

# NOTES

TO: Honorable Mayor and City Council Members

FROM: Richard Hicks, Interim Assistant City Manager *RH*

DATE: April 8, 2015

SUBJECT: Materials for Your Information

Please find attached the following materials for your information:

1. Memos from Carol Barwick, City Clerk, and Merrill Flood, Community Development Director, regarding a protest petition submitted for the rezoning request by Ward Holdings, LLC; item 6 on Thursday's City Council agenda
2. A memo from Carol Barwick, City Clerk, regarding One-Stop early voting, which has been added to Thursday's City Council agenda
3. A flyer regarding the MWBE Mix-n-Meet event on April 28, 2015

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## Attachments

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



**City of Greenville  
City Clerk's Office**

**MEMORANDUM**

**RECEIVED**

**TO:** Merrill Flood, Director of Community Development

**FROM:** Carol L. Barwick, City Clerk

*CB*

**APR - 7 2015**

**SUBJECT:** Protest Petition

**CITY MANAGER'S OFFICE**

**DATE:** April 7, 2015

Attached is a protest petition for the zoning request to amend the zoning boundaries from R9 to R6 for the property located along the right of way of E. 10<sup>th</sup> Street and 270 feet west of Elm Street. Please have the property owner and area verified and return to my office by Wednesday, April 8, 2015.

Thank you.

/vp

**Attachments**

**cc:** Barbara Lipscomb, City Manager  
David Holec, City Attorney  
Chantae Gooby, Planner, Community Development

## Protest Petition, City of Greenville, North Carolina

For City Clerk Use Only (Date Submitted: 04/06/2005 Time Submitted: 4:05pm Received by: CB)

1. The undersigned owner(s) of real property, pursuant to NCGS 160A-385 and 386, hereby protest the following request to amend the zoning boundaries as submitted by

Ward Holdings, LLC and amending the

Zoning Boundaries from R9 to R6 for the property located

along the southern right-of-way of E 10<sup>th</sup> St. &  
270<sup>th</sup> feet west of Elm St

2. Statutory Requirement(s)

NCGS 160A-385. Changes.

- (a)(2) To qualify as a protest under this section, the petition must be signed by the owners of either (i) twenty percent (20%) or more of the area included in the proposed change or (ii) five percent (5%) of a 100-foot-wide buffer extending along the entire boundary of each discrete or separate area proposed to be rezoned. A street right-of-way shall not be considered in computing the 100-foot buffer area as long as that street right-of-way is 100 feet wide or less. When less than an entire parcel of land is subject to the proposed zoning map amendment, the 100-foot buffer shall be measured from the property line of that parcel. In the absence of evidence to the contrary, the city may rely on the county tax listing to determine the "owners" of potentially qualifying areas.

NCGS 160A-386. Protest petition: form; requirements; time for filing.

No protest against any change in or amendment to a zoning ordinance or zoning map shall be valid or effective for the purposes of G.S. 160A-385 unless it be in the form of a written petition actually bearing the signatures of the requisite number of property owners and stating that the signers do protest the proposed change or amendment, and unless it shall have been received by the city clerk in sufficient time to allow the city at least two normal work days, excluding Saturdays, Sundays and legal holidays, before the date established for a public hearing on the proposed change or amendment to determine the sufficiency and accuracy of the petition. The city council may by ordinance require that all protest petitions be on a form prescribed and furnished by the city, and such form may prescribe any reasonable information deemed necessary to permit the city to determine the sufficiency and accuracy of the petition. A person who has signed a protest petition may withdraw his or her name from the petition at any time prior to the vote on the proposed zoning amendment. Only those protest petitioners that meet the qualifying standards set forth in G.S. 160A-385 at the time of the vote on the zoning amendment shall trigger the supermajority voting requirement.

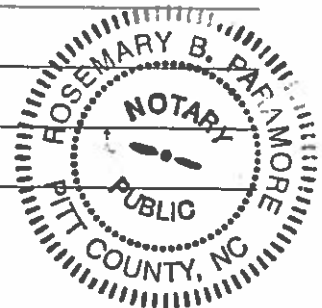
3. Signature(s) (attach additional photocopies of pages 4 and 5 of this form as necessary)

NOTE: A Notary Public must witness all signatures at the time of signing.

