



Agenda

Greenville City Council

December 5, 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 Smiley

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 August 15, August 18, and November 7, 2016 City Council meetings
2. Resolution granting an easement for the use of Greenville Utilities Commission at South Greenville Recreation Center
3. Connect NC Bond Grant Application for Pier at River Park North
4. Resolution Designating the City's Agents for FEMA Funds for Hurricane Matthew

5. Various tax refunds greater than \$100
6. Budget ordinance amendment #4 to the 2016-2017 City of Greenville budget (Ordinance #16-036) and Special Revenue Grants Fund (Ordinance #11-003)

VII. New Business

7. Ordinance to Amend City Code Section 12-2-37 to add required testing and allow feeding of registered Trap-Neuter-Return (TNR) Colony Cats
8. Consideration of Parking Task Force Recommendations
9. 2016-17 Employee Evaluation Ratings and Merit Pay System Update

VIII. Review of December 8, 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: 12/5/2016
Time: 6:00 PM

Title of Item: Minutes from the August 15, August 18, and November 7, 2016 City Council meetings

Explanation: Proposed minutes from regular City Council meetings held on August 15, August 18, and November 7, 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 August 15, August 18, and November 7, 2016.

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

Attachments / click to download

- [Proposed Minutes for August 15 2016 City Council meeting 1040925](#)
- [Proposed Minutes of the August 18 2016 City Council Meeting 1040076](#)
- [Proposed Minutes for November 7 2016 City Council Meeting 1040910](#)

PROPOSED MINUTES
MEETING OF THE CITY COUNCIL
CITY OF GREENVILLE, NORTH CAROLINA
MONDAY, AUGUST 15, 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 Allen M. Thomas presiding. Mayor Thomas called the meeting to order. Council Member Rick Smiley asked those present to observe a moment of silence, followed by the Pledge of Allegiance.

Those Present:

Mayor Allen M. Thomas; Mayor Pro-Tem Kandie D. Smith; Council Member Rose H. Glover; Council Member McLean Godley; Council Member Rick Smiley; Council Member P. J. Connelly; and Council Member Calvin R. Mercer

Those Absent:

None

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 Mayor Pro-Tem Smith and seconded by Council Member Connelly to approve the agenda. Motion carried unanimously.

SPECIAL RECOGNITION

Secretary Susan Kluttz of the North Carolina Department of Natural and Cultural Resources thanked the City of Greenville for encouraging the legislature to pass the Historic Preservation tax credits. Secretary Kluttz gave a summary of her tour in the downtown area of Greenville and stated that people who are willing to take a risk do a tremendous community service in helping communities to come back, especially in the downtown area. In cities like Greenville, it is important to people that the old buildings tell North Carolina's history and story.



PUBLIC COMMENT PERIOD

Marion Blackburn – 802 River Hill Drive

Ms. Blackburn stated that she is present to ask for reform of the laws that affect animals in Greenville, specifically for cats and the people who care for them. She made comments about how cats are treated using the City's current animal services program as it relates to the registration process and feeding the return of tipped ear cats, if they are trapped by the Greenville Animal Services Officers. Ms. Blackburn stated there should be changes in the City's laws and Trap-Neuter-Return Program to allow the flexibility to save taxpayers money, reduce overpopulation, and care for cats that are already present in the City.

John Joseph Laffiteau – Rodeway Inn and Suites, Room 253

Mr. Laffiteau made comments about the courses he had taken and grades that he received at Pitt Community College during the summer session. Also, Mr. Laffiteau stated that at his recent meeting with City Attorney Dave Holec and Director of Libraries Greg Needham, the following were concluded: 1) His privileges and responsibilities as a patron of Sheppard Memorial Library are fully functional, and 2) No staff member of the Sheppard Memorial Library shall be compelled to take a polygraph test regarding the personnel matter that he was involved in during March 2014.

Brian Glover – 1407 North Overlook Drive

Mr. Glover made comments about the lack of meeting the quorum rule for the Greenville Bicycle and Pedestrian Commission after its establishment in 2009 due to its membership vacancies. He also made comments about the communication between this commission and the City Council about the status of a resolution.

Sophronia Knott – No Address Given

Ms. Knott expressed her concerns about the welfare of the animals in Greenville and the fines that the City is charging people for services provided to animals. Also, Ms. Knott stated basic ethics and morality should be thought about instead of facts and figures during discussions about these animals.

CONSENT AGENDA

City Manager Barbara Lipscomb introduced the following items on the Consent Agenda:

- Minutes from regular City Council meetings held on August 13, October 8, November 12, and December 10, 2015 and January 14, April 11, May 9, and June 6, 2016 and from the Personnel Policies Workshop held on August 13, 2015



- Ordinance enacting and adopting Supplement #2016-S8 to the City of Greenville Code of Ordinances - (Ordinance No. 16-038)
- *Removed* Resolution amending the appointment process of the membership of the Greenville Youth Council
- Reclassification and reallocation request for the Sanitation Division of the Public Works Department
- *Removed* Ordinance to amend the Manual of Fees to increase the off-duty rate of pay for the Greenville Police Department
- Ordinances approving Greenville Utilities Commission's capital projects budgets - (Ordinance Nos. 16-039; 16-40; 16-41; and 16-042)
- *Removed* Sewer capital project budget ordinance for Greenville Utilities Commission's Candlewick Area Sanitary District Sewer Project
- Acceptance of 2015-16 Municipal Support Grants from ElectriCities and the Pitt County Development Commission
- Resolution Authorizing Certain Signatures on City of Greenville Purchase Orders, Contracts, and Agreements - (Resolution No. 043-16)
- Purchase request for twenty-three (23) Ford Interceptor Sedans/SUV for the Police Department
- *Removed* Memorandum of Understanding with East Carolina University relating to the Lucille W. Gorham Intergenerational Center
- Landscape agreement with the North Carolina Department of Transportation for a section of North Memorial Drive
- Contract award for the 2016 Bond Street Repairs Phase 1
- *Removed* Report on Bids and Contracts Awarded
- Various tax refunds greater than \$100
- Budget ordinance amendment #1 to the 2016-2017 City of Greenville budget (Ordinance #16-036) - (Ordinance No. 16-043)

Council Member Connelly requested to remove three items from under the Consent Agenda for separate discussion including an ordinance to amend the Manual of Fees to increase the



off-duty rate of pay for the Greenville Police Department, sewer capital project budget ordinance for the Greenville Utilities Commission's Candlewick Area Sanitary District Sewer Project, and report on bids and contracts awarded.

Mayor Pro-Tem Smith requested to remove the memorandum of understanding with East Carolina University relating to the Lucille W. Gorham Intergenerational Center from the Consent Agenda for separate discussion.

Council Member Mercer requested to remove the resolution amending the appointment process of the membership of the Greenville Youth Council from the Consent Agenda for separate discussion.

Motion was made by Mayor Pro-Tem Smith and seconded by Council Member Glover to approve the remaining items on the Consent Agenda. Motion carried unanimously.

CONSENT AGENDA ITEMS FOR SEPARATE DISCUSSION

RESOLUTION AMENDING THE APPOINTMENT PROCESS OF THE MEMBERSHIP OF THE GREENVILLE YOUTH COUNCIL - (Resolution No. 044-16)

Council Member Mercer publicly thanked the members of the Youth Council for their work, and he stated that the current members of the Youth Council are students from the public and private schools across Pitt County. When he was appointed as the City Council Liaison for the Youth Council, he became concerned about filling all the vacant membership slots. The City Clerk's Office has helped him by reaching out to the schools and their clubs and trying to solicit students who may want to complete and submit a Talent Bank form. However, he has been unable to make the necessary nominations and keep a full complement of membership slots filled.

Council Member Mercer stated that the Youth Council approved a change in its membership formula and City staff reviewed that. Council Member Mercer asked staff to explain the resolution amendment being brought before the City Council.

Assistant City Manager Merrill Flood stated that on April 4, 2016, members of the Youth Council discussed methods to help fill the membership vacancies. A proposal was developed and states that, after October 1st of each year, students from any of the designated Pitt County Schools will be allowed to fill seats that have remained vacant.

Mayor Thomas asked whether the membership consists of students from within the extraterritorial jurisdiction and City limits.

Assistant City Manager Flood responded that the membership includes students from the Pitt County public high schools and private, charter, and home schools.



Motion was made by Council Member Mercer and seconded by Council Member Godley to adopt the resolution amending the appointment process of the membership of the Greenville Youth Council. Motion carried unanimously.

ORDINANCE TO AMEND THE MANUAL OF FEES TO INCREASE THE OFF-DUTY RATE OF PAY FOR THE GREENVILLE POLICE DEPARTMENT - (Ordinance No. 16-044)

Council Member Connelly stated that the off-duty police officers deserve to be paid \$35 an hour but in the future, the City should do the increments on an annual basis. Maybe the City should consider increasing them \$1.00 per year because the off-duty rate has not been amended since 2007. This is roughly a 16% increase for venues needing off-duty police officers.

Assistant City Manager Michael Cowin stated that this is a onetime catchup and staff will monitor the future increases annually.

Mayor Thomas asked when would the discussions about the annual increase occur.

Assistant City Manager Cowin responded that amending of the off-duty rates would be discussed during renewal of the contract and budget time.

Council Member Connelly stated there is a \$7,000 cost savings annually by outsourcing.

Motion was made by Council Member Connelly and seconded by Council Member Smiley to approve the ordinance amending the Manual of Fees to increase the off-duty rate of pay for the Greenville Police Department to \$35.00 per hour for an officer's service and \$40.00 per hour for a supervisor's service, with both rates inclusive of an administrative fee of \$3.00 per hour, effective October 1, 2016. The off-duty rate of pay for the Greenville Police Department will be reviewed annually. Motion carried unanimously.

SEWER CAPITAL PROJECT BUDGET ORDINANCE FOR GREENVILLE UTILITIES COMMISSION'S CANDLEWICK AREA SANITARY DISTRICT SEWER PROJECT - Ordinance No. 16-045

Council Member Connelly asked for more clarification as far as whether the Greenville Utilities Commission (GUC) is paying additional funds beyond the \$3.0 million that Pitt County has received in grant funding for this sanitary sewer project.

City Manager Lipscomb responded that the GUC is paying \$700,000 for upsizing the sanitary sewer system.

GUC Chief Administrative Officer Christopher Padgett stated that the \$3.0 million is the amount of money needed to serve the 54 existing residences in that neighborhood. The GUC evaluated the infrastructure, which will be a small pump station designed to serve only those 54 single-family homes. The \$700,000 would be added dollars going toward the



project to upsize that small pump station to a regional size one. That would give it the capacity and depth to be able to serve about 1,100 acres in the general vicinity, which includes some prime development acreage next to the newly created Southwest Bypass. The GUC is always looking for opportunities to have fewer and larger pump stations versus many smaller pump stations, which will in the long-term costs the ratepayers more money.

Council Member Connelly asked whether some of the grant funding would benefit creating the pump station so that the GUC could do an expansion in the future.

Chief Administrative Officer Padgett responded absolutely. The fact that Pitt County has grant money to develop a pump station at this location allowed the GUC to piggyback and maximize its investment to yield the greatest benefit in terms of future capacity.

Council Member Connelly asked how much would it cost without the grant funds to be able to expand in that area.

Chief Administrative Officer Padgett responded it would cost a lot more than \$700,000.

Motion was made by Council Member Connelly and seconded by Council Member Smiley to adopt the sewer capital project budget ordinance for the Greenville Utilities Commission's Candlewick Area Sanitary District Sewer Project.

Mayor Pro-Tem Smith asked whether the expansion in that area would speed up or slow down the process or whether a larger pump station would delay the project's completion date.

Chief Administrative Officer Padgett responded that it should be the same process. The interlocal agreement is scheduled to be approved in September 2016. The construction bids would be due in the March/April timeframe of 2017. That is the same original schedule before the GUC began its discussion about upsizing that pump station. There should not be any substantial increase in the timeframe to construct the project due to the larger facility.

Mayor Pro-Tem Smith asked whether there would be any additional cost to the City residents.

Chief Administrative Officer Padgett responded that as these adjacent tracts of property, especially the large ones, in the vicinity are developed, connection and acreage fees would replenish the GUC's \$700,000 funding. There is a formula based on the cost of the larger pump station and how much development occurs so that each development is paying their fair share as they come online.

Mayor Pro-Tem Smith asked whether that would decrease the City residents' current rate.



Chief Administrative Officer Padgett responded that the more sanitary sewer customers the GUC has, the better the GUC can use the economies of scale and try to keep rates lower for everybody.

There being no further discussion, the motion passed unanimously to adopt the sewer capital project budget ordinance for the Greenville Utilities Commission's Candlewick Area Sanitary District Sewer Project.

MEMORANDUM OF UNDERSTANDING WITH EAST CAROLINA UNIVERSITY RELATING TO THE LUCILLE W. GORHAM INTERGENERATIONAL CENTER

Mayor Pro-Tem Smith explained that there has been an amended agreement between the City of Greenville and East Carolina University (ECU) since there was some change of plans with the repairs at the Lucille W. Gorham Intergenerational Center. East Carolina University is no longer sharing in the costs of the repairs. For that proposed agreement, the City and ECU agreed to possibly have an extension only for a one-year period.

Mayor Pro-Tem Smith asked whether there are any changes in or what has happened with this particular proposed agreement.

City Attorney Holec responded that this is the management agreement where ECU is the manager of the Center and is to work to provide certain programs and to work with the community in developing those programs. There is no change with this agreement, but there are changes in the two lease agreements on the agenda for this evening.

Motion was made by Mayor Pro-Tem Smith and seconded by Council Member Smiley to approve the Memorandum of Understanding with East Carolina University relating to the Lucille W. Gorham Intergenerational Center. Motion carried unanimously.

REPORT ON BIDS AND CONTRACTS AWARDED

Council Member Connelly asked that regarding the tow truck bids from Auto Equipment, Inc. in the amount of \$109,996.18 and White's Tractor and Truck Companies at \$107,705.62, is the City required to accept the lowest bid and why wasn't that done with this situation.

Fleet Superintendent Angel Maldonado explained that White's Tractor and Truck Companies' lower bid does not meet the specification requirements for the truck. The City asked for a truck that could carry 13,000 pounds for towing and the lower bidder offered one that could carry only 10,000 pounds.

Council Member Connelly asked why was the bid from White's Tractor and Truck Companies accepted if this business does not offer the product needed.

Fleet Superintendent Maldonado responded that they submitted a bid.



Council Member Connelly stated that in the future, staff should include that type of information in the City Council's notes.

Motion was made by Council Member Connelly and seconded by Council Member Godley to approve the information related to this report. Motion carried unanimously.

NEW BUSINESS

PRESENTATIONS BY BOARDS AND COMMISSIONS

Historic Preservation Commission

Chairperson Jeremy Jordan summarized the Historic Preservation Commission's accomplishments and activities since August 2015 as well as things the members would like to achieve. Since its last presentation, the Historic Preservation Commission has reviewed 13 Certificates of Appropriateness, 21 Minor Works and 2 Façade Improvement Grants. Since 1999, there have been 132 funded grants and one is currently in progress. The City has invested \$276,993.20 while property owners have invested \$1,398,892.83. Roughly every \$1.00 of the City's input generates \$5.05 of private money in the Façade Improvement Grants Program.

Chairperson Jordan reported that in May, as part of Historic Preservation Month, tours were conducted at the Cherry Hill Cemetery and East Carolina University campus. Also, the members sponsored a historic bike ride along with the Greenville Bicycle and Pedestrian Commission. The 10th Biennial Historic Preservation Awards were awarded to Don Edwards, Horton Wilkerson, Joanne Honeycutt, Michael Butler, and A&B Auto Services.

Chairman Jordan stated that another charge of the Historic Preservation Commission is to identify and designate historic preservation. There are 75 properties in the City that were built earlier than 1911. The majority of the properties in Greenville were built after 1990.

Chairman Jordan stated that the Historic Preservation Commission tries to identify properties that are endangered and make them landmarked. Currently, the City does not have a demolition by neglect ordinance. If some of the properties are looked at as tax value per acre, the older buildings downtown with more density bring in a lot more tax dollars per acre than the newer ones. One possible tool that can be looked at with the revitalization of some of the older homes in West Greenville is a neighborhood conservation district. That is overlay zoning and the City could do things such as have different setback requirements that match the historic district setbacks. The vacant lots in West Greenville, due to the demolition of houses, could be used for that purpose and those neighborhoods could be filled back in and would not have those missing homes.



Chairperson Jordan displayed a map with areas that are designated as being eligible for the National Register and those that are on the National Register's study list. He stated the National Register districts do not have any restrictions, but they do enable residents or business owners to apply for some grants. If the Historic Preservation Commission designates some more of those areas, the City could disperse some potential economic development that way.

Chairperson Jordan stated that the Historic Preservation Commission received a directive from the City Manager to look at having a historical marker program, which would complement the wayfinding system. The Historic Preservation Commission is working on doing some outreach and will keep the City Manager and City Council updated.

Recreation and Parks Commission

Chairperson Garrett Taylor thanked the City Council for its support of the Recreation and Parks Department, and he reported some of the accomplishments and activities of the Recreation and Parks Commission during the past year. The Recreation and Parks Department received several grants including the following:

- \$2500 from Cal Ripken Sr. Foundation in support of the Exceptional Community Baseball League, which had 125 registrants
- \$38,000 from Easter Seals/Trillium allowed youngsters with special needs to participate in the City's camps. The grant enabled the hiring of 14 Inclusion Counselors, and also covered program fees for 16 special need participants and their siblings.
- \$13,000 from Kaboom!, Dr. Pepper & Snapple for the Imagination Playground
- \$2500 from Carolina Panthers' for the Exceptional Community Flag Football League, 50 to 60 participants are expected
- \$5,000 from Vidant Foundation and \$4,000 each from Smith Family Foundation and United Way of Pitt Co. supported equipment for the traveling Play Trailer.
- \$1,000 from the Pitt County Arts Council in support of Sunday in the Park.

Chairperson Taylor stated that other grants were applied for and are under consideration at this time for improvements at the Greenfield Terrace Park, exercise equipment for the Inclusive Playground project, Paramobile wheelchairs to make various recreational opportunities accessible to those with mobility challenges, renovating the Nature Center classroom into a "discovery lab", and a grant to make the pedal boat concession at River Park North accessible. Support was received in other ways such as the addition of a pergola, park bench, little library and landscaping at the Beatrice Maye Park by the Greenville-Pitt County Chamber of Commerce Leadership Institute. The Jack and Jill Foundation contributed towards the computer room at the Eppes Recreation Center. The Koinonia Christian Center gave a generous gift towards a computer lab at the South Greenville Center.

Chairperson Taylor stated that the Recreation and Parks Department hosted and supported a variety of special events such as the Kid's River Fest, Celebration of Youth Expression,



Greenville Gives, and Pirate Fest. Greenville was selected to host two age divisions of the Southeast Little League Tournament of State Champions with participants from eight Southeast states competing in the tournament. Greenville was also awarded the 14 year old and 15 year old Babe Ruth State Tournaments with teams from all over eastern North Carolina coming to Greenville to compete at the Guy Smith Stadium.

Chairperson Taylor gave information about some of the various arts and recreational programs offered by the City. The Magnolia Arts Center has leased the Perkins complex building for three years and has continued to provide high quality live theater performances. The Eppes Ensemble performed in a pre-concert for the North Carolina Symphony as part of the Symphony's Ovations Program. The Born Learning Trail at River Park North, Born Learning Trailer at the Town Common and Splashpoint Sprayground at the Dream Park continue to be popular destinations for families along with a variety of summer camps and youth and adult sports.

Chairperson Taylor reported that the opening of the new South Greenville Recreation Center is scheduled for in early December. Since the fishing pier has met the requirements of the North Carolina Public Safety Department and the Corps of Engineers, staff will move forward with the fishing pier component, while efforts to obtain approval for the canoe/kayak launch continues. Efforts continue at the Bradford Creek Public Golf Course to maximize service quality and to minimize operational expense.

UPDATE ON IMPERIAL TOBACCO SITE CLEAN-UP

Economic Development and Revitalization Manager Roger Johnson reported that the issue of the Imperial Tobacco Warehouse site (Imperial site) was discussed last week at a meeting of the City Council and Economic Development Committee. An additional underground storage vault was found containing contaminants and the City was not aware of its existence. Also, today, Jon Day and Associates provided the City with a broker's price opinion on the value of that particular site. It is not a full loan appraisal, but there is no cost to the City for it. It would not make sense to pay \$3,000 or \$4,000 today and turn around six months from now to do another appraisal when the City transfers the property.

Economic Development Manager Johnson stated that Mr. Day reported that the Imperial site is worth \$1.7 million in today's environment, if it was sold as a whole. If the property was broken up into sub-parcels (2-3 parcels) and sold independently, the site would be worth \$2.9 million. Easements or roads would be needed to access those particular parcels.

Council Member Connelly asked whether that amount is the full value of the entire nine acres.

Economic Development Manager Johnson responded that there are actually 8.52 acres and there are some easements. Two parcels were purchased for the Imperial site (over \$1 million) and then 15 other parcels were purchased and demolished and removed housing



is associated with that (\$400,000). Then the City owes \$80,000 for cleanup for the City's match for the brownfields agreement. That is a total of about \$1.5 million.

Council Member Connelly asked if the broker's price opinion includes the amount of land that the City will be using to build parking spaces on the Imperial site.

Economic Development Manager Johnson responded that is correct. The City has to provide parking in some form or fashion to meet the contract with Sidewalk Development.

Economic Development Manager Johnson stated that the City received a letter from the Rural Economic Division of the North Carolina Department of Commerce. They are awarding the City \$94,000 for a downtown revitalization project and this is not grant funding asked for or an application submitted by the City. They had surplus and nonrecurring funds and gave them to Tier 1 and Tier 2 cities. Greenville is a Tier 2, so it has additional funding towards a project like the Imperial site.

Economic Development Manager Johnson summarized the following financial breakdown of the projected total cost of the Imperial site cleanup project, stating that there was an unexpected cost of three change orders. The greatest one was for the underground storage vault. It is expected that there will be \$24,179.43 under budget at the completion of this particular project.

Financial Summary

Budget Category	Current Approved Budget	Costs Incurred July 2016	Costs Incurred to Date	Total Funds Remaining
Personnel	\$ 15,000.00	\$ -	\$ 4,149.50	\$ 10,850.50
Travel				
Equipment				
Supplies				
Contractual	\$ 465,000.00	\$ 16,781.47	\$ 158,652.20	\$ 306,347.80
Other				
Sub-Total	\$ 480,000.00	\$ 16,781.47	\$ 162,801.70	\$ 317,198.30
EPA Share	\$ 400,000.00	\$ 16,781.47	\$ 162,801.70	\$ 237,198.30
Match (20%)	\$ 80,000.00	\$ 1,050.00	\$ 1,050.00	\$ 78,950.00
Total	\$ 480,000.00	\$ 17,831.47	\$ 163,851.70	\$ 316,148.30
Remaining Budget	\$ 316,148.30			
HEPACO Contract	\$ 98,520.00	Initial contract amount		
HEPACO CO-1	\$ 6,710.00	Additional UST discovery		
HEPACO CO-2	\$ 13,200.00	Removal of UST and excavating soil		
HEPACO CO-3	\$ 80,412.50	Transportation & disposal of extra contaminated soil		
HEPACO Cont. (15%)	\$ 29,826.38	Contingency		
Cardno	\$ 16,500.00	Expected cost to closeout project		
D&D	\$ 46,800.00	Incurred and expected costs		
Total Remaining:	\$ 24,179.43			

Economic Development Manager Johnson explained that as the contractors began to dig at the site, huge field tanks were found that needed to be cleaned up and pipes were associated with them. When the contractors got closer to the boiler room, there was not a manhole. A vault containing Petroleum #6 was found, pumped out, and removed and the soil was sent off for sampling. Petroleum #6 is one of those things that cannot be taken into the North Carolina landfill. The requirement was to haul off and make the soil better



and then dispose of it in a normal fashion. That was an \$80,000 expense that the City was not prepared for and the remaining brownfields funding no longer contains sufficient funding for extra planning.

