



Agenda

Greenville City Council

November 7, 2013
7:00 PM
City Council Chambers
200 West Fifth Street

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I. Call Meeting To Order

II. Invocation - Council Member Mercer

III. Pledge of Allegiance

IV. Roll Call

V. Approval of Agenda

VI. Appointments

1. Appointments to Boards and Commissions

VII. Consent Agenda

2. Schedule special City Council meeting to be held on Monday, November 18, 2013, at 6:00 p.m. in the Council Chambers at City Hall
3. Minutes from the April 11, 2013, and May 6, 2013, City Council meetings
4. Report on Contracts Awarded
5. Memorandum of Agreement with the N.C. State Historic Preservation Office for 901 Douglas Avenue
6. Contract with Cardno for EPA Brownfield Project Management
7. Establishment of Criteria for a Design-Build Delivery Method for Construction Contracts and

Approval of Using the Design-Build Delivery Method for the Convention Center Renovation and Addition Project

8. Purchase of Rescue/Pumper for the Fire/Rescue Department
9. Contract award for Right of Way Asset and Pavement Condition Survey
10. Supplemental agreement with the North Carolina Department of Transportation for the Green Mill Run Greenway Phase 2 Extension to accommodate for right-of-way acquisition
11. Electric Capital Projects Budget Ordinance for Greenville Utilities Commission's Frog Level and MacGregor Downs Substations Feeder Expansions
12. 2013-2014 Capital Reserve Fund calculation and designations
13. Budget ordinance amendment #4 to the 2013-2014 City of Greenville budget (Ordinance #13-026), and amendments to the Pre-1994 Entitlement Fund (Ordinance #96-52), the Special Revenue Grant Fund (Ordinance #11-003), the Drew Steele Center Capital Project Fund (Ordinance #09-42), the Dream Park Capital Project Fund (Ordinance #12-030), and the Insurance Loss Reserve Fund (Ordinance #94-140)

VIII. New Business

Public Hearings

14. Ordinance to annex Gateway West, portion of Lot 4, involving 0.34 acres located on the northern right-of-way of Gateway Drive and being about 320 feet west of Stantonsburg Road
15. Ordinance to annex Kittrell Farms, Lot 9, involving 1.3216 acres located on the southern side of Charles Boulevard and being about 270 feet west of Signature Drive
16. Ordinance to amend the Future Land Use Plan Map from an industry (I) category to a commercial (C) category for the property located between Martin Luther King, Jr. Highway and Staton House Road and west of North Memorial Drive
17. Ordinance amending Horizons: Greenville's Community Plan to incorporate by reference the Oak Grove Estates Subdivision Neighborhood Report and Plan
18. Resolution authorizing the conveyance of City-owned property located at 801 Fleming Street and 605 Sheppard Street
19. Ordinance directing the enforcement officer to abate the Nonresidential Building or Structure Code violation located at 408 Hudson Street

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.

Other Items of Business

20. Presentations by Boards and Commissions

- a. Public Transportation and Parking Commission

21. Contract with Brian Wishneff & Associates for the Dickinson Avenue Market and Planning Study

22. Resolution adopting the City of Greenville Local Preference Policy

IX. Comments from Mayor and City Council

X. City Manager's Report

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: 11/7/2013
Time: 7:00 PM

Title of Item: Appointments to Boards and Commissions

Explanation: **Abstract:** The City Council fills vacancies and makes reappointments to the City's Boards and Commissions. Appointments are scheduled to be made to ten of the Boards and Commissions.

Explanation: City Council appointments need to be made to the Greenville Bicycle and Pedestrian Commission, Historic Preservation Commission, Human Relations Council, Investment Advisory Committee, Pitt-Greenville Convention and Visitors Authority, Planning & Zoning Commission, Police Community Relations Committee, Recreation & Parks Commission, Redevelopment Commission, and Youth Council.

Fiscal Note: No direct fiscal impact.

Recommendation: Make appointments to the Greenville Bicycle and Pedestrian Commission, Historic Preservation Commission, Human Relations Council, Investment Advisory Committee, Pitt-Greenville Convention and Visitors Authority, Planning & Zoning Commission, Police Community Relations Committee, Recreation & Parks Commission, Redevelopment Commission, and Youth Council.

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[Muni_Report_Appointments_to_Boards_and_Commissions_914698](#)

Appointments to Boards and Commissions

November 2013

Greenville Bicycle and Pedestrian Commission

Council Liaison: Council Member Calvin Mercer

Name	District #	Current Term	Reappointment Status	Expiration Date
Liz Brown-Pickren	3	First term	Resigned	January 2015
Titus Yancey	2	First term	Did not meet attendance requirement	January 2016

Historic Preservation Commission

Council Liaison: Council Member Marion Blackburn

Name	District #	Current Term	Reappointment Status	Expiration Date
Maury York	3	Unexpired term	Resigned	January 2013

Human Relations Council

Council Liaison: Mayor Pro-Tem Rose Glover

Name	District #	Current Term	Reappointment Status	Expiration Date
Corey Rhodes	5	First term	Resigned	September 2014

Student Representative

Name	District #	Current Term	Reappointment Status	Expiration Date
Available (East Carolina University)		Unexpired Term	Eligible	October 2012

Investment Advisory Committee

Council Liaison: Mayor Allen Thomas

Investment Advisory Committee (continued)

Name	District #	Current Term	Reappointment Status	Expiration Date
David Damm	4	Second term	Ineligible	October 2013

Pitt Greenville Convention & Visitors Authority**Council Liaison:** Mayor Pro-Tem Rose Glover

Name	District #	Current Term	Reappointment Status	Expiration Date
Terry Shank (City – 3)	4	Second term	Resigned	July 2014

- 1: Owners/operators of hotels/motels
 2: Members of tourist or convention-related businesses
 3: Residents not involved in tourist or convention-related business

Planning & Zoning Commission**Council Liaison:** Council Member Max Joyner, Jr.

Name	District #	Current Term	Reappointment Status	Expiration Date
Kevin Burton (<i>Council Member Kandie Smith</i>)	1	First term	Resigned	May 31, 2015

Police Community Relations Committee**Council Liaison:** Mayor Pro-Tem Rose Glover

Name	District #	Current Term	Reappointment Status	Expiration Date
Tom McCullough (<i>Council Member Max Joyner, Jr.</i>)	5	First term	Eligible	October 2013
Wayne Whipple (<i>Council Member Calvin Mercer</i>)	4	First term	Eligible	October 2013

Recreation & Parks Commission

Council Liaison: Council Member Kandie Smith

Name	District #	Current Term	Reappointment Status	Expiration Date
Terry Boardman <i>(Council Member Max Joyner, Jr.)</i>	4	First term	Resigned	May 31, 2015

Redevelopment Commission

Council Liaison: Council Member Dennis Mitchell

Name	District #	Current Term	Reappointment Status	Expiration Date
Chris Mansfield <i>(Council Member Marion Blackburn)</i>	4	First term	Ineligible	November 2013

Youth Council

Council Liaison: Council Member Marion Blackburn

Name	District #	Current Term	Reappointment Status	Expiration Date
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12 Available Spots

Applicants for Greenville Bicycle and Pedestrian Commission

Alicia Speedy
4769 A NC HWY 33 E.
Greenville, NC 27858

Application Date: 10/3/2013

District #: 3

Home Phone:
Business Phone:
Email: aliciaspeedy@gmail.com

Applicants for Historic Preservation Commission

Scott H. Duke
2223-C Locksley Drive
Greenville, NC 27858

Application Date: 2/20/2012

District #: 4

Home Phone:
Business Phone: (252) 328-2950
Email: scotthduke@gmail.com

Dustin Mills
504 Daventry Drive
Greenville, NC 27858

Application Date: 4/9/2012

District #: 5

Home Phone: (919) 480-0791
Business Phone: (252) 558-0207
Email: dmills@pirhl.com

Tyrone O. Walston
2706 Webb Street
Greenville, NC 27834

Application Date: 6/12/2012

District #: 2

Home Phone: (252) 412-7351
Business Phone: (252) 355-8736
Email: walston_tyrone@yahoo.com

Applicants for Human Relations Council

Wanda Carr
2304 British Court
Greenville, NC 27834

Application Date: 10/13/2010

District #: 1

Home Phone: (252) 321-1409

Business Phone:

Email: carrwdc@hotmail.com

Isaac Chemmanam
402 Lochview Drive
Greenville, NC 27858

Application Date: 1/18/2012

District #: 4

Home Phone: (252) 561-8759

Business Phone: (252) 412-2045

Email: isaac.chemmanam@gmail.com

Scott H. Duke
2223-C Locksley Drive
Greenville, NC 27858

Application Date: 2/20/2012

District #: 4

Home Phone:

Business Phone: (252) 328-2950

Email: scotthduke@gmail.com

Aaron Lucier
1516 Thayer Drive
Winterville, NC 28590

Application Date: 2/23/2011

District #: 5

Home Phone: (252) 321-3910

Business Phone: (252) 328-2758

Email: luciera@ecu.edu

Brittney Partridge
925 Spring Forest Road, Apt. 9
Greenville, NC 27834

Application Date: 7/15/2010

District #: 1

Home Phone: (252) 489-8390

Business Phone:

Email: partridgeb06@students.ecu.edu

Travis Williams
3408 Evans Street Apt. E
Greenville, NC 27834

Application Date:

District #: 5

Home Phone: (252) 412-4584

Business Phone:

Email: taft1986@yahoo.com

Applicants for Investment Advisory Committee

Brian Brown
2237 Penncross Drive
Greenville, NC 27834

District #: 5

Will Litchfield
310 Dupont Circle
Greenville, NC 27858

District #: 5

Tyrone O. Walston
2706 Webb Street
Greenville, NC 27834

District #: 2

Application Date: 2/23/2011

Home Phone: (252) 414-3943

Business Phone: (252) 353-7379

Email: bbrown@myrepexpress.com

Application Date: 4/9/2010

Home Phone: (252) 364-2243

Business Phone: (252) 439-1100

Email:

Application Date: 6/12/2012

Home Phone: (252) 412-7351

Business Phone: (252) 355-8736

Email: walston_tyrone@yahoo.com

Applicants for Pitt-Greenville Convention and Visitors Authority (City)

Brian Brown
2237 Penncross Drive
Greenville, NC 27834

Application Date: 2/23/2011

Home Phone: (252) 414-3943
Business Phone: (252) 353-7379
Email: bbrown@myrepexpress.com

District #: 5

DeDe J. Carney
3900 Fernwood Lane
Greenville, NC 27834

Application Date: 10/5/2013

Home Phone: (252) 321-3990
Business Phone: (252) 347-9678
Email: dede@kwgreenville.com

District #: 5

Wanda Carr
2304 British Court
Greenville, NC 27834

Application Date: 10/13/2010

Home Phone: (252) 321-1409
Business Phone:
Email: carrwdc@hotmail.com

District #: 1

Brian Cooper
1149 Mulberry Lane, #34-G
Greenville, NC 27858

Application Date: 3/5/2011

Home Phone: (252) 439-0651
Business Phone: (252) 439-0651
Email: brianevans_99@yahoo.com

District #: 5

Ann Eleanor
102 Lindenwood Drive
Greenville, NC 27834

Application Date: 4/15/2013

Home Phone: (252) 227-4240
Business Phone:
Email: aeleonor@suddenlink.net

District #: 5

Bridget Moore
4128A Bridge Court
Winterville, NC 28590

Application Date: 7/13/2011

Home Phone: (252) 355-7377
Business Phone: (252) 756-1002
Email: bmoore2004@netzero.com

District #: 5

Tyler D Richardson
125 Squire Drive
Winterville, NC 28540

Application Date: 5/1/2013

Home Phone: (704) 641-1449
Business Phone:
Email: tdr0827@gmail.com

District #: 5

Applicants for Planning and Zoning Commission

Cornell Allen
4030 Bells Chapel Road
Greenville, NC 27858

District #: 5

Brian Brown
2237 Penncross Drive
Greenville, NC 27834

District #: 5

Dustin Mills
504 Daventry Drive
Greenville, NC 27858

District #: 5

Bridget Moore
4128A Bridge Court
Winterville, NC 28590

District #: 5

Tyler James Russell
3856 Forsyth Park Ct.
Winterville, NC 28590

District #:

Renee Safford-White
340 Beasley Drive, A3
Greenville, NC 27834

District #: 1

Howard Stearn
2818 Jefferson
Greenville, NC 27858

District #: 3

Uriah Ward
106 Osceola Drive
Greenville, NC 27858

District #: 3

Application Date: 5/8/2011

Home Phone: (252) 215-0486
Business Phone: (252) 258-9718
Email: mrcallen2436@gmail.com

Application Date: 2/23/2011

Home Phone: (252) 414-3943
Business Phone: (252) 353-7379
Email: bbrown@myrepexpress.com

Application Date: 4/9/2012

Home Phone: (919) 480-0791
Business Phone: (252) 558-0207
Email: dmills@pirhl.com

Application Date: 7/13/2011

Home Phone: (252) 355-7377
Business Phone: (252) 756-1002
Email: bmoore2004@netzero.com

Application Date:

Home Phone: (910) 840-0337
Business Phone: (252) 215-4000
Email: tjr@wardandsmith.com

Application Date: 11/1/2011

Home Phone: (252) 752-1029
Business Phone: (252) 744-3070
Email: saffordwhiter@ecu.edu

Application Date: 11/9/2011

Home Phone: (252) 862-6683
Business Phone: (252) 321-1101
Email: howardmstearn@gmail.com

Application Date: 5/7/2013

Home Phone: (252) 565-2038
Business Phone:
Email: uriahward@yahoo.com

Applicants for Police Community Relations Committee

Jumail Blount
1901-A Norcott Circle
Greenville, NC 27834

District #: 2

Isaac Chemmanam
402 Lochview Drive
Greenville, NC 27858

District #: 4

Aaron Lucier
1516 Thayer Drive
Winterville, NC 28590

District #: 5

Howard Stearn
2818 Jefferson
Greenville, NC 27858

District #: 3

Application Date: 4/12/2010

Home Phone: (252) 327-7716

Business Phone: (252) 329-4549

Email: harknot22@yahoo.com

Application Date: 1/18/2012

Home Phone: (252) 561-8759

Business Phone: (252) 412-2045

Email: isaac.chemmanam@gmail.com

Application Date: 2/23/2011

Home Phone: (252) 321-3910

Business Phone: (252) 328-2758

Email: luciera@ecu.edu

Application Date: 11/9/2011

Home Phone: (252) 862-6683

Business Phone: (252) 321-1101

Email: howardmstearn@gmail.com

Applicants for Recreation & Parks Commission

Brian Cooper
1149 Mulberry Lane, #34-G
Greenville, NC 27858

District #: 5

Gordon M Darragh
1300 Oakview Drive
Greenville, NC 27858

District #: 4

Aaron Lucier
1516 Thayer Drive
Winterville, NC 28590

District #: 5

Jan Maclaga
3402 Foxwood Lane
Greenville, NC 27858

District #: 4

Bridget Moore
4128A Bridge Court
Winterville, NC 28590

District #: 5

Al Muller
212 Bristol Court
Greenville, NC 27834

District #: 5

Knox Oakley
3906 Bach Circle
Greenville, NC 27858

District #: 4

Charles H. Pennington

Application Date: 3/5/2011

Home Phone: (252) 439-0651
Business Phone: (252) 439-0651
Email: brianevans_99@yahoo.com

Application Date:

Home Phone: (252) 752-2633
Business Phone: (252) 917-0090
Email: gmdarragh@yahoo.com

Application Date: 2/23/2011

Home Phone: (252) 321-3910
Business Phone: (252) 328-2758
Email: luciera@ecu.edu

Application Date: 5/12/2011

Home Phone: (252) 756-4520
Business Phone:
Email: maclagaj@ecu.edu

Application Date: 7/13/2011

Home Phone: (252) 355-7377
Business Phone: (252) 756-1002
Email: bmoore2004@netzero.com

Application Date: 2/11/2011

Home Phone: (252) 916-5667
Business Phone: (252) 328-6737
Email: axm6737@gmail.com

Application Date: 1/31/2011

Home Phone: (252) 321-6970
Business Phone: (252) 531-2457
Email: k.oakley@tridim.com

Application Date: 6/1/2012

Recreation & Parks Commission continued

100 Hickory Street Apt. C205
Greenville, NC 27858

District #: 3

James Yahnker
413 Beasley Drive, Apt. M-7
Greenville, NC 27834

District #: 1

Home Phone: (252) 830-2092

Business Phone:

Email: chpennington@suddenlink.net

Application Date: 2/28/2011

Home Phone: (252) 758-3291

Business Phone: (252) 847-4400

Email: yahnker06@suddenlink.net

Applicants for Redevelopment Commission

Cornell Allen
4030 Bells Chapel Road
Greenville, NC 27858

District #: 5

Brian Brown
2237 Penncross Drive
Greenville, NC 27834

District #: 5

Wanda Carr
2304 British Court
Greenville, NC 27834

District #: 1

Dustin Mills
504 Daventry Drive
Greenville, NC 27858

District #: 5

Brittney Partridge
925 Spring Forest Road, Apt. 9
Greenville, NC 27834

District #: 1

Tyler D Richardson
125 Squire Drive
Winterville, NC 28540

District #: 5

Application Date: 5/8/2011

Home Phone: (252) 215-0486
Business Phone: (252) 258-9718
Email: mrcallen2436@gmail.com

Application Date: 2/23/2011

Home Phone: (252) 414-3943
Business Phone: (252) 353-7379
Email: bbrown@myrepexpress.com

Application Date: 10/13/2010

Home Phone: (252) 321-1409
Business Phone:
Email: carrwdc@hotmail.com

Application Date: 4/9/2012

Home Phone: (919) 480-0791
Business Phone: (252) 558-0207
Email: dmills@pirhl.com

Application Date: 7/15/2010

Home Phone: (252) 489-8390
Business Phone:
Email: partridgeb06@students.ecu.edu

Application Date: 5/1/2013

Home Phone: (704) 641-1449
Business Phone:
Email: tdr0827@gmail.com

Applicants for Youth Council

Taylor Clark
2703 Carlisle Ct.
Greenville, NC 27858

Application Date: 5/1/2013

Home Phone: (252) 258-1575

Business Phone:

Email: taylorclark0213@gmail.com

District #: 4



City of Greenville, North Carolina

Meeting Date: 11/7/2013
Time: 7:00 PM

Title of Item: Schedule special City Council meeting to be held on Monday, November 18, 2013, at 6:00 p.m. in the Council Chambers at City Hall

Explanation: The City Council is asked to consider scheduling a special meeting on Monday, November 18, 2013, at 6:00 p.m. in the Council Chambers at City Hall for ceremonial purposes to recognize outgoing City Council Members. The meeting will immediately precede the farewell reception, which will be held in the Third Floor Gallery at City Hall.

Fiscal Note: There is no direct cost to the City for the special meeting.

Recommendation: Schedule a special meeting on Monday, November 18, 2013, at 6:00 p.m. in the Council Chambers at City Hall.

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City of Greenville, North Carolina

Meeting Date: 11/7/2013
Time: 7:00 PM

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- Title of Item:** Minutes from the April 11, 2013, and May 6, 2013, City Council meetings
- Explanation:** Proposed minutes from City Council meetings held on April 11, 2013, and May 6, 2013, are presented for review and approval by the City Council.
- Fiscal Note:** There is no direct cost to the City.
- Recommendation:** Review and approve proposed minutes from City Council meetings held on April 11, 2013, and May 6, 2013.
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- [Proposed Minutes of April 11 2013 City Council Meeting_962192](#)
 - [Proposed Minutes of May 6 2013 City Council Meeting_966184](#)
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PROPOSED MINUTES
MEETING OF THE CITY COUNCIL
CITY OF GREENVILLE, NORTH CAROLINA
THURSDAY, APRIL 11, 2013



A regular meeting of the Greenville City Council was held on Thursday, April 11, 2013 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 7:00 pm. Mayor Pro-Tem Rose Glover gave the invocation, followed by the Pledge of Allegiance.

Those Present:

Mayor Allen M. Thomas, Mayor Pro-Tem Glover, Council Member Kandie Smith, Council Member Marion Blackburn, Council Member Calvin R. Mercer, Council Member Max R. Joyner, Jr. and Council Member Dennis J. Mitchell

Also Present:

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

APPROVAL OF THE AGENDA

City Manager Barbara Lipscomb stated the resolution to close a portion of Seventh Street needs to be continued to May 9, 2013 and she reported that the ordinance requested by PIRHL Development, LLC to amend the Future Land Use Plan Map for property located between Turnbury Drive and Smythewyck Drive and east of Arlington Boulevard has been voluntarily withdrawn by the requestor. She further noted that the City Council voted on April 8, 2013 to postpone its scheduled discussion on the Greenville-Pitt County Chamber of Commerce's Contract for Services to this meeting because their Director was out of town on Monday.

Upon motion by Council Member Joyner and second by Council Member Mercer, the agenda, inclusive of changes referenced by City Manager Lipscomb, was approved by unanimous vote.



SPECIAL RECOGNITIONS

ECU MEN'S BASKETBALL TEAM - CIT CHAMPIONS

Mayor Thomas introduced East Carolina University (ECU) Head Coach Jeff Lebo and Assistant Director of Athletics J. J. McLamb, congratulating them on the ECU Men's Basketball Team's win of the Collegiate Invitational Tournament.

Coach Lebo showed a short video, depicting highlights of the team's season, after which Mayor Thomas read and presented a proclamation recognizing their achievements and establishing April 12, 2013 as ECU Pirate's Men's Basketball Day.

APPOINTMENTS

AFFORDABLE HOUSING LOAN COMMITTEE

Council Member Smith made a motion to reappoint Melissa Grimes to a second three-year appointment that will expire February 2016. Council Member Joyner seconded the motion, which carried unanimously.

COMMUNITY APPEARANCE COMMISSION

Council Member Calvin Mercer made a motion to reappoint Myron Caspar to a second three-year term that will expire April 2016, reappoint Jeffrey Johnson to a first three-year term expiring April 2016, and reappoint Fred Wright to a first three year term expiring April 2016. Council Member Joyner seconded the motion, which carried unanimously.

ENVIRONMENTAL ADVISORY COMMISSION

Council Member Blackburn continued the appointment of James Holley's and Laura Williamson's seats, both of whom did not seek a second term.

HISTORIC PRESERVATION COMMISSION

Council Member Blackburn continued the appointment of Ann Schwarzmann's seat, who did not seek a second term, and Richard Weir's seat, who had resigned.

HUMAN RELATIONS COUNCIL

Mayor Pro-Tem Glover continued the appointment of Geoffrey Kenan's seat, who was no longer eligible to serve, and the East Carolina University seat.



PITT-GREENVILLE CONVENTION & VISITORS AUTHORITY

Mayor Pro-Tem Glover continued the replacement of Joseph Fridgen's seat, who had resigned.

PUBLIC TRANSPORTATION & PARKING COMMISSION

Council Member Mercer continued the appointment of Adam Lawler's seat, who had resigned.

RECREATION & PARKS COMMISSION

Council Member Mercer continued the appointment of Brian Jacob's seat, who had resigned.

REDEVELOPMENT COMMISSION

Council Member Smith continued the appointment of Dana Coles' seat, who had resigned.

YOUTH COUNCIL

Council Member Blackburn continued the appointments due to lack of applicants.

NEW BUSINESS

PUBLIC HEARINGS

(CONTINUED TO MAY 9, 2013) RESOLUTION TO CLOSE A PORTION OF SEVENTH STREET

ORDINANCE REQUESTED BY COLLICE C. MOORE TO REZONE 4.6466 ACRES LOCATED AT THE TERMINUS OF NORTH CREEK DRIVE AND 350+ FEET WEST OF NORTHWOODS SUBDIVISION FROM RA20 (RESIDENTIAL-AGRICULTURAL) TO (I) INDUSTRY

Planner Chantae Gooby stated Collice C. Moore has requested to rezone 4.6466 acres located at the terminus of North Creek Drive and 350± feet west of Northwoods Subdivision from RA20 (Residential-Agricultural) to I (Industry). The subject area is located in Vision Area E.

According to Ms. Gooby, Martin Luther King, Jr. Highway/Greenville Boulevard, between East 14th Street and North Memorial Drive, is considered a connector corridor. Connector corridors are anticipated to contain a variety of higher intensity activities and uses. Old Creek Road is considered a residential corridor. Along residential corridors, service and retail activities should be specifically restricted to the associated focus area and linear



expansion should be prohibited. There is a designated intermediate focus area at the intersection of Martin Luther King, Jr. Highway and Old Creek Road.

Ms. Gooby stated the Future Land Use Plan Map recommends commercial (C) at the southwest corner of Martin Luther King, Jr. Highway and Old Creek Road transitioning to industrial (I) to the northeast and south with conservation/open space (COS) as a buffer to the interior very low density residential (VLDR). 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.

The Comprehensive Plan specifically states "Growth and Development Goal Statement: Manage the physical development of Greenville to protect its resources and simultaneously promote responsible industrial and retail growth."

Industrial development should be located adjacent to and/or with direct access to major thoroughfares. Good neighbor industries will be permitted with proper buffering and environmental mitigation. Industries that produce excessive noise, pollution, vibrations, light or other public nuisances should not be located near residential areas. Office/institutional/multi-family development should be used as a buffer between light industrial and commercial development and adjacent lower density residential land uses.

Ms. Gooby stated that adequate conservation/open space buffers should be provided between areas designated for residential development, as indicated on the future land use map, and any adjacent non-residential land use where a zone transition buffer, such as O to OR, is not a practical option.

Based on the analysis comparing the existing zoning (191 trips) and requested zoning, the proposed rezoning classification could generate 111 trips to and from the old site on North Creek Drive, which is a net decrease of 80 trips per day. Since the traffic analysis for the requested rezoning indicates that the proposal would generate less traffic than the existing zoning, a traffic volume report was not generated.

In 1972, the subject property was incorporated into the City's extra-territorial jurisdiction (ETJ) and was zoned RA20 (Residential-Agricultural). The property is currently vacant and contains no known historical effects.

Surrounding land uses and zoning are as follows:



North: CH – Vacant
South: CH – Agri Supply
East: RA20 – Vacant, under common ownership of applicant
West: CH – Agri Supply

Ms. Gooby stated under the current zoning (RA20), staff would anticipate the site to yield no more than 20 single-family lots. Under the proposed zoning (I), the site could yield 44,529+/- square feet of warehouse/mini-storage/industrial. The anticipated build-out is 1-2 years.

Ms. Gooby stated that, in staff's opinion, the request is in general compliance with Horizons: Greenville's Community Plan, which should be construed as meaning the requested rezoning is recognized as being located in a transition area and that the requested rezoning (1) 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, (2) is complementary with objectives specifically recommended in the Horizons Plan, (3) is not anticipated to create or have an unacceptable impact on adjacent area properties or travel ways, and (4) 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.

Ms. Gooby stated that the Planning and Zoning Commission voted to approve the request at its March 19, 2013 meeting.

Mayor Thomas declared the public hearing for the proposed rezoning open at 7:27 pm and invited anyone wishing to speak in favor to come forward.

Ken Malpass – No Address Given

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

Hearing no one else wishing to comment in favor of the application to rezone, Mayor Thomas invited comment in opposition. Hearing none, Mayor Thomas closed the public hearing at 7:28 pm.

Council Member Mercer moved to adopt the ordinance to rezone 4.6466 acres located at the terminus of North Creek Drive and 350± feet west of Northwoods Subdivision from RA20 to I. Council Member Mitchell seconded the motion, which passed by unanimous vote.



(WITHDRAWN BY REQUESTOR) ORDINANCE REQUESTED BY PIRHL DEVELOPMENT, LLC TO AMEND THE FUTURE LAND USE PLAN MAP FROM A COMMERCIAL (C) CATEGORY TO AN OFFICE/INSTITUTIONAL/MULTI-FAMILY (OIMF) CATEGORY FOR THE PROPERTY LOCATED BETWEEN TURNBURY DRIVE AND SMYTHEWYCK DRIVE AND BEING 230+ FEET EAST OF EAST ARLINGTON BOULEVARD, CONTAINING 4.3 ACRES

ORDINANCE INITIATED BY FLEMING SOLAR CENTER, LLC, TO AMEND THE ZONING ORDINANCE TO CREATE STANDARDS FOR SOLAR ENERGY FACILITIES AS A SPECIAL USE IN THE RA-20 (RESIDENTIAL-AGRICULTURAL) DISTRICT

Lead Planner Andy Thomas stated the City of Greenville and Pitt County have received inquiries about solar energy facilities. There were no regulations for this type of use in either jurisdiction. Fleming Solar Center, LLC has applied for a text amendment in both jurisdictions. Pitt County's ordinance was submitted ahead of the City of Greenville's text amendment, so there has been collaboration in establishing essentially the same standards for both jurisdictions. Some of the standards include:

- Solar Energy Facilities will be set back a minimum of 50 feet from property lines and 100 feet from any residence. Inverters shall be a minimum of 150 feet from any residence. There is a noise level requirement of 40 db at the property line.
- Maximum of 25 feet in height.
- Ten foot buffer yard with a minimum of 9 evergreen trees or shrubs per 100 linear feet.
- Security fence of 6 feet in height. Security lighting shall be directed onto their premises.

Mr. Thomas stated the use will only be allowed in the RA-20 (Residential-Agricultural) district with a Special Use Permit issued by the Board of Adjustment on a site with a minimum of 30 acres. The standards should be sufficient to allow the requested use and protect the public interest. The Planning and Zoning Commission voted to approve the request at its March 19, 2013 meeting.

Council Member Joyner asked how many such facilities would be allowed within the City. Mr. Thomas stated there was no limit on the number, but there were limited areas within the City where such a facility would fit.

Council Member Blackburn asked if there should be any concern about having these types of facilities too closely spaced. Mr. Thomas stated that staff is comfortable with the regulations proposed and feels that they effectively safeguard the public interest.



Mayor Thomas declared the public hearing open at 7:36 pm and invited comment in favor of the requested text amendment.

Kyle West – HelioSage Energy, Charlottesville, WV

Mr. West stated that proximity won't be an issue because the circuitry can only take a certain number of megawatts before becoming prohibitively expensive. He then gave a short video presentation to better explain the technology involved and program objectives. He stated the industry is booming in North Carolina due to state tax credits. There is no negative impact on nature because no hazardous materials are involved. The panels do get warm, so they will melt snow, but do not impact the ground surrounding them.

Council Member Joyner asked to whom the resulting electricity is sold and if this would be in competition with the Greenville Utilities Commission (GUC).

Mr. West stated energy harvested from farms in Greenville would be sold to the North Carolina Eastern Municipal Power Agency (NCEMPA). GUC is a member of NCEMPA, so they would make money from the process.

Council Member Joyner asked about the pricing structure. Mr. West stated price is based on voided cost, which means the cost to generate from any other source – the cheapest option – is calculated and that is the rate paid. Money also comes from state and federal tax credits. The State credit is taken over 5 years and offsets 50% of liability. The Federal tax credit is 30%.

Council Member Joyner asked about restrictions around an airport. Mr. West stated there is a lengthy and difficult review process through the Federal Aviation Administration.

Council Member Joyner asked about property tax, to which Mr. West replied there is an 80% property tax credit in North Carolina for energy generation.

Council Member Joyner asked about the impact on stormwater. Mr. West stated there is a review process, but the farms have no impervious surfaces.

Council Member Joyner asked who cleans up the panels once they're reached their lifespan. Mr. West replied his company does as part of their agreement.

Mayor Thomas invited anyone else wishing to address the City Council to come forward. Hearing no one, Mayor Thomas closed the public hearing at 7:57 pm.

Upon motion by Council Member Blackburn and second by Council Member Mitchell, the City Council voted unanimously to adopt the ordinance to amend the Zoning Ordinance to create standards for solar energy facilities as a special use in the RA-20 district.



ORDINANCE AMENDING THE FLOOD DAMAGE PREVENTION SECTION OF THE ZONING ORDINANCE

Civil Engineer II Tim Corley stated the National Flood Insurance Program (NFIP) was created by Congress in 1968 to reduce the loss of life and property and the rising disaster relief costs caused by flooding. The NFIP is a voluntary program based on a mutual agreement between the federal government and the local community. The City of Greenville became an emergency member of the NFIP on January 15, 1974. The Federal Emergency Management Agency (FEMA) published the first Flood Hazard Boundary Map for the City of Greenville on June 14, 1974, and this map was replaced on July 3, 1978, with a detailed Flood Insurance Study (FIS) and accompanying Flood Insurance Rate Maps (FIRM) when the City became a participating member.

After the devastation of Hurricane Floyd in 1999, the State of North Carolina partnered with FEMA as the first Cooperating Technical State. This partnership was established to update the Flood Insurance Studies for all 100 counties in North Carolina. On January 2, 2004, the revised study for Pitt County, which includes all of the communities within the county, was published by FEMA and adopted by the City. The North Carolina Floodplain Mapping Program continues to update the Flood Insurance Studies.

Mr. Corley stated on April 16, 2013, FEMA will publish an updated Flood Study for Greene County. This study also includes several streams in Pitt County. On the same date, FEMA will publish an update to the Flood Study for Pitt County. The City of Greenville is required to adopt the revised Flood Insurance Study and its accompanying Flood Insurance Rate Maps to remain a member in good standing in the National Flood Insurance Program.

According to Mr. Corley, within the City of Greenville's jurisdiction, there are 1,102 flood insurance policies in force insuring \$229,250,200 of property. There have been 381 claims since 1978, with total losses paid of \$17,891,870. Mr. Milton Carpenter with the NC Department of Public Safety, NC Floodplain Mapping Program, has assisted City staff with the proposed Zoning Ordinance text amendment. Over the last several years, the North Carolina Floodplain Mapping Program has been working on a countywide update to the Pitt County Flood Insurance Study. Staff expects FEMA to publish the revised countywide Flood Study by the end of 2013. The City will be required to adopt the revised study by the effective date.

Mr. Corley stated the Planning and Zoning Commission voted on March 19, 2013 to recommend approval of the Zoning Ordinance text amendment relating to Flood Damage Prevention.



Mayor Thomas declared the Public Hearing open at 8:02 pm and invited anyone wishing to speak in favor of the text amendment to come forward. Hearing no one, Mayor Thomas invited comment in opposition. Also hearing no one, Mayor Thomas closed the public hearing at 8:03 pm.

Upon motion by Council Member Mitchell and second by Council Member Blackburn, the City Council voted unanimously to adopt the ordinance to amend flood damage prevention section of the Zoning Ordinance.

PUBLIC COMMENT PERIOD

Mayor Thomas opened the public comment period at 8:04 pm and explained procedures to be followed by anyone who wished to speak. There being no citizens present who wished to address the City Council, Mayor Thomas closed the Public Comment period at 8:05 pm.

OTHER ITEMS OF BUSINESS

RESOLUTION REQUESTED BY COLLICE C. MOORE FOR AN EXTENSION OF THE CITY OF GREENVILLE'S EXTRA-TERRITORIAL JURISDICTION (ETJ) FOR PROPERTY IDENTIFIED AS NORTH CREEK COMMERCIAL PARK

Lead Planner Andy Thomas stated that when the City of Greenville extended its Extra-Territorial Jurisdiction (ETJ) in 1972, it established the boundary in this area as being 1,000 feet east of the right-of-way of US 264. This boundary was drawn irrespective of property lines. Consequently, some properties were split by this boundary, and this property is one that was split.

The property owner desires to have the remainder of their property included within the City of Greenville's ETJ for consideration of future development. It is likely that future property uses would require city sewer, requiring voluntary annexation. The inclusion of this property would allow the property owner the opportunity to pursue a City zoning classification so the property can be marketed.

Mr. Thomas stated Pitt County has established a procedure for ETJ extensions that begins with a municipality sponsoring the request. The Greenville City Council is being asked to sponsor this request through the adoption of a resolution. The request will be forwarded to the Pitt County Planning Department, who will send it to their Planning and Zoning Commission and Board of Commissioners for consideration. If the application is successful, it will return to the City of Greenville Community Development Department so the request can be forwarded to the Planning and Zoning Commission and back to City Council for



final consideration.

Upon motion by Council Member Joyner and second by Council Member Mitchell, the City Council voted unanimously to adopt the resolution requesting the Pitt County Board of Commissioners agree to the requested extension of the City's ETJ.

(ADDED) DISCUSSION ON CONTRACT FOR SERVICES WITH THE GREENVILLE-PITT COUNTY CHAMBER OF COMMERCE

Mayor Pro-Tem Glover stated she'd asked for this discussion to be on the agenda because, in the 14 years she has been on City Council, she couldn't recall having ever been provided with a copy of the Chamber's annual report. She said she asked Chamber President Susanne Sartelle about the reports and was told that copies were provided each year to the City Manager and the Mayor. She knows the purpose of the Chamber is to protect the interests of the business community as a whole.

Mayor Pro-Tem Glover stated she is not on a witch hunt, but seeking information because she has had questions from her constituents about how much money the City actually pays to the Chamber and how citizens benefit from that. She stated she has reviewed the contract and asked that Ms. Sartelle come forward to address questions.

Mayor Pro-Tem Glover stated she has had questions from business owners in the minority communities and would like Ms. Sartelle to address the Chamber's role based on dues paid by the City each year.

Ms. Sartelle stated the Greenville-Pitt County Chamber of Commerce is a 5-star accredited Chamber and only 19% of chambers in the nation have been able to achieve that rating. Their achievement is a testament to Greenville's strong business community. She stated the Chamber's mission is to build the strongest business climate in Eastern North Carolina. They work in the areas of advocacy, economic development, workforce development, connectivity and information, and collaboration. The Chamber finds that collaborating with local elected boards, as well as appointed boards and other entities, is very beneficial. The Chamber often finds itself in the role of convener, bringing together a group of organizations who have the expertise to get a project done.

Regarding the annual report, Ms. Sartelle stated it is traditionally sent to the City Manager in July each year, and copied to the Mayor. She stated she was under the assumption it had been provided to the City Council as part of a larger package.

As for Mayor Pro-Tem Glover's comment that she'd had questions from minority business owners, Ms. Sartelle stated they were one of the founding partners of the Minority Business Roundtable, along with the City and Greenville Utilities. At first, this group was mostly a



committee, but the core of people involved decided they would like to establish a 501(c)(3) non-profit and the Chamber helped to set that up.

Ms. Sartelle introduced Bessie Barnes, who is the Chamber's Director of Accounting and Database Management, as well as their staff's liaison to the Minority Business Roundtable. She said the Chamber has invested much effort into the success of this group and Bessie does their bookkeeping and financial reporting, and is about to become their Treasurer. Ms. Sartelle then offered to address any other questions Mayor Pro-Tem Glover or others might have.

Council Member Smith said she'd been asked similar questions to those asked of Mayor Pro-Tem Glover. She knows the contract covers workforce and economic development, the dinner for Fire and Law Enforcement professionals, the Community Unity Breakfast and to help promote Minority Business Council. But the City also pays dues of a little over \$4,000. She asked what the City gets for those dues.

Ms. Sartelle stated that dues are based on an organization's size and go toward collaboration to help build a strong and attractive business workplace. Some of the Chamber's members are one-man shops that pay \$300-\$400 annually and others are large corporations that pay above \$10,000 annually. The dues are an investment in building the strongest business climate in Eastern North Carolina. It supports the greater good, which is what all of the Chamber's investors are participating in through their membership dues.

Council Member Smith stated people are concerned about diversity, and that the collaboration and advocacy of the Chamber is a concern in the minority community. Many people have told her they used to be members of the Chamber but did not feel supported once they'd had their ribbon cutting. People feel that the Chamber offers more support to members paying the greatest amount in dues and that minority businesses do not appear to be included in leadership classes. They don't feel their feedback is utilized. Most agree the Community Unity Breakfast is a worthwhile event, but they don't want it to be just a "feel good" event. It is promoted as a Day of Service, but there are no plans for what to do after the breakfast.

Ms. Sartelle stated the breakfast takes months of work to put together and over 300 people attend. It is an amazing event, but the Chamber is a business-oriented organization. They are not likely to put together community service projects unless they are somehow affiliated with a growth initiative; however, there are a couple of service projects annually through the Chamber's Young Professionals Group.

Council Member Smith asked how the Minority Business Roundtable is promoted. Many people have never heard of it. Ms. Sartelle stated that businesses are told when they join



the Chamber, and that it is promoted on the City Page and published in the Chamber's newsletter.

Mayor Pro-Tem Glover asked about the Chamber's role in economic development. Ms. Sartelle stated they are a critical partner, bringing parties together to get things done. Their economic development study report will be available in a couple weeks.

Council Member Mercer said he views the relationship between the City and the Chamber as vital, with the Chamber providing the context for businesses to flourish.

Council Member Joyner agreed that the City needs to partner with the Chamber and suggested that perhaps the Chamber should be included in the groups that provide annual reports to the City Council at their meetings.

Council Member Smith stated the Branding Study had cited K-12 as a problem for the area and the Chamber had indicated plans to assist in that area. She asked what the Chamber proposes.

Ms. Sartelle stated you can't separate education from Economic Development. She cited their OASIS (Organizations/Businesses Assisting Schools in Success) program, which is a county-wide program sponsored jointly by the Greenville-Pitt County Chamber of Commerce and Pitt County Schools, designed to encourage and recognize organizations and businesses for their volunteer efforts and resource contributions.

There being no further questions from the City Council, Ms. Sartelle thanked the City for its partnership with the Chamber and for giving them to opportunity to be of service to Greenville's business community.

PARKING RECOMMENDATIONS OF THE UNIVERSITY NEIGHBORHOOD REVITALIZATION INITIATIVE (UNRI) COMMITTEE

Community Development Director Merrill Flood stated at its March 19, 2013 meeting, the University Neighborhood Revitalization Initiative (UNRI) Committee approved two parking-related items for recommendation to the City Council by a vote of 5 to 1, preferably with implementation to coincide with the beginning of the Fall 2013 semester at East Carolina University. Those items for consideration included:

- Development of rear yard surface and screening parking standards for dwellings in the overlay district which would limit the number of vehicles on site to four and require parking to be on an improved surface with property screening.
- Establishment of on-street parking areas within the overlay district for controlled residential parking for residents of the overlay district only.



Mr. Flood stated the Committee's recommendations have been reviewed by the Public Works Department and the Police Department as they would be responsible for implementation and administration of the recommended actions. There will be additional action steps and budgetary considerations that will have to be developed in advance of implementation if City Council approves the actions, as well as a possible need for some phasing of the controlled parking access plans in order to give the Public Works Department time to make the needed striping and signage changes.

Council Member Mercer asked whether the Public Transportation and Parking Commission has reviewed the Committee's recommendation. Mr. Flood stated they have not yet done so.

Council Member Blackburn stated that even though this was the recommendation of the Committee, there was considerable disagreement on the panel with concerns being expressed related to public transportation and backyard or in-yard parking. She asked if driveways are included. Mr. Flood stated they are included.

Council Member Mitchell asked Mr. Flood if anyone had expressed concerns to him. Mr. Flood stated he'd had an email from a concerned committee member, but had heard nothing from residents in the area.

Council Member Joyner stated the matter was discussed for a month before the Committee voted, so there was an opportunity for public input. He asked if Mr. Flood approves of the idea. Mr. Flood stated Public Works and Police are most affected and they would like to have time for further review.

Council Member Blackburn stated she feels this item is moving too quickly. She offered a motion to delay a final decision on this matter until the UNRI Committee has prepared its final report with all recommendations.

Council Member Mercer seconded the motion, offering a friendly amendment to have input from the Public Transportation and Parking Commission before returning to the City Council for a final vote. Council Member Blackburn accepted the amendment.

City Attorney Dave Holec pointed out that Council Member Blackburn's motion is to take no action until all Committee recommendations are finalized, so this will prevent the recommendation from being reviewed by the Public Transportation and Parking Commission until all recommendations are ready. Council Member Mercer said he feels all recommendations should be reviewed by that committee.



Council Member Joyner expressed concern that this item should be under review by Public Transportation and Parking while Public Works and Police conduct their reviews. He stated he would love to see a plan in place by the time students return to school for the Fall semester. The Committee has a full 12 months to complete their final recommendation and he does not want to see this delayed until next year.

Council Member Mitchell stated he was surprised to see this on the agenda because he has had no feedback from residents about it. He stated on face value, it seems like a good plan.

Following a general debate on the topic, the vote on the motion to set aside parking recommendations of the UNRI Committee until their final report, then refer all parking-related issues to the Public Transportation and Parking Commission for input resulted in a 3 to 3 tie with Council Members Smith, Mercer and Blackburn voting for the motion and Mayor Pro-Tem Glover and Council Members Joyner and Mitchell voting against. Mayor Thomas broke the tie, voting against the motion, which failed by a final vote of 4 to 3.

Council Member Mitchell moved to move forward on the UNRI Committee's recommendation with the expectation of input from Public Transportation and Parking and the understanding that a letter will be sent to both neighborhood associations requesting their formal input before the formal plan is brought to City Council for consideration in June 2013. He stated his motion was not an indication that he favors the plan, although he feels it looks good at face value, but rather a means of moving the process forward.

Council Member Joyner seconded the motion, stating the he is also unsure of whether he is for or against the plan at present, but he wants the process to move forward.

The City Council approved Council Member Mitchell's motion by a vote of 4 to 2, with Council Members Blackburn and Mercer casting the dissenting votes.

GOOD ROADS INITIATIVE

Mayor Allen Thomas stated he requested this discussion, after much community input, because he has an interest in moving forward in 2013 with resurfacing of key Greenville roads in need of repair. He stated he is also interested in the City developing a long-term plan and strategy to regularly resurface. He said it is important to improve on the current deteriorating 75-year cycle to the best practice of a 30-year cycle. A community's success is rooted in its underlying infrastructure. If it is failing, there is a domino effect. He said he supports a \$3.5 million investment to get this going this year.

City Manager Lipscomb stated staff plans to present a road plan to the City Council at one of its May meetings. In terms of budget, staff is building a model with more monies for road improvements and they are planning for an enhanced amount of money for this year.



Following a general discussion of infrastructure needs and available funding sources, Mayor Thomas stated he would appreciate a motion, perhaps not with a specific dollar value, to make a serious commitment to the good roads initiative.

Council Member Joyner moved to approve Mayor Thomas' recommendation to make a serious commitment to moving forward on a good roads initiative. Council Member Mitchell seconded the motion, which passed by unanimous vote.

TAR RIVER STUDY

Council Member Mitchell stated he asked for this discussion to take a very comprehensive look at the Tar River. It's a valuable asset through the center of the city but there are only a few places where it can be seen. The river must be protected, and used for development opportunity and ecotourism. He proposed a long-term study in which stakeholders throughout the community would be involved in discussion on how to preserve, promote development, and promote ecotourism.