	<u>Signature</u>	<u>Printed Name</u>	<u>Address(es) of Property Within Qualified Protest Area</u>
①.	<i>William Hanlon</i> spouse	WILLIAM HANLON	1009 10 <sup>th</sup> ST
②.	<i>Michael William Elbeck</i>	Michael William Elbeck	957 E. 10 <sup>th</sup> ST.
③.	<i>Martha Vainright</i> M3	Martha Vainright M3	625 Maple St.
4.			
5.			
6.			
7.			
8.			
9.			
10.			

North Carolina  
Pitt County

I, Rosemary B. Paramore, a Notary Public in and for the aforesaid County and State, do hereby certify that the person(s) listed below whose signature(s) appear above on this protest petition appeared before me this day and executed the foregoing instrument.



Page 4 of 5

Expires 3-27-2017  
*Rosemary B. Paramore*  
Notary Public

This section to be completed by the Notary Public listed above.

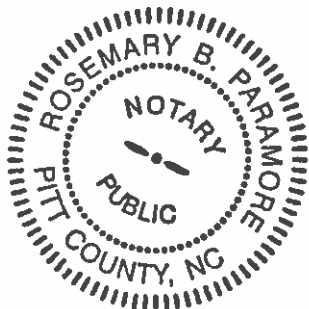
Persons signing the petition are listed below in order of signature (please print or type).

Names that are not clearly legible will be disregarded.

1. William Hawlov
2. Michael William Ehlbeck
3. Martha Vainright EJB
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_
7. \_\_\_\_\_
8. \_\_\_\_\_
9. \_\_\_\_\_
10. \_\_\_\_\_

WITNESS my hand and Notarial Seal, this the 6 day of April, 2015.

Seal



Doc. #934267

Rosemary B. Paramore Notary Public  
My Commission Expires 3-27-2017





*Find yourself in good company*

**TO:** Richard Hicks, Interim Assistant City Manager

**FROM:** Merrill Flood, Director of Community Development Department *MF*

**DATE:** April 7, 2015

**SUBJECT: Protest Petition Submittal Ward Holdings, LLC Rezoning Request**

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Our office received a copy of a protest petition from the City Clerk's office this morning for the Ward Holdings rezoning request located on Tenth Street, 270± Elm Street. Staff analyzed the request and found that the protest petition is valid. Owners of 16.6% of the qualified area signed the petition. As a result a super majority vote of City Council will be required to approve this request during the April 9, 2015, meeting of City Council.

If you have additional questions please contact me. A copy of the Protest Petition Verification has been attached.

## PROTEST PETITION VERIFICATION

**Rezoning Case #:** 15-04

**Applicant:** Ward Holdings, LLC


**Proposed Change:** From R9 (Residential [Medium Density Multi-family]) to R6 (Residential [High Density Multi-family])

**Location:** Located along the southern right-of-way of East 10<sup>th</sup> Street and 270 +/- feet west of Elm Street.

**The protest petitions have been reviewed as to form and content and staff has reached the following conclusions:**

- 1) The owners of 0.56 acres, representing 16.6% of the qualified area (3.38 acres) within the 100-foot-wide buffer extending along the boundary of the area included in the proposed change, have properly signed the petition. The minimum requirement is five percent (5%) of the qualified area. **Therefore, the protest petition is valid.**

  
Signature

  
Date



City of Greenville  
City Clerk's Office

## **MEMORANDUM**

TO: Honorable Mayor & City Council  
FROM: Carol L. Barwick, City Clerk *CB*  
SUBJECT: One-Stop Early Voting  
DATE: April 8, 2015

Clarification is needed on the specific operating dates desired for the additional One-Stop Early Voting sites for the 2015 Municipal Election.

