

NOTES

TO: Honorable Mayor and City Council Members

FROM: Barbara Lipscomb, City Manager *BL*

DATE: May 22, 2013

SUBJECT: Materials for Your Information

Please find attached the following material for your information:

1. A memo from me outlining responses to various budget-related questions recently received
2. A memo from me regarding Operation Mass Exodus
3. A memo from Gary Fenton, Recreation and Parks Director, providing an update on the Dream Park
4. A memo from Merrill Flood, Community Development Director, regarding active neighborhood homeowner's associations
5. A memo from Eric Griffin, Interim Fire/Rescue Chief, regarding recent departmental promotions
6. An agenda for the May 23, 2013, Board of Adjustment meeting, and minutes from their April 25, 2013, meeting
7. A memo from Chris Padgett, Assistant City Manager, regarding special event permits recently approved


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Attachments

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

MEMORANDUM

TO: Mayor and City Council Members

FROM: Barbara Lipscomb, City Manager 

DATE: May 22, 2013

SUBJECT: Budget Related Follow-Up Items

On May 13, 2013, multiple presentations were made to City Council outlining the proposed FY 14 City Budget. These presentations included me presenting the City budget and separate presentations made by representatives of Greenville Utilities Commission, Pitt-Greenville Convention and Visitors Authority and Sheppard Memorial Library. I noted multiple Council Member information requests and other matters that warrant follow-up during this meeting. I have also received questions and information requests related to the budget outside of the May 13, 2013, City Council meeting. The purpose of this memorandum is to provide requested information and to provide additional explanation as needed. The questions and/or topics that follow are not in any specific order.

1. Explain the use of fund balance in the proposed FY 14 budget.

The proposed FY 14 budget includes the use of \$5.5M of fund balance. Most of the fund balance (\$4.2M) are funds that were available above the 14% unassigned fund balance policy following the FY 12 audit. All or a portion of these funds would have ordinarily been transferred to capital reserve for projects at that time, but this was not done in light of the then-recent property revaluation and economic uncertainty at the time. In addition to the \$4.2M previously identified, \$1.8M is available due to the decision to finance the parking deck and to use cash to fund the BANA / ERP system.

2. What is the membership of the CVA Board and who has voting privileges?

The CVA Board includes the following:

- Four hotel owners / operators
- Two hospitality related positions
- Four general citizens
- One Chamber appointee
- City Deputy Finance Officer (Financial Services Director)
- City liaison
- County liaison

All members have voting privileges except the City and County liaisons and the City Deputy Finance Officer.

3. What is the current CVA fund balance?

The current CVA fund balance is just under \$1.4 million.

4. How much debt is currently owed on the Convention Center and when will that debt be retired?

The remaining debt on the Convention Center is \$4 million. The debt is scheduled to be retired on June 1, 2021.

5. Provide a detailed breakdown of proposed expenses for the CVA FY 14 budget.

See attached budget.

6. Desire for Greenville to become a Certified Retirement Community through a program offered by the North Carolina Department of Commerce.

During the budget presentation one Council Member indicated support for the City to pursue Certified Retirement Community status through the State of North Carolina. In the budget presentation, I indicated that the application fee associated with this process was \$10,000. Upon further investigation, it was determined that the fee is the greater of \$10,000 or \$.50 per capita, which would be approximately \$43,000 for the City (estimated population 86,000). This item is currently not funded in the proposed FY 14 budget.

7. How much money has the City spent on road repairs for the last five to six years?

Over the past eight years, Public Works' annual resurfacing expenditures averaged approximately \$389,000. The annual totals are provided below:

FY 12	\$302,702
FY 11	\$33,750
FY 10	\$369,165
FY 09	\$837,717
FY 08	\$715,223
FY 07	\$0
FY 06	\$439,972
FY 05	\$413,259

8. Why can't all of the employees participate solely in voluntary retirement plans?

The State of North Carolina mandates that City employees participate in the Local Governmental Employees' Retirement System (LGERS). All full-time and designated part-time employees are required to enroll for membership in LGERS. Employees

contribute 6% of their annual compensation on a pre-tax basis; the 6% rate is specified by State statute.

The City is also required to contribute to LGERS—the current contribution amounts are 6.74% of payroll for general employees and 6.77% of payroll for sworn Police Officers. It is estimated that the City will contribute a total of \$2,607,205 during FY 2012/2013 for general employees and sworn Police Officers. (Note: The State has increased the City's required contribution for FY14. Effective July 1, 2013, the new contribution amounts for general employees will be 7.07% and 7.28% for sworn Police Officers.)

The City also provides voluntary, supplemental plans for eligible employees through the NC 401(k) Plan and the ICMA-RC Deferred Compensation (457) Plan.

9. How much was the 423 Evans Street lot purchased for?

The property was purchased for \$183,500 by the Redevelopment Commission in July of 2012. The purchase price was below the appraised value of \$198,250, which had been established in an appraisal by Bruce Sauter and Associates, as well as a review appraisal by Ann McCroy of the Appraisal Group.