Economic Development Manager Johnson stated that both the United States Environmental Protection Agency and North Carolina Department of Environmental Quality have seen what has been done at the site and do not recommend any changes so the City does not expect any additional expense forthcoming. The probability of additional cleanup cost is minimal at this point.

Economic Development Manager Johnson stated that the deadline for completing this particular project is September 30, 2016. Closing out the grant is expected to take a month or two and by the contract that means the payment of \$1,033,000 will happen March 2017.

Council Member Connelly asked how many acres are needed for the parking that is required, according to the contract with Sidewalk Development.

Economic Development Manager Johnson responded that about two acres are needed for the parking.

Council Member Connelly asked how much does the City pay for the additional parcels of land.

Economic Development Manager Johnson responded that it is roughly \$400,000 for those 15 additional parcels.

Council Member Connelly stated that roughly \$400,000 will be taken off the price because the City will build the parking so that brings it down to about \$1.3 million.

Economic Development Manager Johnson responded that Mr. Day priced the acreage closest to Dickinson Avenue at about \$300,000 an acre if the land is subdivided. So, it is not a direct equation. It depends upon what the City Council's desire is to do with the remaining acreage.

Council Member Connelly stated that it is a low amount per acre.

Economic Development Manager Johnson stated the properties that were cited in the broker's price opinion includes the Pugh's site, which sold for \$950,000 an acre; the United States Bankruptcy Court sold for \$625,000 per acre a few years ago; and the GUC sale was most recently at about \$1.2 million per acre. When questioned about evidence that the price of that value is moving up, Mr. Day explained that, in certain cases, people have the option of buying property not in the uptown area for the same commercial purposes, which is around \$100,000-\$150,000 an acre. So, Mr. Day wanted to give the City a conservative estimate.



Council Member Connelly asked about the City's game plan as far as remediating any additional contaminants that the City finds in the property because presently, the City has cashed out with grants.

Economic Development Manager Johnson stated that once the City closes out this brownfields agreement, there is no future liability on the City for cleanup. Once the City transfers that real property, the Brownfields agreement and responsibility for cleanup goes along with it. Regarding compliance, there are things that go along with the Brownfields agreement. For example, in this situation, the City cannot put residential on the ground floor so whatever development comes there would have to be some sort of retail or some other ground floor use and then residential would be allowed above that. Those types of restrictions also go with that particular deal.

PRESENTATION BY THE DEVELOPMENT FINANCE INITIATIVE (DFI) FROM THE UNC SCHOOL OF GOVERNMENT FOR THE IMPERIAL TOBACCO PROJECT AREA

Economic Development and Revitalization Manager Roger Johnson introduced and summarized the background and work experience of Michael Lemanski, a partner at Greenfire Development, stating that he has over 20 years of green building and development experience. His specific expertise has been in redeveloping contaminated and historic properties in urban environments. His background includes managing mixed-use residential, manufacturing and commercial real estate. In 2011, he continues with Greenfire Development, but he went into the public sector to serve the public and now works for the UNC School of Government. Mr. Lemanski manages a team of development professionals that lead community economic development and revitalization projects. He is the founder/director of the Development Finance Initiative (DFI), which assists local governments with attracting private investments for transforming redevelopment projects.

Mr. Lemanski explained why the DFI was created in 2011 and he stated that this program started out as a gift to UNC. The DFI is non-state supported and connected to the UNC School of Government, but the DFI is funded by the project work that it does across the State. A lot of times local governments are frustrated that there is not more private investment in their distressed areas or downtowns. They are unclear about what is preventing the private sector from helping them to accomplish their community and economic goals. The following is a short list of the issues that the DFI helps local governments deal with creating opportunities and making it easier for the private sector to invest:



PREDEVELOPMENT

High potential, but not yet high value

- *Private development challenges:*
 - Long pre-development timeframe
 - Political uncertainty
 - Complicated public-private use
 - Community interests unclear
 - Fish bowl effect
 - Difficult to finance at this stage
 - Lack of site control

Mr. Lemanski stated that regarding the fish bowl effect, one of the things that developers fear besides uncertainty is doing development where everybody wants a say in everything that is done in a project. In the downtowns, the entire community gets to say how that development looks and that is a scary proposition for a developer, who is thinking about taking a lot of risk.

Mr. Lemanski gave examples of some of his experience in Durham, North Carolina. He has created a company that has now invested about \$250 million in downtown Durham. The DFI acquired about 30 distressed properties in the early 2000s and has redeveloped about a million square feet of space in downtown Durham. In the early 2000s, about 80% of the buildings were distressed. Durham had one of the more distressed downtowns across the State and the southeast and had all of the private development challenges. The DFI started working with the local government to try to create public-private partnerships. Also, the DFI started working with some other partners to try to create the opportunity for private investment to happen.

In the early 2000s, Duke University had zero space in downtown Durham. Today, the DFI has not only created a lot of mixed-use properties and historic redevelopment, but also a high-end hotel and new office buildings and a lot of multi-family residential housing are going up. Over the last 10 years, Duke University leased about a million square feet of space in downtown. Presently, there is about a six million square feet built environment and less than 5% of their buildings are distressed. All of that happened in the last 15 years due to working on public-private partnerships, taking advantage of tax - historic tax and new market tax credits.

Mr. Lemanski stated that the DFI has been engaged in 55 different communities across the state in the last five years and about 74 different projects. The DFI serves as a development partner for a local government by taking a look at sites and trying to figure out the best way to engage the private sector.



Mr. Lemanski gave examples of work that the DFI has done in North Carolina and explained the DFI's predevelopment process. For example, the Water Street Parking Deck in downtown Wilmington, North Carolina was one of the program's first large projects. When a community has site control, the DFI will think like a developer, take a look at the property and run it through a very detailed predevelopment process. It starts with a market analysis to try to understand what the market can support on that specific property and what makes sense from the limitation, based on the size and location of the property. Ideas are taken through a detailed public process by working with the City staff, City Council, stakeholders, and/or surrounding business and property owners to try to come up with a program that everybody can get excited about. Then a detailed financial analysis is done.

Mr. Lemanski stated that the financial analysis that the DFI does is similar to what is done by the private sector. A detailed financial model is created so that when it is taken to market, the DFI already knows that not only will the market and site support it, the public already approved it and the City has taken it through the process, but the DFI knows that it has created a project that is financially viable and is likely to attract private sector interest.

Mr. Lemanski stated that the project in Wilmington was a 12-18 month process and it was extended to about 18 months because of the public involvement that the City Council wanted. A lot of different feedback was received. The DFI came up with the project that had about 225 residential units, it is now wrapping a parking deck, retail is on the ground floor, one of the main streets and view corridors to the river were reopened, and the site is connected to a park that was on Wilmington's main street, Front Street. When the DFI went out for a Request For Proposal to solicit qualifications and interested parties, they were able to come up with eight different developers from across the Southeast who were interested in building exactly what Wilmington wanted.

Mr. Lemanski stated that the DFI also has a large project in Kannapolis, North Carolina. The DFI helped the town acquire all of its downtown buildings and about 50 acres of land and to come up with a master plan and have a projected \$300 million worth of new development there. It was the Pillowtex Corporation, an old textile manufacturing company, surrounded by historic buildings.

Mr. Lemanski stated that Kannapolis is working to move their minor league baseball stadium downtown. The DFI investigated additional public investments like road improvements and a lot of this will be funded by the private sector. The DFI actually did a predevelopment process on a site in the heart of downtown on the main street and came up with a mixed-use project, but mostly residential and a city-owned parking deck. That was taken to market within the last two months. The town recently awarded a contract to a developer from Savannah, Georgia to build not only the recommended residential, but they requested to increase the size of the project and density and add a hotel. In this case, the DFI is serving as the master development partner with this one project. The DFI will be helping them with the baseball stadium and fixing up all of the historic structures as well.



Mr. Lemanski stated that because the DFI went through this process, the DFI is getting a lot of interest from other developers. They will be helping them focus on what projects are going to come after this and where would they like to see that type of private development.

Mayor Thomas asked Mr. Lemanski to talk about the Imperial site and what his preliminary thoughts are on developing the City's downtown area.

Mr. Lemanski stated that the site seems to be very interesting. It has a lot of challenges similar to those of other towns he spoke about earlier. Also, the site has opportunity with the road improvements and some of the new development that will be going on over the next few years. The City has everything from affordable housing, railroad tracks, the City's new investment in the transportation center, and East Carolina University's Centennial Campus. There are a lot of moving pieces and trying to figure out what is the right mix of uses and what the public would like to see there will be important for the City Council Members to be clear on what their expectations are and what are the public interests that the City Council Members want to see are maintained as a result of that site.

Mayor Thomas asked about the beginning and current status of the Wilmington site.

Economic Development Manager Johnson responded that the project started in 2014 and they just signed the Memorandum of Understanding with East/West Partners. It has \$59 million of private investment, \$19 million of public investment for the parking deck, and the street was reopened. It is actually now in the process of about to be built. There is no more negotiation, it is ready and will start moving shortly.

Economic Development Manager Johnson reported that there was \$24,000 of Brownfields funds that could be moved over. The City must match that anyway. The City could pay the DFI with those particular funds and that would be considered part of the City's match and the City has a grant. It does not take away from the goods or services, which are so important for the City to provide to the public. The funds are federal and state dollars and not local property tax dollars. If the City Council decides to move forward, staff will come back in September with the proposed contract with the DFI and a way to pay for their services.

Mayor Pro-Tem Smith asked if there will be difficulty in marketing this land to private investors.

Mr. Lemanski responded that just trying to put up a for sale sign on the property and to market the property right now without more thought put into it, he feels that would be more of a challenge. The City Council might be frustrated on how long it might take to get the type of proposals that the City Council is seeking.

Mayor Pro-Tem Smith stated that people were asking about the property before the City purchased the property and wanted the City to buy the land and to sell it in one piece.



Mr. Lemanski stated that the City has already started to take some important steps. Obviously, the cleanup is one risk that the City is eliminating. Wilmington also had a lot of developers interested in their site, but nobody could really get it to the point where Wilmington was comfortable. A lot of people would spend money for plans and take them to the City Council who would indicate that they had no interest. It was easier for the town, City Council, and the public to say what they wanted, which made it easier for the private sector to respond in a way that was useful.

Mayor Pro-Tem Smith asked if the City enters into a contract with the DFI, will the DFI come back and ask the Council Members what they do not want or does the DFI want to know that now.

Mr. Lemanski responded that it is a little bit more complicated because there are many things involved. There might be a mix of uses that fit on that site that work in terms of the amount of private investment that is going to occur, and whether public investment is going to be required, whether there are infrastructure improvements, parking and that sort of thing.

Mayor Thomas stated that Greenville needs people who have experience with providing this type of service. It is amazing what the DFI has done in Kannapolis and Durham plus the DFI has done 74 projects in five years and that is tremendous work and similar circumstances to Greenville. Most of all of them dealt with an inner core that was distressed and needed to be changed. The DFI turned that from a negative into a positive and that must be emphasized as a key component.

Council Member Mercer spoke in favor of this item, stating that the DFI is from a reputable and known context, the UNC School of Government. It is not in every project like this one that the City needs to go through this kind of process because sometimes placing a for sale sign on the property is all that is needed. This particular piece of land does seem to have complications and what happens there is going to have such an impact on the character of that area, and what the City does at the Imperial site could make a difference and keep the progress going in this area. In this particular project, he likes the public input aspect of what the DFI does. Everyone cannot have everything that they want so there would be compromises. The people in that community and all over the City have a stake in how this works. This is not only feasible, but is probably a good way to do this process and to figure out what to do with that piece of land.

Motion was made Council Member Smiley and seconded by Council Member Mercer to direct staff to explore with the Development Finance Initiative and bring the proposal back to the City Council. The motion passed with a 5:1 vote. Mayor Pro-Tem Smith and Council Members Glover, Godley, Smiley and Mercer voted in favor of the motion and Council Member Connelly voted in opposition.



REVISION TO THE CAPITAL INVESTMENT GRANT PROGRAM

Planner Tom Wisemiller gave some background about this incentive program, stating that the Capital Investment Grant (CIG) Program supports projects that create jobs as well as tax-based development. It is funded by capital investment projects and increases the tax revenue, which basically pays for the incentive. Also, it is a flexible program that will support major and modest job producing economic development projects anywhere in the City. In the last several years, the City had some major mixed-use projects that included student housing as a primary component of those developments. Under current guidelines, those types of projects are eligible to receive the CIG funds.

Planner Wisemiller stated that there have been several \$30 million plus projects that are built or planned in the uptown area. These projects have helped raise the residential density in the uptown area and increase the tax base, and they started a live/work environment in the uptown. But at the same time, staff received some input from the Council Members, the public and stakeholders that the next phase is to try to attract market rate residential to the urban core as well as other projects such as office space. Staff has heard some concerns about larger student housing projects being overbuilt in the urban core.

Planner Wisemiller stated that last week, staff proposed the revised CIG Program guidelines to the Economic Development Committee (EDC). The EDC approved the proposed revision, which states "Projects that include student housing as a primary or secondary (more than tertiary) component of the development program are not eligible for Capital Investment Grants". This language provides some flexibility to move into that next phase in that program. The proposed revision does not exclude any and all projects that include student housing altogether.

Motion was made Council Member Smiley and seconded by Council Member Mercer to adopt the revised Capital Investment Program Guidelines.

Council Member Connelly spoke in favor of the Capital Investment Grants and recommended placing some of the incentives on the homepage of the City's website so that they could bring more businesses to Greenville. He stated that he always wanted more private sector jobs in Greenville and the City should explore its options to get that message out to potential businesses that plan to locate in Greenville.

Council Member Mercer stated that the Center City should be an environment that is friendly to students, young professionals and retirees. A Center City that is balanced and diverse is wanted and this revision to the Capital Investment Grant Program helps to move in that direction. This is certainly not to say anything against the projects that the City already has because the City needed to get things going. The City Council will tweak these projects along the way, but presently, there is a need to focus on bringing young professionals and retirees to the downtown area.



There being no further discussion, the motion passed unanimously to adopt the revised Capital Investment Program Guidelines.

RESOLUTION APPROVING THE LEASE AGREEMENT WITH THE STATE OF NORTH CAROLINA FOR THE LESSIE BASS BUILDING LOCATED AT 1100 WARD STREET -
(Resolution No. 045-16)

City Attorney David Holec explained the changes to the agreement, stating that the State of North Carolina will lease the entire Lessie Bass Building, which includes the Lucille W. Gorham Intergenerational Center. The proposed extension is for a one-year period until August 31, 2017. The lease amount based upon the market rent is \$9,030 per year. The State would be responsible for all utilities.

City Attorney Holec stated that the State of North Carolina is leasing the second floor for conducting a program to start there and for the site management of the Intergenerational Center. The nonprofit that was leasing the second floor determined to not lease the second floor. Their formality in their processes is pending. The nonprofit representatives have indicated that the nonprofit will still be involved with the Intergenerational Center in volunteering at this particular site. The Memorandum of Agreement, which was approved earlier by the City Council, gives a statute where the nonprofit does provide input to the programs.

Motion was made by Council Member Smiley and seconded by Council Member Glover to adopt the resolution approving the lease agreement with the State of North Carolina for the Lessie Bass Building.

Council Member Connelly asked if the unused space will be vacant.

City Attorney Holec responded that the second floor of the building will still be used, but the City is losing its more formal arrangement with the nonprofit. The lease amount was \$1.00 annually. The State will be responsible for continuing the insurance and paying for all utilities. It is expected that the entire building will be used and leased by the State of North Carolina.

Council Member Connelly stated that his concern is a possible City liability without a lease agreement. There are no ramifications, outlines, or guidelines of what is expected from the Intergenerational Center. Council Member Connelly asked whether the Intergenerational Center would consider signing a lease agreement with stipulations.

City Attorney Holec explained that the lease has expanded. The State of North Carolina has the legal responsibility for their continuing to work with the nonprofit and any issues. This nonprofit is really a grassroots neighborhood type of involvement and the City would still want their involvement, but the City's more formal arrangement with the nonprofit is missing.



Council Member Connelly asked whether the State is agreeable with taking on the liability, should there be any damage done to the second floor of the building or if there is a lawsuit, even if it pertains to a maintenance issue that is the City's responsibility.

City Attorney Holec stated that the State of North Carolina will be responsible for the second floor providing insurance, etcetera. Regarding a maintenance issue, there would be a claim potentially against the City, but it would not be any different than what it was previously.

Council Member Glover explained the functions of the nonprofit that would be using the space. The nonprofit has always been there with the Lucille W. Gorham Intergenerational Center. Actually, the space is mostly used by the Intergenerational Center. The nonprofit, a national organization, is there for meetings and they have used the property throughout even though the City was responsible for any liability.

Council Member Glover stated that the City would want the nonprofit to continue to be there because they are helping people to renovate their homes and doing a variety of things in the community. They can meet downstairs in the conference room. The Little Willie Center moved out of another part of the Intergenerational Center, which will probably be used. If someone wants to lease a part of that Center, they would contact and meet with the City Attorney.

Council Member Connelly stated that his concern is that the City is still maintaining the property according to the lease agreement with the State of North Carolina.

Council Member Glover stated that the nonprofit is not as active and does not meet that much anymore.

There being no further discussion, the motion passed unanimously to adopt the resolution which approves the lease agreement with the State of North Carolina for the Lessie Bass Building.

RESOLUTION APPROVING THE LEASE AGREEMENT WITH THE STATE OF NORTH CAROLINA FOR THE SCHOOL BUILDING AT THE LUCILLE W. GORHAM INTERGENERATIONAL CENTER - (Resolution No. 046-16)

City Attorney David Holec explained the proposed one-year lease agreement for another building at the Lucille W. Gorham Intergenerational Center. He stated that this is a lease with the State of North Carolina for a one-year period to give the City flexibility to make adjustments, if any are determined. Previously, the City had the cost share arrangement for the maintenance and repair at the school building, but the City did not have a market lease rate and the State does pay that. The annual lease payment is now \$43,247.

City Attorney Holec stated that Pitt Community College (PCC) and East Carolina University have an arrangement in which they have a shared use of the school building. PCC has



determined there is not enough interest in the courses offered at that location and will cease its use of the school building on December 31, 2016. The City's agreement always has been with one party, PCC, and the State has taken that over. After PCC's contract terminates at the end of the year, the City will be looking to the State for the payment for the entire year. The recommendation is that the City Council approves this lease agreement.

Motion was made by Council Member Smiley and seconded by Council Member Connelly to adopt the resolution approving the lease agreement with the State of North Carolina for the school building at the Lucille W. Gorham Intergenerational Center. Motion carried unanimously.

AMENDMENT TO BOARD AND COMMISSION POLICY

City Attorney David Holec gave some background information about this item. Then he stated that the initial changes to the Board and Commission Policy (Policy) were related to more exposure of the *Talent Bank*, the City Council being made aware of *Talent Bank applications* on a timely basis, members' attendance issues, and timeframes on when appointments are made and when appointment letters are given. City Attorney Holec explained that the proposed changes to the Policy are based on some suggestions received from City staff and recommendations by the City Council.

City Attorney Holec stated that there is a limitation on *reappointments* to boards and commissions. If the term is greater than three years, then the person can only serve one term and if it is less than that, then the person is able to be appointed to no more than two full terms. There are exceptions to that standard rule in order to modify what those appointments are.

City Attorney Holec stated that when there is a joint City/County board, the City wants to be placed on the same level as the County. Another exception is the Housing Authority. The City Council cannot limit the length of appointment for two members of that board. One is the Mayoral appointment. The Housing Authority is North Carolina statutorily created so the City Council does not have the authority to limit the Mayor's authority on that appointment. Also, there is the election of a member by the residents of the Housing Authority. The Housing Authority's terms are five years.

City Attorney Holec stated that a recommendation was received to have no term limitation with the Firefighters Relief Fund Committee. The Insurance Commissioner makes an appointment and the firefighters elect two members, which is statutorily created, so the City Council cannot limit their terms. The Firefighters Relief Fund addresses monies in the Relief Fund and the potential assistance to firefighters that are in need. This committee's service really needs persons who have the ability to get familiar with the process and to stay on as experienced members. Those terms are appointed every two years.



Mayor Pro-Tem Smith recommended that the City should have a limit on the number of terms with the Housing Authority. She had a conversation with the Housing Authority Commissioners prior to this recommendation to the City Council and they were lead to believe that there is such a limit.

Mayor Pro-Tem Smith expressed her concern about how a recent incident affected a community of volunteers and participants. Recently, the City Clerk's Office indicated that there were nine applicants in the Talent Bank who were interested in serving on the Housing Authority. One of those applicants is concerned about not being allowed to serve on the Housing Authority so that a City Council Member's appointee could serve for 15 years (three five-year full terms).

Mayor Pro-Tem Smith stated that two five-year terms equal 10 years of service and that is already excessive. To have someone for 15 years is unheard of in most cases in most cities.

Motion was made by Mayor Pro-Tem Smith and seconded by Council Member Connelly to change the Housing Authority's no term limit to a limit of two five-year terms totaling 10 years of service.

Council Member Smiley asked whether there is no underlying regulatory reason why there are unlimited terms.

City Attorney Holec responded that the only issue is to put those members appointed by the City Council under the same statute as the other two members. The Mayoral and election from the tenants' appointments can go on forever with the Housing Authority.

There being no further discussion about *reappointments*, the motion to change the Housing Authority's no term limit to a limit of two five-year terms totaling 10 years of service passed unanimously.

City Attorney Holec stated that *no holdover beyond the term* clarifies that a term length is the term length and a member shall not be allowed to continue to serve past the term length unless the member is eligible to be reappointed for another term. This establishes a set term length that the City Council follows. Persons are not allowed to continue to serve until the successor is appointed and qualified.

City Attorney Holec stated that the *nominations for extended vacancies* relates to any board or commission where the City Council Member always has the ability to make the nomination and the City Council actually fills the seat when it is a City Council appointment. But, if the vacancy appears on at least two regular meetings (two months) and no nomination is made at that time, then another Council Member has the ability to make the nomination instead of the original Council Member who should be making the nomination. Therefore, there would not be lingering vacancies on the City's boards and commissions.



Mayor Thomas suggested the proposed period be changed from 60 days to 90 days, which would be fair for the nominations for the extended vacancy issue.

Mayor Pro-Tem Smith stated that if two nominations are made, would they be conducted with the City Council's vote in the order that they are actually made.

City Attorney Holec responded that is correct. If more than one nomination is made that would be done in accordance with Robert's Rule of Order for the election. The 60-day period will be changed to 90 days.

City Attorney Holec stated that the next change relates to *servicing on two boards simultaneously*. The general rule is that a citizen can serve on one board and not two boards. Recently, there was a situation where a member, who was serving on one board and would rather serve on another board. The City really does not have a process on whether that person should resign before being appointed to the other board. The proposed change establishes that the procedure is if the citizen wants to serve on another board or commission, the citizen can still remain on the current board until being appointed to the other board. But before serving on the other board, the citizens must resign from the first board.