Council Member Mitchell then moved to direct staff to proceed in initiating a comprehensive study of the entire Tar River within the City limits which addresses river preservation, promotes development and promotes ecotourism. Council Member Blackburn seconded the motion, which passed by unanimous vote.

PAPERLESS POLICY

Council Member Mitchell stated he requested this item be placed on the City Council agenda for discussion because he was astonished, when first elected, to discover that someone drove to elected officials' homes twice weekly to deliver their materials in an age of technology where information moves endlessly. He acknowledged that the number of weekly deliveries has reduced to just one since iPads were issued to Council Members, but stated he is still concerned about the multitude of wasted resources involved in the current process. He stated he had developed a policy to address these concerns and moved that the City Council consider adoption of the following:



City Council Paperless and Efficient Operations Policy

The Greenville City Council seeks to operate in a manner that is cost effective and environmentally friendly. The Greenville City Council recognizes that current and emerging technology will allow for more streamlined and electronic operations to save both time and money. In accordance with these stated objectives, the following procedures will provide for timely, efficient, and cost-effective dissemination of information to City Council Members:

- A. Except as otherwise provided in this policy, all information that needs to be distributed to the City Council will be provided through electronic means only, to include Council notes, agendas, and agenda materials.
- B. It is the responsibility of each member of City Council to check her or his mailbox as needed to eliminate weekly home delivery of mail.
- C. The City Manager, City Attorney, or City Clerk will give Council Members notification of confidential and/or time-sensitive information that they placed in the mailboxes of each member of City Council and that needs to be picked up if it cannot be delivered by electronic means.
- D. Electronic tablets are provided out of the City Council budget. Training and support of the devices will be provided by the Information Technology Department on an initial and as-needed basis.
- E. The City Council will operate this policy in accordance with the Americans with Disabilities Act by providing reasonable accommodations to those who

Council Member Mitchell stated he thought Council Member Blackburn might want to offer some amendment, but stressed he feels this step is important because of the volume of wasted paper, toner, staff time, gas and the related vehicle maintenance. He stated the Information Technology (IT) Department is on board with his suggested policy, and the City Manager would be allowed some flexibility for items that may need to be delivered quickly.

Council Member Joyner seconded Council Member Mitchell's motion.



Council Member Blackburn stated she applauds the initiative, but the seven members of the City Council are such a small part of the City's usage that to move forward without a comprehensive look at this is a concern to her. She stated she still wants letters, correspondence and other mail sent to her home, and she wants Council Members to have the flexibility to request paper forms of documents. She moved to amend Council Member Mitchell's motion to add "By individual request, Council Members may have their letters, correspondence and other documents sent by mail to their home" added to Item B, to add "When necessary to provide Council Members with important information within a short time frame, info can be delivered to the home at the discretion of the City Manager, as has been standard practice" as a new Item C and add "As needed, Council Members may request paper forms of documents which may be mailed to their home in a timely fashion" as a new Item E, with remaining items renumbered as necessary.

Council Member Blackburn stated the purpose of her additions is to provide some flexibility so the City Council is not limited in any way in their ability to do the work they need to do. She said she did not want this City Council to establish a barrier to future City Councils.

Council Member Mercer seconded Council Member Blackburn's motion to amend.

Council Member Mitchell stated some of Council Member Blackburn's points are good, but he prefers they remain separate from his policy.

Council Member Joyner suggested staff be directed to evaluate and bring back a recommendation. He said he feels this should be a goal for the entire City and he would like to see data on potential cost savings. He stated he is the least computer-friendly person one could hope to meet, but he is willing to learn. He expressed concern that Council Member Blackburn's amendment only serves to take the teeth out of Council Member Mitchell's motion.

Council Member Mitchell stated he would not oppose a review, but he feels the City's goal was to be paperless long ago. He stated he prefers to move forward, suggesting the ongoing transition to new software may be a good time to look at this. He suggested perhaps the IT Director could discuss feasibility.

Information Technology Director Rex Wilder stated the new software deals mainly with financials and human resources issues. He stated that internally – department to department – less paper generation is preferred. The IT Department is already trying to drive users toward shared printers and central copiers.



Council Member Blackburn stated she agrees with Council Member Joyner's suggestion that this should be a goal for the entire City and that perhaps it would be prudent to direct staff to evaluate and return with a more comprehensive and flexible policy. She moved to table the matter until such a policy could be developed; however, the motion to table died for lack of a second.

Following a general discussion, the City Council voted unanimously to approve the amendment to Council Member Mitchell's motion.

On the original motion as amended, the City Council voted 5 to 1 to approve. Council Member Blackburn cast the dissenting vote, stating that in spite of her suggested amendments, she still feels the majority of the Council is telling her she can't get a printed report and hindering her from doing her job as a Council Member.

COMMENTS FROM MAYOR AND CITY COUNCIL

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

CITY MANAGER'S REPORT

City Manager Lipscomb reminded the City Council of the budget workshop scheduled for Monday, April 15, 2013 at 6:00 pm in the Council Chambers.

ADJOURNMENT

Council Member Smith moved to adjourn the meeting, seconded by Council Member Mercer, and Mayor Thomas adjourned the meeting at 10:57 pm.

Respectfully submitted,

Carol L. Barwick, CMC
City Clerk

PROPOSED MINUTES
MEETING OF THE CITY COUNCIL
CITY OF GREENVILLE, NORTH CAROLINA
MONDAY, MAY 6, 2013



The Greenville City Council met in a regular meeting on the above date at 6:00 p.m. in the City Council Chambers, third floor of City Hall, with Mayor Allen M. Thomas presiding. The meeting was called to order, followed by the invocation by Council Member Marion Blackburn and the Pledge of Allegiance to the flag.

Those Present:

Mayor Allen M. Thomas; Mayor Pro-Tem Rose H. Glover; Council Member Kandie D. Smith; Council Member Marion Blackburn; Council Member Calvin R. Mercer; Council Member Max R. Joyner, Jr.; and Council Member Dennis J. Mitchell

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 Council Member Blackburn and seconded by Mayor Pro-Tem Glover to add reconsideration of elements of the paperless policy as an agenda item for discussion this evening. After discussion, this motion was withdrawn by Council Member Blackburn and Mayor Pro-Tem Glover, and motion was made by Council Member Blackburn and seconded by Mayor Pro-Tem Glover to add reconsideration of elements of the paperless policy to the agenda for discussion at the May 9, 2013 City Council meeting. The motion passed with a 5:1 vote. Mayor Pro-Tem Glover and Council Members Blackburn, Mitchell, Smith and Mercer voted in favor of the motion and Council Member Joyner voted in opposition.

Motion was made by Council Member Blackburn and seconded by Council Member Mercer to approve the agenda. Motion carried unanimously.

PUBLIC COMMENT PERIOD

Henry Williams – 911 Allen Road

Mr. Williams stated that while driving from Winterville to Greenville, he was stopped and approached by a Greenville police officer who asked for his and his wife's drivers licenses



and his vehicle registration, but the police officer did not give an explanation for stopping him. His attitude was negative, he did not identify himself and his badge was covered. Everyone is not qualified to be a police officer, this police officer is not capable of dealing with the public and his gun and badge should be given to the Chief of Police.

Don Williams, 800 River Hills Drive

Mr. Williams announced that the Greenville Rec Run 5K is scheduled for Saturday, May 11, 2013, 8:00 a.m. at the H. Boyd Lee Park and registration starts at 7:00 a.m. Mr. Williams recognized the Mayor and City Council Members for being athletic and participating in Run 5Ks regularly and walking in the Greenways. He shared his experience in participating in a high school Run 5K and how he ended up at the starting point twice instead of the finishing line and was humorously considered the winner of the race.

Chip Pennington, 100 Hickory Street

Mr. Pennington stated that without the World War I and World War II veterans, the citizens of Greenville would not be here today and as Americans it is important to remember the veterans and what they have done for our country. Also Mr. Pennington stated that, as a citizen, he is trying to help kids to stay out of danger. He is proud of what this Mayor and City Council have done in Greenville, and hopefully in the future the Council Chambers will be filled with people during the City Council meetings.

Barney Kane, 1706 Canterbury Road

Mr. Kane read from and submitted the following:

“COPY”

Equal inclusion in Neighborhood Associations (NA).

My wife and I own Parcel #24424 in Stratford, an R6S neighborhood. Our neighborhood association has been a model to be admired in Greenville. I wonder how we will govern in compliance with City Council if Council sticks the sometimes gooey, gunky grip of government into our by-laws?

The house across the street (Parcel #09287) is owned by a nice couple in Burlington. In years past their son has lived in the house with as many as three other ECU Students who pay some rent to the owners. The number of renters has varied.

The house next door to them (Parcel #04421) and the one next door to that (Parcel #26045) are each owned by single or widowed women who are the sole residents.

Will the couple in Burlington and will each of the students living there all be included? If so, that one home and its owners and tenants would have six inclusions in the NA while each of the single women owners get only one inclusion and one vote.



Another fine couple who jointly own their own home (Parcel #17086) also jointly own two other homes (Parcels #0793 and #23367) and a parcel with no home {Parcel #23368}. They rent the two homes variously to as many as three persons in each home or to couples using the homes as single family residences. I do not know how many persons of what age might live in a true single family residence.

Will this couple who own three homes and a lot thereby be included as six, or possible members in the NA? (They do have the most investment.) Will their renters also get be included? Even if there are no more than 3UR this would be six more members. It could also be as many more members as there are in two families renting if the homes are rented as single family residences. Thus these three homes with owners and tenants could have 14 or even more members in the NA.

There are about 75 other homes and parcels in my neighborhood, some with similar types of occupancy and ownership and still others even more complex.

Does Council intend to require NA to only let those be members and have vote who are registered to vote in Pitt County?

If membership and voting is not limited to registered voters what will be the criteria?

What will constitute proof of residency in the neighborhood? Will there be age requirements or photo IDs? Who will supervise voting in NA meetings? Will the member need to be present at NA meetings? Will mail in ballots be required? How does the city plan to monitor membership and voting unless there is a program of rental registration for landlords and tenants? Will Council send staff to monitor neighborhood meetings? Will the City require the NA to set up a member/voter registry? Who will monitor that? Who will bear the cost? Is this an attempt to destroy Neighborhood Associations by cumbersome regulation?

If the Council does not have the resources to monitor this "inclusion" idea don't mess with it. Instead commit resources to encourage strong neighborhoods and associations.

Barney Kane

Monday, May 6, 2013

"END COPY"

Mayor Thomas asked staff if there is anything beyond one person per property indicated in the City Council's information package.

City Attorney Holec responded that what the proposed ordinance allows the neighborhood associations to say in their bylaws is no more than one vote per dwelling unit.

Don Cavellini – 101 Lancaster Drive

Mr. Cavellini stated that he is proud of the City for allowing any citizen to have 3 minutes to speak during the Public Comment Period. Tonight, Mr. Henry Williams reminded them that there is injustice in the application of law enforcement and that the possible abuse of police power and/or even profiling might have occurred in his case. He stated he knows the new Chief of Police, admires his work and hopes that things will change, even if it is one step at a time. He thanked Mr. Don Williams, who spoke earlier, for providing some comic relief. Also, Mr. Cavellini stated that he is supportive of supplementing sanitation services out of the City's General Fund. For those who are listening and not aware, sanitation services are funded through an enterprise fund and that means that the service has to pay for itself. This enterprise fund has been in place for many years. There are municipalities much larger and smaller than Greenville in North Carolina and elsewhere where the sanitation services are paid for in part by General Fund. As the City Council approaches the agenda item about the new plan for sanitation services, he urged the City Council to think about why the City has a double standard and why law enforcement and fire/rescue services are not expected to raise their own money, to support their services and have an enterprise fund. When President Obama gave his acceptance speech he said, and this is for those who feel that they cannot speak at a public meeting like this, "If you give up on the idea that your voice can make a difference, then other voices will fill the void: ... Only you can make sure that doesn't happen."

Peg Gemperline – No Address Given

Ms. Gemperline stated that she is the Brook Valley Neighborhood Association liaison for the Neighborhood Advisory Board (NAB). The proposed amendment to the Neighborhood Advisory Board ordinance will change this board in two major ways. First of all, the City will be allowing more than one association to represent the full neighborhood. Second, it would prevent the participation on the Board of many homeowners associations as they now stand and that now participate. Under the proposed ordinance, a participating association must be a neighborhood association that must meet certain requirements set out in the ordinance. One of those requirements is that both renters and property owners are allowed full membership in the association. A homeowners association by contrast typically restricts membership to property owners by restrictive covenant. A neighborhood that is now represented on NAB by a homeowners association would have to form a second separate neighborhood association with separate bylaws and the possibility of separate officers in order to have a seat on NAB. Three percent of the population in her neighborhood is rental property. So, they could say that her neighborhood association currently represents 97 percent of the residents in her neighborhood. To require them to form a second separate association at this time in order for their neighborhood to have representation on NAB seems like more effort than necessary. She is asking the City Council to reconsider this requirement of the proposed ordinance and to continue to allow homeowners associations to represent their neighborhoods where appropriate.

Todd Wilson – No Address Given

Mr. Wilson applauded the City Council for their efforts to revise the Neighborhood Advisory Board Ordinance to address associations having renters as the majority of their



membership. This will actually enable everybody to have a vote and a voice in the issues and agendas that are going on in the neighborhoods. Also, he would like to give kudos to the Police Department for apprehending two individuals doing suspicious activity on Summit Street. It has been a problem for 4 years that individuals do not feel safe walking home during late night hours.

CONSENT AGENDA

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

- Minutes from the March 4, 2013 City Council meeting
- Ordinance enacting and adopting Supplement Number 2013-S4 to the City of Greenville Code of Ordinances (codification of adopted amendments by American Legal Publishing Corporation) (Ordinance No. 13-016)
- Resolution of intent to close a portion of East Rock Spring Road and the associated alley (Resolution No. 021-13)
- Agreement with the North Carolina Department of Transportation for the installation of new pedestrian improvements at the north leg of the intersection of Evans Street and Arlington Boulevard as part of the Green Mill Run Greenway project (Contract No. 2052)
- Municipal agreement with the North Carolina Department of Transportation for landscape maintenance at the Firetower Road and Portertown Road roundabout (Contract No. 2051)
- Resolution adopting a memorandum of understanding for the Greenville Urban Area Metropolitan Planning Organization (MPO) and appointment of the mayoral position of the City of Greenville as the elected representative to the MPO (Resolution No. 022-13)
- Water capital project budget ordinance amendment for Greenville Utilities Commission's Tar River Available Water Supply Project (Ordinance No. 13-017)
- Series resolution for Greenville Utilities Commission's vehicles and heavy equipment purchases through installment financing (Resolution No. 023-13)
- Report on contracts awarded

Motion was made by Council Member Mercer and seconded by Council Member Blackburn to approve all items on the Consent Agenda. Motion carried unanimously.



NEW BUSINESS

PRESENTATIONS BY BOARDS AND COMMISSIONS

Planning and Zoning Commission

Vice-Chairperson Shelley Basnight summarized what the Planning and Zoning Commission has done from April 2012 to April 2013:

Rezoning:

- 14 cases (108 acres)

Future Land Use Plan Map Amendment:

- One request from OIMF (office/institutional/multi-family) to C (commercial) between Turnbury Lane and Smythewyck Drive.

Preliminary Plat:

- 2 lots on 24.9414 acres

Sketch Plan:

- 16 lots on 12.94 acres

Text Amendments:

- Reasonable accommodation of 1/4-mile separation standard for family care homes
- Addition of definition of "Campus"
- Standards for communication towers to allow communication towers less than 80 feet in certain medical zoning districts
- Establishment of UNRI (University Neighborhood Revitalization Initiative) Overlay
- Addition of "shelter for homeless and abused" as a special use in OR district
- Creation of standards for internet sweepstakes businesses
- Creation of standards for convenience stores, tobacco shops and hookah cafes
- Amendment to Flood Damage Prevention Ordinance
- Creation of "Solar Energy Facility" in RA20 district
- Reduced Office district public street setback from 35 feet to 10 feet

Street Closings:

- 7th Street between Evans Street and Cotanche Street
- East Rock Spring Road and associated alley

Street Name Change:

- From Brasswood Court to Boardwalk Lane

*Extraterritorial ((ET)) Extension:*

- One request for 15.78 acres (Greenville Auto Auction property)

Other:

- Adoption of the Development Code Review and Gap Policy Analysis to Improve the Community's Health, Design and Appearance.
- Received an update on the Tree Preservation Ordinance

Redevelopment Commission

Chairperson Chris Mansfield gave information regarding the membership and City staff liaisons and explained the purpose and mission of the Redevelopment Commission. Chairperson Mansfield summarized some of the activities that the Redevelopment Commission has done during the past year that are moving Greenville forward and improving both uptown and West Greenville.

- The Wayfinding Project – The Project is completed and with the signs being up and well-placed, people know how to find uptown and places that were difficult to find if coming from out of town.
- West 5th Street Streetscape – This project is almost completed, but there is more work to be done.
- Plans for 1st Street Parking – \$56,000 was spent for a study to provide a better parking arrangement on 1st Street and the Commission is working with the Department of Transportation to get parking spaces striping done in the summer.
- Office Building – Properties have been purchased for redevelopment, and there has been some solicitation for an office building to be constructed in the uptown area of Greenville.
- Merchants Alley – This alley is located between 4th and 5th Streets and the old theatre near the Starlight Café. It is completed and attractive and will connect 2 important streets in Greenville. At the other end of that is the 1st Street pocket park, a piece of property which was not being well used and where landscaping is needed, and that project will be completed as well. At the 5th Street end, there is the old uptown theatre building, which is another property that the Redevelopment Commission acquired and is hoping that some private funding will come forward to get renovation done. Money was spent for a study to make sure that building is structurally sound until it is appropriately developed.
- Trees and Planters on 5th Street – These trees and planters give an idea of what the streetscapes of Greenville can be in the future.
- Competitions for Business Loan Development – The Commission has about 20 referrals resulting in 6 applications and 2 were approved and funded. The International Bakery will relocate from Memorial Drive to uptown, and Purple Blossom Yoga Studio is up and successful, and those were funded at \$15,000 each.

The bottom line is that there are a lot of opportunities and exciting new projects underway. The amount of funds available through the Redevelopment Commission from the bonds are down to about \$1.6 million so the Commission has to be diligent and discerning about



how those dollars are spent. The Redevelopment Commission is and can be a forum not only for business ideas, but for consensus and formation of partnerships particularly Uptown Greenville or reputable committees and West Greenville groups, i.e. the Intergenerational Center, Third Street Community Center and the City Council's Economic Development Committee. The Redevelopment Commission not only seeks resources, but directions from the City Council and, of course, the City is their partner and can be a forum to bring together the processes, plans and people to achieve success. Good plans must be in place and Greenville must be prepared to act when opportunities come its way.

GREENVILLE ECONOMIC DEVELOPMENT ASSESSMENT REPORT

City Manager Lipscomb commended Economic Development and Revitalization Manager Carl Rees and Director of Community Development Merrill Flood for a wonderful job of moving forward with this process. This is the first major report that staff is bringing forth for an office that was established in July 2012.

Economic Development Manager Carl Rees stated that the City Council adopted a number of strategic goals that came out during a 3-4 year period, and among those was a strategic goal related to regaining jobs and increasing City revenue. The City would have to attract and retain jobs by reaching out to companies in targeted economic sectors; complement the efforts of Greenville's economic development partners by focusing on business operations that wish to locate in close proximity to a university or medical campus, downtown location, or along a major commercial corridor. The action item was to contract with a site location firm to complete a SWOT (strengths, weaknesses, opportunities and threats) analysis of existing and emerging clusters within the Greenville/Pitt County area and to assess the City's organizational readiness to pursue economic development initiatives. With that, staff looked at several different firms that might be qualified to do this work and ultimately, Creative Economic Development Consulting (Creative EDC) was hired. Economic Development Manager Rees thanked the entire City Council and the City Council's Economic Development Committee for providing a tremendous amount of input into this process. The consultant that is working on the City's branding plan, North Star Destination Strategies, graciously allowed the City to merge some of their work, particularly with regard to some polls and surveys that were done with Greenville's citizens and to give them to Creative EDC Chief Executive Officer Crystal Morphis to complete her work. Also, significant input was received from the Mayor's Economic Development Advisory Committee and City staff, particularly the internal development team led by City Manager Lipscomb and Assistant City Manager Padgett. Ms. Morphis also had an opportunity to meet with other economic development partners in the community including the Chamber of Commerce, Uptown Greenville, Pitt County Development Commission, Pitt Community College and the East Carolina University (ECU) Economic Development Office.

Ms. Morphis thanked Economic Development Manager Rees for being a tremendous support throughout the process and stated the following during her presentation to the City Council:



Creative EDC started out through engagement meetings, interviews and discussions with the City Council and members of the community to identify some of the overarching goals of the City's economic development program. Creative EDC then identified assets and challenges, which will not be news to the City Council, but they were important for Creative EDC to identify the process and to discuss competitive advantages and disadvantages. Creative EDC has identified target clusters for the City's recruitment program and some specific recommendations for actions and strategies. The following is a summary of a few of Greenville's primary economic development goals that cropped up through every point of engagement in talking with City Council Members and leaders of the community:

- Image
- Talent
- Retention of Youth
- Economic Growth Across the City
- Town Common and Tar River Area
- Collaboration

There is a need to redefine the image of Greenville and the first step has been taken with North Star Destination Strategies' process and the rebranding process that the City is going through presently. A depth of skilled talent is in Greenville and there is a focus on how to retain Greenville's best and brightest young people in the community. When talking to City Council Members and others, there was a keen focus on making sure that economic growth reaches all parts of Greenville. There were discussions about the Town Common and Tar River area even though this study is focused more on Greenville's target clusters.

Some of the assets that kept coming up after discussion and through Creative EDC's research are the following:

- East Carolina University
- Vidant Medical Center
- Pitt Community College
- Uptown Greenville
- Location and access via highways
- Proximity to North Carolina beaches
- Water resources
- Low cost of living
- Small town feel in a big city
- Growing arts and cultural programs
- Tar River
- Existing base of business and industry

All of the redevelopment work that has gone into uptown Greenville is an asset. Creative EDC talked to a lot to people that commented on Greenville's small town feel in this big city and that it is important to growing arts and cultural programs. Low cost of living is found differently according to a recent research perspective, and these are the reasons why people live here and businesses have come to Greenville. Greenville obviously has some challenges related to public education (K-12) as reflected in test scores and Creative EDC's assessments. Greenville's proximity to Raleigh and the beaches is another challenge because when people leave Raleigh to come to Greenville, it appears remote and it is not. While Greenville does have people who are highly skilled and talented, there is a pool of workers who do lack skills for modern business and manufacturing. The following are some of Greenville's challenges:

- Public education
- Low risk tolerance, change averse



- Remoteness of Eastern North Carolina
- Workforce skill
- Air service
- Nonprofit status of medical facilities
- Greenville needs a “break-through” moment
- Economic development product
- High rate of joblessness in some areas of City, overall weak job growth
- Public transportation
- Previous development standards led to haphazard development
- Crime
- Lack of unity in the community

The following is a summary of Creative EDC’s assessment of Greenville’s competitiveness:

Competitiveness

	Advantage	Disadvantage	Neutral
Labor	√	√	
Training	√		
Education	√		√
Taxes/Finance		√	
Access/Transportation		√	
Utilities			√
Incentives			√
Real Estate		√	
Quality of Life	√		

There is a check mark in the advantage and disadvantage columns for labor because even though Greenville has a pool of skilled talented workers, there is a challenge to get low skill level workers into retraining programs, and Pitt Community College does a good job of offering those programs. Tax and finances are really where North Carolina is not as competitive with some of the southeastern states. Greenville has limited air service and a good highway system, but it is still somewhat remote from major metro areas. There is an ample supply of utilities and the costs are average, but they are not highly competitive. The City’s incentives policy is standard and does not stand out one way or the other. Real estate is the last disadvantage.

Council Member Blackburn expressed her disagreement with the comment about real estate being a disadvantage, stating that Greenville is a beautiful place to live and has nice houses.

Ms. Morphis stated that what she meant by real estate being a disadvantage is Greenville does not have sites or large, commercial industrial buildings for businesses to go into. Creative EDC found two promoted business sites within the City and even in the uptown area, there is a challenge to find large office space, but Greenville has beautiful residential communities.



Council Member Joyner asked for is an example of a city the size of Greenville that is doing a good job with real estate and what they have that Greenville does not have.

Ms. Morphis responded that corporate or business parks are located in communities the size of Greenville. These parks might have 200-300 acres on the edge of town that would be in some development phase or some of that might be already developed or land might be available for development, and that is not available in Greenville. Also, Class A office space or 30,000-40,000 square feet of office space is not available. With talking to City staff, when there were inquiries for even a 10-acre business site, there is not one prepared in Greenville.

Council Member Joyner asked if the corporate parks in the other cities are mostly located inside or outside the city limits.

Ms. Morphis responded that the location of them varies, but it does not matter. Cities can have tax revenue sharing parks so the jurisdictional line is less important today than it used to be.

Ms. Morphis continued her presentation, stating that Creative CDC compared Greenville against three competitor regions. The team, with input from staff, selected Athens, Georgia; Johnson City, Tennessee; and Lynchburg, Virginia, because those states are North Carolina's regular competitors for economic development. These three metropolitan statistical areas (MSAs) are similar to Greenville in size and they are near metro areas and proximity to a major interstate, and home to a university with a medical program. When comparing Greenville to these three other MSAs, Creative EDC found that Greenville is the fastest growing MSA. Greenville has the second fastest per capita income growth, but has the highest cost of living. Even though people in the community think that it is a low cost of living, when Greenville was compared to other similar MSAs, there is a higher cost of living.

Notable Points: Greenville Stats



Mayor Thomas asked how the number of 97 was determined for Greenville's cost of living, and what it means.



Ms. Morphis responded that housing, utilities and other things determine the number of 97. The highest United States average is 100, so Greenville is below the United States average, but higher than other comparable metropolitan areas.

Ms. Morphis continued her presentation, stating that second fastest labor force growth is a key component. Highest unemployment rate is a disadvantage in certain areas, but in economic development it means that Greenville has an available workforce and that is an advantage. The lowest innovation index has to do with Greenville’s smaller labor force and lower numbers of nonfarm businesses, which feeds into the City’s fast growing businesses and means that Greenville has an entrepreneur community that is growing and is about in the middle of the pack.

The following is a comparison of North Carolina to other states that North Carolina competes with based on the three MSAs:

State Comparison

	NC	GA	TN	VA
Tax Environment		√		
Bond Rating	√	√	√	
Worker’s Comp.				√
Unemployment Ins. Cost				√
New Business Starts		√		
Venture Capital				√
Federal R&D Funding				√
Electric Utility Cost	√			
Working Age Groups			√	
Educational Attainment		√		
Labor Force Size				√
Labor Force Availability	√			
Wages			√	
Income				√
Housing			√	

Following a brief discussion of North Carolina’s strengths and weaknesses, Ms. Morphis stated that the number one marketing point for Greenville should be talent. In searching for a location today, a company’s number one concern is labor - the availability of labor, quality of labor, and the ability to train and retrain workers. Greenville has a fast growing labor force, a high percentage of college graduates compared to its neighbors and labor availability.

Creative CDC considered all of the assets and challenges, the cost environment and also those overall economic development goals to determine the key target clusters that could be successful in the Greenville market and where Greenville has opportunities to recruit a target cluster. The first target that Creative CDC identified is back office and data centers. Inbound call centers are recommended, but not outbound, which are much lower wage and skill type of operations. Inbound call centers require a higher skill and pay a higher wage. These are the types of jobs that trailing spouses, college students, or low/medium skilled workers can do. Digital media/software/simulation, the second target, reflects the innovative work that is happening at the University through its software simulation programs. They are doing a lot of advance work especially in healthcare simulation, which



is also tied to the recruitment of veterans in this community. Many veterans who are settling and people exiting the military often have experience with simulation technology, which plays in well with what is going on at the University. Also, Pitt Community College has a degree certification program in simulation so this is where the community college and the University ties with the skill set that is in the workforce and is a way to attract other exiting military to Greenville. It is also a growing cluster in the Raleigh, North Carolina region and there are connections there. The third target industry is pharmaceutical manufacturing. Greenville has an abundance of high quality water and the cost competitiveness of water is about average or less than average from the communities. With the pharmaceutical industry growing in the Raleigh and Wilson areas and spreading in the Greenville area, it is a good target for Greenville. The last two targets, medical device manufacturing and advanced manufacturing, which cover beverage, bottling and fabrication, are industry clusters that can employ low, medium and high skilled workers. Creative EDC talked a lot in their meetings with local leaders about the need and desire to make sure that there are job opportunities for everyone in Greenville. These are types of companies that could employ assemblers, metal fabricators, people in warehousing and distribution as part of these operations as well as engineers and people doing research and development and scientists and many different skill levels.

Ms. Morphis then discussed recommended strategies for Greenville:

Product Development

Product development means to have sites and buildings ready for a business. The first recommendation is to develop an innovation center in conjunction with ECU. The college already owns an 84,000 (approximate) square foot building on 20 acres near the downtown area. An innovation center is a way to tie what is going on at the University to the business community. For example, in Gainesville, Florida, in partnership with the University of Florida, an innovation center is in a similar location in that it is between the University and their downtown and is seen as a physical link between downtown synergy and the University, and something similar could happen in Greenville. A medical research park is a way to capitalize on Vidant Healthcare and the massive work going on there in healthcare and research. A medical research park could be that 200 acres or something similar that could happen in or nearby the City. One of the points made in Creative EDC's report is for the City to work in public-private partnership to make sure that it is not all non-taxable. Much of the City's property is not taxed, which is an issue for the City. It is hoped that in a medical research park, the City would have both, probably some not-for-profit research, but also some for profit entities paying tax. An example of a multi-jurisdictional park, which is called a revenue sharing park in other states, is the City of Greenville's present partnership between Pitt and Martin Counties. Communities and local governments can come together and jointly share in the development either publicly or through public-private partnership, in the development of a business park or corporate park entity. When a company locates there, the revenue is shared back out to the local governments, usually proportional to initial investment. If the City cannot find suitable land or cost competitive land or land that is usually served by infrastructure within the City, Greenville can enter into an agreement with Pitt County, other counties or cities in Pitt



County. There is no end to the relationships and the City can develop outside, but still have revenue sharing or tax revenue coming back to the City. The workforce does not care where the park is located, but through a multi-jurisdictional park there are ways that the City can develop outside of its borders and have a competitive product. There are approximately 70 acres at the airport that are underutilized and the airport is going through a new planning process. Creative EDC recommends that the City be engaged in that process because so many acres could be ideal for economic development purposes. Often businesses are located at or near airports to take advantage of the services there. In communities where the private sector is very active in spec building development, building a spec office is often seen. This is not happening in the City's market. In the commercial, industrial, and office sectors, what is seen in other communities are public-private partnerships to jump start this type of product development in the community. The City needs to be more aggressive in product development and with no real estate or good real estate within the City for large businesses or employers, the City will be passed over.

Marketing

Internal marketing is letting constituents know the City's economic development strategy. The City's Economic Development Department needs to talk about what the department is doing and its activities to make sure the community is engaged in economic development. An external marketing strategy is crucial as the City develops its economic development program. There are opportunities for them to leverage off of what Pitt County economic development and the eastern region is doing. Specific markets in the United States that have concentrations of those cluster industries have been identified, and Creative EDC recommends that the City start incorporating industry targets and visits as part of the Economic Development Program overtime. This is something that can be done in conjunction with the City's state, regional and county partners and then leverage up to that to bring some added value to the City. Creative EDC recommends these types of programs that Economic Development Director Rees and his staff would implement over a long period of time to be consistent.

Workforce Development

The City has a high average weekly wage and compared to others that might scare off an outsider. That number is skewed by the University and Hospital and probably a couple of other employers that have high wages. It is recommended that the City does a specialized workforce study that will segment that out, but will show that the City has a competitive wage for most industry sectors and that it is skewed by a few. Pitt Community College has an interest in developing an excellent center for workforce training.

Incentives

The City's incentives and capital investment policy is standard for what Creative CDC sees in most communities across North Carolina. The City's policy is standard in the sense that it offers about the same timeframe and grant levels as most policies, but when the City comes across a project that can be transformational to its economy, it is encouraged that the City consider being creative above and beyond that.



Building Blocks

When Creative EDC compared utility cost with the other MSAs in the study group, electric utility cost is slightly higher than both municipal electric systems and investor owned. Water and sewer were about average, while gas was higher. Utilities have been working on special economic development rates and incentive programs. Regarding airport service, there has been an ongoing effort to recruit another carrier and add additional flights. The lack of these is an obstacle for economic development. The Pitt County Economic Development has a good business retention expansion program and there are other organizations that do address the small business' needs. Creative EDC wants to make sure that groups are working together. A lot of people in the community are interested in bringing more retirees to Greenville. Retirement recruitment is a big industry in North Carolina and there are communities that are truly focused on this. Greenville has a lot to offer the semi-active adults population. Creative CDC suggests that the City look into the North Carolina certified retirement community designation to help promote Greenville through that group. Greenville is a wonderful haven for recreation and sports to bring tourists to its community. Sports cannot be overlooked because they represent a huge part of business in this community, and they do need continued support.

Collaboration

It is important in economic development that everyone understands the goal and work together. Greenville has an incredible set of highly talented professional economic developers and they all are working well together. It is important to make sure that an outside customer sees it the same way. The next step down the road is to integrate the work that North Star is doing on branding, what Insight has done for the Greenville-Pitt County Chamber of Commerce, and Creative CDC's study for the City and other studies that could have been recent or ongoing with the eastern region and the County to make sure that they are all brought into clear focus.

Council Member Mitchell asked for more information on the incentives and key things that the City can do for its incentive program to go further.

Ms. Morphis responded that she recommends that every project be subjected to a "return on investment" analysis to make sure that it makes sense for Greenville. It is not the dollar amount that matters as much as how the incentive can impact the project. For example, there are some communities, particularly in Virginia, that will build a building and lease it to a company at a below market rate. That actually costs the community nothing because the company is paying the debt service. If Greenville has a credit-worthy company and can build and lease a building to them at a broad market rate, that is a huge incentive and it actually costs nothing to do that because the company is still paying taxes, etc. That is the type of product that can be used as an incentive. Some communities using low interest loans are taking advantage of grant programs to pay for a portion of infrastructure and taking the funds that would have been for that infrastructure and offering it as an incentive in another way. There are ways to structure a deal to make it more meaningful to the company and it is not always the largest dollar amount. The key is finding out what can impact that company's bottom-line. Even though the City has a policy - and it is good to



have a policy because people will ask what it is – the City should be open to being creative in deal making, especially when it comes to product development and it is a way to become involved in that process.

Council Member Mitchell asked for more information about the City getting into the real estate market and how the City could do something like that and make the citizens understand its importance.

Ms. Morphis responded that hopefully, eventually, the private sector will take a leadership role, but until it does, the City, in her opinion, needs to encourage that. There are several things that the City can do to show the citizens how important this is. The City's Economic Development Office can document the many inquiries that they had, but the City cannot meet the product in the area so the City is missing out on opportunities already. There is also research done at the State level that shows the types of buildings and sites that companies are requesting. This will enable the City to determine how Greenville has been left out of opportunities at the State, regional and local levels. For example, even Pitt County receives requests that they cannot fill at this time and can share that information with the City. Any time a government undertakes a product development partnership, she would suggest that it would be a public-private partnership to have private sector involvement. Most organizations do this through a nonprofit 501(c)(3) organization that is not within the City government. So, there are ways to structure it, but the City would do a detailed business plan along with a "return on investment" analysis to make sure that it was a sound deal. Communities have gotten involved with product development and not done their homework. They end up building a corporate project or a spec building in a place that may have been politically encouraged, but was not the best market place to put it. They end up with a white elephant, which the City does not want.

Mayor Thomas asked for information about the importance of the City being able to keep the young workforce and the quality of life in Greenville.

Ms. Morphis responded that while students are in school, the City should strive to pair them up with internships into the community. If they make a business connection while they are in school, they are more likely to stay in Greenville. Greensboro and Beaufort County have started an online web portal, "Intern Net" as a way to match up people with internships. But not only the current students, there are kids from Greenville that are going to other places and the City can help them find internships during the summer. Another way to engage them through the process is something like the innovation center where, while they are in school and doing research, students can make connections with the business community. As they start to think about becoming an entrepreneur, the City needs loan pools, small business loan pools, and capital investor networks to connect them to investors in the community. Also, a lot of emphasis is placed on mentoring programs where business people in the community will take on a young person that they can advise, be a mentor to and keep them in the community. Danville, Virginia is actively marketing and recruiting at universities to get talent along with offering rent subsidy and residential programs so their residents can physically live and work in its river district.



Council Member Blackburn asked for clarification that there is a need not just to have a corporate park available, but to actually build buildings and to provide places for people to manufacture or to set up their offices.

Ms. Morphis responded that the City may have available properties, but they are not compiled, marketed, and researchable. There is not a bank as a consultant that she can go to and search for a 20-acre site even if it is a Brownfield or an underutilized property. The first step is to assess the properties that the City has and then to get them in a state to be marketed. That might mean the Brownfield's agreement, preparing a site to be shovel ready, or a partnership with a landowner making sure that it is available and at what price and that the City can clearly market the property for economic development. The City's next step would probably be a virtual building which does not cost that much and is everything but building the building. For example, if the City moves forward with the medical research park and the City has identified some acreage, and there have been discussions about public-private partnership in the medical research park, the next step the City could do is to start to design virtual buildings so that a company can see the vision for that medical research park. At some point down the road, the City might want to enter into a partnership agreement with a developer to be a partner in spec building development, but there are many steps before that which will help the City to be more prepared than it is presently.

Council Member Blackburn asked about the Elkin, North Carolina, experience of changing its identity and making itself welcoming.

Ms. Morphis responded that her office is actually a part of the redevelopment change being located in a new redevelopment downtown and it is a 100-year-old building that is a mixed use. There are many buildings in Greenville that are underutilized and sometimes those buildings might need a push from a public-private partnership. For example, other cities that identify properties in their downtown will purchase and renovate them and recruit companies into them.

Council Member Mercer asked how the innovation center might unfold in Greenville, if it will be operated by the City, at what cost, and if this project will require State money.

Ms. Morphis responded that she would see the innovation center as a University initiative since the University owns the building. The University could have a presence there where a visiting professor in simulation is advancing to new technology and down the hall are one or two entrepreneurs that are collaborating with this visiting professor on new innovative software developments in the area of simulation. Later, down the hall, there might be a prototyping machine that students at PCC are working on and maybe further down the hall, there might be a small business that employs three or four people that are getting ready to take off and move out of that center. There are good examples of these centers and they all involve these elements of University research being turned into private sector ventures.



Council Member Mercer asked if airport development would be in competition with or different from the North Carolina Global Transpark located in Kinston, North Carolina.

Ms. Morphis responded that the airport development is different and it is only 70 acres and it could be just one user, but it is 70 acres that are currently being underutilized at the airport. There are many businesses that prefer to be located near an airport to either use the runway, taxi service there or because they might want to be near hangar space. When looking at what sites could be available, this popped up as a potential business site. Also, since the airport is going through their planning process, it is an ideal time to be a part of that process to consider whether there is an opportunity for the City to recruit a business or two businesses to this 70-acre parcel that could take advantage of the airport. For example, there is a small airport in western North Carolina that was able to recruit a small company that is working on airman aircraft and needed access to the airport.

Council Member Mercer asked about the retirement community designation being relatively easy and possibly a favorable cost benefit thing for the City to do.

Ms. Morphis responded that it is and if the City Council would like to look at some of the best practices, the City of Morganton, North Carolina, is the only city that she knows of that offers incentives for residential development of active-adult communities. Morganton actually has a low-interest loan that goes to the developer of properties that attract people 50 and older and a couple of other programs.

Motion was made by Council Member Joyner and seconded by Council Member Blackburn to accept the report from Creative Economic Development Consulting. Staff will work with the City Council Economic Development Committee, local economic development partners, and the full City Council to prioritize action items related to the recommendations within the report. Motion carried unanimously.

SPECIAL RECOGNITIONS

- Greenville 10-Year-Old All Stars – State Basketball Champions
 Mayor Thomas read the Greenville Basketball 10's State Champions Day proclamation and recognized the basketball team and coaching staff that won the State title this year. Mayor Thomas presented certificates to the following individuals:
 Team:

Dan Collins	T.J. Moore
Tanner Fields	Jackson Upchurch
Collin Guilford	Jack Vick
Nathan McDonald	Will Ward
Kamary Moore	



Coaching Staff:

Head Coach Rob Hall

Coach Brian Fields

Coach David Ward

Also, Mayor Thomas recognized Shawn Owens, a center player on the basketball team, stating that he was not on the active roster, but he practiced with the team through the entire playoff and played such a valuable role doing so.

AMENDMENT TO THE NEIGHBORHOOD ADVISORY BOARD ORDINANCE

Motion was made by Council Member Smith and seconded by Council Member Joyner to move up the amendment to the Neighborhood Advisory Board Ordinance as the current agenda item for discussion and consideration by the City Council. Motion carried unanimously.

City Attorney Holec stated that at its April 8, 2013 meeting, the City Council directed that a draft ordinance for City Council consideration be prepared which would (1) add an additional requirement for a Neighborhood Association to participate as Liaison Members and Board Members of the Neighborhood Advisory Board, that the Neighborhood Advisory Board is required to be inclusive and (2) delete the limitation that there be only one Neighborhood Association per neighborhood. The City Council also directed that the Neighborhood Advisory Board is to review the proposed amendment. A draft ordinance was prepared and was done in an optional form for the City Council's consideration. In order to accomplish what the City Council directed, it would require an amendment to the definition of Neighborhood Association within Section 2-3-81 of the City Code. Option 1 provides that residents (including residents who are property owners and residents who are renters) are to be allowed to be full and equal members of the Neighborhood Association commencing immediately when the resident starts to reside in the neighborhood. Option 2 provides that property owners and residents (including residents who are renters) are to be allowed to be full and equal members of the Neighborhood Association commencing immediately when the property owner assumes ownership and when the resident starts to reside in the neighborhood. In order to be inclusive, all residents who are living in a neighborhood are to be allowed to participate in the Neighborhood Association as full and equal members commencing immediately, and a Neighborhood Association does not have any different standards for property owners and renters in eligibility requirements, voting rights, dues levels, or any other matter relating to membership. Even though the City has that general rule, a provision is made, because there are some nuances that the neighborhood association would have to address, to allow that neighborhood associations could have these rules in place and it would not impact their status as being inclusive in membership. Those things include 1) limiting membership to persons who are 18 years or older 2) limiting the right of members to vote to 1 person or another number of persons for each dwelling unit and/or 3) requiring the payment of dues, fees and other charges by all members provided that the required total payment for a member shall be no more than \$50 annually. These options were reviewed with the NAB in accordance with the City Council's direction that the NAB has an opportunity to review



them at a regular meeting. The NAB held a special meeting in order to address the proposed amendment and has made several comments. The NAB's ultimate action was to request that the City Council allow the NAB 3 months to develop a plan for inclusivity.

Motion was made by Council Member Smith and seconded by Council Member Joyner to allow the Neighborhood Advisory Board 3 months to develop a plan for inclusivity and to report back to the City Council at the August 8, 2013 City Council Meeting.

Council Member Joyner asked staff to explain the difference between a homeowners' association and a neighborhood association.

City Attorney Holec responded that a homeowners' association is created by the developer at the commencement of the development when the developer is ready to start selling the lots within the development and typically involves restrictive covenants that are to be enforced. With the authorities that homeowners' associations have, they typically do not allow renters, persons who are not property owners, who would not be assessed a fee if there is an assessment, to vote with the association. What was discussed at the NAB special meeting is that one possibility would be for a homeowners' association to do a parallel neighborhood association, which would open it up for renters.

Council Member Joyner asked if the proposed amendment to the NAB ordinance is not changing anything with the homeowners' associations.

City Attorney Holec responded that the direction by the City Council relates to those neighborhood associations that are to participate in the NAB. If a neighborhood association determines not to participate in the NAB, then they do not have to make any change. There are some homeowners' associations which currently have liaisons with the NAB and that is the reason why it is being said that they are potentially impacted. The initial design and what is being discussed this evening is a neighborhood association.

Mayor Thomas asked if a neighborhood association as a member of the NAB should have a set of bylaws and whether that is a compliance issue or not.

City Attorney Holec responded that the City has required that bylaws should be on file and those who have participated have bylaws on file. The disconnect is that some neighborhood associations have been allowed to participate and currently are participating with the NAB. It is going to be a direction for the City Council when deciding what to do, and this is something that has been in existence for awhile and in order to change that, clarity is needed.

Mayor Thomas asked staff for information regarding the current rate of renters living in Greenville.

Director of Community Development Merrill Flood responded that approximately 68 percent of Greenville's residents are renters.



Council Member Blackburn asked if the 90-day time period is to work out a response or a way to address the concerns raised by the NAB and if so, does the NAB feel that is enough time to reach a suitable solution.

Council Member Smith responded that during the NAB's special meeting, 90-day response period was discussed, voted on and agreed upon at that meeting. That is why she brought it back for the City Council's consideration.

Council Member Blackburn asked if the NAB determines the policy, how much autonomy is the NAB going to have developing this policy and what happens if the City Council or anyone disagrees with their policy solution.

City Attorney Holec responded the NAB asked for an opportunity to develop a plan which would be presented to the City Council at the August 8, 2013 meeting. The City Council has the ability to do what it feels is appropriate, whether it is to consider the NAB's input, to take or modify certain items or to go in a different direction. The request is for the NAB to develop the plan, staff is to bring it to the City Council and the City Council determines what it wants to do.

Council Member Joyner asked that staff email him a map of the homeowners' associations in Greenville and the territory that they represent.

After a brief discussion, the motion to allow the Neighborhood Advisory Board three months to develop a plan for inclusivity and to report back to the City Council at the August 8, 2013 City Council meeting passed unanimously.

PRESENTATION OF THE 2014-2016 POLICE DEPARTMENT THREE-YEAR STRATEGIC PLAN

City Manager Lipscomb stated that Police Chief Hassan Aden has been employed with the City of Greenville for six months and he will present the Police Department's Three-Year Strategic Plan.