10. How will purchasing new trucks for Sanitation affect the vehicle replacement fund?

There are reserve funds to buy new vehicles on a scheduled basis. Funds to replace the vehicles are collected in advance so the funds are in place when it is time to buy the vehicles. Since the truck automation program is new, the monies have not been collected in advance for the new Sanitation trucks. As such, we will order the trucks and spend down reserve funds to pay for them. Concurrently, we are raising the rates to pay for new trucks. This new money will be deposited into the Vehicle Replacement Fund to replenish what was spent on the vehicles, so the net effect is zero.

11. Is the City getting a sizable increase in revenue from GUC in FY 2013-2014 than was anticipated in the financial plan adopted in June 2012?

Yes, the City will receive over \$1 million more than was previously anticipated. In the FY14 financial plan, the GUC transfer is approximately \$5.4 million, which is the amount that was anticipated last year during the biennial budget development process. Because of GUC's decision to delay issuing debt, the City will receive an additional \$1 million (\$1,039,997) which is a one-time occurrence. Therefore, the proposed FY14 budget includes revenues of \$6.4 million from this source.

12. The \$1.8 million that had been set aside in savings for the parking deck will now be used for other capital projects. What capital projects will it be used for?

The approved FY14 financial plan included \$2.5 million to pay for computer technology upgrades (ERP BANA). This item was programmed to be financed over 20-years which is not a best practice considering that the expected life-span for this type of system is

usually 10 – 14 years. As such, staff did not feel that it was appropriate to take out long-term financing for this item. It is more appropriate to debt fund the parking deck which will still be a functional unit for 20 years or more. As a result, staff is taking the \$1.8 million that was saved and using it to pay cash for the computer upgrade. Due to extremely low interest rates and the still competitive environment for construction costs, we are proposing to finance 100% of the parking deck.

13. Please explain the different funding options for long-term debt available to the City.

General Obligation bonds involve the pledge of the full faith and credit of the City so that the City promises to levy whatever amount of property tax is necessary to repay the debt. General Obligation bonds require voter approval (except when issuing refunding bonds to refinance existing debt and except when issuing bonds pursuant to the two-thirds rule – bonds issued in an amount of up to two-thirds of the amount by which the City's general obligation indebtedness was reduced in the preceding fiscal year). Other bonds do not involve the pledge of the full faith and credit of the City and do not require voter approval. These borrowing methods would include a debt secured by an asset being financed (limited obligation bonds – also known as installment financing/COPS), a debt secured by a revenue stream from a project being financed (revenue bonds), a debt secured by revenues other than revenues from the project being financed (special obligation bonds and grant anticipation notes), and a debt secured by the proceeds of property taxes on the incremental increases in value in a project development district (project development bonds/TIFS). The procedure for City Council approval of General Obligation bonds and project development bonds is more complicated than the procedure for the other bonds. Local Government Commission approval would be required for all of these (although there are certain limited exceptions which apply in debts secured only by the asset being financed).

14. How will the catastrophic loss reserve be impacted in next year's proposed budget?

The City's catastrophic loss reserve at the end of FY 12 (last year) was \$2,729,453. Staff proposes to reallocate \$441,000 of this as unassigned fund balance. This would leave the reserve at just under \$2.3 million, or about \$300,000 above the amount dictated by the City's Financial Policy. The City budgets funds annually for worker's compensation and general liability insurance with single incident deductibles of \$600,000 and \$250,000 respectively. The reserve is used to cover any claims that exceed budget.

Please advise if you have any questions related to the information provided herein.

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

BUDGET PREPARATION WORKSHEET
FOR FISCAL YEAR 2014


ACCOUNT NUMBER	ACCOUNT DESCRIPTION	FY 2011 ACTUAL	FY 2012 ACTUAL	ADJUSTED BUDGET	PLAN 2014	FY 2014 MGR
700-0000-310.07-00	OCCUPANCY TAX	492,637	513,598	800,000	850,000	810,000
700-0000-310.09-00	1% OCCUPANCY TAX	384,409	278,912	0	0	0
700-0000-350.02-00	INVESTMENT EARNINGS	5,820	3,316	100	100	100
700-0000-350.04-00	INTEREST ON CHECKING	405	49	0	0	0
700-0000-371.07-00	APPROPRIATED FUND BALANCE	0	0	850,000	0	166,234
		883,271	795,875	1,650,100	850,100	976,334