Mayor Pro-Tem Smith asked if the citizen resigns and does not give any type of notice how is the staff liaison(s) or Chairperson made aware that this person resigned and has been appointed to another board.

City Attorney Holec responded that the person would be required to make a choice and would resign by submitting a letter to the City Clerk's Office.

City Attorney Holec explained the change for *attendance of members*, stating that some of this is technical as far as there is a one-year period if somebody is not attending enough to be considered as a problem and would be relieved of their seat. There was some uncertainty as to how to measure the one-year period. If a board is up for appointment in May, the one-year period starts in June and goes to May. For the next year, if the board is up for appointment in June then the one-year period starts in July and goes through June.

City Attorney Holec stated that as far as a person not meeting the attendance requirements, there are timeframes including 1) the person must respond to the letter from the City Clerk. That is being shortened from a 30-day period to a 15-day period because it was extending the issue with the person not attending meetings, and 2) the monitoring of the attendance, if a member wants to continue to serve.

Council Member Mercer suggested that persons should receive the letter after not attending two meetings given some of the issues that City has experienced.

Council Member Godley suggested that persons should receive an email plus the letter via mail.



City Attorney Holec stated that when the person receives the letter and is placed on the monitoring list, it indicates that the individual has missed three or more consecutive meetings. City Attorney Holec asked if that part of the Policy should be changed from three meetings to two meetings as well.

Council Member Mercer stated that the members should be notified after being absent from two instead of three meetings and that change is for the Policy as well.

City Attorney Holec explained the *acknowledgement of attendance requirement* and he stated that the County does this. Shortly, after their appointment, members must sign a form acknowledging that they have been informed of and understand the rules and that reinforce the attendance requirements.

City Attorney Holec stated that the *quorum issues* are in place in order to trigger the City Council being able to potentially look at a board or commission that is having a quorum issue. If a board or commission has failed to have two consecutive regularly scheduled meetings due to a lack of a quorum, the City Council is made aware of the issue. It is determined by the Council Members to place the issue on an agenda for the City Council's discussion. Each Council Member has the ability to bring that up by normal process. The City Council could discuss reducing the membership as was done with the *Greenville Bicycle and Pedestrian Committee*, possibly have alternate members, reduce the quorum requirements, or to leave the situation as it is.

City Attorney Holec stated presently, the City does not have a process for *recommendations to the City Council*. This change proposes that a recommendation or comment to the City Council must be approved by action by the board or commission. Then the staff liaison would send the recommendation or comment to the City Manager and City Clerk. Neither is automatically put on an agenda. It is the responsibility of the City Clerk as a Secretary to the City Council to forward that recommendation or comment on to the City Council. Any member of the City Council has the ability to use the City Council's standard procedure for adding an item(s) to the agenda. That is to notify the City Manager within the timeframe and the item is placed on the agenda.

City Attorney Holec explained the exceptions to this process because of the nature of some of the boards and commissions and recommendations. For example, if the City Council makes a request for the recommendation, a response is received and there is no need for the City Council's normal process. If it is one of the City Council's normal formal processes where a recommendation is made and then a public hearing is held (i.e. Planning and Zoning Commission, Recreation and Parks Commission, or Affordable Housing Loan Committee), then it is automatically placed on the agenda for the City Council's consideration. Those received from the statutorily created boards and commissions would go through the normal agenda process.

Council Member Mercer stated that a recommendation from a board or commission could be automatically put on the agenda.



City Attorney Holec responded the issue with that is sometimes the board or commission may make a recommendation that really does not fit within the work plans of the City Council, staff as well as the board or commission. If there is a recommendation that automatically goes on the City Council agenda that may be giving more latitude than should occur. The other part is it still gives the avenue for the board or commission to be heard and informed of the recommendation by the City Council.

Council Member Godley asked regarding the change for individuals serving on two boards simultaneously, will the Policy now allow individuals to be on two boards/commissions.

City Attorney Holec stated that the City's procedure presently is individuals can serve on only one board/commission, but the proposed change establishes for the procedure for the transition to another board.

City Attorney Holec stated that the Recreation and Parks Commission has had the issue of whether to allow *electronic participation in meetings*. The proposed change states that the board members can allow the participation of a member by electronically calling in and being available by telephone. The board or commission makes its own decision. But, the change still specifically states that unless the member is physically present that is not to be counted as present for the purpose of establishing a quorum and complying with the attendance requirements. It is important that a person attends physically, if possible, which allows the participation. This provision does not apply to some boards, which are statutorily created, because they actually have the ability to establish their own rules as far as participation and some have done so.

City Attorney Holec stated there have been some issues as far as *minutes* being approved and placed on the City's website. When there is a regular meeting, the minutes should be prepared and placed on the next regular meeting agenda for approval. Once they are approved, the minutes should be placed on the website within seven days. There has been some lagging of minutes not being approved and not being placed on the City's website.

City Attorney Holec explained the proposed change for *annual presentations to the City Council*, stating this is a provision regarding what is expected to be addressed in a presentation. A presentation should consist of the board's/commission's activities and accomplishments in the last year as well as the type of things to be achieved the next year. The time limitation established by the City Council for a presentation is 10 minutes.

City Attorney Holec explained that the *sunset provision* is being proposed to ensure that the Board and Commission Policy will be looked at every two years. The Policy will be reviewed within eight months after the election when City Council Members are sworn in at their organizational meeting.

Mayor Pro-Tem Smith asked if there is a reason that the rotation of appointments starts with District 5 instead of beginning with the Mayor and Mayor Pro-Tem, Council Member-At Large and then Districts 2-5 Council Members.



City Attorney Holec responded that initially, the rotation of appointments for each board was different. One board started with the Mayor and then the rotation of Districts 1-5 Council Members. The next board started with Council Member District 1 and then another board started the rotation of Council Member Districts 2-5. It goes in order but the starting point changed so it was not the same for every board and was distributed.

Motion was made by Mayor Pro-Tem Smith and seconded by Council Member Godley to approve the amendments to the Board and Commission Policy. Motion carried unanimously.

REVIEW OF AUGUST 18, 2016 CITY COUNCIL MEETING

The Mayor and City Council reviewed the agenda for the August 18, 2016 City Council meeting.

CITY MANAGER'S REPORT

City Manager Barbara Lipscomb introduced Ben Griffith, the new Community Development Director.

Update on the City of Greenville's 2016-2018 Strategic Plan

City Manager Lipscomb stated that there are short-term and long-term objectives related to each of the following overall goals set by the City Council:

- Goal 1: Building Great Places That Thrive
- Goal 2: Enhancing Accessible Transportation Networks and Public Building, Public Infrastructure Development
- Goal 3: Governing With Transparency and Fiscal Responsibility
- Goal 4: Growing the Economic Hub of Eastern North Carolina
- Goal 5: Creating Complete Neighborhoods
- Goal 6: Growing A Green and Resilient City
- Goal 7: Making A Healthy and Vibrant City
- Goal 8: Safe Community: Public Safety Services

City Manager Lipscomb made the following comments about the City Council's top 10 priorities:

1. *Town Common* - The budgets for FY 2017 and 2018 include \$1.3 million for implementation of the whole Town Common project. Thus far, The Trillium Accessible Playground was donated to the City and is under construction. Funding



for additional playground equipment is being solicited. The fishing pier project was approved by the U. S. Army Corps of Engineers and the North Carolina Department of Natural Resources. The City is moving forward with the construction of the fishing pier. The kayak launch is still awaiting approval for the no-rise certificate.

Because of questions this past weekend related to the fishing pier's condition, a sign will be installed informing people about the City's plans for amenities in that area of the park. The schematic design for the entire Town Common project is currently underway. A presentation on the final design is expected at the October City Council meeting.

2. *Farmer's/Organic Market* - Based upon input from key stakeholders including the Pitt County Farmer's Market representatives, Uptown Greenville and the Coalition For Healthier Eating, the City piloted the Sunday Evening Uptown Market in conjunction with the Sunday In the Park music series. It may take a more expanded timeframe for any series to occur.

Mayor Thomas asked why Sunday was chosen for the Farmer's/Organic market.

City Manager Lipscomb responded that Sunday was selected because that was the time that the farmers were available. Others felt that if it was in conjunction with an existing event in that area that would work.

Mayor Thomas stated that he would like to see the Farmer's/Organic Market emphasized on Saturday morning. That is a two-year goal.

City Manager Lipscomb stated that a bid will be obtained from Uptown Greenville to continue the Farmer's/Organic market and she will bring that before the City Council as a recommendation.

City Manager Lipscomb made the following comments about the remaining priorities:

3. *Long-term Debt Strategy* - This item is scheduled to be presented at the September 2016 City Council meeting.
4. *River Access/Tar River Vantage Points* - The construction of three camping platform sites along the Tar River is moving forward. The first one will be installed at River Park North this month. Once completed, construction will begin on the platform at the Greenville Utilities Commission site and then construction on the one at the Phil Carroll Nature Preserve will follow. The entire project is expected to be completed by year end. Additionally, an overlook shelter has been ordered for Rivers Edge Park with delivery anticipated by early September 2016 and construction will follow.



5. *Tar River Legacy Plans Additions* - A group of local citizens are in the process of establishing the Tar River Alliance for fundraising purposes. Additionally, staff has worked with the consultant on several possibilities related to an adventure concept exploring such items as ziplining. Unfortunately, the consultant did not find the adequate market for this activity locally due to the distance from major highways such as I-95 and the cost of developing the infrastructure for this concept. Staff is exploring other options to activate the park such as campgrounds and fishing ponds. Staff will continue to seek grant funding to bring new ideas and projects onboard.
6. *Virtual Buildings* - There is funding for three virtual building concepts and the City will be working with The East Group on those plans related to the Imperial site. The other locations will be based on the site-ready economic development program.
7. *Red Light Cameras* - The North Carolina General Assembly has approved the City's red light program. A local ordinance is scheduled to be brought to the City Council this fall for approval. Additionally, an interlocal agreement with the Pitt County Board of Education is being developed.
8. *Lighting – LED* - The Police and Public Works Departments are collaborating and will be presenting recommendations on this item at the Thursday meeting.
9. *Arts Coalition* - Staff continues to work with the Pitt County Arts Council and others on developing a Gallery District in the Dickinson Arts and Innovation Area.
10. *South Zone Police Precinct* - This precinct station location is in the commercial area on Greenville Boulevard in The Shoppes at Greenville Grande adjacent to the movie theater (Regal Cinemas Greenville Grande 14). The Public Works Department is finishing up some last minute details and a grand opening is anticipated in September 2016.

Update on potential parking lot modifications for the Merchants Parking Lot to accommodate tour buses

Assistant City Manager Merrill Flood stated that at its March 17, 2016 meeting, the City Council approved a Letter of Intent (LOI) between the Greenville Redevelopment Commission and Community Smith, LLC for the exploration and potential development plans for the Uptown Theater, formerly the White's Theater. One of the LOI's provisions require that the City provide parking for tour buses and/or trucks within a 300 foot radius of the proposed theater. The East Group was asked to develop two options for the Merchant's Lot including one that would be a long-term vision to make that parking lot accommodate tour buses but also to function differently.

Assistant City Manager Merrill Flood stated there is a lot of activity in that parking lot including back of house activities for businesses, particularly for restaurants in that area, and front door operations for businesses on the front of the alley and parking lot. There



are 19 parking spaces in the parking lot and several of them are leased or available, but they are not yet leased. There is some free public parking at that location as well.

Assistant City Manager Flood stated that in June 2016, City staff had meetings with the merchants having businesses either front or back up to that parking lot. It was decided that the City needed to do something different with the refuse services. Several of the restaurant operators had different refuse service providers and some of those services have since been combined by the restaurant operators to get a more efficient service in that area.

Assistant City Manager Flood stated that the most cost-efficient solution, which can be done within the existing budgeted resources, is to park the buses in the five public two-hour parking spaces. They are primarily used by Winslow's employees for parking. There has not been ticketing of those operations. Winslow's agreed with the project and felt that this project will add a sense of place of what is going on and to aid them in their business. They stated that, quite frankly, moving them and providing those parking spaces at a nearby location would be acceptable.

Mayor Thomas asked how often is the City experiencing the need for tour buses.

Assistant City Manager Flood responded that right now, there is none. Once the theater is developed that is one of the provisions and that could be on a weekly basis 2-3 nights per week. One of the parts of this that came out of the discussions is the City needed to provide back of house services not only for refuse, but for deliveries. This space could double at times. Whenever the tour buses are not there, the space will help facilitate deliveries to the restaurants. A new brewery is going to access this area and there are several other options and business enterprises that still need delivery services.

Mayor Thomas stated that he is very sensitive about the City further pushing out the workers that do not have a lot of disposable income to do their jobs.

Assistant City Manager Flood stated that providing additional refuse service, the five spaces that are being primarily being used by these employees and how can the City find a better location for their parking needs were discussed.

Assistant City Manager Flood stated that staff will be looking at deploying and striping other parking spaces in the area that will provide parking for the loss of the five spaces at the Merchant's Lot. The Public Works Department is committed to looking at 4th Street as one possible location for this and maybe some other lots that may not be quite full could accommodate that loss as well at the Merchant's Lot.

Assistant City Manager Flood stated that additional funds have been committed by the Redevelopment Commission for this project that would cover the restriping in the amount of about \$5,000. In the future, the work that The East Group was doing could be a wholesale reconfiguration of this lot to accommodate a variety of users, promote outdoor



dining and several of other things. A long-term solution will be looked at, but to get the theater project moving, a temporary solution is needed. The upset bid process is coming to the end. If the City Council approves this concept, staff could report to the subsequent developer that this would be the solution. Hopefully, at the September meetings of the Redevelopment Commission and the City Council there will be an award for this action.

Motion was made by Mayor Pro-Tem Smith and seconded by Council Member Godley to allow staff to develop detailed plans and modify the parking lot to accommodate tour vehicles in accordance with the theater redevelopment plans. Motion carried unanimously.

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 and seconded by Council Member to adjourn the meeting. Motion carried unanimously, and Mayor Thomas declared the meeting adjourned at 10:21 p.m.

Respectfully Submitted

Polly Jones
Deputy City Clerk

PROPOSED MINUTES
MEETING OF THE CITY COUNCIL
CITY OF GREENVILLE, NORTH CAROLINA
THURSDAY, AUGUST 18, 2016



A regular meeting of the Greenville City Council was held on Thursday, August 18, 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 Council Member Connelly gave the invocation, followed by the Pledge of Allegiance.

Those Present:

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

Those Absent:

None

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

Upon motion by Council Member Godley and second by Council Member Connelly, the pedestrian safety item that Council Member Godley had requested was removed from the agenda.

Upon motion by Council Member Glover and second by Council Member Godley, the City Council voted unanimously to approve the agenda as amended.

PUBLIC COMMENT PERIOD

Mayor Thomas opened the public comment period at 6:04 pm, explaining procedures which should be followed by all speakers.

Nancy Colville – 113 Lord Ashley Drive

Ms. Colville stated she is excited about the Town Common Master Plan, but she does have one concern. She attended the meeting on July 20th with the East Group about plans to build the Sycamore Hill memorial. It was an interesting meeting, but the design must be



based on the sentiment of the general public. Ms. Colville stated she is all for preserving the history of this part of Greenville, but the location and cost must be kept in mind. She has spoken to people from that area who are still living and she's read the history that is available. This community was not just an African American community – it was a mixed community. Some were very devout to the church, but some were not. While there needs to be something to memorialize the area, she cannot justify a large structure that will cost a lot of money that Greenville doesn't have to spend.

Brooks O'Quinn – 2410 Umstead Avenue

Mr. O'Quinn stated he has been a Pitt County resident since 1989 and a City resident for the past year. He has concerns about the Imperial Warehouse property as he has not been able to determine exactly what the value is for that property. On the County's website, it's shown as \$43,000. What if the economy declines? Why wasn't the property condemned as a public health issue rather than cleaning it up at taxpayers' expense? He is worried about taking on debt as a private investment.

Charles Moore – 308 Lewis Street

Mr. Moore stated he is here as the Chair for the Public Transportation and Parking Commission. The resolution for Vision Zero, on tonight's agenda, originally came from the Bicycle and Pedestrian Commission, and the Public Transportation and Parking resolution is an endorsement. This is a seemingly simple equation, but nothing is ever that straightforward. This is an aspirational framework. There is no intent of the endorsement to suggest that City officials have failed the City. The Transit officials he has worked with have been remarkably professional and competent.

Brian Glover – 1407 N. Overlook Drive

Mr. Glover stated he is speaking in favor of the Vision Zero policy. He asked for a show of hands in the audience of those who've personally known someone killed or seriously injured in relation to a motor vehicle, and about half the audience raised their hands. Mr. Glover stated this is not a fringe problem that only impacts a few people, but it doesn't have to be this way. This area does not look good based on DOT data. This is not because of bad drivers, but because of bad roads that have not kept up with what Greenville is as a City. Something can be done about that, and he is gratified by the actions by this City Council thus far. Some changes have already been made on 10th Street, but a long term commitment to making safety a first priority is needed. Five people have been killed while walking inside the city limits this year. Vision Zero is a set of internationally recognized practices.

There being no one else present who wished to address the City Council, Mayor Thomas closed the public comment period at 6:15 pm.



SPECIAL RECOGNITIONS

DARRELL DORSEY – POLICE DEPARTMENT RETIREE

City Manager Barbara Lipscomb, along with Mayor Thomas and Chief of Police Mark Holtzman, recognized Property and Evidence Technician Darrell Dorsey of the Police Department on the occasion of his retirement from the City. She read and presented him with a plaque commemorating 7 years and 10 months service, noting that Mr. Dorsey is also retired from the United States Air Force Military Police.

WILLIAM J. LITTLE, III – CITY ATTORNEY’S OFFICE RETIREE

City Manager Lipscomb, along with Mayor Thomas and City Attorney Dave Holec, recognized Assistant City Attorney Bill Little on the occasion of his retirement from the City. She read and presented him with a plaque commemorating 13 years and 4 months service, noting that Mr. Little is also a United States Air Force retiree.

GRADUATES OF THE 2015-2016 GREENVILLE-PITT COUNTY CHAMBER OF COMMERCE LEADERSHIP INSTITUTE

City Manager Lipscomb recognized Planner II Chantae Gooby, Communications Manager/Public Information Officer Brock Letchworth and Recreation Manager Bershuan Thompson as graduates of the 2015-2016 Greenville-Pitt County Chamber of Commerce Leadership Institute, along with Buildings and Grounds Superintendent Kevin Heifferon and Fire/Rescue Captain Kevin Sowers, who were unable to attend.

GRADUATE OF THE 2015-2016 UNC SCHOOL OF GOVERNMENT MUNICIPAL ADMINISTRATION COURSE

City Manager Lipscomb recognized Police Captain Ken Laws as a graduate of the 2015-2016 UNC School of Government Municipal Administration course.

APPOINTMENTS

APPOINTMENTS TO BOARDS AND COMMISSIONS



Affordable Housing Loan Committee

Council Member Mercer made a motion to appoint Anne Fisher to an unexpired term that will expire February 2017, in replacement of Sarah Smith, who had resigned. Council Member Godley seconded the motion and it carried unanimously.

Board of Adjustment

Council Member Glover continued the appointment for Scott Shook's seat.

Community Appearance Commission

Council Member Godley continued the appointment for Andrew Bowers' seat.

Greenville Utilities Commission

Council Member Glover continued the appointment for John Minges' seat.

Human Relations Council

All appointments were continued.

Pitt-Greenville Convention & Visitors Authority

All appointments were continued.

Police Community Relations Committee

Council Member Smiley appointed Scott Snyder to an unexpired term that will expire October 2017 in replacement of Mary C. Stokes, who had resigned.

Recreation & Parks Commission

Council Member Smiley moved to appoint Elizabeth Blanck to a first three-year term that will expire May 2019, in replacement of Tyler Clark, who did not seek a second term. Council Member Godley seconded the motion, which carried unanimously.

Youth Council

Council Member Mercer continued all appointments.

NEW BUSINESS

PUBLIC HEARINGS

ORDINANCE TO ANNEX PARKSIDE BLUFFS, SECTION 2, PHASE I INVOLVING 2.804 ACRES LOCATED NEAR THE NORTHEAST CORNER OF THE INTERSECTION OF EAST 10TH STREET AND PARKSIDE DRIVE – (Ordinance No. 16-046)



Planner Chantae Gooby showed a map depicting the proposed annexation area, which is located within Grimesland Township in voting District #3. The property is currently vacant with no population, and no population expected at full development. Current zoning is CG (General Commercial), with the proposed use being 9,000+/- square feet of retail space. Present tax value is \$159,933, with tax value at full development estimated at \$1,059,933. The property is located within Vision Area C.

Mayor Thomas declared the public hearing for the proposed annexation open at 6:28 pm and invited anyone wishing to speak in favor to come forward.

Hearing no one wishing to comment in favor of the proposed annexation, Mayor Thomas invited comment in opposition. Also hearing no one, Mayor Thomas closed the public hearing at 6:29 pm.

Council Member Connelly moved to adopt the ordinance to annex Parkside Bluffs, Section 2, Phase I involving 2.804 acres located near the northeast corner of the intersection of east 10th Street and Parkside Drive. Council Member Godley seconded the motion, which passed by unanimous vote.

ORDINANCE TO ANNEX TEAKWOOD GREEN, PHASE II INVOLVING 9.37 ACRES LOCATED AT THE TERMINI OF PRESIDIO LANE AND TEAKWOOD DRIVE – (Ordinance No. 16-047)

Planner Chantae Gooby showed a map depicting the proposed annexation area, which is located within Arthur Township in voting District #2. The property is currently vacant with no population, and a population of 40 expected at full development. Current zoning is RA-20 (Residential-Agricultural), with the proposed use being 18 single-family lots. Present tax value is \$75,429, with tax value at full development estimated at \$1,862,929. The property is located within Vision Area F.

Mayor Thomas declared the public hearing for the proposed annexation open at 6:30 pm and invited anyone wishing to speak in favor to come forward.

Hearing no one wishing to comment in favor of the proposed annexation, Mayor Thomas invited comment in opposition. Also hearing no one, Mayor Thomas closed the public hearing at 6:31 pm.

Council Member Connelly moved to adopt the ordinance to annex Teakwood Green, Phase II involving 9.37 acres located at the termini of Presidio Lane and Teakwood Drive. Council Member Glover seconded the motion, which passed by unanimous vote.

ORDINANCE TO ANNEX WOODRIDGE CORPORATE PARK, PORTION OF PHASE 2 INVOLVING 20.00 ACRES LOCATED AT THE CURRENT TERMINUS OF WOODRIDGE PARK ROAD – (Ordinance No. 16-048)



Planner Chantae Gooby showed a map depicting the proposed annexation area, which is located within Arthur Township in voting District #1. The property is currently vacant with no population, and no population expected at full development. Current zoning is IU (Unoffensive Industry), with the proposed use being Pitt County Schools Bus Garage (tax exempt). Present tax value is \$175,000, with no tax value at full development due to the tax exempt status. The property is located within Vision Area F.

Mayor Thomas declared the public hearing for the proposed annexation open at 6:32 pm and invited anyone wishing to speak in favor to come forward.

Hearing no one wishing to comment in favor of the proposed annexation, Mayor Thomas invited comment in opposition. Also hearing no one, Mayor Thomas closed the public hearing at 6:33 pm.

Council Member Connelly moved to adopt the ordinance to annex Woodridge Corporate Park, portion of Phase 2 involving 20.00 acres located at the current terminus of Woodridge Park Road. Council Member Godley seconded the motion, which passed by unanimous vote.

