



Agenda

Greenville City Council

October 10, 2016
6:00 PM
City Council Chambers
200 West Fifth Street

Assistive listening devices are available upon request for meetings held in the Council Chambers. If an interpreter is needed for deaf or hearing impaired citizens, please call 252-329-4422 (voice) or 252-329-4060 (TDD) no later than two business days prior to the meeting.

I. Call Meeting To Order

II. Invocation - Council Member Mercer

III. Pledge of Allegiance

IV. Roll Call

V. Approval of Agenda

- **Public Comment Period**

The Public Comment Period is a period reserved for comments by the public. Items that were or are scheduled to be the subject of public hearings conducted at the same meeting or another meeting during the same week shall not be discussed. A total of 30 minutes is allocated with each individual being allowed no more than 3 minutes. Individuals who registered with the City Clerk to speak will speak in the order registered until the allocated 30 minutes expires. If time remains after all persons who registered have spoken, individuals who did not register will have an opportunity to speak until the allocated 30 minutes expires.

VI. Consent Agenda

1. Minutes from the May 12 and May 23, 2016 City Council meetings
2. Resolution amending the City of Greenville Personnel Policies relating to the Sick Leave Bank
3. Reclassification request and a resolution amending the Assignment of Classes to Pay Grades and Ranges (Pay Plan) for a position in the Fleet Division of the Public Works Department
4. Resolution amending the Assignment of Classes to Pay Grades and Ranges (Pay Plan) and approval of reclassification and reallocation requests for the Streets Division of the Public Works

Department

5. Resolution of Intent to Close College View Drive
6. Resolution declaring a John Deere ball field tractor drag machine as surplus and authorizing its disposition to J.H. Rose High School
7. Purchase of real property located at the southwest corner of the intersection of NC 43 North and US 264 Bypass for the development of a new Greenville Utilities Commission Operations Center
8. Acquisition of property for the Greenville Public Safety Annex
9. Agreement with Greenville Auto Auction for sale of surplus vehicles
10. Contract award for the replacement of Bridge #421 on King George Road
11. Report on bids and contracts awarded
12. Various tax refunds greater than \$100
13. Budget ordinance amendment #2 to the 2016-2017 City of Greenville budget (Ordinance #16-036) and amendments to the Special Revenue Grant Fund (Ordinance #11-003), Public Works Capital Projects Fund (Ordinance #15-053), and Recreation and Parks Capital Projects Fund (Ordinance #15-053)

VII. New Business

14. Presentations by Boards and Commissions
 - a. Greenville Bicycle and Pedestrian Commission
 - b. Investment Advisory Committee
15. Contract award for the 2016 Phase 2 Bond Street Repairs
16. Contract award for construction of the Greenville Transportation Activity Center
17. Transit Advertising Policy
18. Debt Management Policy
19. Approval of River Park North Environmental Education Shelter Grant Application
20. 2017 Schedule of City Council Meetings

21. Fiscal Year 2017-2018 Budget Schedule

VIII. Review of October 17, 2016, City Council Agenda

IX. City Manager's Report

X. Comments from Mayor and City Council

XI. Closed Session

- To prevent the disclosure of information that is privileged or confidential pursuant to the law of this State or of the United States, or not considered a public record within the meaning of Chapter 132 of the General Statutes, said law rendering the information as privileged or confidential being the Open Meetings Law
- To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee

XII. Adjournment



City of Greenville, North Carolina

Meeting Date:
10/10/2016
Time: 6:00 PM

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- Title of Item:** Minutes from the May 12 and May 23, 2016 City Council meetings
- Explanation:** Proposed minutes from regular City Council meetings held on May 12 and May 23, 2016 are presented for review and approval.
- Fiscal Note:** There is no direct cost to the City.
- Recommendation:** Review and approve proposed minutes from regular City Council meetings held on May 12 and May 23, 2016
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Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

Attachments / click to download

- [Proposed_Minutes_of_the_May_12_2016_City_Council_Meeting_1035669](#)
 - [Proposed_Minutes_for_May_23_2016_City_Council_Meeting_1037565](#)
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PROPOSED MINUTES
MEETING OF THE CITY COUNCIL
CITY OF GREENVILLE, NORTH CAROLINA
THURSDAY, MAY 12, 2016



A regular meeting of the Greenville City Council was held on Thursday, May 12, 2016 in the Council Chambers, located on the third floor at City Hall, with Mayor Allen M. Thomas presiding. Mayor Thomas called the meeting to order at 6:00 pm, then gave the invocation, followed by the Pledge of Allegiance.

Those Present:

Mayor Allen M. Thomas, Mayor Pro-Tem Kandie Smith, Council Member McLean Godley, Council Member Rick Smiley, Council Member P. J. Connelly and Council Member Calvin Mercer

Those Absent:

Council Member Rose H. Glover

Also Present:

City Manager Barbara Lipscomb, City Attorney David A. Holec, City Clerk Carol L. Barwick and Deputy City Clerk Polly W. Jones

APPROVAL OF THE AGENDA

City Manager Barbara Lipscomb asked the City Council to add a Presentation to Greenville Fire/Rescue Department under "Special Recognitions", approval of a Building Reuse Grant through the North Carolina Department of Commerce Rural Division under "Other Items of Business", a report on the Health Clinic and an update on the Trillium Project under "City Manager's Report" to the agenda.

Upon motion by Council Member Connelly and second by Council Member Mercer, the City Council voted unanimously to approve the agenda with the additions requested by the City Manager.

PUBLIC COMMENT PERIOD

Mayor Thomas opened the public comment period at 6:05 pm, explaining procedures which should be followed by all speakers.



John Joseph Laffiteau – Rodeway Inn & Suites

Mr. Laffiteau stated he has previously addressed the City Council about a personnel matter at Sheppard Memorial Library, specifically a matter between himself and the library staff. His goal tonight is continuous improvement toward resolving this matter. There are pre-positioned cameras in place at Sheppard Library and there was no evidence on any of those to indicate misconduct on his part. In addition, no library patrons came forward to suggest there was misconduct on his part. He requested that a polygraph exam be given voluntarily to finally resolve this matter.

Cheryl Reese – 100 Kristin Drive, Apartment 3

Ms. Reese said she was here about a traffic light at the intersection of Greenville Boulevard and Kristin Drive at Frontgate. The residents of that area need a traffic light there before something tragic happens. There was a bad accident just a few feet from the intersection yesterday. There is a bus stop across the street, which necessitates people having to cross Greenville Boulevard, and it often takes residents upwards of 5 minutes to exist the neighborhood if trying to make a left turn onto Greenville Boulevard.

Ron Hinton – No Address Given

Mr. Hinton stated he graduated from East Carolina University (ECU) in 2014 and has traveled down from Raleigh to advocate for a traffic light in the East 10th Street/Copper Beach area. He lived at Copper Beach while a student at ECU and it was very difficult to get out of the housing area. He is very concerned about students living there currently.

Shelton Allen – No Address Given

Mr. Allen stated he is all for installation of a stop light or appropriate pedestrian crosswalks in the East 10th Street/Copper Beach area, but just as there are expectations for drivers to obey the law, there should be expectations that pedestrians and cyclists will obey the law. He has seen much evidence that they do not, but he has seen no enforcement directed toward them.

Patrick Campanero – No Address Given

Mr. Campanero stated he is the Director of Operations for St. Paul Church and he is speaking on their behalf. The church has a large population of elderly people who have to turn left when exiting the church, which is located in the Copper Beach area. He stated he does not know if a stop light is the best remedy, but they have a petition with about 80 names of people who would like to see something done to improve safety in that area. He suggested perhaps a slow traffic area with a median and caution lights.

Jerry Taylor - No Address Given

Pastor Taylor stated he is one of the pastors at St. Paul Church and he is in favor of traffic calming measures in that area. It is virtually impossible to cross the street. He stated he was, at one time, the Chair of the Planning and Zoning Commission and when they voted to



allow the apartments in that area, there was not so much business in the area. No one considered the potential danger of pulling out of Copper Beach across both lanes of traffic. It is a very dangerous area now.

There being no one else present who wished to address the City Council, Mayor Thomas closed the public comment period at 6:19 pm.

SPECIAL RECOGNITIONS

ANDREW THOMAS, JR. – COMMUNITY DEVELOPMENT DEPARTMENT RETIREE

City Manager Lipscomb, along with Mayor Thomas and Assistant City Manager Merrill Flood, recognized Lead Planner Andy Thomas of the Community Development Department's Planning Division on the occasion of his retirement from the City. She read and presented him with a plaque commemorating 21 years and 8 months service, and also noted that he began his local government career with the City of Kinston, where he worked for approximately 8 years.

ANGELENE BRINKLEY – FINANCIAL SERVICES DEPARTMENT RETIREE

City Manager Lipscomb, along with Mayor Thomas and Financial Services Director Bernita Demery, recognized Purchasing Manager Angeline Brinkley of the Financial Services Department's Purchasing Division on the occasion of her retirement from the City. She read and presented her with a plaque commemorating 29 years and 2 months service.

PRESENTATION BY THE CENTER FOR FAMILY VIOLENCE PREVENTION

Diane Cooper-Mann, President of the Center for Family Violence Prevention (CFFVP), stated the City have provided a haven for women and children of domestic violence for over 30 years. She has personally been involved for 17 of those years. The City has provided shelter for over 3,000 women and children who were victims of abuse. The shelter has grown and has been full for at least 247 days annually for the past few years. She presented Mayor Thomas with a plaque recognizing the City of Greenville's significant contribution over the past 30 years.

PRESENTATION TO GREENVILLE FIRE/RESCUE DEPARTMENT - DR. ROBERTO PORTELA, PITT COUNTY EMS MEDICAL DIRECTOR

Dr. Robert Portela, Pitt County EMS Medical Director, assisted by Training Specialist Steve Taylor, presented a plaque to members of the Greenville Fire/Rescue (GFR) Department in recognition of the amazing job GFR has done on cardiac arrest rescues. Thirty states



participate in a database of rates and GFR has had the best survival rate annually since data submission began in 2012. In 2015, Pitt County/GFR's survival rate was 60%, while the State of North Carolina's rate and the overall rate in the United States are 10.2% and 10.4% respectively.

APPOINTMENTS

APPOINTMENTS TO BOARDS AND COMMISSIONS

Community Appearance Commission

Council Member Godley continued all appointments.

Environmental Advisory Commission

Council Member Godley made a motion to move David Ames to the At-Large Member with skills and interests in environmental public health, safety or medicine seat; move Ann Maxwell to the At-Large Member of the Greenville community seat; appoint Drake Brinkley to the Lawyer or other person with knowledge of environmental regulations and environmental safety practices seat to fill an unexpired term that will expire April 2018 in replacement of Ernest Larkin and appoint Nathaniel Hamilton to the Educator of the natural or physical sciences, or physician seat for a three-year term that will expire April 2019 in replacement of David Kimmel, who had resigned. Council Member Rick Smiley seconded the motion, which carried unanimously.

Greenville Bicycle & Pedestrian Commission

Council Member Mercer continued all appointments.

Greenville Housing Authority

Council Member Mercer made a motion to reappoint Sterling Edmonds to a third five-year term that will expire May 2021. Council Member Smiley seconded the motion and it carried unanimously.

Council Member Godley continued the appointment of Dewitt Newkirk's seat.

Human Relations Council

All appointments were continued.

Investment Advisory Committee

Council Member Connelly made a motion to appoint Cameron Lovitt to an unexpired term that will expire October 31, 2017, in replacement of Tilwanda Steinberg, who had resigned. Council Member Rick Smiley seconded the motion, which carried unanimously.



Planning & Zoning Commission

Council Member Smiley made a motion to reappoint Terry King to a second three-year term that will expire May 2019. Council Member Connelly seconded the motion, which carried unanimously.

Council Member Connelly made a motion to appoint Michael Overton to a first three-year term that will expire Mayo 2019, in replacement of Tony Parker, who was no longer eligible to serve. Mayor Pro-Tem Smith seconded the motion, which carried unanimously.

All remaining appointments were continued.

Recreation & Parks Commission

Mayor Thomas made a recommendation to appoint Hasan Hilliard to a first three-year term that will expire May 31, 2019, in replacement of Henry Jones, who was no longer eligible to serve. Mayor Pro-Tem Smith made a motion to that effect, which was seconded by Council Member Smiley and passed unanimously.

Council Member Mercer made a motion to reappoint Garrett Taylor to a second three-year term that will expire May 31, 2019. The motion was seconded by Council Member Godley and carried unanimously.

All remaining appointments were continued.

Youth Council

Council Member Mercer continued all appointments.

NEW BUSINESS

PUBLIC HEARINGS

ORDINANCE REQUESTED BY RUBEN GLENN WILEY TO REZONE 0.716 ACRES LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF NORTH GREENE STREET AND EAST GUM ROAD FROM CDF (DOWNTOWN COMMERCIAL FRINGE) TO CH (HEAVY COMMERCIAL) – (Ordinance No. 16-022)

Planner Chantae Gooby stated Ruben Glenn Wiley has requested to rezone 0.716 acres located at the northeast corner of the intersection of North Greene Street and East Gum Road from CDF (Downtown Commercial Fringe) to CH (Heavy Commercial). The subject area is located in Vision Area B.



According to Ms. Gooby, North Greene Street is considered a connector corridor. Connector corridors are anticipated to contain a variety of higher intensity activities and uses. The Future Land Use Plan Map recommends commercial (C) along the western right-of-way of North Greene Street between Farmer Street and Pactolus Highway, transitioning to conservation/open space to the east.

Since the subject property can accommodate the same size development with similar uses under the current and requested zoning, Ms. Gooby stated a traffic report was not generated. During the review process, measures to mitigate traffic impacts will be determined.

In 1972, the property was zoned CH. In 1983, the property was part of a large scale rezoning request (19 acres) to CDF. Water and sanitary sewer are available to the property. There are no known historical designations on the site. The property is impacted by the 100-year floodplain associated with the Tar River.

Surrounding land uses and zoning are as follows:

North: CDF - two (2) vacant lots, one (1) of which is City-owned

South: CDF - One (1) commercial building

East: CDF - One (1) vacant lot

West: IU- Perdue Agri-Business

Ms. Gooby stated under the current zoning (CDF) and the requested zoning (CD), the property could accommodate the same size development with similar uses.

Ms. Gooby stated that, in staff's opinion, the request is in compliance with Horizons: Greenville's Community Plan, the Future Land Use Plan Map. "In compliance with the comprehensive plan" should be construed as meaning the requested zoning is (i) either specifically recommended in the text of the Horizons Plan (or addendum to the plan) or is predominantly or completely surrounded by the same or compatible and desirable zoning and (ii) promotes the desired urban form. The requested district is considered desirable and in the public interest, and staff recommends approval of the requested rezoning.

Ms. Gooby stated the Planning and Zoning Commission voted to recommend approval of the request at its April 19, 2016 meeting.

Mayor Thomas declared the public hearing for the proposed rezoning open at 6:447 pm and invited anyone wishing to speak in favor to come forward.

Mike Baldwin - No Address Given

Mr. Baldwin indicated he was present on behalf of the applicant and would be happy to answer any questions that might arise.



Hearing no one else wishing to comment in favor of the application to rezone, Mayor Thomas invited comment in opposition. Hearing none, Mayor Thomas closed the public hearing at 6:45 pm.

Mayor Pro-Tem Smith moved to adopt the ordinance to rezone 0.716 acres located at the northeast corner of the intersection of North Greene Street and East Gum Road from CDF (Downtown Commercial Fringe) to CH (Heavy Commercial). Council Member Connelly seconded the motion, which passed by unanimous vote.

RESOLUTION TO CLOSE A PORTION OF ELEVENTH STREET BETWEEN CHARLES BOULEVARD AND CHARLES STREET – (Resolution No. 028-16)

Public Works Director Kevin Mulligan stated the City received a petition from Taft-Ward Investments and others requesting the closure of a portion of Eleventh Street between Charles Boulevard and Charles Street as part of a planned development. The City Council adopted a Resolution of Intent to close this portion of Eleventh Street during its April 11, 2016 meeting and also set tonight's meeting as the date for a public hearing on the matter.

Director Mulligan stated the petition has been reviewed by City staff and the Greenville Utilities Commission (GUC) and approval is recommended with the following conditions:

- The recordation of a final plat in accordance with the provisions of the Subdivision Regulations for Greenville, North Carolina to recombine all of the properties owned by the petitioners which adjoin the closed street section.
- The placement of an easement over and upon the utilities that will remain in the closed street right-of-way.

Upon adoption of a Resolution to Close by City Council, budgeted funds for street lights and maintenance of this portion of Eleventh Street will no longer be required and the City will no longer receive Powell Bill Funds for this street section. The Planning and Zoning Commission gave a favorable recommendation to the petition for closure during their April 19, 2016 meeting.

Mayor Thomas declared the public hearing for the proposed resolution open at 6:47 pm and invited anyone wishing to speak in favor to come forward.

Jim Walker – No Address Given

Mr. Walker of Rivers and Associations, speaking on behalf of the petitioners, stated that Taft-Ward has been assembling properties in that area to construct a mixed use development. They have worked to reroute utilities from within the right-of-way of Eleventh Street to insure the infrastructure remains within the community. Currently it is very hard to exit from that street, and he feels it is a better decision to redevelop this as proposed.



Mike McCarty – No Address Given

Mr. McCarty stated he will be the Project Manager for Taft-Ward at this location and he is available to answer questions.

Brian Glover – No Address Given

Mr. Glover stated he is neither for nor against the proposal, but Eleventh Street is frequently used as a bike route. He asked if it will be closed to vehicles only or to all traffic. He stated he hopes they will consider maintaining a bike route.

Hearing no one else wishing to comment in favor of the proposed resolution, Mayor Thomas invited comment in opposition. Hearing none, Mayor Thomas closed the public hearing at 6:52 pm.

Council Member Mercer asked if there is an answer to Mr. Glover's question about the bike route.

Mr. Walker stated the mixed use development will include a parking deck and there is a way for bicycle and pedestrian traffic to meander through the parking deck.

Council Member Connelly moved to adopt the resolution to close a portion of Eleventh Street between Charles Boulevard and Charles Street. Council Member Godley seconded the motion, which passed by unanimous vote.

NAMING OF THE PARK LAND ADJACENT TO THE OFF-LEASH DOG AREA AS "RIVER'S EDGE PARK"

Recreation and Parks Director Gary Fenton stated that Greenville Recreation and Parks would like to name the 12 acres of park land adjacent to the Off-Leash Dog Area as "River's Edge Park."

Previously and unofficially referred to by staff as "Tar River Park," this attractive and popular piece of riverside land is situated on the South Tar Greenway, where the public land surrounding the greenway widens out significantly. It is easily accessible from the greenway as well as off First Street via both North Oak and Ash Streets. The site is also a trailhead for the greenway, and includes parking, the off-leash dog area and a small nature trail and garden area. Future plans for the park include a playground and river overlook.

Following at public hearing at the April 13, 2016 Recreation and Parks Commission meeting, a motion was made and unanimously passed, to recommend that City Council approve naming the park land "River's Edge Park."



Mayor Thomas declared the public hearing for the proposed park name open at 6:59 pm and invited anyone wishing to speak in favor to come forward. Hearing no one, he then invited comment in opposition. Also hearing no one, Mayor Thomas closed the public hearing at 7:00 pm.

Council Member Smiley moved to approve naming the park land adjacent to the Off-Leash Dog Area as "River's Edge Park." Council Member Godley seconded the motion, which passed by unanimous vote.

SECOND PUBLIC HEARING FOR THE 2016-17 ANNUAL ACTION PLAN FOR THE CDBG AND HOME INVESTMENT PARTNERSHIP FUNDS

Assistant City Manager Merrill Food stated that, as a requirement of receiving CDBG and HOME funds, the City of Greenville conducts two public hearings in the development of the Annual Action Plan. The first public hearing was held on January 14, 2016 by the City Council, and direction was given by the City Council at that time. The plan was developed following the initial public hearing.

The City of Greenville is an entitlement community and receives an annual formula allocation of CDBG and HOME grant funds from the U.S. Department of Housing and Urban Development (HUD). The City of Greenville was notified of the 2016-17 funding allocation for both programs in February following the January public hearing. The City was granted \$796,296 in CDBG funds and \$327,047 in HOME funds. At the January public hearing, City Council recommended that proposed down payment assistance funds be increased for the 2016-17 program year. Staff has increased the recommended funding for this activity to \$60,000 as a result of that direction.

Assistant City Manager Flood stated the 2016-17 Annual Action Plan has been developed in accordance with the findings of the adopted 2013-18 Consolidated Plan. Following the January public hearing, staff and the Affordable Housing Loan Committee developed the Annual Action Plan. Non-profit organizations presented applications for public service funding to the Affordable Housing Loan Committee. The Committee heard presentations from the non-profit applicants and made a final determination on funding on those applications at their March 9, 2016 meeting. The final draft plan was presented to the Affordable Housing Loan Committee at their April 13, 2016 meeting, and the Committee recommended approval of the plan by the City Council.

Based upon all input received, the following activities are recommended for the 2016-17 program year for CDBG and HOME grant program expenditures:



Proposed 2016-17 CDBG and HOME Budget

Activity	HOME Funding	CDBG Funding	Total
Housing Rehabilitation	\$121,000	\$486,000	\$607,000
Property Acquisition	\$0	\$ 30,000	\$ 30,000
New Construction of Affordable Multi-Family Housing (tax credit partnerships)	\$ 65,000	\$0	\$ 65,000
Administration	\$ 32,000	\$,151,000	\$183,000
Clearance/Demolition	\$0	\$29,296	\$ 29,296
Down Payment Assistance	\$ 60,000	\$0	\$ 60,000
CHDO Development Projects	\$ 49,047	\$0	\$ 49,047
Public Service	\$0	\$100,000	\$100,000
Total	\$327,047	\$796,296	\$1,123,343

Non-Profit Public Service CDBG Funding Recommendations

Activity	Funding Amount
Lucille Gorham Center	\$12,000
Boys and Girls Club	\$20,000
Literacy Volunteers	\$12,000
Center for Family Violence Prevention	\$20,000
Pitt County Council on Aging	\$8,000
Community Crossroads Center	\$8,000
L.I.F.E. of NC, INC.	\$20,000
Total	\$100,000

Mayor Thomas declared the public hearing for the proposed action plan open at 7:08 pm and invited anyone wishing to speak in favor to come forward. Hearing no one, he then invited comment in opposition. Also hearing no one, Mayor Thomas closed the public hearing at 7:09 pm.

Council Member Mercer moved to adopt the 2016-17 Annual Action Plan and to grant authority to the City Manager and/or her designee to sign all required documents for the Plan's submission to the U. S. Department of Housing and Urban Development. Council Member Godley seconded the motion, which passed by unanimous vote.



OTHER ITEMS OF BUSINESS

PRESENTATION OF THE PROPOSED FISCAL YEAR 2016-17 OPERATING BUDGET AND FISCAL YEAR 2017-18 FINANCIAL PLAN:

Pitt-Greenville Convention and Visitors Authority

Executive Director Andrew Schmidt stated the Convention and Visitors Authority (CVA) exists to create a positive economic impact for Greenville and Pitt County by bringing people to the community and making sure they have a positive experience. While they are here, CVA wants to achieve its mission, which is to foster an environment of superior travel and tourism experiences, because that is what people take home with them. It's what they talk about at the dinner table, what they tell their friends and what they post about on social media.

Director Schmidt stated the budget being presented for the upcoming two year cycle has been crafted in support of the following goals:

- Increase convention sales/citywide conferences and events
- Grow the number of sports tournaments per year and encourage economic development of sporting facilities
- Become a more recognizable entity while increasing the recognition of the value of the economic impact of tourism
- Work with community partners to increase the amount of leisure infrastructure resulting in more visitations to the area and options for convention attendees
- Develop tourism ambassadors for the community

Director Schmidt stated CVA is governed by a Board of Directors which consists of four hotel owner/operators, two hospitality-related positions, four citizens who are interested in the hospitality industry and one Chamber appointee, plus the City Finance Officer who serves as treasurer and liaisons from both the City and the County. Their budget approval process is stringent, going first to the CVA Executive Committee, then to the full CVA Board. It must also be approved by the Greenville City Council and the Pitt County Board of Commissioners.

Director Schmidt stated the CVA does not receive any revenues from the City's or the County's General Fund, nor any supplement from either the City or the County. CVA is not a membership organization, so there are no revenues from membership fees. All revenues are received from the 6% hotel/motel occupancy tax, of which 3% is used toward retiring debt service on the Convention Center, 1% goes to the Convention Center Marketing Fund for Exhibit Hall Managers to market and run the Convention Center and 2% goes to CVA to



market Greenville and Pitt County. Occupancy tax revenues are increasing, up 4.5% currently over the previous year. Online travel companies (OTC) and Airbnb listings are now contributing to occupancy tax revenues and there are currently 55 Airbnb listings in Greenville. Proposed budgets for the FY2017 and FY2018 budgets project a 4.0% increase each year in occupancy taxes.

Director Schmidt stated the CVA proposed budget for FY2017 is \$1,215,823.89, with funding of \$947,100.00 from Occupancy Tax collections, \$27,560.17 from miscellaneous revenues and \$241,163.72 from Fund Balance. For FY2018, the proposed budget is \$1,198,861.72, with funding of \$985,060.17 from Occupancy Tax collections and the remaining \$213,801.55 from Fund Balance. He concluded by briefly discussing highlights for the use of budgeted funds, including the following:

- Increase in marketing
- Increase in advertising
- Video projects
- Signage projects
- Sports facility consultant fees
- Tourism projects
- Staff education

Sheppard Memorial Library

Director of Libraries Greg Needham introduced Dr. Terry Atkinson, current Chair of the Library Board of Trustees, who made comments about the value of the library within the community.

Director Needham stated the library's budget proposal was crafted with the early information provided and was approved by the Library Board at their March meeting. Once Pitt County and the municipalities that contribute toward funding for the Library approve their budgets in June, the Library Board will make an appropriate amendment in July to adjust the Library budget as needed.

The Library was given a revenue target by the City of \$1,197,058 for the coming fiscal year, which was planned to cover a 3% market/merit adjustment for employees, a 7% increase in health insurance costs and a 4% increase in dental insurance costs. He then gave a brief review of all projected revenue sources:



REVENUES	2016-2017 Budget	2017-2018 Financial Plan
City of Greenville	\$1,197,058	\$1,232,969
County of Pitt	\$581,096	\$598,529
County: Bethel/Wville	\$12,000	\$12,000
Town of Bethel	\$30,315	\$30,315
Town of Winterville	\$165,300	\$167,780
State Aid	\$191,774	\$191,774
Greenville Housing Authority	\$10,692	\$10,692
Interest Income	\$1,000	\$1,000
Library Generated	\$160,275	\$160,275
Capital Income	\$151,000	\$0
Fund Balance	\$28,432	\$26,964
TOTAL	\$2,528,942	\$2,432,280

Director Needham also reviewed projected expenses for FY2017 and FY2018:

EXPENDITURES	2016-2017 SML Budget	2017-2018 SML Financial Plan
Personnel	\$1,546,288	\$1,610,626
Operations	\$820,962	\$810,692
Housing Authority	\$10,692	\$10,692
Capital Expense	\$151,000	\$0
Grant Project	\$0	\$0
TOTAL	\$2,528,942	\$2,432,280

Director Needham concluded his presentation by thanking the City Council for their support of the library, early literacy, computer literacy and lifelong learning.

Greenville Utilities Commission

General Manager/CEO Tony Cannon stated that specific financial drivers considered in developing the Greenville Utilities Commission (GUC) budget:

- Infrastructure Repair and Replacement
- Purchased Commodities
- Debt Service
- Regulatory Compliance



- Chemicals and Fuel
- Utility Costs for Plant Operations

A number of budget goals are also a key consideration in the budget process:

- Meet customer needs
- Provide reliable utility services, at the lowest reasonable cost
- Position GUC to achieve greater efficiencies
- Continue to meet regulatory requirements
- Minimize rate increases
- Avoid future rate shock
- Ensure financial viability of each fund
- Be operationally and financially prepared for emergency situations
- Be prepared for growth and expansion opportunities
- Preserve bond ratings

General Manager/CEO Cannon stated GUC focuses on developing balanced fund budgets and achieving and maintaining key metrics such as reliability, safety, value and financial. Projections in each of their funds for FY2016 suggest surplus revenues totaling \$889,796 for the year.

Current Year Projection			
<i>Fund</i>	<i>Revenues</i>	<i>Expenditures</i>	<i>Surplus/Deficit</i>
Electric	\$184,681,219	\$183,937,215	\$744,004
Water	\$18,445,523	\$18,386,684	\$58,839
Sewer	\$24,030,038	\$24,007,693	\$22,345
Gas	\$38,623,591	\$38,558,983	\$64,608
Total	\$265,780,371	\$264,890,575	\$889,796

General Manager/CEO Cannon stated there are large investments toward safety and health in the upcoming budget, particular with regard to the water and sewer infrastructure, including the plants. The Water Resources Department of GUC recently received the N.C. Area Wide Optimization Award from the State Department of Environmental Quality for exceeding turbidity requirements. This award is part of an initiative to enhance the



performance of existing surface water treatment facilities. While all drinking water systems have to meet strict state and federal drinking water standards, GUC's water treatment facility attained performance goals that are significantly more stringent.

For the coming year, growth of around $\frac{3}{4}\%$ is projected in the electric and gas funds, and $\frac{1}{2}\%$ in the water and sewer funds. The following rate adjustments are proposed:

- Electric – adjustment from last year's forecast of 0% to 4.0% decrease, \$4.72 decrease in typical residential bill
- Water – adjustment reduced from last year's forecast of 7.4% to 5.5%, \$1.66 per month increase in typical residential bill
- Sewer – adjustment reduced from last year's forecast of 8.4% to 6.5%, \$2.64 per month increase in typical residential bill
- Gas – adjustment of 1.9% forecasted last year has been deferred, so no impact to typical residential bill

These adjustments are anticipated to result in a slight overall reduction in the typical residential customer's monthly bill.

General Manager/CEO Cannon stated the budget includes a turnover to the City, as required in the Charter, of \$6,498,420. Further, it includes a transfer of \$4.5 million to the electric rate stabilization fund and provides for infrastructure maintenance and expansion with a \$9.69M investment in annual capital outlay, a transfer of \$4.85M to the capital projects fund and debt service to support investment.

With regard to personnel expenditures, the proposed budget is based on discussion at the Joint meeting held in April between the City Council and GUC. It includes:

- Funding for market adjustment at 1.5%, \$354K
- Funding for merit program at 1.5%, \$381K
- Continuation of health and dental plans
- \$500K transfer to OPEB Trust
- Funding to bring replacements on board prior to the retirement of key personnel in order to facilitate succession planning, leverage knowledge and experience of long-term employees for training on critical issues and to ensure smooth transitions
- Addition of eight (8) permanent positions

All totaled, General Manager/CEO Cannon stated the GUC budget is being reduced down to just over \$257 million on the revenue side, with expenditures of just over \$256 million with the difference being projected fund equity. Fund balance consistently remains between 20% and 21%, with 127 days cash on hand. He gave a brief review of key capital projects and GUC's long term financial forecast.

Mayor Pro-Tem Smith asked if long term capital projects impact GUC's transfer to the City.



General Manager/CEO Cannon stated if projects are delayed, it could impact the transfer.

Council Member Godley asked for elaboration on Operations Center Phase II.

General Manager/CEO Cannon stated the Mumford Road facility is out of space. GUC is looking at property on the bypass because the existing facility cannot be expanded and still remain ADA compliant. It is within the flood plain. The new property is about 60 feet higher in elevation than the current property. This will be a planned investment over a 5-7 year period. He anticipates the Mumford Road facility will be marketed and sold once operations are moved to the new facility.

Council Member Smiley said the goal was to keep rates stable for a five year period when the rate stabilization fund was established. He asked whether that would remain true with the proposed rate reduction.

General Manager/CEO Cannon stated that it would.

Council Member Connelly asked what is done with the end of year surplus which, for FY2016 is projected to be \$889,796.

General Manager/CEO Cannon stated the surplus goes into fund balance.

Council Member Godley asked what is considered the optimal number of days for cash on hand.

General Manager/CEO Cannon said for a utility with a AA bond rating, it would be between 125 and 150 days. He clarified that his goal is not to increase cash on hand, but rather to maintain the current level. He wants to maintain sufficient cash to run the business the way it should be run for the citizens of Greenville, but not raise rates for the sake of building cash.

Mayor Pro-Tem Smith stated that, according to the Charter, the City is liable for any debt GUC fails to pay. She asked if that helps with GUC's bond rating.

General Manager/CEO Cannon stated it does help because the City has taxing authority and GUC does not. He stated he feels it is a great partnership. The City made the initial bond sale of \$65,000 in 1905 and this year, GUC is transferring \$7.3 million to the General Fund of the City. That is a pretty good investment over time.

Mayor Thomas said before moving away from budget discussion, he would like to read some notes provided to him by Council Member Glover since she was unable to be present.



****COPY****

As the senior member of city council and duly elected representative of the citizens of the 2nd district I am disappointed to date, by my exclusion from our budget process by city council.

It is unprecedented, for a financial decision of this importance, \$260,000,000 of taxpayers' money over two years, setting rates and direction to be made without all council members, being heard.

During my recovery from a physical injury this period of weeks, I and the 2nd district have been treated as if we do not exist in this process. Other than the mayor, not a single member of this council has called once or met to consult on the budget.

Two years ago in the same budget process, our District 1 council member missed a meeting where a large financial budget decision was being considered. The entire council was up in arms. I was the first to defend the rights of this council member and that district to be represented.

Today, I have received no such call or defense. I am here to tell you, the will of the people matters. My citizens of the 2nd District matter, and we do exist. There was evidently a rush by a part of this council to push their view without including all. That will not silence my voice or the rights of my thousands of citizens to be heard.

Last Tuesday the city manager and I met to discuss the budget and items discussed by this council last Monday night. It is my understanding property values are slightly up (3%) in Greenville which is a positive sign for this community.

We have been told by council and staff for several years, our budgets and finances were very tight as we recovered from the recession.

As a result for many years running we have allowed our roads to go in disrepair. We have slipped further and further behind in not having enough police officers and emergency personnel. I worry we are falling behind on market performance and how we pay our employees in this budget. The difference. In a raise, every worker is accounted for with something, keeping with market performance. In a merit program it is one pot of money. Once it runs out every worker is not covered. Does not see a market increase. That needs to be addressed in this budget.

I also request better consideration of District 2 in this budget. Our community, our parks and older neighborhoods need streets, sidewalks and lighting. We need the proper resources across Greenville to create a better place for our safety and business. This budget cuts those resources. We need resources in this budget to move this city forward, not backward.

You can look around this to see the state of our roads and crime in a growing community must be priority #1. It is the foundation which our future is built upon. The budget I saw, put forth by this council chose to not fund our roads. \$1,200,000 below what is needed for maintenance. We also are 10 police officers short in this budget. We wonder why we have crime in neighborhoods and the highest road collisions in the state in Greenville when we can't get our city council members to invest in our basics foundation needs first, before anything else.



The will of the people spoke in November. Our citizens voted 75% in favor of fixing our roads. That addressed the emergency need of certain roads. Yet, here we are again. This budget as proposed by our council, instead of making the proper investments which build our community, this budget slashed our property tax rate for the second year in a row to the lowest levels in decades, not funding properly our roads maintenance which leads to further crumbling and millions in expenses going forward.

I've been around here long enough to say this. This budget, is built on a short term mentality. Budgets should not be built for some re-election next year at the expense of the long-term crumbling of our city. There should be a balance between investment/ budget slashing and common sense. Slashing the budget to the bone, I worry also about the national economy or the state legislature taking local funding away again. None of that has been accounted for in this budget.

I call on city council to keep the property rate the same, don't slash it. We just cut it last year. Take the modest growth we've seen in property value and fully invest in our roads and police and the things that build our community. \$16 a person difference to keep the rate versus slashing it. This is about law enforcement and roads our basics, being slashed in this budget.

75% support of the bond vote the people have sends a clear message. The council needs to listen to the public.

Also importantly God willing, I WILL be at the June council meetings to vote on these final budgets. I call on my fellow council members, if you stepped back in your process, if you put PROPER weight on the input from district 2, a large portion of our city, unrepresented to this point in this budget process, what would your position be at this point?

With that in mind, we must keep the rates level and make the full investment in our roads, our community and 10 needed police officers needed to address the needs of this city and not currently funded in this 2-year budget proposal. I call on the city council members to heed the same.

****END COPY****

(ADDED) APPROVAL OF BUILDING REUSE GRANT THROUGH THE NORTH CAROLINA DEPARTMENT OF COMMERCE RURAL DIVISION – (Resolution No. 029-16)

Economic Development and Revitalization Manager Roger Johnson stated an uptown brewery is being proposed to locate at 418 Evans Street in a building that has been vacant for more than 30 years. They will invest over \$250,000 in equipment, make over \$200,000 in tenant improvements and plan to hire 18 people at salaries above \$32,000 annually. He then introduced Project Investor Benjamin Self.

Mr. Self stated he will be the Brewmaster for the Uptown Brewing Company and thanked the City Council for the opportunity to talk about craft beer and the industry that he loves. He has been in the industry for more than eight years, having begun in Alabama where he was part of the growth of their craft beer industry. He helped to start three breweries of varying sizes there, all of which are still successful. Two are located in Birmingham and



one is in Gadsden, and all are full production breweries. That is what he wants to start here in Greenville. North Carolina has a really robust, mature beer market, particularly in the Western part of the state. Asheville, Charlotte and even the triangle area are maturing rapidly and there are something like 12 to 14 breweries just in Raleigh. But the eastern part of the state is in somewhat of a vacuum and is seriously lagging behind for no good reason. The population is getting younger, more educated and they are craft beer consumers. With freshness being so important to the product, Greenville would be an excellent location for a full production brewery. They want to have a 10 barrel brew house, with a barrel being equivalent to two kegs. He wants to supply not just Greenville, but all of Eastern North Carolina.

Economic Development and Revitalization Manager Johnson stated a building reuse grant would be approved in late June and would require the City to serve as the fiduciary, meaning the City would submit invoices to the State and they would pay the City, then the City would reimburse the property owner. There will be a secondary requirement that would come back before Council before final action is taken. The City Attorney has advised that any economic development project using public funds requires a ten day notice of a public hearing. Tonight they are simply asking for a resolution of support to submit an application on the Uptown Brewery's behalf. He stated they have done reference checks on the brewmaster and his references check out.

Upon motion by Council Member Smiley and second by Council Member Godley, the City Council voted unanimously to adopt a resolution supporting an application on behalf of Uptown Brewery to the North Carolina Department of Commerce Rural Economic Development Division Building Reuse Program.

PRESENTATION ON THE STATUS OF EAST 10TH STREET TRAFFIC SAFETY IMPROVEMENTS – (Resolution No. 030-16)

Public Works Director Kevin Mulligan stated this item is a follow-up to discussion at the previous meeting related to safety on East 10th Street, specifically from Cotanche Street eastward to Oxford Road, which is a section of about three miles. There have been many public meetings and meetings with a stakeholders group over the past 12-15 months, and much valuable input was received. He then introduced Department of Transportation (DOT) District Engineer John Rouse, Kimley-Horn Consultant Travis Wood, DOT Traffic Engineer Steve Hamilton and City Traffic Engineer Rik DiCesare.