Chief Aden stated the following during his presentation to the City Council:

Part 1 Crime (homicide, rape, aggravated assault, robbery, burglary, auto theft, and larceny) is down 10 percent year-to-date in Greenville. That is a huge accomplishment in 6 months. It does not happen randomly, and the Greenville Police Department (GPD) has a lot of pressure points where the crime is currently and it is working. The 2014-2016 Strategic Plan will serve to guide the GPD's priorities for the next 3 years. There is a lot of responsibility built in the Plan based on the Administrative Bureau and specific people within GPD with timelines. In each year of the life of the Plan, staff will report GPD's progress to the City Council and the City's stakeholders. The Plan is a "live" document that can be adjusted based on changes, priorities, etc. The new mission of GPD is *The Greenville Police Department exists to enhance public safety and quality of life, in partnership with all*



people in our community, by preventing crime with honor and integrity. In planning to create this document and roadmap, he conversed with his staff, City Manager Lipscomb and others about an idea that if the City truly wants to become community-oriented and to actually take that philosophy one step further, there is a new model that needs to occur. That new model is what staff is spearheading and not just in Greenville, but nationally. He has presented this at several key United States Department of Justice conferences and private meetings at the United States Capitol and other ventures. GPD used citizens groups, the Neighborhood Advisory Board, East Carolina University, Vidant, and others. A retreat, which was professionally facilitated, was held to develop a new mission for GPD as well as to establish goals, priorities and action items for this plan. During his research, there is only one other police department, Portland, Oregon Police Bureau, that attempted this and they used citizens' surveys rather than actual physical presence, interaction and collaboration.

All of the 6 goals are critical to achieving crime reductions and increasing the quality of life:

◆ *Leadership and Ethics*

Goal Statement: We will develop ethical leaders at all levels of the agency by providing an infrastructure that values honesty, integrity and ethical decision-making in our daily work. This is essential in order to provide high quality police service and truly become a community oriented police agency. Through these actions, we will promote and encourage decision-making, initiative, creative problem solving and enhanced trust throughout the department and within our community.

Today, GPD is a more accountable agency than in November 2012 when he arrived. His administration has reviewed, modified, and implemented policies and procedures to maximize the public's trust that GPD will responsibly and ethically carry out their duties and will and can hold ourselves accountable. That has been evident in recent effects. GPD had a few hiccups and responded to those proactively and has taken the appropriate corrective measures. As part of these efforts and to ensure sustainable change, GPD developed this goal. GPD's focus area for the training associated with this goal centers on ethics, leadership and diversity. The action items for this goal are as follows:



Leadership and Ethics Strategies	Responsible	Timeline
1. Develop a Succession Plan/Policy to include provisions for Recruitment, Promotion and Mentoring.	Administrative Services Bureau	February 2015
2. Develop and implement a Career Development Program	Administrative Services Bureau	On Going
3. Redevelop supervisor responsibilities and priorities through training and education	Administrative Services Bureau	December 2014
4. Update Recruitment Plan	Administrative Services Bureau	June 2014
5. Develop a Training Matrix for supervisory personnel	Administrative Services Bureau	January 2015

Action Item #1 has a lot of moving parts to ensure sustainability within GPD and staff should pay attention to that. Recently, GPD has seen some members of their department recruited by other police departments and that is something to be safeguarded against. GPD has invested a lot in training the best officers in the area. Action Item #2 is basically for entry level officers to know about this new model of community policing and engagement, accepting crime prevention through environmental design and to train officers to operate at a higher level in their one-year of service and not during their 5-7 years of service. Action Item #3 centers around the ways that GPD handles internal affairs investigation, intake community concerns, and those kinds of issues that directly impact how GPD relates to the community. Action Item #4 covers GPD’s running into some difficulties for recruiting people that are in the available workforce, that will be a priority and GPD will work diligently to do that. Action Item #5 ties in closely to Action Item #3, but it is a little different in developing and GPD actually needs people to supervise police officers because it is a difficult job and not everyone can do it. With the probationary periods all of those items are going to need something.

◆ *Optimizing Organizational Structure Goal*

Goal Statement: We will regularly review our organizational structure to ensure the most effective distribution of resources.

The largest focus of this goal will be to move GPD to a geographic based deployment of the control function. The way that GPD is deployed currently is that there are 4 areas. Each of the areas has a Lieutenant (area commander) and a complement of supervisory personnel and officers who are assigned temporary and that is not geographic policing. This personnel is assigned to cover the entire City over a 12-hour period. That means that an officer that comes on with a platoon could be working at one corner of the City one night and 30 miles away the next night. The City never really gains that community relationship and those are the moving parts, which do not work well to hold GPD accountable and to foster those relationships that need to happen to partake in true community policing. Staff



is suggesting 2 or 3 geographic zones or precincts where a chief commander is intact and responsible for 24/7 policing at those areas. The City will be cut much smaller slivers where personnel can actually develop those relations, which are critical for the Police Department to succeed in lowering crime and increasing quality of life. It is highly complex because it involves fleet, a lot of moving parts, but it is already ongoing because that is one of his biggest priorities. That could be the one single thing that impacts crime immediately and it answers the GPD's relations with the community. GPD is not seeking any additional staff and everything that he presents this evening tonight is within the Police Department's current budget.

Another significant part of this goal is the reorganization of the Code Enforcement Division. There is an enormous amount of work to be done in the City without a real process to prioritize and to execute the work that is being done. With the cost of service that was coming in staff was trying to do the work as quickly as possible. He is familiar with students in government who go to school and learn to become civilian professional code enforcement directors and managers. Lieutenant Richard Allsbrook has learned quickly and has done a fantastic job; however, he is a police lieutenant and has not had the longstanding training that people obtain. So, GPD will be seeking to actually convert his position to a civilian one. The Code Enforcement Division would definitely remain in GPD under his command, but it would be led by a civilian professional director or manager.

Council Member Blackburn stated that a law enforcement officer's job is to find violators of the law and to obtain compliance and to subject violators to penalties until they obtain compliance. One of her concerns is whether the City will lose that element and that is why the Code Enforcement Division was in the Police Department because that element was missing. She is concerned that the City will lose the benefits it got if the City makes this once again a civilian operation.

Chief Aden responded that the Code Enforcement Division would not be a civilian operation, but it would be managed by a professional code enforcement manager. Ultimately, he is still responsible for the Code Enforcement Division, which will still be a police issue and under police control. However, he feels that the City does not have the expertise and there is an entire profession that does. Until the City gets a professional running Code Enforcement Division, the City is not going to get where it needs to be.

Chief Aden continued his presentation, stating the following are action items for this goal:



Optimizing Organizational Structure	Responsible	Timeline
1. Review Deployment Structure <ul style="list-style-type: none"> Are the right people in the right place? Review Duration of Rotating Shifts 	Chief of Police	On Going
2. Institute Patrol Training Program to replace current Field Training Program	Administrative Services Bureau	December 2015
3. Civilianization of Applicable Positions	Chief of Police	On Going
4. Work with Information Technology to develop new geographic zones.	Deputy Chief of Police	January 2014
5. Reorganization of Code Enforcement Division	Administrative Services Bureau	June 2014
6. Establish a Civil Disturbance Unit	Deputy Chief of Police	January 2015
7. Assess needs for current and future substations	Chief of Police	On Going

There are several positions in the Police Department that were along the same vein as the Code Enforcement Officer and they are actually now professionals. There are positions that can be converted and staff will be making those requests. One is the Accreditation Manager position, which is a function that is currently about 75 percent civilian and there are a lot of benefits to converting that position to a civilian one rather than having a sworn one. Staff is considering the Public Information Office being civilianized. As GPD goes through its retirement cycle, staff is also considering our forensics positions because there are highly skilled and professional crime scene investigators out there. Many states have that as their primary already and North Carolina is probably still in its infancy in that conversion. Staff will review GPD's deployment structure by looking at their personnel and assessing their strengths and where personnel can maximize their strengths and furthering the GPD's mission by putting them in different places. He is interested in instituting the Police Training Officer Program (PTO) and replacing the GPD's current Field Training Program. The Field Training Program currently being used at GPD is what 95 percent of American police departments use. PTO teaches the task of being a police officer, but police officers are also taught how to think and to use problem solving techniques. PTO is actually a North Carolina product. Police Chief Jose Lopez of Durham, North Carolina volunteered and trained all of GPD's trainers at no cost to help our transition. The City's Information Technology Department will assist GPD with the GIS piece for the new geographic zones. Once GPD uses Smart Dispatch, when personnel will basically use technology, GPD will have automated vehicle locaters on their cars. Essentially, GPD would go to a system where literally dispatchers will receive calls and use maps to find the closest cars to the calls and send them. This is different than what GPD does currently and will cut their response time significantly. The technology is here and it is the matter of prioritizing and switching to it. He would like to move forward with developing a Civil Disturbance Unit to provide GPD



personnel de-escalation training and necessary equipment and to provide a professional response to assist people who are demonstrating and to handle civil disturbance.

Mayor Thomas asked if that is similar to large scale issues with large crowds.

Chief Aden responded actually, this has been done since he has been in Greenville. There have been calls about demonstrations and GPD has actually gone out very low-keyed and helped people to exercise their First Amendment rights to protest. It is really forward thinking in handling these situations and more often than not it de-escalates the events.

Chief Aden continued his presentation, stating that he has inquired about how the GPD operates out of substations and what are their purpose. He will be taking a good look at the current substations and if any additional ones are needed as the precincts or zones are reorganized.

Council Member Mitchell asked if there are some type of cost savings with that position such as the individual not carrying a gun and receives all the training and uniforms.

Chief Aden responded that there is significant reduction in costs and benefits at the end of the career. That is not his primary motivation, but it is definitely the fact that these are professionals and the City will be best served by having their presence there.

◆ *Crime Reduction*

Goal Statement: Our crime reduction strategies will be based on proactive and forward thinking, evidence-based approaches. Data-driven priorities, as well as community-oriented response plans will be established to reduce crime and increase the quality of life in the City of Greenville.

This weekend, GPD noticed that there are vulnerable paths for students and it is not only in TRUNA but it is coming back towards West Greenville. GPD has trained personnel and has made it their priority to focus on providing safe passage for students to get back home. There are several crime hot spots that are along these corridors where GPD has deployed both overt and covert police officers. In the particular case mentioned by one of the individuals who spoke during the Public Comment Period, 2 police officers saw some suspicious activity and followed the car. Prior to a robbery actually occurring, the car used by the individuals slowed down behind 2 students and they began to get out of the car. GPD's covert officers in plain clothes called for a patrol officer who made the stop and made several arrests and recovered a gun. There is no question that was going to be an armed robbery. GPD is out there and getting ahead of crime and GPD's hot spots are definitely working. The following are the action items for this goal:



Crime Reduction	Responsible	Timeline
1. Reduce crime by 3% during first year of Strategic Plan	Chief of Police	December 2014
2. Adjust Law Enforcement Strategies to address changing city dynamics 1. Develop a geographic zone approach and deployment of officers 2. Create a unit to address Center City needs	Deputy Chief of Police	May 2014
3. Increase our capacity to offer Crime Prevention Through Environmental Design (CPTED) assessments	Field Operations Bureau	On Going
4. Crime Reduction Initiative Area (CRIA) also known as Hot Spots Policing	Criminal Investigations Bureau	On Going
5. Increase Bicycle Patrol Deployment • Greenway • Center-City • Mobile use by officers in the Field Operations Bureau	Field Operations Bureau	On Going
6. Implement department-wide Data Driven Approach to Crime and Traffic Safety (DDACTS) program	Field Operations Bureau	In Progress June 2014

He is always cautious about giving the hard number because if GPD does not reach the goal of reducing crime by 3 percent, it might be considered as a failure, but if crime is reduced by 2 percent it is better than what the City had before that. 3 percent is a hard number for GPD to strive for and it might not seem like a lot to others. The City is already 10 percent below last year and for 2014, which is the first year of this Strategic Plan, GPD will be dealing with the numbers at the end of this year. So, the numbers will definitely have constricted significantly, and reducing crime by 3 percent during the first year of the Plan is a viable goal. GPD wants to adjust law enforcement strategies to address change in the City's dynamics and criminal patterns. He has trained a lot of police departments and GPD personnel as well on how to do this and essentially using the fishnet, a GIS (Geographic Information System) term, that maps over our City at 750 x 750 square foot grids. GPD then maps Part 1 crimes for the last 3 years and the last 6 months so it is relevant and historic. Where the 6 months and the 3 years exactly overlay that is a crime reduction initiative area. Those are the areas that GPD hit hard with tactics such as Crime Prevention through Environmental Design, check points, etc. to let GPD's presence be known and basically take that place out of play for criminals. There are about 18 in the City and GPD is gaining some definite ground in fighting crime. It is not about arrests, but what he looks at is how GPD has reduced crime. Other parts of that are really through crime prevention and through adjusting the area. Crime and place are inextricably linked and if the place is taken out, it will drive crime down. Another way is, and this is for harder core people who want to commit crime, GPD instituted a program, which is ongoing presently, and GPD has the infrastructure and needs to build around it. GPD accesses the top 25 violent offenders in the City and basically does an intervention. First, GPD seeks to gain evidence of their



criminality and the violent offenders are brought in and are presented with the criminal case and GPD tells them that their cases will be held in abeyance if their criminality is stopped. This is done through cooperation with the District Attorney's Office. It is placing the violent offenders in touch and having them to work with organizations within the City to get jobs and training and really begin to close that criminal gap. Federal partners involved are the Federal Bureau Investigation, Drug Enforcement Agency, and Bureau of Alcohol, Tobacco, Firearms and Explosives. As the precincts are developed, GPD will be looking at a Center City unit addressing the particular needs of the uptown area 24/7 and this will extend out to West Greenville and TRUNA areas to address issues that are all intertwined. This will likely reduce the need to hire back officers that were used previously during hours that people are out at night. There will be volunteer officers in this unit and GPD will train them in crisis intervention, which is a 40-hour class that teaches how to deal with people in mental or alcohol crises. It will reduce GPD uses of force and increase voluntary compliance. Arrests that are absolutely necessary will be made after trying everything else to remedy the situations. These officers will also be the ones to interact with the bondsmen, Alcoholic Beverage Control and ALE and the officers will be proficient and knowledgeable in issues of the Center City. As the City develops, grows and encourages economic development in these areas, this is a key piece. During day shifts, there will be bicycle and foot patrol provided to let people know that Greenways and Center City are safe. Bike racks will be purchased and patrol units will have bikes on the back of their patrol cars and will park their cars and use them while they patrol and meet the community and answer their concerns.

Captain Chris Ivey of GPD stated that the Data Driven Approach to Crime and Traffic Safety (DDACTS) Program is an initiative started by the National Highway Traffic Safety Administration. It addresses 2 big issues in the City which are crime and traffic. GPD concentrates on the traffic enforcement areas where the data shows that car crashes are occurring. In January 2013, Greenville mapped the top 10 worst locations for car crashes and that is why GPD is sending traffic officers for training to try to reduce these crashes. As of April 16, 2013, Greenville is down 5 percent, which is indicative of GPD's hard work of trying to reduce crashes because they are part of safety like crime is. When living in a mobile society, criminals use cars and a lot of these areas that are top locations for car crashes also map out close to the crime reduction initiative areas. If traffic officers are working in high crash locations, they are also stopping criminals who commute to and from these areas.

Chief Aden continued his presentation, stating the following:

◆ *Traffic Safety*

Goal Statement: We will improve the safety of our streets, highways, and sidewalks by addressing vehicular crashes and motor vehicle law violations through education, awareness and enforcement. These efforts will be concentrated in high crash locations as indicated by data. In cooperation with traffic engineers we will examine unsafe intersections and roadways in order to improve safety through design.



This goal's action items are intended to gain voluntary compliance and to change driving behaviors. In 2012, Greenville had 5,300 crashes, which is high and GPD needs to work toward reducing those crashes. It is not just awareness enforcement unfortunately, and he is working with the City and Department of Transportation traffic engineers to create by design or to help create better movements for cars, bicycles, and pedestrians in the City. The following are the action items for this goal:

Traffic Safety	Responsible	Timeline
1. Reduce traffic crashes by 10% over the life of the Strategic Plan	Field Operations Bureau	December 2016 With an annual Review
2. Implement department-wide Data Driven Approach to Crime and Traffic Safety (DDACTS) program.	Field Operations Bureau	In Progress Initial Review June 2014
3. Deploy Light Detection and Ranging (LIDAR) Speed Measuring Instruments and License Plate Recognition System (LPRs)	Field Operations Bureau	In Progress Initial Review March 2014
4. Research and recommend feasibility of a Jay Walking Statute to effectively reduce pedestrian vehicle accidents	Deputy Chief	January 2015
5. Host four DWI Checkpoints per year	Field Operations Bureau	On Going
6. Provide periodic Public Service Announcements and Public Awareness Campaigns	Public Information Officer	On Going

There are people who are crossing dangerous intersections and there is no statute to deal with that at this point. The best way is through education awareness, creating some safe passage, and higher feasibility crosswalks, but in order for all of that to work, there needs to be an ordinance so that GPD can enforce jaywalking.

Council Member Joyner asked if the ordinance will be for selected areas or for the entire City.

Chief of Police Aden responded it would an ordinance for the entire City.

Mayor Pro-Tem Glover stated that there would have to be some education for our citizens because the City does not have monies for the installation of devices to change the lights at intersections throughout the entire City like other cities do.

Chief of Police Aden responded that there is a whole infrastructure that needs to be developed around that because the City cannot just get an ordinance and start charging



people fines for jaywalking unless the City gives them the right conditions to cross streets appropriately.

Council Member Blackburn stated that a particular area of her concern is East 10th Street roughly in the area of Greenville Boulevard where often people with physical handicaps are seen. These are probably people who are economically disadvantaged otherwise they would be driving crossing the street rather than crossing the street on foot because it is the closer way instead of another route. The City has to figure out a way that everybody, regardless of having a car, can get around safely.

Chief of Police Aden responded that this is a common problem that does in some cases require an infrastructure change, but there are some low cost changes that make a big impact. At night when he is driving, he has seen someone wearing dark clothing standing in the middle of a street where there is poor lighting and that is a dangerous situation.

Council Member Blackburn stated that in addition, there are individuals who are pushing baby strollers and holding onto a couple of children while attempting to go across streets. It sounds like Chief of Police Aden is well aware of the issue.

Chief of Police Aden continued his presentation, stating that DWI checkpoints are done 4 times a year to keep people from drinking and driving and having safer streets for all. Also, GPD provides periodic public service announcements and awareness campaigns to recognize crime or traffic issues that GPD cannot enforce their way out of it. Compliance is needed and public awareness is one of the best ways to do that.

Mayor Pro-Tem Glover stated that in a lot of Greenville's areas, specifically the older neighborhoods, there are no sidewalks and typically there is no other choice than to roll your baby and the carriage down the street or to stand in a turn or middle lane until they are able to go across the street, which is dangerous. That is something that staff should look at as well as the City develops plans for safety. GPD can work with the Public Works Department to identify these areas without sidewalks because it is a problem.

Chief of Police Aden responded that is correct and is seen in areas where there is no other choice.

Council Member Mitchell stated that he agrees and it is more than a Police Department issue and is how we design ourselves. He recalls the difficulty his wife had trying to go across a street along with their children in a double stroller in their neighborhood to go to Five Guys. The stroller was too big, and the education piece is to identify the safest place to go across a street.

◆ *Community Engagement*

Goal Statement: The Greenville Police Department is dedicated to enhancing relationships with community-based organizations and the citizens. We will maintain meaningful



relationships within all of our communities and continue to keep our community-oriented programs and crime prevention efforts open and accessible to all of our citizens.

Chief of Police Aden continued his presentation, stating that community engagement is the key to this goal. Some of the following action items are familiar:

Community Engagement	Responsible	Timeline
1. Maximize use of social media to deliver information to citizens city-wide	Public Information Officer	On Going
2. Create a periodic Public Service Announcement in partnership with local media outlets	Public Information Officer	On Going
3. Formalize the Adopt-A-School Program in order to assign officers to each school within the city limits	Criminal Investigations Bureau	June 2014
4. Provide multiple aspects of Community Education <ul style="list-style-type: none"> • Citizen's Police Academy • Youth Citizen's Police Academy 	Administrative Services Bureau	January and September Annually
5. Develop a Civic Liaison Program	Administrative Services Bureau	On Going

Representatives from the Neighborhood Advisory Board (NAB) had a symposium recently and he presented the GPD's Civic Liaison Program to them. This is a program where GPD worked with NAB identifying and organizing neighborhood association groups and police officers have been assigned to each of these groups. When he first started working in Greenville, he attended a few requested community meetings because of an immediate need and gave presentations. The Program assigns the same officer, corporal, etc. for every meeting held by a neighborhood association. Their job is to provide a snapshot of the crime picture for that neighborhood association and intake any concerns that groups may have.

Mayor Thomas asked if GPD will provide a similar program for schools as well because there are resource officers at the Pitt County schools and innovative programs including an officer going on campus to do paperwork and the schools assigns a campus area to the police officer.

Chief of Police Aden responded that is GPD's Adopt-A-School Program and it was officer driven. GPD's patrol officers devised and submitted that program for approval after the Connecticut incident. That was fantastic and a bottom-up approach and the officers are doing it and love it.

Chief of Police Aden continued his presentation, stating that this is much more systemic. At the neighborhood association groups' meetings, the groups' Secretary and Treasurer



provide reports and a police report is provided at each meeting. If there are issues, GPD will take them back to the appropriate department, and this forms a tight bind. There are groups that are not fully organized, but GPD will provide them with assistance. A directive is in place and officers started attending meetings in April 2012, and the Liaison Program will be in full force in May 2013 and should be 100 percent by June 2013. GPD also does public service announcements with the local media to push out information as appropriate and GPD wants to maximize their use of social media.

◆ *Technology/Equipment Needs*

Information Technology (IT) systems play an integral part in our ability to address criminal activity. It is therefore important that the Greenville Police Department maintain the most current IT platform possible. The Greenville Police Department will keep pace with technological advances and will seek new IT solutions on a regular basis in order to provide the highest level of service.

The following are the action items for the Technology/Equipment Needs Goal:

Technology and Equipment Needs	Responsible	Timeline
1. Increase our LPR infrastructure	Field Operations Bureau	On Going
2. Increase use of fuel-efficient vehicles in specific assignments <ul style="list-style-type: none"> • Administration • Staff • Parking Enforcement • Code Enforcement • Animal Control 	Administrative Services Bureau	On Going
3. Expand the Department's Rifle Program	Deputy Chief of Police	October 2014
4. Replace aging handguns	Deputy Chief of Police	July 2016
5. Expand the Department's Bicycle Program	Field Operations Bureau	On Going

GPD is looking for ways to increase efficiency of the types of vehicles that are used for administration, parking and code enforcement and animal control. The new patrol cars are 6-cylinder, actually perform at a higher level and will give GPD some efficiencies compared to the former 8-cylinder Ford Crown Victoria. By July 2016, GPD will have a plan in place for replacing aging handguns and have already started to expand the Bicycle Program. A lot of these programs GPD will be able to do through asset forfeiture funds and GPD is asking for approval to do so.

Council Member Blackburn asked if GPD currently does not issue rifles and if police officers are using their personal rifles.



Chief of Police Aden stated that is correct, he is uncomfortable with that, and it will be changed. GPD's Rifle Patrol Program consists of 21 department-owned rifles and there are approximately 30 privately owned rifles, which are the same exact brand as the department-owned rifles. Police officers are authorized to carry their personal rifles on duty, but GPD controls the type of rifle ammunition used and the policy for police officers taking rifles out of GPD vehicles.

Council Member Blackburn asked if GPD currently has all of the software and technology to do hot spots graphing, re-delineating the City's zones, etc.

Chief of Police Aden stated that he has worked with a lot of people who are experienced with this type of work and he has seen a lot of the software and hardware. Examining the capacity in crime analysis and determining that GPD is sound is what he did first when he started working at GPD. GPD has some technology that he has not seen before and he feels that the department is well equipped.

Council Member Mercer asked if identity theft is on the rise in the City and region and if GPD is doing more or less to prevent it.

Chief of Police Aden stated that identity theft is on the rise everywhere as a lot more is done using computers, i.e. applying for credit. It is a crime that is incredibly hard to solve and to investigate and the complexities go deeper than just who did it, but also is who is responsible to investigate identify theft because it occurs over all state lines. For example, somebody in California is hitting someone in Idaho and the individual is using money in Greenville. GPD is lucky to have Detective Glenn Webb who does a lot of GPD's internet crimes work and he is a professional.

Council Member Mercer asked whether it would be better to pull code enforcement out of the motion, deal with that at the Thursday meeting and go ahead and pass the Strategic Plan.

City Manager Lipscomb stated that she feels that the City Council should adopt the Strategic Plan in terms of the recommendation to move towards civilianization and then consider the request to change the sworn position to a civilian one.

Motion was made by Council Member Mercer and seconded by Council Member Joyner to adopt the 2014-2016 Strategic Plan and its implementation by the Greenville Police Department beginning January 1, 2014.

Council Member Joyner asked if the Police Department personnel is aware and on aboard with the 2014-2016 Strategic Plan.

Chief of Police Aden responded yes and stated a "diagonal slice" approach was used including officers and supervisors and command staff from all of the different units in GPD's planning sessions. Currently, they are in the process to split back out and go into



committees which will be structured in exactly the same way. There is a certain level of excitement.

Council Member Joyner asked if some of the action items that will be implemented in 2-3 years, how often will the City Council look at the changes made to the Strategic Plan.

Chief Aden responded that it would be ongoing for GPD and GPD will present this plan to the City Council annually and brief the City Council on where staff is. Some of the items could be changes that staff could make in-house, but staff will change the directions of the goal, and other items they will bring back to the City Council.

Council Member Smith thanked and commended Chief Aden for his forward thinking, innovativeness, creativity, and taking an inclusive approach and looking at everything as a whole. She likes the boundaries with the officers to make sure that there is reduction in response times, collaboration effort with other communities (so that GPD does not have to worry about repeating something or getting someone else to do something when GPD already has an expert), and having police officers to learn problem solving techniques from the beginning of their career. Also, she likes the national recognitions that Chief Aden has been a part of and that he is bringing them to Greenville to decrease the us versus them mentality that has been going on for quite some time and making that we are all together. When Mayor Pro-Tem Glover and she were responding to a constituent's concerns the other day, a police officer was in the area interacting with them and others to make sure that everything was fine in that neighborhood. She is impressed with the increased police visibility in the City, cost savings with the programs that Chief Aden has created, and the proactive approach instead of the reactive approach, which made it possible for GPD to stop the crimes the other day. The City cannot move forward with economic development without the partnership of GPD because this department is a large part of what happens in the community. If companies see in the newspaper that the City is having crimes everyday they may not want to relocate their business in Greenville. However, when companies are seeing that GPD has some innovative approaches and is taking steps to get things changed, it makes companies and citizens feel better about Greenville. Chief Aden has her full support with the Strategic Plan. Chief Aden will be challenged because change is the number one creator of attention and people have asked for change and how to make things better, but when change takes place, those people are the most resistive ones of change. Chief Aden is a professional and has been in policing business for many years and came from a place that was high ranked and a lot was going on. The City Council must respect his position and allow him to make decisions and stand behind them.

Council Member Mitchell stated that Chief Aden has appeared at congressional briefings on matters of policing. Lieutenant Allsbrook and code enforcement officers are doing their jobs, but the City Council is hearing from citizens, especially in the Tar River University Neighborhood Area (TRUNA) and West Greenville area, about trash and parking on grass throughout the City. There is a need to take code enforcement to a next level. It is easy to say that a code enforcement director or manager could be hired, but there is a way to do something transformational and to take it to the next level. There is a perceptual change



in the City where the City Council knows that GPD is doing everything possible to protect the citizens. He has seen police presence at the Greenways, PirateFest and all over the City interacting with people. One final piece that he is waiting to see while walking around his neighborhood is that a police patrolling will stop and introduce himself and then he will feel that all the pieces have been put together. GPD has proven that it can stop crime when it happens.. It is known throughout the community that when things happen in Greenville it allows GPD to do an outstanding job. GPD is catching the bad guys quickly and the Strategic Plan shows that the City is really doing something about crime.

Mayor Thomas stated that if anyone had any questions about GPD's directions, he feels that the directions are spelled out across different agencies. He met today with the University Chancellor and others at East Carolina University and they reaffirmed their support for GPD getting another part-time Code Enforcement position or maybe more. That will be important for the TRUNA neighborhood.

Council Member Blackburn stated that she trusts and knows that Chief Aden is a professional. Without hearing more about what will take place in the Code Enforcement Division, she is very uncomfortable voting for this Strategic Plan, which includes approving the more civilian structured code. Members of the public who are aware of the City Council's agendas will also expect that discussion at the Thursday meeting. It is premature to vote for the Plan in total when that element is not one that she is comfortable with signing off on yet.

City Manager Lipscomb responded the Plan entails creating a civilianization as well as reorganization of the code enforcement zones, etc. As positions become open and as the number of functions is known, staff is looking at transpiring the sworn officers back out in the field to do sworn work and bringing in civilians who are not sworn and code enforcement is part of that. Also, it was mentioned that staff is looking at professionalizing the Code Enforcement Division. There is a profession that relates to code enforcement directors who have their own association, testing and profession levels of I, II, III and supervisor based on the testing, etc. It is not taking away from anything that existing employees have done, but there are trained officers who can be back on streets opposed to sitting in offices.

Council Member Blackburn asked how will the City keep the accountability element of sworn officers involved in code enforcement or will the City lose that.

City Manager Lipscomb responded that she does not feel that the City will lose that and her 2 objectives are she wants someone who understands both the legal and customer service sides of code enforcement. Those are the types of individuals that staff needs to recruit even if certain types of personality profiles, etc. are required. Also, she wants someone who is able to engage and to train existing civilians in the code enforcement profession.

Mayor Pro-Tem Glover stated that because of North Carolina's decision to outsource the mental health people and to shut down all of their facilities, it has placed them back into the



community with no help. She suggested that training should be provided to some of GPD police officers on how to handle situations involving people with mental illnesses because their use of TASERS to control these individuals is not the answer.

Chief Aden responded that GPD's Crisis Intervention Team is specially trained and dispersed throughout the GPD patrol. They attend a 40-hour class, which includes recognition of mental illness, de-escalation, and resources throughout the City because the jails are not often the appropriate place at that point and time, exercises that take them through what people are feeling. GPD is in the process of doubling the 60 CIT trained police officers and as of two weeks ago, he directed that only these police officers carry TASERS. GPD is the third police department in the United States to do that which includes Philadelphia, Alexandria and Greenville. It is a fact that about half of the people who are tasered or forced ended in crises. CIT trained police officers affords GPD a level of assurance that GPD is doing the best possible to de-escalate.

Mayor Pro-Tem Glover stated that Mayor Thomas and she visited Raleigh and heard a presentation by their Police Department and their Code Enforcement head was a civilian, who did a lot of neighborhood interaction, but he was under the Police Department. Greenville is not the only Code Enforcement Division that is under the supervision of a civilian versus a uniformed police officer. When considering the number of police officers needed compared to our citizens per capita, Greenville is lacking that requirement, and she has no problem with getting as many police officers back on the streets. During her visit to Fort Worth, that City's Code Enforcement person made a presentation on what they do and one of the things that she liked is that they trained civilians as code rangers. They rode around and looked at simple things, i.e. trash, and would report the addresses to the Code Enforcement Division. Fort Worth offered training on Saturday for these individuals. Fort Worth also has a Customer Service Advocate and these responsibilities can be built into the code enforcement director or manager position. Some of the City Council Members may have concerns about the City having a civilian person over the Code Enforcement Division but she has no concerns as long as this person is still within GPD and answers to Chief Aden. There was a civilian before the City went to a uniformed police officer, but the person had no training and did not seek any code enforcement training and the knowledge of their senior code enforcement officers. She is pleased with the Strategic Plan and is excited that it incorporates more community policing than in any other Chief of Police plans that the City has had. Mayor Pro-Tem Glover asked how many police officers there are per 1,000 citizens in Greenville and how many Greenville should have.

City Manager Lipscomb stated that part of staff's strategy of getting sworn police officers back on the streets addresses the issue of number per 1,000.

Chief Aden stated that as far as the code enforcement piece of the Plan, the City will not lose accountability with code enforcement officers. The Code Enforcement Division personnel will still report to him and will still be within the Police Department. The purpose for the position going from a sworn officer to a civilian is to professionalize that position's function.



Council Member Mercer stated he certainly has been a long advocate of having professionals manage the City at all levels, and the case that is being made to professionalize the Code Enforcement Officer position carries weight with him. There is a history to this question though which touches a concern that many neighborhoods have. On the Thursday night agenda, there is an item that the City Council will vote on classifying this position. It was said tonight that this is a "living" document, which can be changed. He supports and appreciates the Strategic Plan.

Council Member Blackburn asked if sworn officers could be engaged in code efforts when needed, if the Plan is approved by the City Council.

Chief Aden responded if there is an issue where police officers are needed, they will assist with code enforcement.

There being no further discussion, the motion to adopt the 2014-2016 Strategic Plan and its implementation by the Greenville Police Department beginning January 1, 2014, passed unanimously.

VIDEO SURVEILLANCE PROGRAM PRESENTATION

Director of Information Technology Rex Wilder stated that at the January 2012 Planning Session, the Information Technology (IT) Department was given two City Council Action Items associated with public safety, which are as follows:

1. Identify specific geographic areas throughout the City with significantly high incidents of crime and nuisance activity that may be deterred through the installation of public safety security cameras
2. Work with the Police Department to further expand video surveillance in the downtown area of Greenville

The City Council approved \$150,000 per year of Capital Improvements Projects (CIP) funding for Fiscal Years 2012-2013 and 2013-2014 for the Video Surveillance Program. This year, the IT Department has been working on spending that \$150,000 for cameras and to kick off that a Video Surveillance Committee was formed consisting of personnel from the Greenville Police, Community Development, Recreation and Parks, Public Works, and Information Technology Departments. The Video Surveillance Committee met to determine areas of concern, future growth and to identify areas for increased video surveillance and new areas to cover. A comprehensive list was created and prioritized by the Committee. Camera locations are selected based upon possible criminal activity areas and ingress/egress routes on areas for monitoring. Direct neighborhood monitoring is not utilized due to possible violations of citizen privacy. GPD does not employ full 24/7 monitored access of the cameras due to the current workload of the dispatchers. During times of possible high crime activity, periodic observations may take place i.e., uptown Greenville on weekends. In the event of a reported incident, the dispatchers will monitor



cameras in the immediate vicinity of the incident as well as any cameras along the egress routes. Camera Surveillance footage is used in post incident investigations and court proceedings. An example of this is the Boston Marathon Bombing camera footage where the cameras did not prevent the crime, but certainly helped them to determine who was involved in the planting of the bombs. Greenville has cameras to help the Police Department solve crimes. Currently, Greenville has 182 cameras and the dollars spent prior to July 2012 was \$698,272. The Video Surveillance Committee recommended the installation of 62 additional cameras in areas for better police coverage and 18 out of the 62 cameras have been installed this year. In 2007, \$38,000 was spent on video surveillance, \$100,000 was spent 2008, and over \$50,000 was spent in 2010. In 2011, there was an increase as far as dollars spent (over \$250,000). Some of the dollars were spent from CIP and Recreation and Parks Department budgets and the Police Department grants. In 2012, there was a small amount of dollars and in 2013, the Committee is looking at \$150,000 that was appropriated as well as the Recreation and Parks Department budget dollars to contribute to the amount of over \$200,000 for video surveillance. Of that \$700,000, only \$450,000 - \$460,000 was used to purchase the cameras and software as well as infrastructure was involved having fiber optic put in place and some of the manning, network infrastructure, disc storage and contract services for installing the cameras, training, and staff time for manning the videos. Staff cost from 2007 to 2012 has increased. When City Hall was built, cameras were installed and the City also monitors some of the Department of Transportation's cameras. The installation and use of cameras have grown by year. Staff coordinated with Greenville Utilities Commissions (GUC) trying to use the conduit manholes as far as running some of fiber optics using the utilities poles. The City had to do a pole attachment contract with GUC as well as a fiber use agreement. One of the first cameras installed was down on Evans Street, and additional cameras have been installed along 4th and 5th Streets. There have been some outstanding items including the following:

<u>Task</u>	<u>Status</u>
➤ COG/DOT MOU Fiber Usage	Pending
➤ Dream Park (*2)	Pending Approval on Fiber Install
➤ Guy Smith Stadium (*2)	Pending Approval on Fiber Install
➤ City Pool (*2)	Pending Approval on Fiber Install
➤ Thomas Foreman Park (*3)	Pending
➤ South Greenville Park	Pending
➤ Utilizing Current Years funding	Ongoing
➤ Cost Estimate for further installations	Ongoing

*The number of cameras to be installed at the location.

Total expenditures out of the \$150,000 budget for the Video Surveillance Program as of to date is \$109,823, which was spent on cameras, infrastructure, and installation costs. Other goal task items are the following:



- Define skill sets and scope for a contractor to provide ongoing installation, maintenance and support.
- Comprehensive analysis of video surveillance environment to develop a budgetary estimate for ongoing contingencies
- Develop an ongoing budget for life cycle replacement

An overview of the current camera infrastructure is 163 of the existing 182 cameras currently installed are utilizing existing infrastructure. Infrastructure replacement uptown was not costly, but the infrastructure cost of Merchant's Alley was approximately \$33,000 for fiber, conduit, and manholes. The infrastructure cost of the last 4 cameras installed in the uptown area was \$300. Director of IT Wilder delineated the location of various cameras on maps and described the types of cameras used for the entire City, uptown, Walmart, West Greenville, North Greenville and Bradford Creek Public Golf Course areas. Director of IT Wilder stated that the \$150,000 allocated for Fiscal Year 2013-2014 will be used for the maintenance of the existing 182 cameras (\$50,000), to continue the installation of priority cameras (\$50,000) and to shift to priority lighting needs identified by the Police Department (\$50,000). The Police Department has identified 34 sites for additional cameras. Remaining camera installs will be based upon those that are less expensive to install. More expensive camera installs will be in future years based on available budget. Staff is requesting the City Council to approve the Video Surveillance Program and the expenditure of the \$150,000 for the future budget.

Motion was made by Council Member Joyner and seconded by Council Member Smith to approve the Video Surveillance Program, including the proposed FY 2014 expenditures of \$150,000. Motion carried unanimously.

APPROVAL OF SANITATION PLAN AND IMPLEMENTATION

Council Member Mitchell asked if there had been any adjustments to the Sanitation Plan since the City Council's March 7, 2013 Workshop.

City Manager Lipscomb responded that there have not been any changes made since staff's presentation to the City Council at that workshop.

Motion was made by Council Member Mitchell and seconded by Council Member Joyner to approve the five-year Sanitation plan and authorize the City Manager to move forward with implementation.

Council Member Blackburn stated that Greenville is a growing city with a current population of 80,000+ and on its way to a population of 100,000 and this city never had any significant staff increases in probably 10-20 years. The Plan will allow the City's sanitation workers to avoid injury and make the City's sanitation collection system a modern system, the way other cities do it, and that is wonderful. Also, the third benefit is the Plan will dramatically increase our recycling efforts. The City is also on track to lose \$1 million in a year, if this plan is not implemented and that number will grow. Her ongoing



concern is that the City will see a net loss of City of Greenville employees at a time when the City needs to have status quo if not expand City net employees. The City can work with the sanitation employees to have incentives for early retirements and attrition, but there will be a loss of net positions with the City. Council Member Blackburn asked staff to address her concern.

City Manager Lipscomb responded that the City has approximately 750 employees. She has found since being the City Manager that there are employees in locations where they are not needed, and there are other locations where employees will be beneficial for the City. Some of employees will remain working in the Sanitation Division and some of them will transition over to the Stormwater Fund because there are 65 miles of City ditches that must be kept cleaned and more crews are needed. Those are the kind of adjustments that staff is trying to make, and if there is a situation of intense growth, adding more employees will be considered.

Council Member Blackburn stated that employees might not be needed in one area, nevertheless, with this plan, the City is looking at a net loss of 25 positions.

Public Works Director Kevin Mulligan responded that 9 employees will be retiring, 4 positions are frozen and 12 positions will be transferred within the City of Greenville so it is not a loss of 25 positions. In the last 2 months, the City has advertised for code enforcement officer for traffic control, an animal control officer, and the positions are out there. Staff is looking to transfer employees in areas of need versus the area that they are currently working in to maximize our efficiency.

Mayor Pro-Tem Glover stated that the City is moving to an automatic and safer sanitation system and is not losing employees, but staff is looking for positions in another area where City Manager Lipscomb feels there is more need. There are opportunities for the Sanitation employees to go to school, choose other jobs of their preference where they may fit in better. She would not support this plan if she felt that every effort would not be made to try to place these employees in other positions with the City of Greenville. The employment rate for African-Americans just in this County is higher than the national average so surely, the City is not going to create more unemployed people. Stating that the City is losing 25 positions is confusing the public. The reassignment will consist of 12 positions if this plan is implemented. No one is more of an employee advocate than she is because she had jobs at the bottom and all the way to the top and is aware of how the employees would feel, if their jobs are threatened.

City Manager Lipscomb stated that staff is keeping track of all the positions that the City is opening to Sanitation workers first including whether they are applying for or being assigned to the positions.

Council Member Joyner asked if staff believes in the Plan.



Public Works Director Mulligan responded that it is a dynamic plan. 14 of the other 15 largest cities in North Carolina have converted to an automated system and staff knows that it works in those cities and will work in Greenville. When staff receives the City Council's approval, vehicles will be purchased that will help the City to convert to the automated system. Also, a public education component is a key part of this plan.

Council Member Blackburn referred to a section in the Plan, Section VII – Employee Transition Plan, stating that she understands that there are retirements and that the City will assist employees in finding other positions, but the following really gets to the meat of the matter:

Sanitation Division	2012	2017
	Current Program	Automated Program
Staffing	68 (72 authorized)	47
Vehicles	46	40
Collection Frequency	1 x week	1 x week

The Sanitation Division has 72 positions which will decrease to 47 positions and that is a net loss of 25 positions to the City's staff, which is her concern. Staff has informed the City Council that it will not be 25 people losing their jobs because the City will make provisions and transitions for them.

There being no further discussion, the motion to approve the five-year Sanitation plan and authorize the City Manager to move forward with implementation passed by unanimous vote.

BUDGET ORDINANCE AMENDMENT #8 TO THE 2012-2013 CITY OF GREENVILLE BUDGET, AMENDMENT TO THE SPECIAL REVENUE GRANT FUND, AMENDMENT TO THE DREW STEELE CAPITAL PROJECT FUND, AND AMENDMENT TO THE DREAM PARK CAPITAL PROJECT FUND - ORDINANCE #12-030

Motion was made by Council Member Joyner and seconded by Council Member Mitchell to approve budget ordinance amendment #8 to the 2012-2013 City of Greenville budget (Ordinance #12-027), amendment to the Special Revenue Grant Fund (Ordinance #11-003), amendment to the Drew Steele Capital Project Fund (Ordinance #09-42), and amendment to the Dream Park Capital Project Fund (Ordinance #12-030). Motion carried unanimously.

REVIEW OF MAY 9, 2013 CITY COUNCIL AGENDA

The Mayor and Council reviewed the agenda for the May 9, 2013 City Council meeting.



COMMENTS BY MAYOR AND CITY COUNCIL

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

CITY MANAGER'S REPORT

No comments were made by City Manager Lipscomb.

CLOSED SESSION

Council Member Blackburn 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 Personnel Privacy Statute and the Open Meetings Law and in accordance with G.S. §143-318.11(a)(3) to discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body including consultation on the lawsuit captioned Lanier Construction Company, Inc. versus the City of Greenville. Council Member Smith seconded the motion, which passed by unanimous vote.

Mayor Thomas declared the City Council in closed session at 10:56 p.m., calling a brief recess to allow the Council and staff to relocate to Conference Room 337.

Upon conclusion of closed session discussion, motion was made by Council Member Mercer and seconded by Council Member Blackburn to return to open session. Motion was approved unanimously, and Mayor Thomas returned the City Council to open session at 11:25 pm.



ADJOURNMENT

Motion was made by Council Member Joyner and seconded by Council Member Smith to adjourn the meeting. Motion carried unanimously. Mayor Thomas declared the meeting adjourned at 11:27 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: 11/7/2013
Time: 7:00 PM

Title of Item: Report on Contracts Awarded

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

Explanation: The Director of Financial Services reports that the following contracts were awarded during the months of September and October, 2013.

Date Awarded	Description	Vendor	Amount	M/WBE
9/4/13	Police Ammunition State Contract #680A-4	Lawmen's Safety Supply, Inc.	\$55,363.70	No
9/9/13	Equipment for Pumper Ambulance List 1 Formal Bid #13-14-05	MES-Asheville Fire & Safety	\$81,628.57	No
9/13/13	John Deere Model 333D Skid-Steer Loader State Contract #760H	R.W. Moore Equipment Co.	\$118,555.48	No
9/13/13	Hyundai R 140 LC-9A Excavator State Contract #760H	Rob's Hydraulics, Inc.	\$169,261.53	Yes
9/13/13	Two (2) International 7300SFA Trucks with Dump Body State Contract #070Q	White's International Trucks	\$180,782.64	No

9/30/13	EMC VNX 5400 Unified Storage SAN/NAS State Contract #204J	Internetwork Engineering	\$157,950.00	Yes
10/14/2013	72 M&P 15TS Rifles and Accessories State Contract #680B	Lawmen's Safety Supply, Inc.	\$106,922.88	No

Fiscal Note:

Funding for Police Ammunition is included in the Police Department budget for FY 2013-2014 in Supplies/Materials line item--total is \$280,606.

Funding for Equipment for Pumper-Ambulance was included in the Vehicle Replacement Fund for FY 2013-2014 in the amount of \$150,000.

Funding for John Deere 333D Skid Steer Loader was included in the Vehicle Replacement Fund for FY 2013-2014 in the amount of \$120,000.

Funding for Hyundai R 140 LC-9A Excavator was included in the Vehicle Replacement Fund for FY 2013-2014 in the amount of \$171,000.

Funding for Two (2) International 7300 SFA Trucks with Dump Bodies was included in the Vehicle Replacement Fund for FY 2013-2014 in the amount of \$186,000.

Funding for EMC VNX 5400 Unified Storage SAN/NAS was budgeted in the FY 2013-2014 General Fund and CIP Budget; \$55,000-GF and \$120,500- CIP; total budgeted funds was \$175,500.

Funding to purchase the 72 M&P 15TS Rifles and Accessories was approved by City Council on 10/7/13 in the amount of \$114,407.48 from the Controlled Substance account.