ORDINANCE REQUESTED BY GREENVILLE UTILITIES COMMISSION TO REZONE 83.15 ACRES LOCATED AT THE SOUTHWESTERN CORNER OF THE INTERSECTION OF MARTIN LUTHER KING, JR. HIGHWAY AND NC HIGHWAY 43 FROM RA20 (RESIDENTIAL-AGRICULTURAL) TO CH (HEAVY COMMERCIAL) – (Ordinance No. 16-049)

Planner Chantae Gooby stated Income Investments, LLC have requested to rezone 83.15 acres located at the southwestern corner of the intersection of Martin Luther King, Jr. Highway and NC Highway 43 from RA20 (Residential-Agricultural) to CH (Heavy Commercial). The subject area is located in Vision Area F.

According to Planner Gooby, Martin Luther King, Jr. Highway is designated as a "gateway corridor" from its intersection with North Memorial Drive to its current terminus. Gateway corridors serve as primary entranceways into the city and help define community character. Gateway corridors may accommodate a variety of intensive, large-scale uses, in appropriately located focus areas with lower intensity office and/or high-density residential development in the adjacent transition areas.

West Fifth Street/NC Highway 43 is designated as a "gateway corridor" between South Memorial Drive and Rock Springs Road then transitions to a "residential corridor" continuing to the west. Gateway corridors serve as primary entranceways into the city and help define community character. Gateway corridors may accommodate a variety of intensive, large-scale uses, in appropriately located focus areas with lower intensity office



and/or high-density residential development in the adjacent transition areas. Along residential corridors, office, service and retail activities should be specifically restricted to the associated focus area, and linear expansion outside of the focus area should be prohibited.

The Future Land Use Plan Map recommends commercial (C) at the southwestern corner of the intersection of Martin Luther King, Jr. Highway and NC Highway 43 transitioning to office/institutional/multi-family (OIMF) to the west and south then high density residential (HDR) to the south. Further, conservation/open space is recommended along Tyson's Run.

The Future Land Use Plan Map identifies certain areas for conservation/open space (COS) uses. The map is not meant to be dimensionally specific and may not correspond precisely to conditions on the ground. When considering rezoning requests or other development proposals, some areas classified as conservation/open space may be determined not to contain anticipated development limitations. In such cases, the future preferred land use should be based on adjacent Future Land Use Plan designations, contextual considerations, and the general policies of the comprehensive plan.

There is a designated intermediate focus area at the intersection of Martin Luther King, Jr. Highway and NC Highway 43. These areas are intended to contain 50,000-150,000+/- square feet of conditioned floor space.

The subject property is considered part of the intermediate focus area at the intersection of Martin Luther King, Jr. Highway and NC Highway 43.

Based on the analysis comparing the existing zoning (1,436 trips) and requested rezoning, Planner Gooby stated the proposed rezoning classification could generate 1,000 trips to and from the site on NC Highway 43, which is a net decrease of 436 trips per day. Since the traffic analysis for the requested rezoning indicates that the proposal will generate less traffic than the existing zoning, a traffic volume report was not generated.

In 2001, the subject property was incorporated into the City's extra-territorial jurisdiction (ETJ) and zoned RA20 (Residential-Agricultural). Water and Sanitary Sewer are available. There are no known historical designations on the site, but the property is impacted by the 100-year floodplain associated with Tyson's Run.

Surrounding land uses and zoning are as follows:

North: RA20 - Woodland

South: RA20 - Farmland

East: Martin Luther King, Jr. Highway

West: RA20 - Remaining portion of subject property and farmland



Planner Gooby stated under the current zoning (RA20), the site could yield 120-150 single-family lots. Under the proposed zoning (CH), the site could yield 120,000+/- square feet of public utility space. The anticipated build-out time is within 1-2 years.

Ms. Gooby stated that, in staff's opinion, the request is in general compliance with Horizons: Greenville's Community Plan and the Future Land Use Plan Map. "In general compliance with the comprehensive plan" should be construed as meaning the requested zoning is recognized as being in a transition area and that the requested zoning (i) is currently contiguous, or is reasonably anticipated to be contiguous in the future, to specifically recommended and desirable zoning of like type, character or compatibility, (ii) is complementary with objectives specifically recommended in the Horizons Plan (or addendum to the plan), (iii) is not anticipated to create or have an unacceptable impact on adjacent area properties or travel ways, and (iv) preserves the desired urban form. It is recognized that in the absence of more detailed plans, subjective decisions must be made concerning the scale, dimension, configuration, and location of the requested zoning in the particular case. Staff is not recommending approval of the requested zoning; however, staff does not have any specific objection to the requested zoning. Planner Gooby stated the Planning and Zoning Commission voted to recommend approval of the request at its June 21, 2016, meeting.

Mayor Thomas declared the public hearing for the proposed rezoning open at 6:35 pm and invited anyone wishing to speak in favor to come forward.

Chris Padgett - No Address Given

GUC Chief Administrative Officer Chris Padgett, Chief Administrative Officer, speaking on behalf of GUC, stated that the property is intended to be used for their new operations center. Their facility on Mumford Road is at capacity and is located within the flood plain, which is a risk. Their subcommittee has worked for two years to find the best location and this was the property they selected. The site is a good size for them to accommodate current needs and allow for future growth. It is a strategic location, which will give them an excellent means of meeting customer needs, and it will be an attractive development. Mr. Padgett stated they will come back at a future date regarding purchase of the property.

Jon Day - No Address Given

Mr. Day, speaking on behalf of the property owner, stated the Council has heard about compliance from staff and from GUC about their plans to develop a high quality facility. The seller feels so confident in their plan that he has retained 25 acres at the corner.

Hearing no one else wishing to comment in favor of the proposed rezoning, Mayor Thomas invited comment in opposition. Hearing none, Mayor Thomas closed the public hearing at 6:40 pm.



Council Member Mercer moved to adopt the ordinance to rezone 83.15 acres located at the southwestern corner of the intersection of Martin Luther King, Jr. Highway and NC Highway 43 from RA20 (Residential-Agricultural) to CH (Heavy Commercial). Council Member Connelly seconded the motion, which passed by unanimous vote.

ORDINANCE REQUESTED BY HAPPY TRAIL FARMS, LLC TO AMEND THE FUTURE LAND USE PLAN MAP FROM OFFICE/INSTITUTIONAL/MULTI-FAMILY (OIMF) AND CONSERVATION/OPEN SPACE (COS) CATEGORIES TO A COMMERCIAL (C) CATEGORY CONTAINING 15.13+ ACRES AND TO AMEND THE HORIZONS: GREENVILLE'S COMMUNITY PLAN FOCUS AREA (OR COMMERCIAL NODE) MAP DESIGNATION FOR THE PROPERTY LOCATED NEAR THE SOUTHWESTERN CORNER OF THE INTERSECTION OF ALLEN ROAD AND LANDFILL ROAD FROM A "NEIGHBORHOOD FOCUS AREA" TO A "REGIONAL FOCUS AREA" – (Ordinance No. 16-050)

Planner Chantae Gooby stated the current Future Land Use Plan Map (FLUPM) was adopted in 2004. In 2001, the subject property was part of a large-scale extra-territorial jurisdiction (ETJ) extension and was zoned MRS (Medical-Residential-Single-family).

The FLUPM recommends Commercial (C) at the southwestern corner of the intersection of Landfill Road and Allen Road transitioning to Conservation/Open Space (COS) to buffer to the Interior Industry (I) then Office/Institutional/Multi-Family (OIMF) to the south.

The Future Land Use Map identifies certain areas for Conservation/Open Space uses. The map is not meant to be dimensionally specific and may not correspond precisely with conditions on the ground. When considering rezoning requests or other development proposals, some areas classified as Conservation/Open Space may be determined not to contain anticipated development limitations. In such cases, the future preferred land use should be based on adjacent Land Use Plan designations, contextual considerations, and the general policies of the comprehensive plan.

Allen Road is designated as a "connector corridor" between MacGregor Downs Road and the Norfolk Southern Railroad then transitions to a "residential" corridor to its intersection with Dickinson Avenue.

Connector corridors are anticipated to contain a variety of higher intensity activities and uses whereas residential corridors are preferred to accommodate lower intensity residential uses. Along residential corridors, office, service, and retail activities should be specifically restricted to the associated focus area, and linear expansion outside of the focus area should be prohibited.

Planner Gooby stated the subject area is located in Vision Area F. There are no known environmental conditions or constraints on subject property. Surrounding land uses and zoning are as follows:



North: IU – Pitt County Landfill

South: RA20 and MRS – one single-family residence and woodland

East: MRS – four single-family residences and woodland; MCH – one single-family residence and woodland

West: IU – Pitt County Landfill

Based on the analysis comparing the existing land use (1,230 daily trips) and requested land use, Planner Gooby stated the proposed land use classification could generate 288 trips to and from the site on Allen Road, which is a net decrease of 942 less trips per day. Since the traffic analysis for the requested land use indicates that the proposal would generate less traffic than the existing land use, a traffic volume report was not generated.

Planner Gooby stated that, in consideration of criteria listed in the 2010 update regarding requests to update the Future Land Use Plan Map, staff's opinion is that the request is incompatible with the comprehensive plan; therefore, staff's recommendation is to deny the request.

Mayor Thomas declared the public hearing for the proposed amendment open at 6:53 pm and invited anyone wishing to speak in favor to come forward.

Mike Baldwin – No Address Given

Mr. Baldwin, representing Happy Trails Farms, stated they'd originally approached this as a rezoning request, but revised to the current request at the advice of Planner Gooby. He stated she gave an excellent presentation of the request and noted that the Planning and Zoning Commission had voted unanimously to approve, with their only concern being the proximity of the landfill impacting the desirability of the property for real estate applications.

Hearing no one else wishing to comment in favor of the proposed amendment, Mayor Thomas invited comment in opposition. Hearing none, Mayor Thomas closed the public hearing at 6:56 pm.

Council Member Godley moved to adopt the ordinance to amend the Future Land Use Plan Map from Office/Institutional/Multi-Family (OIMF) and Conservation/Open Space (COS) categories to a Commercial (C) category containing 15.13+ acres and to amend the Horizons: Greenville's Community Plan focus area (or commercial node) map designation for the property located near the southwestern corner of the intersection of Allen Road and Landfill Road from a "Neighborhood Focus Area" to a "Regional Focus Area". Council Member Connelly seconded the motion, which passed by unanimous vote.



ORDINANCE TO AMEND THE SUBDIVISION ORDINANCE BY ADDING ADVERTISEMENT REQUIREMENTS FOR PRELIMINARY PLAT REVIEWS BY THE PLANNING AND ZONING COMMISSION – (Ordinance No. 16-051)

Chief Planner Tom Weitnauer stated that Greenville's Subdivision Ordinance does not currently require newspaper advertisements for preliminary plat application reviews prior to Planning and Zoning Commission (P&Z) meetings. P&Z initiated this text amendment to require that advertisements be published in the newspaper prior to the P&Z Commission's review to help raise public awareness. P&Z initially raised this item during its meeting on April 19, 2016 and discussed it further during their June 21, 2016 meeting. A public hearing was held for the proposed text amendment on July 19, 2016.

Mayor Thomas declared the public hearing for the proposed amendment open at 7:00 pm and invited anyone wishing to speak in favor to come forward.

Hearing no one wishing to comment in favor of the proposed amendment, Mayor Thomas invited comment in opposition. Also hearing no one, Mayor Thomas closed the public hearing at 7:01 pm.

Council Member Connelly stated he does not agree with this. He feels it makes the process more complicated for developers and adds unnecessary expense. It costs \$110 per notification and they are already doing five. He asked isn't a sign posted at the property.

Chief Planner Weitnauer stated that currently, the only notification for this is a letter. There are no signs posted.

Council Member Smiley stated he didn't think this would require anything additional of the developer. He asked isn't this something that would be done by staff.

Chief Planner Weitnauer stated staff will do the work and the City will incur the cost.

Mayor Pro-Tem Smith asked why this was brought up.

Chief Planner Weitnauer stated a Planning and Zoning Commission member felt it would be wise to raise public awareness of this type of action.

Council Member Mercer moved to adopt the ordinance to amend Title 9, Chapter 5, Article B, Section 9-5-46 of the City Code (subdivision ordinance) by adding advertisement requirements for preliminary plat reviews by the Planning and Zoning Commission. Council Member Smiley seconded the motion, which passed by a vote of 5 to 1, with Council Member Connelly casting the dissenting vote.



ACCEPTANCE OF BUILDING REUSE GRANT FOR THE UPTOWN BREWING COMPANY

Economic Development and Revitalization Manager Roger Johnson stated the North Carolina Department of Commerce approved a Building Reuse Grant in the amount of \$60,000 for a Greenville craft brewer, Uptown Brewing Company. At the May 12, 2016 meeting, the City Council had passed a resolution in support of this grant application, agreeing to fund the five percent local match, which is \$3,000.

The Uptown Brewery, LLC partners signed a lease at 418 Evans Street to occupy 3,764 square feet of space in the Brody Building which has been vacant for more than 30 years. This new venture will create 18 new full-time jobs, of which 12 jobs were counted by the Rural Development Division as counting toward its job creation formula. The 12 jobs counted by the Rural Development Division will have an annual average wage of \$26,000, with half of those workers receiving employer-paid health premiums. The property owner and Uptown Brewing Company will invest over \$500,000 in tenant improvements and equipment, which will transform the vacant building into a superior craft beer production facility with a taproom.

Manager Johnson said the City's match represents a local economic development incentive for an economic development project pursuant to North Carolina General Statute 158-7.1. It is offered in consideration of the expected public benefits accrued as a result of the project, specifically, job creation. Under North Carolina state law, a public hearing is required prior to consideration of such incentives.

Mayor Thomas declared the public hearing for the proposed grant open at 7:04 pm and invited anyone wishing to speak in favor to come forward.

Hearing no one wishing to comment in favor of the proposed grant, Mayor Thomas invited comment in opposition. Also hearing no one, Mayor Thomas closed the public hearing at 7:05 pm.

Council Member Godley moved to accept the building reuse grant for the Uptown Brewing Company. Council Member Glover seconded the motion, which passed unanimous vote.

RESOLUTION REQUESTING THE GREENVILLE URBAN AREA METROPOLITAN PLANNING ORGANIZATION (MPO) TO MODIFY THE COMPREHENSIVE TRANSPORTATION PLAN (CTP) HIGHWAY MAP – (Resolution No. 047-16)

Transportation Planner Daryl Vreeland stated the purpose of this requested action is to remodify the Comprehensive Transportation Plan (CTP) Highway Map to include proposed changes to the alignment and/or classification of eight roadways within the planning area. The original concept of some alignments become impractical or obsolete due to the manner in which development has occurred, so a change or addition to a proposed alignment is



warranted. Proposed changes to the CTP are vetted through the Metropolitan Planning Organization's (MPO's) municipal/county government then to the MPO and, as a final step, forwarded to the NCDOT Board of Transportation for final approval and adoption of the revised CTP Highway Map.

All roadway segments on the CTP Highway Map are identified as one of three classifications: a) existing, b) needs improvement or c) recommended. City staff has proposed the following changes to the CTP and recommends City Council request the Greenville Urban Area MPO to modify the map as follows: Re-align the WH Smith extension to connect with NC 11 (S. Memorial Drive) at the Glenwood Avenue intersection. Maintain classification of "recommended".

- Reclassify segments of Arlington Boulevard as "existing" to "needs improvement": (a) From W. 5th Street to Stantonsburg Road; (b) From Greenville Blvd to Firetower Road.
- Extend Thomas Langston Road from its current terminus at Davenport Farm Road to Forlines Road. Classify as "recommended".
- Reclassify Regency Boulevard (Between NC11 and Evans Street) from "recommended" to "needs improvement".
- Reclassify NC43 between Greenville Boulevard and Firetower Road from "existing" to "needs improvement".
- Re-align Firetower Road extension project (from NC11 to SW Bypass) so that the new location section generally follows either the Reedy Branch and Forlines Road alignment or the Davenport Farm Road alignment depending on environmental analysis. Maintain current classification of "recommended" and "needs improvement" as appropriate.
- Reclassify Evans Street between Greenville Boulevard and 10th Street from "existing" to "needs improvement".
- Reclassify NC33 from Greenville Boulevard to Portertown Road from "existing" to "needs improvement".

Item no. 1 is to consider the realignment of the W.H. Smith Boulevard extension. This alignment first appeared on the City's 1990 thoroughfare plan as a proposed minor thoroughfare from Stantonsburg Road to Arlington Boulevard. The 2004 Thoroughfare Plan indicates the section between Stantonsburg Road and Dickinson Avenue as existing and the segment between Dickinson Avenue and Arlington Boulevard as proposed.

The future alignment as currently shown on the CTP does not meet the future needs of the City's roadway system so staff studied alternatives to that alignment to provide better traffic flow and connectivity.

The extension of WH Smith and potential connection to Arlington Boulevard or Memorial Drive would have future traffic reducing benefits on the roadways contained in this analysis and defined within the sphere of influence of the extended roadway. Without the



extension and connection, four out of the six links analyzed in this brief will be near or over capacity in the year 2040. An alternative route was studied to change the alignment to connect with South Memorial Drive at Glenwood Avenue. If either connection is made, both alternatives have the ability to reduce volumes throughout the bordering roadway network. Therefore, the W.H. Smith connection is considered a vital link in preserving and maintaining future capacity levels to the greatest extent possible providing for a “reserve capacity” in surrounding roadways that does not exist in the “no-build” scenario.

Comparing the two alternatives, connection to Memorial is recommended as the preferred connection alternative.

Mayor Thomas declared the public hearing for the proposed resolution open at 7:10 pm and invited anyone wishing to speak in favor to come forward.

Hearing no one wishing to comment in favor of the proposed resolution, Mayor Thomas invited comment in opposition. Also hearing no one, Mayor Thomas closed the public hearing at 7:11 pm.

Mayor Pro-Tem Smith moved to adopt the resolution requesting the Greenville Urban Area Metropolitan Planning Organization to modify the Comprehensive Transportation Plan Highway Map. Council Member Glover seconded the motion, which passed unanimous vote.

OTHER ITEMS OF BUSINESS

PRESENTATION ON CITYWIDE STREETLIGHT CONVERSION TO LED AND RELATIONSHIP TO CRIME STATISTICS

Public Works Director Kevin Mulligan provided background information on the street lighting program, giving attention to the cost structure, how lights are located and previous upgrades that have been made. Street lights are located within the rights-of-way (ROW) of City and State maintained roads and at City-owned facilities. There are approximately 7,000 street lights within Greenville, which are funded by the City and the Greenville Utilities Commission (GUC). The City identifies the locations and type needed, and is responsible for 100% of capital costs of new street light installation. GUC installs and maintains street lights, and reimburses the City for 50% of annual operating costs. The City has a street lighting budget of \$1.81 million for FY 2017. The following rates are applicable for the current fiscal year:



Cost Structure:

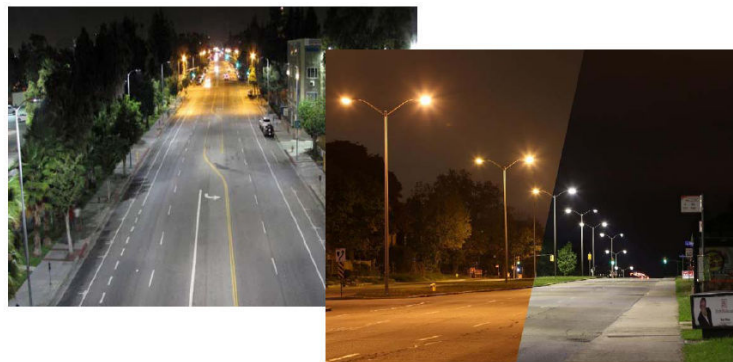
Light Type	Number of Lights	Unit Cost per Month	Annual Cost
250W Sodium	1384	\$18.59	\$308,742.72
250W Mercury	332	\$15.07	\$60,038.88
175W Mercury	1143	\$11.36	\$155,813.76
150W Sodium	3574	\$14.03	\$601,718.64
70W LED	143	\$23.08	\$39,605.28
110W LED	1	\$19.34	\$232.08
150W LED	389	\$21.25	\$99,195.00
210W LED	0	\$29.89	\$0.00
TOTAL	6966		

Rates above reflect GUC approved rates that went into effect July 1, 2016.

Council Member Smiley asked how wattage compares between the high pressure sodium lights and LED's.

Director Mulligan replied that a 250 watt sodium light is comparable to a 150 watt LED. He then showed an illustration of the light quality produced by sodium versus LED, with sodium being depicted at the top of the photo on left and the left of the photo on the right:

High Pressure Sodium(HPS) vs LED



Director Mulligan stated that LED is a much cleaner light, and from a public safety standpoint, it is a tremendous improvement over sodium. Between 2012 and 2014, the main priority for upgrades focused on Crime Reduction Initiative Area (CRIA) hotspot zones. The streetlight ordinance was revised in 2013 to standardize so that any new retrofits would be with LED lighting. The first LED installations were made in 2014. From 2014 to 2016, the priority for upgrades has been expanded to include both CRIA hotspots and areas where pedestrian safety and traffic volume are a concern.

Chief of Police Mark Holtzman thanked the City Council for their support, noting that a lighting project of this scale will have a tremendous impact on reducing crime and on public safety as a whole. As an example, if a citizen calls to report an incident involving a



red car, that car could actually be green in an area with sodium lighting because the color cannot be accurately detected. Under the pure white light of an LED, citizens can provide accurate descriptions to Police.

Chief Holtzman reviewed crime statistics in areas that have been converted to LED lighting, but cautioned the City Council not to focus too much on numbers because these are all very small areas, showing the following charts as examples:

PRE/POST W. GREENVILLE AREA A LED LIGHTING

LED Lighting Area A: Ward St to Battle St					
Time Period	A (1/1/15-6/30/15)	B (7/1/15-12/31/15)	C (1/1/16-6/30/16)	B to C % Change	A to C % Change
Violent Crimes	10	5	3	-40%	-70%
Property Crimes	10	6	4	-33%	-60%
Total Part 1	20	11	7	-36%	-65%
Shots Fired Calls	8	5	4	-20%	-50%
Suspicious Calls	146	75	59	-21%	-60%

PRE/POST EAST 5th ST. LED UPGRADE LIGHTING RESULTS

E. 5 TH ST. LED LIGHTING: READE CIR. TO S. ELM ST.					
Time Period	A (1/1/15-6/30/15)	B (7/1/15-12/31/15)	C (1/1/16-6/30/16)	B to C % Change	A to C % Change
Violent Crimes	2	3	1	-66%	-50%
Property Crimes	6	4	6	Up 2	0%
Total Part 1	8	7	7	0%	-13%
Shots Fired Calls	3	6	1	-83%	-66%
Suspicious Calls	10	24	16	-33%	60%

Similar positive improvements have resulted in other areas such as the Higgs neighborhood, the Westpointe neighborhood, the Kristin Drive area and the River Bluff area.

Director Mulligan stated that upgrade from the high pressure sodium lights to LED is ongoing, but the typical cost is between \$1,000 and \$2,500 per light installed, based on available infrastructure. Once installed, 100 lights will increase operating costs by approximately \$25,500. Complete city-wide conversion of streetlights from high pressure sodium to LED will increase annual operating costs by \$514,100 based on GUC rates as of July 1, 2016.