District Engineer Rouse thanked the City Council for allowing them to present the findings of the East 10th Street Traffic Safety Study.

Consultant Wood discussed the feedback from several public workshops and stakeholder interviews as follows:



- Provide safe pedestrian crossings
- Lower speed limits
- Remove the two-way left-turn lane or add a median
- Provide bike lanes/paths
- Provide continuous sidewalks
- Need for a traffic signal at Silver Maple Lane
- Red light running at Oxford Road

He then discussed some of their corridor-wide recommendations:

- Continuous sidewalks
- ADA compliant ramps
- Crosswalks and pedestrian signal heads at all signals
- Upgrade existing signals to flashing yellow arrows for left turns
- Bicycle friendly sewer grates
- Continuous LED street lighting
- Resurfacing
- 14'-16' planted median with fence with 10' multi-use path on one side

Consultant Wood showed illustrations of existing sections of East 10th Street and conceptual drawings of proposed changes, which include installing a 16 foot median west of Greenville Boulevard and a 14 foot median east of Greenville Boulevard. There would be planting strips directly adjacent to the street, with a sidewalk on one side of the street and a multi-use path on the other side, along with street trees and street lighting, which will provide a much nicer corridor for both pedestrians and vehicle traffic. They are recommending a metal fence throughout the median to discourage pedestrians from crossing, except at the designated safe crossing locations, with left turns prohibited at many locations along the corridor. He discussed provisions which would be made at pedestrian crossings, including the use of pedestrian hybrid beacons and rectangular rapid flashing beacons. They are proposing to install a traffic signal at Silver Maple. They are also recommending crosswalks at River Bluff and Eastgate Drive, both with the rapid flashing beacons.

Council Member Godley asked about the timeline for completing these plans, particularly the traffic light at Silver Maple.

District Engineer Rouse stated he was officially asking the City Council for a resolution of support tonight and will then go directly to seeking Federal funds for all the improvements, which will be addressed with a phased-in approach. Phase I will be from Greenville Boulevard east. He stated he has a commitment from the Secretary of Transportation and the Vice Chairman of the Board to go ahead and implement funding for the installation of the signal at Silver Maple immediately. The signal should be installed in approximately 8 weeks.



Upon motion by Council Member Godley and second by Council Member Smiley, the City Council voted unanimously to adopt a resolution, to be drafted by the City Attorney consistent with this discussion, expressing the City Council's support for the project concept for safety improvements to East 10th Street from Cotanche Street to Oxford Road.

ARM ACCESS TO FOURTH STREET PARKING GARAGE

Public Works Director Kevin Mulligan stated the Fourth Street Parking Garage was completed in March 2015. It provides 240 parking spaces, of which 129 are leased and 111 are available to the general public. He said tonight he would review current system in comparison to an arm access system, along with some of the costs. The recently created Parking Task Force is looking at this and many of the parking issues in the Uptown area.

Currently there is no metered or gated entry, nor is there a security arm or ticket dispenser. Vehicles enter the garage, park, then pay as they exit the facility. The garage currently uses Hectronics Citea pay by plate machines for parking Monday through Friday from 9:00 am until 6:00 pm. The contract for this system was awarded in April 2015 as a five-year lease with annualized costs of \$21,000 and a back office cost of \$27,500 for 12 pay stations and 8 handhelds. The setup cost was \$8,000.

Council Member Connelly asked how much revenue results from this system.

Director Mulligan stated annual revenue for the leased spaces should be around \$74,000, plus whatever revenue is collected from the public spaces.

Conversion to an arm access system would cost approximately \$25,000 to \$30,000 per location for islands, loops, bollards, gates and an appropriate pay station, plus another \$30,000 for software installation and about \$5,000 annually for software updates. This type system would offer the advantage to patrons of being able to pay at the entry/exit point as opposed to the current system that requires them to walk to the pay station location after parking, along with enhanced security and a more controlled entry/exit. Disadvantages of this system include potential wait time for entry/exit, particularly during events, the need to retrofit equipment and the loss of 4 to 8 parking spots plus the additional conversion costs previously mentioned.

Mayor Thomas asked for usage data on the 111 public spaces.

Director Mulligan stated they are mostly filled during evening and weekend hours when there is no fee charged, but are often empty during weekdays when there is a fee associated with use.

Mayor Thomas asked what feedback has been received from local businesses.



Economic Development and Revitalization Manager Roger Johnson stated Uptown Greenville Director Bianca Shoneman is on the Parking Task Force and they recognize they need to build a system that is based on the customer experience. They will walk through every aspect of how the customer finds parking, pays for parking and exits the deck. The task force met for the first time this week and does not have any specific feedback as yet.

Council Member Smiley noted that each space within the deck cost about \$15,000 to build and develop. He said he does not feel the elimination of 4 to 8 spaces needs to be taken lightly.

Mayor Pro-Tem Smith asked that she be notified of upcoming meeting dates for the Parking Task Force.

DISCUSSION OF POLICY FOR ELECTRIC CAR STATIONS IN THE FOURTH STREET PARKING GARAGE

Public Works Director Kevin Mulligan stated during the conceptual design phase, based on recommendations from stakeholders, various commissions and the public, there was interest in looking at designs for a green facility. Considerations included LED lighting, positive storm drainage and bicycle parking, which are in the first floor. Another recommendation discussed was the incorporation of electric car charging stations. Greenville Nissan generously donated two AeroEnvironment Model EVSE-RS chargers which are currently installed next to the Fourth Street entrance in the parking garage. These are Level 2 chargers, which will provide 25 miles of use per one hour of charging time. A Level 1 charger is a household type installation which gives a full charge over a period of 20+ hours and provides about 5 miles per one hour of charging time. There are also DC Fast Chargers which will provide 40 miles of use per 10 minutes of charging time, or a full charge over a lunch hour, but these cost \$100,000+ to install.

Director Mulligan stated most charging stations are free because most charging occurs at home where a plug is convenient and because any type of payment system would require communications and software which would exceed the cost of chargers and power recovery fees. At 11¢ per kilowatt hour, the maximum electrical cost at a charging station would be \$965 (24 hours/day x 365 days/year). The cost to park in this location based on hours and days for paid parking would be \$1,560 and would still result in net revenue of \$600.

Currently the spaces with charging stations are not limited in use to electric-powered vehicles; however, that may change in September 2016 when the City's one electric vehicle, which is assigned to Code Enforcement, shifts from charging in the Police-Fire parking lot to charging in the parking garage due to a development project.



Director Mulligan stated policies for use of the electric charging stations within the parking garage will be reevaluated after one year.

PRESENTATION AND PLAN ON NAMING RIGHTS, ADVERTISING AND MARKETING

Economic Development and Revitalization Manager Roger Johnson stated the Mayor and City Council have asked City staff to find additional revenue streams, and specifically asked that naming rights be reviewed for consideration. Many cities use naming rights for an additional revenue street, but many others use them for various charitable purposes such as Susan B. Komen events or, in some cases, to promote local businesses.

Naming Rights are essentially a financial transaction whereby a corporation or other entity purchases the right to name a facility or event for a defined period of time. For properties like a multi-purpose arena, performing arts venue or an athletic field, the terms range from 3-20 years. Longer terms are more common for higher profile venues such as a professional sports facility.

Economic Development and Revitalization Manager Johnson reviewed the findings at a number of benchmark cities, summarizing them as follows:

- Many government agencies seek corporate branding/sponsorships as an alternate revenue stream
- Generally offer naming rights on high profile facilities/events
- Consistently use bus advertisement as an additional source of revenue
- Have inconsistent policies and practices for naming rights/advertising
- Have exclusions that apply (alcohol, tobacco, politics, etc)
- Naming rights: facilities, events, trails, bus shelters, parks, playgrounds, bricks, benches,
- bridges
- Advertising: buses, brochures, events, bus shelters, golf courses, athletic fields, restrooms

He then discussed what has currently been done in Greenville:

Current Greenville Naming

Andrew Best Freedom Park	Eppes Recreation Center	Robert Cherry Fishing Pier (Town Common; when complete)
Barnes-Ebron-Taft Building (Greenfield Terrace Park)	*Greenville Toyota Amphitheater	Sarah Vaughn Field of Dreams (Elm Street Park)
Beatrice Maye Garden Park	Guy Smith Park and Stadium	Stallings Stadium at Elm Street Park
Boyd Lee Park and Center	Jaycee Park	Stasavich Science & Nature Center, River Park North
Drew Steele Center	Marvin's Mini-Mart (Elm Street Park, after Marvin Jarman)	Thomas Foreman Park



Economic Development and Revitalization Manager Johnson reviewed the next steps in a naming rights process for Greenville:

Naming Rights

- Create a policy for naming rights
 - Establish an internal funding level, on-going annual funding and minimum number of contract years
- Run a naming rights test pilot for a facility
 - Bring back to Council a contract for approval

Advertisement

- Create a policy for advertisement
- Create bid documents for soliciting a 3rd party firm to manage an advertising program
 - Payment based on a percentage of newly generated funds
- Staff create a bus advertising program and fee schedule

Following discussion, Council Member Smith moved to name the computer lab at Eppes Recreation Center in recognition of Jack and Jill and that one of the rooms at South Greenville Recreation Center be named in recognition of Koinonia Christian Center. Council Member Connelly seconded the motion, which passed by unanimous vote.

CITY MANAGER'S REPORT

LOCAL PREFERENCE UPDATE

Financial Services Director Bernita Demery stated the City Council directed staff to implement a local preference policy in February 2014. Questions arose in March of this year as to how the policy might be improved to increase its effectiveness. Greenville's current policy is an aggressive program allowable under the NC bid statute.

Two programs in NC have small local business programs that are exempt from competitive bid law as a result of special legislation. Both the Charlotte and Durham programs have six-eight staff members that exclusively operate these programs.

The City of Charlotte utilizes the Charlotte Business Inclusion Program (CBI). CBI is a small and minority/women business enterprise program. Its small business component is limited to vendors inside the Charlotte Metropolitan Statistical Area and additional counties based on the City's periodic assessment of where small business development initiatives will promote economic development within the City of Charlotte. The special



legislation authorizes the City to establish bid and proposal specifications that include goals and good faith effort requirements to enhance participation by small businesses in City contracts. It also permits the City to consider a bidder's compliance with such requirements in awarding contracts, and to refuse to award contracts to bidders that fail to comply. Where feasible, solicitation efforts are directed only to certified small businesses (SBEs). For construction and commodities contracts, such designations will be limited to informal contracts. For service contracts other than Architecture, Engineering and Surveying, the Program Manager may designate certain contracts or categories of contracts where participation is limited to SBEs. Like Greenville, the City is authorized and required to have a minority and women business participation program for certain City contracts.

The City of Durham was successful in gaining the passage of a local act amending the Charter of the City of Durham to authorize the City to establish a Small Local Business Enterprise (SLBE) Program. It is applicable only to individuals and firms in Durham, Orange, Person and Chatham Counties (Durham MSA) and applies to all construction contracts up to \$500,000 and architectural, engineering and surveying services contracts up to \$100,000. The Program uses restricted bidding where only vendors certified by the program (if three or more) may be solicited for contracts within the previously mentioned thresholds. If the number of required bidders is not available, the competitive bid statute applies. Durham has a separate Underutilized Business Program (similar to MWBE) created as a result of its latest disparity study that utilizes goals and requires good faith efforts for compliance.

These two programs utilize methods which include restricted bidding, goal setting and good faith efforts to increase the utilization of small local firms. Other programs researched outside of North Carolina use these methods, along with other inclusion methods, such as bidding preference, which requires the owner to pay more to utilize a local firm (typically up to 5% with a cap not to exceed a specific dollar amount). In the first writing of the Greenville policy, this method was eliminated to ensure the City did not pay more for goods and services.

In order to mirror a program like Charlotte or Durham, special legislation is required and a disparity study will be required. For a local act to be presented, a resolution by City Council seeking the local act would be the first step. After adoption of the resolution, the support of the local legislative delegation to introduce the local bill and secure its passage is required. For the 2016 Session, the deadline for submission of local bills to be drafted was May 3, 2016, and the deadline for introduction of a local bill is May 19, 2016. The 2017 Session will convene in January, 2017.

Both the Charlotte and Durham programs have six-eight staff members that exclusively operate these programs. These persons are required to certify vendors, perform goal setting tasks, provide business assistance and outreach, and support staff along with other duties. It is likely that the implementation of a similar program would take up to three



years to implement based on the experiences, costs and timelines used by other municipalities. Program costs would depend on the type of program the City implements and GUC's participation, which is currently 50% of the MWBE program costs.

Director Demery recommended the City continue to review and improve the City's MWBE program until budget capacity will allow expansions and additions.

(ADDED) HEALTH CLINIC REPORT

Human Resources Director Leah Futrell stated the employee health clinic concept was presented at the April 18th budget workshop. The comprehensive health plan review will be conducted this fall and any information with regard to plan structure and contribution changes will be shared at that time.

Services the health clinic is proposed to provide include:

- Treatment of Primary and Urgent Care Needs
- Pre-Employment Physicals and Drug/Alcohol Testing
- Occupational Health Services (Work-Site Injuries, Illnesses, and Exposures)
- Health Promotion and Wellness
- Referrals to Physicians and Specialists as necessary

Director Futrell discussed the following potential benefits of having an employee health clinic:

- Lower or waived co-pays for employees
- Reduced lost time and absenteeism from work
- Lower Workers' Compensation costs
- Care redirected from expensive and time consuming settings (ER)
- Enhanced employee convenience
- Improved employee morale and productivity
- Opportunity to promote employee wellness

Director Futrell stated the plan would be for an outsourced model. The City is not proposing to add additional staff, but rather to contract with a third-party vendor, such as Vidant Health, that will employ all clinical staff. The City would, however, determine the staffing model, hours of operation and services provided.

Currently, Vidant Health provides on-site clinical services to a number of businesses in Pitt County including GUC, DSM-Dyneema, Patheon, ASMO, Grady-White Boats and Mayne Pharma. Director Futrell stated she has visited a number of these facilities and found them very well equipped. It would be difficult to distinguish them from a regular doctor's office.



Assistant City Manager Michael Cowin stated the City would start with a very basic plan to get the clinic operational. He would anticipate having an employee health nurse working 40 hours a week and a nurse practitioner available 8 hours a week, for a total contract staffing fee of around \$160,160. That cost, plus basic supplies as recommended by Vidant, the operational cost for the clinic would be just under \$163,000 annually. Since the City already budgets \$69,545 for medical services, the cost increase would be approximately \$93,115. This does not include the one-time startup cost, which could vary depending upon location of the clinic.

Assistant City Manager Cowin discussed potential employee usage of the health clinic along with corresponding savings that could be realized. Employee co-pays would be waived, which is a direct savings to employees as well. Initially, usage would be limited to employees, but could potentially expand to include dependents, resulting in an even greater savings for both the City and employees.

Assistant City Manager Cowin stated further guidance is needed from the City Council as to continued exploration of an on-site employee health clinic. Assuming the guidance is to proceed, the next steps would be to:

- Evaluate options for the potential location of the clinic
- Determine the one-time expense needed to start up the clinic based on proposed location
- Bring to Council in the fall for potential approval with a projected start date of January 2017

It was the consensus of the City Council to move forward with the plan.

(ADDED) UPDATE ON TRILLIUM PROJECT

Recreation and Parks Director Gary Fenton provided a brief update on the Trillium Project, which is the accessible playground to be created at the Town Common. The project has not been without challenges, but he feels this will be the most exciting playground within the City. The topography at Town Common makes site preparation for extensive, and therefore, more expensive, but the slopes and angles will allow for a more interesting and dynamic playground.

Director Fenton showed a master plan of the playground depicting all the elements desired for the playground, but noted that the contractor's cost estimates indicate that the cost of some elements cannot be met within the current budget. He then reviewed the items, with illustrations, that are included within the plan at this time, and those that are not currently included.



Items included in the current plan are Rhapsody musical elements, an Omni Spinner, an Oodle Swing, a Cozy Dome, a Liberty Swing with fencing, artificial turf on hillsides, a Saddle Spinner, a Chitter Chatter, poured in place surfacing, a large play structure for ages 5-12, a “smart” play structure for ages 2-5 and a hillside slide and climber.

The following are not included at the present time:

- Zipkrooz and Surfacing - \$32,000
- Sway Fun - \$16,000
- Healthbeat Exercise Area - \$23,000
- Curved benches around playground - \$36,000
- Natural play area - \$19,000
- Mister and bonded rubber trail - \$45,000
- Picnic tables - \$9,000
- Tar River Sensory Wall (custom work) - \$67,000

Upon motion by Council Member Smiley and second by Council Member Mercer, the City Council voted 4 to 1 in favor of directing the City Manager to identify funds available due to budget under-runs in the current year to fund additional features on the Trillium Project. Council Member Connelly cast the dissenting vote.

Having concluded discussion of reports and updates, City Manager Lipscomb reminded everyone there is a City Council meeting scheduled for Monday, May 23rd, then asked if the City Council wished to amend the June meeting schedule, which includes meetings on the 6th, 13th and 16th.

Mayor Thomas indicated he may not be available for a meeting on June 13th.

Upon motion by Council Member Mercer and second by Council Member Godley, the City Council voted unanimously to cancel the June 13th meeting and have only the meetings scheduled for June 6th and June 16th.

COMMENTS FROM THE MAYOR AND CITY COUNCIL

The Mayor and City Council made comments about past and future events.

Council Member Godley made a motion to rescind the action taken at the May 9th meeting relating to the City paying for the stoplight on 10th Street. Mayor Pro-Tem Smith seconded the motion, which passed by unanimous vote.



ADJOURNMENT

Council Member Godley moved to adjourn the meeting, seconded by Mayor Pro-Tem Smith. There being no further discussion, the motion passed by unanimous vote and Mayor Thomas adjourned the meeting at 10:47 pm.

Respectfully submitted,

A handwritten signature in cursive script that reads "Carol L. Barwick".

Carol L. Barwick, CMC
City Clerk

PROPOSED MINUTES
MEETING OF THE CITY COUNCIL
CITY OF GREENVILLE, NORTH CAROLINA
MONDAY, MAY 23, 2016



The Greenville City Council met in a regular meeting on the above date at 6:00 p.m. in the Council Chambers, third floor of City Hall, with Mayor Pro-Tem Kandie D. Smith presiding. The meeting was called to order, followed by the invocation by Mayor Pro-Tem Smith and the Pledge of Allegiance.

Those Present:

Mayor Pro-Tem Kandie D. Smith; Council Member McLean Godley; Council Member Rick Smiley; and Council Member P. J. Connelly

Those Absent:

Mayor Allen M. Thomas; Council Member Rose H. Glover; and Council Member Calvin R. Mercer

Also Present:

Barbara Lipscomb, City Manager; David A. Holec, City Attorney; Carol L. Barwick, City Clerk; and Polly Jones, Deputy City Clerk

APPROVAL OF THE AGENDA

Motion was made by Council Member Smiley and seconded by Council Member Godley to approve the agenda. Motion carried unanimously.

PUBLIC COMMENT PERIOD

Kristen Below – 901 Forest Hill Circle

Ms. Below advocated for the City of Greenville to give serious consideration to a consolidation of countywide animal services to be managed by the Pitt County Animal Shelter. She stated that if the City of Greenville chooses not to opt to consolidate then the City and its residents could be forced to replicate what the County has already successfully created, which involves funding and staffing a city-owned shelter. If this occurs, animal advocates will then be calling for the following items to be implemented within the City of Greenville Animal Protective Services:

- 1) Development of a strategic plan to do a complete review of all animal related ordinances and standard operating procedures to ensure that the most progressive programs available would be implemented



- 2) An annual public forum that would allow the City of Greenville's citizens to provide input, ask questions, and receive updates on the goals contained within that strategic plan
- 3) The APS would need to obtain a shelter software system that is able to produce meaningful data by which programs may be developed and analyzed for effectiveness
- 4) Consistent public access to Greenville's residents and the holding facilities would need to be provided as required by the North Carolina Animal Lover Act, which mandates a minimum of three days a week, four hours per day. The shelter's address and hours of operation would need to be posted on the City's Facebook page and website
- 5) There needs to be a resolution regarding the Trap-Neuter-Return ordinance
- 6) Consideration would need to be given to implementing a vaccination upon entry to a shelter program ensuring the protection of all animals in the facility from communicable diseases
- 7) Institute a microchip program for all lost pets prior to return to their owners
- 8) Establish an adoption program with a mandatory spay neuter before release requirement; and
- 9) Appoint a City Council Member to act as a liaison between animal advocates and City citizens and staff and be able to report back quarterly to the City Council.

Ms. Below stated that whatever the City Council decides now will set the direction of animal services in Greenville for years to come and it is a critical financial decision.

Nancy Colville – 113 Lord Ashley Drive

Ms. Colville supported the revenue neutral property tax rate, stating that maintaining this tax rate for a year will not affect the economic development progress. Tax rates are one of the main components that industries look at when they are considering to relocate. In her opinion, the long-term vision of previous City Councils failed fiscal responsibility. The infrastructure problems and police needs have been around for many years and were not truly addressed previously. Until this City Council was elected, the main priorities of previous City Councils have been greenways, parks, ill-conceived real estate purchases, and other amenities. She supports the removal of the City's option to acquire the Imperial Tobacco Warehouse from the budget. This property is another pie in the sky like the Uptown Theater.

Ms. Colville stated that hardworking residents of Greenville need a tax break. Greenville's road conditions did not happen overnight and will not be repaired properly overnight. It will take more than two years to use the money that is already in place to start addressing them and more money is needed than what is assigned for road improvements.

Ms. Colville stated that she supports Council Member Connelly's idea of searching through each City department's account lines, which is long overdue, before the City increases taxes. Recently, she stumbled into a questionable expenditure of over \$11,000 incurred by one of the City's commissions for a banquet. Because there is a line item under a large departmental budget, the commission's funding goes unnoticed. Thought should be given to how many meals could have been purchased for the residents at the homeless shelter.



But, the City cannot afford to make a contribution to the homeless shelter. Council Members should continue to ask good questions and to get all of the answers because additional funds can be found in the budget and Council Members are not aware of them.

Ron Allison - No Address Given

Mr. Allison stated that the Humane Society is present to offer its support to the City Council, to answer questions and to assist in any way possible. The City Council might want to consider, address and change what happens to animals that are lost. Dogs and cats are lost frequently, but it is difficult in the City of Greenville to find those animals. The City is ineligible for grantsmanship, which can bring in substantial outside money, because the City does not have an appropriate data collection system. The community members want to help, such as the pet food pantry wants to help with feeding animals and a local spay/neuter clinic and the Humane Society can help with adoptions and other necessities.

Council Member Godley asked how the City can do a better job of finding lost animals.

Mr. Allison responded that the City could have a centralized location for holding lost animals. A description or a picture of an animal is different than actually seeing one. At the Pitt County Animal Shelter, a person who lost their animal can go there and look for their animal. The State has a 3-5 day waiting period to give people a chance to identify their animals. But if there is a local holding area without hours or an ability to open after hours then the City has lost those 3-5 days. The County's shelter has that ability and the Humane Society has a facility as well and can help the City with its lost animals.

Betty Williams - 102 Dogwood Drive

Ms. Williams advocated for the animal services consolidation to be operated by Pitt County. She stated that if this consolidation does not take place, she is requesting that the City of Greenville's Animal Protective Services immediately, or as soon as possible, obtains a shelter software program to track its data. Being able to track the animals entering a shelter in real time would be a huge benefit to the citizens of Greenville. Citizens have the right to know exactly which animals are being held in the City's facility on a daily basis. Currently, finding a lost animal that has been picked up by the City is extremely confusing for the general public.

Ms. Williams stated that a software program such as PetPoint, which is already in use by several local agencies and used by shelters throughout the nation, can be linked to the Petango website. This allows the citizens to view photos of and information about all the animals that are being held in the Greenville holding facility. Petango is a real time program meaning that as soon as the animal's information is entered into the system that animal's information is available online. When the animal is transferred out of the Greenville holding facility, then the information is removed from the website. Data from a shelter software program can give the citizens information on trends that are occurring within the shelter. Also, this data can answer questions related to the intake of animals. Ms. Williams stated that she is managing and implementing a large grant from PetSmart charities to assist with healthcare for the animals in West Greenville. When she submits her



final report to PetSmart in September 2016, she will need high quality data that can only be generated by such a software program. The citizens of Greenville deserve to have their tax dollars used in the most cost-effective manner. Ms. Williams requested that the City institute a shelter software program as soon as possible so that citizens of Greenville can reunite with their lost animals.

Jim Blount - 300 Crown Point Road

Mr. Blount expressed his support for the Imperial Tobacco Warehouse grant agreement with respect to some parcels that include parking for the Sidewalk Development project. Four years ago, this conversation started in Greenville with Sidewalk Development of Baltimore, Maryland to find a site where they can specialize in a mixed-use development project. Two years ago, Carl Rees, the former Greenville Economic Development Manager located the site on Dickinson Avenue and Reade Circle and the steps were put in place for the acquisition of the site. Prior to the site acquisition, there was a tremendous amount of due diligence on the City's part. Finances had to be vetted for the partners at Sidewalk Development and their financial backers out of Philadelphia and Baltimore. They all came back positive, meaning not only can they start the project, but they can finish it.

Mr. Blount gave a brief update of the project, stating the architectural plans were submitted and a special use permit has been received. They are going back before the Board of Adjustment for another special permit amendment in a couple of weeks. They have been consistently working to tweak this plan to make sure it maximizes the efficiency of the footprint, which includes market rate housing, student housing, office and retail space and a restaurant.

Mr. Blount stated that an iconic brewery from Chapel Hill has shown interest in Dickinson Avenue, and after four months of meetings, they are very close on an agreement with this company. That would fill a large portion of the restaurant space with a bar including a roof top terrace for dining overlooking Dickinson Avenue and the Five Points Plaza area. Two weeks ago, he asked City management to look into where the parcels lie with respect to the Imperial site. City management responded that there are portions of the parking on the Imperial site, which compose an issue with the parking aspect of the 220 spaces that will be developed for the residents. These are public-private deals and they are complicated. Good clear communication with the City Council and staff will help provide a resolution for this.

Marion Blackburn - 802 River Hill Drive

Ms. Blackburn supported a unified animal service under the authority of Pitt County, stating that this has to do with a need for better transparency and recordkeeping. There have been frustrations trying to get basic information including a simple budget line item. It took months of repeated requests and frustrating exchanges, and she still has no information about a line item for animal services in Greenville. She also asked if the Animal Protective Services (APS) uses the Guidelines for Standards of Care in Animal Shelters, which is a publication by the Association of Shelter Veterinarians. This booklet outlines humane standards and recommends keeping statistical data. The responses that she



received are that Greenville's APS does not use this guidebook and Greenville's use of Helen's Grooming World and Pet Motel does not qualify as a shelter, yet the North Carolina Department of Agriculture Veterinary Division states that it does operate as a shelter. These months of frustrated exchanges and essentially an information block-out bring her back to why transparency is essential.

Ms. Blackburn stated that this year APS officers picked up a suffering 21-year old cat. For some reason the owner was not providing care for this animal. Why was this cat not compassionately treated? Instead of the cat being taken to a volunteer's home or just given a peaceful death, it suffered in a cage for three days before it was killed by strangers. City of Greenville taxpayers' money was spent to pick up the cat, to have it examined by a veterinarian and transferred to, housed and euthanized at the shelter, during which time other adoptable animals were put to death. Picking up owner surrendered animals is not a recommended practice, which is expensive for Greenville's taxpayers and it torments the cats. The preference is to have owners be responsible for their own animals. Progressive countywide policies that also apply in the City can address this type of operational problem.

Brad Hufford - 1104 North Overlook Drive

As a member of the Uptown Greenville Executive Board, Mr. Hufford stated that he was asked to deliver a letter about the Imperial Tobacco Warehouse (Imperial site):

"COPY"



Mayor Allen Thomas and Members of the Greenville City Council
City of Greenville
200 West 5th Street

May 23, 2016

Greenville, NC 27835

Mayor Thomas and Members of the Greenville City Council:

During a recent budget meeting the Greenville City Council voted to defund the Imperial Tobacco Project. Today, we urge you to add the project back into the budget.

In 2012, our former elected leaders purchased the 6.08-acre site. Since that time, the Office of Economic Development has been working to cleanup environmental contaminants



using Brownfield EPA dollars. The site is not yet clean. Defunding the project puts the long-term vision- to create a formative Arts and Innovation District- in jeopardy.

We urge you to add the project back into the budget.

Uptown Greenville believes that redevelopment of the former Imperial Tobacco property is aligned with the City of Greenville's LONG-TERM redevelopment goals (and is much needed for our sense of place and RECRUITMENT AND RETENTION strategies) along the Dickinson Avenue corridor as well as economic development and redevelopment plans for the remainder of Uptown Greenville.

We urge you to add the project back into the budget.

Site control will allow us to capitalize on the district's strategic assets and complement other planned public, private, and public-private investments in the district, including the recently completed federal bankruptcy courthouse, the Go Science Center, the 10th Street Connector Project (under construction), an East Carolina University millennial campus project, the Greenville Transportation Activity Center, major mixed-use redevelopment projects on/around Dickinson Avenue, a \$10 million roadway and streetscape improvements planned for the Dickinson Avenue corridor, and a proposed road realignment project intended to create market-friendly redevelopment sites.

We urge you to add the project back into the

budget. Sincerely,

President and CEO, Uptown Greenville

"END COPY"

Mr. Hufford stated that as the Associate Director for Retention Expansion with the Pitt County Development Commission, this County office has worked with the City's Office of Economic Development for the last few years identifying sites that would be prime industrial and office space. The Imperial site represents one of the only sites under City control. To lose that in this budget would really put the efforts for economic development in the uptown area behind a few years.

Mr. Hufford stated that as one of the current owners of the Dickinson Avenue Public House, that area has really been the site of tremendous public investment. There is so much growth and potential in that area and the Imperial site represents a great public asset and would be a key to fix the problem of needed parking in that area.



Mark Hayes - 540 Westminster Circle

Mr. Hayes expressed his concerns about merging Greenville's Animal Protective Services (APS) with the County's animal control services. The APS answered about 6,000 calls in 2015 and the County's animal control responded to about 2,000 calls. As a City, citizens do not want to lose responsiveness to those calls. If the decision is made to merge those two, a Council Member should serve on the Pitt County Animal Control Advisory Board. That is where a lot of decisions are made. Two years ago, the County addressed the problem of the leash law by adopting an animal control ordinance. Numerous people have been upset about the tax that they were sent after their dogs were vaccinated. In fact, some of them sought veterinarian services outside of the County. They felt the tax was punitive and excessive, and should be something paid for through tax dollars.

Mr. Hayes recommended that the City Council should determine whether instead to do away with that tax and whether to fund this through tax dollars. The City Council might consider whether the City should form a partnership for a facility and the APS continues to serve Greenville. The City would have shared facility use and access. An adoption center in Greenville would be useful as well.

Mr. Hayes stated that Animal Control Supervisor Tim Langley and his staff do an awesome job. Their job is to respond to citizens who have called them with a concern and there have been plenty of cases where citizens called both the PCAS and APS and the APS is the one that responded. Mr. Hayes encouraged the City Council to do its due diligence and to investigate doing a trial year.

Don Cavellini - 101 Lancaster Drive

Mr. Cavellini supported a 3% increase for all City employees and he made comments about the City Council changing the employees' merit increase from 3% to 2%. He stated that changing the merit increase was both mean-spirited and unnecessary. Both of the properties owned by him and his wife had an assessed valuation increase, but the possible tax increase is not enough to evite giving all City workers a 3% increase. The Race Coalition has always advocated for an across-the-board increase in salaries and not a merit raise.

Mr. Cavellini stated that at the May 12, 2016 City Council meeting, Council Member Connelly implied that workers should not expect to get a raise. That is not just mean-spirited, that is disrespectful. Sanitation workers said that their department is the only one that has been downsized, and that is the impression these workers have of this City Council. Citizens are aware of the situation with the trucks.

Mr. Cavellini stated that even with all of the City Council's work, it was a great study done about merit increases. The Greenville Utilities Commission and City of Greenville are supposed to have compatible raises for their employees and a 3% increase was agreed to by both parties. But that increase got lost in the shuffle. Last week, he read that in the interest of being an inclusive city, the City Council wants to retain East Carolina University



graduates, but how will that be done if the City does not offer the right pay for its employees.

NEW BUSINESS

DISCUSSION ON ANIMAL CONTROL SERVICES

City Manager Barbara Lipscomb gave the background related to this item. In 2012, municipal leaders and Pitt County representatives had a discussion about dog licensing as well as using dog licensing fees to expand the Pitt County Animal Shelter (PCAS). Those discussions continued until October 2015, at which point the municipalities agreed to look at the program and funding for an animal shelter expansion. The County staff informed them that municipalities would not need to be involved with levying the dog licensing piece to pay for the capital improvements of the PCAS. In January 2016, the County staff met with municipal leaders and gave an update on the County's capital improvement program.

City Manager Lipscomb stated that another update was given in April 2016 regarding the expansion, new construction, fair share of operations, merging, and consolidation at the PCAS. At those January and April 2016 meetings, there were lively discussions about double taxation, the level of services and operating fees related to the PCAS and increasing the amount of fees that the County might be recommending based on the recommendation from its citizens' board.

City Manager Lipscomb stated that the County staff has not notified the municipalities of any specific options that have been selected. However, the local media reports that County Manager Scott Elliott will have that discussion with the Pitt County Board of Commissioners. County Manager Elliott is present to convey the Board of Commissioners' recommendations and decisions so that the City Council can make the right decisions about the level of support for the PCAS.

County Manager Elliott introduced Pitt County Animal Shelter/Animal Protective Services Director Michele Whaley and Deputy County Manager/Chief Financial Officer Duane Holder, and he gave an update on the County's animal services. He explained that the animal tax mentioned during tonight's Public Comment Period is an animal licensing fee and not a tax. Currently, the Board of Commissioners put a fee in place for unincorporated parts of the County in the amount of \$10 per animal per year or \$20 per animal for three years. If an animal is unaltered or unfixated, the fee is \$20 per animal for a year or \$50 per animal for three years. When a County animal control officer goes out to a location, it is to service an animal and that would be considered as a user fee and not a tax.

County Manager Elliott summarized the fee increases, expansion and consolidation for the PCAS. The County staff made recommendations to the Board of Commissioners about the adoption fees for animals. The County is increasing fees from \$90 or \$100 per animal; \$90



per dog that is four months old or less and \$100 if the dog is older than that. The County is looking to go to a flat fee of \$110.00. For cats, the fees of \$65-\$75 per animal would go to a flat fee of \$85, and the intake fee would double from \$20 to \$40. That would apply to the municipalities as well as somebody giving up and bringing an animal to the PCAS. The adoption fee increase is due to increased spaying and neutering costs that are passed onto the County. Instead of the County absorbing those costs, it is passing those onto the users, owners of animals or those who are adopting animals.

The fee increases are recommended by the Pitt County Animal Services Advisory Board. The Deputy County Manager’s intent is to double the intake fees annually until the average cost per animal is covered. A multiyear fee progression for the City does not cover any capital costs of the shelter. In 2015, the City of Greenville brought in 715 animals to the PCAS and has paid this year approximately \$14,300 and that would double to \$28,600 beginning July 1 for FY 2016-2017. Next year, it has been recommended to double again at \$57,200. In the last year, FY 2018-2019, it states that the Pitt County cost of \$90.91 per animal is based upon FY 2014-2015 actual costs. This is for intake, euthanasia, feeding and the actual cost to shelter an animal.

County Manager Elliott stated that presently, the County’s plan is to expand the shelter.

Expansion Options Matrix

	Control	Shelter	Staffing Pattern	Facility Expansion / Renovation	Capital	Annual Debt Service (10 Years @ 3%)	Operating Budget	Difference From Current Operating
Option #1	Unincorporated	Unincorporated	13 FTE's	Renovate existing & expand office space for County Officers on current footprint	Renovation \$ 538,000 Office \$ 200,000 Site Improv \$ 75,000 Design \$ 70,110 Total \$ 883,110	\$ 102,875	\$ 812,679	\$ -
Option #2	Unincorporated	Countywide	14 FTE's	Renovate existing & construct new; expand from 80 to 115 & office space for County officers	Renovation \$1,400,000 Office \$ 200,000 Site Improv \$ 75,000 Design \$ 152,000 Total \$1,808,000	\$ 210,617	\$ 919,200	\$ 106,521
Option #3a	Countywide	Countywide	22 FTE's	Renovate existing & construct new; expand from 80 to 115 & office space for Countywide officers	Renovation \$1,400,000 Office \$ 400,000 Site Improv \$ 75,000 Design \$ 171,000 Total \$2,046,000	\$ 238,342	\$ 1,363,766	\$ 551,087
Option #3b	Countywide	Countywide	21 FTE's	Construct brand new facility on land TBD; 115+ animal spaces & office space for all	Construction \$2,500,000 Site Improv \$ 75,000 Design \$ 237,500 Total \$2,812,500	\$ 327,632	\$ 1,360,814	\$ 548,135



The County's Option 2 is basically a \$1,808,000 expansion of the County shelter at the current location on County Home Road. The County is looking at renovating existing shelter space as well as adding new spaces onto the shelter and runs (which will increase from 80 to 115). This expansion will add both shelter and office space. When the County implemented animal control ordinances and animal control officers were added, there was not adequate office space to handle those at the County Home Road facility or at the County's building on 5th Street. The renovation expansion is \$1.4 million, additional office space is \$200,000, site improvements are \$75,000, and the design work is \$152,000.

County Manager Elliott stated that the County is working with Shelterplanners.com, which is an animal shelter architect who has been advising the County of different scenarios. Shelterplanners.com looked at the different numbers of animals, historical data, and projections for the future giving the County options to consider. Regarding debt service, the County is looking at a 10-year note at 3% interest, which is \$210,017 per year. The design phase with Shelterplanners.com would take 1-2 months, the design and development phase would take 2-3 months, and the construction development phase would be roughly 4-6 months.

During an annual capital improvement projects workshop in January 2016, the County staff presented the Shelterplanners.com's options for the PCAS expansion to the Board of Commissioners. At that workshop, a couple of the County Commissioners brought up the topic of consolidation. The County staff was directed to do two things 1) to bring back and to discuss with the Board of Commissioners exactly what is mandated and non-mandated with animal services, and 2) a cost estimate of providing countywide animal services in terms of both control and sheltering (control officers in the field versus sheltering animals within the PCAS).

County Manager Elliott explained that the Pitt County government is mandated to do rabies control and to quarantine animals involved in biting incidents. It is also mandated to provide and facilitate at least one low-cost rabies vaccination clinic per year and to investigate dangerous dog situations such as dog fights. The County is not mandated to have a shelter, adoption, educational information, and to have canine control. Neither is the City of Greenville. The County's canine control is the roaming dogs issue in the County, nuisance animals, neglect and cruelty and loaning traps to the public. However, even though the service is non-mandated, there is a benefit to the public and it provides a better quality of life for the citizens. The majority of what Pitt County government does is mandated.