Recommendation:

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

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

Attachments / click to download

 [Bid Tab-Equipment for Pumper-Ambulance](#)

BID TABULATION SHEET
City of Greenville, North Carolina
Financial Services Department

Description: Formal Bid#13-14-05 Equipment for Pumper-Ambulance
Bid Due Date: August 23, 2013 10:00 am

Item # 4

Contractor	Bid List#1	Bid List#2	Total Bid	Delivery
MES, Inc. 6701 C Northpark Blvd. Charlotte, NC 28216	\$81,628.57	No Bid	\$81,628.57	Oct. 31-except SCBA units
Newtons Fire & Safety 2724 Darrell Newton Dr. Sweetsville, NC 27359	\$34,341.85	\$403.95	\$35,341.85	45 Days ARO
Rhinehart Fire Services 22 Piney Park Rd. Unit G Asheville, NC 28806	\$52,688.00	No Bid	\$52,688.00	"Due to NFPA..no ship date on Air-Paks"
Dana Safety Supply 5221 W. Market St. Greensboro, NC 27409	\$11,998.68	\$376.48	\$12,375.16	30 Days ARO
Southeastern Emergency Equipment PO Box 1196 Wake Forest, NC 27588	No Bid	\$25,786.14	\$25,786.14	21-30 Days ARO
Atlantic Emergency Solutions 12351 Randolph Ridge Lane Manassas, VA 20109	\$88,523.00		\$88,523.00	45 Days ARO

Angelene E. Brinkley
Angelene E. Brinkley, Purchasing Manager

Date: 8/23/13



City of Greenville, North Carolina

Meeting Date: 11/7/2013
Time: 7:00 PM

Title of Item: Memorandum of Agreement with the N.C. State Historic Preservation Office for 901 Douglas Avenue

Explanation: **Abstract:** The rehabilitation and/or demolition of properties funded with federal funds triggers consultation with appropriate agencies and compliance with the National Environmental Policy Act (NEPA). City staff has been in discussion with the U.S. Department of Housing and Urban Development and the State Historic Preservation Office (SHPO) to develop a Memorandum of Understanding for 901 Douglas Avenue.

Explanation: The 901 Douglas Avenue property is owned by Metropolitan Housing and Development Corporation and was scheduled for rehabilitation and occupancy by an income eligible homeowner from funding through the HOME Investment Partnerships program in February 2012. Since that time, staff has been working in conjunction with Metropolitan Housing and Development Corporation to provide a feasible solution for the structure and property.

The initial plan for 901 Douglas Avenue was rehabilitation of a substandard dwelling by a Community Housing Development Organization (CHDO) under the HOME program. However, it quickly became evident that this would not be a feasible solution due to the age and stability of the structure. The initial rehabilitation cost began to increase exponentially as the work began. The contractor found several unforeseen structural issues. Staff made the decision to cease work on the structure, and began researching other alternatives.

Staff calculated that the best alternative would be to demolish the structure and then rebuild on the lot. City staff has been in negotiations with the U.S. Department of Housing and Urban Development and the State Historic Preservation Office (SHPO) to create a feasible development plan for 901 Douglas Avenue; it has taken a little over a year to negotiate the terms of reconstruction.

The Memorandum of Agreement requires the City to re-survey the West Greenville Area for historic districts and structures. Also, construction of a new


structure at 901 Douglas Avenue must resemble the time in which the original structure was built.

Fiscal Note: The budgetary impact will be approximately \$15,000 for an updated historic survey of the West Greenville Area, funded from CDBG funds.

Recommendation: Approve the Memorandum of Agreement between SHPO and the City.

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

Attachments / click to download

 [SHPO MOA - 901 Douglas Avenue](#)

**MEMORANDUM OF AGREEMENT
BETWEEN THE CITY OF GREENVILLE
AND
NORTH CAROLINA STATE HISTORIC PRESERVATION OFFICER
REGARDING
THE DEMOLITION OF 901 DOUGLAS AVENUE
GREENVILLE, PITT COUNTY, NORTH CAROLINA**

WHEREAS, the United States Department of Housing and Urban Development (HUD) made a Community Development Block Grant (CDBG) to the City of Greenville (the City), a HUD Entitlement Community, in 2012 under § 570(I) of the Housing and Community Development Act (24 C.F.R. § 570); and,

WHEREAS, the City has identified West Greenville as a target area for CDBG funds; and,

WHEREAS, the City proposes to demolish the house located at 901 Douglas Avenue (the House), said demolition being hereinafter referred to as the Undertaking; and,

WHEREAS, HUD delegated its legal responsibility for the Undertaking's compliance with Section 106 of the National Historic Preservation Act (NHPA) to the City in accordance with Federal law; and,

WHEREAS, in April 2012, the City proposed lead-based paint abatement at the House that would repair historic materials and/or replace severely deteriorated historic materials in-kind; and,

WHEREAS, the House is a contributing resource within the Perkins Town-Cherry View Historic District (the Historic District), a property first determined eligible for listing in the National Register of Historic Places (National Register) in 2004; and,

WHEREAS, the City, in consultation with the State Historic Preservation Officer (SHPO), determined the lead-based paint abatement would have no adverse effect on historic properties; and,

WHEREAS, during the lead-based paint abatement, exterior and interior historic materials were removed beyond the SHPO-reviewed scope of work and, after this, further investigation of the interior of the House revealed that the House's historic integrity and structural condition were beyond repair; and

WHEREAS, the City, in consultation with the SHPO pursuant to 36 C.F.R. § 800.13(b), determined these unanticipated effects adversely affected the Historic District; and

WHEREAS, the City, in accordance with 36 C.F.R. § 800.6(a)(1), notified the Advisory Council on Historic Preservation (ACHP) of the adverse effect determination with specified documentation, and the ACHP declined to participate in the consultation pursuant to 36 C.F.R. § 800.6(a)(1)(iii); and

NOW, THEREFORE, the City and the SHPO agree that the Undertaking shall be implemented in accordance with the following stipulations in order to take into account the effect of the Undertaking on historic properties.

STIPULATIONS

The City shall ensure that the following measures are carried out:

I. Demolition of 901 Douglas Avenue

Upon the execution of this MOA, the House at 901 Douglas Avenue may be demolished. Materials from the House may be salvaged for scrap or re-use. The House shall not be used for any fire training exercise.

II. Reevaluation of the Historic District

The City shall retain the services of an architectural historian, who meets the *Secretary of the Interior's Professional Qualifications Standards*, to reevaluate the historic integrity of the Historic District and determine if the Historic District, in whole or in part, is presently eligible for listing in the National Register. The reevaluation shall conform to the attached Reevaluation Plan (Appendix A), and shall cover the existing boundaries of the Historic District (Appendix B).

On or before December 1, 2014, the draft reevaluation shall be submitted to the SHPO for review. The SHPO shall review the reevaluation and provide any comments in writing within thirty (30) days of receipt. The City and their architectural historian shall take the SHPO's comments into consideration, make any necessary revisions, and submit the final reevaluation to the SHPO for review and concurrence.

III. Review of New Construction

If the reevaluation of the Historic District concludes that the district is still eligible for listing in the National Register, then any new construction at 901 Douglas Avenue shall be subject to the SHPO's review and comment, and shall be a permanent, one- or two-family residential structure that is compatible in size, scale, design, and material with the remaining contributing structures within the Historic District.

However, if the reevaluation of the Historic District concludes that the district is no longer eligible for listing in the National Register, SHPO review of new construction at 901 Douglas Avenue will not be required. .

IV. Public Education Programs

On or before December 1, 2014, the City, in consultation with the SHPO, shall host two workshops in central or west Greenville for local residents and property owners. One workshop shall cover, at a minimum, maintenance, repair, and energy efficiency in historic buildings. The other workshop shall include information on available state and federal historic rehabilitation tax credits. The workshops shall be advertised well in advance and be free and open to the public.

V. City Staff Education Program

On or before December 1, 2014, the City's Community Development Department, in consultation with the SHPO and a qualified consultant, shall conduct a training seminar or workshop for its employees. The training shall be mandatory for all members of the staff, who are involved in any Department of Housing and Urban Development programs

administered by the City. The training will cover historic preservation principles, rehabilitation best practices, and the Section 106 review process.

VI. Unanticipated Discovery

In accordance with 36 C.F.R. § 800.11(a), if the City identifies potential additional cultural resource(s) during construction activities which are funded with CDBG funds and determines them to be eligible for the National Register, all work will be halted within the limits of the National Register-eligible resource(s) and the SHPO will be contacted. If after consultation with the Signatory Parties, additional mitigation is determined necessary, the City, in consultation with the Signatory Parties, will develop and implement appropriate protection and/or mitigation measures for the resource(s).

Inadvertent or accidental discovery of human remains will be handled in accordance with North Carolina General Statutes Chapter 65 and 70.

VII. Dispute Resolution

Should any Signatory Party to this MOA object at any time to any actions proposed or the manner in which the terms of this MOA are implemented, the City shall consult with such party to resolve the objection. If the City determines that such objection cannot be resolved, the City will:

- A. Forward all documentation relevant to the dispute, including the City's proposed resolution, to the ACHP. The ACHP shall provide the City with its advice on the resolution of the objection within thirty (30) days of receiving adequate documentation. Prior to reaching a final decision on the dispute, the City shall prepare a written response that takes into account any timely advice or comments regarding the dispute from the ACHP, Signatory or Concurring Parties, and provide them with a copy of this written response. The City will then proceed according to its final decision.
- B. If the ACHP does not provide its advice regarding the dispute within the thirty (30) day time period, the City may make a final decision on the dispute and proceed accordingly. Prior to reaching such a final decision, the City shall prepare a written response that takes into account any timely comments regarding the dispute from the Signatory or Concurring Parties to the MOA, and provide them and the ACHP with a copy of such written response.

VIII. Amendments

This MOA may be amended when such an amendment is agreed to in writing by all Signatory Parties. The amendment will be effective on the date a copy signed by all of the Signatory Parties is filed with the ACHP.

IX. Termination

If any Signatory Party to this MOA determines that its terms will not or cannot be carried out, that Party shall immediately consult with the other Parties to attempt to develop an amendment per Stipulation VIII, above. If within thirty (30) days (or another time period agreed to by all Signatory Parties) an amendment cannot be reached, any Signatory Party may terminate the MOA upon written notification to the other Signatory Parties.

901 Douglas Avenue
Greenville, Pitt County

Once the MOA is terminated, and prior to work continuing on the Undertaking, the City must either (a) execute an MOA pursuant to 36 C.F.R. § 800.6, or (b) request, take into account, and respond to the comments of the ACHP under 36 C.F.R. § 800.7. The City shall notify the Signatory Parties as to the course of action it will pursue.

X. Duration and Execution

This MOA shall take effect on the date that it has been fully executed by the Signatory Parties. Unless terminated pursuant to Stipulation IX above, this MOA shall remain in force for ten (10) years from its execution date.

Execution of this Memorandum of Agreement by the Signatory Parties, its subsequent filing with the ACHP, and implementation of its terms, demonstrate that the City has afforded the ACHP an opportunity to comment on the Undertaking and that the City has taken into account the effects of the Undertaking on historic properties, satisfying their responsibilities under Section 106 of the National Historic Preservation Act.

AGREED:

City of Greenville

By: _____ Date: _____

Barbara Lipscomb
City Manager

North Carolina State Historic Preservation Officer

By: Kevin Cherry, SHPO Date: 9/27/2013

Dr. Kevin Cherry
North Carolina State Historic Preservation Officer

FILED:

Advisory Council on Historic Preservation

By: _____ Date: _____

APPENDIX A Reevaluation Plan

In accordance with Stipulation III of the Memorandum of Agreement between the City of Greenville and the North Carolina State Historic Preservation Officer, the City shall be responsible for reevaluating the historic integrity of the existing Perkins Town-Cherry View Historic District and determining if the Historic District, in whole or in part, is presently eligible for listing in the National Register.

Professional Qualifications

The City shall retain the services of an architectural historian, who meets the *Secretary of the Interior's Professional Qualifications Standards*, to perform the reevaluation. According to the *Standards*:

The minimum professional qualifications in architectural history are a graduate degree in architectural history, art history, historic preservation, or closely related field, with coursework in American architectural history, or a bachelor's degree in architectural history, art history, historic preservation or closely related field plus one of the following:

1. At least two years of full-time experience in research, writing, or teaching in American architectural history or restoration architecture with an academic institution, historical organization or agency, museum, or other professional institution; or
2. Substantial contribution through research and publication to the body of scholarly knowledge in the field of American architectural history.

Upon request, the SHPO may provide a list of consultants who have successfully completed National Register nominations or city/county architectural surveys.

Survey Standards

Unless there is new information not found in the 2004 determination of eligibility, the historic significance of the Historic District does *not* need to be addressed in this reevaluation. The reevaluation shall focus on the historic integrity of the Historic District and include information on any changes, such as demolitions, major rehabilitations/alterations, or new construction, since 2004.

For each property within the existing Historic District, the survey shall include the property name (if any), address, date of construction, a brief narrative description of the property (including any secondary buildings), and an assessment of its historic integrity. For a template for this survey information and formatting, see the Inventory List in the Skinnerville-Greenville Heights Historic District National Register Nomination (www.hpo.ncdcr.gov/nr/PT2000.pdf). For more information, see the SHPO's Survey Manual (www.hpo.ncdcr.gov/digital/NCHPOSurveyManual-11-2008.pdf).

The survey shall also include a map (at least 11" by 17") showing building footprints, parcel lines, property addresses, and major features within the existing National Register Boundaries. Any proposed revision to the National Register boundary shall also be shown on the map.

Photography Standards

Photographs shall conform to the SHPO's *Guidelines for Digital Photography for Historic Property Surveys and National Register Nominations* (www.hpo.ncdcr.gov/digital/NCHPO_Digital_Photo_Policy.html). When naming digital photographs, please use the "Urban Property" naming convention. The survey site number for the Historic District is PT1771.

At least two (2) photographs shall be taken of each primary structure (house, commercial building, etc.) within the existing boundaries of the Historic District from the public right-of-way. Where possible, these photographs should show two (2) elevations of the structure. A separate photograph shall be taken of any secondary structures (garage, shed, etc.) visible from the public right-of-way. A photograph shall be taken of any undeveloped lots; where possible, this photograph should illustrate the lot's relationship to neighboring structures. Adjacent undeveloped lots may be covered with a single photograph.

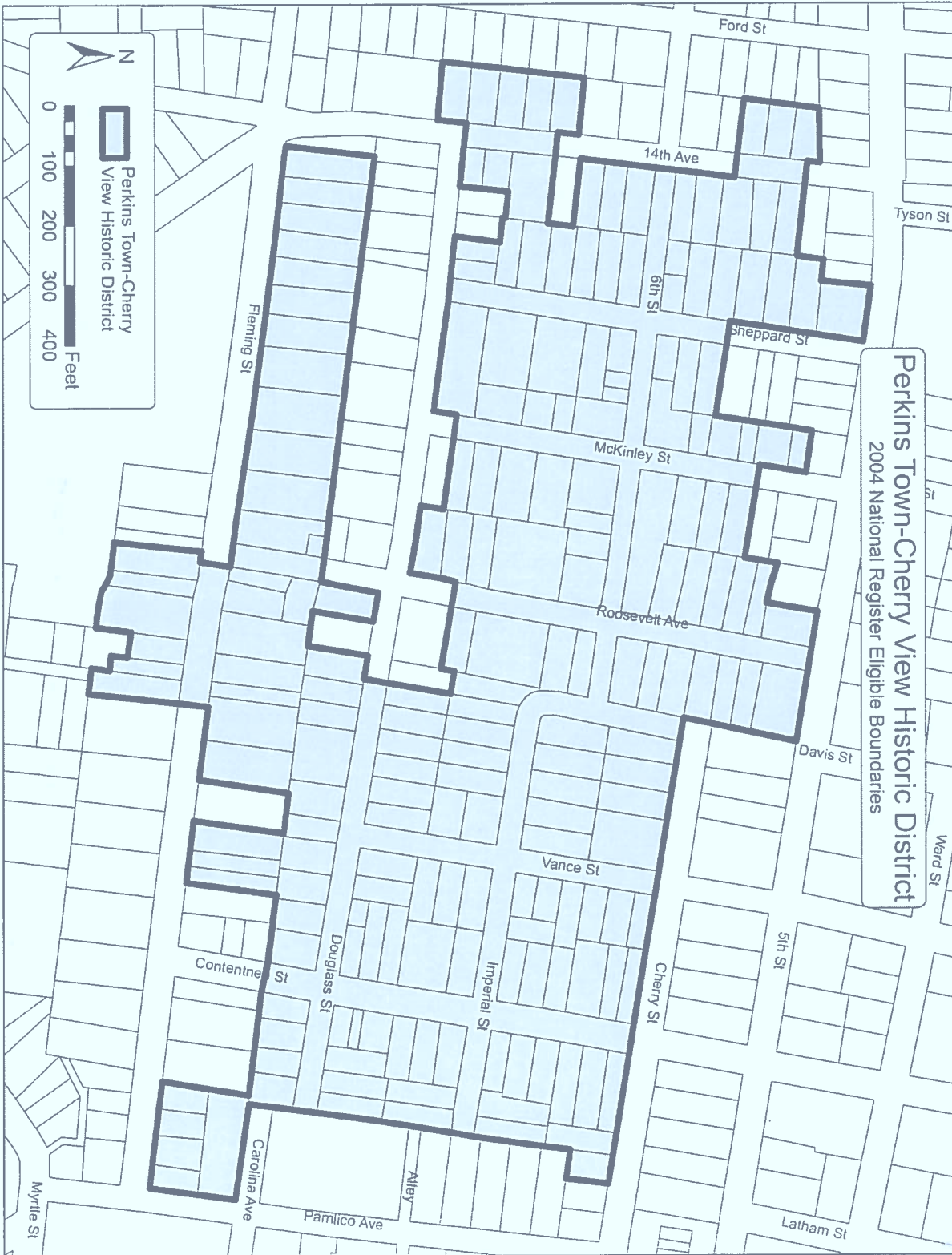
Submittal Requirements

At the draft and final stages, the City shall submit two (2) copies—one (1) set to the SHPO Raleigh Office and one (1) set to the SHPO Greenville Office— of the following for review and comment:

- Hard copies of the report/inventory;
- Digital copies of the report/inventory; and,
- CDs/DVDs of properly named and organized photographs.

The final submittal shall also include color photograph proof sheets (see *Guidelines for Digital Photography*).

APPENDIX B





City of Greenville, North Carolina

Meeting Date: 11/7/2013
Time: 7:00 PM

Title of Item: Contract with Cardno for EPA Brownfield Project Management

Explanation: **Abstract:** The City was recently awarded a clean-up grant from the EPA to remediate the former Imperial Tobacco Warehouse site. Cardno is the environmental firm that was selected to assist the City with management of the Imperial site clean-up. Staff is requesting authorization to approve the contract with Cardno.

Explanation: Based on a competitive procurement process that included a review of proposals as well as in-person interviews, Cardno has been selected as the most qualified firm to assist City staff with management of the Imperial site clean-up as well as other brownfields activities on a task order basis. The City was recently awarded a \$400,000 clean-up grant from the EPA to remediate the former Imperial Tobacco Warehouse site. Along with the \$80,000 match, the total budget for the Imperial clean-up project is \$480,000. As described in the attached contract and attachments, Cardno will help manage the remediation of the site. It is expected that Cardno staff and subcontractors will perform a broad range of services for the City, including project management and reporting, community outreach, clean-up planning, and site clean-up activities. It is expected that Cardno will begin their services shortly after the approval of this contract, and will complete all agreed-to services associated with the Imperial site clean-up no later than September 30, 2016.

Fiscal Note: Cardno has agreed to tasks as described in contract Exhibit A (attached) not to exceed \$432,000, which include all services and materials provided by subcontractors that provide work associated with the Imperial clean-up project.

Recommendation: Authorize the City Manager to approve a contract with Cardno to perform services as outlined in Exhibit A in an amount not to exceed \$432,000.

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

Attachments / click to download


 [Exhibit A and Task Order](#)

EXHIBIT A

Services

Cardno will partner with the City of Greenville (City) to achieve the goals and objectives of the United States Environmental Protection Agency (EPA) Brownfields Cleanup Grant for the former Imperial Tobacco site, as described in the following sections per the approved Cleanup Work Plan.

Task 1 - Project Management and Reporting

Cardno will work with the City to complete the project management and reporting tasks required in the Cooperative Agreement. Cardno will attend regular project meetings and/or calls with the City through the completion of the project. The purpose of these meetings and calls is to keep everyone updated as to the progress of the work. Draft documents will be sent for review upon completion and prior to submission to EPA and/or the North Carolina Department of Environment and Natural Resources (NCDENR). Cardno will prepare the reports required by the EPA on the City's behalf.

Upon conclusion of the cleanup and activities, Cardno will prepare a Closeout Report in form and substance acceptable to the City, NCDENR, and the EPA for review. At a minimum, the report will include the following:

- Narrative documenting all stages of the project;
- Before and after photographs of the sites; and
- Results of any confirmation sampling completed during the project.

Cardno is prepared to complete the following deliverables and quantities under this task:

- Quarterly Reports (maximum of 12);
- MBE/WBE Utilization Forms (maximum of 6 bi-annual);
- Annual Financial Report (maximum of 3);
- Payment Requests (as needed);
- ACRES updates (as needed);
- Final Financial Performance Report (1); and
- Final Closeout Report, to include the waste characterization and confirmation sampling results (1).

Task 2 – Community Outreach

Within the first 60 days of the project start, Cardno will update the existing Community Involvement Plan (CIP) to ensure that community concerns are considered in site cleanup activities. The intent is to involve community members that are directly and indirectly impacted by the site, the cleanup activities, and the eventual redevelopment of the site.

The activities to be detailed in the CIP will include at a minimum the following outreach efforts:

- Present project updates at regular community meetings; and

- Assist the City with the issuance of public notices and newspaper articles as needed to keep the local community informed of environmental cleanup activities and results.

Cardno is prepared the complete following deliverables under this task:

- Updated Community Involvement Plan (CIP);
- Updated project brochure;
- Updates to the existing project website; and
- Information sheets about the property and cleanup activities.

Task 3 – Cleanup Planning

A. Analysis of Brownfields Cleanup Alternatives (ABCA)

Cardno will finalize the Analysis of Brownfields Cleanup Alternatives (ABCA) document that was prepared prior to the grant application. It will summarize information about the site and contamination; cleanup standards; applicable laws; alternatives considered; and the proposed cleanup plans. Drafts of the ABCA will be made available for public review for 30 days per EPA requirements. At the conclusion of the review period, the final ABCA document will be submitted to EPA and NCDENR.

Cardno is prepared to complete the following deliverables under this subtask:

- Final ABCA

B. Endangered Species Act and National Historic Preservation Act

Certain plant and animal species are protected by the Federal Endangered Species Act of 1973 (16 USC 1531-1534) and applicable State of Georgia laws. We will complete a literature search and on-site habitat assessment to determine the likelihood of the presence or absence of protected species in the targeted areas, as necessary.

Protected species data from the NCDENR and the US Fish and Wildlife Service (FWS) will be solicited to gather existing data on endangered or threatened animal and plant species occurring or potentially occurring within the project area. For those protected species that potentially exist in the area (i.e., suitable habitat is present on site), we will provide a statement concerning the likelihood of the species' existence within the project site based on available data and habitat observations.

In accordance with the National Historic Preservation Act (NHPA) we will conduct a background literature and records search for the project area. This search will include a review of state archaeological site files and available historical maps. The product of the literature and records search will be a compilation of all previously recorded archaeological and historic resources that are present within a one-mile radius of the targeted areas.

EPA requires that an endangered species and cultural resource survey be completed on all sites where cleanup activities will be conducted. A letter report describing the results of our investigations and the potential effect of the proposed project on protected species or cultural resources will be prepared and provided to the City. Based upon those findings, a full endangered species and/or cultural resource survey may be required. If needed, a Threatened and Endangered Species and/or Historical

and Cultural Resource Surveys will be completed.

Cardno is prepared to complete the following deliverables under this task, as necessary:

- Threatened and Endangered Species and Historical and Cultural Resource Survey, if required.

C. Quality Assurance Project Plans (QAPPs) & Health and Safety Plans (HASPs)

Part of the remedial activities at the site will include waste characterization and confirmation sampling, to ensure cleanup has been completed. Since sampling activities will be conducted, Cardno will prepare a Site-specific Quality Assurance Project Plan (QAPP) addendum to the already approved Generic QAPP in order to detail planned waste characterization and confirmation sampling activities. The Site-specific QAPP will establish procedures for the collection and review of site data to ensure that the data is accurate and satisfies the project objectives.

Additionally, an Occupational Health and Safety Administration (OSHA) compliant Health and Safety Plan (HASP) will be prepared for the site. Draft versions of the QAPP and HASP will be prepared and submitted to the CITY for review and comment and then submitted to NCDENR and EPA for review and approval.

Cardno is prepared to complete the following deliverables under this task, as necessary:

- Site-specific QAPP
- HASP

Task 4 – Site Cleanup Activities

A. Bid Oversight

Cardno will assist the City in preparing bid documents and contract documents for all phases of the cleanup project. The bid documents will include the requirement for subcontractors to comply with the prevailing wage rate requirements of the Davis-Bacon Act of 1931, as amended.

Cardno will assist to release the solicitations and conduct pre-bid meetings to inform all potential subcontractors of the location, scope, and requirements necessary to complete the on-site work. Cardno will work to obtain at least three (3) bids from qualified subcontractors acceptable to the City, in strict accordance with all applicable federal, state and local requirements. Cardno will review all bids and recommend to the City the qualified subcontractor or subcontractors to complete the bid specifications. Cardno will review the qualifications of each subcontractor and contact references as to their quality of work and compliance with contract requirements on previous projects. The City will be provided with all bid documents and information for review. Upon approval from the City, Cardno will subcontract with selected bidder(s) to perform the cleanup activities specifically authorized by the City and for which grant funds are available.

Cardno is prepared to complete the following deliverable under this sub-task:

- Bid Documents/Solicitation

B. Management of Site Cleanup

Cardno will serve as the City's project manager and oversee the cleanup activities by the selected subcontractor(s). As the project manager, Cardno will perform the following activities:

- Oversee all cleanup activities to ensure that the project work is progressing in accordance with the specifications and on a timely schedule;
- Ensure that the project specifications conform in their entirety;
- Maintain all project documentation;
- Review manifests to compare actual vs. projected quantities of soils excavated;
- Respond to subcontractor questions regarding incorrect or insufficient information contained in the project specifications;
- Review and approve payment requests by subcontractor; and
- Respond to subcontractor questions related to proposed alternate materials and alternate details and/or changes in the specifications; and communicate same with the City.

C. Waste Characterization and Confirmation Sampling

It may be necessary to collect samples of contaminated media for laboratory analysis in order to determine the proper method of removal and disposal. Cardno will coordinate the execution and completion of waste characterization sampling.

Additionally, it is anticipated that confirmation sampling will be conducted in order to verify target cleanup levels have been achieved at various locations across the site. Working with NCDENR and the requirements of the Brownfields Agreement (BFA), Cardno will coordinate the execution and completion of confirmation sampling activities.

Cardno is prepared to complete the following deliverables under this sub-task:

- Waste Characterization Report
- Confirmation Sampling Report

Period of Performance:

The services shall be completed between October 1, 2013, and September 30, 2016.

Points of Contact:

Brian Kvam, P.G
Senior Project Manager
Cardno
1233 Washington Street, Suite 1000
Columbia, SC 29201
Phone: 803-929-6071
Email: Brian.Kvam@Cardno.com

Mr. Tom Wisemiller
Project Manager
City of Greenville
201 W. 5th Street
Greenville, NC 27834
Phone: 252-329-4514
Email: twisemiller@greenvillenc.gov



Master Professional Services Agreement TASK ORDER

Cardno Project ID: TBD

Client: City of Greenville

Task Order No. 01

Date: October 1, 2013

Client Purchase Order No. MSA – Dated October 1, 2013

PROJECT: Greenville Brownfield Program – Imperial Tobacco Cleanup

This order is issued pursuant to our Agreement dated October 1, 2013 and unless otherwise specified herein, the performance of services hereunder and the payment thereof shall be subject to the terms and conditions of said Agreement. The services authorized hereunder are described below.

DESCRIPTION OF SERVICES: Cardno shall perform the following Services (hereafter "Services"):

See attached Scope of Work (SOW), Exhibit A, per the approved EPA Cleanup Work Plan.

ESTIMATED TOTAL COST: \$432,000 (Not-to-exceed)

Schedule: Commencement Date: October 1, 2013

Estimated Completion Date: September 30, 2016

Contract Price: Subject to the terms below, Client will compensate Cardno as follows:

Cardno will invoice monthly on a Time & Materials basis per the prevailing rate schedule (attached as "Exhibit B – Cardno TBE 2013 Rate Schedule" for a not-to-exceed amount of \$432,000.

Unless otherwise noted, the fees in this agreement do not include any value added, sales, or other taxes that may be applied by any government entity on fees for services. Such taxes will be added to all invoices as required.

Where the Services or services conditions change, Cardno shall submit to the Client in a timely manner, documentation of the revisions adjusting the Contract Services Time and Price as required.

Unless otherwise specified, charges for services are based on Cardno's DES ("Rate Schedule"). The Rate Schedule is subject to escalation from time to time.



Master Professional Services Agreement TASK ORDER

Cost Estimate: Any opinion of costs of construction prepared by Cardno is supplied only for the general guidance of the Client. Cardno has no control over the cost of labor, materials, equipment or services furnished by others, or over contractors' methods of determining prices, or other competitive bidding or market conditions. Cardno's preparation of Cost Estimates are made on the basis of Cardno's experience and judgment and are Cardno's opinion of the cost of construction and not a guarantee of the accuracy of such opinion as compared to contract bids or actual costs to Client. Cardno does not warrant that bids or ultimate construction costs will not vary from its opinion of cost estimates.

Reimbursable Expenses: As contemplated throughout this Agreement, Reimbursable Expenses are an obligation of the Client and such Reimbursable Expenses will be included on the invoices issued to Client per the Cardno fee schedule.

CARDNO'S REPRESENTATIVE: Brian Kvam

CLIENT'S REPRESENTATIVE: Tom Wisemiller

ACCEPTED:

Cardno TBE

City of Greenville

By:  _____

By: _____

Title: Director

Title: _____

Date: October 1, 2013

Date: _____



City of Greenville, North Carolina

Meeting Date: 11/7/2013
Time: 7:00 PM

Title of Item: Establishment of Criteria for a Design-Build Delivery Method for Construction Contracts and Approval of Using the Design-Build Delivery Method for the Convention Center Renovation and Addition Project

Explanation: **Abstract:** In accordance with recently passed Session Law 2013-401 (HB 857) regarding the addition of design-build delivery method for construction projects, the Public Works Department is submitting, for approval, the criteria that the City must establish to utilize this method of delivery. Additionally, Public Works is requesting approval to utilize the design-build method of delivery for the renovation and additions to the Greenville Convention Center. Due to the need for the project to be complete by early summer 2015, this delivery method will provide the needed flexibility to complete the project on time and within budget without sacrificing quality.

Explanation: Part 1: Establishment of Criteria. On August 23, 2013, the Governor signed into law Session Law 2013-401, House Bill 857, authorizing governmental entities to utilize the design-build delivery method for construction contracts. The first step in the process for utilizing the design-build delivery method is that a governmental entity is to establish in writing the criteria used for determining the circumstances under which the design-build method is appropriate for a project. The criteria proposed is the following:

Criteria for Determining Whether the Design-Build Delivery Method is Appropriate for a Project

(Criteria 1) *The extent to which the City can adequately and thoroughly define the project requirements prior to the issuance of the request for qualifications (RFQ) for a design-builder.* The design-build delivery method may be used if it is determined that, for the project, the City has professional personnel that are both qualified and experienced to thoroughly define project requirements prior to the issuance of a request for qualifications for a design-builder. Consideration will be given to the qualifications and experience of the personnel in the Public Works Department and the availability of professional personnel in the areas of purchasing, finance and legal to assist in the development of an RFQ.

(Criteria 2) *The time constraints for the delivery of the project.* The design-build delivery method may be used if a project has a firm date by which a facility must be operational and the normal delivery method is likely not to be timely (typically RFQ, study, design, bid and construct). The size and cost of a project will dictate complexity and schedule.

(Criteria 3) *The ability to ensure that a quality project can be delivered.* The design-build delivery method may be used if it is determined that, for the project, the City has professional and experienced personnel to ensure that the design-build firm will provide a quality project within the budget constraints established by Council. Consideration will be given to the qualifications and experience of the personnel in the Public Works Department.

(Criteria 4) *The capability of the City to manage and oversee the project, including the availability of experienced staff or outside consultants who are experienced with the design-build method of project delivery.* The design-build delivery method may be used if it is determined that, for the project, the City has professional and experienced personnel that are knowledgeable of design-build projects or, in the alternative, experienced consultants local to Greenville are available to be retained to perform the construction management of a design-build contract.

(Criteria 5) *A good-faith effort to comply with G.S. 143-128.2, G.S. 143-128.4, and to recruit and select small business entities.* The design-build delivery method may be used if it is determined that, for the project, requirements will be imposed which ensure that contractors will comply with the M/WBE goals set by Council.

(Criteria 6) *The criteria utilized by the City, including a comparison of the costs and benefits of using the design-build delivery method for a given project in lieu of the other delivery methods identified.* The criteria utilized by the City when considering a design-build delivery method for a project will be as follows:

- Is the project well defined and does it include qualitative and quantitative characteristics that make a design-build contract more appropriate than other methods of delivery?
- Is the project timeline overly constrained and will it be necessary to have the facility complete and operational within a short timeframe?
- Will it be necessary to have beneficial use of a portion of the facility while it is under construction?
- Given the scope of the project, is there a maximum budget that must be adhered to in order to allow negotiations and flexibility to make appropriate decisions on scope as the project progresses?
- Does the design-build delivery method meet the ultimate operational goals established for a given facility and the quality of product achieved as a result of a more fluid and flexible delivery method?

In general terms, if it is determined that the expected expense of a design-build project will be no more than ten (10%) greater than the expected expense of a

traditional RFQ, study, design, bid and construct project, the design-build delivery method may be utilized.

Part 2: Applying the criteria to the Convention Center Renovation and Addition Project. The second step for the process in determining whether to use the design-build delivery method for a project is to apply the criteria to the project. In applying the criteria to the Convention Center Renovation and Addition Project, it is recommended that the design-build delivery method be used for this project. This determination is based upon a review of the above criteria as it relates to this project as follows:

Criteria 1: Through the Public Works Department, the City has professional personnel that are both qualified and experienced to thoroughly define project requirements prior to the issuance of a request for qualifications for a design-builder. Additionally, professional personnel are available in the areas of purchasing, finance and legal to assist in the development of an RFQ.

Criteria 2: The Greenville Convention Center requires renovation in order to remain a competitive and attractive establishment. In order to rehabilitate this facility so that it is eligible to host the North Carolina Association of County Commissioners the construction must be completed by June, 2015. This is a period of approximately 18-months. Typical procedure would be to procure a design consultant, complete design and then undertake construction. This process would take approximately 24-30 months thus preventing the Convention Center from hosting the County Commissioner conference. The Design-Build process provides the best option for the City to meet this timeframe.

Criteria 3: Within the Public Works Department, the City has professional and experienced personnel to ensure that the design-build firm will provide a quality project within the budget constraints established by Council.

Criteria 4: Within the Public Works Department, the City has professional and experienced personnel that are knowledgeable of design-build projects. Should it become necessary to contract the construction management of a design-build contract, there are experienced consultants local to Greenville that are available.

Criteria 5: The City complies with G.S. 143-128.2, G.S. 143-128.4. The City has an established and successful M/WBE program which requires contractors to comply with the M/WBE goals set by Council.

Criteria 6: As stated under Criteria #2, one of the benefits of the Design-Build process is that it may reduce the overall project schedule by 6 to 12 months. This has a direct benefit on the project budget. The design-build delivery method is not expected to involve any additional expense than the expected expense of a traditional RFQ, study, design, bid, and construct project. The budget for the renovation of the Convention Center is \$4 million. By reducing the time frame by 12 months, we are eliminating the price escalation that would occur within that year. Additionally, the scope of the design efforts will be reduced. This enables more of the approved project budget to go directly towards the physical improvements of the facility. It is expected that the design-build process

will enable an extra 5% of existing funds (about \$200,000) to be allocated to the construction over what our typical design-bid-build process would allow. These benefits to both the project schedule and cost make the design-build option more appealing than the more conventional design-bid-build in this instance.

Fiscal Note:

There is no fiscal impact to the establishment of this policy and approval of the utilization of design-build delivery method.

Recommendation:

Approve the criteria for use of the design-build delivery method and authorize City staff to move forward with use of the design-build delivery method for the renovations and additions to the Greenville Convention Center.

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City of Greenville, North Carolina

Meeting Date: 11/7/2013
Time: 7:00 PM

Title of Item: Purchase of Rescue/Pumper for the Fire/Rescue Department

Explanation: **Abstract:** The Fire/Rescue Department requests approval to replace an existing ladder truck with a Rescue/Pumper at a cost of \$788,889. The ladder truck meets the criteria for replacement and has been approved by City Council as a part of the FY 2013-2014 Vehicle Replacement Fund authorized purchases. The replaced ladder truck will be sold as surplus property.

Explanation: The Fire/Rescue Department requests approval to purchase one Rescue/Pumper from Pierce Manufacturing through the Houston-Galveston Area Council (HGAC) Contract. The total cost is \$788,889 which includes the Rescue/Pumper and equipment. The proposed vehicle has met all the replacement criteria set within the Vehicle Replacement Fund Procedures.

Fiscal Note: The requested Rescue/Pumper is a replacement truck and is included in the City's approved FY 2013-2014 Vehicle Replacement Program Purchase List. The newly purchased Rescue/Pumper will not increase existing maintenance and fuel cost or the number of vehicles already assigned. The existing ladder truck will be removed from the fleet and sold as surplus property.

Recommendation: Approve the request to purchase one Rescue/Pumper from Pierce Manufacturing through the Houston-Galveston Area Council Contract (HGAC).

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City of Greenville, North Carolina

Meeting Date: 11/7/2013
Time: 7:00 PM

Title of Item: Contract award for Right of Way Asset and Pavement Condition Survey

Explanation: **Abstract:** The City has received a response to a Request for Qualifications for the Pavement Condition Survey and has developed a contract with Transmap Engineering, PLLC, to provide an asset inventory as well as a pavement condition survey of all city streets within the city limits of Greenville. Funding of this project will be through the Greenville Urban Area Metropolitan Planning Organization (GUAMPO) with an 80/20 funding profile.

Explanation: Public Works is responsible for the maintenance of all City-maintained streets. As of June 30, 2013, the City has 269 centerline miles (or approximately 611 lane miles) of dual and multi-lane roads which are currently being maintained through limited funds available from Powell Bill and the General Fund.

In order to plan more effectively for maintenance and repair of our street system, the City contracted in 2007 to have a pavement condition survey conducted on all City-maintained streets. The purpose of this survey was to rate streets to determine the information necessary to fund and prioritize street maintenance.

This type of survey enables managers to develop plans to utilize the various street maintenance tools (crack sealing, spot full depth repairs, micro-surfacing, resurfacing, etc.) to extend the life of the pavement while minimizing costs and making efficient use of available funds. The objective is to perform the appropriate pavement maintenance before it fails completely, avoiding the exponential costs associated with reconstruction. Current cost to mill and resurface one lane mile of street is approximately \$60,000.

The pavement condition rating system uses established and nationally recognized criteria to rate streets from 0 to 100 with 100 being the best. The 2007 survey determined that the average condition rating for all City of Greenville maintained streets was 82. As a comparison, the average rating for North Carolina roads at the time of publication was 89.2.

There has been limited street resurfacing since the pavement condition survey was conducted due to funding constraints and, as a consequence, street conditions have continued to deteriorate. Due to the continuing deterioration, the pavement condition rating that was completed in 2007 is in need of updating.

The challenge that Federal, State and local governments are now facing is how to maintain transportation infrastructure with declining gas tax revenues. The City of Greenville is no exception. Previously, approximately \$500,000 per year was programmed for street resurfacing. The City, at this funding level, would only be able to resurface City-maintained streets at a rate of five lane miles per year. Based upon a total lane mileage of approximately 611 lane miles, the resurfacing would cycle once every 73 years.

Currently, the City receives approximately \$2.1 million in Powell Bill revenue from the State. Annual Powell Bill eligible operating expenses are \$1.8 million. Thus, only \$300,000 per year will be available for right-of-way projects to include street maintenance projects such as resurfacing.

In order to plan appropriately for future funding needs of our road system, the Public Works Department, through GUAMPO, advertised a Request for Qualifications for a Pavement Condition Survey and right of way asset inventory to cover the City of Greenville as well as two other participating member organizations (Town of Ayden and Town of Winterville).

In September 2013, one response was received from Transmap Engineering, PLLC. Staff representatives from the City as well the Towns of Ayden and Winterville met with Transmap to develop a scope of services and negotiate a contract with Transmap Engineering, PLLC to satisfy the needs of each community. The total contract amount (not to exceed) is \$316,162.32, with the cost for each service to each municipality detailed in Attachment A of the contract: City of Greenville - \$201,466.24, Town of Ayden - \$55,631.40, and Town of Winterville - \$59,064.68.

As a Metropolitan Planning Organization (MPO) reimbursable item, the planning effort is an 80/20 cost share. North Carolina Department of Transportation (NCDOT) provides 80 percent of project cost for plan development, which will not exceed \$252,929.86. The MPO's share is estimated to be no more than \$63,232.46. The City of Greenville will initially fund the entire cost of the study and be subsequently reimbursed 80% from NCDOT. Additionally, the two MPO-member jurisdictions (Towns of Ayden and Winterville) will reimburse the City up to a total of \$22,939.22 for their portion of the survey; therefore, the net cost for the City's portion will be \$40,293.25.

The services provided by the consultant in this contract include an automated pavement survey of the public street system of the City of Greenville, Town of Ayden, and Town of Winterville. The data gathered will be transferred directly into the latest available version of the MicroPaver software program. The survey will focus on the pavement conditions as well as collecting a right-of-way asset inventory of traffic signs, pavement markings, bridges, traffic signals and poles,

ADA ramps, drop inlets, curb inlets, manholes, ditches, pavement striping, sidewalks, curbs, guiderails, shoulders, and trees.

The responsibilities of the consultant will include project initiation, field surveys, and data management and integration. At the completion of the project and acceptance by each municipality, the data generated will become the property of the City of Greenville, Town of Ayden, and Town of Winterville, respectively.

The scope of services will include the following:

- Assessment data for all City-maintained pavements into MicroPaver and the City of Greenville's (and respective Town's) Environmental Systems Research Institute (ESRI) Geodatabase. The assessment data shall include visual observations, photographs, and measurements collected by instrumentation.
- Load the pavement condition data into a City-accepted version of MicroPaver database.
- Calculate a Pavement Condition Index (PCI) score for each road segment using the MicroPaver system.
- Create a five-year pavement rehabilitation plan with City/Town staff input.
- Implement the MicroPaver map module so that pavement condition and other data can be integrated, displayed, and accessed through the map interface in a format consistent with the City of Greenville and Towns of Ayden & Winterville's horizontal and vertical control network system.
- Estimate the annual budget required to meet the long-term goals regarding desired pavement condition levels.
- Deliver a video log playback system that is integrated with ESRI's ArcGIS application to allow City staff to review the captured roadway video images.
- Train City staff and provide assistance to Public Works as needed for the use of data collected through the fully automated system.

Fiscal Note:


Funding for this project will be provided through the City's Capital Improvement Program. Net costs to the City, after NCDOT's MPO reimbursement and payment by MPO-member jurisdictions, will not exceed \$40,293.25. While the not-to-exceed contract cost is \$316,162.32, the net cost to the City of Greenville will be \$40,293.25, the Town of Ayden, \$11,126.28 and the Town of Winterville, \$11,812.94.

Recommendation:

Award a contract for professional services for the 2013 Right of Way Asset and Pavement Condition Survey of the City of Greenville, Town of Ayden, and the Town of Winterville Street System to Transmap Engineering, PLLC, in an amount not to exceed \$316,162.32.

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 [Transmap Contract](#)

 [Greenville Pricing Bid](#)

 [Ayden Pricing Bid](#)

 [Winterville Pricing Bid](#)

**CONTRACT FOR PROFESSIONAL SERVICES
2013 RIGHT OF WAY ASSET AND PAVEMENT CONDITION SURVEY
OF THE CITY OF GREENVILLE, TOWN OF AYDEN
AND THE TOWN OF WINTERVILLE STREET SYSTEM**

This contract is made and entered into as of the 7th day of November, 2013, by the City of Greenville (“City”) and Transmap Engineering, PLLC (“Consultant”), a professional association organized and existing under the laws of North Carolina.

Sec. 1. Background and Purpose. The last pavement condition survey of the City streets was completed in 2007. The repaving of the City streets that was performed beginning in 2007 through 2012 addressed some of the streets that were rated in 2007 as being in “Very Poor” or “Poor”.

During the period of time since 2007 the streets that were previously rated as “Fair”, “Good” or “Very Good” have experienced additional wear and natural deterioration; they have not received any attention because the focus has been to pave the worst streets first. Since the repaving projects have cleared some of the backlog of “poor” streets this is the ideal time to re-survey the pavement condition of the City streets in order to develop strategies for pavement preservation that will prolong the life of street surface.

The proposed “Pavement Condition Survey of the City of Greenville, Town of Ayden and Town of Winterville, North Carolina Public Works Street System” will provide a Pavement Condition Index (PCI) on a scale from 1-100 for every street and alley in the City network. This methodology, fully described in standards published by the American Society for Testing and Materials (ASTM Standard D6433-11), is widely used across the country and is based on industry standard methods developed in partnership between the Federal Highway Administration (FHWA), Federal Aviation Administration (FAA) and the American Public Works Association (APWA).

There is an array of pavement preservation technologies such as micro-surfacing, slurry sealing, pavement rejuvenation, and crack sealing which are less expensive than repaving and serve to prolong the life of the pavement before repaving and/or reconstruction is required. The choice about which of these technologies is most appropriate on any given street is dependent on its condition. The PCI study by nature of the protocol employed will provide the City with specific recommendations for which pavement preservation technology is most appropriate on a street-by-street basis.

The deliverables from the project will include a five-year plan for the application of the low cost pavement preservation technologies on the City Streets where appropriate based on their PCI ratings. It will also identify those streets, if any, for which pavement preservation is not applicable and re-paving or reconstruction is necessary. These plans are key not only to providing the Public Works Department with an indication of the funding necessary to maintain the streets in good condition, but also as a foundation for the annual work plan in the prioritization of the work to be performed.