UPDATE ON INTERSECTION PEDESTRIAN SAFETY IMPROVEMENTS

Traffic Engineer Rik CiSesare gave a brief overview of recent traffic calming measures on Millbrook Street, Kirkland Drive, Kempton Drive and Martinsborough Road, then discussed current projects as follows:

- 10th Street Corridor Safety Improvements
 - Evans Street to Oxford Road
 - 3-color traffic signal at Silver Maple (installed 7/8/16)
 - 2 Rectangular Rapid Flashing Beacons (RRFB)
 - Upgraded sidewalk and lighting
 - Extended center raised median



- Greenville Intersection Pedestrian Improvements
 - 15 signalized intersections
 - Upgrade or install pedestrian signal hardware
 - Upgrade or install delineated crosswalks
 - Upgrade or install sidewalks at targeted crossings
- Green Mill Run Greenway
 - Phase 2 – 1.2 mile multi-use facility
 - Charles Blvd. to Evans Park (85% complete)
- Crosswalk Investigations
 - Cotanche Street at 7th & 9th Streets
 - Charles Boulevard at Ficklen & ECU track
- Safe Routes to Schools (Expected Bid Advertisement is Feb. 2017)
 - East side of Memorial (Millbrook to Arlington)
 - East side of Skinner to north side of Norris
 - North side of 5th (Green Mill Run to Beech)
- Miscellaneous Accident Analyses:
 - Staff reviews pedestrian related accidents
 - Considers locations and trends
 - Staff reviews crash statistics
 - Currently calculating accident rates in high traffic corridors (such as Stantonsburg Rd. & Memorial Dr.)
- Sidewalk Installation (Transportation Bond)
 - Installation of sidewalk (\$1.4 Million)

Council Member Godley asked about the crosswalk plan at 10th Street and Greenville Boulevard, specifically if there are plans to upfit the crosswalk to give individuals more time for crossing.

Traffic Engineer DiCesare stated the addition of medians will help with that because it will change to a 2-stage crossing.

Council Member Godley noted that 10th Street area residents would like to be notified of upcoming public meetings about work in the area. He also noted concerns of other residents about bus stops along Evans Street being on the side with no development rather than on the side where housing is located.



Traffic Engineer DiCesare concluded his presentation with a brief discussion of potential projects:

- ADA Pedestrian Improvements Project
 - Potential project partnering with NCDOT
 - Funded by Transportation Alternatives Program
 - Targets 12 (State-owned) intersections within City Limits

- Neighborhood Traffic Calming
 - Jefferson Drive, White Hollow Drive
 - Bent Creek Drive, St. Andrews Drive
 - Chesapeake Place, Camille Drive
 - Emerson Road, Wesley Road

DISCUSSION OF PEDESTRIAN SAFETY

This item was removed from the agenda.

DISCUSSION OF VISION ZERO RESOLUTION

Council Member Mercer expressed appreciation for the safety updates provided by staff. He stated the numbers of pedestrian deaths that have had everyone paying attention have been well publicized and the City must get them down to zero. Perhaps the Vision Zero policy endorsed by the Public Transportation and Parking Commission can help in that regard. Many cities have used this tool and it has been endorsed by the state. There are things that need to be done now, even though the City is already doing a lot. Good planning is imperative to avoid the need to retrofit in the future. He said he doesn't know if anything in the Horizon's Plan update may help give focus to this, but it should be looked at. The Vision Zero document has been circulated and the thoughts and input of the City Council are welcomed.

Council Member Mercer moved to direct staff to review and evaluate the Vision Zero Plan and to develop a recommendation on how to focus energy on something tailored for the City. Council Member Godley seconded the motion, which passed by unanimous vote.

DISCUSSION OF TOWN COMMON SCHEMATIC PLAN

Council Member Godley stated he did a significant amount of traveling over the summer break, some business and some personal, and in doing so, he noted that all the cities he visited had done a tremendous job in promoting their waterfront areas and, in turn, attracting business to their cities. These cities embraced their body of water as a source of economic growth and continual improvement to quality of life. They had also embraced



the notion that the public sector could not achieve everything they wanted on their own. They began to form public-private partnerships to aid in unleashing the potential of these assets.

Council Member Godley stated the Tar River could be the next great hand that Greenville plays. It could become a regional relaxation attraction, bringing thousands of visitors into the City, which would stimulate the economy and grow the tax base. Greenville is in the middle of updating the Town Common schematic plan, a plan funded by the public sector that will help activate Greenville's waterfront property. In order for the Town Common and the Tar River to fully reach its potential, the City must begin forging public-private partnerships along the waterfront. A series of public-private partnerships along the waterfront could be the next great economic driver for the local economy and a source for continual quality of life improvement for this community for years to come. It would be nice for Town Common to not only continue its Sunday in the Park tradition, but to have an amphitheater that could host big name bands and artists. It would be nice to be able to rent a kayak, canoe or motor boat from a vendor right along the waterfront. All of this is possible, but it hasn't happened yet because the potential for greatness to occur along the waterfront has been overlooked in the past.

Considering that pursuit of public-private partnerships was one of this City Council's top priorities at its Planning Session early this year, Council Member Godley moved to direct Rhodeside and Harwell to look into viable locations at the Town Common for Public-Private Partnerships related to recreational and entertainment opportunities, and to direct staff to seek out proposals for public-private partnerships related to recreational and entertainment opportunities at the Town Common.

Council Member Connelly seconded the motion, noting that he has been fortunate since he was 18 to have traveled to 44 states which have had many great assets. One of his favorite things was in Idaho Falls, where a small creek came through and there was a boardwalk with restaurants. He has been in Greenville since 2003 and always goes down to the Town Common for Sunday in the Park, but he feels it is not being utilized to its best advantage. While he was not here for the history of the Town Common, he has read up on it. Essentially nothing has been there since Sycamore Hill Baptist Church was burned by an arsonist in 1969, and he feels it is time to pursue public-private partnerships with individuals or organizations willing to invest in the community. The City has a limited budget, but this is an opportunity to take Greenville to the next level. He fully supports this initiative.

Council Member Mercer stated all he knew about this item was the little that was listed on the agenda. He has long been a strong supporter of making the Town Common more accessible and used, but he does have some concern about this particular motion. He is unclear on the particular kinds of things this motion would potentially authorize. The City has a Town Common Master Plan that went through an enormous amount of valuable



public input and has the general endorsement of the people in the City. The City needs that wide buy-in of the community before working on something as valuable as the Town Common. If new direction is desired, there must be a good deal of public input. This motion potentially moves in a significantly new direction. It may be a good one, but he will not vote to do it without that public input. The statement made was a good one, and while he supports the intent of the motion, he is opposed to voting on it at this meeting.

Mayor Thomas stated the City is accepting of new people and new ideas. Not one member of the City Council grew up in this City. There are areas that time has forgotten. It seems the motion is very general in nature for staff to look at comments to share with the public.

Council Member Godley stated since the City has entered into a contract related to the Town Common, he feels it is wise to look at locations of things on a wider scale. He isn't moving to do anything other than what he stated – to have Rhodeside and Harwell look at desirable locations for potential public-private projects, and he doesn't feel those should include multi-family or student housing.

Council Member Glover stated the City has been discussing this for a long time and it always seems to get put on the back burner. She is proud of the enthusiasm of Council Members Godley and Connelly. In the Planning Session, the City Council agreed to do it all – to get it done. She agrees that more housing is not needed in this area. Even though there are many people who are unaware of the history of that area, there are people who can talk about it. The City needs to move aggressively and come up with the funding to proceed. There is a new master plan. Will it sit on the shelf, or will it be used as it is intended? Council Member Glover stated she is ready for it to happen. People are honored all over the City for what they've done, but the community at the river has never been honored. When the historic book for downtown was written, little was said about the Town Common. There were businesses down there, many owned by African Americans. She had just come to Greenville when the Sycamore Hill Church burned. She doesn't think it was just an incident, but rather that someone did it to get it out of the way. It is not unusual for African Americans to be left out of the history books. She feels the City needs to begin work on this, and agrees that public-private partnerships are needed.

Council Member Smiley stated when he heard the public talk about what they wanted at the Town Common, the common thread seemed to be something that enhances it as a park. He asked if that is the intent of the motion.

Council Member Godley stated it is and said he is thinking of recreational and entertainment options that will create a regional draw and entice people to come to Greenville.



Council Member Mercer moved an amendment that the motion be limited to enhancement of the Town Common as a park. Entertainment could conceivably involve a bar, which is the difficulty in formulating things on the spot.

Council Member Godley stated the Council is not voting on a bar, but merely asking for ideas.

Recreation and Parks Director Gary Fenton noted that whatever public-private partnership was proposed would come back to the City Council for a vote.

Council Member Connelly asked if adding Council Member Mercer's amendment limiting the motion to enhancement as a park would limit the ability to bring in private funds.

City Attorney Dave Holec stated it would not limit the ability to have public-private partnerships for enhancement as a park, but a restaurant might not enhance it as a park.

Council Members Godley and Connelly declined the request to amend, and the motion to amend died for lack of a second.

Council Member Mercer noted how far the discussion has already evolved. Now the discussion is on whether to expand this beyond a park. Perhaps this has been discussed, but not by him, and he is concerned that this provides context for something else. He sees no urgency in this when the City could take a month or two to get public feedback. He moved to postpone the discussion to the September 8th meeting in order to allow opportunity for public input. The motion died for lack of a second.

Council Member Smiley said he feels there is a real desire in thinking about the Town Common to achieve something there, although not everyone wants to achieve the same things. Everyone here says they want it to remain a park and he is willing to take them at their word. For the purposes of this motion, he does not feel this is taking a large step, but merely looking at a way to move the Town Common forward. There are some specific things that are taken off the table, and he is glad for that.

Council Member Mercer said he may support this motion in a future meeting, but while Council Member Smiley said some specific things were taken off the table, that was not in the motion. It was merely part of the discussion.

City Attorney Holec stated a person looks at the discussion to determine the intent of a motion. The motion did say to look at recreation and entertainment.

Council Member Godley stated he will add to the motion that it excludes residential housing opportunities. Council Member Connelly accepted that addition.



Mayor Pro-Tem Smith called the question.

On the motion to direct Rhodeside and Harwell to look into viable locations at the Town Common for Public-Private Partnerships related to recreational and entertainment opportunities, excluding residential housing, and to direct staff to seek out proposals for public-private partnerships related to recreational and entertainment opportunities at the Town Common, excluding residential housing, the City Council voted 5 to 1 in favor, with Council Member Mercer casting the dissenting vote.

City Manager Barbara Lipscomb asked for clarification of what is expected of staff. She asked if the Council is seeking a general discussion of what could be done, or if staff is supposed to seek proposals for public-private partnerships related to recreational and entertainment activities.

Council Member Godley stated staff should seek proposals.

DISCUSSION OF KEEP GREENVILLE BEAUTIFUL

Mayor Thomas stated he would like to see the City be more proactive about controlling litter.

Recycling Coordinator Cheryl Tafoya, who serves as a staff member for Keep Greenville Beautiful (KGB), stated their mission is to educate citizens and promote recycling, litter reduction and beautification. As an affiliate of Keep America Beautiful, KGB can apply for grants, and they have received almost \$50,000 in grant funding which has been used compost bins, recycling programs and beautification. She reviewed their current year activities, which include much educational outreach, the Unnatural Resources Fair, the ECU Spring Housing Fair, the ECU Arts Festival, PirateFest, Earth Day and partnering with Rebuilding Together. They have recently applied for the Duke Foundation Community Grant of \$500.

Chief of Police Mark Holtzman stated there is a crew that goes around town to pick up litter. On the enforcement side of things, it's one thing to see something thrown out of a car window, and they can address that, but the bigger picture is something they call Crime Prevention through Environmental Design. If an area looks unsightly and not cared for, it attracts crime. Another issue is the urban impact of things like the corner grocery store where someone goes I and buys something, then walks through an alley nearby. They're done eating whatever they bought, so they throw the trash in the alley. Our Public Works folks have to clean that up. Enforcement is needed in those areas, and can be provided, but it is somewhat complaint driven. Resources can be directed to those areas if the police are made aware of them.



Mayor Thomas and Mayor Pro-Tem Smith made suggestions about using the Public Information Office to get the word out to the community about enforcement opportunities.

UPDATE ON FIRE STATION IN FIRE TOWER ROAD AREA

Battalion Chief Brock Davenport stated property was purchased in 2008 at the corner of Bayswater Road and Fire Tower Road for the purpose of building a fire station, but construction was put on hold due to the economic decline. Since that time, there has been much construction in the area and the area population is increasing. Calls for service have increased significantly, especially those for emergency medical services. Minutes matter, and it's important to put the City's resources where they are needed. The accepted response time is six minutes, but Greenville is currently at 10+ minutes in this area 90% of the time. Battalion Chief Davenport reviewed possible options for construction of a fire station in this area, along with staffing and equipment needs.

Upon motion by Council Member Connelly and second by Council Member Godley, the City Council voted unanimously to direct staff to explore options to build a fire station in the Fire Tower Road area.

UPDATE ON SUMMER WORK PROGRAM

Human Resources Director Leah Futrell stated the summer Youth at Work program has been a huge success. The program lasted seven weeks, beginning in mid-June, providing career and readiness training to 25 youth. Twenty were funded by the City and five by the Pitt County Region Q Youth at Work program. Because of the success of this program, Region Q has agreed to extend the program for six of the youth, totally at Region Q's expense.

City Manager Lipscomb added that the Chamber of Commerce will be taking this program to local businesses in hopes of expanding the program throughout the community.

CITY MANAGER'S REPORT

City Manager Lipscomb gave no report.

COMMENTS FROM THE MAYOR AND CITY COUNCIL

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



ADJOURNMENT

Mayor Pro-Tem Smith moved to adjourn the meeting, seconded by Council Member Glover. There being no further discussion, the motion passed by unanimous vote and Mayor Thomas adjourned the meeting at 9:38 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, NOVEMBER 7, 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 Allen M. Thomas presiding. Mayor Thomas called the meeting to order, followed by the invocation and Pledge of Allegiance by Council Member Rose H. Glover.

Those Present:

Mayor Allen M. Thomas; Mayor Pro-Tem Kandie D. Smith; Council Member Rose H. Glover; Council Member P. J. Connelly; and Council Member Calvin R. Mercer

Those Absent:

Council Member McLean Godley and Council Member Rick Smiley

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 Glover and seconded by Mayor Pro-Tem Smith to approve the agenda. Motion carried unanimously.

PUBLIC COMMENT PERIOD

David Ames

As a member of the Environmental Advisory Commission (EAC), Mr. Ames invited the Mayor and City Council to attend a symposium on clean energy sponsored by the EAC. Mr. Ames stated that this special meeting will be held on December 1, 2016, at 5:30 p.m., in the Council Chambers at City Hall. The EAC's goal is to build a plan for the U. S. Mayors Climate Protection Initiative, which was adopted in 2007 by a previous Greenville City Council. The goal of the initiative was to put in place a plan to reduce greenhouse gas emissions. The City began doing that and eventually the effort peaked out. Since then the climate situation has only grown worse. The symposium in December will discuss the greenhouse gas emissions, climate change, and what is being done to use clean renewable energies. Three experts in the field have been invited to address these concerns. Hopefully, the discussion will be informative and give everyone a sense of what Greenville contributes to and can do to help resolve the problem.

Alicia Hutch

Ms. Hutch stated that recently there was a display, the Fallen Culture, at the Greenville Museum of Art. The artist displayed Native Americans in an unofficial way. Being that November is American Indian Heritage Month, Greenville must recognize the Native Americans' and other people's culture in an honorable way. Greenville is a city that is educating others in partnership with East Carolina University, Pitt Community College, and Pitt County Schools. She is unaware of any City funding for the Greenville Museum of Art. But if the City is funding it with tax dollars, the City should cease doing so. Ms. Hutch requested the removal of this display at the museum.

CONSENT AGENDA

City Manager Barbara Lipscomb introduced the following items on the Consent Agenda:

- Minutes from the June 16, 2016 City Council meeting
- *Removed* Authorization to sell City-owned property at 1203 Davenport Street
- Resolution accepting dedication of rights-of-way and easements for Langston West, Section 7 – (Resolution No. 061-16)
- Resolution of Intent to Close a Portion of South Pitt Street – (Resolution No. 062-16)
- Naming of Computer Lab at South Greenville Recreation Center
- Request to increase the total number of fleet vehicles in the Police Department by five vehicles
- Report on Bids and Contracts Awarded
- Various tax refunds greater than \$100
- Budget ordinance amendment #3 to the 2016-2017 City of Greenville budget (Ordinance #16-036) and amendments to the Special Revenue Grant Fund (Ordinance #11-003), Police Capital Projects Fund (Ordinance #15-053), CD-Housing Fund (Ordinance #16-036), and Recreation and Parks Capital Projects Fund (Ordinance #15-053) – (Ordinance No. 16-061)

Council Member Connelly requested to remove the authorization to sell city-owned property at 1203 Davenport Street from the Consent Agenda for separate discussion.

Motion was made by Mayor Pro-Tem Smith and seconded by Council Member Mercer to approve the remaining items under the Consent Agenda. Motion carried unanimously.



CONSENT AGENDA ITEM FOR SEPARATE DISCUSSION

AUTHORIZATION TO SELL CITY -OWNED PROPERTY AT 1203 DAVENPORT STREET

Council Member Connelly expressed his concern about this item, stating that the City is selling this property and is not giving the public the right to buy it. This is a small amount of undevelopable land with an appraisal value of \$5,000 and the City is trying to convey it for \$2,291. The owner of the property at 1000 Tyson Street has two parcels of land that back up to this parcel, and he is unaware if this individual was contacted about the City selling this property. It is in the City's best interest to be as open as possible in case somebody else in the public would have a vested interest in this property as well.

Assistant City Manager Merrill Flood stated that the City approached the General Assembly two years ago for a special legislation regarding remnant parcels. The City is able to sell a remnant parcel directly to an adjoining property owner, if the property owner has an interest in buying the city-owned property. It says private sale, but if there is an agreed upon price, they may make an offer and then a notice is published 10 days afterward to notify the public of the sale. Certainly, the City Council could opt to have these properties put through a sealed or negotiated upset bid process. The whole purpose of House Bill 1159 was to allow these remnant parcels to get back on the tax rolls and to get them into a useful state. If the City Council would like for staff to pursue different methods of sale, that could certainly be done in the future.

City Manager Lipscomb stated that in many cases, the adjoining property owners have been maintaining these remnant properties throughout the years. Offering the parcels to them, if they had an interest, was considered as an easier journey for getting the properties back on the tax rolls.

Council Member Connelly asked after the notice is published, would someone be allowed to make an offer on the property.

Assistant City Manager Flood responded that would not be allowed at that point. The City uses this process with this disposition of properties for nonprofits such as those who encourage building homes for the City.

Council Member Mercer asked about the process and cost, if the City agreed with the concern that the property is not being advertised as a public sale.

Assistant City Manager Flood responded that the City would advertise the property through a sealed bid process and then come back with a successful bidder. There would not be any material difference in the advertisement cost.

City Attorney David Holec stated that the alternative process is a negotiated offer upset bid.



Assistant City Manager Flood stated that the statutes give the City three different methods to dispose of city-owned property. The method to use is determined by the City Council.

Council Member Glover stated that the City had such a problem with vacant properties and property owners abandoning their properties. Adjacent property owners used them for the disposal of trash and parking and storing old cars and then the Code Enforcement Division would become involved. It creates an ugly appearance in the community when lots are not maintained and during the hurricane season, fallen trees and other debris are seldom removed by the property owners. She is appreciative that the City is able to move these properties back to the tax rolls due to the local bill. There were dilapidated houses in the community for 10-15 years and no one was doing anything about demolishing or improving them.

City Attorney Holec stated that a negotiated offer upset bid requires the City Council to adopt a resolution stating that the City would accept that method. The City must advertise that process and then it would be brought back to the City Council for determination at a later meeting whether to proceed with the sale. If the City Council would take the action tonight with the recommended procedure, the City would advertise and be able to close the sale and would not be required to come back before the City Council.

City Attorney Holec stated that four votes of the City Council will be required in order for it to be approved. So if there is one dissenting vote, then it would be neither approved nor denied. He suggested that the City Council consider scheduling this item for Thursday night for action when there would be a full City Council.

Motion was made by Council Member Mercer and seconded by Council Member Glover to table this item to the Thursday, November 10, 2016 meeting. Motion carried unanimously.

NEW BUSINESS

PRESENTATIONS BY BOARDS AND COMMISSIONS

Investment Advisory Committee

Chairperson Scott Below gave the purpose, objectives, accomplishments and upcoming considerations of the Investment Advisory Committee (IAC) and provided information about the performance of the City's investment portfolio for the past year. The IAC was established on August 7, 2006 to oversee the City's investment portfolio, provide additional oversight, review investment results, advise the City's staff members of the Investment Committee, and to report any occurrences that conflict with policy. The portfolio's investments are heavily restricted based on North Carolina General Statute 159.30 and the IAC's Investment Policy. Essentially, the City can invest in only things that are backed by the Federal government and guaranteed, leaving some agencies and treasury securities.



Chairperson Below stated that the primary goals are to reduce credit risk so the IAC is looking at safety, liquidity and yield. A diversified portfolio is desired to the extent possible within the investment constraints, and security is an overriding concern, especially with respect to interest rate risks. The duration and risks of the portfolio and the economic environment must be monitored. The IAC's objectives are to follow a systematic approach, void of speculation, maximize earnings of the portfolio (to save taxpayers as much as possible and to generate as much revenue for the City) and the performance evaluation over time.

Chairperson Below reported that the five-year cash balance history of the City's fund balance shows that there was a spike earlier in the year when tax revenues came in and then the fund balances are spent down. Occasionally bond issuances will spike the fund balance during the mid-year. The portfolio is managed under the context knowing the City will need a significant portion of the money from early to later in the year. The City's rate comparison as of June 30, 2016 is at .68%. Regarding the yield quarterly treasury rate comparisons, the five-year rate is the only one that was even close to 1% at the end of June 30, 2016 and the 90-day yields is practically low. In terms of the yield to maturity comparisons, the Greenville portfolio compares extremely well to the benchmark portfolio in the 3-5 Federal Treasuries benchmark and the 1-3 Federal Treasuries is significantly above the benchmark and in the 91-day is significantly less than the benchmark. The reason is a lot of that is in cash or short-term securities because of the liquidity needs.

Chairperson Below provided some of the accomplishments of the IAC in the past year and its considerations for 2017. The IAC has maintained a diverse portfolio, transitioned long-term investments into shorter terms, and managed the investment of the bond proceeds. The IAC's considerations for 2017 are to continue diversification with the restrictions of the portfolio, to continue attention to yield while maintaining liquidity and safety and to update the Investment Policy.

Chairperson Below stated that the Greenville's Portfolio has done exceedingly well compared to any other City in the State of North Carolina. As a result of that, the City's cash balance is generating revenue that saves the taxpayers a significant amount every single year and nearly all of that is the result of an excellent City of Greenville staff.

RENEWAL OF CONTRACT WITH MERCER HEALTH & BENEFITS, LLC

Assistant City Manager Michael Cowin stated that Mercer Health and Benefits, LLC provides support services pertaining to the management of the City of Greenville's Health and Dental Insurance Programs including the following:

- Development of Three-Year Strategic Plan
- Benchmarking With Other Municipalities/Commissions
- Plan Design Reviews and Adjustments
- Wellness Program Support
- Cost and Budget Development



- Negotiation of Plan Renewals
- Compliance With Affordable Healthcare Act
- External Market Stop Loss Marketing

The primary service included in the contract is the development of the three-year strategic plan, which deals with defining the health care rates as well as the plan designs moving forward into each new year. One area that staff has seen a significant increase in is workers' compliance with the Affordable Care Act and all the criteria involved with that.