The County is responsible for countywide animal control and sheltering services requiring a Memorandum of Agreement with each municipality to authorize services within the corporate limits. The capital cost to this was ranged between \$2,046,000 and \$2,812,500. The lower cost, \$2,046,000, was to utilize the existing shelter and to expand and renovate it. The higher cost of \$2,812,500 is looking at a new shelter offsite, which would have some efficiencies compared to the existing shelter that is not quite as efficient as building a brand new one. The total operating cost would be \$1,365,000 for a consolidated shelter.



Presently, the County has \$800,000 in operating costs. So, there is not only debt service at the \$2,812,500 costs, there is also an annual operating increase close to \$500,000 for a consolidated type of operation.

County Manager Elliott stated that in terms of the County Commissioners' action on this topic, during their May 16, 2016 workshop, a motion was made that the County would proceed with Option 2. There is a caveat to proceed with Option 2, which is unless the municipalities give feedback that would direct otherwise. From that the County interpreted that the City Council would present and consider a fair share model and whatever the City is willing to bring to the table in order for the County to consider something different. Otherwise, the directive that he has been given by the County Commissioners is to proceed with Option 2. Animal control services will be delivered as they are currently and the County will continue to shelter municipal animals at a fee per animal.

Council Member Smiley asked if the cost is the same, why would it matter that the City delivered an animal to the County on behalf of a citizen. Council Member Smiley stated that a user fee is being charged for County residents who also live in the City, and that fee is not being charged to County residents who do not live in the City.

Council Member Smiley asked if one of the County's animal services officers pick up a County animal and take it to the shelter, how is that charged back to the citizen.

Deputy County Manager Holder responded that there is no fee for that service. The County's animal control officers do not pick up animals from owners. The County only picks up roaming animals.

Council Member Smiley asked why is there a distinction between animals that are found in the County and animals that are found in the County, but within the City limits.

Deputy County Manager Holder responded that the County considers that when the City of Greenville brings an animal to the PCAS, the City of Greenville is the owner of that animal and there are charges for that. The County does not pick up animals from citizen owners.

Council Member Smiley stated there seems to be an inequity that has arisen over time. Presumably, a substantial amount of the costs of this facility are already being paid for by citizens of the City. About 60% of the County's tax base is owned by citizens of the City.

County Manager Elliott stated that is correct. The County is not asking the City to participate in the capital expansion and has not asked in the past because as a County resident, you pay County taxes. Regarding the double taxation concept, if there is an area of Pitt County that stays unincorporated and a group of residents decides to incorporate and charter themselves as a municipality, those residents want to provide a higher level of service than what the County is providing. When doing that, they are going to assess a tax and those residents would be charged for that higher level of service. For example, the County provides recreational services through its communities' and schools' recreational



programs. Just because that is provided in Pitt County, the City would not want the County to take over and pay for the cost of all of the City's recreational services.

Council Member Smiley stated that it seems as though if the fees are charged only for animals brought to the facility by the City then residents of the City are essentially being penalized for being in the City. A good portion of funding this facility, where their animals are taken, is already being paid by their taxes.

Deputy County Manager Holder stated that the County does not make a direct connection between ad valorem tax revenues and this facility. There are several fees that pay for this facility.

Council Member Smiley stated that several people have called and advised him to take the offer that the County is making to the City. The County has essentially invited municipalities to offer to partner with the County and the County will evaluate their offer to partner.

County Manager Elliott stated that the County Commissioners voted via their motion to proceed with Option 2, which will allow the municipalities to continue to bring their animals into the shelter, expanding it to 115 runs, but the operational characteristics of the shelter would not change. The services delivered today by the County would not change just like the way the City delivers services would not change. The County would consider and do its best to give the City the runs that it can to meet the City's animal demands. The County staff had discussions with the City's Chief of Police and City Manager about whether the City needs to give up its contract with its present sheltering option or whether there would be adequate space in the PCAS.

Council Member Smiley asked if the City would like to consolidate and is willing to essentially completely adopt the County's service model, what would the City be contributing toward the cost of the consolidation involved. Council Member Smiley stated that, presumably, the County would want a capital contribution to assist with the purchase of the facility and some sort of contribution to ongoing operations.

County Manager Elliott responded that is correct, although the specifics would have to be determined. The County has not done any type of comprehensive study. Consolidation came late in the game when the County staff was working with the architect and the Board of Commissioners' input on this. A few of the board members that provided input at their January 2016 workshop and the County staff has taken their directive to reach out to the municipalities. The County staff asked the question and when that was done, he provided City Manager Lipscomb with a matrix of all 10 municipalities (those who answered and those who did not). There is no clear direction as to what the municipalities wanted to do – whether they are willing to repeal ordinances or willing to share an annual cost.

Council Member Smiley stated that part of this funding would be if City citizens basically became comparable with County citizens in this particular area, and paid the \$10 per



animal per year fee. Council Member Smiley asked how much revenue would that generate if the cities that the County is pursuing are involved with that.

County Manager Elliott responded that the County staff is projecting \$60,000-\$65,000, which is what the County brings in presently so \$130,000 annually with a joint operation.

Council Member Smiley asked if that amount would be roughly what is needed on an ongoing operational basis, or does the County staff feel that would be much higher.

County Manager Elliott responded that is the difference between the County's \$800,000 compared to the \$1.365 million of operational costs.

Mayor Pro-Tem Smith asked about the doubling of animal fees to support operations annually until the full cost repayment is achieved.

County Manager Elliott stated that this is based upon the end of the FY 2014-2015 average plus the \$90.91 per year, and that would probably be recalculated annually. He imagines that would top out in the low to mid-90s and if the cost of euthanasia, food and so forth skyrocketed then that cost would increase based upon some type of index. But, he would not expect it to increase that much that quickly.

Mayor Pro-Tem Smith asked regarding the top out in the low to mid-90s, is that because Greenville is the larger municipality and using the facility more?

Deputy County Manager Holder responded that is an across-the-board average cost per animal, regardless of the animal's original location.

County Manager Elliott stated that would apply to whether someone brings an animal in from rural Pitt County such as outside of Grifton or the person brings an animal within the City of Greenville or the Towns of Ayden, Winterville or Farmville.

Mayor Pro-Tem Smith stated that she would like to have true numbers, if there was a consolidation so that the City Council would be able to make a decision that makes sense. In her opinion, it is going to be very difficult to continue to have the amounts doubled without a cap. Because what the City is really saying to its citizens is as far as the amount of money that they are paying, just continue to pay it without a cap. For her, that would probably be an issue.

Mayor Pro-Tem Smith recommended that the City continues with the funding of animal fees in the amount of \$28,600 for FY 2016-2017 to allow time for the City and County Managers to provide the City Council with the numbers for the expansion and fees. Then the City Council can see what they are, if there is a true consolidation and if the City wants to do what the County states. If there are no major changes, it is less of a hurdle for the City. If there are major changes, the City would need to be able to see and identify those. That information would be shared with its citizens as well because they are concerned.



County Manager Elliott stated that the rough numbers provided tonight are not based upon any detailed study. It would probably take a detailed study to determine the equitable fair share costs of such an operation. Right now, the County staff has not been directed to do that. If an alternative arrangement is going to be looked at, the County would need to know before entering into further contractual agreements with Shelterplanners.com. The County will begin the programming design and further work of the shelter expansion based upon the premises of Option 2, if something is not done in the fairly near future.

Mayor Pro-Tem Smith asked how long will it take for this to be investigated. Mayor Pro-Tem Smith stated that County Manager Elliott has shown the City Council the total operational costs, which means that the City Council has to look at what percentage or portion would be from the City of Greenville. That requires some breaking down of the numbers and they would be needed by the City Council to make a sound decision.

City Manager Lipscomb asked regarding clarification of the actual animal fees, does that include any personnel costs or is that for medical supplies and other operational needs.

Deputy County Manager Holder responded that it is all sheltering costs, which is inclusive of the PCAS' personnel costs.

County Manager Elliott stated that the fees do not include the cost of personnel in the field.

City Manager Lipscomb asked if the City picks up and holds an animal for three days at a location and then the animal is transported to the PCAS by the City, does the County hold the animal again for 3-5 days before putting it down.

Deputy County Manager Holder responded that the County does not make the automatic decision to put an animal down. That animal would go through the normal vetting process as any incoming animal.

City Manager Lipscomb stated that based upon the County's statistics, animals from Greenville represent one-third of the animals taken in by the PCAS.

Deputy County Manager Holder responded that one-third of the animals are brought in by the City's APS. City of Greenville citizens regularly bring in animals to the PCAS as well.

City Manager Lipscomb asked if the County has any idea of how many more animals are from Greenville other than the one-third that has been mentioned in the County's studies.

PCAS Director Whaley stated that she can track them, but she has not done so.

Council Member Smiley asked about what the City currently spends on animal control.

City Manager Lipscomb responded that the City spends about \$618,000 annually. That is an estimated cost.



Council Member Smiley asked if that amount includes the City's personnel and their training and the interim facility used to hold animals prior to transferring them to the PCAS.

City Manager Lipscomb responded that is correct.

Council Member Smiley stated that it sounds as though there are potential cost savings if the City is currently spending \$600,000 and could enter into a mutual agreement that would reduce the City's costs to about \$400,000. Then there would obviously be questions to answer about level of service and other similar things, but it sounds like that at least on some level those numbers are in the ballpark.

Council Member Connelly asked what would happen to the City's APS Officers.

County Manager Elliott responded that would have to be negotiated. It is premature to say what would happen in this forum. City Manager Lipscomb has proposed through a transitional agreement outlining whether the County would open those positions to be filled and those officers could apply for them or the City would absorb them somewhere else within the City of Greenville and there are other options that could be considered.

Mayor Pro-Tem Smith asked if there is a certain type of agreement that Greenville makes but other municipalities do not agree to the City's agreement, would Greenville be guaranteed a certain number of spaces or will everything that Greenville has be handled by the County.

Deputy County Manager Holder responded that if there were a consolidated operation, then the County would handle all of that.

Council Member Smiley asked about Option 2 and assuming that the City would not do a consolidation and the County simply raise the price to fund what would soon be a full capacity shelter. He asked in that case, would the County anticipate having sufficient capacity that the City would simply be able to bring animals to the PCAS immediately upon pickup, and the City could get rid of an interim holding facility.

County Manager Elliott responded that the County could not guarantee that 100% of the time. The City may still need some contingency plans for a temporary holding facility in case there were not enough runs available. But, PCAS Director Whaley anticipates, hopefully, that the County can handle the majority through the expansion for the near future.

Council Member Smiley stated that this does not envision a discount. For instance, if the City keeps the animal for three days and the County only keeps it for two days, the County would still be charging the City. So, there is no incentive for the City to keep animals in a holding facility.



County Manager Elliott stated that there has been discussion with the City staff about both County and City animal services officers are trained to administer euthanasia. So, the City could put down animals that are not adoptable or have been vetted through a dangerous dog bite or other incident and not even bring them to the PCAS. The City would not be paying the intake fee, the City staff is not incurring staff time, travel time, gas and wear and tear on the City's vehicles by bringing the animals to the PCAS. The City could take them directly to the disposal facility and bypass that altogether. Presently, the City staff does not euthanize animals. The County is acting as the City's agent to vet those animals when they come into the PCAS.

Council Member Smiley stated in that circumstance there would be little point in accepting those services where there is a lack of capacity at the PCAS.

County Manager Elliott stated that one thing that the County is successful with right now is since her employment in 2002, PCAS Director Whaley has accomplished a high adoption rate. The County would really hate to get in an unfortunate position where more animals are coming in, more runs than what the County has and the County must put animals down and the County's adoption rate suffers.

Deputy County Manager Holder stated that the PCAS' goals are live release and to continue to decrease euthanasia.

Council Member Smiley stated that the number of animals that are saved is probably the real number.

Greenville Chief of Police Mark Holtzman addressed the budget, software, and partnerships as they relate to animal services. The budget has been exhausted, but the costs are increasing and roughly 700 animals were brought to the PCAS this past year. The Greenville Police Department (GPD) staff will continue to look at the animals being taken to the PCAS to make sure they are brought there for the right reasons. An owner can bring out their animals to help share the cost.

Chief Holtzman explained that the PetPoint software is something that the City can do and he encourages doing it quickly. The GPD is in communication with PCAS Director Whaley to partner with the County on the PetPoint project. That will start the information sheet on when the City's APS originally picks up an animal and then it is transferred electronically, virtually into the PCAS that way. PetPoint is a good data tracking system and is good for transparency and for the City to know what kind of animals are being picked up plus the City would be receiving a lot more data than presently. This data management system will solve a lot of the issues that were raised this evening, including those from the community about not knowing what is going on with and where are the animals.

City Manager Lipscomb stated that for clarification purposes, the fact that the City does not run a shelter does not mean that the City does not have a requirement to do that level of



service. Chief Holtzman's discussions with others are leading the City to go ahead and adopt that level of data in the analysis.

Chief Holtzman stated that currently, lost and picked up animals are posted at Facebook and they are also reposted at the City's website. There are 1,000 followers on that Facebook page, which is used quite often. PetPoint links with Petango, a website used by a lot of different community members giving a second source for people to see the City's animals. The Humane Society uses PetPoint as well and he had discussions with Dr. Allison, toured the facility and looked at ways the City and the Humane Society can partner better. In the past, the City had a Memorandum of Understanding (MOU) with the Humane Society, which has been reviewed and now they have a workable solution. A MOU will be brought before the City Council for an in-depth discussion. Through the adoptions of the PCAS and Humane Society, the City can increase the adoption rate as well within the community.

Mayor Pro-Tem Smith asked about the estimated amount for the software.

Chief Holtzman responded that GPD is looking to do it for a zero amount through a sharing agreement with the PCAS, but if that does not work out, \$1,000-\$2,000 for a license is still reasonable and affordable.

Council Member Smiley asked when the City takes an animal into custody, under what circumstances would the City simply not deliver it immediately to the County's facility.

Chief Holtzman responded that right now, there is everyday communication between the City's Animal Protective Services and County Animal Shelter Director Whaley. They communicate typically through email and she counts the number of runs available. Even though the City is only 23% of the County's animals coming in, she actually gives the City one-third of the available runs every day. If the City has animals that are picked up off the street, the City knows exactly daily how many can be taken to the PCAS. The City is maximizing that number every day. Under Option 2, increasing the runs from 86 to 115 is really going to be experience needed over the next two years to see its impact or whether a third party vendor is still needed.

Chief Holtzman explained that some of the animals are at Helen's Grooming because of a court order, long-term court cases (a bite or other aggressive case) and the judge will not release the animals. That is a different scenario completely than the typical one. Staff will look at why the City is bringing animals into the PCAS, what is being done with the owner surrenders and working with the Humane Society and different care providers who have asked to partner with the City and find alternatives to taking animals to the shelter.

Mayor Pro-Tem Smith asked if the City's staff is in agreement with Option 2.

Chief Holtzman stated that the County's Option 2 is to build its shelter out and is going to help the Unit because it will increase the City's runs. At either way, the County's cost for an animal right now is at that \$90.91, but the County is charging the City \$20. The County's



discussion is about a 3-year ramp up to that \$90.91 true cost, which could fluctuate, but the County is not asking for any capital money from the City. At this point, the City is planning for an increase in its budget for FY 2016-2017 in the amount of \$28,000 and \$56,000 the following year. At the same time, how many animals Greenville is taking to the shelter should be looked at, why they are being taken there, and are there alternatives to take them to different places, namely the Humane Society and the City's other partners.

Mayor Pro-Tem Smith asked if looking at the option of consolidation versus Option 2 has been discussed, and is there a benefit.

Chief Holtzman responded that through the consolidation offered by the County, a much larger capital investment is needed upfront to make that happen and then a larger operating cost. That is approximately a \$500,000 difference. If the City's operation is \$600,000, he understands where that \$200,000 potential savings would come from. It is going to require some looking at because of the level of service.

Chief Holtzman stated that as mentioned, in support of the City's Animal Protective Services Unit's service, those officers are serving over 7,000 calls for service in the last year and the year before that. Their average is a lot of calls for service for this community versus the 2,000 that the County is providing. When the feasibility study looks at this and says what can Greenville live with as far as a level of service and if the City wants to maintain where it is, that number is going to change.

Mayor Pro-Tem Smith asked about the timeframe for the County to receive the City's response about Option 2 or consolidation as well as when is the County expecting to have discussions with Shelterplanners.com.

County Manager Elliott responded that technically, Shelterplanners.com is already under contract with the County now. An order is needed from the County to proceed with the work that is already on the table, utilizing Option 2. If a municipality or municipalities wanted to propose something that would be different than Option 2, the County would need to know something soon before the County's executing a contract with Shelterplanners.com to proceed with the work to design this \$1.8 million expansion. The County would be open to a municipality or municipalities wanting to enter into some type of quick consolidation discussions, but the County will not wait a year for that. Otherwise, the County and so would the City be in the same situation as they are today, a lack of run space.

City Manager Lipscomb requested that the City Council give staff some firm direction. She stated that it is unknown whether the consolidation study will be a joint one and whether there is a cost for that.

Council Member Smiley stated that he would like to see this process move forward in terms of understanding what the City Council is looking at. It sounds like there is potential to save money possibly at the cost of service, but he is not sure exactly what that would be.



There is additional room for expansion on this facility at some point in the future, but it is not optimum.

County Manager Elliott stated that the County can expand the existing shelter. One thing that the County does not have in the existing shelter space is the office space for 4-5 County animal control officers, who are not currently located there now. The County does not have fully vetted answers to questions related to having enough space for the City's personnel, who would become County personnel and whether the existing shelter is the best place or a \$2 million new shelter proposal is the best option for the facility.

Chief Holtzman asked whether the facility that would hold the capacity for office space and the runs is a brand new facility.

County Manager Elliott responded that it is not. The expansion of the current PCAS would hold that space and the runs.

Council Member Smiley asked City staff if there is anything feasible here.

City Manager Lipsomb stated that it is unknown whether more or less people will be needed in a consolidated situation. Over time, maybe with all of the adoptions, less people would be needed. Also, the number of runs is unknown. Other concerns are the sizing of where the County could have the expansion if a total consolidated service was done and how long it would be viable. Those are the kinds of questions to be answered expediently. The City could go ahead with the program somewhat as it is and make a decision in about six months. City Manager Lipscomb asked if the County will purchase or owns the land.

County Manager Elliott responded that the County owns the land. If the County Commissioners are amenable to any proposal from the City, hopefully, they would not slow this project down more than six months. Space is needed and if nothing happens with this, the County needs to start the construction of additional shelter run space.

Motion was made by Mayor Pro-Tem Smith and seconded by Council Member Connelly to include funding of animal fees of \$28,600 in the FY 2016-2017 budget for continued participation in the Pitt County Animal Shelter, and to authorize the City Manager to have discussion with the County Manager to investigate consolidation of the City's animal control services with Pitt County with the goal for City Council and the Board of County Commissioners to make a decision within 6 months.

County Manager Elliott asked if there is a cost associated with some type of study. Is the City Council willing to contribute toward that cost?

Council Member Godley responded that it depends upon the cost of the study.

After a brief discussion, the motion passed to include funding of animal fees of \$28,600 in the FY 2016-2017 budget for continued participation in the Pitt County Animal Shelter, and



to authorize the City Manager to have discussion with the County Manager to investigate consolidation of the City's animal control services with Pitt County (including the potential for sharing reasonable cost for a study), with the goal for City Council and the Board of County Commissioners to make a decision within 6 months. Motion carried unanimously.

REPORT ON THE IMPERIAL SITE LAND AGREEMENT AND SITE REMEDIATION PROJECT

City Manager Barbara Lipscomb stated that this item is on tonight's agenda to make sure that the City Council and staff are on the same page relating to the former Imperial Tobacco Warehouse site (Imperial site) and the site's remediation project. Also, it is an opportunity to clarify any questions that the City Council might have.

Assistant City Manager Merrill Flood stated that at its May 9, 2016 meeting, the City Council took action on the funding for the purchase of the Imperial site. Overall, the site is bound by Bonners Lane and Atlantic and Dickinson Avenues. Because time was needed to regroup and to study the implications of the action by the City Council and what they meant, staff feels that it is good to revisit that action. Staff is aware of the parking plans for that area, which also includes parking for Sidewalk Development. The City Council heard about that at the City Council's Planning Session in January 2016. But staff wanted to make sure of the location for parking. This site for parking is about 1.92 acres and it does take about 1.75 acres out of the total 6.8 acres of the Imperial site.

Assistant City Manager Flood gave some history about the property, stating that the Imperial Tobacco Warehouse was a tobacco processing plant built in the early 1900s and the company left Greenville in 1978. In 2007, a local developer talked about his plans for redeveloping the site. The plant burned down on April 17, 2008. Following the fire, City staff met with the current owner and the person who had the auction on the site because of code violations and safety concerns. The former owner of the Imperial site was Earl C. Wilson, who purchased several of these types of warehouses throughout Southeastern North Carolina. He indicated that he would not be in the position to do the required site cleanup. Not wanting the site to remain in poor condition, an immediate investigation for funding for the cleanup and subsequent testing of the site for any environmental issues were done. In May 2013, the City received a brownfields grant in the amount of \$400,000 for the cleanup.

Assistant City Manager Flood explained that the U. S. Environmental Protection agency (EPA) grant requires ownership by municipalities. The City purchased the site from Mr. Wilson at \$1.00 with an agreement that the City would purchase it for \$1,033,000 following the cleanup approval and certification by the EPA. Mr. Wilson agreed to pay 20% of the local grant match of \$80,000. In the event that he did not pay the match, the City would retain 20% of the grant and 20% of the property area. The City has taken possession of that along with the rest of the site. That site remains in ownership of the City and even if the site is purchased or not purchased by the City, the City maintains that 20% ownership.



Assistant City Manager Flood stated that the site was not eligible to receive a State brownfields grant, which was going to be used to offset the match cost. In 2013, after accepting the grant, the City had several pre-cleanup and planning items to do. The cleanup starts next month and will probably take until December. An assessment of the site will be done by the EPA to make sure that it has been cleaned up to their satisfaction. That is when the time clock begins for the City to make the purchase as part of the agreement with Mr. Wilson and pay the \$1,033,000.

Economic Development and Revitalization Manager Roger Johnson gave information on the strategic property acquisitions, the Dickinson Avenue Corridor, parking of the Sidewalk Development, use of a virtual building, future mixed-use development on the Imperial site, and the importance of site control and economic development. Since 2012, the City has engaged in different development plans for this particular site. The Imperial site was purchased in the 2012 timeframe. Since then, the City has been acquiring adjacent properties along both sides of Atlantic Avenue as well as Clarke Street. Those 15 parcels were purchased over a few years' timeframe for \$360,000 and has added 2.32 acres to the total property owned by the City. It is approximately 9.14 acres in total today.

In 2014, there was a study for the Dickinson Avenue market area. This particular study had a couple of recommendations: 1) That the City exercises the option to purchase the Imperial site, and 2) It made commitments to the community that the City planned to do road realignments as well as use the Imperial site for future opportunities for both makers space and mixed-use development. Some within the community made investments based on their understanding of what the City plans to do in the future in this particular area.

Economic Development Manager Johnson delineated areas of the Imperial site on a PowerPoint slide where public parking and relocated City parking are proposed as well as parking to satisfy part of a development agreement with Sidewalk Development. He stated that the general idea for the virtual building is to use the site to improve the economic vitality of the City by using the middle portion of the site to market as a product for which a future company could locate. Currently, the City of Greenville does not have available land and/or buildings space that often meets projects' needs. The Office of Economic Development (OED) is using the Imperial site to market directly to industrial clients as well as site selectors. At the City Council's Planning Session in January 2016, the OED had 58 projects requiring responses, but the City had no buildings and/or land space that met the needs of 55 of those projects. The OED plans to use this particular site and a virtual building to overcome that barrier.

Regarding the .63 acres of retail, the OED plans to bring back to the City Council a proposal from the Development Finance Initiative (DFI) at the UNC School of Government for discussion about future development on this site. The DFI helps municipalities with their development plans as well as recruits future developers to actually purchase the property and make transformative projects including public interest. No appraisal was done on the Imperial site because the cleanup is still in progress and there are some other variables that make that impractical. In the uptown area, the tax value per acre is over \$1 million per



acre in terms of value. While this does include buildings that are on those sites, it is clear that the value of this property has increased significantly since the 2012 timeframe. Economic Development Manager Johnson stated that the OED must have some product in order to market. Currently, the OED is working with the City's Horizons 2026 Plan to recognize future industrial sites around the Pitt-Greenville Airport as well as along the Southwest Bypass. The Imperial Tobacco Warehouse is the only site that the City has today and failure to fund this provides the OED with no product to promote. If the City has site control of the land, it allows the City to move quickly into an agreement without there being a third party, which is often a barrier in terms of cost and timing. But, it also allows the City to dictate what will happen on that particular site in the future. If the City turns it over to a private developer without any public input, the City will get what the market bares. In December 2015, the OED listed this site on LoopNet and had three inquiries. Two of those have been for student housing and a third was from a developer, who would be interested in mixed-use development, but not until the 2020 timeframe.

Council Member Smiley asked what would be the per acre value in order to justify a \$1 million appraisal.

Assistant City Manager Flood responded that when the City purchased the site in 2012, an appraisal was done at \$1,033,000. That was about \$151,000 an acre at that time. Obviously, a cleaned site will bear more and any sort of future value based upon today's condition would be affected by the cleanup. While the City does not have an exact way of knowing the appraised value, it would be somewhere near that amount because of the property values in the district.

Economic Development Manager Johnson stated that this is not a statistically accurate answer, but the OED looked at the property value per acre in the Uptown District and it was under \$200,000 per acre. That includes undeveloped land, land that has no opportunity to be developed because it might be a cemetery or some other use. If the total acreage is divided by the total property value it would be just under \$200,000 per acre.

Council Member Smiley asked if this project has been evaluated by external experts as well.

Assistant City Manager Flood responded that the UNC School of Government has evaluated the Sidewalk Development project (\$26 million).

Economic Development Manager Johnson stated that the UNC School of Government has a subcategory, the Development Finance Initiative, which helps municipalities take real property and put it back on the tax roll to include a public interest. They would help a municipality with a project such as this one.

Council Member Smiley asked whether they have had a lot of success at this.

Economic Development Manager Johnson responded that they have had a lot of success. In fact, the Director is Michael Lemanski, who is also the Chairperson for Greenfire



Development in Durham, North Carolina. Mr. Lemanski has personally redone all of downtown Durham including 31 projects. He has been on the private side and advised other municipalities on how to redevelop sites.

Council Member Smiley asked how long does it take them to do an analysis. What is the product of such an analysis?

Economic Development Manager Johnson responded that the analysis will include a public input session taking about 45-60 days to make sure that the City Council knows what is wanted by the community. Then a market analysis will be done concurrently with that, which is about a 90-day period. The market analysis will include the viability of retail, office, hotel, condo or apartments and the UNC School of Government will provide that with a recommendation on which one is the most viable project for a particular community. They will take that data, provide a written proposal for the City and then go find developers to actually build what is being suggested. Staff could try to help with some of that, but the reality is the DFI has relationships with institutional investors as well as EB5 funding. They have a network to bring in outside capital that is unknown to the City.

Assistant City Manager Flood stated that actually the UNC School of Government was the City's third party armed to review two developments in Greenville, The Boundary and the Sidewalk Development project.

Council Member Godley asked about the charge for the UNC School of Government's service.

Economic Development Director Johnson responded that the service charge is unknown at this time. Staff's plan was to bring that information to the City Council before realizing that the plans may change for the Imperial site. Generally, DFI will do a flat fee proposal and will not be paid unless they actually get a developer to build a project and the City gets a certificate of occupancy. They put all their fees at risk based on the success of the project. Historically, they have taken 1% of the total cost of the development, which is paid for by the developer. It would not increase cost to the City.

Economic Development Director Johnson stated that the OED would like to vet and bring this back to the City Council in a more formal setting. The general idea tonight is to inform the City Council that the OED had begun the process of attracting private capital.

Council Member Smiley expressed his concern about whether the City will be under a time pressure, stating that the City Council voted the purchase of the Imperial site out of the budget at its last meeting. Council Member Smiley asked if the only way to make this process continue is to vote it back into the budget or should the City Council simply request the further analysis.

City Manager Lipscomb stated that the City has excess fund balance in the General Fund of \$4 million and there may be another option.



Mayor Pro-Tem Smith asked about the site control.

Economic Development Manager Johnson illustrated an example, stating that since the City owns the site, the City Council could determine how much the City would sell the site to a job producing activity under an economic development provision. If the City does not own a site and it is owned by a private party, the private developer determines the value of and whether to sell that site whether it is in the public's best interest or not. The City cannot control what a private developer does with a specific property.

Council Member Godley asked staff to elaborate on the other City options for paying for the purchase of the Imperial site other than using the excess fund balance.

City Manager Lipscomb responded that another option is to renegotiate a section that the City Council might want to purchase versus the whole deal. That might mean a different type of development plan and response from staff.

Council Member Connelly expressed his concerns about the site control. As a capitalist and someone who feels that the free market should dictate the best use of a property, it frustrates him that City Council Members feel that the City should buy six acres of land, determine what should or should not be there, and dictate the price. The price should be dictated by what somebody is going to pay for the land and the City subsidizing that amount is the wrong initiative to take.

Council Member Connelly stated for example, the City subsidized the Uptown Theater for over a \$.5 million. In addition, the design for the Imperial site parking lot is an issue and it should have been brought up in previous meetings months ago about the Imperial site. Also, the City does not have fee simple ownership of the property because it is contingent on the City paying another \$1 million.

City Attorney Holec stated that upon completion of the remediation, the City has two options under the contract to go forward with: 1) to potentially return the property to the owner, or 2) to pay based upon what is agreed upon in the contract. In both cases, the City has the 20%. The amount to be paid will be reduced from the \$1,033,000 by the \$80,000. If the City chose that option or returned the property, the City will keep an equal amount of value of the property, and that was identified in the contract. The City does own the fee simple, but it is subject to at the conclusion of the remediation, the City has an option to do one of those two things.

Council Member Connelly suggested the modification of the contract and he will present some ideas to staff. In his opinion, the City should not purchase the entire property and the market should decide the value of that property. The City made plenty of mistakes in the past. One person was interested in the mixed-use development at the Imperial site, but the projected time that they would start construction would be 2020. How long will the City own that property and how long will the City tie up the taxpayers' funds? That is a huge issue that the City Council should address.



Council Member Smiley stated that cities are successful with taking property like the Imperial site and having a good project. For example, the City of Wilmington took a similar piece of land and put together an incentive package for a developer and Wilmington received a fine project. There is always a risk, but the City Council should show confidence and willingness to make investments in the community and anticipate that Greenville will be a prosperous City going forward. A philosophic argument could be made that this should only be done by the private sector, but that is simply not true. This is regularly done in public-private sector partnerships and it is done well and successfully.

Council Member Connelly stated that the City has not done well with real estate deals. This is the taxpayers' money and the City Council must advise on how to allocate the funds. Over the past week, people have discussed other items that they would like to put in the budget. Risking people's money right now is probably not the best bet.

Motion was made by Council Member Connelly and seconded by Council Member Godley to proceed with a complementary development analysis on the remaining property at the Imperial Tobacco Warehouse site, without the funding in the upcoming budget.

Council Member Godley stated that the City has to minimize its impact of this project on the current proposed budget.

City Manager Lipscomb asked if the City Council would be willing to allow the City to engage with DFI for 30-60-90 days to look at a market study to see what they feel may be the potential for the Imperial site and bring back that information to the City Council.

Mayor Pro-Tem Smith stated that sounds good, but it would not be within this budget cycle.

City Manager Lipscomb stated that the City could still do the project, but not necessarily out of the General Fund. There is still fund balance for the City Council's consideration at some point, if that is something the City Council is interested in.

City Manager Lipscomb asked how does DFI work in terms of cost.

Economic Development Director Johnson stated that DFI grant allows for planning dollars to be spent to fund this particular study without impacting the budget.

Economic Development Manager Johnson responded that it is not only DFI. Because staff felt the subject might come up, staff wanted to look at alternative funding mechanisms. The brownfields grant allows for planning dollars to be spent. The City could use those particular funds without dipping into its pocket to fund this particular study without it actually impacting this year's or next year's budget as it relates to that preplanning purpose. There is the 20% match, which means the City might have to give in-kind services or some fees for a fence around the property, but the actual monies could be paid for out of the grant.



Assistant City Manager Flood explained two timeframes associated with the site. The site cleanup begins in June and will go through December 2016. There is about a 60-day process for EPA to formerly certify that the site has been cleaned, which will be January or February 2017. That is the most immediate timeframe that the City has. However, with the Sidewalk Development project, the City has to be off of the Police/Fire Rescue parking lot in November 2016 should things move forward. It has been known throughout the duration of this process that this is going to be the place for the parking. The City has to make some overture to the developers of Sidewalk Development that the City has the availability of the parking for the student housing once they receive their certificate of occupancy. All of this is contingent upon the action of the City Council as well as the cleanup at the site.

Council Member Connelly stated that the study is not needed. It is up to the private sector to determine what the best usage and value of the property is.

By a friendly amendment, Council Member Smiley recommended to pursue potential options to amend the contract relating to the Imperial Tobacco property to ensure that the land crucial to the parking for the Sidewalk Development project is procured (with the contractual obligation to provide parking for the Sidewalk Development to be met with use of fund balance, if necessary). The amendment was accepted by Council Members Connelly and Godley.

Council Member Connelly stated that the City Council should look at what is needed to be able to finish up the Sidewalk Development project and to appease the parking for the City's staff.

The motion passed unanimously to pursue potential options to amend the contract relating to the Imperial Tobacco property to ensure that the land crucial to the parking for the Sidewalk Development project is procured (with the contractual obligation to provide parking for the Sidewalk Development to be met with use of fund balance, if necessary) and to proceed with a complementary development analysis on the remaining property at the Imperial Tobacco Warehouse site, without the funding in the upcoming budget.

PRESENTATION OF THE CITY'S ADJUSTED PROPOSED FISCAL YEAR 2016-17 GENERAL FUND BUDGET AND FISCAL YEAR 2017-18 FINANCIAL PLAN

Assistant City Manager Michael Cowin gave a summary of the adjustments made in the 2016-2017 General Fund Budget and approved by the City Council at its May 14, 2016 meeting.

- 1) Property Tax Rate – The proposed rate is a revenue neutral rate of 51.3¢ for the next two years.
- 2) Merit Pay – This pay has been reduced to 2%.
- 3) Additional Public Safety Funding – A way was found to maintain the police grant pool of 2-4 police officers as well as the three Fire/Rescue positions.



- 4) Imperial Tobacco Warehouse Tobacco Site (Imperial site) – The revised proposed budget does not include any funding for the purchase of the Imperial site.
- 5) Capital Improvement Budget – \$158,948 in the fund balance is being used to fund the Town Common project and to balance the FY 2017-2018 Financial Plan.
- 6) Funding of Town Common project – There is approximated \$1.3 million set aside for the next two-years for this project. The following is a summary of the revised Town Common Project Appropriation.

	Budget 2016-17	Plan 2017-18	Total
General Fund- Recurring Funds	159,183	302,075	461,258
General Fund- One Time Funds	692,480	-	692,480
General Fund- Fund Balance	-	158,958	158,958
Total	851,663	461,033	1,312,696
Proposed Budget Funding	1,466,374		
Revenue Neutral Budget Funding	1,312,696		
Difference		(153,678)	

Assistant City Manager Cowin stated that the original proposed budget amount for FY 2017 started out as \$81,840,606. Based on the changes that were approved by the City Council, the revenue from the revaluation is \$1,059,721 less. The following is the FY 2016-17 Revenue Neutral Budget before and after the City Council's approved adjustments:

Adjusted FY 2016-2017 Proposed Budget

	Revenue	Expense	Balance
2016-17 Proposed Budget	\$81,840,606	\$81,840,606	\$ -
Adjust to Revenue Neutral as Directed by Council			
Less Revenue From Revaluation	(1,059,721)	-	(1,059,721)
Less Public Safety Positions Funded by Revaluation	-	(319,324)	319,324
Less Town Common Increase Funded by Revaluation	-	(324,201)	324,201
	(1,059,721)	(643,525)	(416,196)
2016-17 Revenue Neutral Budget (Before Adjustments)	80,780,885	81,197,081	(416,196)
Additional Adjustments as Directed by Council			
Remove Purchase of Imperial	-	(1,040,000)	1,040,000
Reduce Merit Increase From 3% to 2%	-	(388,000)	388,000
	-	(1,428,000)	1,428,000
Other Adjustments to Balance Budget			
Add Back Public Safety Positions (Recurring)	-	319,324	(319,324)
Add Town Common Project Allocation (One Time)	-	692,480	(692,480)
	-	1,011,804	(1,011,804)
2016-17 Revenue Neutral Budget (After Adjustments)	\$80,780,885	\$80,780,885	\$ -



Mayor Pro-Tem Smith stated that when looking at the reduced merit increase from 3% to 2%, basically the City is giving a 2% merit increase because there was nothing really agreed upon in order to have it reduced.

Assistant City Manager Cowin stated that the merit increase was originally in the proposed budget as 3%, which is now being proposed at 2%.

Council Member Smiley stated that incorrect comments were made multiple times about the merit increase during public comment periods at City Council meetings and in the media. This is not to say that the highest raise any individual employee can get is 2%. It is a merit pool and some people who do well under the merit plan and are reviewed highly would receive more than 2%. Some people who struggled this past year and do not receive a good review would receive less than 2%. It is being said that the City Council is restricting individual raises to 2% when it is a pool and it will be divided up according to people's performance.

Assistant City Manager Cowin stated that it is included in this adjusted budget as a 2% merit increase. Staff has limited the amount of resources within the budget that could go to that merit pool. Staff will obtain the results of all of the evaluations, put those together and then develop the overall merit matrix.

Mayor Pro-Tem Smith asked whether that has been completed.

Assistant City Manager Cowin stated that staff is in the process of doing the evaluations and, hopefully, will have the information in the next several weeks.

Mayor Pro-Tem Smith asked regarding the entire merit program that was supposed to be revamped, is it completed.

Assistant City Manager Cowin responded yes. In response to the point made about the 2% merit increase, theoretically, there would be individuals who would earn less than 2% and others who would earn more than 2%.

Mayor Pro-Tem Smith stated on behalf of Council Member Glover, that has been one fear of the merit program. One of the major reasons for asking that the program be evaluated and updated is because of what had happened to the City's merit program in the past. Those in positions of authority or power allocated more money to employees, who they sometimes liked more, and those who worked hard were not necessarily given a fair merit increase. The amount of raises given by staff were pulled and a disappointing pattern was seen. If the pattern is that an individual was never able to get a merit increase, why is that person still on the City's staff or has been employed by the City for 20 years?