BUDGET PREPARATION WORKSHEET
FOR FISCAL YEAR 2014

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	FY 2011 ACTUAL	FY 2012 ACTUAL	ADJUSTED BUDGET	PLAN 2014	MGR 2014
700-6700-421.02-01	SALARIES-FULL TIME	221,302	225,032	211,286	209,653	238,001
700-6700-421.02-03	SALARIES PART-TIME	0	3,356	28,000	28,000	30,000
700-6700-421.02-10	CAR ALLOWANCE	3,611	3,770	3,600	3,600	3,600
700-6700-421.03-01	FICA EXPENSE	16,675	16,924	17,934	17,421	17,568
700-6700-421.03-02	GROUP LIFE	618	622	1,522	1,522	1,535
700-6700-421.03-03	RETIREMENT	14,087	15,482	15,289	15,289	16,189
700-6700-421.03-04	HEALTH INSURANCE	39,074	34,569	34,690	37,466	42,957
700-6700-421.03-11	WORKERS COMPENSATION	185	190	200	209	211
700-6700-421.03-16	401K REGULAR EMPLOYEES	4,171	4,181	12,581	16,798	16,939
700-6700-421.03-17	DENTAL	278	0	1,798	1,942	0
* PERSONNEL		300,001	304,126	326,900	331,900	367,000
700-6700-422.01-00	PRINTING	24,665	9,562	32,000	35,000	35,000
700-6700-422.02-00	EMPLOYEE TRAVEL/TRAINING	22,852	23,145	24,000	26,000	30,000
700-6700-422.05-00	MAINTENANCE & REPAIR	1,645	1,975	3,000	3,000	3,000
700-6700-422.07-00	SUPPLIES & MATERIALS	7,768	8,055	9,000	9,000	9,000
700-6700-422.08-01	CONTRACTED SERVICES	20,030	20,109	27,000	29,000	29,000
700-6700-422.08-09	COST OF COLLECTION	9,320	10,580	12,400	12,600	12,600
700-6700-422.09-00	DUES & SUBSCRIPTIONS	3,046	4,227	6,600	6,600	7,200
700-6700-422.13-00	ADVERTISING	43,052	70,775	70,000	77,000	100,000
700-6700-422.15-00	POSTAGE	2,800	1,816	3,000	3,200	3,500
700-6700-422.16-00	TELEPHONE	3,267	4,534	3,600	3,800	3,800
700-6700-422.17-00	UTILITIES	5,397	5,060	8,500	10,000	30,000
700-6700-422.21-00	GENERAL INSURANCE LIAB.	3,275	0	3,345	3,345	3,345
700-6700-422.21-01	DIR./OFFICERS LIAB.INS.	1,200	1,200	1,500	1,500	1,500
700-6700-422.50-09	CONTINGENCY	5	0	1,589	4,089	4,089
700-6700-422.50-25	CONVENTION CTR MARKETING	229,863	242,546	262,666	279,066	267,300
700-6700-422.50-27	TOURISM DEVELOP. PROJECTS	0	0	0	0	50,000
700-6700-422.50-28	CONVENTION PROJECTS	0	0	0	0	10,000
* OPERATING		378,185	403,584	468,200	503,200	599,334
700-6700-423.74-01	EQUIPMENT	76	2,097	5,000	15,000	10,000
700-6700-423.74-50	CAPITAL PROJECTS	0	0	850,000	0	0
* CAPITAL		76	2,097	855,000	15,000	10,000
** CONV & VISITORS BUREAU		678,262	709,807	1,650,100	850,100	976,334
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MEMORANDUM

TO: Mayor and City Council Members

FROM: Barbara Lipscomb, City Manager 

DATE: May 22, 2013

SUBJECT: Operation Mass Exodus

Attached is a memo from Lieutenant Richard Allsbrook, Code Enforcement Commander, regarding Operation Mass Exodus which occurred over the May 10-12 weekend. Code Enforcement collaborated with Sanitation to coordinate prompt removal of items usually left behind by students. We have received positive comments from the public regarding this event. As some students have paid rent for the month of May and will be leaving at the end of the month, the weekend of May 31-June 2 has been targeted for another joint clean-up event.

The question was raised regarding the use of PODS, as has been done in the past. The City has previously participated with ECU in a program called Pirate's Treasure. This program allowed students to drop off unwanted, usable items, to be stored in PODS for one week, and other students could come by and take what they could use. The drop site was on the campus near the Town Common, and the site was run by ECU. The City provided dumpsters and trash trucks to haul away junk and the items not reused. It is my understanding this program has not operated for the last two years. Instead, the equipment and process we used this year immediately corrected the problem in an efficient and comprehensive fashion.

Many thanks are extended to Kevin Mulligan, Delbert Bryant, Chief Aden, Lt. Allsbrook, and their staff for their time and coordinated efforts to make this pivotal time successful.

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Attachment


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



GREENVILLE POLICE DEPARTMENT MEMORANDUM

DATE: May 15, 2013

TO: Chief Hassan Aden
(Through Command Chain)

FROM: Lieutenant Richard Allsbrook 
Code Enforcement Commander

SUBJECT: Operation Mass Exodus/Code Enforcement Response to the University and Glen Arthur Neighborhoods

On May 11, 2013, Code Enforcement staff coordinated a collaborative response with Sanitation in anticipation of the East Carolina University students departing the University and Glen Arthur neighborhoods for the summer. The purpose of the response was to mitigate the anticipated increased amounts of trash and debris and household furniture that is associated with the departure.

As a result, Code Enforcement Officers AJ Basile, Johnnie Butler, and Larry Hopkins, who are assigned to these neighborhoods and three Sanitation crews participated in this operation. Sanitation provided two "claw" trucks designed to pick-up and haul debris and furniture and one garbage truck.

Code Enforcement staff patrolled these neighborhoods identifying piles of trash and debris left at curbside and in yards. The sanitation crews responded immediately and collected the trash and debris.

During the operation, several citizens were given the opportunity to empty their trash before the scheduled Monday pick-up day. In all, the two "claw" trucks were just about filled as well as one regular garbage truck during this operation.