The scope of services for this project includes not only the data collection and evaluation of the pavement condition of the streets and alleys, but also an asset listing of traffic signs, pavement markings, bridges, traffic signals and poles, ADA ramps, drop inlets, curb inlets, manholes, ditches, pavement striping, sidewalks, curbs, guiderails, shoulders and trees. The principal means by which the data are collected for the PCI survey is through a series of photographs collected continuously along the streets by a sophisticated van. The photographs span the entire width of the street and include the pavement, curb and gutter, shoulder, sidewalk and the right-of-way

Sec. 2. Services and Scope to be Performed. The Consultant shall provide professional services for a field survey of the pavement condition on all of the City streets following the ASTM Standard D6433-11 “Standard Practice for Road and Parking Lots Pavement Condition Index (PCI) Surveys”, and associated tasks. The detailed scope of services is described in Attachment ”A” to this contract. In this contract, “Work” means the services that the Consultant is required to perform pursuant to this contract and all of the Consultant’s duties to the City that arise out of this contract.

Sec. 3. Complete Work without Extra Cost. Except to the extent otherwise specifically stated in this contract, the Consultant shall obtain and provide, without additional cost to the City, all labor, materials, equipment, transportation, facilities, services, permits, and licenses necessary to perform the Work.

Sec. 4. Compensation. The City shall pay the Consultant a lump sum amount of Three Hundred Sixteen Thousand, One Hundred Sixty-Two Dollars and 32/100ths Dollars (\$ 316,162.32) for the services referenced herein and as detailed in Attachment A. Except as otherwise agreed by the City and Consultant in writing, the City shall not be obligated to pay Consultant any payment, fees, expenses or compensation other than the lump sum amount specified above. Monthly invoices for percentage of work complete may be submitted for payment. Within 20 days of receipt of an approved invoice the City will make payment to the Consultant based upon completed services in accordance with the pricing schedule listed in Attachment A.

Sec. 5. Consultant’s Billings to City. The Consultant shall send invoices to the City on a monthly basis for the amounts to be paid pursuant to this contract. Each invoice shall document, to the reasonable satisfaction of the City: such information as may be reasonably requested by the City. Within twenty days after the City receives an invoice, the City shall send the Consultant a check in payment for all undisputed amounts contained in the invoice.

Sec. 6. Insurance. Contractor shall purchase and maintain insurance coverage for not less than the following:

Commercial General Liability, covering:

- Premises/operations
- Products/completed operations (two years minimum, from project completion)
- Broad form property damage
- Contractual liability
- Independent contractors, if any are used in the performance of this contract
- City of Greenville must be named additional insured, and an original of the endorsement to effect the coverage must be attached to the certificate (if by blanket endorsement, then agent may so indicate in the GL section of the certificate, in lieu of an original endorsement)
- Combined single limit not less than \$2,000,000 per occurrence, with an annual aggregate on not less than \$4,000,000.

Commercial Auto Liability, covering:

- Symbol 1, all vehicles
- Combined single limit of \$2,000,000
- City of Greenville must be named additional insured

Professional Liability, covering:

- Covering claims arising out of professional advisement / consultation services performed in connection with this contract
- Combined single limit not less than \$1,000,000 per occurrence; if coverage is only available on claims made basis, then additional coverage requirements may apply, subject to review of City Finance Director

Workers' Compensation Insurance, covering:

- Statutory benefits;
- Covering employees; covering owners partners, officers, and relatives (who work on this contract) (this must be stated on the certificate)
- Employers' liability, \$1,000,000
- Waiver of subrogation in favor of the City of Greenville

Insurance shall be provided by:

Companies authorized to do business in the State of North Carolina
Companies with Best rating of A-, VII or better.

Insurance shall be evidenced by a certificate:

Providing notice to the City of not less than 30 days prior to cancellation or reduction of coverage

Certificates shall be addressed to:

City of Greenville,
Public Works Department
1500 Beatty Street
Greenville, NC 27834
Attention: Kevin Mulligan, P.E.

The insurance certificate and the additional insured endorsement must be originals and must be approved by the City's Finance Director before Contractor can begin any work under this contract.

Sec. 7. Deleted

Sec. 8. Exhibits. Other than Attachment A, there are no exhibits attached to this contract. In case of conflict between an exhibit and the text of this contract excluding the exhibit, the text of this contract shall control.

Sec. 9. Termination for Convenience ("TFC"). (a) *Procedure*. Without limiting any party's right to terminate for breach, the City may, without cause, and in its discretion, terminate this contract for convenience by giving the Consultant written notice that refers to this section. TFC shall be effective at

the time indicated in the notice. The City Manager may terminate under this section without City Council action. (b) *Obligations*. Upon TFC, all obligations that are still executory on both sides are discharged except that any right based on prior breach or performance survives, and the indemnification provisions and the section of this contract titled Trade Secrets and Confidentiality shall remain in force. At the time of TFC or as soon afterwards as is practical, the Consultant shall give the City all Work, including partly completed Work. In case of TFC, the Consultant shall follow the City's instructions as to which subcontracts to terminate. (c) *Payment*. The City shall pay the Consultant an equitable amount for the costs and charges that accrue because of the City's decisions with respect to the subcontracts, but excluding profit for the Consultant. Within 20 days after TFC, the City shall pay the Consultant a one hundred dollar TFC fee and for all Work performed except to the extent previously paid for. Work shall be paid for in accordance with the method (unit prices, hourly fees, etc.) to be used for payment had the Work been completed except to the extent it would be inequitable to either party, and if Work was to be paid for on a lump-sum basis, the City shall pay the part of the lump sum that reflects the percentage of completion attained for that Work. The Consultant shall not be entitled to any payment except as stated in this section because of TFC, whether on the basis of overhead, profit, damages, other economic loss, or otherwise.

Sec. 10. Notice. (a) All notices and other communications required or permitted by this contract shall be in writing and shall be given either by personal delivery, fax, or certified United States mail, return receipt requested, addressed as follows:

To the City:

Kevin Mulligan, PE
City of Greenville Public Works Department
1500 Beatty Street
Greenville, NC 27834

To the Consultant:

Transmap Corporation
3366 Riverside Drive – Suite 103
Upper Arlington, Ohio 43221

(b) Change of Address. Date Notice Deemed Given. A change of address, fax number, or person to receive notice may be made by either party by notice given to the other party. Any notice or other communication under this contract shall be deemed given at the time of actual delivery, if it is personally delivered or sent by fax. If the notice or other communication is sent by United States mail, it shall be deemed given upon the third calendar day following the day on which such notice or other communication is deposited with the United States Postal Service or upon actual delivery, whichever first occurs.

Sec. 11. Deleted.

Sec. 13. Miscellaneous

(a) Choice of Law and Forum. This contract shall be deemed made in Pitt County, North Carolina. This contract shall be governed by and construed in accordance with the law of North Carolina. The exclusive forum and venue for all actions arising out of this contract shall be the North Carolina General Court of Justice, in Pitt County. Such actions shall neither be

commenced in nor removed to federal court. This section shall not apply to subsequent actions to enforce a judgment entered in actions heard pursuant to this section.

(b) Waiver. No action or failure to act by the City shall constitute a waiver of any of its rights or remedies that arise out of this contract, nor shall such action or failure to act constitute approval of or acquiescence in a breach thereunder, except as may be specifically agreed in writing.

(c) Performance of Government Functions. Nothing contained in this contract shall be deemed or construed so as to in any way estop, limit, or impair the City from exercising or performing any regulatory, policing, legislative, governmental, or other powers or functions.

(d) Severability. If any provision of this contract shall be unenforceable, the remainder of this contract shall be enforceable to the extent permitted by law.

(e) Assignment, Successors and Assigns. Without the City's written consent, the Consultant shall not assign (which includes to delegate) any of its rights (including the right to payment) or duties that arise out of this contract. The City Manager may consent to an assignment without action by the City Council. Unless the City otherwise agrees in writing, the Consultant and all assignees shall be subject to all of the City's defenses and shall be liable for all of the Consultant's duties that arise out of this contract and all of the City's claims that arise out of this contract. Without granting the Consultant the right to assign, it is agreed that the duties of the Consultant that arise out of this contract shall be binding upon it and its heirs, personal representatives, successors, and assigns.

(f) Compliance with Law. In performing all of the Work, the Consultant shall comply with all applicable law.

(g) City Policy. THE CITY OPPOSES DISCRIMINATION ON THE BASIS OF RACE AND SEX AND URGES ALL OF ITS CONSULTANTS TO PROVIDE A FAIR OPPORTUNITY FOR MINORITIES AND WOMEN TO PARTICIPATE IN THEIR WORK FORCE AND AS SUBCONTRACTORS AND VENDORS UNDER CITY CONTRACTS.

(h) EEO Provisions. During the performance of this Contract the Consultant agrees as follows: (1) The Consultant shall not discriminate against any employee or applicant for employment because of race, color, religion, sex, national origin, political affiliation or belief, age, or handicap. The Consultant shall take affirmative action to insure that applicants are employed and that employees are treated equally during employment, without regard to race, color, religion, sex, national origin, political affiliation or belief, age, or handicap. Such action shall include but not be limited to the following: employment, upgrading, demotion, transfer, recruitment or advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. The Consultant shall post in conspicuous places, available to employees and applicants for employment, notices setting forth these EEO provisions. (2) The Consultant shall in all solicitations or advertisement for employees placed by or on behalf of the Consultant, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, national origin, political affiliation or belief, age, or handicap. (3) The Consultant shall send a copy of the EEO provisions to each labor union or representative of workers with which it has a collective bargaining agreement or other contract or understanding. (4) In the event of the Consultant's noncompliance with these EEO provisions, the City may cancel, terminate, or suspend this contract, in whole or in part, and the City may declare the Consultant ineligible for further City contracts. (5) Unless exempted by the City Council of the City of Greenville, the Consultant shall

include these EEO provisions in every purchase order for goods to be used in performing this contract and in every subcontract related to this contract so that these EEO provisions will be binding upon such subcontractors and vendors.

(i) Minority and/or Women Business Enterprise Program. It is the policy of the City of Greenville to provide minorities and women equal opportunity for participating in all aspects of the City's contracting and procurement programs, including but not limited to, construction projects, supplies and materials purchase, and professional and personal service contracts. In accordance with this policy, the City has adopted a Minority and Women Business Enterprise (M/WBE) Plan and subsequent program, outlining verifiable goals. The City has established a 4% Minority Business Enterprise (MBE) and 4% Women Business Enterprise (WBE) goal for the participation of M/WBE firms in supplying goods and services for the completion of this project. The consultant shall agree to utilize minority and women-owned suppliers and service providers whenever possible.

(j) Prompt Payment to Subcontractors. Within 7 days of receipt by the Consultant of each payment from the City under this contract, the Consultant shall pay all subcontractors (which term includes subcontractors and suppliers) based on work completed or service provided under the subcontract. Should any payment to the subcontractor be delayed by more than 7 days after receipt of payment by the Consultant from the City under this contract, the Consultant shall pay the subcontractor interest, beginning on the 8th day, at the rate of 1% per month or fraction thereof on such unpaid balance as may be due. By appropriate litigation, Subcontractors shall have the right to enforce this subsection (a) directly against the Consultant, but not against the City of Greenville. If the City's Project Manager determines that it is appropriate to enforce this subsection (a), the City of Greenville may withhold the sums estimated by the Project Manager to be sufficient to pay this interest from progress or final payments to the Consultant. (b) Nothing in this section shall prevent the Consultant at the time of invoicing, application, and certification to the City from withholding invoicing, application, and certification to the City for payment to the subcontractor for unsatisfactory job progress; defective goods, services, or construction not remedied; disputed work; third-party claims filed or reasonable evidence that such a claim will be filed; failure of the subcontractor to make timely payments for labor, equipment, and materials; damage to the Consultant or another subcontractor; reasonable evidence that the subcontract cannot be completed for the unpaid balance of the subcontract sum; or a reasonable amount for retainage not to exceed 5%. (c) The City's Project Manager may require, as a prerequisite to making progress or final payments, that the Consultant provide statements from any subcontractors designated by the Project Manager regarding the status of their accounts with the Consultant. The statements shall be in such format as the Project Manager reasonably requires, including notarization if so specified.

(k) No Third Party Rights Created. This contract is intended for the benefit of the City and the Consultant and not any other person.

(l) Principles of Interpretation and Definitions. In this contract, unless the context requires otherwise: (1) The singular includes the plural and the plural the singular. The pronouns "it" and "its" include the masculine and feminine. References to statutes or regulations include all statutory or regulatory provisions consolidating, amending, or replacing the statute or regulation. References to contracts and agreements shall be deemed to include all amendments to them. The words "include," "including," etc. mean include, including, etc. without limitation. (2) References to a "Section" or "section" shall mean a section of this contract. (3) "Contract" and "Agreement," whether or not capitalized, refer to this instrument. (4) Titles of sections, paragraphs, and articles are for convenience only, and shall not be construed to affect the

meaning of this contract. (5) “Duties” includes obligations. (6) The word “person” includes natural persons, firms, companies, associations, partnerships, trusts, corporations, governmental agencies and units, and other legal entities. (7) The word “shall” is mandatory. (8) The word “day” means calendar day.

(m) Modifications. Entire Agreement. A modification of this contract is not valid unless signed by both parties and otherwise in accordance with requirements of law. Further, a modification is not enforceable against the City unless the City Manager or a deputy or assistant City Manager signs it for the City. This contract contains the entire agreement between the parties pertaining to the subject matter of this contract. With respect to that subject matter, there are no promises, agreements, conditions, inducements, warranties, or understandings, written or oral, expressed or implied, between the parties, other than as set forth or referenced in this contract.

(n) E-Verify Compliance. Consultant shall comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes. Further, if Consultant utilizes a subcontractor after receipt of the written approval of the City as required by this contract, Consultant shall require the subcontractor to comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes. The Consultant represents that Consultant and its subcontractors, if any, are in compliance with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes.

IN WITNESS WHEREOF, the City and the Consultant have caused this contract to be executed under seal themselves or by their respective duly authorized agents or officers.

ATTEST:

CITY OF GREENVILLE

_____ By: _____

Pre-audit certificate, if applicable _____

ATTEST:

Transmap Corporation

Secretary

President

(Affix Corporate Seal)

State of _____

ACKNOWLEDGEMENT BY CORPORATION

County of _____

I, a notary public in and for the aforesaid county and state, certify that _____ personally appeared before me this day and stated that he or she is _____ Secretary of _____, a corporation, and that by authority duly given and as the act of the corporation, the foregoing contract or agreement with the City of Greenville was signed in its name by its _____ President, whose name is _____, sealed with its corporate seal, and attested by him/herself as its Secretary of Assistant Secretary. This the _____ day of _____, 20____.

My commission expires:

Notary Public

APPROVED AS TO FORM:

BY: _____
David A. Holec, City Attorney

PRE-AUDIT CERTIFICATION:

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

Bernita W. Demery, Director of Financial Services

Account Number _____

Project Code (if applicable) _____

City of Greenville, NC
Attachment A

1) Pavement Management System (City Roads)

Task	Description	Comments	Transmap Units	Transmap Price	Total
1a	Network Setup and Review (units = hours)	Transmap will review the City's centerline file and set up the required network for loading into MicroPAVER	10	\$99.00	\$990.00
1b	ON-SIGHT Mobile Mapping Raw Data Collection "City Roads" (units = centerline miles)	Raw roadway data and image capture. 360-degree image view of all roadways (ROW) with dedicated pavement camera and ground-based LiDAR (100% roadway coverage) Transmap will utilize a Class 1 device for additional ride data	270	\$99.00	\$26,730.00
1c	Pavement Inspection "City Roads" (units = management samples)	Detailed surface distress analysis using Transmap's Pavement Management 2.0 approach. Transmap uses ASTM D6433 compliant methods. Vehicle automated collection using a combination of lasers, images and field walk out (price includes field verification) 300' management samples	4,798	5.88	\$28,212.24
1d	MicroPAVER Load (units = hours)	Formatting pavement sample data for mass load into MicroPAVER	11	\$99.00	\$1,089.00
1e	Reporting (units = hours)	5 year network level pavement plan with maps (includes M&R treatment recommendations and pricing per square yard)	44	\$125.00	\$5,500.00
1f	ArcGIS Online Web-Based Image Viewer (free access for 6 months after project completion, units = 6 month term)	Transmap will set up the City to view all collected images in ArcGIS Online web environment with orthophotography and GIS basemap layer (web-based reporting)	0	\$875.00	\$0.00
1g	On-Site MicroPAVER Training (units = days)	Transmap will provide on-site training for up to five City personnel	2	\$2,200.00	\$4,400.00
1h	Pavement Boot Camp (price is per day)	Transmap will meet with City staff to review maintenance/rehabilitation activities, analysis procedures, and collect any existing information on roadways (ADT data, construct dates, maintenance dates, etc).	2	\$1,750.00	\$3,500.00
1i	Transverse Profile Summarized (units = lump sum)	Ride and Rut processing - Transmap can add additional value by processing our laser profilometer to get an automated result for Rut and Ride data. We use ASTM E 950 compliant methods	1	\$8,995.00	\$8,995.00
1j	MicroPAVER Software (units = days)	Transmap will purchase MicroPAVER software for the City. One license in the City's name comes with 3 installations	1	\$1,095.00	\$1,095.00
1k	Transmap Project Management (units = hours)	Standard project management includes managing the personnel assigned to the project, monthly project updates, ArcGIS online project tracking, on site kick off meeting.	120	\$99.00	\$11,880.00

Subtotal \$92,391.24

2) Pavement Management System (State Roads) **All Additional Tasks Covered in City Road Pavement Management**

Task	Description	Comments	Transmap Units	Transmap Price	Total
2a	ON-SIGHT Mobile Mapping Raw Data Collection "State Roads" (units = centerline miles)	Raw roadway data and image capture. 360-degree image view of all roadways (ROW) with dedicated pavement camera and ground-based LiDAR (100% roadway coverage) Transmap will utilize a Class 1 device for additional ride data	99	\$99.00	\$9,801.00

Subtotal \$9,801.00

3) Pavement Management System (ETJ Roads) **All Additional Tasks Covered in City Road Pavement Management**

Task	Description	Comments	Transmap Units	Transmap Price	Total
3a	ON-SIGHT Mobile Mapping Raw Data Collection "ETJ Roads" (units = centerline miles)	Raw roadway data and image capture. 360-degree image view of all roadways (ROW) with dedicated pavement camera and ground-based LiDAR (100% roadway coverage) Transmap will utilize a Class 1 device for additional ride data	89	\$99.00	\$8,811.00

Subtotal \$8,811.00

4) Asset Packages (City Roads)

Task	Description	Comments	Transmap Units	Transmap Price	Total
4a	Traffic Assets (units = centerline miles)	Transmap will package all traffic assets into a logical extraction pass (traffic signs, pavement markings, bridges, traffic signals and poles, ADA ramps)	270	\$67.00	\$18,090.00
4b	Utility Assets (units = centerline miles)	Transmap will package all utility assets into a logical extraction pass (drop inlets, curb inlets, manholes) All assets will have attributes requested in the RFP	270	\$55.00	\$14,850.00
4c	Linear Assets (units = centerline miles)	Transmap will package all linear assets into a logical extraction pass (ditches, pavement striping, sidewalks, curbs, guiderails, shoulders)	270	\$75.00	\$20,250.00
4d	Trees (units = centerline miles)	Transmap will extract trees and all ROW trees will have standard attributes	270	\$72.00	\$19,440.00

no trees

4e	*ArcGIS Online Web-Based Image Viewer (free acces for 6 months after project)	Transmap will set up Greenville to view all collected images in ArcGIS Online web environment with the PMS data, Asset data, Orthophotography and GIS basemap layer.	0	\$875.00	\$0.00
4f	Asset Management Boot Camp (price is per day)	Transmap will meet with City staff to review best practices in asset management. Colleen Sharp (Former GIS Manager City of Raleigh) will run the asset boot camp	1	\$1,750.00	\$1,750.00
4g	Transmap Project Management (units = hours)	Standard project management includes managing the personnel assigned to the project, monthly project updates, ArcGIS online project tracking, on site kick off meeting.	67	\$99.00	\$6,633.00
<i>Subtotal</i>					<i>\$81,013.00</i>

5) Asset Packages (State Roads)

Task	Description	Comments	Transmap Units	Transmap Price	Total
5a	Traffic Assets (units = centerline miles)	Transmap will package all traffic assets into a logical extraction pass (pavement markings, traffic signals and poles)	99	\$45.00	\$4,455.00
5b	Transmap Project Management (units = hours)	Standard project management includes managing the personnel assigned to the project, monthly project updates, ArcGIS online project tracking, on site kick off meeting.	5	\$99.00	\$495.00

Subtotal *\$4,950.00*

6) Asset Packages (ETJ Roads)

Task	Description	Comments	Transmap Units	Transmap Price	Total
6a	Traffic Assets (units = centerline miles)	Transmap will package all traffic assets into a logical extraction pass (pavement markings, traffic signals and poles)	89	\$45.00	\$4,005.00
6b	Transmap Project Management (units = hours)	Standard project management includes managing the personnel assigned to the project, monthly project updates, ArcGIS online project tracking, on site kick off meeting.	5	\$99.00	\$495.00

Subtotal *\$4,500.00*
Project Total *\$201,466.24*

City of Ayden, NC
Attachment A Continued

1) Pavement Management System (City Roads)

Task	Description	Comments	Transmap Units	Transmap Price	Total
1a	Network Setup and Review (units = hours)	Transmap will review the City's centerline file and set up the required network for loading into MicroPAVER	8	\$99.00	\$792.00
1b	ON-SIGHT Mobile Mapping Raw Data Collection "City Roads" (units = centerline miles)	Raw roadway data and image capture. 360-degree image view of all roadways (ROW) with dedicated pavement camera and ground-based LiDAR (100% roadway coverage) Transmap will utilize a Class 1 device for additional ride data	34	\$99.00	\$3,366.00
1c	Pavement Inspection "City Roads" (units = management samples)	Detailed surface distress analysis using Transmap's Pavement Management 2.0 approach. Transmap uses ASTM D6433 compliant methods. Vehicle automated collection using a combination of lasers, images and field walk out (price includes field verification) 300' management samples	599	5.88	\$3,522.12
1d	MicroPAVER Load (units = hours)	Formatting pavement sample data for mass load into MicroPAVER	11	\$99.00	\$1,089.00
1e	Reporting (units = hours)	5 year network level pavement plan with maps (includes M&R treatment recommendations and pricing per square yard)	8	\$125.00	\$1,000.00
1f	ArcGIS Online Web-Based Image Viewer (free access for 6 months after project completion, units = 6 month term)	Transmap will set up the City to view all collected images in ArcGIS Online web environment with orthophotography and GIS basemap layer (web-based reporting)	0	\$875.00	\$0.00
1g	On-Site MicroPAVER Training (units = days)	Transmap will provide on-site training for up to five City personnel	2	\$2,200.00	\$4,400.00
1h	Pavement Boot Camp (price is per day)	Transmap will meet with City staff to review maintenance/rehabilitation activities, analysis procedures, and collect any existing information on roadways (ADT data, construct dates, maintenance dates, etc).	0.5	\$1,750.00	\$875.00
1i	Transverse Profile Summarized (units = lump sum)	Ride and Rut processing - Transmap can add additional value by processing our laser profilometer to get an automated result for Rut and Ride data. We use ASTM E 950 compliant methods	1	\$1,399.00	\$1,399.00
1j	MicroPAVER Software (units = days)	Transmap will purchase MicroPAVER software for the City. One license in the City's name comes with 3 installations	1	\$1,095.00	\$1,095.00
1k	Transmap Project Management (units = hours)	Standard project management includes managing the personnel assigned to the project, monthly project updates, ArcGIS online project tracking, on site kick off meeting.	30	\$99.00	\$2,970.00

Subtotal \$20,508.12

2) Pavement Management System (State Roads) **All Additional Tasks Covered in City Road Pavement Management**

Task	Description	Comments	Transmap Units	Transmap Price	Total
2a	ON-SIGHT Mobile Mapping Raw Data Collection "State Roads" (units = centerline miles)	Raw roadway data and image capture. 360-degree image view of all roadways (ROW) with dedicated pavement camera and ground-based LiDAR (100% roadway coverage) Transmap will utilize a Class 1 device for additional ride data	19	\$99.00	\$1,881.00
2b	Pavement Inspection "State Roads" (units = management samples)	Detailed surface distress analysis using Transmap's Pavement Management 2.0 approach. Transmap uses ASTM D6433 compliant methods. Vehicle automated collection using a combination of lasers, images and field walk out (price includes field verification) 300' management samples	342	5.88	\$2,010.96

Subtotal \$3,891.96

3) Pavement Management System (ETJ Roads) **All Additional Tasks Covered in City Road Pavement Management**

Task	Description	Comments	Transmap Units	Transmap Price	Total
3a	ON-SIGHT Mobile Mapping Raw Data Collection "ETJ Roads" (units = centerline miles)	Raw roadway data and image capture. 360-degree image view of all roadways (ROW) with dedicated pavement camera and ground-based LiDAR (100% roadway coverage) Transmap will utilize a Class 1 device for additional ride data	22	\$99.00	\$2,178.00
3b	Pavement Inspection "ETJ Roads" (units = management samples)	Detailed surface distress analysis using Transmap's Pavement Management 2.0 approach. Transmap uses ASTM D6433 compliant methods. Vehicle automated collection using a combination of lasers, images and field walk out (price includes field verification) 300' management samples	389	5.88	\$2,287.32

Subtotal \$4,465.32

4) Asset Packages (City Roads)

Task	Description	Comments	Transmap Units	Transmap Price	Total
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4a	Traffic Assets (units = centerline miles)	Transmap will package all traffic assets into a logical extraction pass (traffic signs, pavement markings, bridges, traffic signals and poles, ADA ramps)	34	\$67.00	\$2,278.00
4b	Utility Assets (units = centerline miles)	Transmap will package all utility assets into a logical extraction pass (drop inlets, curb inlets, manholes, street lights) All assets will have attributes requested in the RFP	34	\$65.00	\$2,210.00
4c	Linear Assets (units = centerline miles)	Transmap will package all linear assets into a logical extraction pass (ditches, pavement striping, sidewalks, curbs, guiderails, shoulders)	34	\$75.00	\$2,550.00
4d	Trees (units = centerline miles)	Transmap wil extract trees and all ROW trees will have standard attributes	34	\$72.00	\$2,448.00
4e	*ArcGIS Online Web-Based Image Viewer (free acces for 6 months after project)	Transmap will set up Greenville to view all collected images in ArcGIS Online web environment with the PMS data, Asset data, Orthophotography and GIS basemap layer.	0	\$0.00	\$0.00
4f	MUTCD Nighttime Sign Assessment (units = hours)	Nighttime Assessment (Rating Critical, Fair, Good)	10	\$99.00	\$990.00
4g	Transmap Project Management (units = hours)	Standard project management includes managing the personnel assigned to the project, monthly project updates, ArcGIS online project tracking, on site kick off meeting.	13	\$99.00	\$1,287.00

Subtotal

\$11,763.00

5) Asset Packages (State Roads)

Task	Description	Comments	Transmap Units	Transmap Price	Total
5a	Traffic Assets (units = centerline miles)	Transmap will package all traffic assets into a logical extraction pass (traffic signs, pavement markings, bridges, traffic signals and poles, ADA ramps)	19	\$67.00	\$1,273.00
5b	Utility Assets (units = centerline miles)	Transmap will package all utility assets into a logical extraction pass (drop inlets, curb inlets, manholes, street lights) All assets will have attributes requested in the RFP	19	\$65.00	\$1,235.00
5c	Linear Assets (units = centerline miles)	Transmap will package all linear assets into a logical extraction pass (ditches, pavement striping, sidewalks, curbs, guiderails, shoulders)	19	\$75.00	\$1,425.00
5d	Trees (units = centerline miles)	Transmap wil extract trees and all ROW trees will have standard attributes	19	\$72.00	\$1,368.00
5e	*ArcGIS Online Web-Based Image Viewer (free acces for 6 months after project)	Transmap will set up Greenville to view all collected images in ArcGIS Online web environment with the PMS data, Asset data, Orthophotography and GIS basemap layer.	0	\$0.00	\$0.00
5f	MUTCD Nighttime Sign Assessment (units = hours)	Nighttime Assessment (Rating Critical, Fair, Good)	10	\$99.00	\$990.00
5g	Transmap Project Management (units = hours)	Standard project management includes managing the personnel assigned to the project, monthly project updates, ArcGIS online project tracking, on site kick off meeting.	8	\$99.00	\$792.00

Subtotal

\$7,083.00

6) Asset Packages (ETJ Roads)

Task	Description	Comments	Transmap Units	Transmap Price	Total
6a	Traffic Assets (units = centerline miles)	Transmap will package all traffic assets into a logical extraction pass (traffic signs, pavement markings, bridges, traffic signals and poles, ADA ramps)	22	\$67.00	\$1,474.00
6b	Utility Assets (units = centerline miles)	Transmap will package all utility assets into a logical extraction pass (drop inlets, curb inlets, manholes, street lights) All assets will have attributes requested in the RFP	22	\$65.00	\$1,430.00
6c	Linear Assets (units = centerline miles)	Transmap will package all linear assets into a logical extraction pass (ditches, pavement striping, sidewalks, curbs, guiderails, shoulders)	22	\$75.00	\$1,650.00
6d	Trees (units = centerline miles)	Transmap wil extract trees and all ROW trees will have standard attributes	22	\$72.00	\$1,584.00
6e	*ArcGIS Online Web-Based Image Viewer (free acces for 6 months after project)	Transmap will set up Greenville to view all collected images in ArcGIS Online web environment with the PMS data, Asset data, Orthophotography and GIS basemap layer.	0	\$0.00	\$0.00
6f	MUTCD Nighttime Sign Assessment (units = hours)	Nighttime Assessment (Rating Critical, Fair, Good)	10	\$99.00	\$990.00
6g	Transmap Project Management (units = hours)	Standard project management includes managing the personnel assigned to the project, monthly project updates, ArcGIS online project tracking, on site kick off meeting.	8	\$99.00	\$792.00

Subtotal

\$7,920.00

Ayden Project Total

\$55,631.40

City of Winterville, NC
Attachment A Continued

1) Pavement Management System (City Roads)

Task	Description	Comments	Transmap Units	Transmap Price	Total
1a	Network Setup and Review (units = hours)	Transmap will review the City's centerline file and set up the required network for loading into MicroPAVER	8	\$99.00	\$792.00
1b	ON-SIGHT Mobile Mapping Raw Data Collection "City Roads" (units = centerline miles)	Raw roadway data and image capture. 360-degree image view of all roadways (ROW) with dedicated pavement camera and ground-based LiDAR (100% roadway coverage) Transmap will utilize a Class 1 device for additional ride data	43	\$99.00	\$4,257.00
1c	Pavement Inspection "City Roads" (units = management samples)	Detailed surface distress analysis using Transmap's Pavement Management 2.0 approach. Transmap uses ASTM D6433 compliant methods. Vehicle automated collection using a combination of lasers, images and field walk out (price includes field verification) 300' management samples	748	5.88	\$4,398.24
1d	MicroPAVER Load (units = hours)	Formatting pavement sample data for mass load into MicroPAVER	11	\$99.00	\$1,089.00
1e	Reporting (units = hours)	5 year network level pavement plan with maps (includes M&R treatment recommendations and pricing per square yard)	8	\$125.00	\$1,000.00
1f	ArcGIS Online Web-Based Image Viewer (free access for 6 months after project completion, units = 6 month term)	Transmap will set up the City to view all collected images in ArcGIS Online web environment with orthophotography and GIS basemap layer (web-based reporting)	0	\$875.00	\$0.00
1g	On-Site MicroPAVER Training (units = days)	Transmap will provide on-site training for up to five City personnel	2	\$2,200.00	\$4,400.00
1h	Pavement Boot Camp (price is per day)	Transmap will meet with City staff to review maintenance/rehabilitation activities, analysis procedures, and collect any existing information on roadways (ADT data, construct dates, maintenance dates, etc).	0.5	\$1,750.00	\$875.00
1i	Transverse Profile Summarized (units = lump sum)	Ride and Rut processing - Transmap can add additional value by processing our laser profilometer to get an automated result for Rut and Ride data. We use ASTM E 950 compliant methods	1	\$1,399.00	\$1,399.00
1j	MicroPAVER Software (units = days)	Transmap will purchase MicroPAVER software for the City. One license in the City's name comes with 3 installations	1	\$1,095.00	\$1,095.00
1k	Transmap Project Management (units = hours)	Standard project management includes managing the personnel assigned to the project, monthly project updates, ArcGIS online project tracking, on site kick off meeting.	32	\$99.00	\$3,168.00

Subtotal \$22,473.24

2) Pavement Management System (State Roads) **All Additional Tasks Covered in City Road Pavement Management**

Task	Description	Comments	Transmap Units	Transmap Price	Total
2a	ON-SIGHT Mobile Mapping Raw Data Collection "State Roads" (units = centerline miles)	Raw roadway data and image capture. 360-degree image view of all roadways (ROW) with dedicated pavement camera and ground-based LiDAR (100% roadway coverage) Transmap will utilize a Class 1 device for additional ride data	26	\$99.00	\$2,574.00
2b	Pavement Inspection "State Roads" (units = management samples)	Detailed surface distress analysis using Transmap's Pavement Management 2.0 approach. Transmap uses ASTM D6433 compliant methods. Vehicle automated collection using a combination of lasers, images and field walk out (price includes field verification) 300' management samples	460	5.88	\$2,704.80

Subtotal \$5,278.80

3) Pavement Management System (ETJ Roads) **All Additional Tasks Covered in City Road Pavement Management**

Task	Description	Comments	Transmap Units	Transmap Price	Total
3a	ON-SIGHT Mobile Mapping Raw Data Collection "ETJ Roads" (units = centerline miles)	Raw roadway data and image capture. 360-degree image view of all roadways (ROW) with dedicated pavement camera and ground-based LiDAR (100% roadway coverage) Transmap will utilize a Class 1 device for additional ride data	13	\$99.00	\$1,287.00
3b	Pavement Inspection "ETJ Roads" (units = management samples)	Detailed surface distress analysis using Transmap's Pavement Management 2.0 approach. Transmap uses ASTM D6433 compliant methods. Vehicle automated collection using a combination of lasers, images and field walk out (price includes field verification) 300' management samples	228	5.88	\$1,340.64

Subtotal \$2,627.64

4) Asset Packages (City Roads)

Task	Description	Comments	Transmap Units	Transmap Price	Total
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4a	Traffic Assets (units = centerline miles)	Transmap will package all traffic assets into a logical extraction pass (traffic signs, pavement markings, bridges, traffic signals and poles, ADA ramps)	43	\$67.00	\$2,881.00
4b	Utility Assets (units = centerline miles)	Transmap will package all utility assets into a logical extraction pass (drop inlets, curb inlets, manholes, street lights) All assets will have attributes requested in the RFP	43	\$55.00	\$2,365.00
4c	Linear Assets (units = centerline miles)	Transmap will package all linear assets into a logical extraction pass (ditches, pavement striping, sidewalks, curbs, guiderails, shoulders)	43	\$75.00	\$3,225.00
4d	Trees (units = centerline miles)	Transmap will extract trees and all ROW trees will have standard attributes	43	\$72.00	\$3,096.00
4e	*ArcGIS Online Web-Based Image Viewer (free acces for 6 months after project)	Transmap will set up Greenville to view all collected images in ArcGIS Online web environment with the PMS data, Asset data, Orthophotography and GIS basemap layer.	0	\$0.00	\$0.00
4f	MUTCD Nighttime Sign Assessment (units = hours)	Nighttime Assessment (Rating Critical, Fair, Good)	11	\$99.00	\$1,089.00
4g	Transmap Project Management (units = hours)	Standard project management includes managing the personnel assigned to the project, monthly project updates, ArcGIS online project tracking, on site kick off meeting.	16	\$99.00	\$1,584.00

Subtotal

\$14,240.00

5) Asset Packages (State Roads)

Task	Description	Comments	Transmap Units	Transmap Price	Total
5a	Traffic Assets (units = centerline miles)	Transmap will package all traffic assets into a logical extraction pass (traffic signs, pavement markings, bridges, traffic signals and poles, ADA ramps)	26	\$67.00	\$1,742.00
5b	Utility Assets (units = centerline miles)	Transmap will package all utility assets into a logical extraction pass (drop inlets, curb inlets, manholes, street lights) All assets will have attributes requested in the RFP	26	\$65.00	\$1,690.00
5c	Linear Assets (units = centerline miles)	Transmap will package all linear assets into a logical extraction pass (ditches, pavement striping, sidewalks, curbs, guiderails, shoulders)	26	\$75.00	\$1,950.00
5d	Trees (units = centerline miles)	Transmap wil extract trees and all ROW trees will have standard attributes	26	\$72.00	\$1,872.00
5e	*ArcGIS Online Web-Based Image Viewer (free acces for 6 months after project)	Transmap will set up Greenville to view all collected images in ArcGIS Online web environment with the PMS data, Asset data, Orthophotography and GIS basemap layer.	0	\$0.00	\$0.00
5f	MUTCD Nighttime Sign Assessment (units = hours)	Nighttime Assessment (Rating Critical, Fair, Good)	10	\$99.00	\$990.00
5g	Transmap Project Management (units = hours)	Standard project management includes managing the personnel assigned to the project, monthly project updates, ArcGIS online project tracking, on site kick off meeting.	10	\$99.00	\$990.00

Subtotal

\$9,234.00

6)Asset Packages (ETJ Roads)

Task	Description	Comments	Transmap Units	Transmap Price	Total
6a	Traffic Assets (units = centerline miles)	Transmap will package all traffic assets into a logical extraction pass (traffic signs, pavement markings, bridges, traffic signals and poles, ADA ramps)	13	\$67.00	\$871.00
6b	Utility Assets (units = centerline miles)	Transmap will package all utility assets into a logical extraction pass (drop inlets, curb inlets, manholes, street lights) All assets will have attributes requested in the RFP	13	\$65.00	\$845.00
6c	Linear Assets (units = centerline miles)	Transmap will package all linear assets into a logical extraction pass (ditches, pavement striping, sidewalks, curbs, guiderails, shoulders)	13	\$75.00	\$975.00
6d	Trees (units = centerline miles)	Transmap wil extract trees and all ROW trees will have standard attributes	13	\$72.00	\$936.00
6e	*ArcGIS Online Web-Based Image Viewer (free acces for 6 months after project)	Transmap will set up Greenville to view all collected images in ArcGIS Online web environment with the PMS data, Asset data, Orthophotography and GIS basemap layer.	0	\$0.00	\$0.00
6f	MUTCD Nighttime Sign Assessment (units = hours)	Nighttime Assessment (Rating Critical, Fair, Good)	10	\$99.00	\$990.00
6g	Transmap Project Management (units = hours)	Standard project management includes managing the personnel assigned to the project, monthly project updates, ArcGIS online project tracking, on site kick off meeting.	6	\$99.00	\$594.00

Subtotal

\$5,211.00

Winterville Project Total

\$59,064.68



City of Greenville, North Carolina

Meeting Date: 11/7/2013
Time: 7:00 PM

Title of Item: Supplemental agreement with the North Carolina Department of Transportation for the Green Mill Run Greenway Phase 2 Extension to accommodate for right-of-way acquisition

Explanation: **Abstract:** This is a request to approve a Supplemental Agreement with the North Carolina Department of Transportation (NCDOT) to extend the deadline for the Green Mill Run Greenway Phase 2 Extension Project due to delays in right-of-way acquisitions.

Explanation: Due to right-of-way acquisition delays, the time allowed to complete this project needs to be extended. This agreement would extend the deadline for the project completion date to January 1, 2015.

Design is complete, and right-of-way acquisition is underway. Construction is scheduled to start in spring 2014.

Fiscal Note: There are no fiscal impacts associated with this request.

Recommendation: Approve the attached Supplemental Agreement with NCDOT for the extension of the Green Mill Run Greenway Phase 2 Extension to accommodate right-of-way acquisitions.

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

Attachments / click to download

[Supplemental Agreement for Green Mill Run Greenway](#)

NORTH CAROLINA
PITT COUNTY

SUPPLEMENTAL AGREEMENT

DATE: 8/30/2013

NORTH CAROLINA DEPARTMENT OF
TRANSPORTATION

TIP #: EB-4996

AND

WBS ELEMENTS: PE 41061.1.1

ROW 41061.2.1

CITY OF GREENVILLE

CON 41061.3.1

CFDA #: 20.205

TOTAL SUPPLEMENTAL FUNDS [NCDOT PARTICIPATION] \$0

THIS AGREEMENT is made and entered into on the last date executed below, by and between the North Carolina Department of Transportation, an agency of the State of North Carolina, hereinafter referred to as the "Department", and the City of Greenville, hereinafter referred to as the "Municipality."

WITNESSETH:

WHEREAS, the Department and City of Greenville, on 12/5/2011, entered into a certain Locally Administered Project Agreement for the original scope: the construction of a 10-ft wide paved multi-use trail along Green Mill Run with 2-ft shoulders of granite screenings on both sides from the western terminus of the first phase of Green Mill Run Greenway at Charles Boulevard, across Evans Street, and then along Arlington Boulevard to Evans Park. The total length of the project is approximately 1.4 miles, programmed under Project EB-4996; and,

WHEREAS; the parties wish to extend the completion dates of the Project;

NOW THEREFORE, the parties wish to supplement the aforementioned Agreement whereby the following provisions are amended:

TIME FRAME

The Municipality, and/or its agent, shall complete pre-construction activities, to include Environmental Document, Right of Way Certification and final PS&E package, by July 31, 2014, in order to authorize construction funds prior to the end of the Federal Fiscal Year (September 30). In the event additional time is required to complete pre-construction activities, the Department will accept a written request for an extension of time as long as authorization of construction funds can still occur in the same Federal Fiscal Year. Any extensions of time beyond the current Federal Fiscal Year will require a supplemental agreement.

The Municipality shall complete the Project by January 1, 2015. Completion for this Agreement is defined as completion of all construction activities, acceptance of the project, and submission of a final reimbursement package to the Department.

The Department and/or FHWA reserves the right to revoke the funds awarded if the Municipality is unable to meet milestone dates included herein.

Except as hereinabove provided, the Agreement heretofore executed by the North Carolina Department of Transportation and City of Greenville on 12/5/2011, is ratified and affirmed as therein provided.

IN WITNESS WHEREOF, this Agreement has been executed, in duplicate, the day and year heretofore set out, on the part of the North Carolina Department of Transportation and the Municipality City of Greenville by authority duly given.

ATTEST: CITY OF GREENVILLE
BY: _____ BY: _____
TITLE: _____ TITLE: _____
DATE: _____ DATE: _____

NCGS 133-32 and Executive Order 24 prohibit the offer to, or acceptance by, any State Employee of any gift from anyone with a contract with the State, or from any person seeking to do business with the State. By execution of any response in this procurement, you attest, for your entire organization and its employees or agents, that you are not aware that any such gift has been offered, accepted, or promised by any employees of your organization.

Approved by _____ (Governing Board) of the City of Greenville as attested to by the signature of _____, Clerk of the _____ (Governing Board) on _____ (Date)

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

(SEAL)

(FINANCE OFFICER)

Federal Tax Identification Number

Remittance Address:

City of Greenville

DEPARTMENT OF TRANSPORTATION

BY: _____
(CHIEF ENGINEER)

DATE: _____

APPROVED BY BOARD OF TRANSPORTATION ITEM O: _____ (Date)



City of Greenville, North Carolina

Meeting Date: 11/7/2013
Time: 7:00 PM

Title of Item: Electric Capital Projects Budget Ordinance for Greenville Utilities Commission's Frog Level and MacGregor Downs Substations Feeder Expansions

Explanation: **Abstract:** Greenville Utilities Commission (GUC) seeks approval of the Electric Capital Projects Budget ordinance for new feeders that are necessary to enhance reliability of GUC's electric distribution system.

Explanation: Greenville Utilities Commission's Frog Level Substation expansion was completed in July 2013 with an additional 20 MVA power transformer. New feeders are necessary to enhance reliability of GUC's electric distribution system. A new 600 ampere feeder is to be constructed along Frog Level Road from the substation to Forlines Road. A second 600 ampere feeder is to be constructed along Frog Level Road from the substation to Bell Arthur Road. These two new feeders will support growth and provide relief to other circuits near capacity in the areas just west of Greenville and Winterville City Limits.

A new 600 ampere feeder is to be constructed along MacGregor Downs Road from the MacGregor Downs Substation to Allen Road. The feeder will support recent expansions at Vidant Medical Center as well as institutional and residential loads along MacGregor Downs Road relieving the existing feeder to only serve Vidant Medical Center.

This project includes engineering design and construction for all three 600 ampere feeders.


The Frog Level and MacGregor Downs Substations Feeder Expansions Electric Capital Projects Budget is estimated at \$700,000, to be funded with \$240,000 Capital Fund Balance and \$460,000 with existing Bond proceeds.

Fiscal Note: No cost to the City.

Recommendation: Adopt attached ordinance for the Frog Level and MacGregor Downs Substations Feeder Expansions Electric Capital Projects Budget for \$700,000

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 [Ordinance ECP-143](#)

ORDINANCE NO. 13-_____

FOR ELECTRIC CAPITAL PROJECTS BUDGET
FROG LEVEL AND MACGREGOR DOWNS SUBSTATIONS FEEDER EXPANSIONS PROJECT

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

Section 1. Revenues. Revenues of the Electric Capital Projects Budget, Frog Level and MacGregor Downs Substations Feeder Expansions Project, is hereby established to read as follows:

Revenue

Capital Fund Balance	\$240,000	
2007 Revenue Bonds	107,000	
2008A Revenue Bonds	<u>353,000</u>	
		<u>\$700,000</u>

Section 2. Expenditures. Expenditures of the Electric Capital Projects Budget, Frog Level and MacGregor Downs Substations Feeder Expansions Project, is hereby established to read as follows:

Expenditures

Project Costs	<u>\$700,000</u>	
Total Project Expenditures		<u>\$700,000</u>

Section 3. All ordinances and clauses of ordinances in conflict with this ordinance are hereby repealed.

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

Adopted this the _____ day of _____, 2013.

Allen M. Thomas, Mayor

ATTEST:

Carol L. Barwick, City Clerk



City of Greenville, North Carolina

Meeting Date: 11/7/2013
Time: 7:00 PM

Title of Item: 2013-2014 Capital Reserve Fund calculation and designations

Explanation: **Abstract:** This item is to update City Council on the potential transfer to the Capital Reserve Fund from the General Fund based on annual audited year-end results for the fiscal year ended June 30, 2013.