Mayor Pro-Tem Smith stated that those things indicated that merit increases were not always allocated in the appropriate manner. Until the City Council has a sense of knowing that there will be more equality associated with the new merit program, the City Council may want to consider giving a 2% across-the-board salary increase. It is an issue if the City



implements a new merit program and employees who have been doing well will not receive a merit increase, based on a person's personal bias and not based on the employees' work ethic for a number of years.

Assistant City Manager Cowin stated that the adjustments of the FY 2017-2018 Financial Plan follow the same suit as the revised proposed FY 2016-2017 Budget. The revenues are reduced out from revenue neutral, eliminate the personnel positions and Town Common improvements that were funded through the revaluation, adjust the merit increase that was in the proposed budget and add back in the safety positions and balance the FY 2017-2018 Financial Plan at \$80,913,134.

Adjusted FY 2017-2018 Financial Plan

	Revenue	Expense	Balance
2017-18 Proposed Financial Plan	\$81,835,091	\$81,835,091	\$ -
Adjust to Revenue Neutral as Directed by Council			
Less Revenue From Revaluation	(1,080,915)	-	(1,080,915)
Less Public Safety Positions Funded by Revaluation	-	(328,904)	328,904
Less Town Common Increase Funded by Revaluation	-	(521,957)	521,957
	(1,080,915)	(850,861)	(230,054)
2017-18 Revenue Neutral Plan	80,754,176	80,984,230	(230,054)
Additional Adjustments as Directed by Council			
Reduce Merit Increase From 3% to 2%	-	(400,000)	400,000
	-	(400,000)	400,000
Other Adjustments to Balance Budget			
Add Back Public Safety Positions (Recurring)	-	328,904	(328,904)
CIP Project Funded From Fund Balance	158,958	-	158,958
	158,958	328,904	(169,946)
2017-18 Plan Including Council Directed Adjustments	\$80,913,134	\$80,913,134	\$ -

Mayor Pro-Tem Smith asked staff to explain the public safety positions.

Assistant City Manager Cowin responded that within public safety, funding has been included for three Fire/Rescue positions and a pool of dollars that can be used as a grant match to fund 2-4 Police positions.

City Manager Lipscomb stated that with the COPS Hiring Grant, the first year the City pays 25% and the next year 50% and the next year 75% and then eventually the City is responsible for the officers' entire salaries.



Mayor Pro-Tem Smith asked whether, by doing it that way, is there less funds being used out of the City's budget than if the City Council decided to just fund all of these officers.

Assistant City Manager Cowin responded that the grant is very much of a benefit to the City.

Mayor Pro-Tem Smith stated that the City would still be increasing the amount of public safety officers for the citizens so that they would not feel that the City is not concerned about their safety. The City is just being more fiscally sound and responsible with the options of additional funds being used from the outside.

Council Member Connelly stated that presently, there are also three vacancies in the Police Department, which are already included in the budget. Plus there are 2-4 police positions for this budget cycle, which could essentially bring that number from 5-7 positions for the 2016-2017 fiscal year.

Mayor Pro-Tem Smith stated that if everything goes well, the City will be meeting that goal towards 10 positions.

Assistant City Manager Cowin stated that the City Manager and Chief of Police have been clear that the City wants to take advantage of as many grant opportunities as possible. When the City puts dollars aside, the City does not want to identify them as a position and does want to look at them as dollars that can be used as grant matches so that the fiscal impact can be minimized upfront.

Council Member Godley stated that there has been a lot of confusion over the past few days about the Greenville City Council is not taking enough steps to make the City safe or funding enough for road improvements and things of that nature.

Council Member Godley asked staff to elaborate on whether the City Council's recommendation of the City going from the originally proposed budget to a revenue neutral budget has changed any funding for roads and public safety.

Assistant City Manager Cowin responded that no, it has not changed any funding for roads. A matter of fact for public safety, staff was fortunate to preserve the pool of dollars in the three fire/Rescue positions that were originally in the proposed budget.

Mayor Pro-Tem Smith asked staff to continue its presentation.

Assistant City Manager Cowin stated that regarding the General Fund Revenue, revenues from the increase in revaluation were taken out of this revised proposed budget. When looking at this budget, about two-thirds of the revenue is from sales tax and ad valorem property taxes. When adding in the GUC Transfer In, Utilities Franchise tax and Motor Vehicle tax, there are five line items that make up 90% of the City's overall revenues on an annual basis. The City is highly leveraged on a small number of revenue streams. When looking at the City's expenses, two-thirds are invested in people including the Human



Resources Department’s expenses both salaries and benefits as well as the operational and Capital Outlay dollars. It should be noted that the transfers include about \$600,000 more next year to be able to fund the first half of the City’s 2015 GO Bonds.

Assistant City Manager Cowin stated that the following table is a comparison of the differences in the 51.3¢ and the 53¢ property rates as well as the impact on the tax value of a \$150,000 home:

Tax Rate	Net Property	Difference	Annual	Difference
	Tax Revenue	From 51.3¢ Tax Rate	Tax on \$150k Value	From 51.3¢ Tax Rate
51.3¢	\$ 32,308,578	-	\$ 769.50	-
52.0¢	32,744,935	\$ 436,357	780.00	\$ 10.50
52.5¢	33,056,616	748,038	787.50	18.00
53.0¢	33,368,299	1,059,721	795.00	25.50

There is a \$436,347 difference when comparing a 53¢ and a 52¢ tax rate. When looking at \$150,000 as a home value, that is an annual tax anywhere from \$769.50 at 51.3¢ to \$795.00 at the 53¢ tax rate.

City Manager Lipscomb stated that \$150,000 was used as an average property value in the City.

Assistant City Manager Cowin stated that regarding the motor vehicle tax, a change in legislation was made last year during the General Assembly Session and will become effective July 1, 2016. It allows municipalities to levy a motor vehicle tax up to \$30. Currently, the motor vehicle tax levied within the City of Greenville is \$20. That fee has the ability to go up \$10 more, but certain restrictions must be followed: \$20 must be used for public street maintenance/construction and \$5 must be used for public transportation or any lawful purpose. In next year’s budget, there is currently \$989,000 for the Vehicle Tax Revenue. \$494,500 would be the additional revenue generated by the additional \$10 and the monies would have to be used for street maintenance.

Mayor Pro-Tem Smith stated that people are not clear about when the City Council assigned the Bond Committee to have discussion about what the bond could be used for, the Bond Committee recommended the setting aside of money for road improvements. There are several projects that require roads to be torn up and repaired. Presently, the City has about \$1 million and what is being discussed and was referred to at the May 19, 2016 City Council Meeting is that the City should have \$2.5 million for roads. The



recommendation given by the Bond Committee was not voted on by the City Council, but in good faith, the City is trying to continue to do that.

Mayor Pro-Tem Smith stated that there are several projects that require roads to be torn up and repaired such as the 10th Street Connector project and Dickinson Avenue is a state road and, of course, the City has to do its part with the sidewalks and façade. The bond money will be used toward road maintenance for Arlington Boulevard, which is about \$6 million and \$4 million will be used for other roads. Also, the Town Creek Culvert is in the uptown area which means that those streets must come up and be done as well.

Mayor Pro-Tem Smith stated that the City still has the additional \$1 million which means that the City can still have and put incremental funds in its Street Improvement Program. She is proud this year that the City Council is putting forward a great effort to move forward with infrastructure to make sure that things are made better in the City. That \$1.2 million has been thrown out there and she wants to make sure that it is properly represented for the citizens. It is only additional funds to fill potholes, or other repairs and the City will not use \$2.5 million at one time for roads. Those things happen over a period of time and the City can still continue to invest in that fund as recommended by the Bond Committee.

Council Member Godley asked if the City has spent any of that \$10 million on road improvements that were passed on the bond.

Assistant City Manager Cowin responded no.

Council Member Godley stated that to burden the taxpayers with an even larger load without presenting the options and ways in which they could do that on a revenue neutral budget is concerning. The City has not spent a single dime of that infrastructure bond that was passed on November 3, 2016.

Assistant City Manager Cowin stated that Senate Bill 846 was filed week before last in the 2016 Short Session. This is a bill that will impact the City's sales tax distribution at the County and municipality level. There are two requirements within Senate Bill 846:

- Eliminates County Adjustment Factors for Article 40- ½ Cent Local Sales Tax and Establish Adjustment Factors Based on County's Economic Tier
- Eliminates a \$17.6 Million State Appropriation to Local Sales Tax Collections that was Part of Last Year's Sales Tax Reallocation Plan

That is some information that staff needs more guidance on. There is no projection on how that will impact, if any, the City of Greenville much less the County of Pitt, but the elimination of \$17.6 million in state appropriations for local sales tax does impact the City of Greenville. Based upon the changes that were made and the local sales tax law last year, they want to make sure that municipalities' and counties' revenue does not go down. The General Assembly set aside \$17.6 million to make sure that does not happen.



Assistant City Manager Cowin stated that Senate Bill 846 would put that in jeopardy and impact the City of Greenville potentially up to \$250,000 over the next couple of years. It has not been heard before any committees and must go before and be approved by both the House and Senate and then the Governor.

Assistant City Manager Cowin stated that this is something that the League of Municipalities is looking at closely as well as every municipality in the State. As far as sales tax distribution is concerned, it is anticipated that the City should keep its eyes open and be in tune with how this legislation could impact municipalities, specifically some of the larger municipalities in North Carolina.

Council Member Connelly stated that early last fiscal year, the City's sales tax revenues increased about \$1 million. The City will still make gains in sales tax revenue, but it is going to slow it down and affect the City by roughly 1.8%.

Assistant City Manager Cowin stated that data that has been put together by the fiscal research division of the General Assembly and that is the area where a lot of this information comes from to do projections of fiscal impacts whether it may be counties, school system and municipalities. The fiscal research division basically stated that when the \$17.6 million is taken out, it is around \$232,000. What is projected though in the first year is that the growth in the overall tax base from that change in inflation will pretty much offset that in the first year. The second year if it slows down, they are not going to project too high on the overall increase. If it slows down to that modest increase in sales tax growth then the City could have a difference there.

Council Member Connelly stated that the City definitely needs to keep an eye on this and make sure that legislation does not change. This is one of the bills that was presented and there might be another bill presented that might be a larger impact. Greenville is more fortunate than some of the other cities. Durham would lose roughly \$2 million, which is approximately 4% of its sales tax revenue.

City Manager Lipscomb stated that probably at an upcoming meeting, staff will bring forward a snapshot of what a capital program could look like over the next few years based on the revenues that the City anticipates having. There may be some things that the City Council may want to look at changing.

Mayor Pro-Tem Smith stated that it is important to Council Member Glover to have street lighting upgrades in the high crime areas and hotspots especially in the Higgs neighborhood. When assessing these areas for street lighting, it is imperative to consider whether there is a pattern of a lot crime where there is poor street lighting. If the City ignores those type of areas, Greenville's public safety departments will continue to receive calls at 2:00 a.m. and 3:00 a.m. Council Member Glover is aware there are funds within this budget for street lighting.



City Manager Lipscomb stated that a lot has been done in the crime areas. Some of the vehicular and pedestrian accidents and crashes occurring at the major corridors are also related to lighting. Staff will certainly take a look at the Higgs area again.

Council Member Connelly stated that Council Member Glover mentioned that during the budget sessions, she always makes suggestions and requests for her district, but there is always a problem with the implementation of them. Funds would be allocated in the budget, but somehow her districts' suggestions and requests would be leaked to different projects. Two of her requests are the installation of additional street lighting with a timeframe of 6 months for the Higgs Subdivision and implement the blue lights in high crime areas. Police officers should drive through the high traffic crime areas using the blue lights on a regular basis. That is no financial impact for the budget.

Mayor Pro-Tem Smith stated that the use of blue lights in crime areas is one of the things discussed at the January 2016 Planning Session and it was stated that would be no issue. She has been told that the City is looking at implementing the blue lights so that they could be steady. If they are constantly moving, you can see them and people will know that police officers are in an area. Crime activity increases during the summer months. Increasing police presence is a simple fix and she has seen that in other areas and it caught her attention. It has dramatically decreased the crime and the City Council would want to consider things that do not impact the budget.

Council Member Godley stated that Council Member Glover also mentioned the street improvements heading her way and into her district, specifically off of Thomas Langston Road. Also, she would like some small beautifications effort to be looked at in a neighborhood park and Hillsdale Park.

Mayor Pro-Tem Smith made comments about the preparation of the budget, stating that the entire budget process is well thought out, researched and discussed. Citizens may have heard differences of opinion from the Council Members because everybody is concerned about making sure that the citizens get what they feel is needed. With that being the case, it causes the City Council and citizens to be more accountable because everyone can see it garnered more feedback from citizens. The Council Members have received emails and phone calls, and people are expressing their concerns during the public comment periods at the meetings about the budget. That is a good thing.

Mayor Pro-Tem Smith stated that the City Council encourages citizens to provide their input because the City Council is looking at their tax dollars and how this money is going to be spent to help them. The City Council is concerned about infrastructure, safety, and some of the capital projects, which involve such things as economic development and creating jobs because those byproducts help to decrease crime.

Mayor Pro-Tem Smith stated that a holistic approach will be taken – the City Council will not just take one avenue – to try to meet the needs of everybody. Sometimes, that is a strenuous process. The Council Members do not dislike or hate each other, but they are



holding each other accountable. She applauds the work of the City's staff and her peers on the City Council. Things are being looked at in more depth because the City Council does not want to overtax the citizens and the City Council does not want to forget about services that are needed for them as well. The City Council is looking at the City over the long haul and how the City should continue to develop and grow productively. Mayor Pro-Tem Smith thanked the City staff and citizens for their hard work.

CITY MANAGER'S REPORT

No comments were made by City Manager Lipscomb.

COMMENTS BY MAYOR AND CITY COUNCIL

The Mayor and City Council made comments about past and future events.

ADJOURNMENT

There being no further business before the City Council, motion was made by Council Member Smiley and seconded by Council Member Godley to adjourn the meeting. Motion carried unanimously, and Mayor Pro-Tem Smith declared the meeting adjourned at 9:00 p.m.

Respectfully Submitted

Polly Jones
Deputy City Clerk



City of Greenville, North Carolina

Meeting Date:
10/10/2016
Time: 6:00 PM

Title of Item: Resolution amending the City of Greenville Personnel Policies relating to the Sick Leave Bank

Explanation: **Abstract:** The proposed resolution amends Article VIII, Section 8.6 Sick Leave Bank - Benefits of the City's Personnel Policies to remove the provision that prohibits an eligible employee from receiving benefits from the Sick Leave Bank if the employee is approved for short-term disability benefits.

Explanation: The City offers voluntary short-term disability insurance to employees to protect their income for a short duration in case of illness or injury. This insurance is paid in full by the employee if voluntarily elected by the employee and provides a weekly benefit amount not to exceed 60% of the employee's salary.

The City's Sick Leave Bank Policy currently contains a provision that prohibits an eligible employee from receiving benefits from the Sick Leave Bank if the employee is approved for short-term disability benefits. Because short-term disability insurance replaces only a portion of the employee's income while he or she is unable to work due to an injury or illness, the employee may suffer a financial hardship because he or she is ineligible to draw from the Sick Leave Bank. This proposed revision will help offset the financial loss associated with a short-term disability. To participate in the Sick Leave Bank, an employee is required to donate 8 hours of sick time per year.

The changes in the current Personnel Policies are shown in red.

Fiscal Note: None

Recommendation: Adopt the resolution amending the City of Greenville Personnel Policies.

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Attachments / click to download

 [Resolution amending Personnel Policies Regarding Sick Leave Bank 1037904](#)

RESOLUTION NO. _____
A RESOLUTION AMENDING THE CITY OF GREENVILLE
PERSONNEL POLICIES TO REMOVE THE PROVISION THAT PROHIBITS AN ELIGIBLE
EMPLOYEE FROM RECEIVING BENEFITS FROM THE SICK LEAVE BANK IF THE
EMPLOYEE IS APPROVED FOR SHORT-TERM DISABILITY BENEFITS

THE CITY COUNCIL OF THE CITY OF GREENVILLE, NORTH CAROLINA, RESOLVES:

Section 1. The City of Greenville Personnel Policies is hereby further amended by amending Article VIII, Section 8.6 Sick Leave Bank - Benefits to read as follows:

ARTICLE VIII, SECTION 8.6
Benefits

The maximum number of sick days that can be drawn by an employee from the Bank during their employment with the City of Greenville is 180 days. No employee shall be entitled to draw more than 60 days for one absence from work or during a rolling 12-month period. An employee who is approved for long-term or Social Security disability benefits (~~whether short-term or long-term~~) or Social Security is ineligible to draw from the Bank. Sick leave bank benefits may not be used for the care of family members.

Section 2. All inconsistent provisions of former resolutions, ordinances, or policies are hereby repealed.

Section 3. This resolution shall be effective October 10, 2016.

ADOPTED this the 10th day of October, 2016.

Allen M. Thomas, Mayor

ATTEST:

Carol L. Barwick, City Clerk



City of Greenville, North Carolina

Meeting Date:
10/10/2016
Time: 6:00 PM

Title of Item: Reclassification request and a resolution amending the Assignment of Classes to Pay Grades and Ranges (Pay Plan) for a position in the Fleet Division of the Public Works Department

Explanation: **Abstract:** A reclassification of an existing allocated position is proposed to improve the efficiency and the effectiveness of the Fleet Maintenance Division of the Public Works Department.

Explanation: The Public Works Department is recommending the reclassification of a Staff Support Specialist II position to Parts Technician. The proposed position will receive the requests for parts in the Fleet Maintenance Division. This reclassification will increase the efficiency and effectiveness of the Fleet Maintenance Division by controlling inventory during the second shift; increasing inventory count from yearly to monthly for better accuracy and control of inventory; improving monitoring of inventory to prevent inventory loss, keep inventory up to date, and reduce inventory of obsolete parts; and providing security for the parts room during operational hours.

A position description was developed and reviewed for the proposed reclassification and submitted to Segal Waters Consulting for review. Segal Waters recommends that the Staff Support Specialist II position within the Fleet Division be retitled to Parts Technician to be reflective of the job duties. The proposed position will remain assigned to Pay Grade 107.

Fiscal Note: None (no change in pay grade)

Recommendation: Approve the reclassification request and the resolution amending the Assignment of Classes to Pay Grades and Ranges (Pay Plan) to incorporate the proposed change.

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 [resolution amending the pay plan effect. 10 10 16 1037932](#)

RESOLUTION NO. _____

A RESOLUTION AMENDING THE CITY OF GREENVILLE
ASSIGNMENT OF CLASSES TO SALARY GRADES AND RANGES (PAY PLAN)

THE CITY COUNCIL OF THE CITY OF GREENVILLE, NORTH CAROLINA,
RESOLVES:

Section 1. The City of Greenville Assignment of Classes to Salary Grades and Ranges is hereby amended by adding the following classification:

<u>Classification Title</u>	<u>Pay Grade</u>
Parts Technician	107

Section 2. All inconsistent provisions of former resolutions, ordinances, or policies are hereby repealed.

Section 3. This resolution shall be effective October 10, 2016.

Adopted this the 10th day of October, 2016.

Allen M. Thomas, Mayor

ATTEST:

Carol L. Barwick, City Clerk



City of Greenville, North Carolina

Meeting Date:
10/10/2016
Time: 6:00 PM

Title of Item: Resolution amending the Assignment of Classes to Pay Grades and Ranges (Pay Plan) and approval of reclassification and reallocation requests for the Streets Division of the Public Works Department

Explanation: **Abstract:** To maximize departmental effectiveness and efficiency, the Public Works Department is proposing to restructure the Streets Division to better align with departmental operations and long-term needs.

Explanation: The Public Works Department is proposing to restructure the Streets Division in order to create a more efficient operation and have an equal balance between craft and equipment operator positions. These changes will allow for higher skilled entry-level positions, a better regimented training program, and increased opportunities for advancement. Competitive selection processes will be conducted to fill the vacant and reclassified positions.

Current Allocation – Street Division			Proposed Allocation – Street Division		
Position	Pay Grade	Number of positions	Position	Pay Grade	Number of positions
Street Superintendent	119	1	Street Superintendent	119	1
Assistant Street Superintendent	117	1	Assistant Street Superintendent	117	2
Quality Control Technician	114	1	Quality Control Technician (vacant; will be filled)	114	1
Streets Supervisor	113	3	Streets Supervisor	113	5
Streets Coordinator	111	1	Streets Coordinator (vacant; will not be filled)	111	0
Equipment	111	2	N/A (Equipment)		0

Operator V			Operator V positions are vacant; will not be filled)		
Senior Construction Worker	110	2	Senior Construction Worker	110	4
Equipment Operator IV	109	6	Heavy Equipment Operator (new title)	109	6
Equipment Operator III	107	4	Equipment Operator (new title)	107	5
Equipment Operator I/II	105	2	Construction Worker (Equipment Operator I/II positions are vacant; Construction Worker classification proposed)	106	3
Laborer	105	12	Laborer	105	7
Total Allocation		35	Total Allocation		34

The attached organizational charts depict the current and restructured Street Division.

Fiscal Note: Increase salaries by approximately \$11,000. The majority of this increase would be funded from the Stormwater Fund.

Recommendation: Approve the resolution amending the Assignment of Classes to Pay Grades and Ranges (Pay Plan) to incorporate the proposed changes.

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Attachments / click to download

[resolution_amending_the_pay_plan_effective_10_10_16_1037939](#)

[Current_Proposed_Streets_Division_Organizational_Charts_without_Names_8_4_16_1034327](#)

RESOLUTION NO. _____

A RESOLUTION AMENDING THE CITY OF GREENVILLE
ASSIGNMENT OF CLASSES TO SALARY GRADES AND RANGES (PAY PLAN)

THE CITY COUNCIL OF THE CITY OF GREENVILLE, NORTH CAROLINA,
RESOLVES:

Section 1. The City of Greenville Assignment of Classes to Salary Grades and Ranges is hereby amended by adding the following classifications:

<u>Classification Title</u>	<u>Pay Grade</u>
Construction Worker	106
Equipment Operator	107
Heavy Equipment Operator	109

Section 2. The City of Greenville Assignment of Classes to Salary Grades and Ranges is hereby amended by deleting the following classifications:

<u>Classification Title</u>	<u>Pay Grade</u>
Equipment Operator I/II	105
Equipment Operator III	107
Equipment Operator IV	109
Equipment Operator V	111

Section 3. All inconsistent provisions of former resolutions, ordinances, or policies are hereby repealed.

Section 4. This resolution shall be effective October 10, 2016.

Adopted this the 10th day of October, 2016.

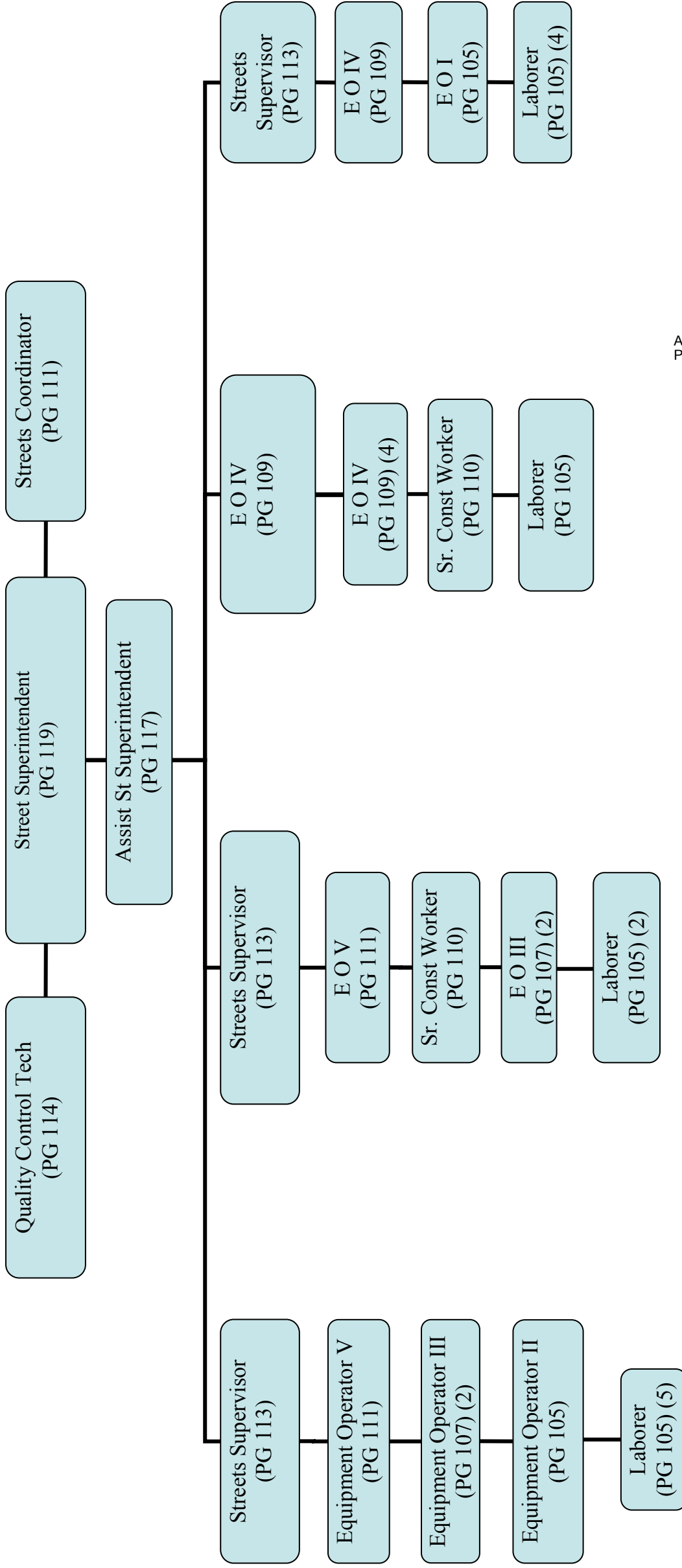
Allen M. Thomas, Mayor

ATTEST:

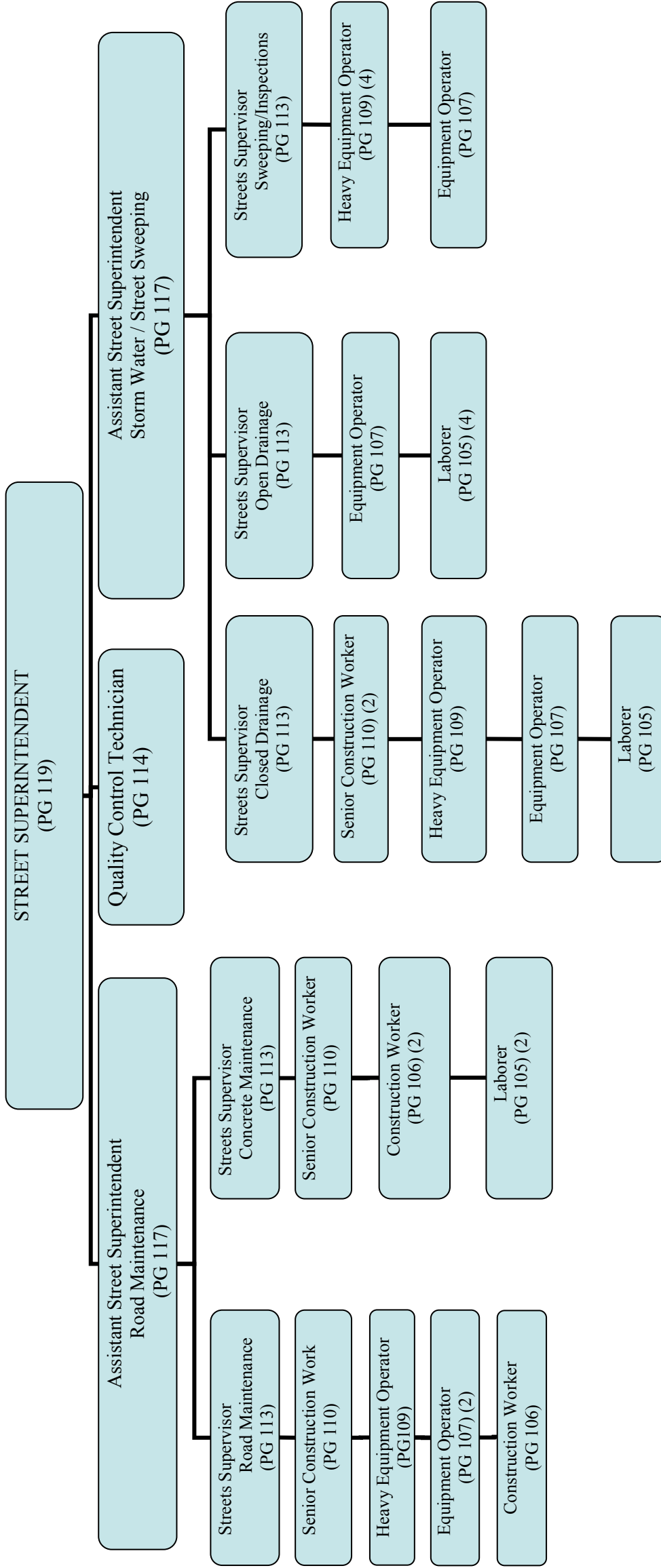
Carol L. Barwick, City Clerk

1037939

CURRENT STREET DIVISION ORGANIZATIONAL CHART



PROPOSED STREETS DIVISION RE-ORGANIZATION





City of Greenville, North Carolina

Meeting Date:
10/10/2016
Time: 6:00 PM

Title of Item: Resolution of Intent to Close College View Drive

Explanation: **Abstract:** The City has received a request to close College View Drive due to a proposed redevelopment project. City Council is asked to approve the resolution of intent to close the street and schedule a public hearing for November 10, 2016.

Explanation: The City received a petition from College View of Greenville, LLC requesting the closure of College View Drive from East Tenth Street to the northern terminus. The petitioner is the owner of all of the property adjoining the street section requested to be closed. College View of Greenville, LLC, will redevelop the property along College View Drive.

The **Planning and Zoning Commission** gave a favorable recommendation to the petition for closure of College View Drive during its September 20, 2016, meeting.

Staff Comments: The petition has been reviewed by City staff and the Greenville Utilities Commission (GUC). GUC has requested an easement over and upon the utilities that will remain in the closed street right-of-way.

Fiscal Note: Budgeted funds for the maintenance of this street section will no longer be required upon the effective date of the Resolution to Close by City Council. The City will no longer receive Powell Bill funds for the closed street sections.

Recommendation: Approve the Resolution of Intent to Close College View Drive, setting a public hearing on November 10, 2016, to consider the resolution.

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 [College View Drive Map](#)

 [Resolution of Intent to Close College View Drive 1037738](#)

RESOLUTION NO. _____
RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GREENVILLE
DECLARING ITS INTENT TO CLOSE A COLLEGE VIEW DRIVE

WHEREAS, the City Council intends to close College View Drive in accordance with the provisions of G.S. 160A-299;

THEREFORE, BE IT RESOLVED by the City Council of the City of Greenville, North Carolina, that it is the intent of the City Council to close said street right-of-way, more particularly described as follows:

- To Wit: Being the 50 foot wide right of way of College View Drive as shown on that plat entitled "Street Closing Map For College View Drive", prepared by Rivers and Associates, Inc., drawing Z-2616, dated July 29, 2016, and revised on September 7, 2016.
- Location: Lying and being situated in the City of Greenville, Greenville Township, Attachment number 1
Page 1 of 2 Pitt County, North Carolina, and being located on the north side of East Tenth Street and being about 500 feet west of Heath Street.
- Description: Beginning at a point, located in the northern right of way of East 10th Street (NCSR 1598), said point being located N 77°21'56" E 447.58 feet from an existing iron pipe marking the common front corner of the now or formerly Palewco Park, Inc. property recorded in Deed Book 513 Page 541 and the property of College View of Greenville, LLC property recorded in Deed Book 3361 Page 64 and Deed Book 3341 Page 546; thence with the western right of way of College View Drive the following 4 calls, (1) N 12°41'04" W - 15.00 feet to the point of intersection with the western sight distance right of way for East 10th Street (NCSR 1598); (2) N 12°41'04" W - 143.72 feet to a point, (3) with a curve turning to the right, having an arc length of 217.40 feet, a radius of 740.00 feet, and a chord bearing and distance of N 04°16'05" W- 216.62 feet, (4) N 04°08'54" E - 167.11 feet to a point marking the point of curvature for the terminus cul-de-sac right of way of College View Drive; thence with the terminus cul-de-sac right of way of College View Drive the following 3 calls, (1) with a curve turning to the right, having an arc length of 78.51 feet, having a radius of 48.00 feet, a chord bearing and distance of N 07°36'32" W - 70.04 feet to a point in the southern property line of College View of Greenville, LLC property recorded in Deed Book 3358 Page 610, (2) continuing with a curve turning to the right, having an arc length of 64.02 feet, a radius of 48.00 feet, and a chord bearing and distance of N 77°27'15" E - 59.38 feet to a point in southern property line of College View of Greenville, LLC property recorded in Deed Book Deed Book 3358 Page 610, (3) continuing with a curve turning to the right having an arc length of 106.48 feet, a radius of 48.00 feet, a chord bearing and distance of S 00°47'19" E - 85.95 feet to the point of tangency of the terminus cul-de-sac right of way of College View Drive; thence with the eastern right of way of College View Drive the following four (4) calls, (1) S 04°08'54" W - 167.11 feet to a point; (2) with a curve turning to the left, having an arc length of 202.71 feet, a radius of 690.00 feet, and a chord bearing and distance of S 04°16'05" E - 201.98 feet, (3) S 12°41'04" E - 143.76 feet to the point of intersection with the eastern sight distance right of way for East 10th Street (NCSR 1598); (4) S 12°41'04" E - 15.00 feet to a point in the northern right of way of 10th Street (NCSR 1598); thence with the northern right of way of East 10th Street (NCSR 1598) S77°21'56"W - 50.00 feet to the POINT OF BEGINNING, having an area of 0.78 acres, and being all of College View Drive recorded in Map Book 7 page 70 and Deed Book I-29 Page 199 and shown on a Street Closing Map for College View Drive, prepared by Rivers and Associates, Inc., drawing Z-2616, dated July 29, 2016, and revised on September 7, 2016 and incorporated herein by reference.

BE IT FURTHER RESOLVED that a public hearing will be held in the Council Chamber, City Hall, Greenville, North Carolina, on the 10th day of November, 2016, at 6:00 p.m., to consider the advisability of closing the aforesaid street. At such public hearing, all objections and suggestions will be duly considered.

BE IT FURTHER RESOLVED that a copy of this resolution be published once a week for four (4) consecutive weeks in The Daily Reflector; that a copy of this resolution be sent by certified mail to the owners of property adjacent to the above described street, as shown on the County tax records, and that a copy of this resolution be posted in at least two (2) places along the portion of the street to be closed.

Duly adopted this the 10th day of October, 2016.

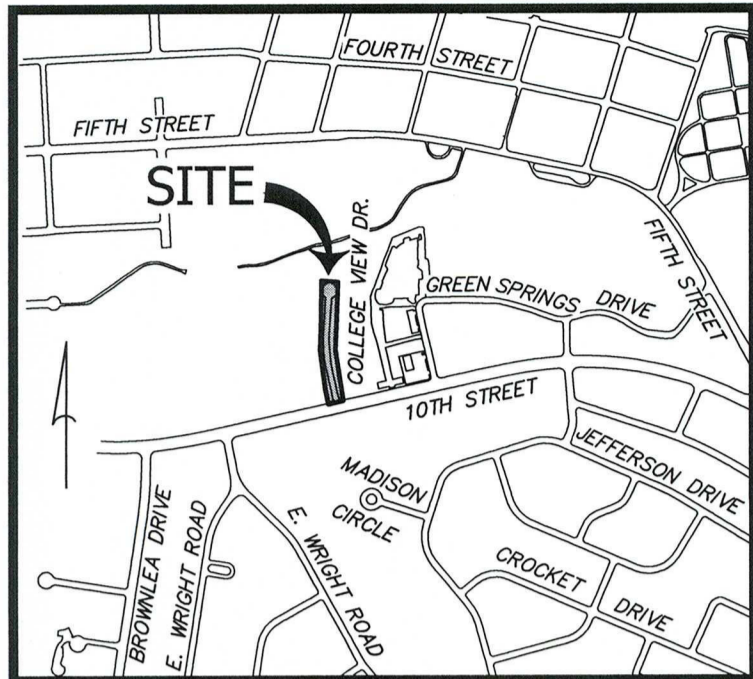
Allen M. Thomas, Mayor

ATTEST:

Carol L. Barwick, City Clerk

Attachment number 1
Page 2 of 2

Item # 5

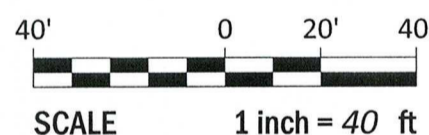


Vicinity Map

SCALE: 1" = 1000'

COLLEGE VIEW OF GREENVILLE, LLC
D.B. 3358 PG. 610
P.N. 10024

N/F PALEWCO PARK, INC.
D.B. 513 PG. 541
P.N. 01797



OWNER:

COLLEGE VIEW OF GREENVILLE, LLC
5316 OAK LEVEL ROAD
ROCKY MOUNT, NC 27803
(252) 908-3401
MAZIE P. HOLLOWAN, MANAGER

REFERENCES:

- D.B. 3361 PG. 64
- D.B. 3341 PG. 546
- D.B. 3358 PG. 610
- M.B. 5 PG. 95
- M.B. 7 P.G. 70
- D.B. 1 29 PG 199
- D.B. B 40 PG. 622
- D.B. B 40 PG 721
- D.B. 215 PG. 73
- D.B. S 46 PG 832
- D.B. S 46 PG. 829
- STATE HIGHWAY BOOK 1 PG. 12-F
- P.N. 04539
- P.N. 10024

NOTES:

1. ALL DISTANCES ARE HORIZONTAL GROUND MEASUREMENTS.
2. NO POINTS SET UNLESS OTHERWISE INDICATED.
3. THIS PROPERTY IS LOCATED WITHIN A MINIMAL FLOOD RISK AREA, "ZONE AE" (AREAS INSIDE THE 1% ANNUAL CHANCE FLOOD) AND "ZONE X" (AREAS OUTSIDE THE 0.02% ANNUAL CHANCE FLOOD), AS DETERMINED FROM FIRM MAP NUMBER 3720469700K PANEL 4697, EFFECTIVE JULY 7, 2014.
4. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT REPORT. RIVERS AND ASSOCIATES DOES NOT CLAIM THAT ALL MATTERS OF RECORD WHICH MAY OR MAY NOT AFFECT THIS PROPERTY ARE SHOWN HEREON.
5. PROPERTY SUBJECT TO ANY AND ALL EASEMENTS, RIGHTS OF WAY, RESTRICTIVE COVENANTS WHICH MAY BE OF RECORD.
6. UNDERGROUND UTILITIES PLOTTED IN PART FROM ACTUAL MAPS PROVIDED BY OTHERS AS NOTED. ACTUAL LOCATIONS MAY VARY. OTHER UTILITIES

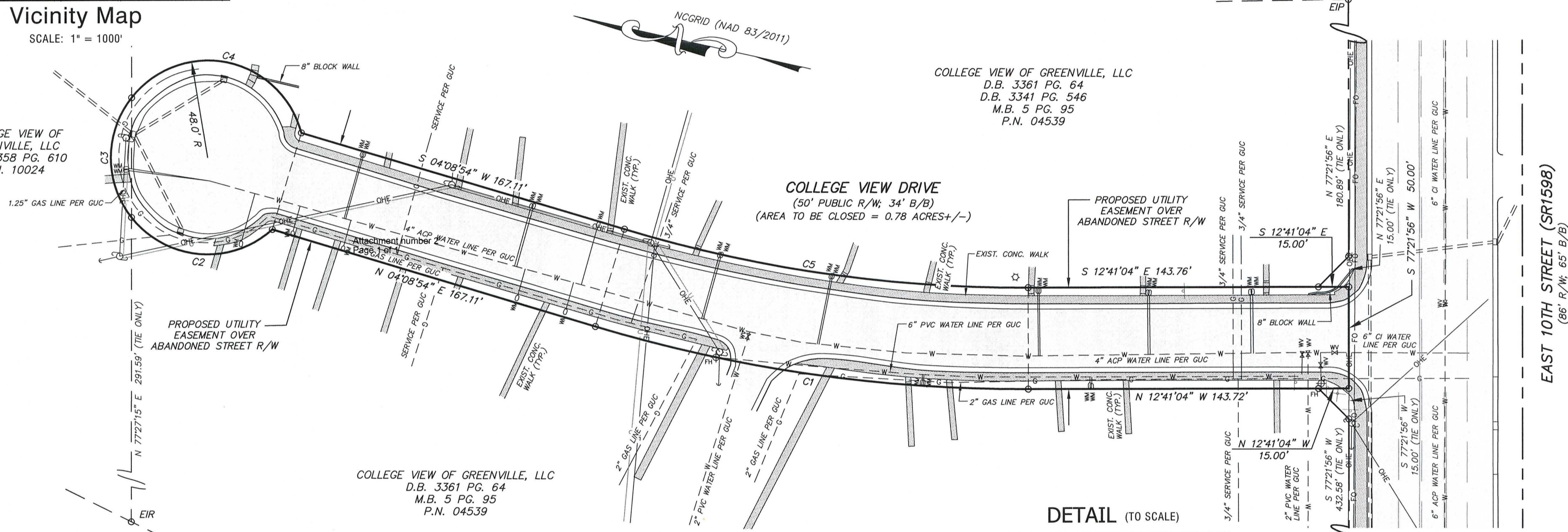
MAY EXIST. SURVEYOR CANNOT PROVIDED ACCURACY OF NC811 MARKINGS. CONTRACTOR SHOULD CONTACT NC811 AT 1-800-632-4949 TO HAVE UNDERGROUND UTILITIES LOCATED PRIOR TO EXCAVATING OR TRENCHING.