Twenty-three (23) different properties were identified as having large parties the night before. Code Enforcement staff made contact with the occupants and through voluntary compliance the properties were abated.

In addition to these activities, Code Enforcement Officer Corey Barrett focused on Parking Violations in the University Neighborhood. Citations were issued for eighteen (18) Parking Violations and thirteen (13) Unimproved Surface Violations.

In summary, our response was successful in addressing the immediate neighborhood concerns associated with the East Carolina University student move-out and it also mitigated Code Enforcement cases and Sanitation demands for the following Monday.

Code Enforcement has received positive community feedback on the good appearance of the University Neighborhood.

If you have any additional questions, please feel free to contact me.
cc: file

Memo

To: Chris Padgett, Assistant City Manager
From: Gary Fenton, Director of Recreation and Parks
Date: May 21, 2013
Re: Dream Park Update

The following is latest update of the Dream Park renovation project:

Completed:

- Traditional Playground
- Large and small picnic shelters
- Underground utilities (water and sewer)
- Sprayground — deck, plumbing, filtration system, pumps, benches, electrical
- Cable and fiber optics for security cameras

Underway:

- Shade Structures — Anticipated completion: 5/24/13
- Site lighting — Anticipated completion: 5/24/13
- Pedestrian Trail and sidewalks — Anticipated completion: 5/31/13
- Restroom / mechanical building — Anticipated completion: 5/31/13
- Parking Lots — Anticipated completion: 5/31/13
- Sprayground — Above ground features (fencing, play structures) — Anticipated completion: 5/31/13

Note: The “natural playground” and the artwork associated with the promenade walk and plaza will not be installed until fall. (Regarding the art project: ECU art students have submitted proposals; a review panel has eliminated all but three. These three will develop “mockups” of their proposals for panel consideration and final selection.)


The Dream Park Ribbon Cutting and Dedication is planned for Saturday, June 15th at 11 a.m. The sprayground is scheduled to open to the public at noon that day. Invitations will be sent out shortly.