Explanation: Attached is a computation illustrating the portion of General Fund available for the annual capital reserve transfer. Historically, following completion of the annual audit, City Council considers a staff recommendation to transfer unassigned General Fund balance to designated capital improvement projects. The fiscal year-end results illustrate that unassigned fund balance is within the 14% financial policy guidelines established by the City. Because the amount is relatively close, staff recommends City Council forego making additional capital reserve designations at this time. Using the June 30, 2013, audit results, the attached report shows an amount of unassigned General Fund balance of \$50,999 that could be used for operating expenses and/or capital improvement needs.

The following documents are attached:

1. Computation of General Fund Monies Available for Transfer to Capital Reserve – This report is based on the unassigned General Fund balance in excess of the 14% reserve requirement established by City financial policy guidelines and the approved 2013-2014 General Fund budget expenditures, excluding Powell Bill (gas tax) funds. This amount is the starting point for calculating the available General Fund that can be used for operating and/or capital improvement needs. Under normal economic conditions, staff recommends transferring the adjusted amount of available funds to the Capital Reserve Fund.
2. Capital Reserve Fund - Detail of Changes in Designations – This report shows the Capital Reserve Fund with the capital project designations City Council approved on December 10, 2012, and the project budget changes over the past 11

months. Staff is not currently proposing the addition of any capital projects.

3. Proposed ordinance amending the Capital Reserve Fund.

Fiscal Note:

The calculated 14% reserve excess amount according to policy is \$50,999. The unallocated Capital Reserve interest income is \$53,400 (Total = \$104,393).

Recommendation:

Approve the attached ordinance amending the Capital Reserve Fund designations for 2013-2014.

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[Capital Reserve Update Caculation 652347](#)

[Capital Reserve Designations 606168](#)

[Update to Capital Reserve Fund Ordinance 612543](#)

**Computation of General Fund Monies Available for Transfer to Capital Reserve
Fiscal Year 2013-2014**

2013-2014** General Fund Budget	Percent	Total Balance Required	Unassigned* Fund Balance	Amount Available For Transfer
81,071,382	8%	6,485,711	11,400,992	4,915,281
81,071,382	9%	7,296,424	11,400,992	4,104,568
81,071,382	10%	8,107,138	11,400,992	3,293,854
81,071,382	11%	8,917,852	11,400,992	2,483,140
81,071,382	12%	9,728,566	11,400,992	1,672,426
81,071,382	13%	10,539,280	11,400,992	861,712
81,071,382	14%	11,349,993	11,400,992	50,999

* 2012-2013 Audit, Exhibit C

** Excluding Powell Bill (gas tax) funds

Capital Reserve Fund - Detail of Changes in Designations - November, 2013

Purpose	Proposed Designations December 10, 2012	Increase	Decrease	Proposed Designations November 7, 2013
Parking Deck	\$ 1,779,565	\$ -	\$ (1,779,565)	\$ -
Transportation				
Sidewalk Construction - DOT projects	\$ 52,059	-	-	\$ 52,059
Subtotal Transportation	\$ 52,059	-	-	\$ 52,059
Parking Station Reserves	\$ 12,591	-	-	\$ 12,591
Recreation and Parks				
Dream Park	\$ -	-	-	\$ -
Open Space for Land Banking	122,153	-	-	122,153
Subtotal Recreation and Parks	\$ 122,153	-	-	\$ 122,153
Total	\$ 1,966,368	\$ -	\$ (1,779,565)	\$ 186,803

A Amount transferred to the General Fund to offset projects that are deemed necessary for fiscal year 2014.

ORDINANCE NO. 13-
AN ORDINANCE AMENDING THE CAPITAL RESERVE FUND
FOR THE CITY OF GREENVILLE

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

Section I. The Capital Reserve Fund is amended as follows:

<u>Amount</u>	<u>Sources of Monies</u>	<u>Purpose</u>	<u>Accumulation Period</u>
\$ 12,591	General Fund	Parking Station Reserves	5 years
52,059	General Fund	Transportation	10 years
122,153	General Fund	Open Space for Land Banking	5 years
<u>\$ 186,803</u>			

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

Section III. This ordinance will become effective upon its adoption.

Adopted this 7th day of November, 2013.

Allen M. Thomas, Mayor

ATTEST:

Carol L. Barwick, City Clerk



City of Greenville, North Carolina

Meeting Date: 11/7/2013
Time: 7:00 PM

Title of Item: Budget ordinance amendment #4 to the 2013-2014 City of Greenville budget (Ordinance #13-026), and amendments to the Pre-1994 Entitlement Fund (Ordinance #96-52), the Special Revenue Grant Fund (Ordinance #11-003), the Drew Steele Center Capital Project Fund (Ordinance #09-42), the Dream Park Capital Project Fund (Ordinance #12-030), and the Insurance Loss Reserve Fund (Ordinance #94-140)

Explanation: **Abstract:** The budget amendment is for City Council to review and approve proposed changes to the adopted 2013-2014 budget and other funds.

Explanation: Attached is an amendment to the 2013-2014 budget ordinance for consideration at the November 7, 2013, City Council meeting. For ease of reference, a footnote has been added to each line item of the budget ordinance amendment, which corresponds to the explanation below:

A To appropriate Controlled Substance funds to purchase 72 rifles and accessories for the Police Department. (Total - \$114,407)

B To appropriate funds from the Insurance Loss Reserve to the General Fund to mirror the committed fund balance as of June 30, 2013. This amount is based on City Council's review of the previous allocations and the desire to fund additional capital as was presented and discussed during the fiscal year 2014 budget presentations. The result of this transfer will allow the City to maintain and exceed the requirement, per the City policy, for insurance loss reserve. (Total - \$629,767)

C To appropriate grant funds to be received for Brownfield Assessments to complete site remediation of two parcels on the Imperial Tobacco site in West Greenville. The total cost of the project is \$480,000, of which the City's match is \$80,000. This match will be funded from the Pre-1994 Entitlement funds. (Total - \$480,000)

D To appropriate funds to close out the Drew Steele Center Capital Project

Fund. Remaining funds will be transferred into the Dream Park Capital Project Fund to pay for drainage improvements and asphalt paving. (Total - \$9,806)

Fiscal Note:

The budget ordinance amendment affects the following funds: increase the General Fund by \$460,537; increase the Pre-Entitlement Fund by \$80,000, increase the Special Revenue Grant Fund by \$480,000, increase the Drew Steele Center Capital Project Fund by \$9,806, increase the Dream Park Capital Project Fund by \$9,806, and increase the Insurance Loss Reserve Fund by \$629,767;

<u>Fund Name</u>	<u>Original /Amended Budget</u>	<u>Proposed Amendment</u>	<u>Amended Budget 11/7/2013</u>
General	\$ 86,832,795	\$ 460,537	\$ 87,293,332
Pre-Entitlement 1994	\$ 1,307,390	\$ 80,000	\$ 1,387,390
Special Revenue Grant	\$ 1,218,257	\$ 480,000	\$ 1,698,257
Drew Steele Capital Project	\$ 1,467,349	\$ 9,806	\$ 1,477,155
Dream Park Capital Project	\$ 809,841	\$ 9,806	\$ 819,647
Insurance Loss Reserve	\$ -	\$ 629,767	\$ 629,767

Recommendation:

Approve budget ordinance amendment #4 to the 2013-2014 City of Greenville budget (Ordinance #13-026), and amendments to the Pre-1994 Entitlement Fund (Ordinance #96-52), the Special Revenue Grant Fund (Ordinance #11-003), the Drew Steele Center Capital Project Fund (Ordinance #09-42), the Dream Park Capital Project Fund (Ordinance #12-030), and the Insurance Loss Reserve Fund (Ordinance #94-140)

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ORDINANCE NO. 13-
CITY OF GREENVILLE, NORTH CAROLINA
Ordinance (#4) Amending the 2013-2014 Budget (Ordinance No. 13-026) and amendments to the Pre-1994 Entitlement Fund
(Ordinance No. 96-52), the Special Revenue Grant Fund (Ordinance No. 11-003), the Drew Steele Center Capital
Project Fund (Ordinance No. 09-42), the Dream Park Capital Project Fund (Ordinance No. 12-030) and
the Insurance Loss Reserve Fund (Ordinance No. 94-140)

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

Section I: Estimated Revenues and Appropriations. **General Fund**, of Ordinance 13-026, is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

	ORIGINAL 2013-2014 BUDGET	#4 Amended 11/7/13	Total Amendments	Amended 2013-2014 Budget
<u>ESTIMATED REVENUES</u>				
Property Tax	\$ 30,725,377	\$ -	\$ -	\$ 30,725,377
Sales Tax	14,910,654	-	-	14,910,654
Video Prog. & Telecom. Service Tax	988,360	-	-	988,360
Rental Vehicle Gross Receipts	124,554	-	-	124,554
Utilities Franchise Tax	5,650,969	-	-	5,650,969
Motor Vehicle Tax	947,925	-	-	947,925
Other Unrestricted Intergov't Revenue	773,961	-	-	773,961
Powell Bill	2,190,005	-	-	2,190,005
Restricted Intergov't Revenues	906,300	A 114,407	498,775	1,405,075
Privilege License	635,694	-	-	635,694
Other Licenses, Permits and Fees	4,441,905	-	-	4,441,905
Rescue Service Transport	3,109,570	-	-	3,109,570
Parking Violation Penalties, Leases, & Meters	320,760	-	-	320,760
Other Sales & Services	594,405	-	27,803	622,208
Other Revenues	368,049	-	-	368,049
Interest on Investments	1,416,062	-	-	1,416,062
Transfers In GUC	6,482,380	-	-	6,482,380
Other Financing Sources	2,083,920	B 629,767	629,767	2,713,687
Appropriated Fund Balance	9,466,137	B (283,637)	-	9,466,137
TOTAL REVENUES	\$ 86,136,987	\$ 460,537	\$ 1,156,345	\$ 87,293,332
<u>APPROPRIATIONS</u>				
Mayor/City Council	\$ 388,957	\$ -	\$ -	\$ 388,957
City Manager	1,307,015	-	-	1,307,015
City Clerk	273,769	-	-	273,769
City Attorney	453,843	-	-	453,843
Human Resources	2,632,937	-	-	2,632,937
Information Technology	3,089,753	-	-	3,089,753
Fire/Rescue	13,465,164	-	21,404	13,486,568
Financial Services	2,388,772	-	1,880	2,390,652
Recreation & Parks	7,532,229	-	140,051	7,672,280
Police	23,120,136	A 114,407	304,384	23,424,520
Public Works	10,196,796	-	(695,687)	9,501,109
Community Development	1,917,798	-	827,241	2,745,039
OPEB	350,000	-	-	350,000
Contingency	200,000	B 346,130	446,175	646,175
Indirect Cost Reimbursement	(1,014,572)	-	-	(1,014,572)
Capital Improvements	6,550,990	-	377,000	6,927,990
Total Appropriations	\$ 72,853,587	\$ 460,537	\$ 1,422,448	\$ 74,276,035
<u>OTHER FINANCING SOURCES</u>				
Debt Service	\$ 3,995,586	\$ -	\$ -	\$ 3,995,586
Transfers to Other Funds	9,287,814	-	(266,103)	9,021,711
	\$ 13,283,400	\$ -	\$ (266,103)	\$ 13,017,297
TOTAL APPROPRIATIONS	\$ 86,136,987	\$ 460,537	\$ 1,156,345	\$ 87,293,332

Section II: Estimated Revenues and Appropriations. **Pre-1994 Entitlement Fund**, of Ordinance 96-52, is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

	ADJUSTED 2013-2014 BUDGET		Amended 11/7/13	Total Amendments	Amended 2013-2014 Budget
ESTIMATED REVENUES					
Rental Income	\$ -	C	\$ 80,000	\$ 80,000	\$ 80,000
Sale of Acquired Property	70,500			-	70,500
Loan Payment	49,650			-	49,650
Transfers In from other funds	1,187,240			-	1,187,240
TOTAL REVENUES	\$ 1,307,390		\$ 80,000	\$ 80,000	\$ 1,387,390
APPROPRIATIONS					
Pre-1994 Entitlement Fund	\$ 1,307,390	C	\$ 80,000	\$ 80,000	\$ 1,387,390
Total Expenditures	\$ 1,307,390		\$ 80,000	\$ 80,000	\$ 1,387,390
TOTAL APPROPRIATIONS	\$ 1,307,390		\$ 80,000	\$ 80,000	\$ 1,387,390

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

	ADJUSTED BUDGET		Amended 11/7/13	Total Amendments	Amended 2012-2013 Budget
ESTIMATED REVENUES					
Special Fed/State/Loc Grant	\$ 1,074,160	C	\$ 400,000	\$ 464,811	\$ 1,538,971
Transfer from General Fund	79,286		-	-	79,286
Transfer from Pre-1994 Entitlement	-	C	80,000	80,000	80,000
TOTAL REVENUES	\$ 1,153,446		\$ 480,000	\$ 544,811	\$ 1,698,257
APPROPRIATIONS					
Personnel	\$ 99,387	C	\$ 400,000	\$ 400,000	\$ 499,387
Operating	786,602	C	80,000	134,811	921,413
Capital Outlay	267,457		-	10,000	277,457
Total Expenditures	\$ 1,153,446		\$ 480,000	\$ 544,811	\$ 1,698,257
TOTAL APPROPRIATIONS	\$ 1,153,446		\$ 480,000	\$ 544,811	\$ 1,698,257

Section IV: Estimated Revenues and Appropriations. **Drew Steele Capital Project Fund**, of Ordinance 09-42, is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

	ADJUSTED BUDGET	Amended 11/7/13	Total Amendments	Amended 2013-2014 Budget
ESTIMATED REVENUES				
Spec State/Fed/Loc Grant	\$ 500,000	\$ -	\$ -	\$ 500,000
Donations	500,000	-	-	500,000
Transfer from General Fund	467,349	-	-	467,349
Appropriate Fund Balance	-	D 9,806	9,806	9,806
TOTAL REVENUES	\$ 1,467,349	\$ 9,806	\$ 9,806	\$ 1,477,155
APPROPRIATIONS				
Contingency	\$ 43,869	\$ -	-	\$ 43,869
Construction	1,156,849	-	-	1,156,849
Demolition	187,880	-	-	187,880
Engineering	78,751	-	-	78,751
Transfer to Dream Park Capital Project	-	D 9,806	9,806	9,806
Total Expenditures	\$ 1,467,349	\$ 9,806	\$ 9,806	\$ 1,477,155
TOTAL APPROPRIATIONS	\$ 1,467,349	\$ 9,806	\$ 9,806	\$ 1,477,155

Section V: Estimated Revenues and Appropriations. **Dream Park Capital Project Fund**, of Ordinance 12-030, is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

	ADJUSTED BUDGET	Amended 11/7/13	Total Amendments	Amended 2013-2014 Budget
ESTIMATED REVENUES				
Transfer from Capital Reserve	\$ 250,000	\$ -	\$ -	\$ 250,000
Transfer from General Fund	534,841	-	-	534,841
Transfer from Drew Steele Fund	25,000	D 9,806	9,806	34,806
TOTAL REVENUES	\$ 809,841	\$ 9,806	\$ 9,806	\$ 819,647
APPROPRIATIONS				
Dream Park Capital Project Fund	\$ 809,841	D \$ 9,806	9,806	\$ 819,647
Total Expenditures	\$ 809,841	\$ 9,806	\$ 9,806	\$ 819,647
TOTAL APPROPRIATIONS	\$ 809,841	\$ 9,806	\$ 9,806	\$ 819,647

Section VI: Estimated Revenues and Appropriations. **Insurance Loss Reserve Fund**, of Ordinance 94-140, is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

	Original BUDGET	Amended 11/7/13	Total Amendments	Amended 2013-2014 Budget
ESTIMATED REVENUES				
Appropriated Fund Balance	\$ -	B \$ 629,767	\$ 629,767	\$ 629,767
TOTAL REVENUES	\$ -	\$ 629,767	\$ 629,767	\$ 629,767
APPROPRIATIONS				
Insurance Loss Reserve	\$ -	B \$ 629,767	\$ 629,767	\$ 629,767
Total Expenditures	\$ -	\$ 629,767	\$ 629,767	\$ 629,767
TOTAL APPROPRIATIONS	\$ -	\$ 629,767	\$ 629,767	\$ 629,767

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

Adopted this 7th day of November, 2013.

Allen M. Thomas, Mayor

ATTEST:

Carol L. Barwick, City Clerk



City of Greenville, North Carolina

Meeting Date: 11/7/2013
Time: 7:00 PM

Title of Item: Ordinance to annex Gateway West, portion of Lot 4, involving 0.34 acres located on the northern right-of-way of Gateway Drive and being about 320 feet west of Stantonsburg Road

Explanation: **Abstract:** The City received a voluntary annexation petition to annex Gateway West, portion of Lot 4, involving 0.34 acres located on the northern right-of-way of Gateway Drive and being and about 320 feet west of Stantonsburg Road. The subject area is currently undeveloped and is anticipated to accommodate one (1) communication tower.

ANNEXATION PROFILE

A. SCHEDULE

1. Advertising date: October 28, 2013
2. City Council public hearing date: November 7, 2013
3. Effective date: June 30, 2014

B. CHARACTERISTICS

1. Relation to Primary City Limits: Contiguous
2. Relation to Recognized Industrial Area: Outside
3. Acreage: 0.34
4. Voting District: 1
5. Township: Arthur

- 6. Vision Area: F
- 7. Zoning: CG (General Commercial)
- 8. Land Use: Existing: Vacant
Anticipated: One (1) communication tower
- 9. Population:

	Formula	Number of People
Total Current	-----	0
Estimated at full development	----	0
Current Minority	-----	0
Estimated Minority at full development	----	0
Current White	-----	0
Estimated White at full development	----	0

* - people per household in Greenville

- 10. Rural Fire Tax District: Red Oak
- 11. Greenville Fire District: Station # 2 (Distance of 3.0 miles)
- 12. Present Tax Value: \$35,545.00
Estimated Future Tax Value: \$70,847.00

Fiscal Note: The total estimated tax value at full development is \$70,847.00.

Recommendation: Approve the attached ordinance to annex Gateway West, portion of Lot 4.

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

Attachments / click to download

[Survey](#)

[Ordinance Gateway West Lot 4 965741](#)

ORDINANCE NO. 13-
AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF
THE CITY OF GREENVILLE, NORTH CAROLINA

Attachment number 1
Page 1 of 2

WHEREAS, the City Council of the City of Greenville has been petitioned under G.S. 160A-31, as amended, to annex the area described herein; and

WHEREAS, the City Council has directed the City Clerk to investigate the sufficiency of said petition; and

WHEREAS, the City Clerk has certified the sufficiency of said petition and a public hearing on the question of this annexation was held at City Hall at 7:00 p.m. on the 7th day of November, 2013, after due notice by publication in The Daily Reflector on the 28th day of October, 2013; and

WHEREAS, the City Council does hereby find as a fact that said petition meets the requirements of G. S. 160A-31, as amended.

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

Section 1. That by virtue of the authority vested in the City Council of the City of Greenville, North Carolina, under G. S. 160A-31, as amended, the following described contiguous territory is annexed:

TO WIT: Being all of that certain property as shown on the annexation map entitled "Gateway West, Portion of Lot 4", involving 0.34 acres as prepared by Tower Engineering Professionals.

LOCATION: Lying and being situated in Arthur Township, Pitt County, North Carolina, located on the northern right-of-way of Gateway Drive and being about 320 feet north of Stantonsburg Road.

GENERAL DESCRIPTION:

ALL THAT CERTAIN PARCEL OF LAND TO BE ANNEXED; SITUATE, LYING AND BEING IN PITT COUNTY, NORTH CAROLINA, BEING A PORTION OF THE LANDS DESCRIBED IN DEED BOOK 2568 AT PAGE 623 OF THE PITT COUNTY REGISTER OF DEEDS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT EXISTING IRON, SAID IRON BEING THE NORTHEAST CORNER OF THE PARCEL DESCRIBED IN DEED BOOK 2653 AT PAGE 1, SAID IRON HAVING NORTH CAROLINA STATE PLANE COORDINATES OF NORTHING = 678,959.97', AND EASTING = 2,465,973.19'; THENCE FROM THE POINT OF COMMENCEMENT, NORTH 58°09'52" EAST A DISTANCE OF 52.88 FT. TO A POINT ON THE SOUTHERN LIMITS OF THE PARCEL TO BE ANNEXED, SAID POINT BEING THE TRUE POINT OF BEGINNING OF THE AREA TO BE ANNEXED, AND HAVING NORTH CAROLINA STATE PLANE COORDINATES OF: NORTHING = 678,822.81'; AND EASTING= 2,466,319.14'; THENCE FROM THE POINT OF BEGINNING, SOUTH 71°50'07" WEST A DISTANCE OF 105.00 FT. TO A POINT; THENCE NORTH 00°32'49" EAST A DISTANCE

OF 100.00 FT. TO A POINT; THENCE NORTH 71°50'07" EAST A DISTANCE OF 105.00 FT. TO A POINT; THENCE SOUTH 00°32'49" WEST A DISTANCE OF 68.33 FT. TO A POINT; THENCE NORTH 71°50'07" EAST A DISTANCE OF 159.76 FT. TO A POINT ON THE WESTERN RIGHT OF WAY OF GATEWAY DRIVE AND BEING THE BEGINNING OF A CURVE; SAID CURVE BEING CONCAVE TO THE EAST HAVING A RADIUS OF 225.00 FT. AND A CHORD OF 30.23 FT. BEARING SOUTH 11°07'50" EAST; THENCE WITH SAID RIGHT OF WAY, AND ALONG THE ARC OF SAID CURVE FOR A DISTANCE OF 30.25 FT.; THENCE LEAVING SAID RIGHT OF WAY SOUTH 71°50'07" WEST A DISTANCE OF 166.22 FT. TO THE POINT OF BEGINNING.

SAID EASEMENT AREA CONTAINING 14,824 SQ. FT. OR 0.34 ACRES MORE OR LESS.

Attachment number 1
Page 2 of 2

Section 2. Territory annexed to the City of Greenville by this ordinance shall, pursuant to the terms of G. S. 160A-23, be annexed into Greenville municipal election district one. The City Clerk, City Engineer, representatives of the Board of Elections and any other person having responsibility or charge of official maps or documents shall amend those maps or documents to reflect the annexation of this territory into municipal election district one.

Section 3. The territory annexed and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Greenville and shall be entitled to the same privileges and benefits as other territory now within the City of Greenville. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 4. The Mayor of the City of Greenville, North Carolina, shall cause a copy of the map of the territory annexed by this ordinance and a certified copy of this ordinance to be recorded in the office of the Register of Deeds of Pitt County and in the Office of the Secretary of State in Raleigh, North Carolina. Such a map shall also be delivered to the Pitt County Board of Elections as required by G.S. 163-288.1.

Section 5. This annexation shall take effect from and after the 30th day of June, 2014.

ADOPTED this 7th day of November, 2013.

Allen M. Thomas, Mayor

ATTEST:

Carol L. Barwick, City Clerk

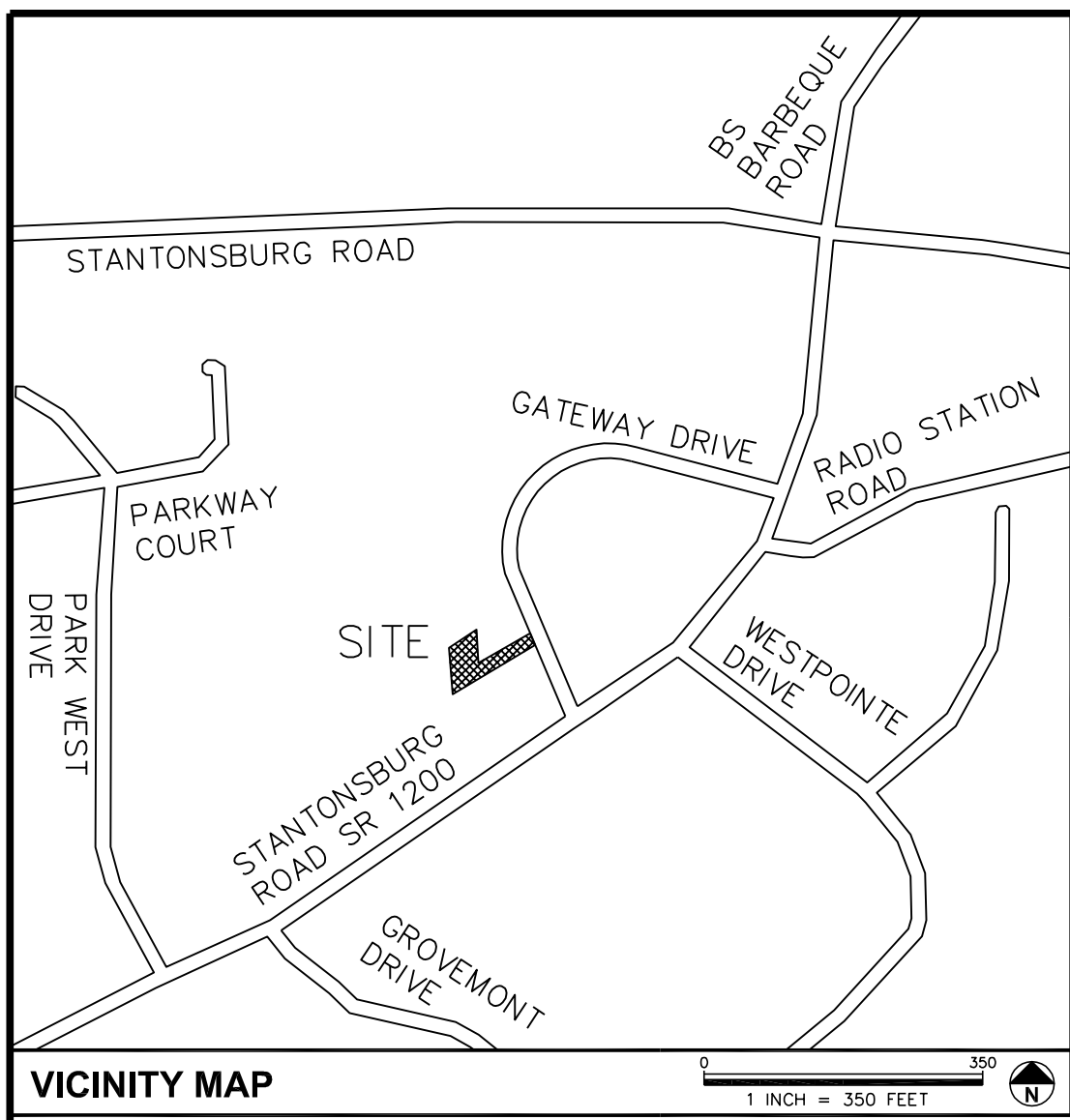
NORTH CAROLINA
PITT COUNTY

I, _____, Notary Public for said County and State, certify that Carol L. Barwick personally came before me this day and acknowledged that she is the City Clerk of the City of Greenville, a municipality, and that by authority duly given and as the act of the municipality, the foregoing instrument was signed in its name by its Mayor, sealed with the corporate seal, and attested by herself as its City Clerk.

WITNESS my hand and official seal this ____ day of _____, 2013.

Notary Public

My Commission Expires: _____



VICINITY MAP

LEGEND

- PROPERTY LINE
- - - PROPERTY LINE (NOT SURVEYED)
- - - ADJOINERS PROPERTY LINE (NOT SURVEYED)
- EXIST. UTILITY POLE
- EXIST. TELCO PEDESTAL
- IRF IRON ROD (FOUND)
- PROPERTY CORNER (CALCULATED)
- EDGE OF PAVEMENT
- - - OHW OVERHEAD WIRE
- - - R/W RIGHT-OF-WAY
- x - CHAIN LINK FENCE
- ~ ~ ~ EXISTING TREE LINE
- - - NEW CITY LIMIT
- - - OLD CITY LIMIT
- - - CITY LIMIT

SURVEY NOTES:

1. THIS PLAN WAS PREPARED WITHOUT THE BENEFIT OF A REPORT OF TITLE.
2. THIS PLAN REPRESENTS AN ANNEXATION SURVEY. NOT FOR RECORDATION OR SALES.
3. THE BASIS OF THE BEARINGS AND COORDINATES, FOR THIS PLAN IS THE NORTH CAROLINA STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM (NCSPCS/NAD 83) BASED ON REAL TIME KINEMATIC GPS OBSERVATIONS PERFORMED ON MARCH 19, 2010, AND JUNE 13, 2013; AND EXPRESSED IN US SURVEY FEET.
4. PROPERTY LINES ARE DRAWN FROM INFORMATION FOUND IN DEED BOOK 2568, PAGE 623, OF THE PITT COUNTY REGISTER OF DEEDS, AND FIELD LOCATIONS.
5. ALL DISTANCES ARE GROUND UNLESS OTHERWISE NOTED.
6. THIS PROPERTY IS SUBJECT TO THE CITY OF GREENVILLE'S STORM WATER MANAGEMENT PROGRAM.
7. THIS LOT IS CREATED FOR THE PURPOSE OF CONSTRUCTING AN UNMANNED CELLULAR TRANSMISSION TOWER. THE PROPOSED PRINCIPAL USE AND ANY ACCESSORY USE SHALL NOT REQUIRE PUBLIC WATER OR SANITARY SEWER SERVICES. THE OWNER SHALL BE RESPONSIBLE FOR EXTENSION OF PUBLIC WATER AND SANITARY SEWER FOR ANY FUTURE USE REQUIRING SAME.

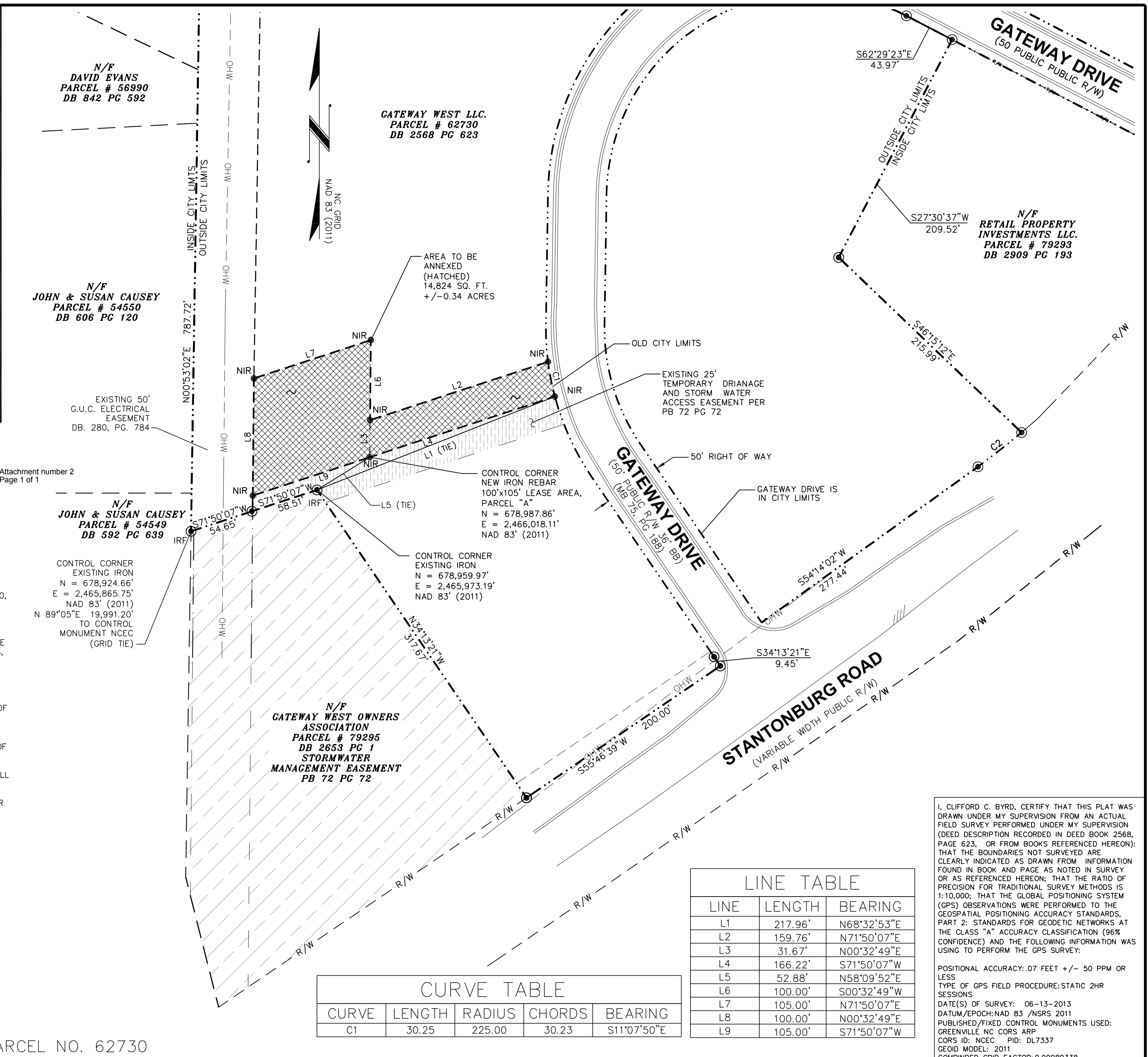
REFERENCES:

D.B. 2668 PG. 623
P.B. 72 PG. 72
TAX PARCEL NO. 62730



0 60 120
1 INCH = 60 FEET

PORTION OF PARCEL NO. 62730



CURVE TABLE

CURVE	LENGTH	RADIUS	CHORDS	BEARING
C1	30.25	225.00	30.23	S11°07'50"E

LINE TABLE

LINE	LENGTH	BEARING
L1	217.96'	N68°32'53"E
L2	159.76'	N71°50'07"E
L3	31.67'	N00°32'49"E
L4	166.22'	S71°50'07"W
L5	52.88'	N58°09'52"E
L6	100.00'	S00°32'49"W
L7	105.00'	N71°50'07"E
L8	100.00'	N00°32'49"E
L9	105.00'	S71°50'07"W

I, CLIFFORD C. BYRD, CERTIFY THAT THIS PLAN WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL FIELD SURVEY PERFORMED UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN DEED BOOK 2568, PAGE 623, OR FROM BOOKS REFERENCED HEREON); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK AND PAGE AS NOTED IN SURVEY OR AS REFERENCED HEREON; THAT THE RATIO OF PRECISION FOR TRADITIONAL SURVEY METHODS IS 1:10,000; THAT THE GLOBAL POSITIONING SYSTEM (GPS) OBSERVATIONS WERE PERFORMED TO THE GEOSPATIAL POSITIONING ACCURACY STANDARDS, PART 2: STANDARDS FOR GEODETIC NETWORKS AT THE CLASS "A" ACCURACY CLASSIFICATION (96% CONFIDENCE) AND THE FOLLOWING INFORMATION WAS USING TO PERFORM THE GPS SURVEY:

POSITIONAL ACCURACY: .07 FEET +/- 50 PPM OR LESS
TYPE OF GPS FIELD PROCEDURE: STATIC 2HR SESSIONS
DATE(S) OF SURVEY: 06-13-2013
DATUM/EPOCH: NAD 83 / NSRS 2011
PUBLISHED/FIXED CONTROL MONUMENTS USED: GREENVILLE NC CORS ARP
CORS ID: NCEC PID: DL7337
GEOID MODEL: 2011
COMBINED GRID FACTOR: 0.99989338
UNITS: US SURVEY FEET

THAT THIS PLAN WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.

I, FURTHER CERTIFY PURSUANT TO G.S.47-30 (F)(11)(d), THIS SURVEY IS OF ANOTHER CATEGORY AND IS AN EXEMPTION TO THE DEFINITION OF A SUBDIVISION.

WITNESS MY ORIGINAL SIGNATURE AND SEAL THE 27th DAY OF SEPTEMBER, 2013.
SIGNED: *Clifford C. Byrd* 10/17/13
PROFESSIONAL LAND SURVEYOR NO: L-3782

GATEWAY WEST, LLC. TRACT
STANTONBURG ROAD
ARTHUR TOWNSHIP, PITT COUNTY, NORTH CAROLINA

PREPARED BY: **TOWER ENGINEERING PROFESSIONALS**
3703 JUNCTION BOULEVARD
RALEIGH, NC 27603-5263
(919) 661-6351
N.C. LIC. NO. C-1794

SURVEYED: CCB
DRAWN: CCB
CHECKED: DEA

APPROVED:
DATE: 09/25/2013
TEP JOB NO. 46865

MAP NO.
PLATS RECORDED
BOOK
PAGE

Item # 14

MAP NO.	PLATS RECORDED	BOOK	PAGE

MAP SHOWING AREA ANNEXED BY THE CITY OF GREENVILLE, NC

EFFECTIVE DATE: _____; ORDINANCE NO. _____

AREA: 14,824 SQ. FT.
ARTHUR TOWNSHIP, PITT COUNTY, NC



City of Greenville, North Carolina

Meeting Date: 11/7/2013
Time: 7:00 PM

Title of Item: Ordinance to annex Kittrell Farms, Lot 9, involving 1.3216 acres located on the southern side of Charles Boulevard and being about 270 feet west of Signature Drive

Explanation: **Abstract:** The City received a voluntary annexation petition to annex Kittrell Farms, Lot 9, involving 1.3216 acres located on the southern side of Charles Boulevard and being about 270 feet west of Signature Drive. The subject area is currently undeveloped and is anticipated to yield 12,650+/- square feet of retail space.

ANNEXATION PROFILE

A. SCHEDULE

1. Advertising date: October 28, 2013
2. City Council public hearing date: November 7, 2013
3. Effective date: June 30, 2014

B. CHARACTERISTICS

1. Relation to Primary City Limits: Contiguous
2. Relation to Recognized Industrial Area: Outside
3. Acreage: 1.3216
4. Voting District: 5
5. Township: Winterville
6. Vision Area: D

- 7. Zoning: CG (General Commercial)
- 8. Land Use: Existing: Vacant
Anticipated: 12,650+/- square feet of retail space
- 9. Population:

	Formula	Number of People
Total Current	-----	0
Estimated at full development	----	0
Current Minority	-----	0
Estimated Minority at full development	-----	0
Current White	-----	0
Estimated White at full development	-----	0

* - people per household in Greenville

- 10. Rural Fire Tax District: Eastern Pines
- 11. Greenville Fire District: Station #3 (Distance of 2.0 miles)
- 12. Present Tax Value: \$237,600.00
Estimated Future Tax Value: \$1,502,600.00

Fiscal Note: The total estimated tax value at full development is \$1,502,600.00

Recommendation: Approve the attached ordinance to annex Kittrell Farms, Lot 9

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

Attachments / click to download

[Survey](#)

[Ordinance_Kittrell_Farms_Lot_9_965690](#)

ORDINANCE NO. 13-
AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF
THE CITY OF GREENVILLE, NORTH CAROLINA

Attachment number 1
Page 1 of 2

WHEREAS, the City Council of the City of Greenville has been petitioned under G.S. 160A-31, as amended, to annex the area described herein; and

WHEREAS, the City Council has directed the City Clerk to investigate the sufficiency of said petition; and

WHEREAS, the City Clerk has certified the sufficiency of said petition and a public hearing on the question of this annexation was held at City Hall at 7:00 p.m. on the 7th day of November, 2013, after due notice by publication in The Daily Reflector on the 28th day of October, 2013; and

WHEREAS, the City Council does hereby find as a fact that said petition meets the requirements of G. S. 160A-31, as amended.

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

Section 1. That by virtue of the authority vested in the City Council of the City of Greenville, North Carolina, under G. S. 160A-31, as amended, the following described contiguous territory is annexed:

TO WIT: Being all of that certain property as shown on the annexation map entitled "Kittrell Farms, Lot 9", involving 1.3216 acres as prepared by Malpass and Associates.

LOCATION: Lying and being situated in Winterville Township, Pitt County, North Carolina, located on the south side of Charles Boulevard and being about 270 feet west of Signature Drive.

GENERAL DESCRIPTION:

Lying and being situate in Winterville Township, Pitt County, North Carolina, and being more particularly described as follows:

Beginning at a point in the western right of way of NC Hwy 43 – Charles Blvd. said point being located N 55-40-43 W – 204.72', thence N 55-23-03 W – 69.97' from the intersection of the northern right of way of Signature Drive and the western right of way of NC Hwy 43, thence from said point of beginning leaving the western right of way of NC Hwy 43 S 37-05-54 W – 319.08', thence N 52-54-06 W – 182.00', thence N 37-05-54 E – 314.94' to the western right of way of NC Hwy 43, thence with the western right of way of NC Hwy 43 S 52-54-06 E – 50.30', thence S 54-29-48 E – 101.02', thence S 55-23-03 E – 30.75' to the point of beginning containing 1.3216 acres.

Section 2. Territory annexed to the City of Greenville by this ordinance shall, pursuant to the terms of G. S. 160A-23, be annexed into Greenville municipal election district five. The City Clerk, City Engineer, representatives of the Board of Elections and any other person having

responsibility or charge of official maps or documents shall amend those maps or documents to reflect the annexation of this territory into municipal election district five.

Section 3. The territory annexed and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Greenville and shall be entitled to the same privileges and benefits as other territory now within the City of Greenville. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 4. The Mayor of the City of Greenville, North Carolina, shall cause a copy of the map of the territory annexed by this ordinance and a certified copy of this ordinance to be recorded in the office of the Register of Deeds of Pitt County and in the Office of the Secretary of State in Raleigh, North Carolina. Such a map shall also be delivered to the Pitt County Board of Elections as required by G.S. 163-288.1.

Attachment number 1
Page 2 of 2

Section 5. This annexation shall take effect from and after the 30th day of June, 2014.

ADOPTED this 7th day of November, 2013.

Allen M. Thomas, Mayor

ATTEST:

Carol L. Barwick, City Clerk

NORTH CAROLINA
PITT COUNTY

I, _____, Notary Public for said County and State, certify that Carol L. Barwick personally came before me this day and acknowledged that she is the City Clerk of the City of Greenville, a municipality, and that by authority duly given and as the act of the municipality, the foregoing instrument was signed in its name by its Mayor, sealed with the corporate seal, and attested by herself as its City Clerk.

WITNESS my hand and official seal this ____ day of _____, 2013.

Notary Public

My Commission Expires: _____



VICINITY MAP
1"=1000'

SIGNATURE DRIVE
(60' PUBLIC R/W - 40' B/B)

Attachment number 2
Page 1 of 1

LAKE KRISTI PROPERTIES, LLC
DB 1587, P 460

CG
VACANT

LAKE KRISTI PROPERTIES, LLC
DB 1587, P 460

CG
VACANT

9
1.3216 ACRES

LAKE KRISTI PROPERTIES, LLC
DB 1587, P 460

CG
VACANT

EXISTING CITY LIMITS

S 55°40'43"E 204.72' (TIE)

EXISTING CITY LIMITS

S 55°23'03"E 69.97' (TIE)

S 55°23'03"E 30.75'

OLD CITY LIMITS
S 54°29'48"E - 101.02'

S 52°54'06"E - 50.30'

EXISTING CITY LIMITS

NC HWY 43 - CHARLES BLVD
(100' PUBLIC R/W - 36' P/MT)

EXISTING CITY LIMITS

EXISTING CITY LIMITS

EXISTING CITY LIMITS

A PORTION OF PARCEL NUMBER 19617

ANNEXATION MAP FOR
KITRELL FARMS LOT 9

REFERENCE DEED BOOK 1587, PAGE 460,
OF THE PITT COUNTY REGISTRY

WINTERVILLE TOWNSHIP PITT COUNTY NORTH CAROLINA

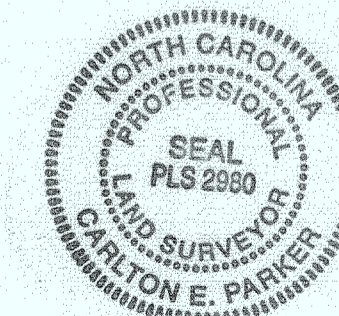
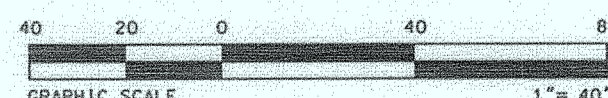
OWNER: LAKE KRISTI PROPERTIES
C/O MR. PARKER OVERTON
ADDRESS: 3633 GRIMESLAND BRIDGE ROAD
GRIMESLAND, NC 27837
PHONE: (252) 714-8700

MALPASS & ASSOCIATES
1645 E. ARLINGTON BLVD., SUITE D
GREENVILLE, N.C. 27858
(252) 756-1780

SURVEYED: CEP APPROVED: CEP
DRAWN: WCO DATE: 09/19/13
CHECKED: CEP SCALE: Item # 15

LEGEND

NEW CITY LIMITS = - - - - -
EXISTING CITY LIMITS = - - - - -
OLD CITY LIMITS = - - - - -



MAP SHOWING AREA ANNEXED BY
THE CITY OF GREENVILLE, N.C.

DATE: _____ ; ORDINANCE NUMBER: _____ ; AREA: 1.3216 ACRES
WINTERVILLE TOWNSHIP, PITT COUNTY, NORTH CAROLINA

I, CARLTON E. PARKER CERTIFY THAT THIS MAP
WAS DRAWN BY ME OR UNDER MY SUPERVISION FROM
AN ACTUAL SURVEY BY ME OR UNDER MY SUPERVISION,
THAT THE RATIO OF PRECISION AS CALCULATED FROM
LATITUDES AND DEPARTURES IS 1:10,000+; THAT THE
BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN
LINES PLOTTED FROM INFORMATION FOUND IN
BOOK _____, PAGE _____
WITNESS MY ORIGINAL SIGNATURE,
REGISTRATION NUMBER AND SEAL

THIS 17TH DAY OF OCTOBER A.D., 2013.
[Signature]
CARLTON E. PARKER L-2980



City of Greenville, North Carolina

Meeting Date: 11/7/2013
Time: 7:00 PM

Title of Item: Ordinance to amend the Future Land Use Plan Map from an industry (I) category to a commercial (C) category for the property located between Martin Luther King, Jr. Highway and Staton House Road and west of North Memorial Drive

Explanation: **Abstract:** The City has received a request by Stow Management, Incorporated and Stephen M. Harrington to amend the Future Land Use Plan Map from an industry (I) category to a commercial (C) category for the property located between Martin Luther King, Jr. Highway and Staton House Road and west of North Memorial Drive, containing 36 acres.

History/Background:

The current Future Land Use Plan Map (FLUPM) was adopted on February 12, 2004.