7. THE SURVEYOR MAKES NO GUARANTEE THAT THE UTILITIES SHOWN ARE COMPRISED OF ALL SUCH UTILITIES IN THE AREA OF SURVEY EITHER IN SERVICE OR ABANDONED. THE SURVEY FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED. THE SURVEYOR DOES HEREBY CERTIFY THAT ALL UTILITIES ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY UNCOVERED AND LOCATED ANY UNDERGROUND UTILITIES.

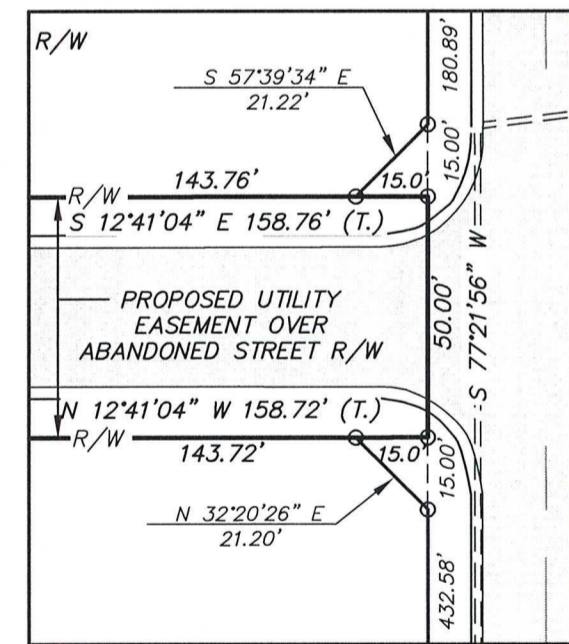
CURVE TABLE

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	217.40'	740.00'	16°49'58"	N 04°16'05" W	216.62'
C2	78.51'	48.00'	93°42'33"	N 07°36'32" W	70.04'
C3	64.02'	48.00'	76°25'00"	N 77°27'15" E	59.38'
C4	106.48'	48.00'	127°05'52"	S 00°47'19" E	85.95'
C5	202.71'	690.00'	16°49'58"	S 04°16'05" E	201.98'

**TOTAL AREA IN COLLEGE VIEW STREET
RIGHT OF WAY = 0.78 ACRES**



DETAIL (TO SCALE)



LEGEND

— R/W —	RIGHT-OF-WAY (R/W)	CP	CONCRETE PIPE	WM	WATER METER
— FO —	FIBER OPTIC (OVERHEAD - GUC)	CI	CAST IRON	WV	WATER VALVE
— OHE —	ELECTRIC (OVERHEAD - GUC)	B/B	BACK TO BACK	CB	CATCH BASIN
— G —	STREET CLOSING BOUNDARY	M.B.	MAP BOOK	FH	FIRE HYDRANT
— U —	GAS LINE (GUC)	D.B.	DEED BOOK	—	GUY WIRE
— S —	OVERHEAD UTILITY	PG.	PAGE	—	SIGN
— W —	STORM DRAIN (STRM)	P.N.	PARCEL NUMBER	—	UTILITY POLE
— S —	WATER LINE (GUC)	R/W	RIGHT OF WAY	—	LIGHT POLE
— S —	SANITARY SEWER (SS)	EIP	EXISTING IRON PIPE	—	UTILITY POLE W/ LIGHT
— S —	PARCEL LINE	EIR	EXISTING IRON ROD	—	NO POINT SET
—	ASPHALT		CONCRETE		

REVISIONS: #1- 9/07/16 : REVISED PER CITY/GUC REVIEW COMMENTS.

MAYOR'S CERTIFICATE

THIS IS TO CERTIFY THAT THE CITY COUNCIL OF THE CITY OF GREENVILLE HAS PASSED A RESOLUTION TO CLOSE COLLEGE VIEW DRIVE AS SHOWN HEREON.

RESOLUTION NO. _____

SIGNED _____ MAYOR

SIGNED _____ CITY CLERK

STATE OF NORTH CAROLINA
COUNTY OF PITT

I, _____
A REVIEW OFFICER OF PITT COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER _____
DATE _____

SOURCE OF TITLE

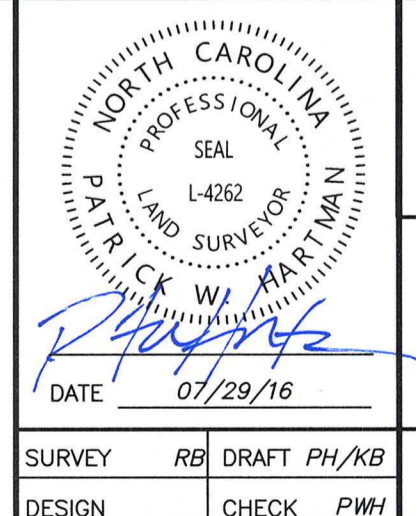
THIS IS TO CERTIFY THAT THE LAST INSTRUMENT(S) IN THE CHAIN OF TITLE OF THIS PROPERTY AS RECORDED IN THE PITT COUNTY REGISTRY AT GREENVILLE, NORTH CAROLINA IS: (AS NOTED ABOVE)

PROFESSIONAL LAND SURVEYOR _____
REGISTRATION NO. L-4262

NORTH CAROLINA, PITT COUNTY

I, PATRICK W. HARTMAN, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE BY RANDY BIEBER/MATTHEW SHELDON ON 7/25/16 - 7/29/16; THAT THE RATIO OF PRECISION IS 1:10,000+; THAT BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION FOUND IN BOOKS REFERENCED HEREON; THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. I FURTHER CERTIFY PURSUANT TO G.S. 47-30 (f) (11) THAT THIS SURVEY IS OF ANOTHER CATEGORY, BEING A SURVEY FOR A STREET CLOSING. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 29TH DAY OF JULY, 2016.

PROFESSIONAL LAND SURVEYOR *Patrick W. Hartman*
REGISTRATION NUMBER L-4262



NC License: F-0334

Rivers
& ASSOCIATES, INC.
riversandassociates.com Since 1918

Engineers
Planners
Surveyors
Landscape Architects
107 East Second Street
Greenville, NC 27858
(252) 752-4135

**STREET CLOSING MAP FOR
COLLEGE VIEW DRIVE**

CITY OF GREENVILLE, GREENVILLE TOWNSHIP, PITT CO., N.C.

SURVEY RB	DRAFT PH/KB	SCALE 1" = 40'	DRAWING NO. Z-2616	SHEET 1 OF 1
DESIGN	CHECK PWH			

P:\LandDev\Press - College View Apts - 20160809\SURVEY\DWG\Z-2616 (Street Closing 20160809 Press).dwg, 18 X 24, Hartman, Web Sep 07, 2016 at 10:00am



City of Greenville, North Carolina

Meeting Date:
10/10/2016
Time: 6:00 PM

Title of Item: Resolution declaring a John Deere ball field tractor drag machine as surplus and authorizing its disposition to J.H. Rose High School

Explanation: **Abstract:** The Recreation and Parks Department has a 2005 John Deere ball field tractor that has been replaced as part of Fleet Management's normal equipment replacement program. J.H. Rose High School has requested this surplus equipment be donated to the school so it can be used for preparing their ball fields.

Explanation: The Recreation and Parks Department's 2005 John Deere Ball field Tractor has been replaced as a part of the normal equipment replacement program. J.H. Rose High School has requested this surplus equipment be donated to the school so it can be used in the preparation of their ballfields.

The Department uses J.H. Rose High School fields for some of its Babe Ruth League baseball games and practices, as well as occasionally other games, so the Department would continue to benefit from this equipment after its transfer.

The Recreation and Parks Commission, at their September 14, 2016 meeting, recommended that City Council authorize declaring this tractor as surplus and approving its donation to J.H. Rose High School.

Fiscal Note: There is no cost to the City for this donation; however, the surplus funds that would have been generated from the sale of the tractor will not be realized with this donation.

Recommendation: Adopt the resolution declaring the John Deere ball field drag machine as surplus and authorize its disposition to J.H. Rose High School.

Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

Attachments / click to download

 [Resolution Ball Field Dragging Machine JH Rose High School 09.13.2016 1036909](#)

RESOLUTION NO. ____-16
RESOLUTION DECLARING CERTAIN PROPERTY AS SURPLUS AND
AUTHORIZING ITS DISPOSITION TO J.H. ROSE HIGH SCHOOL

WHEREAS, the Greenville Recreation and Parks Department has determined that certain property is surplus to the needs of the City;

WHEREAS, J.H. Rose High School can put this property to use; and

WHEREAS, North Carolina General Statute 160A-274 permits City Council to authorize the disposition, upon such terms and conditions it deems wise, with or without consideration, of real or personal property to another governmental unit;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Greenville that the hereinafter described property is declared as surplus to the needs of the City of Greenville and that said property shall be donated to J.H. Rose High School, said property being described as follows:

One (1) 2005 John Deere Ballfield Tractor, serial number 00150415, model 1200 A

This the 10th day of October, 2016.

Allen M. Thomas, Mayor

ATTEST:

Carol L. Barwick, City Clerk



City of Greenville, North Carolina

Meeting Date:
10/10/2016
Time: 6:00 PM

Title of Item: Purchase of real property located at the southwest corner of the intersection of NC 43 North and US 264 Bypass for the development of a new Greenville Utilities Commission Operations Center

Explanation: **Abstract:** Greenville Utilities Commission seeks to purchase 82+ acres of real property located at the southwest corner of the intersection of NC 43 North and US 264 Bypass for the development of a new Operations Center.

Explanation: After a multiyear site identification and evaluation process, Greenville Utilities Commission (GUC) has selected the property most suitable for the development of a new Operations Center. The recommended property is located at the southwest corner of the intersection of NC 43 North and US 264 Bypass and consists of 82+ acres. The purchase price is \$3,750,000, the appraised value of the property. On April 21, 2016, the GUC Board of Commissioners approved a contract to purchase the property. The contract contained a 180-day inspection period during which due diligence was to be performed including ingress/egress evaluation, phase 1 environmental assessment, rezoning, and City Council approval of property purchase. To date, all due diligence activities have been completed except City Council approval of property purchase (the action requested by this agenda item). Upon approval by City Council, it is intended that closing of the property will be in the first quarter of 2017.

City Council adopted capital project budgets for this project on June 12, 2014, and August 15, 2016, and a reimbursement resolution on June 16, 2016. The GUC Board of Commissioners authorized the General Manager/CEO to purchase the real property located at the southwest corner of the intersection of NC 43 North and US 264 Bypass for the development of a new Operations Center, including the execution of other related closing documentation at its September 15, 2016 regular meeting, and recommends City Council do the same.

Fiscal Note: No cost to the City.

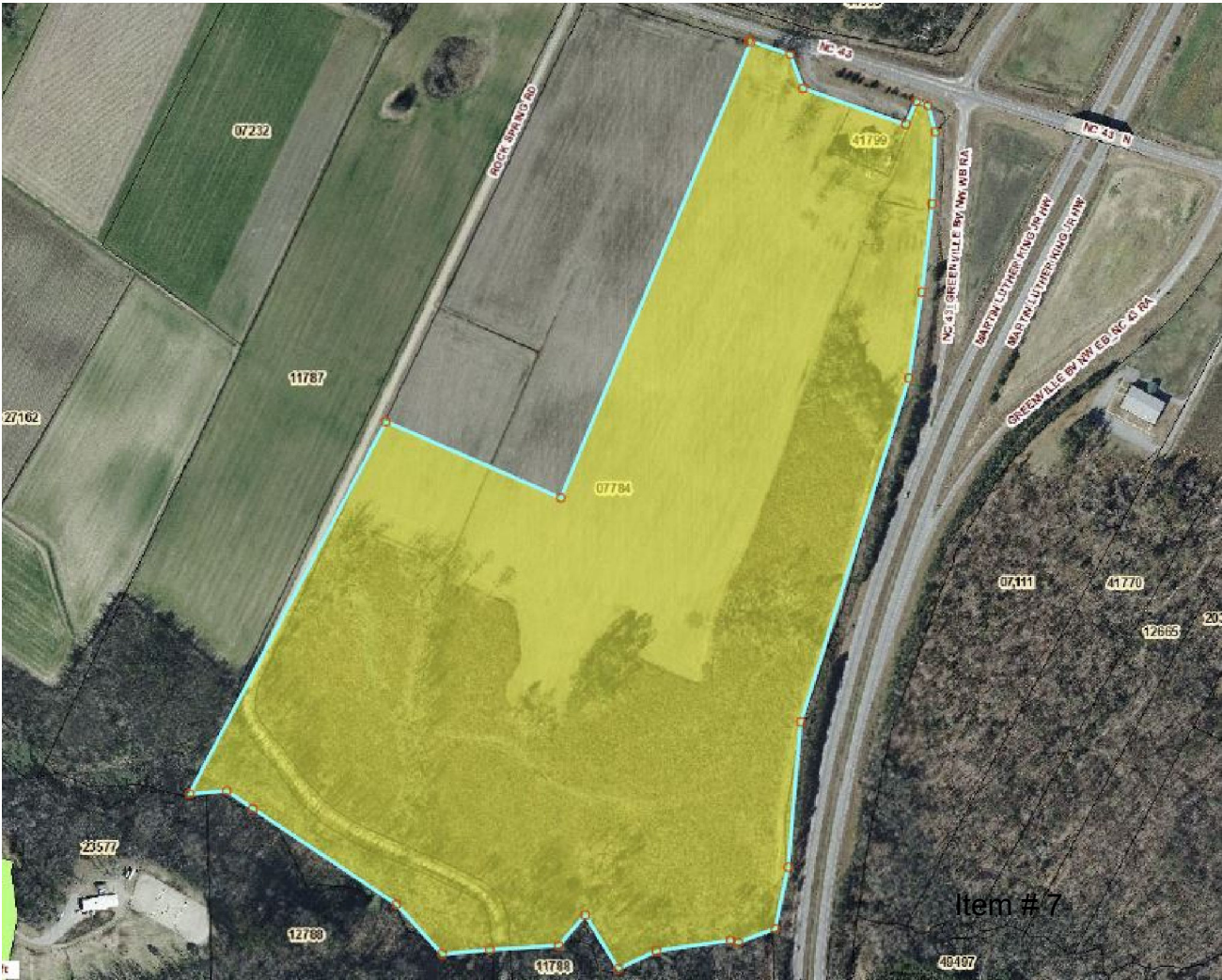
Recommendation: Authorize the purchase of said real property including the execution of other related closing documentation

Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

Attachments / click to download

 [Map](#)

Selected Site





City of Greenville, North Carolina

Meeting Date:
10/10/2016
Time: 6:00 PM

Title of Item: Acquisition of property for the Greenville Public Safety Annex

Explanation: **Abstract:** The City has a contract to purchase the property located at 5300 Northland Drive for \$1.3 million. The planned use of the property is for office and storage for the Police Department and Fire/Rescue Department. The purchase will be financed by an installment purchase agreement. Approval by Council to proceed with the purchase is requested.

Explanation: The City has a contract to purchase the property located at 5300 Northland Drive for \$1.3 million. Attached is a copy of the contract.

The property consists of 9.90 acres of land located within the Northland Park development, near Staton Road. The property has an approximately 24,204 square foot industrial office-warehouse building and a detached 2,560 square foot storage building. The improvements were developed in 2006-2007. The appraised value of the property is \$1.65 million.

The planned use of the building is for office and storage for the Police Department and Fire/Rescue Department. Renovations are planned for the property to accommodate this use.

The purchase will be financed by an installment purchase agreement. At its September 8, 2016, meeting, City Council approved the Installment Financing Agreement for \$1.5 million. The Agreement is with Branch Banking and Trust Company, and the interest rate is 1.98%. The Local Government Commission approved this financing at its October 4, 2016, meeting.

Fiscal Note: The acquisition and renovation of this property will be financed by an installment purchase agreement in the amount of \$1.5 million.

Recommendation: Approval of the purchase of the property at 5300 Northland Drive for the amount

of \$1.3 million.

Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

Attachments / click to download

 [Offer to Purchase and Contract](#)

**NORTH CAROLINA
PITT COUNTY**

**OFFER TO
PURCHASE AND CONTRACT**

THIS OFFER TO PURCHASE AND CONTRACT, made and entered into as of the 24th day May, 2016, by and between Robert J. Gouras, Jr., and wife, Mary P. Gouras, Parties of the First Part and hereinafter referred to as the "Seller", and the City of Greenville, a body corporate and politic, organized and existing under the laws of the State of North Carolina, Party of the Second Part and hereinafter referred to as the "City".

WITNESSETH:

For and in consideration of the mutual covenants and agreements herein set forth, the City hereby offers to purchase and Seller, upon acceptance of said offer, agrees to sell to the City all that certain real property, together with the improvements located thereon, located at 5300 Northland Drive, Greenville, North Carolina, and consisting of Pitt County Tax Parcel Number 74947, and being described in the deed recorded in Book 2336, at Page 378, Pitt County Registry, said real property and improvements collectively being hereinafter referred to as the "Property".

THE TERMS AND CONDITIONS OF THIS OFFER TO PURCHASE AND CONTRACT ARE AS FOLLOWS:

1. **PURCHASE PRICE.** The purchase price of the Property is One Million Three Hundred Thousand and 00/100ths Dollars (\$1,300,000.00). The foregoing purchase price, subject to adjustments and prorations in accordance with paragraphs 2, 4, and 5, shall be paid to Seller at closing. The Seller understands that the foregoing purchase price subject to the aforementioned adjustments and prorations shall be the entire amount which the Seller will receive from the City for the sale of the Property.

2. **EARNEST MONEY.** The City shall deposit Ten Thousand no/100ths Dollars (\$10,000.00), in earnest money, within ten (10) days of the Seller's acceptance of the offer, with Graham, Nuckolls, Conner Law Firm, PLLC, Greenville, North Carolina, as agent, who shall hold such amount in escrow. In the event that any of the conditions of this contract are not satisfied or waived by the City prior to closing, in the event City Council approval does not occur as required by paragraph 10, in the event the City chooses not to purchase the Property prior to the expiration of the Examination Period in accordance with paragraph 12, or in the event of a breach of this contract by Seller, then the earnest money shall be returned to the City, but such return shall not affect any other remedies available to the City. In the event the City breaches this contract, then the earnest money shall be forfeited to Seller, and the escrow agent shall pay over to Seller said earnest money, but such forfeiture shall not affect any other remedies available to Seller as a result thereof. Otherwise, the earnest money shall be paid to Seller at the closing and applied against the purchase price.

3. **CLOSING.** Closing is defined as the date and time of the recordation of the deed. Closing of the purchase of the Property hereunder shall take place at 10 a.m. on November 30, 2016, or at such

time prior thereto as Seller and the City shall agree mutually in writing, at the law office of Graham, Nuckolls, Conner Law Firm, PLLC, Greenville, North Carolina, at which time the purchase price shall be paid as herein provided, and possession of the Property shall be delivered to the City.

4. **ADJUSTMENTS.** The following items shall be prorated and either adjusted between the parties or paid at closing:

- a. Ad valorem taxes on real property shall be prorated on a calendar year basis through the date of closing;
- b. Ad valorem taxes on personal property for the entire year shall be paid by the Seller unless the personal property is conveyed to the City, in which case, the personal property taxes shall be prorated on a calendar year basis through the date of closing;
- c. All late listing penalties, if any, shall be paid by Seller;
- d. Rents, if any, for the Property shall be prorated through the date of closing; and
- e. Utilities, if any, for the Property shall be prorated through the date of the closing.

5. **CLOSING COSTS.** Seller and the City acknowledge and agree that the City shall be responsible for the cost of its own title examination and title insurance premiums, any escrow fees or charges, the cost of its survey, the cost of the preparation of the deed, any recording charges on the deed, and any and all excise tax (revenue stamps) required by law on the transaction and that the Seller shall be responsible for the cost of the preparation of all documents, other than the deed, necessary to perform Seller's obligations pursuant to this contract. Each party shall be responsible for the cost of its own attorneys.

6. **CONVEYANCE OF TITLE.** Seller shall make, execute and deliver to the City at closing a good and sufficient deed for the Property in fee simple with general warranty conveying good and marketable title to the Property, free of all liens, encumbrances, restrictions, covenants, rights of way and easements of any kind except ad valorem taxes for the current year (prorated through the date of closing); utility easements and unviolated restrictive covenants that do not materially affect the value or use and occupancy of the Property; and such other encumbrances as may be specifically approved by the City.

In addition, Seller shall furnish to the title company at closing a standard form affidavit and indemnification agreement showing that all labor and/or materials, if any, furnished to the property within one hundred twenty (120) days prior to the date of closing have been paid and by which Seller agrees to indemnify a title insurance company pursuant to a standard form ALTA title affidavit against all loss, cost, claim and expense arising therefrom, including reasonable attorney's fees.

7. **EVIDENCE OF TITLE.** Seller agrees to use diligent efforts to deliver to the City as soon as reasonably possible after the date of this contract, copies of all title information in possession of Seller, including, but not limited to, title insurance policies, attorney's opinions on title, surveys, covenants, deeds, notes and deeds of trust and easements relating to the property.

8. **CONDITIONS.** Notwithstanding anything to the contrary contained herein, the City's obligations pursuant to this contract are expressly conditioned upon the following conditions:

- a. (i) The Property and its use shall not be or previously have been in violation of any law, rule, regulation, order or requirement pertaining to environmental regulations, contamination, or clean-up; and there shall not exist on the Property any hazardous substance, hazardous waste, pollutant, contaminant, toxic substance, asbestos, oil, other petroleum or chemical, biological or radioactive substance which is subject to regulation under any such law, rule, regulation, order or requirement or storage tank now or previously used for the storage thereof, whether above-ground or underground.

(ii) No portion of the Property shall be or shall have been used as a sanitary landfill, whether permitted or unpermitted, and no activity shall be or shall have been conducted thereon which is subject to regulation under the North Carolina Solid Waste Management Act.
- b. The Property must be substantially the same or in better condition at closing as on the date of this offer, reasonable wear and tear excepted.
- c. All deeds of trust, liens and other charges against the Property must be paid and satisfied by Seller prior to or at closing such that cancellation may be promptly obtained following closing. Seller shall remain obligated to obtain any such cancellations following closing.
- d. There shall be no leases for the property.
- e. The City has secured the financing for the acquisition of the Property by an installment contract in accordance with the provisions of North Carolina General Statute 160A-20.

Failure of any of the foregoing conditions of this paragraph shall be evidenced and determined by written notice to Seller from the City or the attorney for the City, which notice shall be given at or prior to closing and shall be effective upon hand delivery or by placement in the U.S. Mail, postage prepaid, if sent by the United States Mail by certified mail, return receipt requested, postage prepaid, addressed to Seller. Upon the City's provision of such notice of failure, all sums paid by the City hereunder shall be returned forthwith to the City, and thereafter neither Seller nor the City shall have any rights or liabilities hereunder.

9. ENVIRONMENTAL. Seller represents and warrants that it has no actual knowledge of the presence or disposal, except as in accordance with applicable law, within the buildings or on the Property of hazardous or toxic waste or substances, which are defined as those substances, materials, and wastes, including, but not limited to, those substances, materials and wastes listed in the United States Department of Transportation Hazardous Materials Table (49 CFR Part 172.101) or by the Environmental Protection Agency as hazardous substances (40 CFR Part 302.4) and amendments thereto, or such substances, materials and wastes, which are or become regulated under any applicable local, state or federal law, including,

without limitation, any material, waste or substance which is (i) petroleum, (ii) asbestos, (iii) polychlorinated biphenyls, (iv) designated as a Hazardous Substance pursuant to Section 311 of the Clean Water Act of 1977 (33 U.S.C. §1321) or listed pursuant to Section 307 of the Clean Water Act of 1977 (33 U.S.C. §1317), (v) defined as a hazardous waste pursuant to Section 1004 of the Resource Conservation and Recovery Act of 1976 (42 U.S.C. §6903) or (vi) defined as a hazardous substance pursuant to Section 101 of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (42 U.S.C. §9601). Seller has no actual knowledge of any contamination of the Property from such substances as may have been disposed of or stored on neighboring tracts.

10. CITY COUNCIL APPROVAL REQUIRED. This Offer to Purchase and Contract shall be null and void in the event the City Council of the City of Greenville does not approve the purchase of the Property on or before November 15, 2016.

11. EXPIRATION OF OFFER. The offer of the City shall expire unless acceptance is delivered to the City on or before 5 o'clock p.m. on June 10, 2016, or until withdrawn by the City, whichever occurs first. In the event of such expiration, this Offer to Purchase and Contract shall be null and void.

12. REASONABLE ACCESS. Seller shall allow the City's agents, employees, and designees full and complete access to the property for the purpose of surveying and physically inspecting and investigating the property. All such surveys, inspections and investigations shall be conducted in such manner as to avoid unreasonable interference with Seller's present use, operation, and occupation of the Property. City shall conduct all such surveys, inspections, and investigations of the Property in a good and workmanlike manner and shall repair any damage to the Property caused by City's entry and on-site inspections. City shall also have a right to review and inspect all contracts or other agreements affecting or related directly to the Property and shall be entitled to review such books and records of Seller that relate directly to the operation and maintenance of the Property, provided, however, that City shall not disclose any information regarding this Property (or any tenant therein) unless required by law. City shall have until the expiration of the Examination Period, October 31, 2016, to perform the above surveys inspections, and investigations. **IF CITY CHOOSES NOT TO PURCHASE THE PROPERTY, FOR ANY REASON OR NO REASON, AND PROVIDES WRITTEN NOTICE TO SELLER THEREOF PRIOR TO THE EXPIRATION OF THE EXAMINATION PERIOD, THEN THIS CONTRACT SHALL TERMINATE, AND CITY SHALL RECEIVE A RETURN OF THE EARNEST MONEY.**

13. FIRE AND OTHER CASUALTY. The risk of loss or damage by fire, tornado, hurricane, or other casualty prior to closing shall be upon Seller. In the event that the Property is materially damaged by fire or other casualty between the date of this Agreement and the date of closing, the City, in its sole election and discretion, (i) may declare this Agreement to be void, or (ii) accept title to the Property without any abatement in the Purchase Price, in which event, on the date of closing, all insurance proceeds shall be assigned to the City, and Seller shall pay to City an amount equal to the deductible portion of the insurance award along with any funds theretofore received by Seller in connection with such casualty. The City shall give Seller written notice of City's election

on or before twenty (20) days after the occurrence of such casualty.

14. **BROKERS.** The Seller shall be solely responsible for any broker's or finder's fees or commissions for any broker or realtor utilized with this transaction. The Seller agrees to defend, indemnify and hold harmless the City from and against any claim for broker's or finder's fees or commissions made by any party claiming to have dealt with them.

15. **REPRESENTATIONS.** Seller and the City acknowledge and agree that, except as otherwise specifically set forth in this contract, Seller has made no representations, warranties or statements to the City as to any matter relating to or concerning the Property, the use thereof or the suitability of the City's intended use thereof. Seller hereby represents and warrants to the City that, to the best of Seller's knowledge the property is not now in violation of any regulation, law, rule or order relating to hazardous substances or wastes and has not been used, and is not being used, as a sanitary landfill.

16. **NOTICE.** All notices required by this contract shall be in writing and shall be given by either hand delivery to the parties hereto or by placement in the United States Mail, postage prepaid, addressed as follows:

To City
Barbara Lipscomb
City Manager
City of Greenville
P.O. Box 7207
Greenville, NC 27835

To Seller
Robert J. Gouras, Jr.
and wife, Mary P. Gouras
825 Lexington Drive
Greenville, NC 27834

17. **SEVERABILITY.** In the event that any term or condition of this contract or the application thereof to any circumstance or situation shall be invalid or unenforceable in whole or in part, the remainder hereof and the application of said term or condition to any other circumstance or situation shall not be affected thereby, and each term and condition of this contract shall be valid and enforceable to the full extent permitted by law.

18. **PARAGRAPH HEADINGS.** The paragraph headings used in this contract are for convenience of reference only and shall not be considered terms of this contract.

19. **GOVERNING LAW.** The Seller and the City agree, that the laws of the State of North Carolina shall govern and control the validity, interpretation, performance and enforcement of this contract.

20. **ENTIRE AGREEMENT.** This contract contains the entire agreement and understanding between Seller and the City. There are no oral understandings, terms or conditions, and neither Seller nor the City has relied upon any representation, express or implied, not contained herein. All prior negotiations, understandings, terms and conditions are merged in this contract.

21. **MODIFICATION.** This contract may not be changed or modified orally, but only by

an agreement in writing signed by the party against whom enforcement or waiver, change, modification or discharge is sought.

22. DUPLICATE ORIGINALS. This contract is executed in duplicate originals; and both Seller and the City acknowledge receipt of one such original, agree that the duplicate originals hereof are identical, and further agree that either original shall be admissible in any proceeding, legal, or otherwise, without the production of the other such original.

23. EXECUTION. This offer shall become a binding contract, subject to the conditions set out herein, when signed by both the City and Seller.

24. SURVIVAL. The terms and provisions of this Contract shall survive Closing.

IN TESTIMONY WHEREOF, the Seller has caused this instrument to be executed under seal, and the City has caused this instrument to be executed in its corporate name by Barbara Lipscomb, City Manager of the City of Greenville.

CITY OF GREENVILLE

By: Barbara Lipscomb (SEAL)
Barbara Lipscomb, City Manager

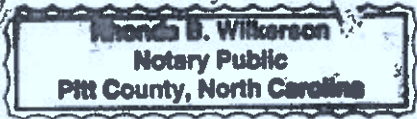
Robert J. Gouras, Jr. (SEAL)
Robert J. Gouras, Jr.

Mary P. Gouras (SEAL)
Mary P. Gouras

**NORTH CAROLINA
PITT COUNTY**

I, Rhonda B. Wilkerson, Notary Public in and for the aforesaid County and State, do hereby certify that Barbara Lipscomb, City Manager for the City of Greenville, personally appeared before me on this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

WITNESS my hand and official seal, this the 24th day of May, 2016.



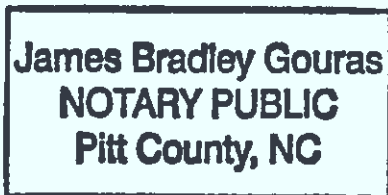
Rhonda B. Wilkerson
Notary Public Rhonda B. Wilkerson

My Commission Expires: May 21, 2017

**NORTH CAROLINA
PITT COUNTY**

I, JAMES BRADLEY GOURAS, Notary Public in and for the aforesaid County and State, do hereby certify that Robert J. Gouras, Jr. personally appeared before me on this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

WITNESS my hand and official seal, this the 25TH day of MAY, 2016.



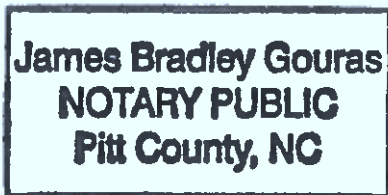
James Bradley Gouras
Notary Public

My Commission Expires: 3/21/2019

**NORTH CAROLINA
PITT COUNTY**

I, JAMES BRADLEY GOURAS, Notary Public in and for the aforesaid County and State, do hereby certify that Mary P. Gouras, personally appeared before me on this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

WITNESS my hand and official seal, this the 25th day of MAY, 2016.



James Bradley Gouras
Notary Public

My Commission Expires: 3/21/2019



City of Greenville, North Carolina

Meeting Date:
10/10/2016
Time: 6:00 PM

Title of Item: Agreement with Greenville Auto Auction for sale of surplus vehicles

Explanation: **Abstract:** The City of Greenville entered an agreement with Greenville Auto Auction on November 11, 2014, to sell surplus vehicles. City staff requests to continue that arrangement by entering into an updated agreement with new terms and conditions.

Explanation: The City of Greenville entered an agreement with Greenville Auto Auction, a local dealer, on November 11, 2014, to sell its surplus vehicles. Since the beginning of this agreement until the present, Greenville Auto Auction has sold 34 vehicles for the City for a total of \$187,500. A summary report of the details of the sales is attached.

Certain terms and conditions of the original contract were amended. Per the new contract, the agreement between the City and Greenville Auto Auction will automatically renew for two additional one-year terms unless either party provides written notice to the other party of the intent not to renew at least 30 days prior to the end of the then current one-year term. The original contract required City Council approval for renewal annually. Also, Greenville Auto Auction has agreed to store City surplus vehicles at its location for a period of 60 days at no charge. Storage beyond 60 days will be \$2.00 per day. The original agreement allowed storage for 30 days at no charge with a fee of \$3.00 per day for any time period beyond 30 days. Insurance requirements were amended to mirror the risk of the City as reviewed by the City's Safety/Risk Manager and Attorney. Additionally, the agreement allows the Purchasing Manager to use her City Council delegated authority to sell surplus vehicles with a value of \$30,000 or less. All other vehicles must receive Council approval prior to sale.

Fiscal Note: The total revenue generated thus far per this agreement is \$187,500. The fee paid to Greenville Auto Auction per the original agreement is 7.5%, or \$14,062. The net revenue to the City was \$173,438. These funds were deposited into the revenue account for the Vehicle Replacement Fund.

Recommendation: Approve the attached agreement with Greenville Auto Auction.