COMMUNITY DEVELOPMENT

MEMO

DEPARTMENT

TO: Barbara Lipscomb, City Manager

FROM: Merrill Flood, Director Community Development Department 

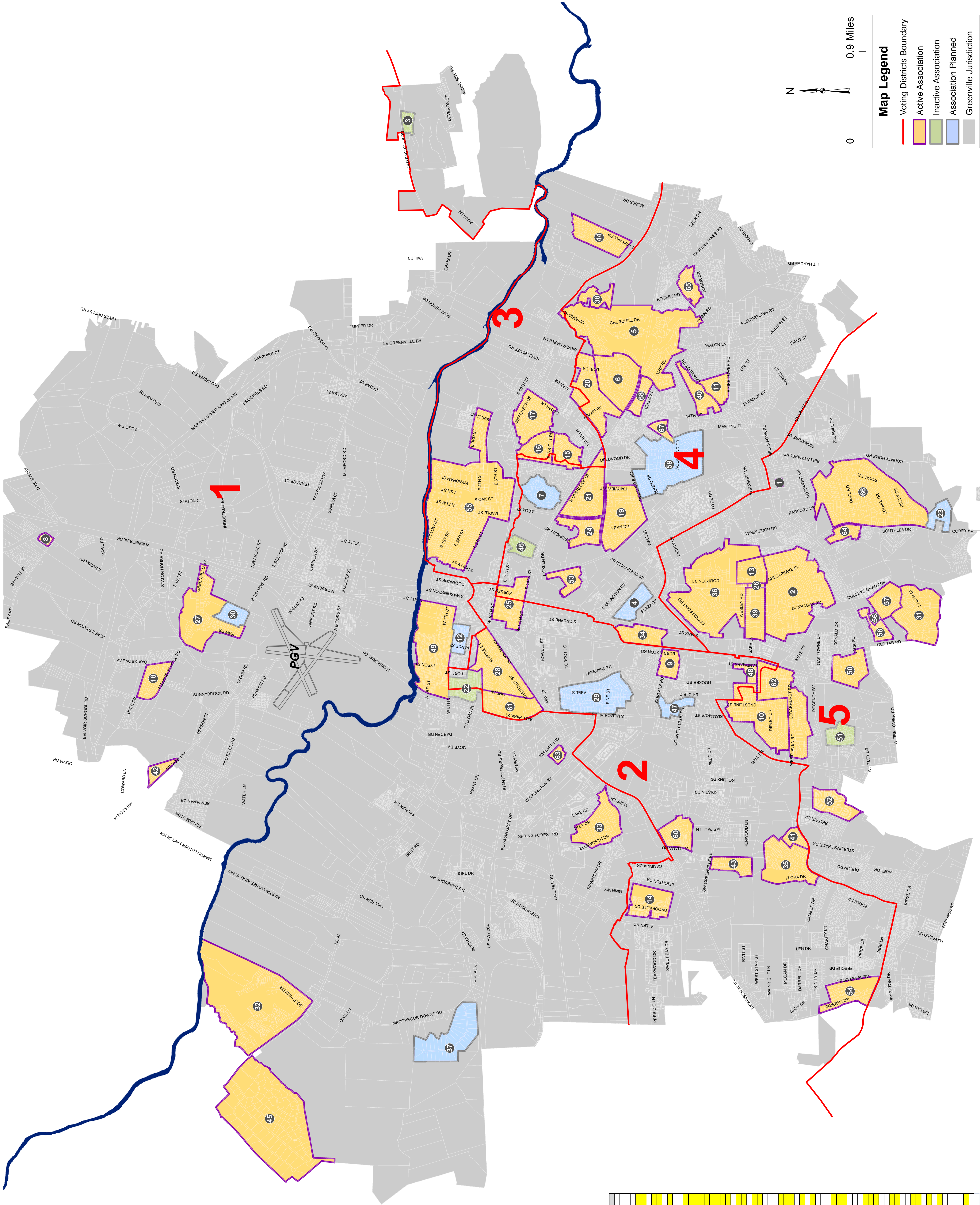
DATE: May 22, 2013

SUBJECT: Map of known Neighborhood and Homeowner's Associations

During the May 6, 2013, City Council meeting, Councilmember Joyner requested a copy of the Neighborhood and Homeowner's Associations. Staff re-checked the map for accuracy. Sixty-eight (68) associations were identified in total and of this total, 36 are active participants on the Neighborhood Association Board.

If you have additional questions or need more information, please contact me.

Active Neighborhood/Homeowner's Association - May 17th 2013



Map	Name	Status
1	Arlington Park	Active Association
2	Brainerd Creek Neighborhood	Inactive Association
3	Brentwood	Association Planned
4	Brock Village North*	Active Association
5	Buckhorn	Association Planned
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67	Buckhorn	Association Planned

*Highlighted Serving on Neighborhood Advisory Board

Memo

To: Fire Rescue Department
From: Interim Fire Rescue Chief Eric Griffin
Date: May 21, 2013
Re: EMS Specialist Promotions

Please join me in congratulating the following members of our department. Effective June 1, 2013, they will be promoted to the rank of EMS Specialist. Interim DC Davenport will be making their shift assignments this week.

Fire Rescue II Justin Buttitta
Fire Rescue II Jeremy Cleaton
Fire Rescue I LaMont Daniels
Fire Rescue II Gregory Gibson
Fire Rescue I Derrick Ingram
Fire Rescue I Anthony Klontz
Fire Rescue II Scott Purser
Fire Rescue II Christopher Rayner
Fire Rescue I Stephen Williams

CC: Barbara Lipscomb, City Manager
Leah Futrell, Interim Human Resource Director



**PROPOSED AGENDA
GREENVILLE BOARD OF ADJUSTMENT
Thursday, May 23, 2013
7:00 PM
City Council Chambers
200 West Fifth Street**

- I. ROLL CALL
- II. APPROVAL OF MINUTES – April 25, 2013
- III. NEW BUSINESS
 1. PUBLIC HEARING ON A REQUEST FOR A SPECIAL USE PERMIT BY FLEMMING SOLAR CENTER, LLC

The applicant, Flemming Solar Center, LLC, desires a special use permit to operate a solar energy facility pursuant to Appendix A, Use (5)l. of the Greenville City Code. The proposed use is located east of Flemming School Road 900 feet north of Martin Luther King Jr. Boulevard. The property is further identified as being tax parcel number 41783.
 2. PUBLIC HEARING ON A REQUEST FOR A SPECIAL USE PERMIT BY 3JMG ENTERTAINMENT, LLC

The applicant, 3JMG Entertainment, LLC, desires a special use permit to operate a public or private club pursuant to Appendix A, Use (6)m. of the Greenville City Code. The proposed use is located at 1001 West Street. The property is further identified as being tax parcel numbers 19987 and 19988.
- IV. ADJOURN

DRAFT MINUTES PROPOSED FOR ADOPTION BY THE BOARD OF ADJUSTMENT
APRIL 25, 2013

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 *

Linda Rich *

Justin Mullarkey X

Kevin Faison *

Claye Frank *

Sharon Ferris *

Bill Fleming X

Thomas Taft, Jr. X

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

VOTING MEMBERS: Ewen, Faison, Rich, Ferris, Frank, Shook

OTHERS PRESENT: Mr. Bill Little, Assistant City Attorney
Mr. Michael Dail, Planner
Mr. Chris Kelly, Engineering
Mrs. Elizabeth Blount, Secretary
Mr. Jonathan Edwards, Communications Technician

MINUTES

Ms Rich made a motion to approve the March 28th minutes as presented, Ms Ferris seconded and the motion passed unanimously.

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

The applicant, Scott Charles, desires a special use permit to operate a game center (bingo) pursuant to Appendix A, Use (6)d. of the Greenville City Code. The proposed use is located at 1202 N. Memorial Drive. The property is further identified as being tax parcel number 44159.

