \$500 million of senior unsecured bridge loans. The Company expects to use the proceeds from such bridge loans or an equivalent amount of high-yield debt securities to fund a portion of the purchase price. In addition, the Company will continue to be managed by Cequel III, LLC, pursuant to the management agreement.

For Suddenlink in this transaction, LionTree Advisors, a division of EM Securities, and Goldman Sachs acted as financial advisors; Paul Hastings LLP and Seyfarth Shaw LLP acted as legal advisors. For BC Partners and CPPIB, Credit Suisse acted as financial advisor; Latham & Watkins LLP and Wachtell, Lipton, Rosen & Katz LLP acted as legal advisors. CPPIB was also separately advised by Torys LLP. For existing equity holders, Fried, Frank, Harris, Shriver & Jacobson LLP acted as legal advisor.

# # #

This news release contains "forward-looking statements," within the meaning of the Private Securities Litigation Reform Act of 1995 that involve a number of risks and uncertainties. Forward looking statements, which are based on management's current expectations, are generally identifiable by the use of terms such as "may," "will," "expects," "believes," "intends," "anticipates" and similar expressions. Because these forward-looking statements involve known and unknown risks and uncertainties, there are important factors that could cause actual results, events or developments to differ materially from those expressed or implied by these forward-looking statements. Readers are cautioned not to place undue reliance on such forward-looking statements. All information is current as of the date this press release is issued, and Suddenlink undertakes no duty to update this information.

#### **About Suddenlink**

Suddenlink ([suddenlink.com](http://suddenlink.com)) is the seventh largest cable system operator in the United States, supporting the information, communication and entertainment demands of more than 1.4 million residential and commercial customers in Arkansas, Louisiana, North Carolina, Oklahoma, Texas, West Virginia and elsewhere. Suddenlink simplifies its customers' lives through one call for support, one connection, and one bill for TV, Internet, phone and other services.

- more -

**About BC Partners**

BC Partners (bcpartners.com) is a leading private equity firm with advised funds of €12.6 billion (\$15.5 billion). Established in 1986, BC Partners has played an active role in developing the European buy-out market for 25 years. BC Partners executives operate as an integrated team through its offices in Europe and North America, acquiring and developing businesses to create value in partnership with management. Since inception, BC Partners has completed 79 investments in companies with a total enterprise value of €74 billion. The acquisition of Suddenlink is the second investment from BC Partners' ninth fund which held its final closing on €6.7 billion in February 2012. BC Partners has significant expertise in the cable sector. BC Partners Funds own Com Hem, a leading supplier of television, broadband and telephony in Sweden. Previously, BC Partners led the creation of Unitymedia, Europe's third largest cable operator, following a number of transformational and value enhancing acquisitions. Unitymedia was sold to Liberty Global in 2009.

**About CPPIB**

CPP Investment Board (cppib.ca) is a professional investment management organization that invests the funds not needed by the Canada Pension Plan to pay current benefits on behalf of 18 million Canadian contributors and beneficiaries. In order to build a diversified portfolio of CPP assets, CPPIB invests in public equities, private equities, real estate, inflation-linked bonds, infrastructure and fixed income instruments. Headquartered in Toronto, with offices in London and Hong Kong, CPPIB is governed and managed independently of the Canada Pension Plan and at arm's length from governments. At March 31, 2012, the CPP Fund totaled C\$161.6 billion of which C\$26.3 billion was invested in private equities.