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Attachments / click to download

 [Contract Agreement](#)

 [Summary Report Surplus Vehicles sold by GAA 1012295](#)

Surplus Vehicles Sold by Greenville Auto Auction

January, 2015 -

Asset #	Sale Date	Year	Make	Model	Serial	Mileage	GAA Invent #	Bid Price	GAA Fee	Net To City	
3777	1/29/2015 10:39	1998	FORD	RANGER	1FTYR10U9WUB53981	88870	571553	\$ 2,000	\$ 150	\$ 1,850	
4373	1/29/2015 10:40	2001	DODGE	RAM PICKUP 2500	3B7KC26Z91M244374	104811	571555	\$ 1,100	\$ 83	\$ 1,018	
70-115	1/29/2015 10:41	2002	DODGE	RAM WAGON 3500	2B5WB35Z42K134923	36382	571554	\$ 3,000	\$ 225	\$ 2,775	
6178	4/23/2015 10:41	1992	KOMATSU	WA1-80-1 PAYLOADER	A75236	5347	574406	\$ 5,600	\$ 420	\$ 5,180	
1156	4/23/2015 10:43	1988	CHEVROLET	R30	1GBJR34M8JJ105295	46159	574397	\$ 2,000	\$ 150	\$ 1,850	
4370	4/23/2015 10:45	2000	NEW HOLLAND	7610-B SLOPE MOWER	259523M	1709	574405	\$ 4,200	\$ 315	\$ 3,885	
6674	4/23/2015 10:47	2007	FORD	CROWN VICTORIA POLIC	2FAHP71W97X151771	141316	574404	\$ 2,400	\$ 180	\$ 2,220	
4546	4/23/2015 10:49	2001	INTERNATIONAL	4700	1HTSCABN51H348297	36367	574398	\$ 12,000	\$ 900	\$ 11,100	
SW0012	4/23/2015 10:53	2005	FREIGHTLINER	FC80 Johnston St Sweeper	1FVAB6BV45DN91819	57633	574401	\$ 13,800	\$ 1,035	\$ 12,765	
6415	4/23/2015 10:56	2005	FREIGHTLINER	Pro Patch Pothole Patcher	1FVACYDC85HU57523	32542	574402	\$ 20,800	\$ 1,560	\$ 19,240	
5948	4/23/2015 10:58	2004	CHEVROLET	C6500 C Dump Truck	1GBJ6C1344F518424	89251	574400	\$ 16,200	\$ 1,215	\$ 14,985	
4634	4/23/2015 11:02	2001	INTERNATIONAL	F-2554 Jet Vactor	1HTGCADT11H346600	17635	574399	\$ 24,000	\$ 1,800	\$ 22,200	
6459	4/23/2015 11:04	1997	FREIGHTLINER	FLD112 Semi-Truck	1FUW3MCA0VH840925	192418	574403	\$ 7,900	\$ 593	\$ 7,308	
5368	8/27/2015 10:47	2002	DODGE	RAM PICKUP 2500	3B7KC26Z22M267528	104294	578823	\$ 3,600	\$ 270	\$ 3,330	
5800	8/27/2015 10:48	2004	FORD	CROWN VICTORIA POLIC	2FAHP71W24X136265	133533	578820	\$ 1,000	\$ 75	\$ 925	
6603	8/27/2015 10:49	2006	FORD	CROWN VICTORIA POLIC	2FAHP71WX6X134833	99848	578827	\$ 1,200	\$ 90	\$ 1,110	
6147	8/27/2015 10:50	2005	FORD	CROWN VICTORIA POLIC	2FAHP71W65X134584	127667	578822	\$ 500	\$ 38	\$ 463	
6922	8/27/2015 10:52	2009	GMC	C8500 Refuse Truck	1GDV8C4B09F900012	40679	578826	\$ 700	\$ 53	\$ 648	
6748	8/27/2015 10:53	2008	GMC	C8500 Refuse Truck	1GDV8C4B38F404135	56285	578824	\$ 700	\$ 53	\$ 648	
7051	8/27/2015 10:55	2011	FORD	CROWN VICTORIA POLIC	2FABP7BV5BX120571	55706	578825	\$ 1,500	\$ 113	\$ 1,388	
6148	10/22/2015 10:40	2005	FORD	CROWN VICTORIA POLIC	2FAHP71W55X134589	103626	581795	\$ 1,800	\$ 135	\$ 1,665	
7080	10/22/2015 10:42	2010	CHEVROLET	G4500	1GB9G5B65A1113380	75985	581792	\$ 5,900	\$ 442	\$ 5,458	
6595	10/22/2015 10:44	2006	FORD	CROWN VICTORIA POLIC	2FAHP71W26X134826	DISCREP	581788	\$ 1,300	\$ 98	\$ 1,203	
4019	10/22/2015 10:46	1998	FORD	E-350	1FDWE30L5WHB73848	3860	581790	\$ 3,000	\$ 225	\$ 2,775	
5744	10/22/2015 10:47	2004	FORD	CROWN VICTORIA POLIC	2FAFP71W84X100507	113395	581791	\$ 1,900	\$ 143	\$ 1,758	
4452	10/22/2015 10:49	2001	DODGE	RAM 1500	1B7HC16Y41S670945	143004	581794	\$ 1,700	\$ 128	\$ 1,573	
6429	10/22/2015 10:52	2006	FORD	F-350XL	1FTWW305X6EA18653	67528	581787	\$ 9,800	\$ 735	\$ 9,065	
5880	10/22/2015 10:55	2004	CASE	580SM	JJG0377124	5624	581785	\$ 14,500	\$ 1,088	\$ 13,413	
6159	10/22/2015 10:56	2005	FORD	RAM 1500	2FAHP71W25X134579	106507	581796	\$ 1,400	\$ 105	\$ 1,295	
5495	1/28/2016 10:41	2003	John Deere	5105	410221	135834	584954	\$ 10,900	\$ 818	\$ 10,083	
4180	1/28/2016 10:44	1999	Ford	Crown Victoria	2FAFP71W0XX209063	125	584966	\$ 300	\$ 23	\$ 278	
78-4454	3/24/2016 10:33	2000	Dodge	Pickup Truck	1B7HC13Y11J214170	39521	587056	\$ 4,000	\$ 300	\$ 3,700	
6679	3/24/2016 10:34	2007	Ford	Ranger	1FTYR10U27PA79884	44524	587090	\$ 5,300	\$ 398	\$ 4,903	
6848	3/24/2016 10:36	2008	Isuzu	Johnston 605-JT	4GTM7F1B98F700137	32167	587091	\$ 1,500	\$ 113	\$ 1,388	
								Totals	\$ 187,500	\$ 14,062	\$ 173,438

**NORTH CAROLINA
PITT COUNTY**

AGREEMENT

THIS AGREEMENT is made and entered into this _____ of _____, 2016, by and between the City of Greenville, Party of the First Part and hereinafter referred to as the “City”, and Greenville Auto Auction, Inc., Party of the Second Part and hereinafter referred to as “Contractor”.

WITNESSETH:

WHEREAS, City desires assistance with the sale of surplus vehicles by public auction;
and

WHEREAS, Contractor possesses the expertise and experience to assist City in such capacity;

NOW THEREFORE, in consideration of the mutual promises of the parties hereto, and other good and valuable consideration the sufficiency of which is hereby acknowledged, the parties agree as follows:

1. Services. The Contractor shall provide the services listed in Exhibit A attached hereto and incorporated by reference.
2. Termination. The City or Contractor may terminate this Agreement, with or without cause, at any time by providing thirty (30) days written notice from the terminating party to the non-terminating party. If the Agreement is terminated as provided herein, the Contractor will be paid for all services performed.
3. Regulations. If on the City’s property, Contractor shall comply with the City’s regulations, including but not limited to safety regulations. City will provide Contractor with all relevant regulations upon request of Contractor.
4. Term. This Agreement shall commence on November 1, 2016, and shall continue for a period of one year, subject to the termination provisions contained in paragraph 2 above. This Agreement will be automatically renewed for two additional one year terms unless either party provides written notice to the other party of the intent not to renew at least thirty days prior to the end of the then current one year term.
5. Payment. The City shall pay Contractor in accordance with the following rate schedule:
 - Sales fee per vehicle sold: 7.5% of the sales price
 - Wash and vacuum on cars and standard size vans and trucks (if requested by City): \$25
 - Wash and vacuum on oversized vans and trucks (if requested by City): \$30
 - Local transport fee for vehicle to auction (if requested by City): \$25

- Storage of vehicles in electric security fenced lot: Free for up to 60 days & \$2.00 per day thereafter. Vehicles will be stored based on an agreed upon time frame and cannot be extended without the mutual agreement of both parties. The City will not be charged for extended storage when auction dates are extended due to circumstances beyond the City's control.

6. Entire Agreement and Amendments. This Agreement contains the entire understanding between the parties with respect to the subject matter hereof and supersedes all prior and contemporaneous written or oral negotiations and agreements between them regarding the subject matter hereof. This Agreement may be amended only in writing, which writing must be signed by both of the parties. Each of the statements set forth in the recitals to this Agreement are incorporated herein by reference as a valid representation of the party or parties to whom such statement relates.

7. Assignment. This Agreement is personal to each of the parties hereto, and neither party may assign or delegate any of its rights or obligations without first obtaining the written consent of the other party. Any purported assignment without prior written consent from the other party shall be null and void. In the event of assignment, this Agreement shall be binding upon the successors or assigns of the parties hereto.

8. Independent Contractor. The relationship between the parties to this Agreement shall be that of independent contractors, and no party shall be construed to be the agent, partner, employee, or joint venturer of the other party to the Agreement. The parties shall not exercise control or direct the manner in which other parties perform their duties hereunder except to assure compliance with this Agreement. The parties further agree that Contractor is not eligible for any City employee benefits whatsoever and does not possess any rights or privileges as generally established for the City's employees.

9. Hold Harmless and Indemnification. Contractor agrees to hold harmless and indemnify the City from any and all claims, loss, liability, demands, damages or any other financial demands that may be alleged or realized due to acts of nonfeasance, malfeasance, misfeasance, or negligence committed by Contractor while in the performance of the duties or assignment pursuant to this Agreement.

10. Insurance. Contractor agrees to procure and maintain, or cause to be procured and maintained, a Garage Liability insurance policy, including a Garagekeepers Direct Primary policy covering collision and comprehensive physical damage for the City's Vehicles, covering claims, causes of actions, actions, losses, liabilities, damages, and expenses arising out of, caused by or the negligence or otherwise wrongful acts or omissions of Contractor.

The limits of liability for the Garage Liability policy shall be at least two hundred and fifty thousand dollars (\$250,000.00) per occurrence and two hundred and fifty thousand dollars (\$250,000.00) per aggregate.

The Limit of Insurance for the Garagekeepers Direct Primary policy shall be a minimum of \$200,000 with no more than \$1,000.00 deductible.

Contractor shall also procure and maintain, or cause to be procured and maintained, Workers' Compensation coverage for its employees, as may be required by law.

Contractor shall also procure and maintain a financial guarantee bond in an amount of at least two hundred fifty thousand dollars (\$250,000) with the City being named as a Defined Beneficiary.

11. Third Party Beneficiary. The parties do not intend to confer any rights, privileges or benefits upon any other individual(s) or entity(ies), not signatories to this Agreement, arising out of this Agreement. The parties agree that nothing in this Agreement shall be construed or interpreted to confer any such rights, privileges or benefits upon any individual or entity not a signatory to this Agreement.

12. Costs and Taxes. Except as otherwise specifically provided herein, each party shall bear its own costs and expenses incurred in connection with the performance of its obligations hereunder. Each party shall be responsible for payment of any and all federal, state, local or other taxes which may arise or be imposed as the result of its performance under this Agreement or as the result of the receipt of any compensation or other funds under this Agreement or in connection with the transactions contemplated hereby, if any. This Section shall survive termination of this Agreement.

13. Notice: Any notice required or permitted to be given hereunder shall be in writing and shall be deemed to have been given when personally delivered or three (3) days after being mailed by certified mail, return receipt requested, postage prepaid, to the following addresses, or at such other address as either party may designate in a manner in compliance with this Section:

City of Greenville
Attn: City Manager
P.O. Box 7207
Greenville, North Carolina 27835-7207

Greenville Auto Auction, Inc.
Attn: Clark Stallings
4330 Dickinson Avenue
Greenville, NC 27834

Each party shall keep the other party informed of its current address at all times.

14. Applicable Law, Venue, and Service of Process. This Agreement has been entered into in the State of North Carolina, County of Pitt, and all questions with respect to the construction of this Agreement and the rights and liabilities of the parties shall be governed by the laws of the State of North Carolina. The parties agree that exclusive venue for the bringing of any action concerning this Agreement shall be in the state or federal courts having jurisdiction in Pitt County, North Carolina and that service of process may be made upon either party by certified mail, return receipt requested, postage prepaid to the party's address as set forth herein or such other address as the party may designate in writing received by the other party.

15. Force Majeure. The parties understand and acknowledge that neither shall be liable for any loss, damage, detention, delay or failure to perform in whole or part resulting in causes beyond their control including, but not limited to fire, strikes, insurrections, riots, embargoes, shortages of motor vehicles, delays in transportation, and inability to obtain supplies of raw materials or requirements or regulations of the United States government or any other civil or military authority.

16. Severability. If any provision, or portion thereof, of this Agreement shall for any reason be adjudged by any court of competent jurisdiction to be illegal, invalid or otherwise unenforceable, such judgment shall not affect, impair or invalidate the remainder of this Agreement but shall be limited in its operation to the provision of this Agreement directly involved and only the illegal, invalid or unenforceable provision shall be deemed struck.

17. Waiver. The failure by the party at any time to require performance by the other party of any provision hereof shall not affect in any way the right to require such performance at a later time nor shall the waiver by either party of a breach of any provision hereof be taken or be held to be a waiver of such provision.

18. Counterparts and Facsimiles. This Agreement may be executed in one or more counterparts each of which may be deemed an original, but all of which constitute one and the same. An executed Agreement transmitted by facsimile to the other party may be relied upon as an original and if there is any inconsistency between such facsimile and an executed Agreement subsequently received by "hard copy," the terms contained in the facsimile shall prevail.

19. Headings. The headings and numbers of sections and paragraphs contained in this Agreement are for reference purposes only and shall not affect in any way the meaning or interpretation of this Agreement.

20. Non-Exclusive Engagement. This Contract is not exclusive. The City may utilize other disposal approaches, including electronic online auction services, for the sale and disposition of property. However, it is understood and agreed that the City will not simultaneously utilize multiple disposal approaches for one vehicle at the same time.

21. Iran Divestment Act Certification. Contractor hereby certifies that, it is not on the Iran Final Divestment List created by the North Carolina State Treasurer pursuant to N.C.G.S. 147-86.58. Contractor shall not utilize in the performance of the Agreement any subcontractor that is identified on the Iran Final Divestment List.

22. E-Verify Compliance. The Contractor shall comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes. Further if the Contractor utilizes a subcontractor, the Contractor shall require the subcontractor to comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes. The Contractor represents that the Contractor and its subcontractors are in compliance with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes.

IN WITNESS WHEREOF, each party has caused this Agreement to be executed by its duly authorized representative on the date set forth above.

CITY OF GREENVILLE

GREENVILLE AUTO AUCTION, INC

By: _____
Barbara Lipscomb
City Manager

By: _____
K. Clark Stallings
President

APPROVED AS TO FORM:

BY: _____
David A. Holec, City Attorney

PRE-AUDIT CERTIFICATION:

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

BY: _____
Bernita W. Demery, CPA, Director of Financial Services

Account Number _____

Project Code (if applicable) _____

EXHIBIT A

The parties agree that the following services shall be provided under this Agreement:

1. The City may, from time to time, identify surplus vehicles to be sold by Contractor at a public auction. There is no minimum or maximum number of vehicles that must be identified by the City during the term of this contract, and there is no cost or penalty to the City if no vehicles are identified.
2. The City warrants that vehicles identified are owned by the City and have no liens against them. The City further warrants that each vehicle will have been declared as a surplus vehicle prior to being offered for sale by Contractor. Contractor shall notify the City of the date and time of its public auction at least 45 days prior to the public auction, unless a shorter timeframe is agreed upon by the City and the Contractor. Vehicles valued at \$30,000 or more require the adoption of a resolution by City Council in accordance with the provisions of North Carolina General Statute 160A-270(b).
3. Contractor will accept vehicles identified by the City and will sell each vehicle by public auction at Contractor's place of business in Greenville, North Carolina. The City provides vehicles "as is, where is" and makes no warranty, guaranty, or representation of any kind, expressed or implied, as to the merchantability or fitness for any purpose of the property offered for sale. The City will set a minimum price for each vehicle, and Contractor shall not accept any bids below the minimum price set by the City.
4. Contractor warrants that all public auctions will be advertised and open to the public, and all public auctions shall be held in accordance with Article 12 of North Carolina General Statute Section 160A relating to sale and disposition of government property.
5. Contractor shall collect all monies due the City from the winning bidder and shall remit the auction proceeds to the City, by check or automatic funds transfer. It is understood that the City will not collect funds directly from the winning bidder. The auction proceeds remitted by Contractor to the City shall be the full sale price of each vehicle, less only the 7.5% commission and any costs associated with services specifically requested by the City. If payment is made by check, it shall be payable to the City of Greenville, and directed to the attention of Financial Services Dept./Purchasing Division, P.O. Box 7207, Greenville, North Carolina 27835, within 10 days of the date the vehicle is sold. No additional charges or premiums shall be charged by Contractor to the City; or by Contractor or the City to the winning bidder.
6. Contractor shall not release a vehicle to the winning bidder until full payment has been received from the winning bidder and the winning bidder has signed a bill of sale with a notation that the item is sold "As Is, Where Is, and Without Warranty". Contractor shall immediately notify the City when a vehicle is sold to facilitate transfer of title.

7. If a vehicle offered for sale is not sold at auction, then Contractor shall notify the City within 24 hours so that the City may reclaim the vehicle.



City of Greenville, North Carolina

Meeting Date:
10/10/2016
Time: 6:00 PM

Title of Item: Contract award for the replacement of Bridge #421 on King George Road

Explanation: **Abstract:** The replacement of Bridge #421 on King George Road will replace the existing bridge over Meeting House Branch in the Brook Valley subdivision. T. A. Loving Company of Goldsboro, NC, submitted the lowest bid for this contract in the amount of \$663,330.

Explanation: Bids for the replacement of Bridge #421 on King George Road were opened on September 8, 2016. Four bids were received, with the lowest responsive, responsible bid being submitted by T. A. Loving Company. A bid summary is attached.

This project will replace the existing bridge on King George Road. Originally constructed in 1966, the existing bridge has been determined, by engineering inspections performed every two years, to be at the end of its useful life and must be replaced.


Fiscal Note: Funding for this project is split between the North Carolina Department of Transportation (NCDOT) and City participation. Through the Municipal Bridge Program, NCDOT is providing 80% of the funding for this project. The remaining 20% match required by the Municipal Agreement with NCDOT is being provided from Powell Bill funds. The proposed budget for this project, including a 10% contingency, is \$729,663.00.

Recommendation: City Council award a construction contract, pending concurrence of award by NCDOT, for the replacement of Bridge #421 on King George Road to T. A. Loving Company of Goldsboro, NC, in the amount of \$663,330.

Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

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 [Bid Tab](#)

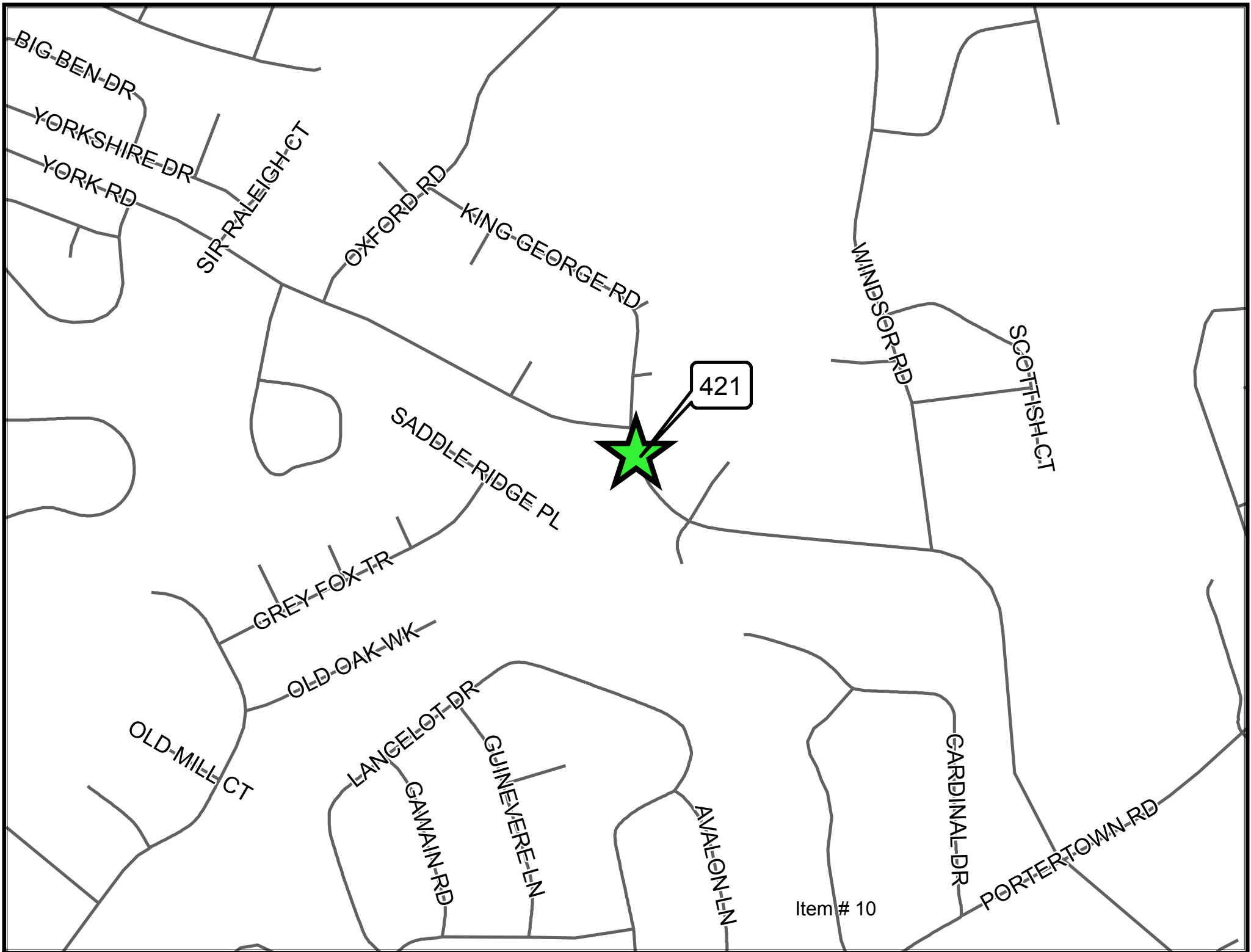
 [King George Bridge Road Map](#)

B-5100
Replacement of Bridge #421 on King George Road

BID SUMMARY SHEET
City of Greenville, North Carolina
Engineering Division

Bid Opening: September 8, 2016 @ 2:00 p.m.

<i>Contractor</i>	<i>Rec'd Addenda #1</i>		<i>5% Bid Bond</i>		<i>M/WBE Submitted</i>		<i>NCA Form Submitted</i>		<i>Total Base Bid</i>
	<i>Yes</i>	<i>No</i>	<i>Yes</i>	<i>No</i>	<i>Yes</i>	<i>No</i>	<i>Yes</i>	<i>No</i>	
Palmetto Infrastructure	X		X		X		X		\$715,204.00
S. T. Wooten	X		X		X		X		\$689,978.90
T. A. Loving	X		X		X		X		\$663,330.00
Sanford Contractors	X		X		X		X		\$757,539.09



421



Item # 10



City of Greenville, North Carolina

Meeting Date:
10/10/2016
Time: 6:00 PM

Title of Item: Report on bids and contracts awarded

Explanation: **Abstract:** The Director of Financial Services reports monthly the bids and/or contracts awarded over a certain dollar threshold by the Purchasing Manager and City Manager.

Explanation: The Director of Financial Services reports that the following bids and contracts were awarded during the months of August and September, 2016.

Date Awarded	Description	Vendor Purchase Order No.	Amount	MWBE Vendor? Yes/No	Does Local Preference Apply?
8/31/2016	Traffic signal detection equipment	Transportation Equipment Services PO #17000064	\$77,571.75	No	No
8/31/2016	2017 International Knuckle Boom Loader	Petersen Industries, Inc PO#17000073 Note: NJPA	\$164,093.08	No	No

		Cooperative Purchase			
9/6/2016	Kubota RTV-X11000CWL-H	Kubota Tractor Corporation PO#17000075 Note: NJPA Cooperative Purchase	\$62,726.01	No	No
9/7/2016	Johnston VT-651 Vacuum Sweeper	Johnston North America, Inc PO#17000076 Note: HGAC Cooperative Purchase	\$276,525.00	No	No
9/7/2016	Articulating Telescopic Aerial Device with Material Handling	Altec Industries, Inc PO#17000077 Note: NJPA Cooperative Purchase	\$203,080.00	No	No

Fiscal Note: Funding for the bids and contracts awarded are included in the City of Greenville's 2016-17 budget ordinance

Recommendation: That the award information be reflected in the City Council minutes.

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[Request for Quote - Transportation Equipment](#)



Request for Verbal/Written Quotations

City of Greenville
Financial Services/Purchasing
P.O. Box 7207
201 West Fifth Street
Greenville, NC 27835
Telephone: 252-329-4664
Fax: 252-329-4464

Requestor				Vendor 1		Vendor 2		Vendor 3	
				Local <input type="checkbox"/>	MWBE <input type="checkbox"/>	Local <input type="checkbox"/>	MWBE <input type="checkbox"/>	Local <input type="checkbox"/>	MWBE <input type="checkbox"/>
Department: Public Works				Transportation Equipment Services		NCDOT State Contract Pricing			
Requestor: Doug Jones									
Date: 8/25/2016									
No.	Description	Quantity	Unit of Measure	Unit Cost	Extension	Unit Cost	Extension	Unit Cost	Extension
1	Wavetronix Matrix 24.000GHz SmartSensor	11		\$4,360.00	\$47,960.00	\$4,410.00	\$48,510.00		
2	Click 600 Cabinet Interface Device	6		\$1,975.00	\$11,850.00	\$2,070.00	\$12,420.00		
3	6" *2 Axis Heavy Duty Mounting Bracket	11		\$199.00	\$2,189.00	\$209.00	\$2,299.00		
4	Sensor Cable Junction Box	11		\$170.00	\$1,870.00	\$178.00	\$1,958.00		
5	4-Channel Contact Closure Card	9		\$387.00	\$3,483.00	\$397.00	\$3,573.00		
6	2-Channel Contact Closure Card	3		\$369.00	\$1,107.00	\$379.00	\$1,137.00		
7	Bulk 6-Conductor "Homerun" Cable Spool 3450 ft.	3,450		\$1.875.00	\$6,468.75	\$1.875	\$6,468.75		
8	Freight	1		\$2,644.00	\$2,644.00	\$2,644.00	\$2,644.00		
Total				\$77,571.75		\$79,009.75			

Note: All pricing shall include all discounts and freight. Additionally, all pricing should be FOB Destination to the City of Greenville. A copy of this Request for Verbal Quotes Form shall be forwarded to the Purchasing Division as an attachment to the purchase order requisition and will be filed with applicable purchase order for proper documentation of award and compliance with all City policies and procedures.

Doc#971358



City of Greenville, North Carolina

Meeting Date:
10/10/2016
Time: 6:00 PM

Title of Item: Various tax refunds greater than \$100

Explanation: **Abstract:** Pursuant to North Carolina General Statute 105-381, refunds are being reported to City Council. These are refunds created by a change or release of value for City of Greenville taxes by the Pitt County Tax Assessor. Pitt County Commissioners have previously approved these refunds; they are before City Council for their approval as well. These refunds will be reported as they occur when they exceed \$100.

Explanation: The Director of Financial Services reports refunds of the following taxes:

Payee	Adjustment Refunds	Amount
Baker, Denise aka Beaman, Denise	Registered Property Tax	191.02
Bridgett, Alfonzo R.	Registered Motor Vehicle	118.54
Cannon, Lindsay W.	Registered Motor Vehicle	393.21
Country Farms LLC	Registered Property Tax	2,717.04
Flowers, William R.	Registered Motor Vehicle	280.07
Garcia, Ignacia	Registered Property Tax	471.26
Jenkins, Robert L., Jr.	Registered Property Tax	298.04
Luther, Brandon P.	Registered Motor Vehicle	112.31
Manning, Therese P.	Registered Motor Vehicle	102.63
Mariner Finance	Registered Property Tax	155.88
Mayo, Lucille T.	Registered Property Tax	121.25
Moto, Diego A.	Registered Property Tax	319.14

Fiscal Note: The total to be refunded is \$5,280.39.

Recommendation: Approval of tax refunds by City Council

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City of Greenville, North Carolina

Meeting Date:
10/10/2016
Time: 6:00 PM

Title of Item: Budget ordinance amendment #2 to the 2016-2017 City of Greenville budget (Ordinance #16-036) and amendments to the Special Revenue Grant Fund (Ordinance #11-003), Public Works Capital Projects Fund (Ordinance #15-053), and Recreation and Parks Capital Projects Fund (Ordinance #15-053)

Explanation: **Abstract:** This budget amendment is for City Council to review and approve proposed changes to the adopted 2016-2017 budget and other funds as identified.

Explanation: Attached for consideration at the October 10, 2016, City Council meeting is an ordinance amending the 2016-2017 City of Greenville budget (Ordinance #16-036) and amendments to the Special Revenue Grant Fund (Ordinance #11-003), Public Works Capital Projects Fund (Ordinance #15-053), and Recreation and Parks Capital Projects Fund (Ordinance #15-053).

For ease of reference, a footnote has been added to each line item of the budget ordinance amendment, which corresponds to the explanation below:

- A. To re-appropriate funds remaining at the end of FY 2015-2016 for uncompleted Capital Improvement Projects related to the Stormwater Utility Fund (\$694,215) and Facilities Improvement Fund (\$736,152).
- B. To recognize \$21,707 in insurance claim funds received as a result of totaled vehicles within the Police Department. This also appropriates fund balance (\$57,293) in the Vehicle Replacement Fund to cover the additional need of funds to replace the two vehicles within the Vehicle Replacement Fund. The total amount of \$79,000 is needed to replace the vehicles.
- C. To move funds from the Police Department to the Community Development - Code Enforcement Division for computer software costs (\$3,371).
- D. To move funds from the General Fund Police Department budget to the Debt Service Fund to cover the first year's estimated debt service payment on the new Public Safety Annex loan (\$92,315).

E. To recognize funds received from the Rural Economic Development Division of the North Carolina Department of Commerce to be used for downtown revitalization projects (\$94,340).

F. To recognize funding for the pedestrian bridge study over the Tar River in the amount of \$25,000. This project will be reimbursed 80% with federal funds (\$20,000) whereas the remaining 20% will be funded through contingency (\$5,000).

G. To recognize funding within the Special Revenue Grants Fund for the 2016 Justice Assistant Grant (JAG) award from the Department of Justice. These grant funds will be used to purchase body-worn cameras, mobile computers, tabletop display, promotional materials, and a quartermaster module (\$62,809).

H. To recognize funding within the Special Revenue Grants Fund for the 2016 Greenville Police Department Child Response Initiative. The Governor's Crime Commission has awarded the City a two-year grant equal to \$110,901 which requires a 20% match equal to \$27,725 over the next two years. The 20% match will come from General Fund contingency.

I. To recognize funding in the amount of \$823,804 within the Public Works Capital Projects Fund for the King George Road Bridge project. The project will be funded from a federal grant (\$659,043) and Powell Bill fund balance (\$164,761) to match the grant at 20%. Per this amendment, the transfer of Powell Bill funding is being recorded as an appropriation and transfer in the General Fund and the establishment of the capital project is being recorded in the Public Works Capital Projects Fund.

J. To record in the Public Works Capital Project Fund the transfer of \$1,700,000 from the General Fund for Street Improvements, as included in the 2016-17 adopted budget.

K. To restrict funding related to the renovation of the Gardner Training Center for an on-site health clinic (\$75,000) to be funded from Health Fund reserves.

L. To recognize funding received from the Department of Transportation for Federal Transit Administration (\$416,000) related to the GTAC project. This grant award requires a 20% match (\$104,000) from the City for a total increase to the project budget of \$520,000. The match will come from the Transportation Fund through the appropriation of fund balance. Per this amendment, the transfer of fund balance is being recorded in the Transportation Fund, and the increase to the GTAC project is being recorded in the Public Works Capital Projects Fund.

M. To reclassify \$1,311,864 budgeted within the General Fund from the Recreation & Parks Department to Transfer to Other Funds in order to establish a Recreation and Parks Capital Project Fund for Town Common Renovation (\$985,932) and the Tar River Project (\$325,932).

N. To move Capital Reserve funds (\$122,153) to the Recreation and Parks Capital Projects Fund for costs associated with the acquisition of the Westside Park property.

O. To recognize funds received from the North Carolina Department of Public Safety for Homeland Security (\$35,000) within the Special Revenue Grants Fund. These funds will be used for equipment and training for the Fire/Rescue Department.

Fiscal Note:

Amendment Summary

The budget ordinance amendment affects the following funds:

Fund Name	Original/ Amended Budget	Proposed Amendment	Amended Budget 10/10/2016
General	\$83,893,973	\$279,101	\$84,173,074
Debt Service	\$5,433,438	\$92,315	\$5,525,753
Stormwater Utility	\$5,850,219	\$694,215	\$6,544,434
Facility Improvement	\$1,590,000	\$736,152	\$2,326,152
Vehicle Replacement	\$5,066,743	\$79,000	\$5,145,743
Special Revenue Grant	\$3,872,862	\$236,436	\$4,109,298
Public Works Cap Projects	\$31,403,447	\$3,043,804	\$34,447,251
Transportation	\$2,530,012	\$104,000	\$2,634,012
Health	\$12,785,572	\$75,000	\$12,860,572
Rec & Parks Capital Projects	\$4,084,831	\$1,434,017	\$5,518,848
Capital Reserve	\$2,083,419	-	\$2,083,419

General Fund Contingency Available for Appropriation as of Ordinance #2

The 2016-17 adopted General Fund budget included a budget of \$150,000 in contingency that would be available for appropriation throughout the fiscal year. Per Budget Ordinance #2, the following contingency funds remain available for appropriation:

2016-17 Contingency Fund Budget	\$ 150,000
Pedestrian Bridge Study: 20% Match	(5,000)
Governor's Crime Commission Grant: 20% Match	<u>(27,725)</u>
Contingency Budget Available for Appropriation	<u>\$ 117,275</u>

Fund Balance Appropriated per Ordinance #2 (General Fund)

a. The following is a summary of FY 2016-17 fund balance appropriated within the General Fund as of Budget Ordinance #2:

	General Fund	Powell Bill Fund	Total
2016-17 Adopted Budget Ordinance (see b. below)	\$1,078,808	\$717,186	\$1,795,994
Capital Proj Carryover From FY2015-			

16 (see c. below)	968,423	-	968,423
FY2015-16 Economic Dev Carryover (see d. below)	285,000	-	285,000
King George Road Bridge Project	-	164,761	164,761
2016-17 Budget Ordinance #2	\$2,332,231	\$881,947	\$3,214,178

b. The following is a summary of the fund balance appropriations for the General Fund component as included in the original budget ordinance:

Imperial Site	\$ 1,040,000
Contingency	<u>38,808</u>
Total	\$ <u>1,078,808</u>

c. Budget Ordinance #1 included carryover from FY 2015-16 related to various incomplete capital improvement projects in the amount of \$968,423. The following is a list of the projects and the remaining budget funds reappropriated:

Fire/Rescue #3 Parking Lot Improvement Project	\$ 139,551
Tar River Study Project	136,932
Public Works Department Prior Year Carryover	191,187
Town Common Improvements	260,534
Mast Arm Poles Project	100,000
City Hall Lobby Renovation Project	34,719
Fire/Rescue Defibrillators	35,500
Historical Loan Pilot Projects	<u>70,000</u>
Total	<u>\$ 968,423</u>

d. Budget Ordinance #1 included carryover related to various Economic Development projects with remaining budgets as of the end of fiscal year 2015-16. The following is a list of the projects and the remaining budget funds reappropriated:

Revolving Loan Fund	\$ 110,000
The Boundary Property Tax Credit	<u>175,000</u>
Total	<u>\$ 285,000</u>

Recommendation: Approve budget ordinance amendment #2 to the 2016-2017 City of Greenville budget (Ordinance #16-036) and amendments to the Special Revenue Grant Fund (Ordinance #11-003), Public Works Capital Projects Fund (Ordinance #15-053), and Recreation and Parks Capital Projects Fund (Ordinance #15-053).

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 [BUDGET_AMENDMENT_2_1037597](#)

ORDINANCE NO. 16-
CITY OF GREENVILLE, NORTH CAROLINA
Ordinance (#2) Amending the 2016-2017 Budget (Ordinance #16-036) and the Special Revenue Grants Fund (Ordinance #11-003),
Public Works Capital Projects Fund (Ordinance #15-053), and Recreation and Parks Capital Projects Fund (Ordinance #15-053).