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

Zoning of Property: CH (Heavy Commercial)

Surrounding Zoning:

North: CH (Heavy Commercial)

South: CH (Heavy Commercial)

East: IU (Unoffensive Industry)

West: IU (Unoffensive Industry)

Surrounding Development:

North: Vacant Commercial Building, Hardees, Dollar General
South: Trade Gas Station, Blount Gas Company, Mini-Storage, Community Christian Church
East: Vacant Property
West: Pitt Greenville Airport

Description of Property:

The subject property is a 27,016 square foot commercial building with two units and has approximately 260 feet of frontage along N. Memorial Drive and 152 feet of frontage along Airport Road and has a total lot area of 2.92 acres. The applicants proposed unit contains 6,046 square feet and was formerly Dollar General. In January 2012, a bingo establishment was proposed in the other unit but the wiring was stolen from the building and the applicant never moved forward and the permit has since expired.

Comprehensive Plan:

The property is located within Vision Area "A" 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 April 11, 2013. Notice of the public hearing was published in the Daily Reflector on April 15, 2013 and April 22, 2013.

Related Zoning Ordinance Regulations:

Definition: *Game Center.*

Any establishment that has more than five coin/token operated or other amusement devices or whose principal purpose is the operation of a game center regardless of the total number of amusement devices. For purposes of this definition, the term amusement devices shall include electronic games and similar machines, and other game table or device. Bingo parlors shall be considered as game centers regardless of the number of participants.

Staff Recommended Conditions:

No loitering permitted outside of the establishment.

Trash receptacles must be placed outside of the establishment.

The applicant must comply with any annual state licensing requirements for beach bingo operations that may be imposed in addition to licensing requirements of the City of Greenville.

The special use permit is subject to the applicant's continued compliance with the operational requirements and restrictions provided in Chapter 14, Article 37 of the North Carolina General Statutes for beach bingo operations.

Conditions place on Previous Special Use Permit:

Establishment shall not open until 3:00 pm on Sundays.

Other Comments:

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

Mr. Ewen asked if the previous permit had a required closing time.

Mr. Dail stated no. The board discussed a closing time but it was not approved.

Chairman Shook asked for clarity concerning the third and fourth staff recommended conditions.

Attorney Little stated the conditions were statutory requirements imposed by the state. Regulations for beach bingos limits the size of the game, the number of games, and the rewards. The City has a licensing requirement but the state has another restrictive requirement.

Mr. Scott Charles, applicant, spoke in favor of the request. He stated that he has been in the bingo business for twenty-two years, operating businesses from Goldsboro, Kinston and New Bern. The parcel was previously approved for an identical business and stated that the request is reasonable.

Mr. Ewen asked if the applicant planned to move into the rest of the building.

Mr. Charles stated no and the rest of the building is a gross waste of space.

Ms Ferris asked for the normal hours of operation.

Mr. Charles stated 2 pm to 1 am but did not have a problem with the 3 pm opening on Sundays.

Mr. Ewen asked if the business would be open seven days a week.

Mr. Charles stated yes.

Chairman Shook asked how many people the building would hold.

Mr. Charles stated 150 maximum seated with tables and equipment.

Ms Rich asked what type of security the business would have.

Mr. Charles stated at the least the business would have a door buzzer with an air phone and security cameras along with a person at the door. He could better answer once he had an opportunity to go into the building with the power on. He would have someone in the parking lot watching over customer cars.

Mr. Faison asked if an actual security person would be hired.

Mr. Charles stated an armed security is cost prohibited. One person will be in the parking lot to monitor who comes in and out and oversee vehicles.

Ms Rich asked if the business would have alarms.

Mr. Charles stated yes and lighting will be added to the parking lot in addition to existing lighting. He will add five halogen lights across the front and an additional light pole in the back of the lot so security cameras can see the whole lot.

Chairman Shook asked the type of items that will be served.

Mr. Charles stated snacks and drinks out of the drink machine. Prepared food will not be served.

Chairman Shook asked if the establishment would have an ABC permit.

Mr. Charles stated no.

Pastor James Corbett, Pastor of Community Christian Church, spoke in opposition of the request. He wanted to know what current and future uses are covered in the special use permit. The church leases the parking lot behind the building. They have been there since 1990 and have seen some growth in the area. The National Guard hosted social events but stopped due to crime. Even though the request is a different use, the church wanted to ensure the safety of its surroundings. He also wanted to know if the restrictions for Internet Cafés applied to beach bingo as well.

Chairman Shook asked if there were any main concerns about a specific type of business or activity to be included under the uses of the special use permit.

Pastor Corbett stated the use of alcohol and anything to induce young people, the age group allowed, Internet Cafes and the crime associated, and the adult industry.

Mr. Jerry Vickers, executive director of Pitt/Greenville Airport, spoke in opposition of the request. The Pitt Greenville Airport Authority unanimously opposed the request. They did not think the request was in accordance with the Comprehensive Plan. The late night operation of the business and loitering would be a detriment to public welfare. He mentioned the woman in Jacksonville, North Carolina who was shot while exiting a bingo parlor. The Airport is currently in the process of marketing new development to hotels, restaurants and retail shops for the land directly across from the proposed location. The Pitt/Greenville airport is designated a community landmark and is a gateway for people traveling in and out of the community. The area around the airport provides a first impression of newcomers to the area. The Pitt/Greenville airport invested over \$12 million over the past four years to make the airport an attractive gateway. The quality and appearance of the airport is in the top ten listing that developers look at in selecting a city. The airport generates approximately \$98 million to the area. He stated the Authority is concerned about the intensive use of the proposed request in relations to adjoining areas with crowding and parking areas. The Authority is also concerned with the visual impact of the request.