Assistant City Manager Cowin stated that there are two primary purposes of the three-year strategic plan: 1) To manage and control the City's health care costs in an environment where the costs of health care have increased in the market up to about 60%-70%. A three-year strategy to help streamline that and control the cost from the City is very important to the City's operations and budget, and 2) To provide a robust health care plan that meets the employees' health care needs. The City Council approved the next three-year strategic plan at the September 19, 2016 Joint Meeting of the City Council and Greenville Utilities Commission.

Assistant City Manager Cowin stated that there are various goals for the three-year strategic plan including the following:

- Transition Medical Plans to Dual Option (Core/H.S.A)
- Provide H.S.A Seed Bonus for New Enrollees
- Target an Employer Subsidy of 81% by 2019
- Modify Core/H.S.A. to Reduce Benefit to Offset Increased Costs
- Increase Employee Cost Share
- Maintain Appropriate Actuarial Balance to Minimize Selection Cost

The H.S.A. Plan is better for employees who are younger and are in better health requiring fewer visits to their physicians. Currently, the City of Greenville's subsidy is at 84% and over the next three years, the City would like to move back to 81%. That is a major challenge and the City must move forward to that challenge if it wants to make sure that a viable health care plan is being maintained for the employees.

Assistant City Manager Cowin stated that after the first twelve months of the contract, the three-year contract will be evaluated and can be terminated after a 60-day notice. The contract costs \$135,000 annually and that cost is split 50/50 (\$67,500) between the City of Greenville and Greenville Utilities Commission. The contract fee is included in the 2016-2017 adopted budget.

Mayor Pro-Tem Smith asked about the number of years that Mercer Health and Benefits, LLC has provided services to the City of Greenville.



Director of Human Resources Leah Futrell responded that City has received contracted services from Mercer Health and Benefits, LLC since 2010.

Mayor Pro-Tem Smith asked about the average length of time for this type of service.

Assistant City Manager Cowin responded that the City probably would want to bid the process out every five years. A 60-day cancellation notice is added in the contract in case the City Council wants to take a look at other options.

Mayor Pro-Tem Smith asked what justifies Mercer Health and Benefits, LLC to provide services to the City for six years when the best practice is five years. Mayor Pro-Tem Smith stated if this company's contract is renewed this evening that would be nine years that the City has approved their contract.

Assistant City Manager Cowin stated that the three-year plan was recently approved. That three-year plan is to take the City closer to the 81% cost share, which was discussed at the September 19, 2016 Joint Meeting of the City Council and Greenville Utilities Commission. Progress has been made in moving that cost share down and the City would want to continue to move in that direction. It does not say that the City is locked in a long-term contract with Mercer Health and Benefits, LLC.

Mayor Pro-Tem Smith asked whether the City has looked at other companies or was the decision to stay with Mercer Health and Benefits, LLC based on their doing a great job.

Director Futrell stated three years ago, the City did look at several different vendors, but Mercer Health and Benefits, LLC was selected based on their price and services.

Motion was made by Council Member Mercer and seconded by Council Member Glover to authorize the City Manager to enter into an agreement with Mercer Health and Benefits, LLC. Motion carried unanimously.

AGREEMENT WITH PITT COUNTY SCHOOLS FOR USE OF SOUTH GREENVILLE GYMNASIUM

Director of Recreation and Parks Gary Fenton stated that the proposed agreement with Pitt County Schools with regards to the City's joint use of the South Greenville Recreation Center is finalized. Pitt County Schools (PCS) has indicated that they will approve this agreement. PCS is contributing \$600,000 towards the capital project and this agreement puts in writing and clarifies each group's responsibility going forward. It also delineates which organization has priority for use of the gymnasium at what particular hours and seasons.

Director Fenton stated that PCS will share the utilities in the gymnasium at a fluctuating percentage. A chart is in the agreement indicating that during certain seasons, when maybe the kids are not in the school at all, PCS may not pay anything toward the utilities in



the gymnasium. During the month of December, PCS may pay some higher percentage because kids are out for vacation. In the middle of the school year, PCS is paying a higher percentage because of its use of the gym more at those times. Essentially, it breaks down to about 21% of the City's utility cost for the entire building.

Director of Recreation and Parks Fenton stated that PCS will maintain liability coverage of \$1 million or more with the City of Greenville being named as an additional insured. The City will be responsible for repair and maintenance expenses of \$500 or less. Any amounts beyond \$500 will be shared 50/50 between the City and the school system.

Director of Recreation and Parks Fenton stated that the gym floor will be included in PCS's contracted gym floor program. They contract to have their gym floors maintained and stripped and resurfaced. When that is done for the South Greenville Gymnasium, the City will share the cost 50% and will continue to cover the janitorial services as it has in the past. The term is 10 years and will commence when the gymnasium is reopened in December 2016.

Council Member Glover asked whether this agreement is to have the kids use the gymnasium only.

Director of Parks and Recreation Fenton responded that PCS can request other uses, but that is not written into this agreement, which specifically targets the use of the gymnasium. Previously, the City never had an agreement with PCS regarding their past use of the gymnasium and it was worked out, but it is better to have it in writing.

Mayor Pro-Tem Smith asked if there are any other restrictions such as excluding their use of bathrooms or things of that nature. Also, if they wanted to use maybe another room, what is the process?

Director of Parks and Recreation Fenton responded that there are none for the use of that type of space. They could simply send their request in writing via an email or an actual letter for use of another room at the gymnasium.

Mayor Pro-Tem Smith asked whether the use of the offices by the Physical Education teachers is excluded.

Director of Parks and Recreation Fenton responded that there is space with desks that they will be allowed to use.

Mayor Pro-Tem Smith asked if their use of that additional space is included in this proposed agreement.

Director of Recreation and Parks Fenton responded yes.

Mayor Pro-Tem Smith stated that she wanted to insure that the agreement is reasonable.



Director of Recreation and Parks Fenton stated that certainly PCS was reasonable with the City during their discussions about the agreement and it is appreciated.

Director of Recreation and Parks Fenton announced that the grand opening of the South Greenville Gymnasium is on December 3, 2016 at 10:00 a.m.

Motion was made by Council Member Connelly and seconded by Council Member Glover to approve the agreement with Pitt County Schools for the use of the gymnasium at the South Greenville Recreation Center. Motion carried unanimously.

ACCEPTANCE OF A GRANT FROM THE U. S. DEPARTMENT OF JUSTICE FOR THE SEXUAL ASSAULT KIT INITIATIVE

Chief of Police Mark Holtzman stated that this item is to accept a grant for \$219,496 from the U. S. Department of Justice. After taking a look at the Greenville Police Department's sexual assault kits, it was determined that the Greenville Police Department (GPD) had 312 untested sexual assault kits. Some of those were qualified to be returned to the State of North Carolina Crime Lab (State Crime Lab) for testing and out to a private forensics laboratory.

Chief Holtzman explained the two main reasons those sexual assault kits have not been tested, stating one being is the suspects are known to victims. Often times, even if they come to court they admit to the offense, but they will say it was consensual. So, DNA is not needed by the prosecutor in those cases. Cities across the country would save \$3,000 to test each of the kits and move forward with the prosecution with no DNA. Another big bulk of these kits is untested because the victims decline prosecution. It is a difficult thing for victims to go through it once let alone publicly at a trial. A lot of cases get set aside because of the failure of moving forward with prosecution.

Chief Holtzman explained how the grant will be used. The Sexual Assault Kit Initiative (SAKI) would allow the Police Department to hire a part-time coordinator who will be responsible for submitting all of the GPD's untested kits to a private forensics laboratory or to the State Crime Lab as applicable. This grant will allow for examination of cases that might not have previously met the State Crime Lab's requirements. Presently, it is economical (\$700) to get these done at a private lab and the GPD can sustain this project going forward.

Chief Holtzman stated that the grant will provide overtime for sworn GPD personnel who follow up on cases once the biological evidence is tested. Also, monies will be available for equipment purchases, training, travel, supplies (mainly a refrigerator and freezer) and contracted services. Older kits have to be refrigerated or placed in a freezer for long-term storage or maintained for trial and appeal before they can ultimately be expunged.

Chief Holtzman stated that the GPD's goal will be to test every sexual assault kit that comes in by working closely with the State to send as many as possible even the ones that do



qualify for the State. Even if the victims decline to prosecute, GPD will send those off. The reason is the GPD will be looking for serial offenders. The individuals of the National Offender Registry offend repeatedly until they are caught. A date rape on one case might be an unknown rape in another. The message that the GPD will send is that if they want to try to do this Greenville, the department is adopting 100% test policy. It is a promise to the victims as well that Greenville is not going to overlook any case and nothing will be left on the shelf moving forward.

Chief Holtzman stated that the GPD has averaged 25 kits per year over the last five years. 12-15 kits per year will need to be sent to a private lab at a cost of approximately \$10,000 annually after the expiration of the grant.

Chief Holtzman stated that as of January 2016, Detroit has tested approximately 10,000 untested sexual assault kits. Out of those they found 2,616 DNA matches. 729 potential serial rapists were identified in those 10,000 kits and 36 of them have already been prosecuted. DNA for the test kits were linked to crimes committed in 40 states. The grant amount is for three years with no match.

Council Member Connelly asked when the DNA samples are sent to the lab how long does it take for those samples to be returned to the GPD.

Chief Holtzman responded most labs can process them within a few weeks and sending a bulk shipment would be a return of a couple of months. The GPD personnel will drive to and drop batches off to the lab. Since it is a three-year grant, the City should begin to see some results within six months of the first-year.

Mayor Thomas stated that the technology has approved to the point that the cost has significantly gone down for the tests. Mayor Thomas asked if that is the cost for the private lab.

Chief Holtzman stated that is correct. The State Crime Lab testing does not cost the City anything.

Mayor Thomas stated that dropping this information into the national database could save a lot of lives as well as shattered lives. This is a huge issue all over the country, particularly on college campuses. This admirably demonstrates Greenville's commitment to protecting everyone in the community going forward.

Council Member Mercer asked if other municipalities are trying to move to this level.

Chief Holtzman responded that there are not that many municipalities trying to move to this level and Greenville can use this platform to remind everybody how important this is. The GPD is one of the only 19 agencies in the country to receive the National Sexual Assault Kit Initiative grant. Greenville is at the leading edge of getting itself up-to-date. This is a widespread problem.



Council Member Glover asked about how far back the older test kits go.

Chief Holtzman stated that the 312 untested sexual assault kits range from 20 years up to yesterday.

Motion was made by Council Member Connelly and seconded by Council Member Mercer to approve the acceptance of the terms set forth by the Office of Justice Programs and begin the process of filling the part-time coordinator to initiate the project. Motion carried unanimously.

RESOLUTION PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION STREET AND PEDESTRIAN TRANSPORTATION BONDS, SERIES 2016 – (Resolution No. 063-16)

Director of Financial Services Bernita Demery stated that the City Council has been provided a copy of the document for the first issuance of \$8,000,000 from the general obligation bonds that were approved in November 2015 by the voters. The proposed December 6, 2016 bond sale is for several projects: 1) Street Improvements for Arlington Boulevard (\$2.5 million), 2) West Fifth Streetscape (\$2 million), 3) 10th Street Connector (\$1.75 million), and 4) some sidewalk improvements and financing costs. The variance between what the City will be spending for the Arlington Boulevard project and sidewalks will depend on the incoming bid rates for those contracts. The City is issuing approximately half of the original \$15,850,000 million.

Motion was made by Council Member Glover and seconded by Council Member Connelly to adopt the resolution approving the sale and preliminary official statement providing for issuance of the 2016 General Obligation and Pedestrian Transportation Bonds. Motion carried unanimously.

REVIEW OF NOVEMBER 10, 2016 CITY COUNCIL MEETING

The Mayor and City Council reviewed the agenda for the November 10, 2016 City Council meeting.

CITY MANAGER’S REPORT

City Manager Lipscomb made the following announcements:

- A dedication ceremony will be held for the new Town Common Inclusive Playground on Saturday, November 19, 2016, 10:00 a.m., at the Town Common, 105 East First Street.



- The Mayor and City Council will receive an update on a groundbreaking for the Greenville Transportation Activity Center.
- The Town Common Pedestrian Bridge charrette will be held Monday, November 14 thru Wednesday, November 16, 2016.
- There is an open house and a charrette related to the Imperial Tobacco Warehouse site scheduled for Wednesday, November 9, 2016 at 5:30 p.m.

COMMENTS BY MAYOR AND CITY COUNCIL

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

CLOSED SESSION

Council Member Mercer moved to enter closed session in accordance with G.S. §143-318.11(a)(1) 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 laws rendering the information as privileged or confidential being the Open Meetings Law, specifically Closed Session minutes; and in accordance with G.S. §143-318.11 (a) (5) to establish or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease. The property being discussed is owned by Westpointe Properties, LLC, consists of Tax Parcel #51947 on Stantonsburg Road and is intended to be used for park purposes. Mayor Pro-Tem Smith seconded the motion, which passed by unanimous vote.

Mayor Thomas declared the City Council in Closed Session at 7:26 p.m. and called a brief recess to allow Council Members to relocate to Conference Room 337.

Upon conclusion of the closed session discussion, motion was made by Mayor Pro-Tem Smith and seconded by Council Member Connelly to return to open session. Motion was approved unanimously, and Mayor Thomas returned the City Council to open session at 7:38 p.m.



ADJOURNMENT

There being no further business before the City Council, motion was made by Mayor Pro-Tem Smith and seconded by Council Member Connelly to adjourn the meeting. Motion carried unanimously, and Mayor Thomas declared the meeting adjourned at 7:39 p.m.

Respectfully Submitted

A handwritten signature in cursive script that reads "Polly Jones".

Polly Jones
Deputy City Clerk



City of Greenville, North Carolina

Meeting Date: 12/5/2016
Time: 6:00 PM

Title of Item: Resolution granting an easement for the use of Greenville Utilities Commission at South Greenville Recreation Center

Explanation: **Abstract:** The Greenville Utilities Commission has requested that a utility easement be granted on the South Greenville Recreation Center property. The utility easement is over the GUC-owned portion of the fire sprinkler system serving the South Greenville Recreation Center as well as a GUC-owned fire hydrant.

Explanation: The Greenville Utilities Commission has requested that a utility easement be granted over the South Greenville Recreation Center property. The utility easement is over the GUC-owned portion of the fire sprinkler system serving the South Greenville Recreation Center as well as a GUC-owned fire hydrant. The easement area is 95.6 square feet. Attached are the following:

- 1) Resolution approving the Grant of Utilities Easement;
- 2) Utilities Easement; and
- 3) Map demonstrating the location of the easement

Fiscal Note: No direct cost to the City.

Recommendation: Approval of the attached resolution will authorize the conveyance of the easement for the use of the Greenville Utilities Commission.

Attachments / click to download

 [South Greenville Recreation Easement](#)

 [South Greenville Recreation Easement Map](#)

 [Resolution Authorizing utilities easement for GUC South Greenville Recreation Center 1040708](#)

RESOLUTION NO. -16

RESOLUTION AUTHORIZING CONVEYANCE OF A UTILITIES EASEMENT
FOR THE USE OF THE GREENVILLE UTILITIES COMMISSION

WHEREAS, the Greenville Utilities Commission has requested the City of Greenville to grant a utilities easement on the South Greenville Recreation Center property; and

WHEREAS, N.C.G.S. 160A-273 authorizes the City of Greenville to grant an easement across city property;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Greenville that it does hereby approve the conveyance of a utilities easement for the use of Greenville Utilities Commission upon a 95.6 square foot area on the South Greenville Recreation Center property owned by the City of Greenville and described in Deed Book V22, at Page 556 and Deed Book V29, at Page 32, Pitt County Registry of Deeds.

BE IT FURTHER RESOLVED by the City Council of the City of Greenville that the Mayor and City Clerk be and are hereby authorized to execute said easement for and on behalf of the City of Greenville.

This the 5th day of December, 2016.

Allen M. Thomas, Mayor

ATTEST:

Carol L. Barwick, City Clerk

Prepared by: Phillip R. Dixon, Attorney
File: Greenville Utilities Commission
Post Office Box 1847
Greenville, NC 27835

PN 28994

NORTH CAROLINA
PITT COUNTY

GRANT OF ALL UTILITIES EASEMENT
AND ACCESS EASEMENT FOR
INGRESS, EGRESS, AND REGRESS
DATE _____

KNOW ALL MEN BY THESE PRESENTS, that the undersigned "GRANTOR" (whether one or more), for and in consideration of the sum of ONE DOLLAR (\$1.00) and other good and valuable consideration to it in hand paid by GREENVILLE UTILITIES COMMISSION of the City of Greenville, Pitt County, North Carolina, 401 South Greene Street (PO Box 1847), Greenville, NC 27835-1847, hereinafter referred to as the "COMMISSION" and the "GRANTOR," the receipt of which is hereby acknowledged, does hereby grant the City of Greenville, a body politic and corporate in Pitt County, North Carolina, for use of the "COMMISSION," its licensees, successors and assigns, the right, privilege and easement to go in, through, under, and upon lands of the GRANTOR located in Greenville Township, Pitt County, North Carolina, and more fully described as follows.

A new Permanent Utility Easement containing 95.6 square feet, more or less, on the east of Skinner Street (Variable R/W), across a tract or parcel of land owned by the City of Greenville, North Carolina, and commonly known as the South Greenville Recreation Center (Reference is hereby made to Deed Book V22 at Page 556 and Deed Book V29 at Page 32, and Map Book 79 at Page 110, Pitt County Public Registry), which said easement is more particularly described on Easement Survey for Greenville Utilities Commission Across the Property of City of Greenville dated November 8, 2016 by Stephen N. Spruill, Professional Land Surveyor No. L-2723, Spruill & Associates, Inc. (Firm No. C-978), 2747 East Tenth Street, Greenville, North Carolina 27858, Spruill@coastalnet.com, (252) 757-1200, and which is marked Exhibit "A" and is attached hereto and made a part hereof, and to which reference is hereby made for a more particular and accurate description of the metes and bounds of such new Permanent Utility Easement. The easement boundary is approximately five feet (5') off the hydrant and water lines serving hydrant.

Reference is hereby made to Deed Book V22 at Page 556, Deed Book V29 at Page 32, and Map Book 79 at Page 110, in the Office of the Register of Deeds of Pitt County, North Carolina, and to construct, install, operate and maintain utility facilities within such easement in a manner suitable to the Commission upon, across, under and through said premises within an easement and right of way strip of the width, location and approximate length hereinafter defined and to be utilized by the Commission a permanent easement and a temporary construction easement for the public use with the right to do all things necessary or convenient thereto, including the following:

- (a) the right of officers, agents, and workmen of the Commission and its contractors to go to and from said right of way strip at all times over the above described land by such route or routes as shall occasion the least practicable inconvenience to Grantor, including private roads and ways then existing thereon, on foot or by conveyance, with materials, machinery, supplies and equipment as may be desirable; provided that except in emergencies, existing roads and ways thereon shall be used to the extent that they afford ingress and egress to and from the right of way strip; and to construct, reconstruct, work upon, repair, alter, inspect and in general do any other thing necessary or convenient to maintain and operate said lines for the purpose aforesaid;

- (b) the right and privilege to enter upon the land included in the construction easement hereinabove described for the purpose of constructing said utility facilities, and the right and privilege at all times to enter upon the land included in the area of the permanent easement hereinabove described for the maintenance and repair of said utility facilities;
- (c) the right to clear, and keep cleared, from said right of way strip all structures (other than ordinary fences, but when Commission desires, such fences may be opened and reclosed or temporarily removed and replaced, or Commission may provide suitable gates therein) and all vegetation which may interfere with the utility facilities herein described and to use (1) chemicals which are not injurious to human beings, domestic animals, fish or game, (2) machinery, and (3) other forms of equipment and devices in so doing;
- (d) the right to install, construct, repair, maintain and operate all utility lines, structures and appurtenant facilities of the Commission.

The structures and appurtenant facilities installed by the Commission shall be and remain the property of the Commission and may be removed by it at any time and from time to time.

Grantor reserves the right to use the lands in and over which the right of way and easement rights are hereby granted for all purposes not inconsistent with said right of way and easement rights, except that Grantor agrees that (1) no buildings or permanent structures, wells, septic tanks, absorption pits, underground or overhead storage tanks, burial plots, or any other obstruction which might interfere with the construction, maintenance and operation of said utility facilities shall be placed within the area of said strip without the express written permission of the Commission; and (2) the Commission's facilities shall in no way be interfered with or endangered by the Grantor or Grantor's licensees, successors or assigns, without the express written permission of the Commission.

The Commission agrees that it will repair, rebuild, replace or pay the actual damages sustained as mutually agreed upon by the Commission and Grantor, and pay the actual damages to actual crops inside said right of way strip on the above land caused by the construction, operation, maintenance, inspection, rebuilding and removal of said lines, and in going to and from said right of way strip, and will repair any extraordinary damage to any bridge or to any road due to heavy hauling to and from the said right of way strip if claim is made within a period of thirty (30) days after such damages are sustained by Grantor.

Any notice to be given by one party to the other party hereunder may be delivered or deposited postage prepaid addressed to the following:

Grantor: City of Greenville, North Carolina
P.O. Box 7207
Greenville, North Carolina 27835

Commission: Greenville Utilities Commission
401 S. Greene Street
P.O. Box 1847
Greenville, North Carolina 27835

TO HAVE AND TO HOLD the aforesaid rights, privileges and construction easement unto the Grantee for such period of time as may be required to complete the construction of said utility facilities, and thereafter a permanent easement unto the Grantee and its successors, licensees and assigns for the uses and purposes hereinabove set forth.

And Grantor, for the Grantor and for the Grantor's heirs, executors, administrators, licensees, successors and assigns, covenants to and with the Commission, its licensees, successors and assigns, that Grantor is lawfully seized of the above described land in fee and has the right to convey the said rights, easements and privileges herein described; that the same is free and clear from any and all encumbrances not satisfactory to the Commission; that the Commission shall have quiet and peaceful possession, use and enjoyment of the aforesaid easement of right of way, rights and privileges; that the Grantor shall execute such further assurances thereof as may be required by the Commission; and Grantor will forever warrant and defend the title to the said easement of right of way, rights and privileges against the lawful claims of all persons whomsoever.

The singular shall include the plural and reference to gender shall include masculine, feminine and neuter.

IN WITNESS WHEREOF, Grantor has caused these presents to be signed in its corporate name by its duly authorized corporate officers, duly attested and its corporate seal hereunto affixed, all by authority of its Board of Directors duly given, this the day and year first above written.