THE CITY COUNCIL OF THE CITY OF GREENVILLE, NORTH CAROLINA, DOES ORDAIN:

Section I: Estimated Revenues and Appropriations. **General Fund**, of Ordinance 16-036, is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

	ORIGINAL 2016-17 BUDGET		#2 Amended 10/10/16	Total Amendments	Amended 2016-2017 Budget
ESTIMATED REVENUES					
Property Tax	\$ 32,744,935		\$ -		\$ 32,744,935
Sales Tax	17,681,023		-	-	17,681,023
Video Prog. & Telecom. Service Tax	914,621		-	-	914,621
Rental Vehicle Gross Receipts	130,763		-	-	130,763
Utilities Franchise Tax	7,158,899		-	-	7,158,899
Motor Vehicle Tax	1,483,674		-	-	1,483,674
Other Unrestricted Intergov't Revenue	874,012		-	-	874,012
Powell Bill	2,220,065		-	-	2,220,065
Restricted Intergov't Revenues	929,310	E, F, I	114,340	114,340	1,043,650
Licenses, Permits and Fees	4,277,874		-	-	4,277,874
Rescue Service Transport	3,096,519		-	-	3,096,519
Parking Violation Penalties, Leases, & Meters	378,386		-	-	378,386
Other Sales & Services	343,328		-	-	343,328
Other Revenues	1,712,727		-	-	1,712,727
Interest on Investments	400,000		-	-	400,000
Transfers In GUC	6,498,420		-	-	6,498,420
Other Financing Sources	-		-	-	-
Appropriated Fund Balance	1,795,994	I	164,761	1,418,184	3,214,178
TOTAL REVENUES	\$ 82,640,550		\$ 279,101	\$ 1,532,524	\$ 84,173,074
APPROPRIATIONS					
Mayor/City Council	\$ 378,265		\$ -	\$ -	\$ 378,265
City Manager	2,181,371	E	94,340	449,340	2,630,711
City Clerk	244,879		-	-	244,879
City Attorney	455,059		-	-	455,059
Human Resources	2,796,037		-	-	2,796,037
Information Technology	2,963,382		-	173,000	3,136,382
Fire/Rescue	13,568,513		-	754,518	14,323,031
Financial Services	2,487,958		-	-	2,487,958
Recreation & Parks	7,572,763	M, N	(1,311,864)	847,052	8,419,815
Police	23,087,392	C, D	(95,686)	288,752	23,376,144
Public Works	9,470,961	F	25,000	1,425,809	10,896,770
Community Development	2,661,558	C	3,371	3,371	2,664,929
OPEB	500,000		-	-	500,000
Contingency	150,000	F, H	(32,725)	(32,725)	117,275
Indirect Cost Reimbursement	(1,432,859)		-	-	(1,432,859)
Capital Improvements	3,973,258		-	(3,973,258)	-
Total Appropriations	\$ 71,058,537		\$ (1,317,564)	\$ (64,141)	\$ 70,994,396
OTHER FINANCING SOURCES					
Transfers to Other Funds	\$ 11,582,013	D, H, I, M	\$ 1,596,665	\$ 1,596,665	\$ 13,178,678
	\$ 11,582,013		\$ 1,596,665	\$ 1,596,665	\$ 13,178,678
TOTAL APPROPRIATIONS	\$ 82,640,550		\$ 279,101	\$ 1,532,524	\$ 84,173,074

Section II: Estimated Revenues and Appropriations. **Debt Service Fund**, of Ordinance 16-036, is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

	ORIGINAL 2016-17 BUDGET		#2 Amended 10/10/16	Total Amendments	Amended 2016-2017 Budget
ESTIMATED REVENUES					
Powell Bill Fund	\$ 68,677		\$ -	\$ -	\$ 68,677
Occupancy Tax	696,436		-	-	696,436
Transfer from General Fund	4,668,325	D	92,315	92,315	4,760,640
TOTAL REVENUES	\$ 5,433,438		\$ 92,315	\$ 92,315	\$ 5,525,753
APPROPRIATIONS					
Debt Service	\$ 5,433,438	D	\$ 92,315	\$ 92,315	\$ 5,525,753
Total Expenditures	\$ 5,433,438	\$ -	\$ 92,315	\$ 92,315	\$ 5,525,753
TOTAL APPROPRIATIONS	\$ 5,433,438	\$ -	\$ 92,315	\$ 92,315	\$ 5,525,753

Section III: Estimated Revenues and Appropriations. **Stormwater Utility Fund**, of Ordinance 16-036, is hereby amended by increasing estimated revenues

	ORIGINAL 2016-17 BUDGET		#2 Amended 10/10/16	Total Amendments	Amended 2016-2017 Budget
ESTIMATED REVENUES					
Stormwater Utility Fee	\$ 5,374,886		\$ -	\$ -	\$ 5,374,886
Appropriated Fund Balance	475,333	A	694,215	694,215	1,169,548
TOTAL REVENUES	\$ 5,850,219		\$ 694,215	\$ 694,215	\$ 6,544,434
APPROPRIATIONS					
Stormwater Fund	\$ 5,850,219	A	694,215	\$ 694,215	\$ 6,544,434
Total Expenditures	\$ 5,850,219		\$ 694,215	\$ 694,215	\$ 6,544,434
TOTAL APPROPRIATIONS	\$ 5,850,219		\$ 694,215	\$ 694,215	\$ 6,544,434

Section IV: Estimated Revenues and Appropriations. **Facility Improvement Fund**, of Ordinance 16-036, is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

	ORIGINAL 2016-17 BUDGET		#2 Amended 10/10/16	Total Amendments	Amended 2016-2017 Budget
ESTIMATED REVENUES					
Appropriated Fund Balance	\$ 1,590,000	A	\$ 736,152	\$ 736,152	\$ 2,326,152
TOTAL REVENUES	\$ 1,590,000		\$ 736,152	\$ 736,152	\$ 2,326,152
APPROPRIATIONS					
Capital Improvement	\$ 1,590,000	A	736,152	\$ 736,152	\$ 2,326,152
Total Expenditures	\$ 1,590,000		\$ 736,152	\$ 736,152	\$ 2,326,152
TOTAL APPROPRIATIONS	\$ 1,590,000		\$ 736,152	\$ 736,152	\$ 2,326,152

Section V: Estimated Revenues and Appropriations. **Vehicle Replacement Fund**, of Ordinance 16-036, is hereby amended by increasing estimated

	ORIGINAL 2016-17 BUDGET		#2 Amended 10/10/16	Total Amendments	Amended 2016-2017 Budget
ESTIMATED REVENUES					
Sale of Property	\$ 223,000		\$ -	\$ -	\$ 223,000
Transfer from Sanitation Fund	250,000		-	-	250,000
Transfer from Other Funds	3,176,826		-	-	3,176,826
Other Revenues	50,000	B	21,707	21,707	71,707
Appropriated Fund Balance	1,366,917	B	57,293	57,293	1,424,210
TOTAL REVENUES	\$ 5,066,743		\$ 79,000	\$ 79,000	\$ 5,145,743

APPROPRIATIONS					
Equipment	\$ 5,066,743	B	\$ 79,000	\$ 79,000	\$ 5,145,743
Total Expenditures	\$ 5,066,743		\$ 79,000	\$ 79,000	\$ 5,145,743
TOTAL APPROPRIATIONS	\$ 5,066,743		\$ 79,000	\$ 79,000	\$ 5,145,743

Section VI: Estimated Revenues and Appropriations. **Special Revenue Grant Fund**, of Ordinance 11-003, is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

	ADJUSTED BUDGET		#2 Amended 10/10/16	Total Amendments	Amended 2016-2017 Budget
ESTIMATED REVENUES					
Special Fed/State/Loc Grant	\$ 3,471,632	G, H, O	\$ 208,711	\$ 208,711	\$ 3,680,343
Transfer from General Fund	321,230	H	27,725	27,725	348,955
Transfer from Pre-1994 Entitlement	80,000		-	-	80,000
TOTAL REVENUES	\$ 3,872,862		\$ 236,436	\$ 236,436	\$ 4,109,298

APPROPRIATIONS					
Personnel	\$ 114,387	H	\$ 108,944	\$ 108,944	\$ 223,331
Operating	2,541,800	G, H, O	97,492	97,492	2,639,292
Capital Outlay	1,216,675	O	30,000	30,000	1,246,675
Total Expenditures	\$ 3,872,862		\$ 236,436	\$ 236,436	\$ 4,109,298
TOTAL APPROPRIATIONS	\$ 3,872,862		\$ 236,436	\$ 236,436	\$ 4,109,298

Section VII: Estimated Revenues and Appropriations. **Public Works Capital Projects Fund**, of Ordinance 15-053, is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

	ADJUSTED BUDGET		#2 Amended 10/10/16	Total Amendments	Amended 2016-2017 Budget
ESTIMATED REVENUES					
Tax Revenue	\$ 88,000		\$ -	\$ -	\$ 88,000
Transfers from Convention Center	400,000		-	-	400,000
Bond Proceeds	9,096,803		-	-	9,096,803
Restricted Intergovernmental	13,977,723	I, L	1,075,043	1,075,043	15,052,766
Capital Lease	2,591,373		-	-	2,591,373
Transfer from Powell Bill	1,265,968	I	164,761	164,761	1,430,729
Transfer from General Fund	3,739,972	J	1,700,000	1,700,000	5,439,972
Transfer from West Third Street	109,498		-	-	109,498
Transfer from Stormwater Utility	80,170		-	-	80,170
Transfer from Public Transportation	-	L	104,000	104,000	104,000
Investment Earnings	33,440		-	-	33,440
Other Revenues	20,500		-	-	20,500
TOTAL REVENUES	\$ 31,403,447		\$ 3,043,804	\$ 3,043,804	\$ 34,447,251

APPROPRIATIONS

Stantonsburg Rd./10th Street Connector Project	\$ 6,044,950		\$ -	\$ -	\$ 6,044,950
Thomas Langston Rd. Project	3,980,847		-	-	3,980,847
GTAC Project	8,816,917	L	520,000	520,000	9,336,917
Energy Efficiency Project	777,600		-	-	777,600
King George Bridge Project	504,999	I	823,804	823,804	1,328,803
Energy Savings Equipment Project	2,591,373		-	-	2,591,373
Convention Center Expansion Project	4,688,000		-	-	4,688,000
Pedestrian Improvement Project	210,761		-	-	210,761
Street Improvements Project	3,788,000	J	1,700,000	1,700,000	5,488,000
Total Expenditures	\$ 31,403,447		\$ -	\$ 3,043,804	\$ 34,447,251

TOTAL APPROPRIATIONS \$ 31,403,447 \$ 3,043,804 \$ 3,043,804 \$ 34,447,251

Section VIII: Estimated Revenues and Appropriations. **Health Fund**, of Ordinance 16-036, is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

	ORIGINAL 2016-17 BUDGET		#2 Amended 10/10/16	Total Amendments	Amended 2016-2017 Budget
ESTIMATED REVENUES					
Employer Contributions - City of Greenville	\$ 8,837,053		\$ -	\$ -	\$ 8,837,053
Employee Contributions - City of Greenville	1,245,311		-	-	1,245,311
Retiree Contributions - City of Greenville	1,311,058		-	-	1,311,058
Other Health Sources	1,219,274		-	-	1,219,274
Appropriated Fund Balance	172,876	K	75,000	75,000	247,876
TOTAL REVENUES	\$ 12,785,572		\$ 75,000	\$ 75,000	\$ 12,860,572

APPROPRIATIONS

Health Fund	12,785,572		-	-	12,785,572
Capital/Renovations	-	K	75,000	75,000	75,000
Total Expenditures	\$ 12,785,572		\$ -	\$ -	\$ 12,860,572

TOTAL APPROPRIATIONS \$ 12,785,572 \$ - \$ - \$ 12,860,572

Section IX: Estimated Revenues and Appropriations. **Transportation Fund**, of Ordinance 16-036, is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

	ORIGINAL 2016-17 BUDGET		#2 Amended 10/10/16	Total Amendments	Amended 2016-2017 Budget
ESTIMATED REVENUES					
Operating Grant 2016-17	\$ 1,261,929		\$ -	\$ -	\$ 1,261,929
Planning Grant 2016-17	37,800		-	-	37,800
State Maintenance Assistant Program	285,000		-	-	285,000
Hammock Source	974		-	-	974
Convergys	979		-	-	979
Pitt Community College Bus Fare	9,744		-	-	9,744
Bus Fares	255,297		-	-	255,297
Bus Ticket Sales	108,149		-	-	108,149
Pitt County Bus Service	4,871		-	-	4,871
Transfer from General Fund	565,269		-	-	565,269
Appropriated Fund Balance	-	L	104,000	104,000	104,000
TOTAL REVENUES	\$ 2,530,012		\$ 104,000	\$ 104,000	\$ 2,634,012

APPROPRIATIONS

Public Transportation	\$ 2,530,012		\$ -	\$ -	\$ 2,530,012
Transfer Out	-	L	104,000	104,000	104,000
Total Expenditures	\$ 2,530,012		\$ 104,000	\$ 104,000	\$ 2,634,012

TOTAL APPROPRIATIONS \$ 2,530,012 \$ 104,000 \$ 104,000 \$ 2,634,012

Section X: Estimated Revenues and Appropriations. **Recreation and Parks Capital Projects Fund**, of Ordinance #15-053, is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

	ADJUSTED BUDGET		#2 Amended 10/10/16	Total Amendments	Amended 2016-2017 Budget
ESTIMATED REVENUES					
Restricted Intergovernmental	\$ 1,350,000		\$ -	\$ -	\$ 1,350,000
Transfer from General Fund	602,331	M	1,311,864	1,311,864	1,914,195
Transfer from Debt Service	32,500			-	32,500
Transfer from Capital Reserve	-	N	122,153	122,153	122,153
Bond Proceeds	2,100,000			-	2,100,000
TOTAL REVENUES	\$ 4,084,831	\$ -	\$ 1,434,017	\$ 1,434,017	\$ 5,518,848

APPROPRIATIONS					
South Greenville Gymnasium Renovations and Additions	\$ 3,083,500		\$ -	\$ -	\$ 3,083,500
Trillium Park Equipment Project	1,001,331		-	-	-
Town Common Renovations	-	M	985,932	985,932	985,932
Westside Park Acquisition & Development	-	N	122,153	122,153	122,153
Tar River	-	M	325,932	325,932	325,932
Total Expenditures	\$ 4,084,831		\$ 1,434,017	\$ 1,434,017	\$ 5,518,848
TOTAL APPROPRIATIONS	\$ 4,084,831		\$ 1,434,017	\$ 1,434,017	\$ 5,518,848

Section XI: Estimated Revenues and Appropriations. **Capital Reserve Fund**, of Ordinance #16-036, is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

	ORIGINAL 2016-17 BUDGET		#2 Amended 10/10/16	Total Amendments	Amended 2016-2017 Budget
ESTIMATED REVENUES					
Transferred from General Fund	\$ 460,000		\$ -	\$ -	\$ 460,000
Appropriated Fund Balance	1,623,419		-	-	1,623,419
TOTAL REVENUES	\$ 2,083,419		\$ -	\$ -	\$ 2,083,419

APPROPRIATIONS					
Increase in Reserve	\$ 2,083,419	N	(122,153)	(122,153)	1,961,266
Transfer to Recreation & Parks Capital Projects Fund		N	122,153	122,153	122,153
Total Expenditures	\$ 2,083,419		\$ -	\$ 2,083,419	\$ 2,083,419
TOTAL APPROPRIATIONS	\$ 2,083,419		\$ -	\$ 2,083,419	\$ 2,083,419

Section XII: All ordinances and clauses of ordinances in conflict with this ordinance are hereby repealed.

Adopted this 10th day of October, 2016

Allen M. Thomas, Mayor

ATTEST:

Carol L. Barwick, City Clerk



City of Greenville, North Carolina

Meeting Date:
10/10/2016
Time: 6:00 PM

Title of Item: Presentations by Boards and Commissions

- a. Greenville Bicycle and Pedestrian Commission
- b. Investment Advisory Committee

Explanation: The Greenville Bicycle and Pedestrian Commission and the Investment Advisory Committee are scheduled to make their annual presentations to City Council at the October 10, 2016 meeting.

Fiscal Note: No direct cost

Recommendation: Hear the presentations from the Greenville Bicycle and Pedestrian Commission and the Investment Advisory Committee.

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Attachments / click to download



City of Greenville, North Carolina

Meeting Date:
10/10/2016
Time: 6:00 PM

Title of Item: Contract award for the 2016 Phase 2 Bond Street Repairs

Explanation: **Abstract:** Phase 2 of the 2016 Bond Street Repairs program will provide milling, resurfacing, ADA improvements, striping, and signal improvements on Arlington Boulevard from Red Banks Road to Firetower Road. S. T. Wooten Corporation of Wilson, NC, submitted the lowest base bid for this contract in the amount of \$1,314,654.50.

Explanation: Bids for the 2016 Bond Street Repairs Phase 2 were originally scheduled for opening on September 20, 2016. Only one bid was received. In accordance with NC State law, staff rejected the bid and returned it unopened to the bidder. Staff re-advertised the project and received bids on September 28, 2016. Two bids were received.

This project will mill, resurface, and provide new pavement markings on approximately 6.25 lane miles of roadway. It will also include ADA improvements and significant subgrade repairs in many areas of Arlington Boulevard. Additionally, traffic detection equipment at signals along the 6.25 lane miles will be upgraded to newer technology, which will eliminate loops in the pavement and reduce maintenance costs in the future.

Fiscal Note: Funding for this project will come from the General Obligation Bond passed by citizens in November 2015. The proposed budget for this project, including a 10% contingency, is \$1,446,119.95.

Recommendation: City Council award a construction contract for the 2016 Bond Street Repairs Phase 2 to S. T. Wooten Corporation of Wilson, NC, in the amount of \$1,314,654.50.

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 [Arlington Blvd Bond St Map](#)

 [Bond Street Bid Tab](#)

2016 Bond Street Repairs Phase 2

BID SUMMARY SHEET

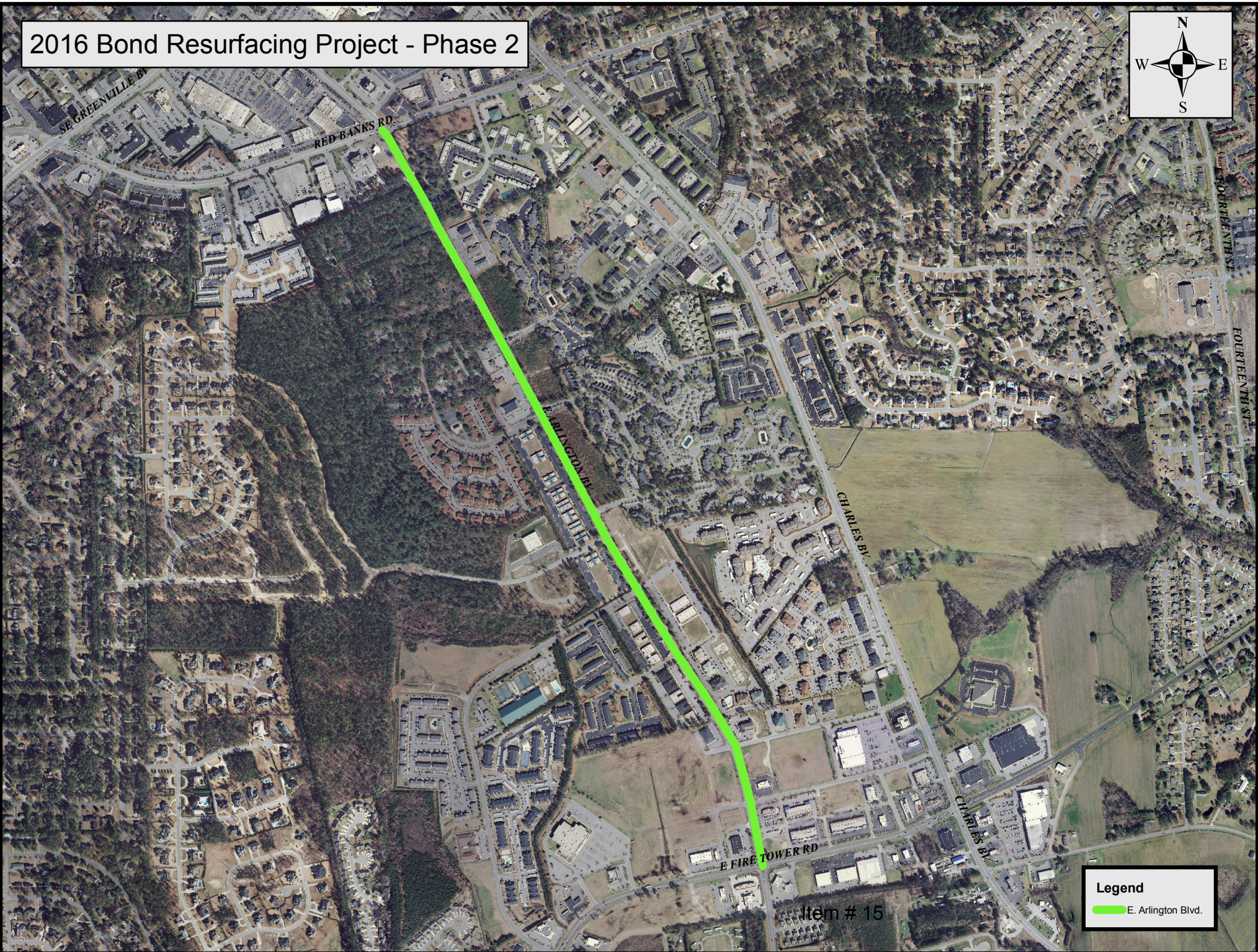
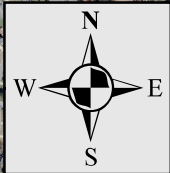
City of Greenville, North Carolina

Engineering Division

Re-Bid Opening: September 28, 2016 @ 2:00 p.m.

<i>Contractor</i>	<i>Rec'd Addenda #1 & #2</i>		<i>5% Bid Bond</i>		<i>M/WBE Submitted</i>		<i>NCA Form Submitted</i>		<i>Total Base Bid</i>
	<i>Yes</i>	<i>No</i>	<i>Yes</i>	<i>No</i>	<i>Yes</i>	<i>No</i>	<i>Yes</i>	<i>No</i>	
S. T. Wooten Corporation	X		X		X		X		\$1,314,654.50
Barnhill Contracting Company	X		X		X		X		\$1,395,304.20

2016 Bond Resurfacing Project - Phase 2



Legend
— E. Arlington Blvd.

Item # 15



City of Greenville, North Carolina

Meeting Date:
10/10/2016
Time: 6:00 PM

Title of Item: Contract award for construction of the Greenville Transportation Activity Center

Explanation: **Abstract:** The Public Works Department is requesting award of a contract to TCC Enterprises, Inc. of Louisburg, NC, for construction of the Greenville Transportation Activity Center (GTAC) at a bid price of \$7,194,300. The GTAC facility will be constructed on property bounded partially by Bonners Lane to the north, South Pitt Street to the east, and Clark Street to the west. The project is expected to begin in November/December of 2016 with completion projected in November/December of 2017.

Explanation: The Public Works Department requests City Council approve an award of a contract for construction of the Greenville Transportation Activity Center (GTAC) to TCC Enterprises, Inc. of Louisburg, NC. The total award for construction is the low bid of \$7,194,300 (certified bid tabulation attached). The funding breakdown for this project is as follows:

Federal Transit Administration	\$5,612,720
NCDOT	605,641
City of Greenville	797,539
Greenville Utilities	<u>178,400</u>
Total Project Cost	\$7,194,300

The portion funded by Greenville Utilities is for replacement of a water main and services in the rights-of-way adjacent to the GTAC construction project.

The GTAC facility construction, which will be located on property partially bounded by Bonners Lane to the north, South Pitt Street to the east, and Clark Street to the west, is expected to begin in November/December of 2016 with completion projected in November/December of 2017.

Fiscal Note: The construction award of \$7,194,300 to TCC Enterprises, Inc. is within the total

available budget for GTAC. The City of Greenville's match for the construction contract of this project is \$797,539. These matching funds have previously been allocated in the City's budget. A total of \$178,400 will be provided by Greenville Utilities Commission to cover 100% of the cost for water main and service line replacements adjacent to the GTAC facility. The expense for interior furnishings, the cost of placing electrical/utility lines underground, and installation of communications lines underground from City Hall to GTAC will be an additional expense. However, the project is not expected to exceed the total available funds.

Recommendation: Award the contract for construction of the Greenville Transportation Activity Center to TCC Enterprises, Inc. for a lump sum of \$7,194,300.

Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

Attachments / click to download

 [GTAC Bid Tab](#)

 [GTAC Contract](#)

Greenville Transportation Activity Center
Greenville, NC
Jacobs Project No. L3005900

BID TABULATION 9/01/2016 2:00pm

Bidder	Base Bid	Alt 1 Pitt South	Alt 2 Clark South	Alt 3 GUC	Alt 4 GUC	Alt 5 GUC	Alt 6 Masonry Unit	Listed Subcontractors	Addenda	Signed & Sealed	Bid Bond	DBE Listing	MWBE Listing	Affidavit A or B	Buy Amer. Cert.	Iran Div. Cert.	Lobbying
Blue Rock Structures * PO Box 129 Pollocksville, NC 28753	\$6,467,753.00	\$64,248.00	\$122,311.00	\$110,745.00	\$21,280.00	\$40,218.00	\$2,554.00	HVAC: Jacksonville Heating & Air Plumbing: Tim McCarter Plumbing Electrical: Pitt Electric	Y	Y	Y	N	Y	Y	Y	Y	Y
Ocean Builders, LLC PO Box 190 Nags Head, Nc 27959	\$7,180,000.00	\$69,000.00	\$129,000.00	\$115,000.00	\$23,000.00	\$43,000.00	\$3,200.00	HVAC: Jacksonville Heating & Air Plumbing: Tim McCarter Plumbing Electrical: Coastline	Y	Signed Not Sealed	Y	N	Y	Y	N	N	N
Daniels & Daniels Construction Co. PO Box 10337 Goldsboro, NC 27532	\$6,857,800.00	\$66,800.00	\$118,300.00	\$106,200.00	\$21,320.00	\$38,850.00	\$5,880.00	HVAC: Jacksonville Heating & Air Plumbing: Tim McCarter Plumbing Electrical: Pitt Electric	Y	Y	Y	N	Y	Y	Y	Y	Y
Pro Construction 2423C North Marine Boulevard Jacksonville, NC 28546	\$7,199,700.00	\$53,500.00	\$136,800.00	\$111,800.00	\$21,700.00	\$41,000.00	\$5,800.00	HVAC: Jacksonville Heating & Air Plumbing: Tim McCarter Plumbing Electrical: Pitt Electric	Y	Y	Y	N	Y	Y	Y	Y	Y
TCC Enterprises, Inc. 1089 NC HWY 56 East Louisburg, NC 27549	\$6,820,000.00	\$67,500.00	\$128,400.00	\$115,000.00	\$22,300.00	\$41,100.00	\$0.00	HVAC: Jacksonville Heating & Air Plumbing: Tim McCarter Plumbing Electrical: Pitt Electrical	Y	Signed Not Sealed	Y	N	Y	Y	Y	Y	Y
								HVAC: Plumbing: Electrical:									
								HVAC: Plumbing: Electrical:									
								HVAC: Plumbing: Electrical:									

* Bid was withdrawn in accordance with the provisions of North Carolina General Statute 143-129.1.

Certified Bid Tabulation


Jacobs Engineering Group Inc.

9/26/16
Dated



1/14

NORTH CAROLINA
PITT COUNTY

CONTRACT FOR CONSTRUCTION/REPAIR

THIS CONTRACT is entered into by and between **TCC Enterprises, Inc.**, hereinafter referred to as the “Contractor”, and the City of Greenville, a North Carolina municipal corporation, hereinafter referred to as the “City” for the project entitled: Greenville Transportation Activity Center.

And for the Contract Amount of: **Seven million, one-hundred ninety-four thousand, three hundred and no/100 dollars (\$7,194,300.00).**

WITNESSETH:

WHEREAS, the City desires to procure a contractor to perform services; and

WHEREAS, the City has completed necessary steps for retention of construction/repair services under State law and applicable City policies; and

WHEREAS, the City has agreed to engage the Contractor, and the Contractor has agreed to contract with the City, for performance of services as described, and according to the further terms and conditions, set forth herein.

NOW THEREFORE, in consideration of sums to be paid to the Contractor, and other good and valuable consideration, the Contractor and City do contract and agree as follows:

1. Description of Work

The Contractor, at his (its) own proper cost and expense and with skill and diligence, shall furnish all labor, tools, materials and equipment and do all things necessary for the proper construction and completion ready for use of the following improvements:

New building, exterior canopies and related site work for the City of Greenville’s Transportation Activity Center

In strict accordance with and as shown in the specifications, schedules, drawings and other documents set forth herein or incorporated by reference as follows:

**Greenville Transportation Activity Center Project Manual, Dated May 10, 2016
Contract Drawings as listed on Sheet G-001
Project Addenda Nos. 1 through 8**

In case of conflict between this Contract and any incorporated attachments or references, the terms of this Contract shall prevail.

The Contractor shall further perform in accordance with the directions (not inconsistent therewith) given from time to time during the construction by the Project Engineer or such other official, employee, or other agent of the City as the City may designate.

2. General Obligations of the Contractor

The Contractor will accept the prices specified in this Contract in full compensation and satisfaction for the performance of this Contract and as consideration of this Contract. The Contractor shall be responsible for all loss and damages of every kind and nature which may arise out of or an account of the performance of the work required by this Contract, and for all risks of every description connected with the said work; and the Contractor shall be responsible for well and faithfully completing the whole work according to all applicable plans and specifications and the terms and conditions of this Contract.

3. Time of Commencement and Completion

- a. The entire work required by this Contract shall be completed by the Contractor not later than 365 days after the date of Notice-to-Proceed. Contractor shall be subject to liquidated damages in the amount of \$1,000 per day should the Contract fail to be completed within the time stated above.
- b. The City and the Contractor recognize that the City will suffer financial loss if the work under this Contract is not completed within the time specified in section 3(a). They also recognize the delays, expense, and difficulty to both the City and the Contractor involved in proving or contesting the amounts of those losses. Instead of requiring proof of those amounts, it is agreed that Contractor shall be liable for and shall pay the City in the amount of \$1,000 per day as liquidated damages, and not as a penalty, for each day after the time specified in section 3(a) until the entire work required by this Contract is completed. The amounts stated as liquidated damages are agreed to be reasonable estimates of the City's losses and expenses for delays, including inspections, architectural and engineering services, and administrative costs. City may collect liquidated damages by retaining moneys otherwise due Contractor in the amount of such damages, and by other legal means.

4. Workmanship and Quality of Services/Warranties

All work under this Contract shall be done and performed to the satisfaction of the Project Engineer of the City of Greenville, or of such other official, employee, or agent of the City of Greenville as may be designated by the City, and such official, employee or agent designated by the City shall in all cases of dispute determine the quantity, quality, acceptability and fitness of the work and materials and of several portions thereof which are to be paid for under this Contract and shall decide and determine all questions which may arise as to the measurements, lines, levels and dimensions of the work and all questions respecting the true construction, interpretation or meaning of the plans and specifications. In case of dispute between the Contractor and the said official, employee, or agent of the City, the decision and determination of the latter shall be taken, and shall be final and conclusive.

The Contractor, in executing this Contract, warrants that he will be responsible for the maintenance or correction of any work completed under this Contract that may become defective due to faulty workmanship or materials for a period of one (1) year after final acceptance of the work performed.

It is understood and agreed by the parties hereto that work done under this Contract shall be subject to all ordinances of the City of Greenville relating to work done in the public streets or other public property of the City.

5. Compensation

In consideration of the performance of this Contract and the full completion of the work required of the Contractor by the terms and conditions of this Contract, the City agrees to pay to the Contractor the contract amount based on the following: Partial payments will be made to the Contractor by the City NET thirty (30) days after presentation of a true and accurate payment application to the City as certified by the Project Engineer or agent of the City of Greenville. Final estimate of the amount due to the Contractor will be made within thirty (30) days after the certified completion and final acceptance of all the work required by the Contract less retainage per Section 6. Payment to the Contractor by the City of the amounts so determined to be due, in accordance with this Contract, shall relieve the City from all claims for work done and materials and equipment furnished under this Contract.

It is further mutually agreed between the parties that no estimate or partial payment made under this Contract shall be conclusive evidence of the performance of this Contract, either wholly or in part, and that no such payment shall be construed to be an acceptance of defective work or improper materials.

6. Retainage

To ensure proper performance of the Contract, the City may retain five percent (5%) of the amount of each approved partial or periodic payment application until the project work is fifty percent (50%) complete, provided that the Contractor continues to perform satisfactorily and any non-conforming work identified in writing prior to that date has been corrected by the Contractor and accepted by the City's designated Construction Manager.

If the City determines the Contractor's performance is unsatisfactory, the City may reinstate retainage in the amount of five percent (5%) for each subsequent partial or periodic payment application until the Contractor's performance becomes satisfactory. The project shall be deemed fifty percent (50%) complete when the contractor's gross project invoices, excluding the value of materials stored off-site, equal or exceed fifty percent (50%) of the value of the contract, except the value of materials stored on-site shall not exceed twenty percent (20%) of the contractor's gross project invoices for the purpose of determining whether the project is fifty percent (50%) complete. Following fifty percent (50%) completion of the project, the City may also withhold additional retainage from any subsequent periodic payment, not to exceed five percent (5%), in

order to allow the City to retain two and one-half percent (2 ½%) total retainage through the completion of the project.

Within sixty (60) days after the submission of a pay request, the City with written consent of the surety shall release to the Contractor all retainage on payments held by the City if (1) the City receives a certificate of substantial completion from the architect, engineer, or designer in charge of the project; or (2) the City receives beneficial occupancy or use of the project. However, the City may retain sufficient funds to secure completion of the project or corrections on any work. If the City retains funds, the amount retained shall not exceed two and one-half (2 ½) times the estimated value of the work to be completed or corrected. Any reduction in the amount of the retainage on payments shall be with the consent of the contractor's surety.

Retainer provisions contained in Contractor's subcontracts may not exceed the terms and conditions for retainage provided herein. Contractors are further required to satisfy the retainage provisions of N.C.G.S. 143-134.1(b2) with regard to subcontracts for early finishing trades (structural steel, piling, caisson, and demolition) and to coordinate the release of retainage for such trades from the retainage held by the City from the Contractor pursuant to statute. Nothing shall prevent the City from withholding payment to the Contractor in addition to the amounts identified herein for unsatisfactory job progress, defective construction not remedied, disputed work, or third-party claims filed against the City or reasonable evidence that a third-party claim will be filed.

7. Notices

All notices, requests for payment, or other communications arising hereunder shall be sent to the following:

City of Greenville
Attn: Ken Jackson
1500 Beatty Street
Greenville, NC 27834
(252) 329-4480

Contractor
TCC Enterprises, Inc
Attn: David Thomas
1089 NC Highway 56E
Louisburg, NC 27549
919-496-3111

8. Non-discrimination

In consideration of the signing of this Contract, the parties hereto for themselves, their agents, officials, employees and servants agree not to discriminate in any manner on the basis of race, color, creed, national origin, sex, age, handicap, or sexual orientation with reference to the subject matter of this Contract, no matter how remote.

9. Disadvantaged Business Enterprise Program

It is the policy of the City of Greenville to provide disadvantaged businesses equal opportunity for participation in all aspects of the City's contract procurement programs. Refer to Section 006239 for additional information.

10. Assignment

This Contract may not be assigned without the express written consent of the City.

11. Applicable Law

All matters relating to this Contract shall be governed by the laws of the State of North Carolina, without regard to its choice of law provisions, and venue for any action relating to this Contract shall be Pitt County Civil Superior Court.

12. Insurance

Contractor agrees to purchase at its own expense insurance coverages to satisfy the following minimum requirements. A certificate reflecting the following minimum coverages shall accompany this Contract:

Workers' Compensation Insurance:

Limits:

Workers Compensation: Statutory for the State of North Carolina
Employers Liability: Bodily Injury by Accident \$1,000,000 each accident
Bodily Injury by Disease \$1,000,000 policy limit
Bodily Injury by Disease \$1,000,000 each employee

Commercial General Liability:

Limits:

Each Occurrence:	\$1,000,000
Personal and Advertising Injury	\$1,000,000
General Aggregate Limit	\$2,000,000
Products and Completed Operations Aggregate	\$2,000,000

The aggregate limit must apply per project. The form of coverage must be the ISO CG 00 01 policy as approved by the State of North Carolina Department of Insurance. If a form of coverage other than the CG 00 01 is used it must be approved by the City of Greenville. Any endorsed exclusions or limitations from the standard policy must be clearly stated in writing and attached to the Certificate of Insurance. Completed Operations coverage must be maintained for the period of the applicable statute of limitations.

The City of Greenville must be added as an Additional Insured to the Commercial General Liability policy.

Commercial Automobile Liability:

Limits:

\$1,000,000 combined single limit.

The City of Greenville must be added as an Additional Insured on the Commercial Auto Liability policy.

Additional Insured – Contractor agrees to endorse the City as an Additional insured on the Commercial General Liability, Auto Liability and Umbrella Liability if being used to meet the standard of the General Liability and Automobile Liability. The Additional Insured shall read ‘**City of Greenville is named additional insured as their interest may appear**’.

The Certificate Holder address should read:

**City of Greenville
200 West Fifth Street
Greenville, NC 27835-7207**

Builders Risk Coverage:

Limit:

Minimum limit in the amount of total bid price.

The Builder Risk policy must be endorsed to increase the limit of insurance for all change orders.

Policy Form:

Builder Risk coverage must be on a direct physical loss basis and contain no exclusion for theft, collapse or damage to foundations or underground structures, pipes or conduits.

Named Insured:

The Named Insured shall be the City of Greenville, the Contractor and all sub-contractors with a contractual assumption of responsibility for damage to the project.

All insurance companies must be admitted to do business in North Carolina and be acceptable to the City of Greenville. If the insurance company(s) is a permitted surplus lines insurer, the insurance company name, and NAIC number must be submitted to the Greenville Risk Manager for approval before commencing work. Contractor shall be required to provide the City no less than thirty (30) days notice of cancellation, or any material change, to any insurance coverage required by this Contract.

A Certificate of Insurance (COI) must be issued by an authorized representative of the insurance carrier(s). Certificates of Insurance must have the Insurance Company name and NAIC number clearly identified. The acceptance of or the review of Certificates of Insurance by the City of Greenville does not relieve Contractor of any requirements in the contract to provide specific insurance coverage required by the contract, nor does the

acceptance of or review of Certificates of Insurance covenant all insurance requirements have been met.

13. Surety Bonds

The Contractor shall furnish and attach hereto a Performance Bond and a Payment Bond each in the penal sum of the full Contract amount covering the faithful performance of the Contract and the payment of all obligations arising hereunder, in such form and content as the City may prescribe and with surety approved by the City. Should any surety upon the bond for the performance of this Contract become unacceptable to the City, the Contractor must promptly furnish additional security as may be required from time to time by the City to protect the interests of the City and of persons, firms and corporations supplying labor or materials in the performance of the work contemplated by the Contract.

14. Indemnity

Except to the extent caused by the sole negligence or willful misconduct of the City, the Contractor shall indemnify and hold and save the City, its officers, agents and employees, harmless from liability of any kind, including all claims, costs (including defense) and losses accruing or resulting to any other person, firm, or corporation furnishing or supplying work, services, materials, or supplies in connection with the performance of this Contract, and from any and all claims, costs (including defense) and losses accruing or resulting to any person, firm, or corporation that may be injured or damaged by the Contractor's negligence in the performance of this Contract. This representation and warranty shall survive the termination or expiration of this Contract.

The Contractor shall indemnify and hold and save the City, its officers, agents and employees, harmless from liability of any kind, including claims, costs (including defense) and expenses, on account of any copyrighted material, patented or unpatented invention, articles, device or appliance manufactured or used in the performance of this Contract.

15. Force Majeure

Except as otherwise provided in any environmental laws, rules, regulations or ordinances applicable to the parties and the services performed under this Contract, neither party shall be deemed to be in default of its obligations hereunder if and so long as it is prevented from performing such obligations by an act of war, hostile foreign actions, nuclear explosion, earthquake, hurricane, tornado, or other catastrophic natural event or act of God. Either party to the Contract must take reasonable measures and implement reasonable protections when a weather event otherwise defined as a force majeure event is forecast to be eligible to be excused from the performance otherwise required under this Contract by this provision.

16. Advertising

The Contractor shall not use the existence of this Contract, or the name of the City of Greenville, as part of any advertising without prior written approval of the City.

17. Termination

If the Contractor fails to perform the work described herein by the time allowances provided in Section 3, or fails to provide adequate staff and resources required to properly execute said work in a workmanlike and safe manner, the City can declare the Contractor in Default. If the Contractor fails to complete the work in the provided project duration as stated in item 3 of this document, or fails to meet periodic schedules describing work sequence, or fails to comply with all appropriate local, federal, or state laws, rules and regulations the City may, without prejudice to any other right or remedy and after giving the Contractor and his surety a maximum of seven (7) days from delivery of a written notice, declare the Contract in default, take possession of the project and of all equipment, tools, materials thereon owned by the Contractor and call upon the surety or appropriate legal recourse to finish the work by whatever method deemed expedient.

18. Laws/Safety Standards

The Contractor shall comply with all laws, ordinances, codes, rules, regulations, safety standards and licensing requirements that are applicable to the conduct of its business, including those of Federal, State, and local agencies having jurisdiction and/or authority.

All manufactured items and/or fabricated assemblies subject to operation under pressure, operation by connection to an electric source, or operation involving a connection to a manufactured, natural, or LP gas source shall be constructed and approved in a manner acceptable to the appropriate state inspector which customarily requires the label or re-examination listing or identification marking of the appropriate safety standard organization, such as the American Society of Mechanical Electrical Engineers for pressure vessels; the Underwriters' Laboratories and/or National Electrical Manufacturers' Association for electrically operated assemblies; or the American Gas Association for gas operated assemblies, where such approvals of listings have been established for the type(s) of devices offered and furnished. Further, all items furnished by the Contractor shall meet all requirements of the Occupational Safety and Health Act (OSHA), and state and federal requirements relating to clean air and water pollution.

Contractor must comply with *North Carolina Occupational Safety and Health Standards for General Industry, 29CFR 1910*. In addition, Contractor shall comply with all applicable occupational health and safety and environmental rules and regulations.

Contractor shall effectively manage their safety and health responsibilities including:

A. Accident Prevention

Prevent injuries and illnesses to their employees and others on or near their job site. Contractor managers and supervisors shall ensure personnel safety by strict adherence to established safety rules and procedures.

B. Environmental Protection

Protect the environment on, near, and around their work site by compliance with all applicable environmental regulations.

C. Employee Education and Training

Provide education and training to all contractors employees before they are exposed to potential workplace or other hazards as required by specific OSHA Standards.

19. Applicability of North Carolina Public Records Law

Notwithstanding any other provisions of this Contract, this Contract and all materials submitted to the City by the Contractor are subject to the public records laws of the State of North Carolina and it is the responsibility of the Contractor to properly designate materials that may be protected from disclosure as trade secrets under North Carolina law as such and in the form required by law prior to the submission of such materials to the City. Contractor understands and agrees that the City may take any and all actions necessary to comply with federal, state, and local laws and/or judicial orders and such actions will not constitute a breach of the terms of this Contract. To the extent that any other provisions of this Contract conflict with this paragraph, the provisions of this section shall control.

20. Miscellaneous

The Contractor shall be responsible for the proper custody and care of any property furnished or purchased by the City for use in connection with the performance of this Contract, and will reimburse the City for the replacement value of its loss or damage. The Contractor shall keep the job sites and surrounding area reasonably free from rubbish at all times and shall remove debris from the site from time to time or when directed to do so by the City. Before final inspection and acceptance of the project, the Contractor shall thoroughly clean the job sites, and completely prepare the project and site for use by the City.