Mr. Frank asked if proposed development was currently in the queue.

Mr. Vickers stated the Authority has development sketches and a development broker that will help market the plan.

Mr. Frank asked if anything was eminent.

Mr. Vickers stated no and that the proposed use is not compatible to the proposed development.

Ms Ferris asked if the Authority had a real estate expert that could validate the statement.

Mr. Vickers stated not at the current time.

Chairman Shook asked how long Mr. Vickers has been the head of the Airport Authority.

Mr. Vickers stated four years.

Chairman Shook asked if he was present for the previous special use permit in January 2012.

Mr. Vickers states that he did not recall receiving a notice concerning the previous request or the Authority would have opposed it.

Mr. Charles spoke in rebuttal to the opposition. He stated that no alcohol would be served. No one under 18 years old would be allowed without a parent. No one under 15 years old would be allowed in the building period. The flow of traffic would not affect the church. The request does fall under the proposed land use plan. The vacant commercial building that had been vacant for some time is more of a detriment than the beach bingo business. No loitering would be allowed and the parking lot would be clean. No exterior noise.

Mr. Ewen asked about the signage for the business.

Mr. Charles stated that one sign will be above the door.

Mr. Faison asked if there is a target age group.

Mr. Charles stated no, just people.

Mr. Faison asked if the applicant owned the bingo on 10th Street.

Mr. Charles stated no. He worked there for six years and then opened up his first location. Clients are composed of a variety of people.

Mr. Faison asked if smoking is permitted in bingo parlors.

Mr. Charles stated yes in some.

Chairman Shook asked if the establishment had a minimum age requirement.

Mr. Charles stated those under 15 years old would not be allowed in the building and participants have to be 18 years old.

Mr. Faison asked if the age restrictions were a state law or the applicant's rules.

Mr. Charles stated the state law is if a person is under 18 years old they cannot play. Not allowing those under 15 year olds in the building is the applicant's law.

Ms Rich asked why the applicant picked the proposed location.

Mr. Charles stated the building had enough parking. He looked at another building on Evans Street but parking was an issue.

Mr. Dail stated that staff had no objection upon proper findings by the board.

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

Chairman Shook asked the City Attorney to address the uses for the request.

Attorney Little stated that a game center could be an arcade. It could not be an Internet Sweepstakes Café. No alcohol can be served at game centers by statute. Adult entertainment would not be approved or acceptable under the special use permit.

Chairman Shook asked what uses are permitted without getting a special use permit.

Attorney Little stated the uses that are permitted under the current zoning classification would not require a special use permit. Uses outside the zoning classification within the table of special uses permitted would be available.

Mr. Ewen asked if a tattoo parlor would be available.

Attorney Little stated the applicant would have to come before the board because a tattoo parlor is not a part of the request.

Mr. Dail stated that the heavy commercial zoning district is the most intensive commercial zoning district that the city has. It includes a wide range of uses. A public private club would be permitted with a special use permit but a dining and entertainment establishment would not require a special use permit.

Attorney Little stated that a recommendation of opening the establishment at 3pm was suggested but the applicant indicated 2 pm being the normal opening time.

Mr. Faison stated that the applicant said he did not have a problem with opening at 3 pm.

Chairman Shook asked if the board would have to adopt the list of recommended conditions by staff in the finding of facts.

Attorney Little stated that the recommended conditions are written conditions and the opening time on Sunday was an added condition.

Chairman Shook read the required findings criteria. No objections.

Ms Rich made a motion to adopt the finding of facts with the stated conditions, Mr. Frank seconded and the motion passed unanimously.

Mr. Frank made a motion to approve the petition with the stated conditions, Ms Rich seconded and the

motion passed unanimously.

PUBLIC HEARING ON A REQUEST FOR A SPECIAL USE PERMIT BY SOUTHERN EQUIPMENT COMPANY-APPROVED

The applicant, Southern Equipment Company, desires a special use permit to operate a commercial outside storage facility and a commercial service not otherwise listed (concrete crushing) pursuant to Appendix A, Use (14)l. and Use (15)c. of the Greenville City Code. The proposed use is located at 507 N. Greene Street. The property is further identified as being tax parcel numbers 04223 and 35573.

Mr. Dail delineated the area on the map. He stated that the property is located in the northern portion of the city's jurisdiction, former location of Club Dynasty and Texas Two Step.

Zoning of Property: CH (Heavy Commercial)

Surrounding Zoning:

North: CH (Heavy Commercial)
South: RA20 (Residential Agricultural)
East: CH (Heavy Commercial)
West: RA20 (Residential Agricultural)

Surrounding Development:

North: Ready Mix Concrete
South: Vacant
East: Vacant, Trade Mart, Miller Construction
West: Vacant

Description of Property:

The subject property is 5.92 acres in size and has approximately 715 feet of frontage along N. Greene Street and is located in the floodway of the Tar River.

Comprehensive Plan:

The property is located within Vision Area "B" 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 April 11, 2013. Notice of the public hearing was published in the Daily Reflector on April 15, 2013 and April 22, 2013.