CITY OF GREENVILLE, NORTH CAROLINA

By: _____
Allen M. Thomas, Mayor

[SEAL]

Attest:

Carol L. Barwick, Clerk

NORTH CAROLINA
PITT COUNTY

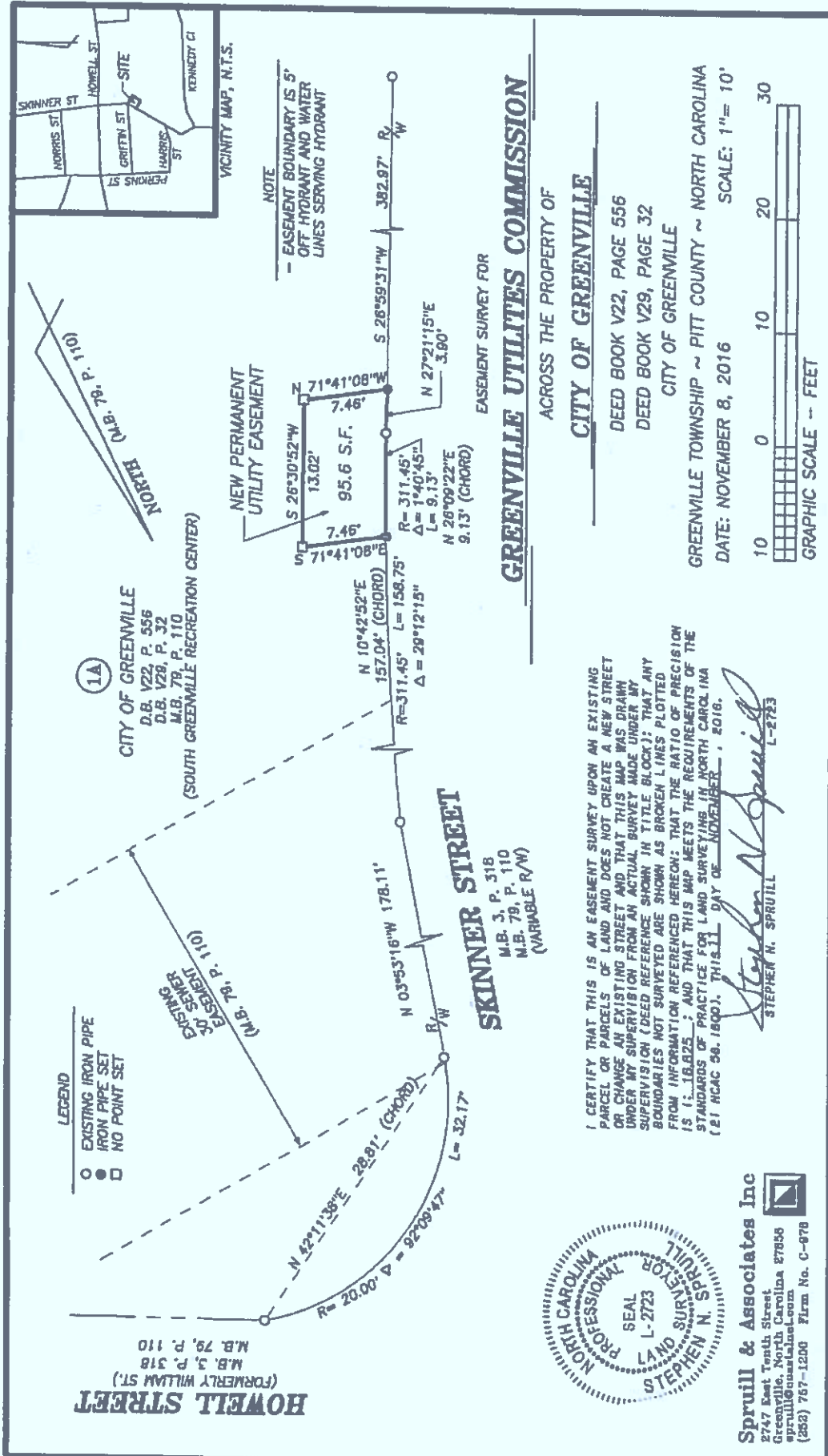
I, _____, a Notary Public of the aforesaid County and State, certify that Carol L. Barwick personally came before me this day and acknowledged that she is the Clerk of the City of Greenville, North Carolina, and that by authority duly given and as the act of the City of Greenville, North Carolina, the foregoing instrument was signed in its name by its Mayor, Allen M. Thomas, sealed with its seal and attested by her as its Clerk.

WITNESS my hand and seal, this the ____ day of _____, 2016.

NOTARY PUBLIC

My Commission Expires: _____

EXHIBIT "A"



150.18E



City of Greenville, North Carolina

Meeting Date: 12/5/2016
Time: 6:00 PM

Title of Item: Connect NC Bond Grant Application for Pier at River Park North

Explanation: **Abstract:** Through the State's Connect NC Bond Grant program, staff plans to apply for funds to link all of River Park North's boating facilities into a single accessible site, which will provide access to all park visitors, regardless of ability.

Explanation: River Park North consists of 324 acres and provides public access to high-quality natural areas, including bottomland forest, Cypress gum-swamp, and 45 acres of ponds. Opened in 1983, the park includes hiking, pedal boating, picnicking, camping, and a 10,000 square foot environmental education facility, and is the number two rated travel destination in Greenville, NC, according to TripAdvisor.com.

Through the State's Connect NC Bond Grant program, staff plans to apply for funds to unite all of River Park North's boating facilities into a single accessible site, with access to all park visitors, regardless of ability. The items proposed for grant support include:

1. 1,050 ft. ADA compliant and universally accessible floating dock and required boardwalk to support the existing fleet of kayaks, jon boats, and pedal boats.
2. ADA compliant parking and routes of travel between piers, boats, trails, and picnic area.
3. Adaptive boating equipment, including one hand-crank pedal boat, two adaptive kayaks, and adaptive paddle accessories for use with River Park North's current fleet. A department-owned paramobile and adaptive fishing gear will be stored on-site.
4. ADA Cashier's office for rental/loaner equipment, concessions, and bait and permit sales.

Being built prior to 1990 and the Americans with Disabilities Act, many of the existing facilities were not constructed with accessibility in mind. The

exceptions include two North Carolina Wildlife Resources Commission fishing piers and the Walter L. Stasavich Science and Nature Center, which was replaced after Hurricane Floyd. Kayaks, jon boats, pedal boats, fishing piers, and the picnic area are spread across five sites on two ponds, and guest interactions associated with boat rentals, loaner fishing gear, fishing permits, or concessions sales must be completed in the Science and Nature Center Office, far from the desired recreational activity. Existing routes of travel between these amenities, between the main office and amenities, and from the accessible parking, are not ADA compliant, nor are the amenities themselves. The challenge of providing access to all guests, regardless of ability, is compounded by significant growth in park visitation and demand for additional park amenities. The project proposes bringing these amenities together at a single, universally accessible site near the ADA compliant fishing piers and an accessible parking lot. Included is an onsite, ADA Cashier's Office that will allow all necessary transactions to occur within immediate proximity of the activity. This facility will not require additional part-time staff hours, because one of two staff members who work at the main office will be moved to the on-site Cashier's Office.

River Park North has approximately 66,000 park visits annually. According to a 2015 car count, most visitors participate in some combination of hiking, picnicking, boating or fishing during their visit. Approximately 6,000 visits include participation in structured park programming associated with the following activities: school field trips, summer camps, birthday parties, and public programming. Kayaks, fishing, and jon boats are available year round during normal operating hours; however, the pedal boat facility is only open to the public from 11:00 AM - 12:00 PM and 2:00 - 3:00 PM on Saturdays, and 1:00 - 2:00 PM on Sundays, April thru October. Current hours are limited due to the part-time staff budget for operations and the need to manage multiple amenities across several sites.

The outcomes and justification for the project would include:

1. Expanded public pedal boat hours, from three to fifteen hours per weekend during peak season.
2. Increased accessibility of boating, fishing, hiking, and picnicking amenities to guests with disabilities.
3. Opportunities for expanded programming targeting people with disabilities; enhanced existing relationships with Support Team for Active Recreation (STAR); the Caswell Developmental Center in Kinston, NC; and the department's therapeutic recreation programming staff. In addition, the project's improvements will provide opportunities for additional relationships with the local V.A. Health Center, Vidant Health Services, and East Carolina University.
4. Addressing five (5) of the fifteen (15) elements that failed to meet accessibility standards, as identified within the 2015 Universal Design Institute's accessibility audit of River Park North.

This project was identified in the current budget and funds were allocated for it. However, the grant application was due on December 1, 2016.

Fiscal Note:

The \$179,272 Connect NC Bond Grant requires a local government match of \$44,818; however, \$45,000 is already budgeted within the Facilities Improvement Program (FIP), originally intended to address the accessibility of only the River Park North pedal boat concession.

Recommendation:

On behalf of Council, the Mayor signed the Connect NC Bond Grant application for a \$179,272 grant with a local match of \$44,818 (\$45,000 already budgeted within the Facilities Improvement Program).

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City of Greenville, North Carolina

Meeting Date: 12/5/2016
Time: 6:00 PM

Title of Item: Resolution Designating the City's Agents for FEMA Funds for Hurricane Matthew

Explanation: **Abstract:** In order to file for reimbursement through the Federal Emergency Management Agency (FEMA) for Hurricane Matthew related expenses, the City must designate agents to apply for funds. A resolution is attached naming those agents.

Explanation: On October 10, 2016, the President of the United States made a Public Assistance Disaster Declaration regarding Hurricane Matthew for multiple counties in North Carolina, including Pitt County. This action opened the door for federal disaster aid to the City through the U.S. Department of Homeland Security, Federal Emergency Management Agency (FEMA), to be made available to supplement state and local recovery efforts in the affected area. These funds can be used to assist with the emergency work related to preparing for and responding to the event, and the permanent work needed to repair public infrastructure.

To apply for these funds, the City of Greenville must designate a Primary and Secondary Applicant's Agent. FEMA and the North Carolina Department of Emergency Management have requested that the individuals be able to respond directly to questions and gather all necessary paperwork for a successful application process.

Fiscal Note: Hurricane Matthew costs are currently being estimated.

Recommendation: City Council approve the attached resolution designating Bernita Demery (Financial Services Director) as Primary Agent, and Eric Griffin (Fire/Rescue Chief) as Secondary Agent to facilitate this application for FEMA funds.

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 [Resolution_Designation_of_Applicant_s_Agent_1040944](#)

RESOLUTION	
DESIGNATION OF APPLICANT'S AGENT	
North Carolina Division of Emergency Management	
Organization Name (hereafter named Organization) City of Greenville	Disaster Number: FEMA-4285-DR-NC
Applicant's State Cognizant Agency for Single Audit purposes (If Cognizant Agency is not assigned, please indicate): NC Dept of Public Safety, Division of Emergency Management	
Applicant's Fiscal Year (FY) Start Month: 07 Day: 01	
Applicant's Federal Employer's Identification Number 56 - 6000229	
Applicant's Federal Information Processing Standards (FIPS) Number NC - 37147 -	
PRIMARY AGENT	SECONDARY AGENT
Agent's Name Bernita Demery	Agent's Name Eric Griffin
Organization City of Greenville	Organization City of Greenville
Official Position Financial Services Director	Official Position Fire/Rescue Chief
Mailing Address 200 W. 5th St	Mailing Address P.O. Box 7207
City ,State, Zip Greenville, NC, 27835	City ,State, Zip Greenville, NC, 27835
Daytime Telephone (252) 329-4443	Daytime Telephone (252) 329-4397
Facsimile Number (252) 329-4074	Facsimile Number
Pager or Cellular Number (252) 916-2522	Pager or Cellular Number (252) 258-6001
<p>BE IT RESOLVED BY the governing body of the Organization (a public entity duly organized under the laws of the State of North Carolina) that the above-named Primary and Secondary Agents are hereby authorized to execute and file applications for federal and/or state assistance on behalf of the Organization for the purpose of obtaining certain state and federal financial assistance under the Robert T. Stafford Disaster Relief & Emergency Assistance Act, (Public Law 93-288 as amended) or as otherwise available. BE IT FURTHER RESOLVED that the above-named agents are authorized to represent and act for the Organization in all dealings with the State of North Carolina and the Federal Emergency Management Agency for all matters pertaining to such disaster assistance required by the grant agreements and the assurances printed on the reverse side hereof. BE IT FINALLY RESOLVED THAT the above-named agents are authorized to act severally. PASSED AND APPROVED this _____ day of _____, 20_____.</p>	
GOVERNING BODY	CERTIFYING OFFICIAL
Name and Title Allen M. Thomas, Mayor	Name Carol L. Barwick
Name and Title Kandie D. Smith, Mayor Pro-Tem	Official Position City Clerk
Name and Title	Daytime Telephone (252) 329-4422
CERTIFICATION	
<p>I, <u>Carol L. Barwick</u>, (Name) duly appointed and <u>City Clerk</u> (Title) of the Governing Body, do hereby certify that the above is a true and correct copy of a resolution passed and approved by the Governing Body of <u>City of Greenville, NC</u> (Organization) on the <u>5th</u> day of <u>December</u>, 20<u>18</u>.</p>	
Date: _____	Signature: _____

Rev. 06/02

APPLICANT ASSURANCES

The applicant hereby assures and certifies that it will comply with the FEMA regulations, policies, guidelines and requirements including OMB's Circulars No. A-95 and A-102, and FMC 74-4, as they relate to the application, acceptance and use of Federal funds for this Federally assisted project. Also, the Applicant gives assurance and certifies with respect to and as a condition for the grant that:

1. It possesses legal authority to apply for the grant, and to finance and construct the proposed facilities; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body, authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.
2. It will comply with the provisions of: Executive Order 11988, relating to Floodplain Management and Executive Order 11990, relating to Protection of Wetlands.
3. It will have sufficient funds available to meet the non-Federal share of the cost for construction projects. Sufficient funds will be available when construction is completed to assure effective operation and maintenance of the facility for the purpose constructed.
4. It will not enter into a construction contract(s) for the project or undertake other activities until the conditions of the grant program(s) have been met.
5. It will provide and maintain competent and adequate architectural engineering supervision and inspection at the construction site to insure that the completed work conforms with the approved plans and specifications; that it will furnish progress reports and such other information as the Federal grantor agency may need.
6. It will operate and maintain the facility in accordance with the minimum standards as may be required or prescribed by the applicable Federal, State and local agencies for the maintenance and operation of such facilities.
7. It will give the grantor agency and the Comptroller General, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the grant.
8. It will require the facility to be designed to comply with the "American Standard Specifications for Making Buildings and Facilities Accessible to, and Usable by the Physically Handicapped," Number A117.1-1961, as modified (41 CFR 101-17-7031). The applicant will be responsible for conducting inspections to insure compliance with these specifications by the contractor.
9. It will cause work on the project to be commenced within a reasonable time after receipt of notification from the approving Federal agency that funds have been approved and will see that work on the project will be prosecuted to completion with reasonable diligence.
10. It will not dispose of or encumber its title or other interests in the site and facilities during the period of Federal interest or while the Government holds bonds, whichever is the longer.
11. It agrees to comply with Section 311, P.L. 93-288 and with Title VI of the Civil Rights Act of 1964 (P.L. 83-352) and in accordance with Title VI of the Act, no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the applicant receives Federal financial assistance and will immediately take any measures necessary to effectuate this agreement. If any real property or structure is provided or improved with the aid of Federal financial assistance extended to the Applicant, this assurance shall obligate the Applicant, or in the case of any transfer of such property, any transferee, for the period during which the real property or structure is used for a purpose for which the Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits.
12. It will establish safeguards to prohibit employees from using their positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties.
13. It will comply with the requirements of Title II and Title III of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (P.L. 91-646) which provides for fair and equitable treatment of persons displaced as a result of Federal and Federally assisted programs.
14. It will comply with all requirements imposed by the Federal grantor agency concerning special requirements of law, program requirements, and other administrative requirements approved in accordance with OMB Circular A-102, P.L. 93-288 as amended, and applicable Federal Regulations.
15. It will comply with the provisions of the Hatch Act which limit the political activity of employees.
16. It will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act, as they apply to hospital and educational institution employees of State and local governments.
17. (To the best of his/her knowledge and belief) the disaster relief work described on each Federal Emergency Management Agency (FEMA) Project Application for which Federal Financial assistance is requested is eligible in accordance with the criteria contained in 44 Code of Federal Regulations, Part 206, and applicable FEMA Handbooks.
18. The emergency or disaster relief work therein described for which Federal Assistance is requested hereunder does not or will not duplicate benefits received for the same loss from another source.
19. It will (1) provide without cost to the United States all lands, easements and rights-of-way necessary for accomplishments of the approved work; (2) hold and save the United States free from damages due to the approved work or Federal funding.
20. This assurance is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, reimbursements, advances, contracts, property, discounts of other Federal financial assistance extended after the date hereof to the Applicant by FEMA, that such Federal Financial assistance will be extended in reliance on the representations and agreements made in this assurance and that the United States shall have the right to seek judicial enforcement of this assurance. This assurance is binding on the applicant, its successors, transferees, and assignees, and the person or persons whose signatures appear on the reverse as authorized to sign this assurance on behalf of the applicant.
21. It will comply with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973, Public Law 93-234, 87 Stat. 975, approved December 31, 1973. Section 102(a) requires, on and after March 2, 1975, the purchase of flood insurance in communities where such insurance is available as a condition for the receipt of any Federal financial assistance for construction or acquisition purposes for use in any area that has been identified by the Director, Federal Emergency Management Agency as an area having special flood hazards. The phrase "Federal financial assistance" includes any form of loan, grant, guaranty, insurance payment, rebate, subsidy, disaster assistance loan or grant, or any other form of direct or indirect Federal assistance.
22. It will comply with the insurance requirements of Section 314, PL 93-288, to obtain and maintain any other insurance as may be reasonable, adequate, and necessary to protect against further loss to any property which was replaced, restored, repaired, or constructed with this assistance.
23. It will defer funding of any projects involving flexible funding until FEMA makes a favorable environmental clearance, if this is required.
24. It will assist the Federal grantor agency in its compliance with Section 106 of the National Historic Preservation Act of 1966, as amended, (16 U.S.C. 470), Executive Order 11593, and the Archeological and Historic Preservation Act of 1966 (16 U.S.C. 469a-1 et seq.) by (a) consulting with the State Historic Preservation Officer on the conduct of investigations, as necessary, to identify properties listed in or eligible for inclusion in the National Register of Historic places that are subject to adverse effects (see 36 CFR Part 800.8) by the activity, and notifying the Federal grantor agency of the existence of any such properties, and by (b) complying with all requirements established by the Federal grantor agency to avoid or mitigate adverse effects upon such properties.
25. It will, for any repairs or construction financed herewith, comply with applicable standards of safety, decency and sanitation and in conformity with applicable codes, specifications and standards; and, will evaluate the natural hazards in areas in which the proceeds of the grant or loan are to be used and take appropriate action to mitigate such hazards, including safe land use and construction practices.

STATE ASSURANCES

The State agrees to take any necessary action within State capabilities to require compliance with these assurances and agreements by the applicant or to assume responsibility to the Federal government for any deficiencies not resolved to the satisfaction of the Regional Director.



City of Greenville, North Carolina

Meeting Date: 12/5/2016
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:

<u>Payee</u>	<u>Adjustment Refunds</u>	<u>Amount</u>
Andrews, Catherine	Registered Property Tax	\$1,172.47
ZAC Properties, LLC	Registered Property Tax	279.32

Fiscal Note: The total to be refunded is \$1,451.79.

Recommendation: Approval of tax refunds by City Council

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City of Greenville, North Carolina

Meeting Date: 12/5/2016
Time: 6:00 PM

Title of Item: Budget ordinance amendment #4 to the 2016-2017 City of Greenville budget (Ordinance #16-036) and Special Revenue Grants Fund (Ordinance #11-003)

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 December 5, 2016 City Council meeting is an ordinance amending the 2016-2017 City of Greenville budget (Ordinance #16-036) and Special Grants Revenue Fund (Ordinance #11-003).

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

Item	Justification	Funds Amended	Net Adjustment
A	Appropriation from Contingency to the Economic Development budget for the Uptown Greenville Contract	-General Fund	\$ -
B	Record receipts from the NC Department of Commerce for the development of the Uptown Brewing Company. There is a 5% match required from the City which will come from Contingency.	-General Fund -Spec Rev Grant	\$ - \$ 60,000
C	Adjust Sheppard Memorial Library budget to actual based on anticipated receipts.	-Sheppard	\$ (17,903)

Fiscal Note: The budget ordinance amendment affects the following funds:

<u>Fund</u>	<u>2016-17 Budget per Amend #3</u>	<u>Amend #4</u>	<u>2016-17 Budget per Amend #4</u>
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General Fund	\$ 84,176,693	\$ -	\$ 84,176,693
Sheppard Memorial Library	2,528,942	(17,903)	2,511,039
Debt Service	5,505,438	-	5,505,438
Stormwater Utility	6,544,434	-	6,544,434
Facility Improvement	2,326,152	-	2,326,152
Vehicle Replacement	5,303,743	-	5,303,743
Special Revenue Grant	5,056,373	60,000	5,116,373
Public Works Capital Project	34,447,251	-	34,447,251
Health Fund	12,860,572	-	12,860,572
Transportation	2,634,012	-	2,634,012
Rec and Parks Capital Proj	5,524,848	-	5,524,848
Capital Reserve	2,083,419	-	2,083,419
Police Capital Projects	5,003,484	-	5,003,484
CD - Housing Fund	1,417,781	-	1,417,781
Total	\$175,413,142	\$ 42,097	\$ 175,455,239

Recommendation: Approve budget ordinance amendment #4 to the 2016-2017 City of Greenville budget (Ordinance #16-036) and amendment to the Special Revenue Grant Fund (Ordinance #11-003).