This item has been added to the agenda for our Thursday, April 9, 2015 meeting. Please review the attached information for consideration and vote.

clb



## 2015 MUNICIPAL ELECTION ONE-STOP EARLY VOTING

In accordance with the 2009 agreement for Municipal Elections, One-Stop Early Voting sites will operate at the Pitt County Agricultural Center and the Community Schools Building from Thursday, October 22 to Saturday, October 31, 2015. Operating hours will be from 9:00am-6:00pm each day except the final day, which will be from 9:00am-1:00pm. Cost for operation of these two sites is shared proportionally by all Pitt County municipalities based on their number of registered voters.

The City Council voted on February 9, 2015 to host two additional One-Stop Early Voting sites, one at the County Office Building/PATS Conference Room and the other at the Willis Building.

An actual cost estimate for 2015 was not available at the February 9<sup>th</sup> City Council meeting, but has since been provided. Estimated cost for these two sites from October 22-31, which is three days longer than the additional sites were operated in 2013, is \$9,507.65. Comparable dates for operating the two additional sites for a period more similar to 2013 would be from October 26-31, with an expected cost around \$6,300, or about \$500 more than in 2013.

Clarification is needed on the specific operating dates desired for the additional One-Stop Early Voting sites for the 2015 Municipal Election. Funds are included in the FY2015-2016 budget for election expenses.

**A motion for the City to host additional One-Stop Early Voting sites at the County Office Building/PATS Conference Room and the Willis Building from Thursday, October 22 to Saturday, October 31, 2015 would reflect the desire to have these additional sites open the maximum amount of time.**

**A motion for the City to host additional One-Stop Early Voting sites at the County Office Building/PATS Conference Room and the Willis Building from Monday, October 26 to Saturday, October 31, 2015 would reflect a desire to have these additional sites open during the final week of early voting, comparable to what has been done in prior elections.**

With either motion above, operating hours will be from 9:00am-6:00pm each day except the final day, which will be from 9:00am-1:00pm.

# October 2015

Municipal Election

November 2015

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

Sun	Mon	Tue	Wed	Thu	Fri	Sat
27	28	29	30	1	2	3
4 ☾ 3rd Quarter	5	6	7	8	9	10
11	12 <span>Columbus Day</span> ● New Moon	13	14	15	16	17
18	19	20 ☽ 1st Quarter	21	22	23	24
25	26	27 ☽ Full Moon	28	29	30	31 <span>Halloween</span>

Handwritten notes in red ink:

- 22: 9-6
- 23: 9-6
- 24: 9-6
- 26: 9-6
- 27: 9-6
- 28: 9-6
- 29: 9-6
- 30: 9-6
- 31: 9-1

# November 2015

Municipal Election

December 2015

S	M	T	W	T	F	S
	1	2	3	4	5	
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3 ☾ 3rd Quarter <i>Election Day</i>	4	5	6	7
8	9	10	11 <span>Veterans Day</span> ● New Moon	12	13	14
15	16	17	18	19 ☽ 1st Quarter	20	21
22	23	24	25 ☽ Full Moon	26 <span>Thanksgiving Day</span>	27 <span>Black Friday</span>	28
29	30	1	2	3	4	5



**MWBE**

MINORITY AND WOMEN  
BUSINESS ENTERPRISE

# MIX-N-MEET

Tuesday, April 28, 2015

9:00 AM–12:00 PM

Greenville City Hall, 3rd Floor

200 West Fifth Street

Pitch your products and services directly to the City of Greenville  
and GUC buyers at the annual Mix-N-Meet.



## ***\*Attention Professional Services Firms\****

The City is presenting a training workshop for all professional services firms, "Submitting Responsive Proposals and Qualifications," to provide the tools and information needed to comply with MWBE requirements. The training workshop will take place from 2:00 PM–4:00 PM on April 28<sup>th</sup>. For more information, contact Denisha Harris at 252.329.4862.

Register online at [greenvillenc.gov](http://greenvillenc.gov) by April 14<sup>th</sup>



**Greenville**  
NORTH CAROLINA



**Greenville**  
**Utilities**