Staff Recommended Conditions:

Crushing activities shall be limited to 21 calendar days per year and shall be performed during daylight hours only.

The property shall be screened along N. Greene Street as permitted by the flood hazard ordinance to limit the visual impacts along N. Greene Street and to surrounding properties.

A no rise certification must be completed and approved for the proposed cement stock pile and for all permanently installed equipment prior to placement of any cement materials or permanent equipment on the existing site.

A confinement area must be installed around the stock pile area.

Additional no rise certifications will be required prior to any future changes to the site after the initial no rise certification is approved.

Other Comments:

An erosion control plan is required for any land disturbance inside the flood hazard area.

A site plan must be submitted and approved prior to any activities on the property.

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

Chairman Shook asked what a "no rise certification" was.

Mr. Dail distributed pertinent flood information. The subject property is located in the floodway of the Tar River. The subject property has not flooded since the Hurricane Floyd flood event in 1999. The 1999 Hurricane Floyd flood event exceeded the 500 year floodplain boundaries. Floodways are the channel of a river or watercourse and the adjacent land areas designated to carry the floodwaters of a 100-year storm. The 100 year floodplain area has a 1% chance of flooding per year and the 500 year floodplain area has a 0.2% chance of flooding per year. Development is restricted in the floodway, but allowed, if the development will not adversely affect the flood elevations. Before any development can occur in the floodway, an engineer must submit and have approved an engineering analysis of the complete development certifying the development will not increase the water surface elevation. This analysis is typically called a "No-Rise" certification. The work that is being done in the floodway would not cause the water to rise a significant level to affect adjoining properties. The Wilco-Hess Station across from the proposed location had to do a "No-Rise" certification before the permit was issued to expand and remodel the building.

Mr. Ewen asked if no opaque fence is allowed then what would be a viable option.

Mr. Dail stated the applicant could use vegetative material and what the flood ordinance would require.

Mr. Ewen asked if the board would require the vegetation

Mr. Dail stated that the City staff is asking for some type of screen if it is allowable by the flood prevention ordinance to limit the visual impact along Greene Street.

Mr. Faison asked was the primary function of the site for outdoor storage facility.

Mr. Dail stated the primary function is to reclaim concrete materials, store them until they become sufficient

enough to bring in a crusher machine in order to crush the cement and reuse it.

Mr. Ken Malpass, representative of Redi-Mix Concrete, spoke in favor of the request. He stated the request is to have waste concrete crushed in order to be reclaimed or sold. Rather than haul off the waste, the company would crush it to save space, time and money. The process will only be done 2-3 weeks a year.

Mr. Frank asked how high the piles would be.

Mr. Malpass stated the finished pile maybe 15' tall. The piles would be comparable to what is at a cement plant.

Mr. Faison asked if the process would be done twice a month.

Mr. Malpass stated it would be done four times a year. The crushing would be done in 2-4 days. The process would not be consecutive times. It would depend upon the demand.

Ms Rich asked how long the pile would stay after the material was crushed.

Mr. Malpass stated that it depended on the demand.

Chairman Shook asked if the material was like reclaimed sand.

Mr. Malpass stated that it is reclaimed concrete. It is normally crushed to small pieces about the size of 2-4 inches in size that are used for stone construction and parking lots.

Mr. Faison asked what else would be located on the five acres.

Mr. Malpass stated it would be open.

Chairman Shook asked if there would be a problem with the screening requirements.

Mr. Malpass stated no.

Mr. Ewen asked the plans on how to screen the process.

Mr. Malpass stated they could use some evergreens or holly bushes.

No one spoke against the request.

Mr. Dail stated that staff had no objection with the recommended conditions.

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

No board discussion.

Chairman Shook read the required findings criteria. No objections.

Ms Ferris made a motion to adopt the finding of facts with the stated conditions, Mr. Frank seconded and the motion passed unanimously.

Ms Rich made a motion to approve the petition with the stated conditions, Mr. Frank seconded and the motion passed unanimously.

With no further business, Mr. Ewen made a motion to adjourn, Ms Ferris seconded, and it passed unanimously. Meeting adjourned at 7:53 p.m.

Respectfully Submitted

Michael R. Dail, II
Planner

Memorandum

To: Honorable Mayor and City Council Members

From: Chris Padgett, Assistant City Manager *CVP*

Date: May 22, 2013

Subject: Notice of Special Event Permits Approved

The following special event applications were approved by the Greenville Police Department. If you have any questions about this report, contact me or Chief Aden.

Name of Event	Event Date	Event Location	Event Organizer/ Sponsoring Agency	Law Enforcement Required
Birthday party w/DJ (amplified sound)	5/18/13	West Park Drive	LaLisa Fuluylie	No
Greenville Criterium Bike Race (parade permit / street closing / amplified sound)	6/2/2013	East 2 nd and Evans Streets	Bicycle Post Race Team	No
5K Walk/Run (parade permit)	6/14/13	PVA behind City Hotel and Bistro	NC Conference of the United Methodist Church	Yes
Youth Camp (amplified sound)	6/23-26/2013	4000 Corey Road	Covenant United Methodist Church	No

als

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