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- [Fund Balance Appropriated and Contingency](#)
- [BUD_AMEND_4_1041101](#)

ORDINANCE NO. 16-
CITY OF GREENVILLE, NORTH CAROLINA
Ordinance (#4) Amending the 2016-17 Budget (Ordinance #16-036) and Special Revenue Grants Fund
(Ordinance #11-003)

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:

	2016-17 Budget per Amend #3	Budget Amendment #4				2016-17 Budget per Amend #4
		A.	B.	C.	Total Amend #4	
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	874,012	-	-	-	-	874,012
Powell Bill	2,220,065	-	-	-	-	2,220,065
Restricted Intergov't Revenues	1,043,650	-	-	-	-	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,	378,386	-	-	-	-	378,386
Other Sales & Services	343,328	-	-	-	-	343,328
Other Revenues	1,716,346	-	-	-	-	1,716,346
Interest on Investments	400,000	-	-	-	-	400,000
Transfers In GUC	6,498,420	-	-	-	-	6,498,420
Appropriated Fund Balance	3,214,178	-	-	-	-	3,214,178
Total Revenues	\$ 84,176,693	\$ -	\$ -	\$ -	\$ -	\$ 84,176,693
APPROPRIATIONS						
Mayor/City Council	\$ 733,265	\$ -	\$ -	\$ -	\$ -	\$ 733,265
City Manager	2,275,711	50,000	-	-	50,000	2,325,711
City Clerk	244,879	-	-	-	-	244,879
City Attorney	455,059	-	-	-	-	455,059
Human Resources	2,796,037	-	-	-	-	2,796,037
Information Technology	3,136,382	-	-	-	-	3,136,382
Fire/Rescue	14,323,031	-	-	-	-	14,323,031
Financial Services	2,491,577	-	-	-	-	2,491,577
Recreation & Parks	8,426,815	-	-	-	-	8,426,815
Police	23,168,881	-	-	-	-	23,168,881
Public Works	10,896,770	-	-	-	-	10,896,770
Community Development	2,664,929	-	-	-	-	2,664,929
OPEB	500,000	-	-	-	-	500,000
Contingency	104,275	(50,000)	(3,000)	-	(53,000)	51,275
Indirect Cost Reimbursement	(1,432,859)	-	-	-	-	(1,432,859)
Total Appropriations	\$ 70,784,752	\$ -	\$ (3,000)	\$ -	\$ (3,000)	\$ 70,781,752
OTHER FINANCING SOURCES						
Transfers to Other Funds	\$ 13,391,941	\$ -	\$ 3,000	\$ -	\$ 3,000	\$ 13,394,941
Total Other Financing Sources	\$ 13,391,941	\$ -	\$ 3,000	\$ -	\$ 3,000	\$ 13,394,941
Total Approp & Other Fin Sources	\$ 84,176,693	\$ -	\$ -	\$ -	\$ -	\$ 84,176,693

Section II: 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:

	2016-17 Budget per Amend #3	A.	B.	C.	Total Amend #4	2016-17 Budget per Amend #4
ESTIMATED REVENUES						
Special Fed/State/Loc Grant	\$ 4,399,840	\$ -	\$ 57,000	\$ -	\$ 57,000	\$ 4,456,840
Transfer From General Fund	576,533	-	3,000	-	3,000	579,533
Transfer From Pre-1994 Entitlement	80,000	-	-	-	-	80,000
Total Revenues	\$ 5,056,373	\$ -	\$ 60,000	\$ -	\$ 60,000	\$ 5,116,373
APPROPRIATIONS						
Personnel	\$ 1,052,069	\$ -	\$ -	\$ -	\$ -	\$ 1,052,069
Operating	2,757,629	-	-	-	-	2,757,629
Capital Outlay	1,246,675	-	60,000	-	60,000	1,306,675
Total Appropriations	\$ 5,056,373	\$ -	\$ 60,000	\$ -	\$ 60,000	\$ 5,116,373

Section III: Estimated Revenues and Appropriations. Sheppard Memorial Library Fund, of Ordinance #16-036 is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

	2016-17 Budget per Amend #3	A.	B.	C.	Total Amend #4	2016-17 Budget per Amend #4
ESTIMATED REVENUES						
City of Greenville	\$ 1,197,058	\$ -	\$ -	\$ -	\$ -	\$ 1,197,058
Pitt County	581,096	-	-	-	-	581,096
Pitt County - Bethel/Winterville	12,000	-	-	-	-	12,000
Town of Bethel	30,315	-	-	(9,207)	(9,207)	21,108
Town of Winterville	165,300	-	-	-	-	165,300
State Aid	191,774	-	-	-	-	191,774
Desk/Copier Receipts	128,775	-	-	-	-	128,775
Interest	1,000	-	-	-	-	1,000
Capital - County Funded	100,000	-	-	-	-	100,000
Other Revenues	82,500	-	-	-	-	82,500
Greenville Housing Authority	10,692	-	-	-	-	10,692
Appropriated Fund Balance	28,432	-	-	(8,696)	(8,696.00)	19,736
Total Revenues	\$ 2,528,942	\$ -	\$ -	\$ (17,903)	\$ (17,903)	\$ 2,511,039
APPROPRIATIONS						
Personnel	\$ 1,546,288	\$ -	\$ -	\$ (5,903)	\$ (5,903)	\$ 1,540,385
Operations	820,962	-	-	(12,000)	(12,000)	808,962
Greenville Housing Authority	10,692	-	-	-	-	10,692
Capital	151,000	-	-	-	-	151,000
Total Appropriations	\$ 2,528,942	\$ -	\$ -	\$ (17,903)	\$ (17,903)	\$ 2,511,039

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

Adopted this 5th day of December, 2016

Allen M. Thomas, Mayor

ATTEST:

Carol L. Barwick, City Clerk

City of Greenville
Budget Amendment #4
Fiscal Year 2016-17

GENERAL FUND

Fund Balance Appropriated per Amendment #4

	General Fund	Powell Bill Fund	Total
2016-17 Adopted Budget Ordinance			
Purchase of Imperial Site	\$ 1,040,000	\$ -	\$ 1,040,000
Budget Contingency	38,808	-	38,808
Powell Bill Carryover	-	717,186	717,186
Subtotal	\$ 1,078,808	\$ 717,186	\$ 1,795,994
Capital Project Carryover From FY2015-16			
Fire/Rescue #3 Parking Lot Project	\$ 139,551	\$ -	\$ 139,551
Tar River Study	136,932	-	136,932
Public Works Dept Carryover	191,187	-	191,187
Town Common Improvements	260,534	-	260,534
Mast Arm Poles Project	100,000	-	100,000
City Hall Lobby Renovation Project	34,719	-	34,719
Fire/Rescue Defibrillators	35,500	-	35,500
Historical Loan Pilot Projects	70,000	-	70,000
Subtotal	\$ 968,423	\$ -	\$ 968,423
Economic Development Carryover			
Revolving Loan Fund	\$ 110,000	\$ -	\$ 110,000
The Boundary Property Tax Credit	175,000	-	175,000
Subtotal	\$ 285,000	\$ -	\$ 285,000
Other Appropriations			
King George Road Bridge Project	\$ -	\$ 164,761	\$ 164,761
Subtotal	\$ -	\$ 164,761	\$ 164,761
Total Appropriated as of Amendment #4	\$ 2,332,231	\$ 881,947	\$ 3,214,178

City of Greenville
Budget Amendment #4
Fiscal Year 2016-17

GENERAL FUND

General Fund Contingency Available for Appropriation per Amendment #4:

2016-17 Contingency Fund Budget \$ 150,000

Appropriations As of Amendment #3:

Pedestrian Bridge Study (20% Match)	\$ (5,000)	
Governor's Crime Commission Grant (20% Match)	(27,725)	
Recreation and Parks Credit Card Chip Readers	(7,000)	
Security Cameras at South Greenville Rec Center	(6,000)	
Uptown Greenville Contract	(50,000)	
Uptown Brewing Company (5% Match)	<u>(3,000)</u>	
		(98,725)

Contingency Available for Appropriation per Amend #4		<u><u>\$ 51,275</u></u>
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City of Greenville, North Carolina

Meeting Date: 12/5/2016
Time: 6:00 PM

Title of Item: Ordinance to Amend City Code Section 12-2-37 to add required testing and allow feeding of registered Trap-Neuter-Return (TNR) Colony Cats

Explanation: **Abstract:** City Code Section 12-2-37, Animal Traps Available to Public, is being amended to require testing for various diseases and allow feeding of registered TNR colony cats.

Explanation: In an effort to ensure the health and safety of the general public and to assist with efforts to control the feral cat population in Greenville, on October 5, 2015, City Council approved amending City Code Section 12-2-37 to allow animal traps to be issued to the public.

On April 18, 2016, staff held a six-month review with stakeholders from the community to evaluate the program and allowed for input for possible changes to the current ordinance and the general administration of the TNR program. In attendance at the meeting were local animal advocates, business and home owners, and a local veterinarian. From that meeting, two main ideas were discussed: allow feeding of cats through the TNR program and a desire for testing of TNR cats for Feline Leukemia (FeLV) and Feline Immunodeficiency Virus (FIV).

Police Department Animal Protective Services (APS) staff has reviewed the ordinance and is recommending it be amended to require that all TNR registered colony cats 12 months or older be tested for feline leukemia (FeLV) and feline immunodeficiency virus (FIV). APS staff also recommend adding allowances for the feeding of registered TNR colony cats, with certain stipulations. The proposed amended ordinance is attached, along with a red-lined version of the section showing the changes to the ordinance.

Fiscal Note: Implementation of the recommended revisions should have no fiscal impact to the City of Greenville. Cost will be borne by persons or groups participating in the Trap-Neuter-Return (TNR) program.

Recommendation: Approve the ordinance amending City Code Section 12-2-37.

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[red lined Ordinance Admending Section 12 2 37 Animal Control TNR 1040971](#)

[Ordinance Amending Section 12 2 37 additions to Animal Control 1040951](#)

ORDINANCE NO. 16-
AN ORDINANCE AMENDING THE GREENVILLE CITY CODE RELATING TO THE
DIVISION OF ANIMAL CONTROL AND ANIMAL TRAPS BEING MADE AVAILABLE
TO THE PUBLIC IN CONNECTION WITH TRAP-NEUTER-RETURN (TNR)

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

Section 1. That Section 12-2-37 of the Code of Ordinances, City of Greenville is hereby
amended by rewriting said section to read as follows:

SEC. 12-2-37 ANIMAL TRAPS AVAILABLE TO PUBLIC.

(A) The Division of Animal Protective Services is authorized to make animal traps
available to members of the general public under the conditions stated in subsection (C) of this
section.

(B) Animal traps may be checked out to citizens only upon written application to the
Division of Animal Protective Services, on a form provided by the Division of Animal Protective
Services. The application process shall include acknowledgment of program guidelines, to
include a copy of this section, and any additional training materials as deemed necessary by the
Division of Animal Protective Services. Organizations or individuals wishing to engage in Trap-
Neuter-Return (TNR) shall receive training provided by the Division of Animal Protective
Services and ensure the following requirements are completed for each feral cat trapped:

- (1) Each cat must be trapped using humane trapping techniques. Personal traps used
for TNR purposes must be inspected and approved by the Division of Animal
Protective Services prior to use.
- (2) Cats 12 months or older must be tested for feline leukemia and feline
immunodeficiency virus. If positive, the cat will not be returned to any colony or
outdoors in Greenville city limits. It may be rescued by a foster network
sanctuary/program for specialized feline care, or humanely euthanized.
- ~~(2)~~ (3) Cats must be spayed or neutered as appropriate, vaccinated for rabies, Feline Viral
Rhinotracheitis (FVRCP), Calicivirus and Panleukopenia, have their ear tipped,
and be returned to the location where trapped initially.
- (4) Allowances will be granted for the feeding of registered TNR colony cats under
the strict adherence of a maximum 30 minute feeding schedule and documented
on the TNR Tracking Form. After the feeding of the colony, all food bowls will
be removed. No food source shall remain after feeding of the colony.
- ~~(3)~~ (5) Cats entering the TNR program must be documented for tracking purposes by the

TNR care giver using the Greenville Animal Protective Services TNR Tracking Form. The veterinarian performing the procedures outlined in this section must sign the tracking form. The completed forms must be turned in to the Division of Animal Protective Services for review and statistical purposes.

~~(4)~~ (6) The individual or organization engaging in TNR shall be responsible for all costs and expenses while engaging in these activities.

(C) Animal traps provided by the city may be used only under the following conditions:

- (1) The animal trap or traps may only be used to trap wild or stray animals.
- (2) All animals trapped must be released at the location where the animal was trapped, or delivered or turned over to the Division of Animal Protective Services. All traps must be checked at least once every 12 hours and trapped animals released or delivered as required in this subsection.
- (3) Traps may be checked out for a one-week period which may be extended for a second week if the Division of Animal Protective Services believes it to be in the best public interest to extend the check-out period.
- (4) Before a trap is set, the Division of Animal Protective Services will ensure that a new application is completed by the person requesting the trap and will provide written notification to adjacent property owners/renters. In cases where property owners fail to respond or the property appears to be vacant, the Animal Protective Services Officers will post a notice on the property by way of a door hanger at least 24 hours in advance of a trap being set.
- (5) Persons who check out and set traps must give express consent for Animal Protective Services Officers to enter their premises to verify the location, manner of operation, and intended or actual use of traps.

(D) Failure to comply with the requirements of this section shall be grounds for immediate revocation of the privilege of using a city-owned animal trap, or participation in any Trap, Neuter and Return Program in addition to civil or criminal penalties as stated in section 12-2-43.

Section 2 All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 3. Any part or provision of this ordinance found by a court of competent jurisdiction to be in violation of the Constitution or laws of the United States or North Carolina is hereby deemed severable and shall not affect the validity of the remaining provisions of the ordinance.

Section 4. This ordinance shall become effective immediately upon its adoption.

This the _____ day of December, 2016.

Allen M. Thomas, Mayor

ATTEST:

Carol L. Barwick, City Clerk

ORDINANCE NO. 16-
AN ORDINANCE AMENDING THE GREENVILLE CITY CODE RELATING TO THE
DIVISION OF ANIMAL CONTROL AND ANIMAL TRAPS BEING MADE AVAILABLE
TO THE PUBLIC IN CONNECTION WITH TRAP-NEUTER-RETURN (TNR)

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

Section 1. That Section 12-2-37 of the Code of Ordinances, City of Greenville is hereby
amended by rewriting said section to read as follows:

SEC. 12-2-37 ANIMAL TRAPS AVAILABLE TO PUBLIC.

(A) The Division of Animal Protective Services is authorized to make animal traps
available to members of the general public under the conditions stated in subsection (C) of this
section.

(B) Animal traps may be checked out to citizens only upon written application to the
Division of Animal Protective Services, on a form provided by the Division of Animal Protective
Services. The application process shall include acknowledgment of program guidelines, to
include a copy of this section, and any additional training materials as deemed necessary by the
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Section 4. This ordinance shall become effective immediately upon its adoption.

This the _____ day of December, 2016.

Allen M. Thomas, Mayor

ATTEST:

Carol L. Barwick, City Clerk



City of Greenville, North Carolina

Meeting Date: 12/5/2016
Time: 6:00 PM

Title of Item: Consideration of Parking Task Force Recommendations

Explanation: **Abstract:** Staff requests that City Council consider the Parking Task Force recommendations to improve parking conditions in the Uptown Area.

Explanation: City Council directed staff to evaluate parking in the Uptown area and bring back recommendations for improvements. In response, staff created a Parking Task Force with representatives from City departments as well as Uptown Greenville. Task Force members included Tronette Green, Corey Barrett, Christian Lockamy, Kevin Mulligan, Rik DiCesare, Chris Ivey, Stacy Pigford and adjunct members Kimberly Branch, Merrill Flood, and Mark Holtzman from the City, as well as Bianca Shoneman from Uptown Greenville.

The Parking Task Force studied existing parking conditions and issues in the Uptown Area, compared best practices with benchmark communities Wilmington and Greensboro, then identified alternatives, and proposed the following recommendations:

Parking Program Recommendations Summary

- Develop a standardization parking signage program-- Creation of a recommended public standard for all parking information signs on public and private property in the Uptown area, to include pole styles, color, placement and shape. A grant program may also be created in the future for signage on private properties in the Uptown area to aid in public education on parking.
- Identify a Single point of contact for customers (single person and phone number)--Currently, citizens have a multitude of contact numbers for parking-related items. The recommendation is to consolidate these numbers into a single number. The City Manager's Office will assign a department then route calls to the appropriate person(s).
- Update the parking section of the City of Greenville website--Currently, citizens must navigate through several links on the City's website that directs them to several email addresses to address parking related

- issues. The Task Force recommends organizing the parking information on the City of Greenville web site into 2-3 sections (enforcement, payments) to provide a more customer and user -friendly presentation.
- Change 4th Street Parking Garage operations to include gating the entrances/exits and make additional security, information and payment upgrades-- Adding entry gates, increasing camera coverage, informational signage, and pay stations will improve deck operations and make the deck more customer friendly.
 - Continue striping and re striping of parking areas for all public spaces all on-street parking spaces-- The existing program of parking space striping and re striping needs to continue so that on street parking and spaces within city lots are easily identified.
 - Require tow trucks to accept electronic payment or install ATM machines at lots where vehicles are towed-- Currently, customers are required to pay tow truck companies with cash only, which makes retrieving towed vehicles inconvenient and laborious for the public.
 - Standardize leasing to the same lease time duration--Currently, customers can lease a space in the Parking Garage in 6-month increments and can lease a space in a parking lot in 3-month increments. The recommendation is to standardize all leases to 6 months.
 - Create flat fee event parking program (test trial first)--Surveying other cities revealed that some communities use structured parking facilities during non-peak parking periods to provide additional parking for large-scale events (such as ECU games, Freeboot Friday) while increasing revenue by charging a flat fee to park during the event. Staff recommends developing and implementing an event parking program. A test trial would be implemented first, followed by the roll out of a program in the fall of 2017.
 - Consolidate parking expenses and revenues--The budget for parking is split among departments (parking signs in Public Works, lease contracts in Economic Development, leasing collections in Collections). The Task Force recommends consolidating expenses and revenues to determine how parking can become an enterprise fund.
 - Issue a Request for Qualifications or Request for Proposals (RFQ/RFP) for a third-party parking contractor to determine the cost of overseeing parking long term -- This action item involves solicitation for a private contractor to manage parking program enforcement and management. Evaluation of a contractor and program development would occur in the 2017-18 budget year, with consideration of implementation with the 2018-19 budget.
 - Issue a Request for Proposals (RFP) for update of the parking plan/study for high impact (rates, meter locations), high cost (parking structure) and parking demand reduction strategies.-The purpose of this request will evaluate the existing rate structures, utilization rates, metering locations and development of a schedule for additional parking resources (decks, surface lots, etc.).

At the conclusion of this evaluation, staff held a public input meeting to discuss these recommendations. The public input did not significantly alter any recommendations. The final recommendations were shared with the Public

Transportation and Parking Commission on two separate occasions (before and after public input). Both the Parking Task Force and the Public Transportation and Parking Commission support moving forward with these recommendations.

If approved, these recommendations will be implemented systematically but will not go into effect until February 1, 2017. Staff will prepare a public education campaign and video to communicate upcoming changes. The Parking Task Force agreed that the City does not have the expertise and/or capacity to complete a parking study that includes a supply and demand analysis, recommendations for structured parking, technological best practices and parking demand reduction strategies. As such, an RFQ would be released to hire a subject matter expert to advise the City on these high-impact, costly decisions, and long-term parking strategies. The cost of a parking study was included in the FY 17 budget.

Fiscal Note:

Implementation of the Parking Task Force recommendations may entail costs to the City. For example, the recommendation to install a security gate at the entrance of the 4th Street Parking Garage is expected to cost between \$160,000 and \$260,000. Any significant financial outlay for parking improvements would not be made without additional City Council deliberation. Staff would only proceed with making the low-cost improvements, e.g., replacing some parking signs, website changes, creating a single phone number, or the like, assuming sufficient budget is available in the FY 17/18 budget and plan to make such changes.

Recommendation:

Staff recommends that City Council support the Parking Task Force's recommendations and provide consent to implement the recommendations that do not require a budget amendment.

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City of Greenville, North Carolina

Meeting Date: 12/5/2016
Time: 6:00 PM

Title of Item: 2016-17 Employee Evaluation Ratings and Merit Pay System Update

Explanation: **Abstract:** Staff will present Council with a summary of the 2016-17 employee evaluation rankings that resulted from use of the City's newly implemented performance management evaluation instrument. Staff will also discuss how the evaluation rankings will be used to provide future professional development of evaluating staff, as well as the development of a pay for performance matrix to be used to implement a merit pay system for the City's employees.

Explanation: City Council contracted with Segal Waters in 2015 to assist with the development of an effective performance management system and pay matrix linked to employee performance. A focus group comprised of employees throughout all levels of the City was formulated to develop "specific competencies" by job family and assign competency weightings, behaviors, and measurements. Based on focus group input, a performance evaluation instrument was developed that would allow for the establishment of a pay for performance system matrix.

Segal Waters, in conjunction with staff of the City's Human Resources Department, developed a program to train managers and supervisors on the new performance system. Training sessions were held with department heads and supervisors throughout the month of September 2015.

In preparation of implementing a merit pay system for fiscal year 2016-17, the Human Resources Department performed an audit of prior year(s) performance reviews to determine the overall distribution of performance ratings. This audit review was intended to be the basis for developing the merit pay matrix whereby salary increases for fiscal year 2016-17 would be established for employees based on their actual performance review rating scores. This process would also ensure that the City was establishing a pay for performance system that was reflective of historical experience, but was also a system that would not allocate merit pay increases to employees in excess of the City's adopted operating budget.

Based on this review, the City determined that historical employee evaluations had resulted in outcomes that were heavily weighted towards ratings of "Exceeds Expectations" and "Top Performer" with very few rating scores of "Unsatisfactory" and "Needs Improvement". Such historical results were not consistent with a statistical bell-shaped curve outcome that would allow the City to maximize the value to employees of implementing a merit pay system. The City used the information gathered from the review to establish a professional development program whereby department heads and supervisors were specifically trained on how to document employee performance and how to better prepare employee evaluations that more accurately reflected each employee's actual and expected performance. This level of refresher training was held with staff throughout the month of April 2016.

The City used the audit review of historical performance appraisal scores to project the distribution of employee evaluation ratings for the 2016-17 performance review period. The projected distribution would then be compared to the actual distribution to determine what level of progress had been made through the professional development training held with department heads and supervisors. The following is a comparison of actual employee evaluation rankings for the 2016-17 review period as compared to projected. Also shown is a comparison of evaluation rankings based on a statistical bell-shaped curve:

Evaluation Rating	% of Employees Receiving Rating		
	Projected	Actual	Bell Shape
Unsatisfactory	0.0%	0.0%	2.5%
Needs Improvement	1.0%	0.2%	5.0%
Sometimes Meets Expectations	4.0%	4.3%	10.0%
Meets Expectations	50.0%	65.9%	67.5%
Exceeds Expectations	35.0%	25.1%	10.0%
Top Performer	10.0%	4.5%	5.0%
Total	100.0%	100.0%	100.0%

Actual evaluation rankings were more distributed relative to a statistical bell-shaped curve as compared to projected, which would result in a pay matrix that better rewarded those employees with performance exceeding expectations. This also served to confirm that training efforts had resulted in producing a distribution of evaluation rankings that better reflected the overall performance of the City's employees. However, the actual distribution of rankings still lagged behind that of the bell-shaped distribution, especially in regards to rankings below meets expectations.

The City's performance measurement system was not developed with the intention that evaluation results would follow the distribution of a statistical bell-shaped curve. To the contrary, the evaluation tool was developed with the intention of rewarding top performers through a merit pay program, identifying the suitability of employees for specific jobs based on specific job skills, and identifying areas where additional employee training may be needed. Based on such criteria, the City would anticipate that the distribution of evaluation scores

would be similar, but not identical, to that of a normal bell-shaped distribution curve.

During the 2016-17 budget process, City Council decided to move slowly with concerns to the transition to a merit pay system. The decision was based on the fact that the evaluation instrument was new, and both staff and supervisors needed more time to become acclimated with the process. The 2016-17 adopted budget included a 2.0% market adjustment for all employees, while the 2017-18 financial plan included a 1.0% market adjustment and a 1.0% merit pay increase. A full transition to a merit pay system would be implemented over a two-year period commencing in fiscal year 2018-19.

The actual distribution of performance rankings for fiscal year 2016-17 would have resulted in the following merit pay matrix for an overall 1%-4% salary increase:

	1%	2%	3%	4%
Employees Above Midpoint				
Unsatisfactory	0.0%	0.0%	0.0%	0.0%
Needs Improvement	0.0%	0.0%	0.0%	0.0%
Sometimes Meets Expectations	0.0%	0.0%	0.0%	0.0%
Meets Expectations	0.5%	1.5%	2.5%	3.0%
Exceeds Expectations	1.0%	2.0%	3.0%	3.5%
Top Performer	1.3%	2.5%	3.5%	4.0%
Employees Below Midpoint				
Unsatisfactory	0.0%	0.0%	0.0%	0.0%
Needs Improvement	0.0%	0.0%	0.0%	0.0%
Sometimes Meets Expectations	0.0%	1.5%	2.0%	3.0%
Meets Expectations	1.0%	2.0%	3.0%	4.0%
Exceeds Expectations	1.5%	2.8%	4.0%	5.0%
Top Performer	2.5%	3.5%	4.8%	6.0%

Periodic refresher training will be held with managers and supervisors starting in January to begin preparing for the next annual performance evaluation period.

Fiscal Note:

There is no immediate fiscal impact of the employee evaluation results presented. The outcomes of future employee evaluation rankings will impact the pay for performance matrix that will be used to allocate salary increases to employees based on their respective annual evaluation score. Future merit pay matrices will be structured around the overall employee salary increase approved by Council and included within the adopted budget ordinance.

Recommendation:

Review and discuss the 2016-17 employee evaluation ratings and the proposed future employee merit pay system.

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