The Contractor shall be considered to be an Independent Contractor and as such shall be wholly responsible for the work to be performed and for the supervision of its employees. Nothing herein is intended or will be construed to establish any agency, partnership, or joint venture. Contractor represents that it has, or will secure at its own expense, all personnel required in performing the services under this Contract. Such employees shall not be employees of or have any individual contractual relationship with the City.

This Contract may be amended only by written agreement of the parties executed by their authorized representatives.

21. Right of Audit and Examination of Records

1 The City of Greenville may conduct an audit of Contractor's financial, performance and compliance records maintained in connection with the operations and services performed under this Contract. Such audits may be performed by a City's representative or an outside representative engaged by City. The City or its designee may conduct such audits or inspections throughout the term of this Contract and for a period of three years after final payment or longer if required by law.

2 In the event of such an audit, the City, or its designated representative, shall have the right to, without limitation, review and copy records; interview all current or former employees; and conduct verifications such as counting employees at the Construction Site, witnessing the distribution of payroll,

verifying information and amounts through interviews and written confirmations with Contractor employees, field and agency labor, subcontractors, and vendors.

3 Contractor's, subcontractors' and sub-subcontractors' "records" shall upon reasonable notice be open to inspection and subject to audit and/or reproduction during normal business working hours. Contractor's "records" as referred to in this contract shall include any and all information, materials and data of every kind and character in hard copy and digital format, including without limitation, records; books; papers; documents; subscriptions; recordings; agreements; purchase orders; leases; contracts; commitments; arrangements; notes; daily diaries; superintendent reports; drawings; receipts; vouchers; memoranda; payroll records, cancelled payroll checks, subcontract files, including but not limited to proposals of successful and unsuccessful bidders, bid recaps, and negotiation notes; original bid estimates; estimating work sheets; correspondence; change order files, including documentation covering negotiated settlements; backcharge logs and supporting documentation; invoices and related payment documentation; general ledger; information detailing cash and trade discounts earned; insurance rebates and dividends and any and all other agreements, sources of information and matters that may in City's judgment relate to any matters, rights, duties or obligations under or covered by any Contract Document to the extent necessary to adequately permit evaluation and verification of any or all of the following:

- (a) Compliance with contract requirements for deliverables;
- (b) Compliance with approved plans and specifications;
- (c) Compliance with City's business ethics expectations;
- (d) Compliance with contract provisions regarding the pricing of change orders;
- (e) Accuracy of contractor representations regarding the pricing of invoices; and
- (f) Accuracy of contractor representations related to claims submitted by the contractor or any of his payees.

4 Contractor shall require all payees (e.g. subcontractors, material suppliers, insurance carriers) to comply with the provisions of this article by including the requirements hereof in a written contract agreement between Contractor and payee. Contractor shall ensure that all payees have the same right to audit provisions contained in this contract.

5 City's authorized representative or designee shall have reasonable access to the Contractor's facilities, shall be allowed to interview all current or former employees to discuss matters pertinent to the performance of this contract and shall be provided adequate and appropriate work space in order to conduct audits in compliance with this article.

6 If an audit inspection or examination in accordance with this article discloses overpricing or overcharges by the Contractor or Contractor's payee to the City in excess of one percent (1%) of the total contract billings, the Contractor shall make adjustments to the applicable charges and the actual cost of the City's audit shall be reimbursed to the City by the Contractor. Any adjustments and/or payments which must be made as a result of any such audit or examination of records shall be made within ninety (90) days from presentation of City's findings to Contractor.

22. Federal Transit Administration (FTA) Terms and Conditions

The Federal Transit Administration (FTA) Terms and conditions shall apply to this contract (see Section 08100).

23. Incorporation of Documents/Complete Agreement

This Contract, and any documents incorporated below, represent the entire Contract between the parties and suspend all prior oral or written statements, agreements or Contracts.

Specifically incorporated into this Contract are the following attachments, or if not physically attached, are incorporated fully herein by reference:

- Advertisement for Bids
- Contractor's Proposal
- Procedure for N.C. Sales Tax Reporting
- Performance Bond (w/Power-of-Attorney)
- Payment Bond (w/Power-of-Attorney)
- Certificate of Insurance
- General Conditions
- Special or Supplemental Conditions
- Job Specifications
- Other (Describe) _____

24. E - Verify

Contractor shall comply with *E-Verify*, the federal E-Verify program operated by the United States Department of Homeland Security and other federal agencies, or any successor or equivalent program used to verify the work authorization of newly hired employees pursuant to federal law and as in accordance with N.C.G.S. §64-25 *et seq.* In addition, to the best of Contractor's knowledge, any subcontractor employed by Contractor as a part of this contract shall be in compliance with the requirements of E-Verify and N.C.G.S. §64-25 *et seq.*

25. Iran Divestment Act

Contractor certifies that; (i) it is not on the Iran Final Divestment List created by the North Carolina State Treasurer pursuant to N.C. G.S. 147-86.58; (ii) it will not take any actions causing it to appear on said list during the term of this Contract, and (iii) it will not utilize any subcontractor to provide materials and services hereunder that is identified on said list.

In cases of conflict between this Contract and any of the above incorporated attachments or references, the terms of this Contract shall prevail.

The remainder of this page is left blank intentionally.

THIS CONTRACT is entered into this _____ day of _____, 20____.
IN WITNESS WHEREOF, the Contractor has executed the foregoing with the signature(s) of its duly authorized officer(s), under seal, and the City has executed with the signature of its Mayor, attested by its (Assistant/Deputy) Clerk-Treasurer, with the official seal affixed, the day and year first above written.

TCC ENTERPRISES, INC.:

CITY OF GREENVILLE

By:

By:

Mayor

Printed Name/Title

(If corporate)
ATTEST:

By: _____

Printed Name/Title
(Affix Seal)

APPROVED AS TO FORM:

By: _____
David A. Holec, City Attorney

PRE-AUDIT CERTIFICATION:

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act

Bernita W, Demery, Director of Financial Services

Account Number _____

Project Code (if applicable) _____



City of Greenville, North Carolina

Meeting Date:
10/10/2016
Time: 6:00 PM

Title of Item: Transit Advertising Policy

Explanation: **Abstract:** The purpose of this item is to establish standards and guidelines for advertising on the City of Greenville transit system.

Explanation: During a regularly scheduled City Council meeting in June, Council Members heard a benchmark presentation from staff regarding both naming rights and advertising. At the conclusion of the presentation, City staff recommended that the City pursue a Transit advertising program, and City Council Members concurred.

In order to realize the maximum benefit from the sale of advertising space and generate revenue, the paid transit advertising will be managed in a manner that generates as much revenue as practicable, while ensuring the advertising does not discourage the use of the transit system, does not diminish the City's reputation or image in the communities it services, does not diminish the goodwill of its patrons, and is consistent with the City's mission and vision to provide safe and effective public transportation.

This policy is intended to provide clear guidelines as to the types of advertisements that will allow the City to generate and enhance transit operations by fulfilling the following goals and objectives:

- Maximizing advertising revenue;
- Preventing the appearance of favoritism by the City;
- Preventing the risk of imposing demeaning or disparaging views to a captive audience;
- Maintaining a position of neutrality on controversial issues (religion, advocacy, Planned parenthood, etc);
- Preserving the marketing potential of the advertising space by avoiding content that the community could view as demeaning, disparaging, objectionable, inappropriate, or harmful to members of the public generally or to minors in particular;
- Maximizing ridership;

- Avoiding claims of discrimination and maintaining a non-discriminatory environment for riders;
- Preventing any harm or abuse that may result from running demeaning, disparaging, or objectionable advertisement;
- Reducing the diversion of resources from transit operations that is caused by demeaning, disparaging, objectionable, inappropriate or harmful advertisements.

If City Council approves this policy, staff will issue a request for proposals or request for qualifications to solicit a third-party advertising firm to manage the City's advertising program on a commission or revenue-sharing basis.

The Public Transportation and Parking Commission reviewed the proposed Transit Advertising Policy on September 21, 2016. The Committee supports the policy.

Fiscal Note:

City staff expects this project to result in no additional expense to the City, except for employee time and effort. Revenues generated in accordance with this policy will be determined at the request for proposals process.

Recommendation:

Staff recommends that City Council adopt the attached Transit Advertising policy.

Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

Attachments / click to download

 [Transit Advertising Policy Final Version Dave 1035718](#)

**City of Greenville
Transit Advertising Policy**

Office of Economic Development
Policies & Procedures

Title

Document Code No.

ADVERTISING POLICY

Department/Issuing Agency

Date

Office of Economic Development

October 10, 2016

Approved

Barbara Lipscomb, City Manager

1.0 SUBJECT TITLE: City of Greenville, Public Works Department

1.1 EFFECTIVE DATE: October 10, 2016

1.2 TYPE OF ACTION: Creating an Advertising Policy for Transit

1.3 KEY WORDS: (1) Transit (2) Advertising

2.0 PURPOSE

2.1 City of Greenville Transit System. The City of Greenville Public Works Department operates a bus system that includes bus routes throughout the city. The transit system is a vital component of the broad spectrum of public services from the City. The City’s transit advertising program is intended to generate revenue to support the transit system.

2.2 Advertising as Revenue Source. The City’s transit operations are funded by a combination of federal, State, and local funds. Advertising revenues are an important additional source of revenue that supports transit operations. The City’s fundamental purpose in accepting transit advertising is to generate revenue to reduce the subsidy the City of Greenville provides for bus transportation and transit operations.

The primary purpose of the City’s transit system is to provide safe and efficient public transportation within its service area. Consistent with this purpose, the City places great importance on maintaining secure, safe, comfortable, and convenient Transit Facilities and Transit Vehicles in order to, among other things consistent with the provision of effective and reliable public transportation, retain existing riders and attract new users of public transit services. To generate additional revenue while also accomplishing the primary objectives of transit operations, the

City will accept advertising on its Transit Facilities and Transit Vehicles only if such advertising complies with the Advertising Policy.

In order to realize the maximum benefit from the sale of advertising space and generate revenue, the paid transit advertising will be managed in a manner that generates as much revenue as practicable, while ensuring the advertising does not discourage the use of the transit system, does not diminish the City's reputation or image in the communities it services, does not diminish the goodwill of its patrons and is consistent with the City's mission and vision to provide safe and effective public transportation.

- 2.3 Non Public Forum Status. The City's acceptance of transit advertising does not provide or create a general public forum or a limited public forum for purposes of communication. In keeping with its proprietary function as a provider of public transportation, and consistent with the City's mission, the City does not intend its acceptance of transit advertising to convert its Transit Vehicles or Transit Facilities into open public forums for public discourse and debate. Rather, the City's fundamental purpose and intent is to accept advertising as an additional means of generating revenue to support transit operations. In furtherance of that objective, the City retains strict control over the nature of the advertisements accepted for posting on or in its Transit Vehicles and Transit Facilities.
- 2.4 Application of Policy. This Transit Advertising Policy applies to the posting of all advertisements on Transit Facilities and Transit Vehicles
- 2.5 Disclaimer of Endorsement. The City's acceptance of an advertisement does not constitute express or implied endorsement of the content or message of the advertisement, including any person, organization, products, services, information or viewpoints contained therein, or of the advertisement sponsor itself.

3.0 POLICIES:

- 3.1 Permitted Advertising Content: Advertising authorized on or in Transit Facilities and Transit Vehicles shall not include any Prohibited Advertising Content as described in section 3.2 and shall either (a) promote City of Greenville programs, products, services, or initiatives or (b) be commercial in nature and purpose.

Commercial advertising is defined as advertising the sole purpose of which is to sell or rent real estate or personal property for profit, or to sell services for profit. Commercial advertising does not include advertising that both offers to sell property or services and/or conveys information about matters of general interest, political issues, religious, moral, environmental matters or issues, other public

matters or issues, or expresses, advocates opinions or positions upon any of the foregoing.

3.2 Prohibited Advertising Content: Advertising is prohibited on or in Transit Facilities and Transit Vehicles if it includes any of the following content:

3.2.1 Political Campaign Speech. Advertising that promotes or opposes a political party, the election of any candidate or group of candidates for federal, state or local government offices, or initiatives, referendums or other ballot measures.

3.2.2 Prohibited Products, Services or Activities. Advertising that (i) promotes or depicts the sale, rental, or use of, participation in, or images of the following products, services or activities; or (ii) uses brand names, trademarks, slogans or other material that are identifiable with such products, services or activities:

- a. Tobacco or smoking products, including but not limited to cigars, cigarettes, pipe tobacco, chewing tobacco, and other smoking or tobacco related products.
- b. Products or services related to human reproduction or sexuality, including but not limited to contraceptive products or services, other products or services related to sexual hygiene, and counseling with regard to pregnancy, abortion, or other reproductive or sexual matters.
- c. Products, services or entertainment directed to sexual stimulation.
- d. Alcohol products such as beer, wine, distilled spirits or any licensed alcoholic beverage.
- e. Any type of gambling products or services with a concept of wagering money and/or items of material value with an uncertain outcome, and with the primary intent of winning additional money and/or material goods.

3.2.3 Predatory. Advertising that promotes predatory lending or any activity or product which is predatory in nature.

3.2.4 False or Misleading. Advertising that is or that should reasonably have been known to be false, fraudulent, misleading, deceptive, or would constitute a tort of defamation or invasion of privacy.

3.2.5 Copyright, Trademark or Otherwise Unlawful. Advertising that contains any material that is an infringement of copyright, trademark or service mark, or is otherwise unlawful or illegal.

- 3.2.6 Illegal Activity. Any advertising that promotes any activity or product that is illegal under federal, state or local law.
- 3.2.7 Profanity and Violence. Advertising that contains any profane language, or portrays images of descriptions of graphic violence, including dead, mutilated or disfigured human beings or animals, the act of killing, mutilating or disfiguring human beings or animals, or intentional infliction of pain or violent action towards or upon a person or animal.
- 3.2.8 Demeaning or Disparaging. Advertising that contains material that demeans or disparages an individual, group of individuals or entity
- 3.2.9 Harmful or Disruptive to Transit System. Advertising that contains material that is so objectionable as to be reasonably foreseeable that it will result in harm to, disruption of or interference with the transportation system.
- 3.2.10 Lights, Noise and Special Effects. Advertising that contains flashing lights, sound makers, mirrors or other special effects that interfere with the safe operation of the bus or the safety of bus riders, drivers of other vehicles or the public at large.
- 3.2.11 Unsafe Behavior. Advertising that encourages or depicts unsafe behavior.

3.3 Additional Requirements:

- 3.3.1 Sponsor Attribution and Contact Information. Any advertising in which the identity of the sponsor is not readily and unambiguously identifiable must include the following phrase to clearly and visibly identify the sponsor:

Paid for by _____

- 3.3.2 Advertisers will be required to agree to indemnify the City of Greenville, Public Works Department, their officers, and their employees, against any action brought in connection with the content of advertisements.
- 3.4 Approval Process for Potential Prohibited Advertising Content. Any advertising that is or may be considered to be Prohibited Advertising Content as described in section 3.2 must be presented to the Public Works Department for a determination as to whether it is Prohibited Advertising

Content as described in section 3.2. If it is determined to be Prohibited Advertising Content as described in section 3.2, it shall be rejected and the advertisement shall not be applied to any Transit Facility or Transit Vehicle. If the proposed advertising is rejected, the party or parties proposing it may request that this decision be reconsidered. Upon such request, the Director of the Public Works Department or designee shall consult with the City Attorney's Office. The Director of Public Works or designee, on the basis of such consultation, shall make the final determination whether the proposed advertising will be accepted or rejected.



City of Greenville, North Carolina

Meeting Date:
10/10/2016
Time: 6:00 PM

Title of Item: Debt Management Policy

Explanation: **Abstract:** Staff will present the City of Greenville's proposed Debt Management Policy. The presentation will include a review of the various sections of the policy, a description as to how the policy will be utilized to provide guidance to the City, and a review of the established procedures for the issuance of debt to fund capital projects.

Explanation: At the City Council Planning Session held in January of 2016, the City Council identified as its third top priority the formulation of a long-range debt management strategy. In the process of formalizing this strategy, staff has prepared a comprehensive Debt Management Policy that provides oversight to Council and City staff as to the guidelines that shall be followed in determining the amount, timing, and type of debt to issue in order to fund capital projects. In addition, the policy shall be carried out in accordance with the City's Financial Policy Guidelines.

The following are the various sections of the Debt Management Policy that detail the variables to consider and procedures to follow in the debt management process:

- Capital Improvement Plan
- Guidance for Debt Issuance
- Requirements for Pay-As-You-Go Funding
- Debt Affordability
- Types of Debt Issuances
- Long-Range Debt Strategy
- Debt Service Fund
- Legal and Regulatory Requirements
- Arbitrage Requirements and Bond Issuance
- Refunding of Debt
- Investor Relations, Disclosure, and Communication

Included in the Debt Management Policy is a section outlining the characteristics of a long-range debt strategy. The long-range debt strategy is structured to reflect the goals and priorities of the Council within the economic environment in which the City operates, both now and in the future. The objective of the long-range debt strategy is to maximize the amount of capital projects funded over a period of time while minimizing the amount of additional budget resources needed to fund the additional projects. The Debt Management Policy provides guidance to Council as to the conditions to consider and procedures to follow in order to implement the long-range debt strategy.

Presentation by staff will include a timeline as to how the policy will be utilized to guide the City's short-term (3 to 5 years) and long-term (greater than 5 years) capital funding decisions.

Fiscal Note: No direct cost.

Recommendation: Approve the Debt Management Policy.

Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

Attachments / [click to download](#)

 [Debt Mgmt Policy v2 1034078](#)

City of Greenville Debt Management Policy

The application of a Debt Management Policy is one of the primary characteristics of fundamentally sound financial management. The need for such a policy to guide decision making is recognized by both bond rating agencies and the Government Finance Officers Association (GFOA). A formal debt policy establishes the parameters surrounding the issuance of debt and the management of the City's debt portfolio. The following are the objectives of the Debt Management Policy:

- Provide guidance to City staff and the City Council regarding the purposes for which debt may be issued, types and amounts of permissible debt, and the method of sale that may be used;
- Establish conditions for the use of debt versus pay-as-you-go funding so as to provide consistency in decision making;
- Create procedures to minimize and streamline the City's debt service, issuance costs, and timing of debt issuances;
- Aid in the development of capital budgets, taking into account financial and economic resources as well as infrastructure needs; and,
- Retain a high credit rating and maintain full and complete financial disclosure and reporting.

The City of Greenville's Debt Management Policy is intended to demonstrate the City's commitment to long-range financial planning and should be used in conjunction with the City's Capital Improvement Plan. Adherence to this Policy will serve to ensure the maintenance of the City's double-A credit rating(s).

The Debt Management Policy shall supplement and expound on the debt management principals included in the City's Financial Policy Guidelines. The Debt Management Policy shall be carried out in accordance with the City's Financial Policy Guidelines, and shall be reviewed and updated periodically (i.e. every 2-3 years).

The following sections are included in the policy:

- A. Capital Improvement Plan
- B. Guidance for Debt Issuance
- C. Requirements for Pay-As-You-Go Funding
- D. Debt Affordability
- E. Types of Debt Issuances
- F. Long Range Debt Strategy
- G. Debt Service Fund
- H. Legal and Regulatory Requirements
- I. Arbitrage Requirements and Bond Issuance
- J. Refunding of Debt

K. Investor Relations, Disclosure, and Communication

A. Capital Improvement Plan

- A formal Capital Improvement Plan (CIP) is essential to intelligent planning of debt issuance and management. Such a plan commits the City to developing and maintaining a long-range plan that identifies and prioritizes potential capital investments, their costs and benefits, and the potential funding sources for each item.
- On a biennial basis the City will prepare a five-year CIP for consideration and adoption by City Council as part of the City's biennial budget process. The plan will identify the City's capital project priorities by department and fiscal year, and will identify potential funding sources for each project. The plan shall be updated as needed during the second year of the biennial budget.
- First-year projects will be incorporated into the City Manager's recommended annual budget that is presented to City Council for adoption.
- As part of the CIP process, City departments will submit their CIP requests to the Office of Budget and Management. The City will conduct a needs assessment and rank projects according to priority. The review, evaluation, and ranking of the proposed projects will be based on the following:
 - City Council's service priorities;
 - Infrastructure needs;
 - Schedule of equipment replacement and maintenance;
 - Financial capacity/condition of the City; and,
 - Impact the projects could have on the City's operating budget.
- City Council may add projects to the CIP without ranking, but funding for projects added in this manner are subject to normal operating and budget constraints.
- The estimated costs and potential funding sources for each capital project proposal will be identified before it is submitted for approval within the CIP. The estimated costs will include consideration for inflation.
- The City will project equipment replacement and maintenance needs for five years and will update that projection at least every two years. Using this projection, a maintenance and replacement schedule will be developed.
- In general, effective maintenance and operations of capital facilities should be given priority over acquisition of new facilities, unless a cost/benefit analysis indicates to the contrary. In addition, state and federal mandates or new service demands may require acquisition of new facilities even when maintenance needs are fully met.
- The City will seek intergovernmental assistance to finance those capital improvements that are consistent with the capital improvement plan and City priorities, and whose operating and maintenance costs have been included in operating budget forecasts.
- The issuance of debt to fund future projects will be considered in conjunction with the approval of the CIP by City Council. The City will attempt to determine the most cost effective and flexible financing method for all new projects.

- The City Manager’s Office and the Financial Services Department will coordinate and analyze the debt requirements as outlined in this Debt Management Policy. Such analysis will include:
 - Timing of debt;
 - Analysis of outstanding debt;
 - Debt limitations and compliance;
 - Forecast of future debt obligations; and,
 - Forecast of current and future revenue requirements

B. Guidance for Debt Issuance

- Necessity of Debt Financing: Debt should only be incurred for financing capital assets/projects that, because of their long-term nature or because of budgetary restraints, cannot be acquired from current budget resources.
- Balanced Approach: The City will utilize a balanced approach to capital funding utilizing debt financing, draws on capital reserves, fund balanced in excess of policy targets, and current year (pay-as-you-go) appropriations. Where feasible, the City will first explore other funding alternatives, such as grants, to fund capital projects.
- Evaluation of Market Conditions: In cooperation with the City’s financial advisor, the City shall evaluate and consider all market conditions before the issuance of debt. The cost of borrowing at current market rates shall be evaluated relative to a pay-as-you-go option. Low interest rates shall not be the only supporting factor considered for the issuance of debt.
- City Council Authority: All debt issuances shall be approved by City Council, and all proceeds from debt issuances shall be appropriated by the City Council for the purposes/projects for which the debt is to be issued.
- Pay-As-You-Go Alternative: Staff shall use an objective, analytical approach to determine if the City will benefit from pay-as-you-go versus debt financing.
- Adherence to the City’s Financial Policy Guidelines: The City shall follow all requirements as set forth in the City’s Financial Policy Guidelines when determining resources available for funding of capital projects such as debt financing, use of fund balance, and/or pay-as-you-go.
- Restrictions on Debt Issuance: The City shall not issue long-term debt to fund operational expenses. Debt shall not be issued with a longer amortization period than the life of the asset it is being used to finance. Variable rate debt shall not be issued without proper analysis and evaluation to determine that the issuance is in the best interest of the City.

C. Requirements for Pay-As-You-Go Funding

General, recurring revenues and/or accumulated unrestricted reserves may be used to purchase capital items or to fund capital projects/improvements so as to keep the debt burden of the City low. When evaluating the use of such resources to fund capital projects on a pay-as-you-go basis, the following should be considered:

- The City shall use accumulated unrestricted reserves in excess of the City's fund balance policy to fund one-time capital projects that the use of debt to fund would otherwise not be in the City's best fiscal interest.
- The City shall strive to use current-year, recurring appropriations within the approved budget to fund small capital projects with short lives.

D. Debt Ratios

The City shall abide by the following debt ratios:

- Annual debt service expense is targeted not to exceed 12% of operating expenditures.
 - This ratio reflects the City's budgetary flexibility to change spending and respond to economic downturns. Debt service in excess of 12% creates less budgetary flexibility to change spending and respond to downturns.
- Direct debt per capita shall not exceed \$2,200.
 - This ratio measures the burden of debt placed on the size of the population supporting the debt. This ratio is used to measure an issuer's ability to repay the debt.
- Direct net debt shall not exceed 2.5% of total assessed property value.
 - Direct net debt is defined as any and all debt that is tax-supported. The tax base generates the revenue that will be the main source to repay the debt. Although the legal debt margin has a statutory limit of 8%, the City's target limit is 2.5%.
- The ten year payout ratio will be maintained at a floor of 60%.
 - This ratio reflects the amortization of the City's outstanding debt. A faster payout is considered to be a positive credit attribute.

The City shall use the debt capacity information found in the statistical section of the Comprehensive Annual Financial Report (CAFR) to evaluate the ratios outlined above. In addition, the City will strive to compare such measures to other North Carolina municipalities of similar size.

E. Types of Debt Issuances

- General Obligation Bonds: Municipal bonds backed by the credit and taxing power of the issuing jurisdiction rather than the revenue from a given project. General obligation bonds are issued with the belief that a municipality will be able to repay its debt obligation through

taxation or from other revenue sources. The sale of general obligation bonds to finance capital projects requires approval by vote of the citizens and is also subject to NC LGC approval.

- Revenue Bonds: Long-term borrowing instrument whereby debt repayment is funded from specific revenues generated by the entity associated with the purpose of the bond. Debt repayment is not made from tax revenues. Revenue bonds are most commonly issued by municipal enterprise funds. The sale of revenue bonds requires a public hearing but not a vote of the citizens. Revenue bonds are also subject to NC LGC approval.
- Special Obligation Bonds: Debt instrument that allows municipalities to finance a wide range of public improvements that does not require voter approval or a public hearing. Repayment of the debt is secured by a pledge of available revenue other than taxes imposed by the municipality. Special obligation bonds can be used to pay capital costs for downtown revitalization projects.
- Installment Purchases: Used to finance or refinance the purchase, construction, or repair of a capital asset. Under this arrangement, the municipality takes title of the capital asset with the lender having a security interest in the asset or a portion of the project until the full amount of the contract is paid. Such financing can be arranged with a single financial institution or through the issuance of limited obligation bonds (LOBS) or certificates of participation (COPS) that are sold to individual investors.

F. Long-Range Debt Strategy

The City shall employ a long-range strategy to streamline the timing and amount of debt issuances to fund capital projects included in the CIP. This strategy will reflect the goals and priorities of the Council and will be carried out in compliance with all sections of this Policy as well as within the confines of the current economic environment in which the City operates. The City's Long-Range Debt Strategy will include the following characteristics and conditions:

- The approved CIP will guide the City as to the resources needed in current and future years to fund the capital projects included in the CIP that have been prioritized by the City Manager and approved by the City Council.
- The capital projects included in the CIP will be funded from the following sources:
 - Accumulated, unrestricted reserves above the City's unrestricted fund balance policy percentage;
 - Current-year revenues appropriated in the Council-approved budget to fund capital and facility improvements (i.e. pay-as-you-go);
 - Public / private partnerships;
 - Issuance of debt financed from user fees collected to fund the purchase and/or construction of the capital project;
 - Issuance of debt financed from tax revenues.
- The level, frequency, and source of funding for capital projects will be based on numerous variables which include, but are not limited to, the following:
 - City's current economic environment

- Council approved goals and priorities
- Projected growth / reduction in general revenues
- Current and projected cost of borrowing at time of issue
- New fee revenues to be derived from the purchase/construction of the capital project
- Projected cost of the capital projects
- The City will use the criteria outlined in Section D in determining whether to fund a capital project on a pay-as-you-go basis or with the use of long-term debt.
- On an annual basis, the City shall include in the City's Governmental and Enterprise Fund budgets an amount sufficient to cover the City's current obligated debt service expense for the next budget year.
- At all times, the City shall maintain an annual debt service expense budget and/or a balance within the debt service reserve fund sufficient enough to meet the City's current year and future year debt obligations (principal and interest).
- The City shall use the balance within the debt service reserve fund, in conjunction with the annual debt service expense budget, to:
 - Fund future debt service issuances every three to five years; and
 - Minimize the need for an increase in the annual debt service expense budget.
- As an integral component of the long-term debt strategy, the City Council will strive to maintain the annual debt service expense appropriation as included in the budget and not redirect any excess portion of the budget that materializes from the retirement of debt to other areas of the budget for the purpose of funding other needs except in times of extreme economic and budget hardship.
- As part of the CIP and budget process, the City Manager's Office shall prepare a debt amortization schedule that details:
 - Amortization of currently obligated debt service expense by year, and
 - Amortization of projected future debt issuances by year.
- In order to prepare amortization schedules related to projected future debt issuances, City staff will be required to make estimates related to several variables used to project the City's future debt service liability. Such variables include, but are not limited to, the following:
 - Interest rates at time of future debt issuances
 - The number of years between future debt issuances
 - The projected dollar amount of each debt issuance
 - The number of years in which each issuance is financed
- The City shall not issue any debt to fund capital projects unless there are sufficient future revenues identified to fund the additional debt service expense.

G. Debt Service Fund

The Debt Service Fund is established to provide separate, dedicated funding for debt service management. The Debt Service Fund will be used to facilitate the payment of principal and interest for the City's debt service and assist in the continued compliance with adopted debt policies. Funds

appropriated to the Debt Service Fund shall only be utilized for debt service payments in the current or subsequent fiscal years. The level of accumulated fund balance in the Debt Service Fund should be analyzed in relation to the City's Long Range Debt Strategy.

H. Legal and Regulatory Requirements

Management of the City's debt program is the responsibility of the City Manager and the Manager's designee(s). Procedures for the operation of the debt program shall be established consistent with the Debt Management Policy and in full compliance with the North Carolina General Statutes. The Director of Financial Services shall be responsible for the issuance of debt, debt payments, and other debt-related activities. The City Manager shall present all debt agreements for the issuance of debt to the City Council for approval. Where applicable, debt issuances will be approved by the North Carolina LGC.

I. Arbitrage Requirements and Bond Issuance

The City shall comply with all applicable U.S. Internal Revenue Service and U.S. Treasury arbitrage requirements for bonded indebtedness. The City shall maintain a system of record keeping and reporting to meet arbitrage rebate compliance requirements. Bond issues should be planned to minimize and streamline the frequency of issuance, thereby ensuring the lowest possible cost of issuance. When determining the size of the bond issue, consideration should be given to the need for construction, debt service, and capitalized interest funds. Construction fund draw schedules shall be prepared, and projection of conservative earnings on unspent bond funds shall be made in conjunction with planning of the City's Capital Improvement Program. The decision to use bond proceeds to pay interest during construction for revenue-producing projects shall be made on a case-by-case basis, and shall be based on an evaluation of the opportunity cost of funds and the availability of other sources of funds to pay interest costs.

J. Refinancing of Debt

The City will monitor its outstanding debt in relation to existing conditions in the debt market and will refinance any outstanding debt when:

- Such refinancing allows the City to realize significant debt service savings; or
- The public policy benefits outweigh the costs associated with the issuance of new debt and any increases in annual debt service; or
- A restrictive covenant is removed to benefit the City.

K. Investor Relations, Disclosure, and Communication

The debt affordability ratios detailed in Section E are to be computed annually and reported in the Comprehensive Annual Financial Report along with a computation of net tax-supported debt per

capita. The numbers evaluated are to be obtained from the most current audited financial documents of the City. The Financial Services Director will maintain good communication with bond rating agencies and the City's Financial Advisor and will provide them periodic updates on the City's financial condition. The City will supply them with the Comprehensive Annual Financial Report, Annual Budget, and Capital Improvement Plan. The City will strive to achieve and maintain the highest credit rating awarded by the municipal bond rating agencies. The City will comply with the Securities and Exchange Commission continuing disclosure requirements.



City of Greenville, North Carolina

Meeting Date:
10/10/2016
Time: 6:00 PM

Title of Item: Approval of River Park North Environmental Education Shelter Grant Application

Explanation: **Abstract:** Recreation and Parks, in conjunction with the non-profit, *Love a Sea Turtle*, has an opportunity to apply for up to \$500,000 to construct an environmental education shelter at River Park North, and is seeking Council's approval to submit this application.

Explanation: Greenville Recreation and Parks regularly has worked with the non-profit organization *Love a Sea Turtle* ("L.A.S.T.") on a variety of environmental initiatives, mostly centered at River Park North. Through their fundraising initiatives, the group has been able to provide a large number of free summer camp and environmental education programs for economically disadvantaged youth on the park's western acreage, which is not yet open for public access.

LAST recently contacted GRPD staff regarding a possible grant opportunity from the Smithfield Foundation to construct an outdoor educational facility (shelter) near the large pond on the western acreage. Though the grant requires no local match, it does require that the project be completed and paid for by the grant recipient, and then be reimbursed for the cost of the project.

The project and grant could be as much as \$500,000, and therefore, if received, the City of Greenville would need to appropriate up to \$500,000 for project expenses. The City would then be reimbursed for the project expenses once the project was complete.

Though a "letter of intent" had to be submitted by September 30, 2016, the actual application is not due until November 10, 2016.

Fiscal Note: If the grant is approved, an "up-front" appropriation of up to \$500,000 would be required of the City, to be reimbursed once the project is completed. Funds for

this match will be identified by staff from reserves if the grant is approved.

Recommendation: Consider approval to apply for a Smithfield Foundation grant for the construction of an outdoor environmental education shelter and agree to appropriate up to \$500,000 from general revenues, should the grant be received.

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City of Greenville, North Carolina

Meeting Date:
10/10/2016
Time: 6:00 PM

Title of Item: 2017 Schedule of City Council Meetings

Explanation: **Abstract:** A proposed schedule for 2017 City Council meetings listing the dates of meetings in accordance with Section 2-1-11 of the Greenville City Code, adjusted for City-observed holidays and other known conflicts, is presented for City Council consideration.

Explanation: A proposed schedule for 2017 City Council meetings has been prepared in accordance with Section 2-1-11 of the Greenville City Code and incorporating recommended adjustments for known conflicts. Potential conflicts are noted in red on the proposed schedule and are explained below:

- **March 6 and 9-** These meetings are in conflict with ECU's Spring Break, which is March 5-12. The usual adjustment would be to move the meetings to the following week - March 13 and 16 - but those dates would be in conflict with the NLC Congressional City Conference in Washington, DC, which is March 11-16.
- **October 23-** This meeting is in conflict with the ICMA Annual Conference in San Antonio, TX, which is October 22-25. Recommendation is to cancel this meeting as the City Council has not had more than two meetings in October since 2008.

In addition, the City Manager has recommended deleting a number of meetings from the schedule. These are shown in green on the proposed schedule and include February 20, March 6 and 9, May 22, June 19, August 21 and October 23. Other possible deletions include April 13, because April 14 is the Good Friday holiday, and November 6, because November 7 is Election Day.

The proposed schedule for 2017 does not conflict with many other events that have been a problem in previous years. These include:

- US Conference of Mayors in Washington, DC - January 17-19
- NCCCMA Annual Conference in Concord, NC - June 21-24

- NLC City Summit in Charlotte, NC - November 15-18

The Eastern Carolina Vocational Center annual banquet is held on a Thursday evening in early October. The 2017 date was not known at the time of agenda submission, but based on previous years, it is anticipated to be October 5 and therefore not in conflict with the proposed City Council meeting schedule.

The date of the NCLM Annual Conference is also not yet known. Based on prior years, it is anticipated to be October 22-24, in which case it would conflict with the proposed October 23 meeting date.

Fiscal Note: There is no direct cost to the City.

Recommendation: Review options for the proposed 2017 Schedule of City Council meetings, amend as necessary, and consider for adoption.

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 [Proposed_2017_Schedule_of_City_Council_Meetings_1037899](#)



CITY OF GREENVILLE

2017 SCHEDULE OF CITY COUNCIL MEETINGS

(All meetings are held in the Council Chambers unless otherwise noted)

January 9 - 6:00 PM
January 12 - 6:00 PM
January 27 - 4:30 PM - (Planning Session, City Hall Gallery/Conf. Room 337)
January 28 - 8:30 AM - (Planning Session, City Hall Gallery/Conf. Room 337)

February 6 - 6:00 PM
February 9 - 6:00 PM
February 20 - 6:00 PM

March 6 - 6:00 PM.....ECU Spring Break is March 5-12; NLC Congressional City Conference is March 11-16
March 9 - 6:00 PM.....ECU Spring Break is March 5-12; NLC Congressional City Conference is March 11-16
March 20 - 6:00 PM

April 10 - 6:00 PM
April 13 - 6:00 PM
April 24 - 6:00 PM - (Joint City/GUC meeting, GUC Board Room)

May 8 - 6:00 PM
May 11 - 6:00 PM
May 22 - 6:00 PM

June 5 - 6:00 PM
June 8 - 6:00 PM
June 19 - 6:00 PM

August 7 - 6:00 PM
August 10 - 6:00 PM
August 21 - 6:00 PM

September 11 - 6:00 PM
September 14 - 6:00 PM
September 25 - 6:00 PM (Joint City/GUC meeting, GUC Board Room)

October 9 - 6:00 PM
October 12 - 6:00 PM
October 23 - 6:00 PM...ICMA Annual Conference is October 22-25, NCLM Annual Conference *may* be October 22-24

November 6 - 6:00 PM
November 9 - 6:00 PM
November 20 - 6:00 PM

December 11 - 6:00 PM (Post-Election Organizational Meeting)
December 14 - 6:00 PM



City of Greenville, North Carolina

Meeting Date:
10/10/2016
Time: 6:00 PM

Title of Item: Fiscal Year 2017-2018 Budget Schedule

Explanation: **Abstract:** City Council is asked to review and approve the budget schedule for Fiscal Year 2017-2018.

Explanation: Attached is the proposed budget schedule for Fiscal Year 2017-2018. The schedule sets a work plan for the Fiscal Year 2017-2018 Operating Plan that was adopted as part of the biennial budget to be reviewed, updated, and presented to City Council. This process will result in the adoption of the Fiscal Year 2017-2018 Budget.

Fiscal Note: No cost to adopt the budget schedule.

Recommendation: Approve the proposed Fiscal Year 2017-2018 budget schedule.

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[2017_18_Budget_Calender_1035986](#)

City of Greenville, North Carolina
Proposed Budget Schedule
Fiscal Year 2017-18

DRAFT

Thursday	September 8, 2016	Budget Schedule presented to City Council
Friday & Saturday	January 27-28, 2017	City Council Planning Session
Monday	April 10, 2017	City Council Budget Preview
Thursday	April 13, 2017	City Council discussion of Proposed City budget (optional)
Monday	April 24, 2017	Joint City Council-Greenville Utilities Commission Meeting
Wednesday	May 3, 2017	Proposed City, GUC, SML and CVA budgets distributed to City Council
Monday	May 8, 2017	Proposed City budget presented to Council
Thursday	May 11, 2017	Proposed GUC, SML and CVA budgets presented to City Council
Friday	May 19, 2017	Public display of balanced budgets prior to the Public Hearing
Monday	May 22, 2017	City Council discussion of Proposed City budget (optional)
Monday	June 5, 2017	Public Hearing- Fiscal Year 2017-18 Budget
Thursday	June 8, 2017	Adoption of the Fiscal Year 2017-18 Budget