The subject property is part of the North Green Commercial Park Subdivision that was approved in 2011.

Comprehensive Plan:

The subject area is located in Vision Area A.

The Future Land Use Plan Map recommends commercial (C) at the focus area transitioning to industry (I) to the north and west and conservation/open space (COS) to the south as a buffer to the interior medium density residential (MDR) and to identify potential environmental constraints.

Further, the Future Land Use Plan Map recommends industry (I) south of the Martin Luther King, Jr. Highway / North Memorial Drive interchange with COS to identify potential environmental constraints.

Memorial Drive is considered a "gateway" corridor from the Tar River and continuing north. 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.

There is a designated intermediate focus area located at the intersection of North Memorial Drive and Belvoir Highway. These nodes typically contain between 50,000 to 150,000 square feet of conditioned floor space.

The Horizons: Greenville's Community Plan 2010 Update provides criteria in determining if a change to the FLUPM is compatible.

The following are excerpts from the 2010 Update.

A FLUPM amendment request will be construed to be "compatible with the comprehensive plan" if:

(i) The proposed amendment is determined by Planning and Zoning Commission and City Council to be necessary as a result of changed conditions in the local development pattern, street pattern, environment or other major feature or plan, which impacts the site in a manner or to a degree not previously anticipated at the time of adoption of the Current FLUPM; and

(ii) The location of the proposed classification(s) support the intent and objective of the current FLUPM, Focus Area Map, and Transportation Corridor Map and other contextual considerations of the comprehensive plan; and

(iii) The resulting anticipated land use is properly located with respect to existing and future adjoining and area uses and the proposed change is not anticipated to cause undue negative impacts on localized traffic, the natural environment or existing land and future neighborhoods and businesses within and in proximity to the area of proposed amendment; and

(iv) The amendment is anticipated to result in a desirable and sustainable land use pattern to an equal or greater degree than existed under the previous plan recommendation.

Environmental Conditions/Constraints:

There are no known effects on the designated area.

Existing Land Use:

Sheetz Convenience Store, Staton House Volunteer Fire Department, and vacant lots

Surrounding Land Uses and Zoning:

North: Martin Luther King, Jr. Highway / North Memorial Drive interchange
South: IU - Colony Tire, Fuel Dock Truck Stop, farmland

East: IU - Harper Brush Company
West: RA20 - Forbes MHP and one (1) single-family residence

Anticipated Density:

Under the current category (I), the site could yield 344,995+/- square feet of mini-storage/warehouse/conventional and fast food restaurant space.

Under the proposed category (C), the site could yield 344,995+/- square feet of retail/mini-storage/conventional and fast food restaurant space.

Thoroughfare/Traffic Volume (Summary):

Based on possible uses permitted by the requested land use plan category, the proposed category could generate 16,056 trips to and from the site on North Memorial Drive, which is a net increase of 10,586 trips per day.

During the review process, measures to mitigate traffic impacts will be determined. Mitigation measures may include limiting access onto North Memorial Drive, constructing turn lanes into the development, and intersection improvements at the Staton House Road and North Memorial Drive intersection, such as the construction of additional turn and/or through lanes.

Additional Staff Comments:

The property is located outside of the recognized Industrial Area.

Fiscal Note: No cost to the City.

Recommendation: In consideration of the criteria listed in the 2010 Update regarding requests to amend the Future Land Use Plan Map and mitigating factors as previously mentioned, staff's opinion is that the request is **compatible** with the comprehensive plan based on the following criteria listed in the 2010 Update. The proposed C category:

- supports the intent and objectives of the Future Land Use Plan Map, Focus Area Map, and Transportation Corridor Map and other contextual considerations of the comprehensive plan; and
- is properly located with respect to existing and future adjoining land uses and is not anticipated to cause undue negative impacts on localized traffic, the natural environment or existing and future neighborhoods and businesses within and in proximity to the area; and
- is anticipated to result in a desirable and sustainable land use pattern to an equal or greater degree than existed under the previous plan recommendation.


The Planning and Zoning Commission voted to approve the request at its

October 15, 2013, meeting.


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


Attachments / click to download

 [Traffic Report](#)

 [Survey](#)

 [Stow FLUP Map - revised](#)

 [Ordinance Stow_FLUPM_965756](#)

 [Minutes Stow_FLUPM_965754](#)

ORDINANCE NO. 13-
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GREENVILLE
AMENDING HORIZONS: GREENVILLE'S COMMUNITY PLAN

WHEREAS, the City Council of the City of Greenville, North Carolina, in accordance with Article 19, Chapter 160A, of the General Statutes of North Carolina, caused a public notice to be given and published once a week for two successive weeks in The Daily Reflector setting forth that the City Council would, on November 7, 2013, at 7:00 p.m. in the City Council Chambers of City Hall in the City of Greenville, NC, conduct a public hearing on the adoption of an ordinance amending the Future Land Use Plan Map for the following described territory;

WHEREAS, the Horizons: Greenville's Community Plan was adopted on January 9, 1992 by the Greenville City Council per Ordinance 2412; and

WHEREAS, the Horizons: Greenville's Community Plan will from time to time be amended and portions of its text clarified by the City Council; and

WHEREAS, Future Land Use Plans are to be prepared to expand and clarify portions of the Horizons: Greenville's Community Plan; and

WHEREAS, the City Council of the City of Greenville has per Ordinance No. 97-73 adopted the Greenville Future Land Use Plan Map and associated text dated June 4, 1997 as an amendment to the Horizons: Greenville's Community Plan; and

WHEREAS, the City Council of the City of Greenville has per Ordinance No. 04-10 amended the Horizons: Greenville's Community Plan and Future Land Use Plan Map pursuant to the 2004 Update; and

WHEREAS, the Planning and Zoning Commission and the City Council have reviewed the Future Land Use Plan Map and a public hearing has been held to solicit public comment.

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

Section 1. The Future Land Use Plan Map is hereby amended by re-designating from an "Industry" category to a "Commercial" category for the area described as being located at the northwest corner of the intersection of North Memorial Drive and Staton House Road, beginning at a known point, said point being the northwest corner of the intersection of North Memorial Drive and Staton House Road and running along the northern right-of-way of Staton House Road in a westerly direction for 1,200+/- feet; thence running along western property lines of tax parcels 03110 and 73299 as identified at the Pitt County Tax Assessor's Office in a northerly direction for 690+/- feet; thence running the southern property line of tax parcel 07787 as identified at the Pitt County Tax Assessor's Office in a northerly direction for 1,060 +/- feet; thence running along the northern property lines tax parcels 77441, 73299, and 03110 as identified at the Pitt County Tax Assessor's Office in an easterly direction for 925+/- feet; thence

running along the western right-of-way of North Memorial Drive in a southerly direction for 1,060 +/- feet and returning to the point of beginning and containing 36 acres.

Section 2. That the Director of Community Development is directed to amend the Future Land Use Plan Map of the City of Greenville in accordance with this ordinance.

Section 3. That all ordinances and clauses of ordinances in conflict with this ordinance are hereby repealed.

Section 4. That this ordinance shall become effective upon its adoption.

ADOPTED this 7th day of November, 2013.

Allen M. Thomas, Mayor

ATTEST:

Carol L. Barwick, City Clerk

#965756

Excerpt from the DRAFT Planning & Zoning Commission Minutes (10/15/2013)

ORDINANCE REQUESTED BY STOW MANAGEMENT, INCORPORATED AND STEPHEN M. HARRINGTON TO AMEND THE FUTURE LAND USE PLAN MAP FROM AN INDUSTRY (I) CATEGORY TO A COMMERCIAL (C) CATEGORY FOR THE PROPERTY LOCATED BETWEEN MARTIN LUTHER KING, JR. HIGHWAY AND STATON HOUSE ROAD AND WEST OF NORTH MEMORIAL DRIVE CONTAINING 36 ACRES. -APPROVED

Ms. Chantae Gooby, Planner II, delineated the property. The property is located in the northern section of the city. The property is part of an approved preliminary plat for North Creek Commercial Park for 18 lots. Most of the property is currently vacant. Surrounding properties include are zoned commercial, industrial zones and residential-agricultural. The required stormwater pond is already in place. Both the industrial and commercial districts allow similar uses, but the biggest difference is commercial allows retail. Both uses would allow 345,000+/- square feet of conditioned floor space. The request could generate a net increase of 10,586 trips per day based on worst case scenario of retail and being at full build-out. There is a Sheetz convenience store already on a portion of the property. Memorial Drive and Martin Luther King, Jr. Highway are four-lane divided median highways. The Staton House Road/North Memorial Drive intersection is signalized. A focus area is south of the property. The Future Land Use Plan Map (FLUPM) recommends industry. Staff viewed the request as the Future Land Use Plan was recommending a non-residential category. The Horizons: Greenville's Community Plan 2010 Update provided criteria to determine if a request is compatible with the comprehensive plan based on the following: (1) The proposed classification supports the intent and objective of the current FLUPM, Focus Area Map, and Transportation Corridor Map and the contextual considerations of the comprehensive plan; (2) the resulting anticipated land use is properly located with respect to existing and future adjoining and area uses and the proposed change is not anticipated to cause undue negative impacts on traffic, the natural environment or existing land and future neighborhoods and businesses; (3) the amendment is anticipated to result in a desirable and sustainable land use pattern to an equal or greater degree than existed under the previous plan. In Staff's opinion, the request is compatible.

Mr. Weitz asked for clarity concerning the recognized industrial area.

Ms. Gooby stated that the city has a recognized industrial area east of Memorial Drive. It is a cohesive block of industrial zoning. However, there is other industrial-zoned property in the city.

Mr. Weitz asked if the request was inside the recognized industrial area that it may be looked at with more scrutiny.

Ms. Gooby stated yes.

Chairwoman Basnight opened the public hearing.

950525

Attorney Jim Hopf, representative of applicant, spoke in favor of the request. The basis for the request is market driven. The applicant has received several calls for commercial, retail and service oriented businesses. He stated that the request is consistent with the land uses, commercial zoning, and comments from residents for desire to increase development and retail and commercial type of service in the area. The applicant has talked to owners in the area and they support the request. The highways and roads are well equipped to handle the increase in traffic. The area north of the River suffered with Hurricane Floyd, and the request will help add to the services in the area.

No one spoke in opposition of the request.

Chairwoman Basnight closed the public hearing and opened for board discussion.

**Motion made by Mr. Smith, seconded by Ms. Bellis, to recommend approval of the request.
Motion passed unanimously.**

Case No: 13-03

Applicant: Stow Management, Inc.

Property Information

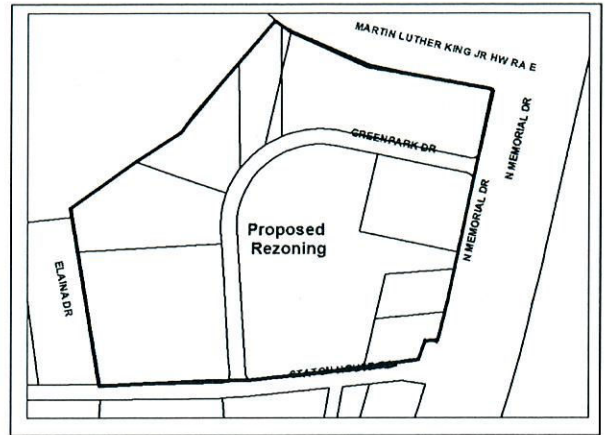
Current Category: I (Industry)

Proposed Category: C (Commercial)

Current Acreage: 36 gross acres

Location: Memorial Dr, just north of Staton House Rd

Points of Access: Staton House Rd, Memorial Drive



Location Map

Transportation Background Information

1.) Memorial Drive- State maintained

	<u>Existing Street Section</u>	<u>Ultimate Thoroughfare Street Section</u>
Description/cross section	4-lane divided, grass median	4-lane divided, grass median
Right of way width (ft)	190	190
Speed Limit (mph)	45	45
Current ADT:	20,200 (*)	Ultimate Design ADT: 35,000 vehicles/day (**)
Design ADT:	35,000 vehicles/day (**)	
Controlled Access	No	
Thoroughfare Plan Status:	Major Thoroughfare	

Other Information: There are no sidewalks along Memorial Drive that service this property.

Notes: (*) 2010 NCDOT count adjusted for a 2% annual growth rate
(**) Traffic volume based on an operating Level of Service D for existing geometric conditions
ADT – Average Daily Traffic volume

Transportation Improvement Program Status: No planned improvements.

Trips generated by proposed use/change

Current Zoning: 5,470 -vehicle trips/day (*) **Proposed Zoning:** 16,056 -vehicle trips/day (*)

Estimated Net Change: increase of 10586 vehicle trips/day (assumes full-build out)

(* - These volumes are estimated and based on an average of the possible uses permitted by the current and proposed land use.)

Impact on Existing Roads

The overall estimated trips presented above are distributed based on current traffic patterns. The estimated ADTs on Memorial Drive are as follows:

1.) Memorial Drive , North of Site (40%): “No build” ADT of 20,200

Estimated ADT with Proposed Land Use (full build) – 26,622
 Estimated ADT with Current Land Use (full build) – 22,388
Net ADT change = 4,234 (19% increase)

Case No: 13-03

Applicant: Stow Management, Inc.

2.) Memorial Drive , South of Site (60%): "No build" ADT of 20,200

Estimated ADT with Proposed Land Use (full build) – 29,834

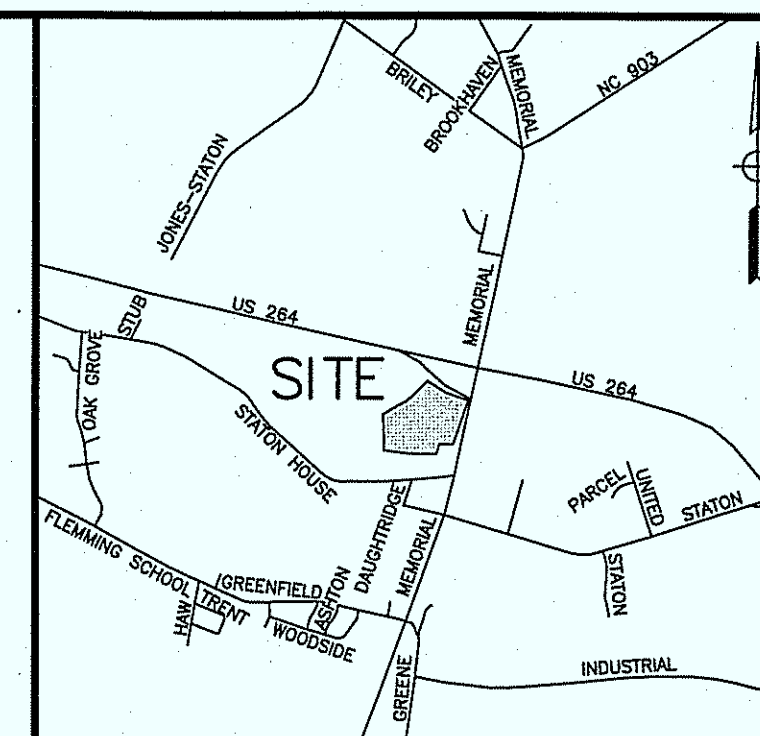
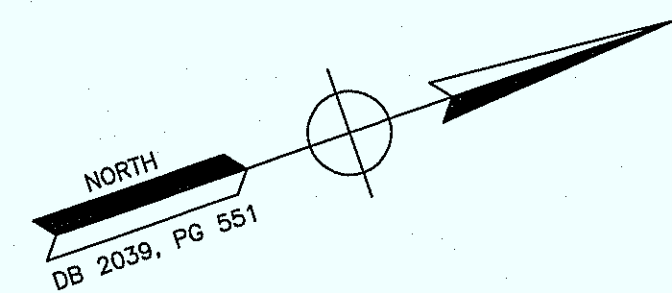
Estimated ADT with Current Land Use (full build) – 23,482

Net ADT change = 6,352 (27% increase)

Staff Findings/Recommendations

Based on possible uses permitted by the requested land use plan category, the proposed category could generate 16056 trips to and from the site on Memorial Drive, which is a net increase of 10586 additional trips per day.

During the review process, measures to mitigate traffic impacts will be determined. Mitigation measures may include limiting access onto Memorial Drive, constructing turn lanes into the development, and intersection improvements at the Staton House Road and Memorial Drive intersection such as the construction of additional turn and/or through lanes.



VICINITY MAP

SCALE: 1"=1000'±

NCSR 1417 - STATON HOUSE ROAD
(60' R/W 21' ASPHALT PUBLIC)

NEUHOFF, INC.
DB 2036, PG 650

JOHN HENRY BAZZLE
DB 2903, PG 819

CURRENT LAND USE MAP CLASSIFICATION: INDUSTRIAL

CURRENT LAND USE MAP CLASSIFICATION: CONSERVATION/OPEN SPACE

LUCILLE BUCK FORBES
DC 95, PG 1879
CURRENT LAND USE MAP CLASSIFICATION: INDUSTRIAL

DAUGHTRIDGE OIL CO. OF GREENVILLE
DB 267, PG 467

CURRENT LAND USE MAP CLASSIFICATION: INDUSTRIAL
PROPOSED LAND USE MAP CLASSIFICATION: COMMERCIAL

CURRENT LAND USE MAP CLASSIFICATION: COMMERCIAL

Attachment number 4
Page 1 of 1
DOUGLAS W. HODGES
DB 682, PG 85

DAUGHTRIDGE DRIVE
(50' R/W 36' B/B PUBLIC)

DAUGHTRIDGE OIL CO. OF GREENVILLE
DB 267, PG 467

DAUGHTRIDGE OIL CO. OF GREENVILLE
DB 507, PG 416

STATON HOUSE FIRE DEPARTMENT, INC.
DB H-46, PG 812

US HWY 264
(MARTIN LUTHER KING, JR. HWY)
(R/W VARIES ASPHALT PUBLIC)

US HWY 13 & NC HWY 11
(VARIABLE PUBLIC R/W)

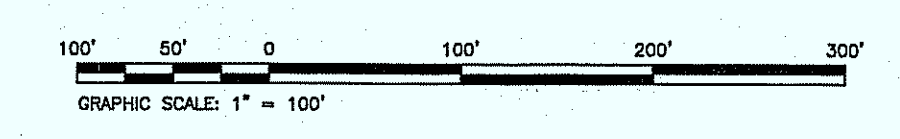
ADJOINING PROPERTY OWNERS ADDRESSES

- LUCILLE BUCK FORBES**
271 STATON HOUSE ROAD
GREENVILLE, NC 27834
- DAUGHTRIDGE OIL CO. OF GREENVILLE**
PO BOX 567
GREENVILLE, NC 27835
- DOUGLES W. HODGES, AND WIFE SUSAN O. HODGES**
1781 NC HWY 45 NORTH
PLYMOUTH, NC 27962
- DAUGHTRIDGE OIL CO. OF GREENVILLE**
PO BOX 593
GREENVILLE, NC 27835
- STATON HOUSE FIRE DEPARTMENT, INC.**
2501 NORTH MEMORIAL DRIVE
GREENVILLE, NC 27834
- STOW MANAGEMENT, INC.**
1528 SOUTH EVANS STREET
GREENVILLE, NC 27834
- VINTAGE ASSOCIATES, LLC.**
1528 SOUTH EVANS STREET
ANNEX 2
GREENVILLE, NC 27834
- PTM LP**
5700 SIXTH AVENUE
ALTOONA, PA 16602
- JOHN HENRY BAZZLE**
398 STATON HOUSE ROAD
GREENVILLE, NC 27834
- NEUHOFF, INC**
PO BOX 2917
GREENVILLE, NC 27836

LEGEND

- R/W = RIGHT-OF-WAY
- R = RADIUS
- CH = CHORD
- DC = BOOK OF DECREES AND ORDERS

AREA TO BE AMENDED: 35.020 ACRES



PARCEL # 27207
TAX MAP # 4689-57-4374
PARCEL # 80843
TAX MAP # 4689-57-5755
PARCEL # 03110
TAX MAP # 4689-57-0661

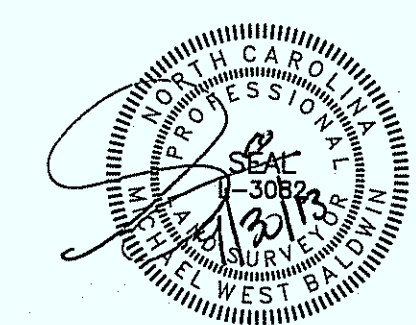
SHEET 1 OF 1
LAND USE PLAN AMENDMENT MAP

STOW MANAGEMENT, INC., STEPHEN M. HARRINGTON, PTM LP, & VINTAGE ASSOCIATES, LLC PROPERTY

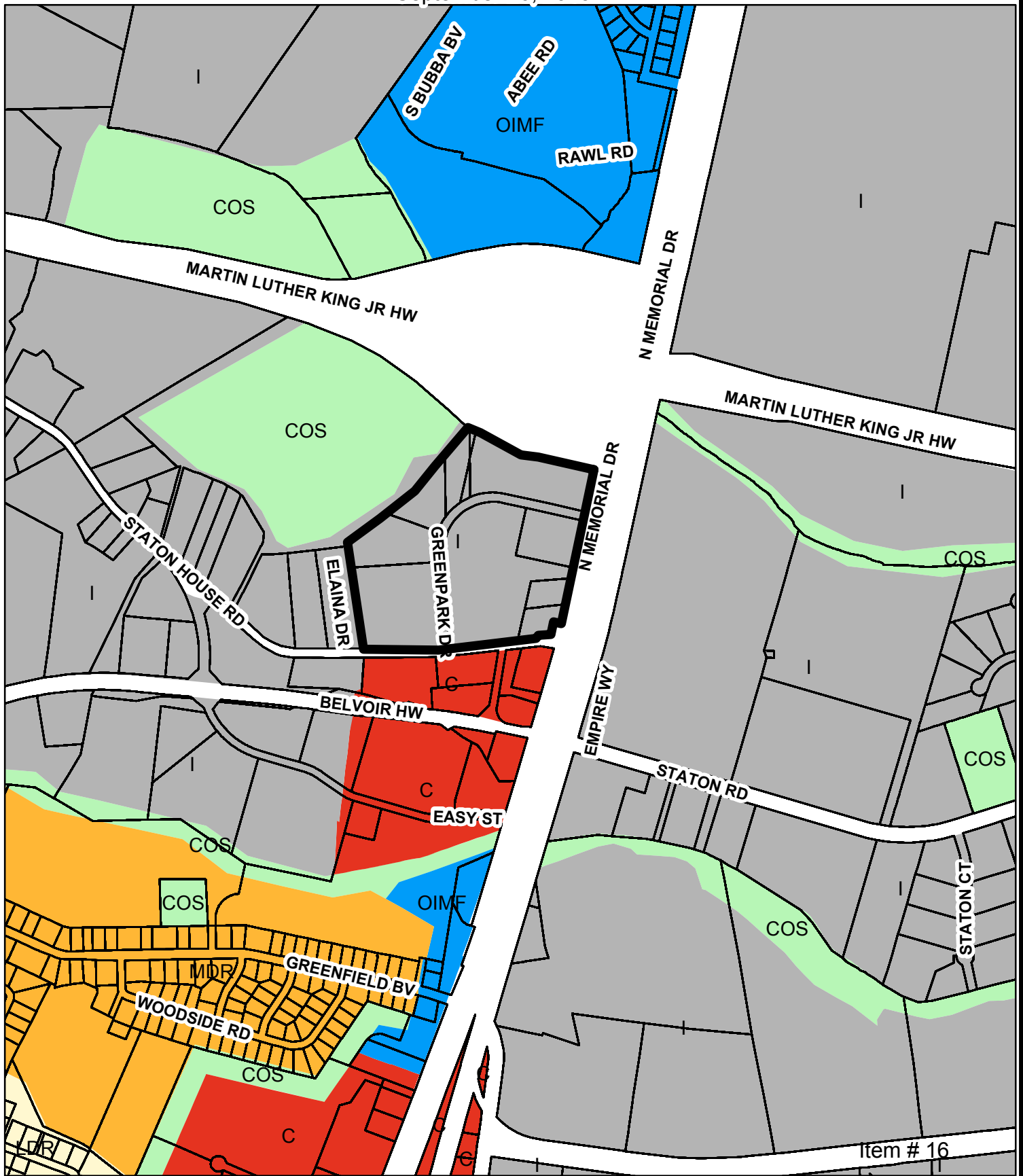
REFERENCE: DEED BOOK 2039, PAGE 551 AND DEED BOOK 2125, PAGE 703 OF THE PITT COUNTY REGISTRY
BELVOIR TOWNSHIP, PITT COUNTY, N.C.

OWNER: STOW MANAGEMENT, INC. ADDRESS: 1528 SOUTH EVANS STREET GREENVILLE, NC 27834 PHONE: (252) 355-6622	OWNER: STEPHEN M. HARRINGTON ADDRESS: 1000 PORT TERMINAL RD. GREENVILLE, NC 27858 PHONE: (252) 756-0455
OWNER: VINTAGE ASSOCIATES, LLC ADDRESS: 1528 SOUTH EVANS STREET ANNEX 2 GREENVILLE, NC 27834 PHONE: (252) 355-6622	OWNER: PTM LP ADDRESS: 5700 SIXTH AVENUE ALTOONA, PA 16602 PHONE:

Baldwin Design Consultants, PA SITE & SUBDIVISION DESIGN - SURVEYING - PLANNING 3740-B EVANS STREET GREENVILLE, NC 27834 252.756.1390	LICENSE # C-3498 SURVEYED: MM APPROVED: MWB DRAWN: JJB/JGG/PAP DATE: 09/30/13 CHECKED: MWB SCALE: 1" = 100'
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Stow Management, Inc. and
Stephen M. Harrington Properties
From: I (Industry)
To: C (Commercial)
36 Acres
September 26, 2013





City of Greenville, North Carolina

Meeting Date: 11/7/2013
Time: 7:00 PM

Title of Item: Ordinance amending Horizons: Greenville's Community Plan to incorporate by reference the Oak Grove Estates Subdivision Neighborhood Report and Plan

Explanation: **Abstract:** As part of the goals of City Council and ongoing work to improve Greenville neighborhoods, the Community Development Department's Planning Division developed a neighborhood plan for the Oak Grove Estates community with assistance from City departments and other outside agencies.

Explanation: As part of the Task Force on Preservation of Neighborhoods and Housing's recommendations, City Council's 2006-2007 Goals, and Horizons: Greenville's Community Plan recommendations, the Community Development Department has prepared the Oak Grove Estates Subdivision Neighborhood Report and Plan. This plan is intended to guide policy and investment decisions for the Oak Grove Estates Subdivision.

Fiscal Note: Costs of specific recommendations to be determined prior to their implementation.

Recommendation: Staff recommends approval of the ordinance amending Horizons: Greenville's Community Plan to incorporate by reference the Oak Grove Estates Subdivision Neighborhood Report and Plan.

The Planning and Zoning Commission voted to approve the request at its October 15, 2013, meeting.

Motion to approve the proposed text amendment, to advise that it is consistent with the comprehensive plan and other applicable plans, and to adopt the staff report which addresses plan consistency and other matters.

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

Attachments / click to download

- [📄 Maps 1-10](#)
 - [📄 Maps 11-20](#)
 - [📄 Maps 20-32](#)
 - [📄 Survey Results](#)
 - [📄 Ordinance Oak Grove Estates SD Report and Plan 965752](#)
 - [📄 Minutes Oak Grove Estates Report and Plan 965757](#)
 - [📄 Small Area Plan for Oak Grove Estates SD 960125](#)
-

ORDINANCE NO. 13-
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GREENVILLE
AMENDING HORIZONS: GREENVILLE'S COMMUNITY PLAN

WHEREAS, the City Council of the City of Greenville, North Carolina, in accordance with Article 19, Chapter 160A, of the General Statutes of North Carolina, caused a public notice to be given and published once a week for two successive weeks in The Daily Reflector setting forth that the City Council would, on November 7, 2013 at 7:00 p.m., in the City Council Chambers of City Hall in the City of Greenville, NC, conduct a public hearing on the adoption of an ordinance amending Horizons: Greenville's Community Plan as follows;

WHEREAS, Horizons: Greenville's Community Plan was adopted on January 9, 1992 by the Greenville City Council per Ordinance 2412; and

WHEREAS, the City Council of the City of Greenville has per Ordinance No. 04-10 amended Horizons: Greenville's Community Plan pursuant to the 2004 Update; and

WHEREAS, Horizons: Greenville's Community Plan will from time to time be amended and portions of its text clarified by the City Council; and

WHEREAS, the Planning and Zoning Commission and the City Council have reviewed Horizons: Greenville's Community Plan and the Oak Grove Estates Subdivision Neighborhood Report and Plan (13-01), and a public hearing has been held to solicit public comment.

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

Section 1: That Horizons: Greenville's Community Plan is hereby amended to incorporate by reference the Oak Grove Estates Subdivision Neighborhood Report and Plan (13-01).

Section 2: That all ordinances and clauses of ordinances in conflict with this ordinance are hereby repealed.

Section 3: That this ordinance shall become effective upon its adoption.

ADOPTED this 7th day of November, 2013.

Allen M. Thomas, Mayor

ATTEST:

Carol M. Barwick, City Clerk

965752

Excerpt from the DRAFT Planning & Zoning Commission Minutes (10/15/2013)

ORDINANCE AMENDING HORIZONS: GREENVILLE'S COMMUNITY PLAN TO INCORPORATE BY REFERENCE THE OAK GROVE ESTATES SUBDIVISION NEIGHBORHOOD REPORT AND PLAN - APPROVED

Ms. Chantae Gooby, Planner II, provided the history for the preparation of the neighborhood reports and plans. Staff works with various departments within the City and GUC to evaluate the needs of the neighborhood. A survey was mailed and provided on-line for property owners and renters to complete. Two neighborhood information meetings were held. The neighborhood is about 68% owner occupied. The area does not have an official neighborhood association or community watch. Staff evaluated the fire and rescue response time for the area, location of fire hydrants, and the E-911 addressing. There three bus stops located in the neighborhood which only have signs - no shelter or benches. Staff also noted the lack of direct access to the Greenfield Terrace Park. The plan includes policy and capital strategies. Staff will look at cost estimates and schedules as funds are available. Policy improvements include the neighborhood forming a city-recognized neighborhood association for which they would be eligible for funds for neighborhood improvements. Currently, Staff is working to locate a shelter or bench at least at one of the bus stops and having the GREAT bus serve the neighborhood every trip. The neighborhood was concerned about dimly lit areas in the neighborhood. The city engineer has noted there is overgrown vegetation from mature trees that may be blocking light from street lights. The vegetation will be trimmed to allow more light at the pedestrian level. There were drainage conditions noted in the plan and staff will continue to monitor the conditions. Staff will assist the neighborhood with forming a neighborhood association and a community watch program. The Greenfield Terrace Master Plan recommends an access point on Highway 33 at the Boys and Girls Club to get to the park.

Chairwoman Basnight asked if someone in the neighborhood requested the report.

Ms. Gooby stated that the report is prepared by the city.

Mr. Schrade asked how the neighborhood was selected.

Ms. Gooby stated the city has completed several of these plans for established neighborhoods in various voting districts.

Ms. Darden asked if the plan addressed the drainage issues specifically.

Ms. Gooby stated there has already been work to help alleviate the draining issues. The neighborhood is between Countryside Estates and a drainage ditch which is located on private property and property owned by the airport. The property owner, the airport and the city have been working together.

Mr. Griffin asked if staff was receiving feedback from the residents about the plan.

965757

Ms. Gooby stated yes. The information meetings had at least two dozen people each time. The biggest issues were the airport buyout, drainage and access to parks and recreation facilities.

Ms. Darden asked if the drains were going into the ditch.

Ms. Gooby stated the drainage ditch is located the several different jurisdictions – Pitt County, Southeast drainage, and the City. The problem is not within the neighborhood itself but that the neighborhood is caught in between all the other drainage issues.

Ms. Darden asked if the Horizon's plan contains details on how to elevate the drainage problem.

Ms. Gooby stated the plan keeps the problem in the forefront.

Mr. Weitz asked if the subdivision could be adequately connected to the greenway.

Ms. Gooby stated that the greenway map shows the path of how to drive from one greenway to the next.

Ms. Bellis asked if a stop light was at the intended greenway access intersection with Memorial Drive.

Ms. Gooby stated that there isn't a stoplight at Easy Street but there is one at Staton House Road.

Ms. Bellis asked if traffic had to come down Memorial and turn onto Staton House.

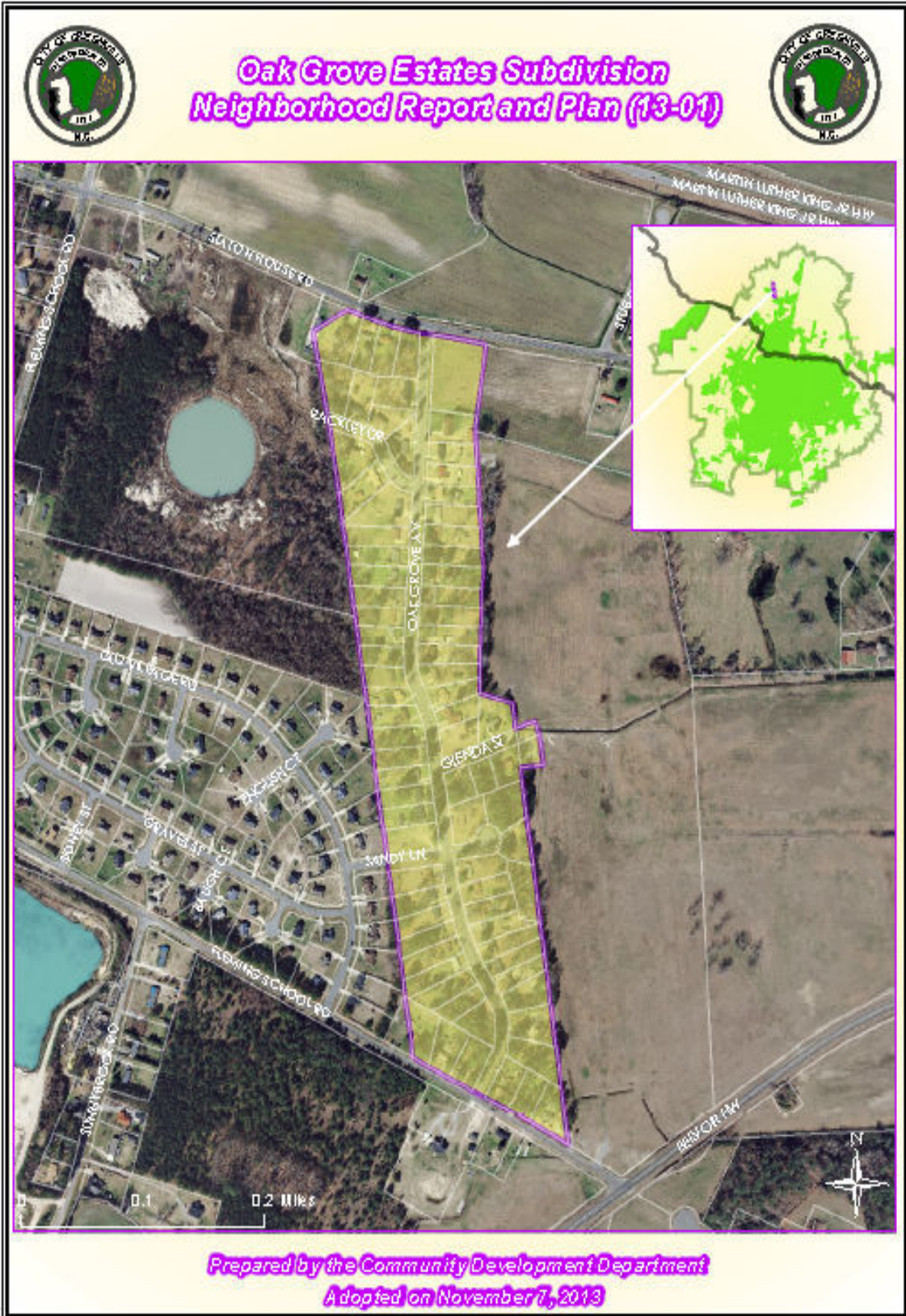
Ms. Gooby stated yes.

Chairwoman Basnight opened the public hearing.

No one spoke in favor or opposition of the request.

Chairwoman Basnight closed the public hearing and opened for board discussion.

Motion made by Mr. Schrade, seconded by Mr. Griffin, to recommend approval of the request. Motion passed unanimously.



ACKNOWLEDGEMENTS

Greenville City Council and Administrative Staff

Mr. Allen Thomas, Mayor
Ms. Rose Glover, Mayor Pro-Tem
Ms. Kandie Smith
Ms. Marion Blackburn
Mr. Calvin Mercer
Mr. Max Joyner, Jr.
Mr. Dennis Mitchell

Ms. Barbara Lipscomb, City Manager
Mr. Chris Padgett, Assistant City Manager
Ms. Carol Barwick, City Clerk
Mr. Dave Holec, City Attorney

Greenville Planning and Zoning Commission

Ms. Shelley Basnight, Chairman
Mr. Tony Parker, Vice Chairman
Dr. Jerry Weitz
Ms. Ann Bellis
Mr. Doug Schrade
Mr. Torico Griffin
Ms. Chris Darden
Mr. Terry King
Ms. Linda Rich
Mr. Brian Smith
Ms. Wanda Harrington

Community Development Department - Project Staff

Chantae M. Gooby, Planner, Project Coordinator
Patrick House, GIS Specialist
Thomas Weitnauer, Chief Planner
Merrill Flood, Director of Community Development

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Oak Grove Estates Subdivision Neighborhood Report and Plan 2013

Report

1. Background/Introduction

In February 2004, the Greenville City Council established an ad hoc citizen Task Force on Preservation of Neighborhoods and Housing. This Task Force was charged with examining the conditions that exist in older, established neighborhoods, determining the impacts of rental properties, and recommending actions that would strengthen and enhance neighborhood vitality. The Task Force recommended 10 neighborhood improvement strategies, including strategy #9: “Develop and adopt Neighborhood Plans to guide public policy and investment decisions in older, established neighborhoods”. These recommendations were submitted to and accepted by the Greenville City Council in December, 2004. The Task Force on Preservation of Neighborhoods and Housing Report to City Council, December 13, 2004 is available on-line at the city’s web page, www.greenvillenc.gov/departments/communitydevelopment/plans. The Greenville City Council also has established as one of its 2006-2007 Goals, “Emphasize the importance of neighborhood stabilization and revitalization”. In an effort to achieve this goal, comprehensive neighborhood plans will be prepared and presented to the Planning and Zoning Commission for review and recommendation, and to the City Council for adoption. The adopted plans will be in the form of an amendment to HORIZONS: Greenville’s Community Plan.

2. Neighborhood Profile (see map 1)

The Oak Grove Estates Subdivision, hereafter referred to collectively as “the neighborhood”, is located in the northwest section of the city, and more specifically, between Flemming School Road and Martin Luther King, Jr. Highway and west of North Memorial Drive. The neighborhood is located in Voting District 1 and within the city limits. As designated in HORIZONS: Greenville’s Community Plan, the neighborhood is located in Vision Area A. The neighborhood began developing in the early 1970’s. The neighborhood contains a total of 79 lots (72 single-family residential lots, 2 non-residential lots, and 5 vacant lots) on 38.6 net acres (44.7 total acres). The neighborhood has 0.87 miles (4,467 linear feet) of paved public streets. The average year of construction of single-family dwellings is 1975.

Below is a break-out of all of the land uses within the neighborhood by number of lots:

Single-family dwellings	72
Vacant lots	5
Utility	1
<u>Institutional</u>	<u>1</u>
TOTAL	79

In 1972, the neighborhood was incorporated into the city’s extra-territorial jurisdiction (ETJ) and zoned residential (R9). In 1994, the neighborhood was part of a city-initiated annexation, which became effective June 30, 1995.

3. Index of Report Attachments

Due to shape and size of neighborhood, the attached maps are for illustrative purposes only and can be reproduced in larger sizes.

- Map 1: Voting District and City Limits
- Map 2: Streams and Open Ditches
- Map 3: Topography
- Map 4: Flood Hazard
- Map 5: Aerial Photo
- Map 6: Greenways
- Map 7: Hydric Soils
- Map 8: Impervious Surfaces
- Map 9: Thoroughfare Plan
- Map 10: Existing Sidewalks
- Map 11: Traffic Calming
- Map 12: Water and Sanitary Sewer Systems (public)
- Map 13: Drainage System (public)
- Map 14: Existing Land Uses
- Map 15: Multi-Family and Duplexes
- Map 16: Owner Units and Rental Units
- Map 17: Building Tax Value
- Map 18: Fire Stations and Routes
- Map 19: Fire Hydrants
- Map 20: Street Lights
- Map 21: Cultural Resources
- Map 22: Recreation and Parks and Government Facilities
- Map 23: Focus Areas (HORIZONS)
- Map 24: Code Enforcement Actions
- Map 25: Future Land Use Plan Map (HORIZONS)
- Map 26: Recognized Industrial Area
- Map 27: Current Zoning
- Map 28: Street Addresses (House Numbers)
- Map 29: City-owned Properties
- Map 30: GREAT Bus Routes (city-wide)
- Map 31: GREAT Bus Stops (in the neighborhood)
- Map 32: Airport

Other Supplemental Attachments:

- Citizens Survey Results
- Calls for Police Services and Code Enforcement Actions/Investigations
- Neighborhood Plan Development and Consideration Process Outline
- Issues for Consideration in the Development of Neighborhood Plans

4. Current Conditions

A. Natural Environment (see maps 2-6)

The neighborhood is generally located north of the Tar River, west of North Memorial Drive and south of Martin Luther King, Jr. Highway. The Tar River bisects the City and traverses in a west to east direction.

The topography (NGVD) of the neighborhood ranges from a high of 36' to a low of 28'. The neighborhood ultimately drains to the Tar River.

The Tar River contains a regulated flood hazard area including a mapped floodway, 100 and 500-year floodplains. See also Title 9, Chapter 6, Flood Damage Prevention, of the City Code.

In 1999, the City of Greenville was impacted by Hurricane Floyd. There was no damage reported to the City for any property within the neighborhood. There may have been other hurricane-related damage reported to private insurance.

There are no opportunities in or within reasonable walking distance for residents in the neighborhood to access greenways. The Tar River is designated as a greenway corridor on the official Greenway Master Plan (2004).

There are no known regulated wetlands located within the neighborhood.

B. Land Suitability (see maps 7-8)

There are no known soil, water table, topological, or other environmental limitations that would prohibit continued residential use of the lots within the neighborhood.

Due to the severe flooding associated with Hurricane Floyd in 1999, especially along the Tar River, the City amended its Flood Damage Prevention Ordinance. The neighborhood is not impacted by the floodway, 100 and 500-year floodplains associated with the Tar River. The following are the elevation standards under the current City Code.

ELEVATION STANDARDS

Use	Elevation
Non-residential and single-family lots over 20,000 square feet	Base Flood Elevation (BFE) plus 1 foot
Duplexes, multi-family and single-family lots less than 20,000 square feet	BFE plus 1 foot or 500-year floodplain elevation, whichever is greater
Manufactured Homes	BFE plus 2 feet

In the neighborhood, there are hydric soils, Tu and Ro. The remaining soils are WaB, Agb, OcB. Neighborhood property soils are suitable for sanitary sewer-dependent residential development.

C. Transportation (see maps 9-11, 30 and 31)

The neighborhood has an inter-connected grid street system that provides excellent multi-directional access. Current ingress and egress to the neighborhood are served by Flemming School Road, Staton House Road and Sandy Lane.

Oak Grove Avenue is a collector road for the neighborhood.

In the neighborhood, the posted public street speed limit is 25 miles per hour.

All streets within the neighborhood are publicly dedicated, city-maintained streets with curb and gutter construction and a piped storm drainage system. On-street parking is permitted on all interior neighborhood streets.

Due to the age of the neighborhood, sidewalks were not required at the time of development. There are no future plans for sidewalk construction in the neighborhood.

There are no speed bumps within the neighborhood. There are stop signs located at the intersection of Oak Grove Avenue with all neighborhood streets.

At the neighborhood meeting, there were complaints of speeding. There has not been a request for a traffic calming study.

There are three (3) Greenville Area Transit (GREAT) system bus stops in the neighborhood: there is a stop at both of the entrances along Oak Grove Avenue and a stop at the intersection of Oak Grove Avenue and Glenda Street. None of the stops have a bench or shelter. All GREAT transit system buses begin and end their routes at the transfer point, located in the downtown area. Patrons can also switch buses at this location to reach destinations on all the bus routes. Currently, the GREAT bus stops in the neighborhood every other trip, but there are plans to serve the neighborhood on every trip by early 2014.

There are no plans to re-surface or re-stripe neighborhood streets.

D. Public Utilities: Water, Sanitary Sewer, Gas and Electric (see map 12)

Public utilities are provided and maintained by Greenville Utilities Commission (GUC).

All lots within the neighborhood currently have direct access to water, sanitary sewer, gas and electric services of the GUC. GUC has identified no significant infrastructure concerns, with regard to the aforementioned utilities, that will affect the current or future level of service.

Electric, telephone, and cable TV service are via overhead lines supported by utility poles located within the public rights-of-way.

E. Storm Drainage: Public and Private Storm Water Drainage (see map 13)

The street drainage system and associated out of right-of-way drainage improvements, including subsurface systems and open channel located within the city limits, are maintained by the City of Greenville Public Works Department.

During heavy rain storms, some lots experience temporary down-slope flooding.

The neighborhood does not contain any private or common storm water detention facility, due to the age of the development.

The Public Works Department has identified no significant infrastructure concerns with regard to the public stormwater drainage system that would affect the current and future level of service of the vehicle travel-ways.

F. Structures and Building Activity (see maps 8, 14, 15)

The neighborhood is comprised of single-family residential, vacant, utility and institutional uses. The average year of construction of single-family dwellings is 1975.

In a 24-month period (07/01/2011 - 07/31/2013), there were two (2) building permits issued within the neighborhood for interior repairs and construction of an addition. The total recorded permit value of the improvements was \$78,010.

One of the permits was for rehabilitation work as part of the City's Community Development Block Grant program. There is another residence in the neighborhood that is currently being rehabilitated through this same program.

In 2013, the total building (excluding land) tax value in the neighborhood is \$4,281,780.00. The combined land and building (total) tax value in the neighborhood is \$5,165,360.00. At the current city tax rate (\$0.56 per \$100) the total property valuation results in \$28,926.00 annual revenue to the city. The Pitt-Greenville Airport property is not included in the above statistics. See Section L. Public Services for a general description of municipal services provided to the neighborhood.

Due to the period of construction, many neighborhood homes do not contain relatively modern conveniences and energy-efficient systems.

At the time of this report, there are no boarded up/dilapidated or abandoned structures located within the neighborhood.

G. Socioeconomic (see maps 16, 17)

Based on a comparison of physical addresses and tax mailing addresses of single-family dwellings, the subject area is approximately 68% owner-occupied and 32% rental property at the time of this report.

According to the U.S. Census Bureau, the 2012 adjusted median household income in Greenville is \$37,759.00.

The average size of homes in the neighborhood is 1,217 square feet. Since many homeowners in the neighborhood originally purchased when it was developed, it is difficult to determine a current average sales price for the neighborhood. In 2012, the average sales price of a single-family home in Pitt County was \$168,844. Currently, the average tax value (building and land) in the neighborhood is \$65,289. Using the 2012 average sales price of single-family homes and the current average tax value of the neighborhood, it is reasonable to say the homes in the neighborhood are affordable.

The Pitt-Greenville Airport property is not included the above statistics.

The neighborhood does not contain a mix of housing options.

H. Health and Life Safety (see maps 4, 8, 18, 19, 20, 28)

There are multiple access points into the neighborhood, and the existing inter-connected street system affords alternate access routes to the thoroughfare streets. Inter-connected public streets also allow public service vehicles (police, fire, sanitation, etc.) alternate routes for ingress and egress into and through the neighborhood.

There were 67 calls/actions for the Greenville Police Department in the twelve (12) month period from July 1, 2012 to June 30, 2013. Some examples are: animal complaints (23), suspicious activity/person/vehicle (5), and breaking and enterings (3).

There is not an official Community Watch Program in the neighborhood. At the neighborhood meeting, staff discussed the advantages of having a community watch, which would provide a specific police officer to work with the neighborhood and make the group eligible to apply for Neighborhood Improvement Grant funds (see page 9).

Fire suppression and rescue services for the neighborhood are primarily provided by City Fire/Rescue Station #4 (Staton Road) and City Fire/Rescue Station #1 (Downtown), as needed. Stations #2 and #1 can be dispatched separately or simultaneously depending on the type of call. The Fire/Rescue Department provides Paramedic Service which is a higher level of service compared to basic Emergency Medical Technician (EMT) Service. The neighborhood is accessible via three ingress/egress points. All streets are accessible by emergency vehicles.

Fire/Rescue Station # 4 is expected to receive a hybrid pumper/ambulance by the Spring of 2014. The vehicle will be have the capability of a fire truck and can function as an ambulance.

Fire hydrants are located throughout the neighborhood. Recommended hydrant to single-family dwelling separation is 500 or fewer feet. All dwellings are located within the recommended hydrant to dwelling radius. Water pressure and fire flow meets or exceeds the requirements of the city and fire apparatus access roads comply with NC and local Fire Code requirements. The emergency response travel time and distance from the service delivery stations to the furthestmost point in the subdivision are in accordance with recommended standards.

There are no known hazardous waste/materials (surface and/or underground) sites in the neighborhood. Some of the homes currently utilize, or may have on-site (unsecured) abandoned, underground fuel oil storage tanks that may pose a risk of groundwater contamination.

The city conducts periodic mosquito control activities in the neighborhood. There are no known conditions of rodent infestation associated with any flood hazard area, overgrown lot, standing water, or abandoned structure/vehicle.

Overhead street lights are maintained by GUC on standard (wood) transmission line poles. Currently, there are no plans to place utility lines underground. Changes or additions of street lights are performed by GUC at the City Engineer's request. Street light placement is done in accordance with applicable neighborhood GUC lighting manual standards. Based on the type, power, and location of the current street lights there have been no substandard (under-lighted) areas identified in the neighborhood based on minimum design standard requirements. However, due to mature tree coverage, there are areas that may presently be substandard. Presently, the City is working to have overgrown trees trimmed away from street lights in order to allow more light at a pedestrian level.

There were complaints from neighborhood residents, collected from surveys and at the neighborhood meetings, of under-lighted areas throughout the neighborhood. There was concern these under-lighted areas made unsafe conditions when walking through the neighborhood and created conditions for criminal activity.

At the time of this report a significant number of structures within the neighborhood do not display code compliant address numbers on the dwelling structure. Minimum size house numbers are: single-family and duplex dwellings - four (4) inches high and multi-family dwellings - six (6) inches high. Currently, many dwellings are reliant on address numbers posted on street-side mail boxes or address numbers that are smaller than the required size in lieu of having properly-sized address numbers affixed to the dwelling structure. All dwelling units are coded to the 911-emergency response system.

I. Quality of Life (see maps 8, 21- 23, 29)

At the time of this report, the neighborhood does not have an organized and active homeowner/neighborhood association. At the neighborhood meeting, there was interest expressed in starting an association. The neighborhood was informed of the benefits of organizing a neighborhood association. One benefit is the association can apply for a Neighborhood Improvement Grant from the City. The maximum amount is \$750 and the work must benefit the entire neighborhood. The Greenville Community Appearance Commission makes the final decision on grant application. The neighborhood association would need to be recognized by the City in order to apply for grant funds. A few residents stated, at the neighborhood meeting, that there had been an unofficial neighborhood association composed of a few of the homeowners in the past.

The aesthetic quality of public views and the overall general streetscape is good due to mature tree cover, paved and adequate driveways, and uniformity of dwelling orientation and setbacks of most dwellings. There is one entrance marker to the neighborhood at the corner of Oak Grove Avenue and Flemming School Road. There are no other neighborhood identifiers, such as signage at street access points, public art or public/common property landscape improvements, within the neighborhood that further define community character, identity and sense of place. As mentioned previously, with the formation of a neighborhood association, there are neighborhood improvement grant funds available to purchase street identifiers and/or an additional entrance marker. These funds can also be used to renovate the existing entrance marker.

Electric and other copper wire services are via overhead utility lines, and lack of pedestrian level street lighting negatively impacts the visual quality of the neighborhood.

At the time of the report, there are no roads within or proximate to the neighborhood that are maintained the Adopt-A-Street program.

The neighborhood does not contain any mapped archaeological sites.

There are no leisure, educational or recreational opportunities within reasonable walking distance of the neighborhood. The closest public leisure, educational, or recreational opportunities are Greenfield Terrace Park and the Barnes-Ebron-Taft Community Center, and the Aquatic and Fitness Center. The Greenfield Terrace Park Master Plan was adopted by City Council on June 9, 2011. The Barnes-Ebron-Taft Community Center, located at the Greenfield Terrace Park, holds up to 150 people and can be for rented for a nominal fee. Also, there is a playground, outdoor basketball court, picnic shelters with two grills and an open play field. There are additional amenities recommended on the plan, but have not been funded. The Aquatic and Fitness Center is open to the public but does charge a user fee.

There is one (1) commercial/service focus area for residents of the neighborhood located at the intersection of North Memorial Drive and Belvoir Highway. This area contains a grocery store, restaurants (conventional and fast food), convenience stores and other establishments that provide necessary and convenience services. This commercial area is not within reasonable walking distance of the neighborhood. Also, there are no sidewalks along Belvoir Highway.

J. Code Compliance (Code Enforcement unless otherwise noted) (see map 24)

In the 24-month period, July 1, 2011 – July 31, 2013, there were 43 code enforcement-related staff investigations and/or actions in the neighborhood.

Code enforcement and selected police investigations/actions were as follows:

Animal complaints (stray, domestic animals and nuisance wildlife): 23*
Parking on unimproved surfaces: 13
Weeded lots: 15
Litter/rubbish: 7
Abandoned/junked vehicles: 1
Unsecured/unkept property: 1
Minimum housing code: 1
Follow-ups: 5

* Information provided for GPD is for the time period from July 1, 2012 – June 30, 2013. These investigations/calls are included in the 67 GPD service calls.

K. Current and/or Pending Planned Public Improvements (see maps 6, 22)

The Greenway Master Plan proposes three greenways that would serve the neighborhood. The Parker's Creek Greenway is from Parker's Creek and North Memorial Drive to River Park North. At the time of this report, this greenway is designated as Priority D (2014-2018). The

North Tar River Greenway, which traverses the City in a west to east direction along the Tar River, and the Parker's Creek Extension, from Parker's Creek and Martin Luther King, Jr. Boulevard to North Memorial Drive, are designated as future priority.

The Greenfield Terrace Park Master Plan recommends additional amenities to the park that have not been funded such as, a youth baseball field, a multi-purpose field, and a spray pad. Additionally, the plan includes construction of a sidewalk and parking lot to link the Boys and Girls Club to the park. Also, this will give residents direct access the park instead of having to utilize North Memorial Drive.

L. Public Services

The neighborhood is located within the Greenville city limits (see map 1).

The City and GUC currently provide the following services to the neighborhood:

- General government, vested in a city council of six (6) members (5 district and 1 at-large) and a mayor elected from the qualified voters. The neighborhood is located in voting district 1.
- Sanitation services including residential (curbside) garbage, bulk refuse and yard debris disposal and recycling are provided on a weekly schedule. Vector (malaria/rodent) control and seasonal leaf collection also are provided.
- Street maintenance and traffic services including repair and reconstruction of street travel-ways and street drainage facilities located within the right-of-way of public streets.
- Public drainage system construction and maintenance.
- Fire suppression and life rescue, including paramedic service and transport on a 24-hour basis.
- Police services for the protection of life and property including traffic control and crime investigation on a 24-hour basis.
- Recreation and Parks services including passive open spaces, active recreation facilities and parks.
- Library services and branch facilities.
- Utilities including water, sanitary sewer, gas and electric service, streetlights and stormwater.

Building inspection, minimum housing code, nuisance abatement, zoning and subdivision regulations and related enforcement services are provided within the city limits.

Cable television and telephone service lines are constructed and maintained by Suddenlink and Embarq, respectively.

M. Information Technology

Internet service is available via phone line and cable (copper wire) and satellite connection. Fiber optic and public access wireless internet service is not currently available in the neighborhood.

N. Future Land Use Plan Map Recommendations (HORIZONS) (see map 25 and 26)

The Future Land Use Plan recommends several types of land uses in and around the neighborhood.

There is a designated intermediate focus area located at the intersection of North Memorial Drive and Belvoir Highway. These nodes typically contain between 50,000 to 150,000 square feet of conditioned floor space.

The Future Land Use Plan Map recommends commercial (C) at the focus area transitioning to industry (I) to the north and west and conservation/open space (COS) to buffer to the interior medium density residential (MDR) and to identify potential environmental constraints.

Further, the Future Land Use Plan Map recommends office/institutional/multi-family (OIMF) between Staton House Road and Martin Luther King, Jr. Highway.

The Future Land Use Plan Map recommendations for adjoining and area properties support a sustainable environment for the neighborhood.

The neighborhood is located outside of the Recognized Industrial Area.

O. Zoning Classification(s) (see maps 15 and 27)

In 2007, the neighborhood was rezoned from R9 (duplex and single-family) to R9S (single-family only) as part of the Task Force on Preservation of Neighborhoods and Housing Strategy # 6: "Identify neighborhoods that are predominantly single-family in character, but are zoned in a manner that would permit intrusion of duplex and multi-family uses. Rezone such neighborhoods to prohibit further intrusion."

At the time of the rezoning, the neighborhood was rezoned from R9 which allows duplex and single-family development to R9S that only allows single-family development.

The goal of the single-family zoning is to provide an added measure of neighborhood stability and to demonstrate the city's commitment to single-family neighborhood preservation as part of a comprehensive housing revitalization strategy.

The current zoning map designation for the neighborhood and area properties support a sustainable environment for the neighborhood.

There are no duplex units located in the neighborhood.

Zoning District Standards for R9S zoning district.

Select R9S Zoning Standards (minimums per Title 9, Chapter 4, Article F of the City Code)

Lot size: 9,000 square feet

Front setback: 25 feet

Side setback: 10 feet

Rear setback: 15 feet

Accessory structure setbacks: 15 feet or less in height - 5 foot rear yard setback;
15 feet or more in height - 15 foot rear yard setback;
10 foot separation between accessory structure and dwelling; or
5 foot separation with 1-hour fire rated assembly
Carports (open and unenclosed): 5 foot side setback

5. Current Condition Assessment based in part on Citizens' Input compiled from the mailed/internet survey (6 below), comments received during the neighborhood information meeting (9 below), and Staff Analysis.

The purpose of the current condition assessment is to the identifying neighborhood strengths and weaknesses and for prioritization of remedial action plans and improvements.

- Scale:**
- 1 = Severe negative neighborhood-wide impact requiring immediate remedial action.
 - 2 = Substantial negative neighborhood-wide impact requiring the immediate development and implementation of a remedial action plan.
 - 3 = Moderate negative neighborhood-wide or localized impact requiring the development and implementation of a remedial action plan.
 - 4 = Positive neighborhood-wide attribute, condition or factor that promotes and/or facilitates sustainability, no remedial action necessary.
 - 5 = Optimal neighborhood-wide attribute, condition or factor that promotes and/or facilitates sustainability, no remedial action necessary.

- A. Natural Environment - 4
- B. Land Suitability - 4
- C. Transportation - 3
- D. Public Utilities - 4
- E. Storm Drainage - 3
- F. Structures and Building Activity - 3
- G. Socioeconomic - 3
- H. Health and Safety - 3
- I. Quality of Life - 3
- J. Code Compliance - 3
- K. Current and/or Planned Public Improvements - 3
- L. Public Services - 3
- M. Information Technology - 3
- N. Future Land Use Plan Map - 4
- O. Zoning - 4

Identified Areas for Consideration of Neighborhood Improvement:

C. Transportation – 3

- Lack of sidewalks on one side of all neighborhood collector streets
- Lack of sidewalks along Belvoir Highway

E. Storm Drainage - 3

- Localized street flooding

F. Structures and Building Activities - 3

- Aging housing stock, and lack of reinvestment and improvement resulting in competitive disadvantage for continued owner occupancy

G. Socioeconomic - 3

- Comprehensive re-investment in and continued improvement of the housing stock

H. Health and Safety - 3

- Unsecured underground fuel oil tanks
- Street Lighting
- Posted street addresses
- Under-lighted areas

I. Quality of Life - 3

- Neighborhood identifiers, entrance signs, etc.
- Overhead utility lines and services
- Street lighting
- Lack of Neighborhood Association
- Lack of Community Watch Program
- Lack of participation in Adopt-A-Street Program
- Lack of recreational opportunities within reasonable walking distance
- Crime

J. Code Compliance - (GPD Code Enforcement Division unless otherwise noted) - 3

- Minimum housing code
- Abandoned/junked vehicles
- Parking on unimproved surfaces
- Weeded lots
- Animal complaints

K. Current and/or Planned Public Improvements- 3

- Greenways along Parker's Creek and the Tar River
- Greenfield Terrace Master Plan

L. Public Services 3

- Need for improvements to the GREAT bus stops within the neighborhood

M. Information Technology- 3

- Fiber optic services
- Wireless internet

6. Survey Results Summary

Surveys were mailed to property owners and residents, utilizing tax parcel information, and distributed at the first public information meeting requesting their opinion of current neighborhood conditions. In total, 13 surveys (12-owners, 1-renters) were returned. Due to the small number of surveys from renters, no meaningful statistics could be derived. Therefore, the survey results have been combined from owners and renters.

See Supplemental Information.

7. HORIZONS: Greenville's Community Plan (2004) Recommendations: (see also map 26)

Vision area

The neighborhood is located in Vision Area A, Northwest.

The following are Management Actions for Vision Area A, which are related to this specific neighborhood:

A13. Continue to monitor transit needs of area residents; extend transit service when necessary; give special attention to concentrations of people where transit needs may be greatest.

Other Contextual Recommendations (objectives, policy statements and implementation strategies specific to this neighborhood)

Objectives

Housing

H5. To improve and revitalize existing neighborhoods.

Mobility

M4. To preserve and protect existing and future residential neighborhoods.

M5. To provide safe, convenient and efficient opportunities for pedestrian and bicycle movements.

M10. To improve transit connections / services between neighborhoods and major activity centers.

M11. To improve public transportation for senior citizens.

Recreation and Parks

RP1. To provide park and open spaces in all neighborhoods.

RP5. To increase access to and use of recreational facilities at City parks and public schools.

RP7. To continue the construction of greenway projects in the City.

RP9. To expand recreational infrastructure (i.e. sidewalks and bike paths).

Community Facilities

CF3. To increase interaction between the Police Department and citizens, in order to increase mutual respect, understanding and support.

CF5. To ensure safe, liveable neighborhoods.

Urban Form

UF6. To preserve neighborhood livability.

UF14. To provide additional recreation land and opportunities in proximity to residential areas.

UF21. To provide transition buffers and/or zoning between incompatible land uses.

Implementation Strategies

Land Use

2 (j). Adequate conservation/open space buffers should be provided between areas designated for residential development, as indicated on the future land use plan map, and any non-residential land use where a zone transition buffer such as O or OR is not a practical option.

4 (d). Encourage revitalization of older neighborhoods in Greenville in a manner that preserves neighborhood character and identity.

4 (e). Implement programs to increase home ownership.

5 (b). Continue to pursue community development and North Carolina Housing Finance Agency funds from state and federal sources for rehabilitation or redevelopment of substandard housing.

Growth and Development

2(b). Implement the Greenway Master Plan.

2 (x). Maintain neighborhood character and identity.

2 (y). Create walkable communities/neighborhoods.

2 (z). Encourage citizen involvement within neighborhoods.

2 (cc). Require neighborhood recreation parks.

Service and Facilities

4 (f). Continue to support the Police Department's Community Watch Program.

Implementation Strategies (completed to date)

- General planning principles supported
- Rezoning of neighborhood to single-family only on 04/12/07
- Greenway Master Plan, adopted on 03/04/04
- Recreation and Parks Master Plan, adopted on 11/06/08
- Greenfield Terrace Park Master Plan, adopted on 06/09/11
- Thoroughfare Plan, adopted on 12/2004

8. City Council Goals (2012-2013)

ECONOMIC DEVELOPMENT

Strategic Goal: Promote economic development by decreasing unemployment rate, increasing median income, and attracting and retaining new and existing businesses.

Action Items:

Develop retail to full potential, maximizing revenue impact and neighborhood vitality. – Community Development

Status: Staff has been working to increase retail activity north of the Tar River, by the creation of an Economic Development Zone, and exploring options/plans for creating additional businesses such as a pharmacy. Work continues with the Airport Authority to market excess land owned by the Authority as a site for retail development. A detailed retail market analysis of Greenville-area market data to identify potential retail growth sectors and a list of underserved retail niches within the Greenville-Pitt County market area is being completed through the North Star branding contract. In efforts to market Greenville to retail developers, major retailers, brokers, and location specialists through appropriate targeted media sources, staff representatives attended the International Council of Shopping Centers forum in Charlotte and ReCon event. Also, an advertisement was placed in the N.C. Eastern Region magazine with international distribution. Work to engage local and area retail developers is underway.

17. Increase retail activity north of the Tar River in a newly created Economic Development Zone by identifying under-served retail niches, aggressively recruit and support new investment in those specific niches. – Community Development

Status: Staff continues to actively recruit a pharmacy business as an initial opportunity for the area. Additionally, the area north of the river was designated as an Economic Development Zone. Work continues with the Airport Authority to market excess land owned by the Authority as a site for retail development.

NEIGHBORHOOD PRESERVATION

Strategic Goal: Develop strategies to protect and preserve neighborhoods through systematic approaches.

- a) An active association in every neighborhood
- b) Addressing the historic district

Action Items:

1. Coordinate with the Neighborhood Advisory Board to conduct two district-wide neighborhood meetings as a means of collecting citizen comments, providing information related to City policies and programs, and outlining the importance of active neighborhood associations. – Community Development

Status: The Neighborhood Advisory Board (NAB) hosted district meetings in District 4 in February 2012 and in District 2 in July 2012. The NAB also held a joint meeting with the Police Community Relations Committee on April 18, 2013. In addition, the NAB conducted the annual Neighborhood Symposium on May 4, 2013, which included modules on citizen engagement, discussion of City policies and programs, and strategies for building engaged and active neighborhood associations.

2. Work with the Neighborhood Advisory Board to provide information and technical support to neighborhoods that are interested in establishing neighborhood associations.
– Community Development

Status: Staff continues to provide technical assistance to neighborhoods that are in the process of developing neighborhood associations.

3. Develop Neighborhood Plan Implementation Reports for each of the City's four completed neighborhood plans to identify which plan recommendations have been completed and which require additional efforts / action. – Community Development

Status: Community Development staff has worked with the responsible departments to verify completion of action items identified for each neighborhood. Due to the nature of some of the items, many of these are ongoing. Progress has been made, and many of the items have been completed.

4. Initiate and complete one new neighborhood plan for an established city neighborhood. – Community Development

Status: Staff will be working with the Oakgrove Estates community in July 2013 and the neighborhoods of South Greenville in the late fall of 2013 to develop a plan for each neighborhood.

10. Establish a work plan to develop an active association in every neighborhood. – Community Development

Status: In progress. Staff and Neighborhood Advisory Board members are working together to develop a current list of active associations. Two new associations have been formed during the spring of 2013.

PARKS AND RECREATION/GREENWAYS/BOND ISSUE

Strategic Goal: Expand and enhance our parks and greenways, as resources allow.

- a) Earmark funds every year for repairs/upkeep
- b) Create two new parks, and repair two existing parks over 2 years
- c) Define appropriate access based on socio/economic levels and geography (distance)

Action Items:

3. Present a policy regarding the location of new parks and recreation facilities that considers socio/economic levels and accessibility to the Recreation and Parks Commission and City Council for consideration. – Recreation and Parks

Status: The proposed policy is yet to be finalized, but through including a high scoring criterion in the facility rating index (Action Item 5 below) for facilities proposed in sites near families of lower socio/economic levels, such projects could receive a higher overall score and, thus, become a higher priority.

PUBLIC SAFETY (Community Safety)

Strategic Goal: Decrease crime by 10% each year of the plan.

a) Create Comprehensive Crime Plan

b) Engage community stakeholders (United Way, etc.) to create and implement the plan.

Action Items:

6. Evaluate putting into service an EMS unit at Fire Station No. 4 – Fire/Rescue

Status: This action item was completed in October 2012. This EMS unit is cross-staffed, utilizing three personnel to man the station. Currently, an ambulance and fire truck are housed here and depending on the type of call received, personnel respond with the most appropriate apparatus. In the fall of 2013, the station is expected to receive the City's first pumper ambulance, which serves a dual purpose as a fire truck and ambulance together.

9. Public comments received during the public information meetings held at the Boys and Girls Club on July 9 and September 24, 2013

- Lack of neighborhood association or community watch
- Lack of property maintenance (especially overgrown lawns)
- Traffic calming/speeding issues
- Drainage issues
- Need for sidewalks
- Need for bus stop improvements (no bench or shelter)
- Intrusion of the airport buying properties in the neighborhood
- Loose dogs
- Need for recreational space/activities near the neighborhood
- Proposed solar farm adjacent to the neighborhood (east)

Issues for Consideration in the Development of Neighborhood Plans

Community Development Department

Land Suitability

- Topography
- Soils
- Watershed protection
- Buffers

Comprehensive Land Use Plan

- Vision Area designation
- Current HORIZONS Plan contextual recommendations
- Current Future Land Use Plan Map recommendations

Structures and Building Activity

- Dwelling types and condition
- Improvement permit records

Socioeconomic

- Demographics
- Dwelling Occupancy
- Median home value
- Home improvements
- Retail trade service areas
- Employment areas

Quality of Life

- Community character and identity
- Unifying and complementary elements
- Aesthetics
- History and heritage
- Open spaces
- Noise pollution
- Minimum housing code compliance and enforcement
- Nuisance abatement code compliance and enforcement
- Walkability
- Private development identification signage
- Neighborhood property owners association
- Access to commercial, services and employment nodes

Code Compliance

- Building
- Residential Occupancy
- Minimum housing
- Abandoned/junk vehicles
- Public nuisance
- Weeded lots
- Zoning and land use
- Garbage and trash, etc. collection standards

Information Technology

Cable TV
Telephone
Fiber optic

Cultural Resources

Library services, etc.
Civic and private art resources
Cultural /historical resources and landmarks

Public Works Department

Natural Environment

Flood hazard areas
Stream channels and bodies water
Street trees
Wildlife habitat
Environmental hazards and limitations
Mosquito control

Transportation

Traffic circulation
Connectivity of streets
GREAT bus stops/routes existing
ECU bus stops/routes existing
Sidewalks and bike lanes
Thoroughfare and street construction/improvement plans
On-street parking
Street identification, and regulatory signage
Speed limits within neighborhood
Traffic control and traffic calming

Storm Drainage

Stormwater management systems
Road flooding conditions
Lot flooding conditions
Stream bank stabilization
Riparian buffers
Storm water detention
Storm water utility program improvements

Service Delivery

Garbage collection
Mosquito control
Trash collection
Yard debris collection
Recycling

Other

Adopt-A-Street program

Greenville Utilities Commission

Public Utilities

- Water system
- Sanitary sewer system
- Gas system
- Electric distribution system
- Street lights

Police Department

Health & Safety

- Crime control and calls for service with number of citations issued
- Animal control and calls for service with number of citations issued
- Police presence and programs
- Community watch program

Quality of Life

- Residential noise violations with number of citations issued

Fire/Rescue Department

Health & Safety

- Fire/Rescue service delivery station(s) and response time
- Fire/Rescue apparatus access roads
- Hydrant location and dwelling separation
- Chemical hazards

Recreation and Parks Department

Quality of Life

- Public recreational and open space improvements and facilities
- Public recreation programs
- Accessibility of public green spaces
- Condition of public green spaces
- Usability of public green spaces
- Private recreation and open space

Adopted Plans Affecting Neighborhoods – All Departments

HORIZONS, Greenville's Community Plan (2004)

Recreation and Parks Comprehensive Master Plan (2000) [updated in 2008]

Greenville Urban Area Thoroughfare Plan (2004)

Transportation Improvement Program (2006)

Greenway Master Plan (2004)

Hazard Mitigation Plan (2004)

Greenfield Terrace Master Plan (2011)

Neighborhood Plan for the Oak Grove Estates Subdivision 2013

Goals:

To create, maintain and enhance a sustainable neighborhood.

Objectives:

To identify by analysis and citizen input, the strengths and weaknesses of neighborhood issues affecting sustainability and to create broad support for recommended improvement strategies.

Policy Implementation and Improvement Strategies:

The City Council and City Staff will take such actions as necessary for the support and implementation of the neighborhood plan as follows:

- City Council will amend HORIZONS: Greenville's Community Plan to incorporate the Oak Grove Estates Subdivision Report and Plan by reference.
- City Staff will conduct a periodic review of the neighborhood report and plan, and the adopted implementation and improvement strategies to evaluate plan progress toward the goal of continued neighborhood sustainability.
- Completion of current City Council Goals (2012 - 2013) and future goals, as may be adopted, in accordance with established schedules.
- City Staff will prepare cost estimates and project schedules for the Capital Improvement and Implementation Strategies included in this plan.
- City Council will utilize this plan to guide public policy and investment decisions within the Oak Grove Estates Subdivision.

Capital Improvement and Implementation Strategies:

The City Council and City Staff will take such actions as necessary for the support and implementation of the neighborhood plan as follows:

- The City will investigate the creation of a home improvement matching grant fund for older site-built single-family owner-occupied dwellings (example - not less than 30-years old) to be awarded on an annual basis, to encourage qualified home improvement/upgrades that will increase the tax value and marketability of older dwellings. Such grant to be secured by an owner occupancy condition (Deed of Trust) for a determined period.
- The City will provide grants, in accordance with current program/policy, to a city-recognized neighborhood association for neighborhood improvement activities such as, improvement of existing entrance signs and/or installation/construction of street identifiers.
- The City will install appropriate GREAT system bus stop improvements at locations as determined necessary and appropriate by the Public Works Department as recommended by the Thoroughfare Plan.
- The City will continue to work on the installation of a bus shelter at the GREAT bus stop at Oak Grove Avenue and Glenda Street, if an acceptable right-of-way location can be found, as determined necessary by the City Engineer.
- The City plans to serve the Oak Grove Estates Subdivision on every trip of the GREAT bus instead of every other trip which is anticipated to occur early 2014.
- The City will assess street lighting levels throughout the neighborhood and cause the installation of additional lamps and/or trimming of mature tree growth as determined necessary by the City Engineer.
- The City will continue to monitor the drainage conditions in the neighborhood.
- The City will assist the neighborhood and area residents in the establishment of a Neighborhood Association and a Community Watch Program.
- The City will continue to fund the adopted the Greenfield Terrace Master Plan.
- The City will notify property owners of address number display requirements.
- The City will update the GIS-GPS coverage for storm water improvements throughout and adjacent to the neighborhood.
- The City will request and encourage GUC to update the GIS-GPS coverage for all public utilities, including water, sanitary sewer, gas and electric lines, and street lights throughout and adjacent to the neighborhood.

Supplemental Information

Greenville Police Department calls for service are for the period of July 1, 2012 – June 30, 2013 for the neighborhood.

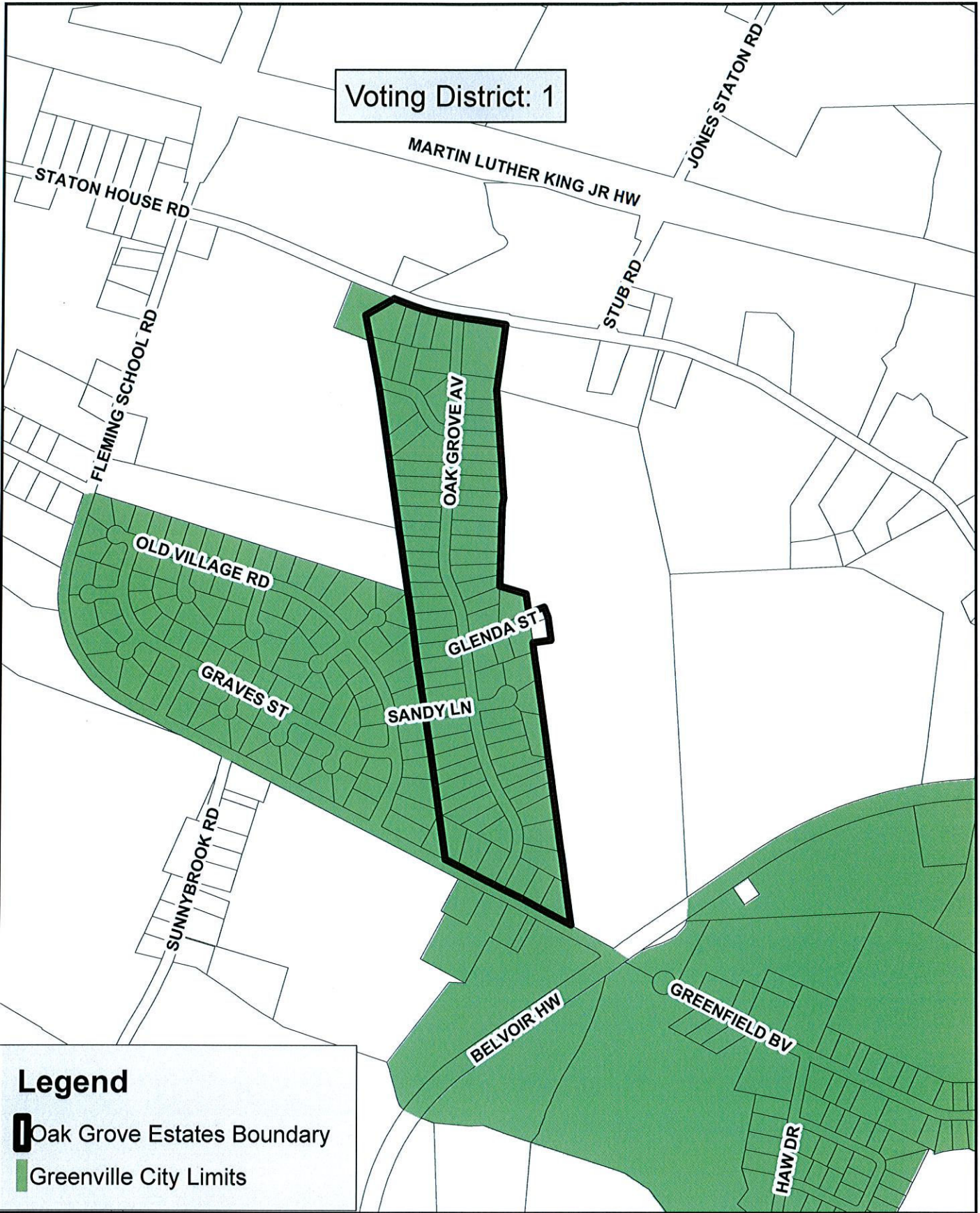
Type	Number of Calls	Disposition
Abandoned vehicle	1	towed
Alarm	4	2-cancelled; 2-operator error
Animal complaint	23	10-contact made; 1-verbal warning
Assault	1	
Auto larceny	1	
Breaking and entering	3	
Car accident with property damage	1	
Damage to property	2	
Directed patrol	2	
Disturbance	1	
Domestic	4	1-contact made
Drug violation	1	
Case follow-up	3	
House checks	2	
Juvenile complaint	1	contact made
Keep check	1	
Larceny	1	
Open door, window, etc	1	
Request Officer	3	1-contact made; 1-verbal warning
Suspicious activity/person/vehicle	5	
Traffic complaint	3	
Trespassing	3	1-contact made
TOTAL	67	

Neighborhood Plan Development and Consideration Process Outline

1. Identification of neighborhood boundaries.
2. City departments meeting to compile current condition assessment and assemble facts, statistics and past and pending actions.
3. Mail surveys to each property owner (tax listing) and household (street address) if different, and advise the owner/occupants of a scheduled neighborhood meeting.
4. Activate the on-line (city web page) survey option for the particular neighborhood.
5. Conduct first neighborhood information meeting to explain purpose of the report and plan, assess current conditions and receive input from neighborhood resident/owners. Surveys will be distributed and accepted at the meeting to increase participation.
6. Conduct second neighborhood information to present a draft comprehensive neighborhood report and plan, present data gathered from surveys, and provide follow-up to previous neighborhood meeting. Meeting dates and times for the Planning and Zoning Commission and City Council will be announced.
7. Advertise Planning and Zoning Commission meeting (newspaper).
8. Planning and Zoning Commission to hold a public meeting to consider the draft neighborhood plan report and plan recommendations at which time the report and plan may be recommended for adoption, or continued for further study prior to recommendation; forward recommendation to City Council.
9. Advertise City Council meeting item as a proposed amendment to the comprehensive plan – HORIZONS: Greenville's Community Plan (newspaper).
10. City Council to hold a public hearing to consider adoption of the neighborhood plan report and amendment to the comprehensive plan
11. City Council to consider plan project/improvement funding at the time of annual budget or capital improvement plan adoption.
12. Neighborhood Plan projects to be completed in accordance with program schedule and funding availability.

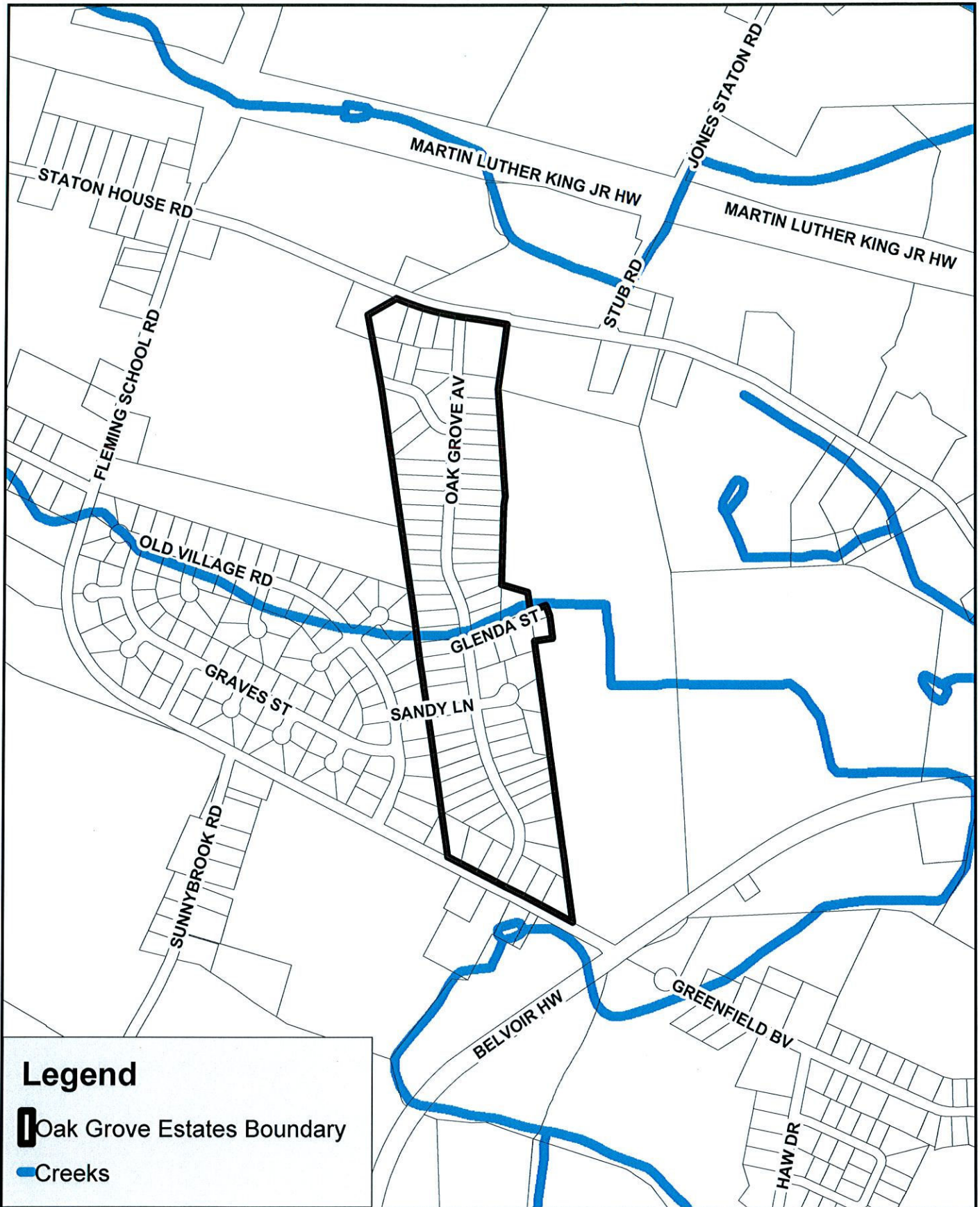
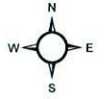
Map 1: Voting District and City Limits

September 23, 2013





Map 2: Streams and Open Ditches

September 23, 2013

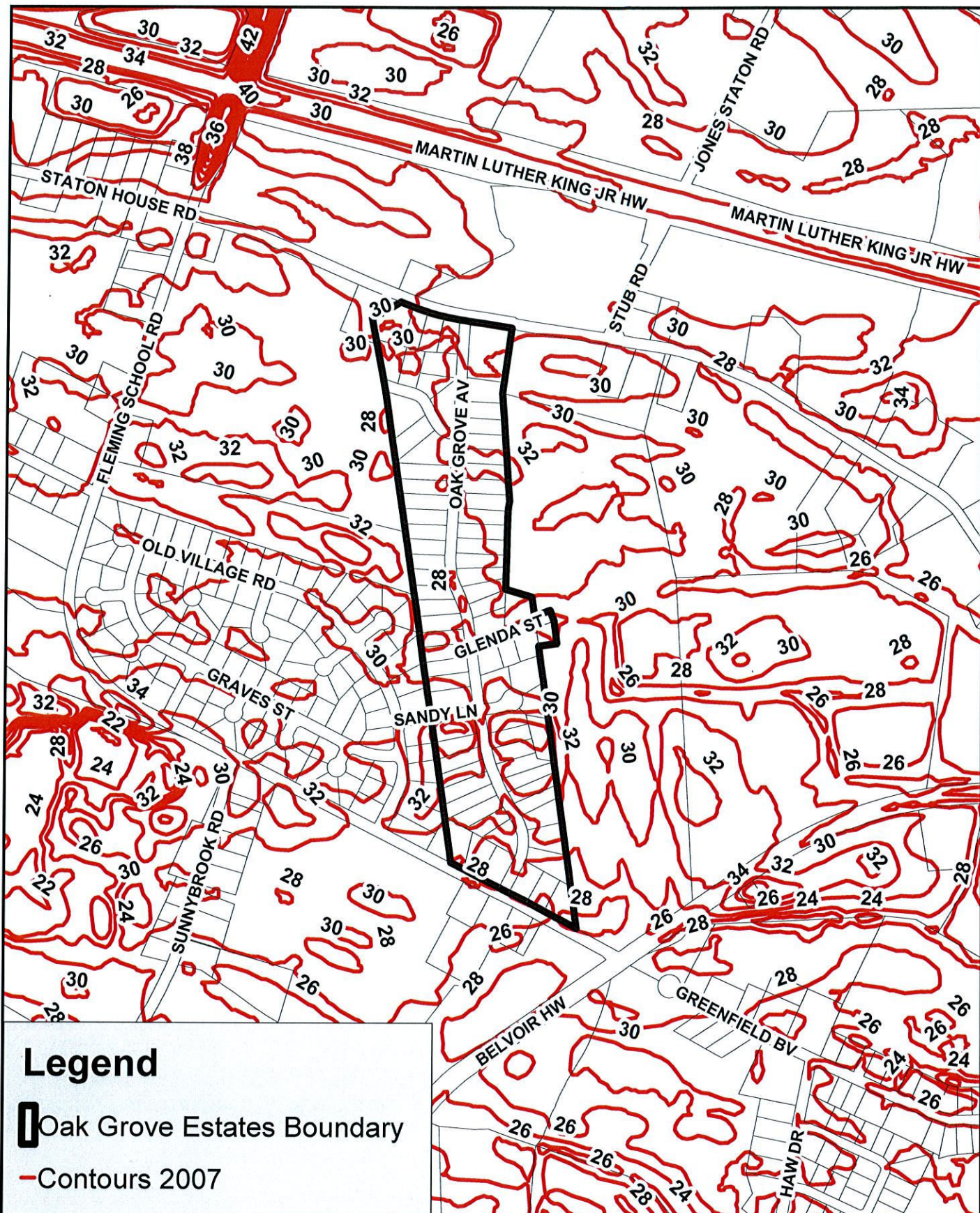


Legend

-  Oak Grove Estates Boundary
-  Creeks

Map 3: Topography

September 23, 2013



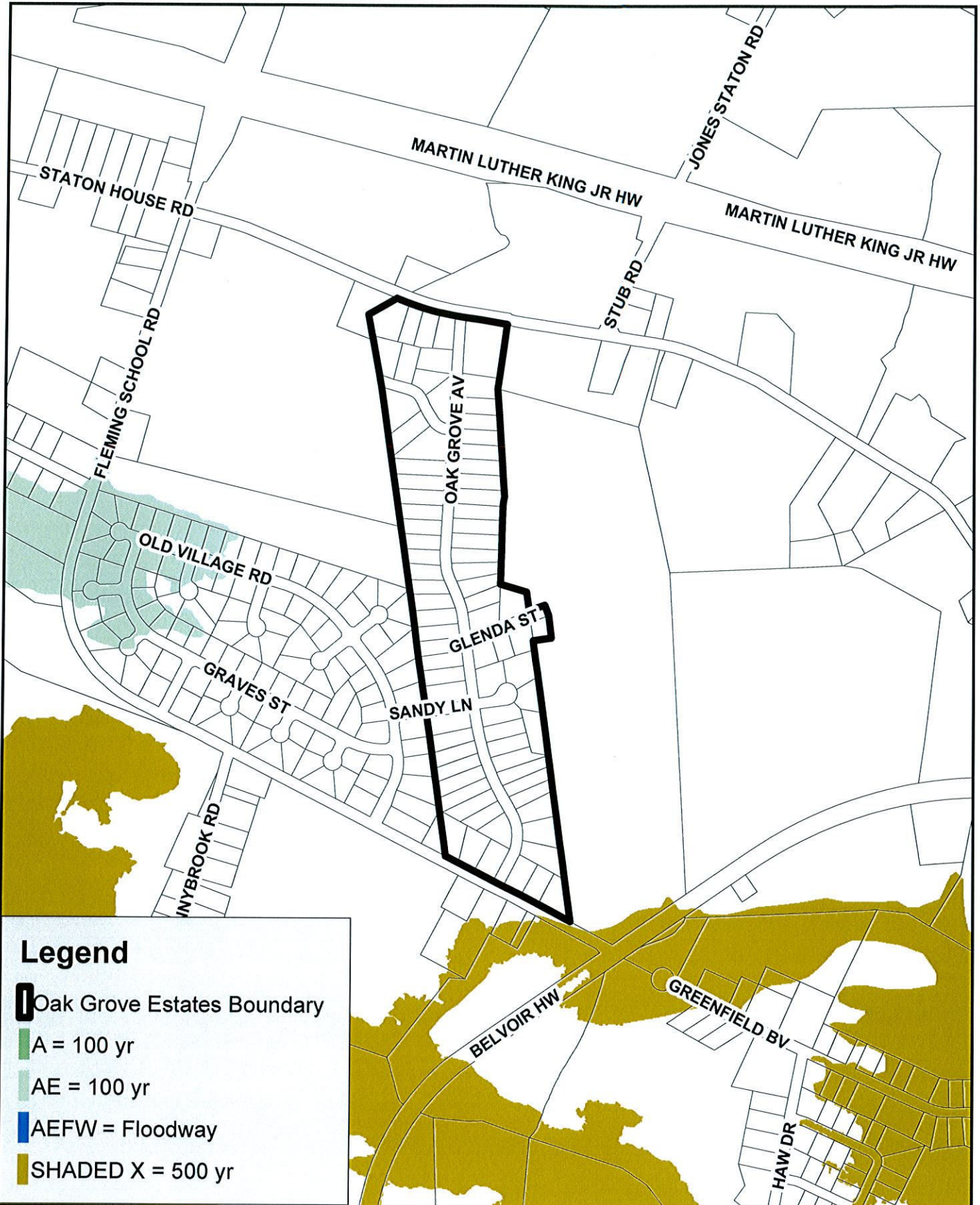
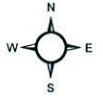
Legend

 Oak Grove Estates Boundary






 Contours 2007

Map 4: Floodplain and Floodway

September 23, 2013

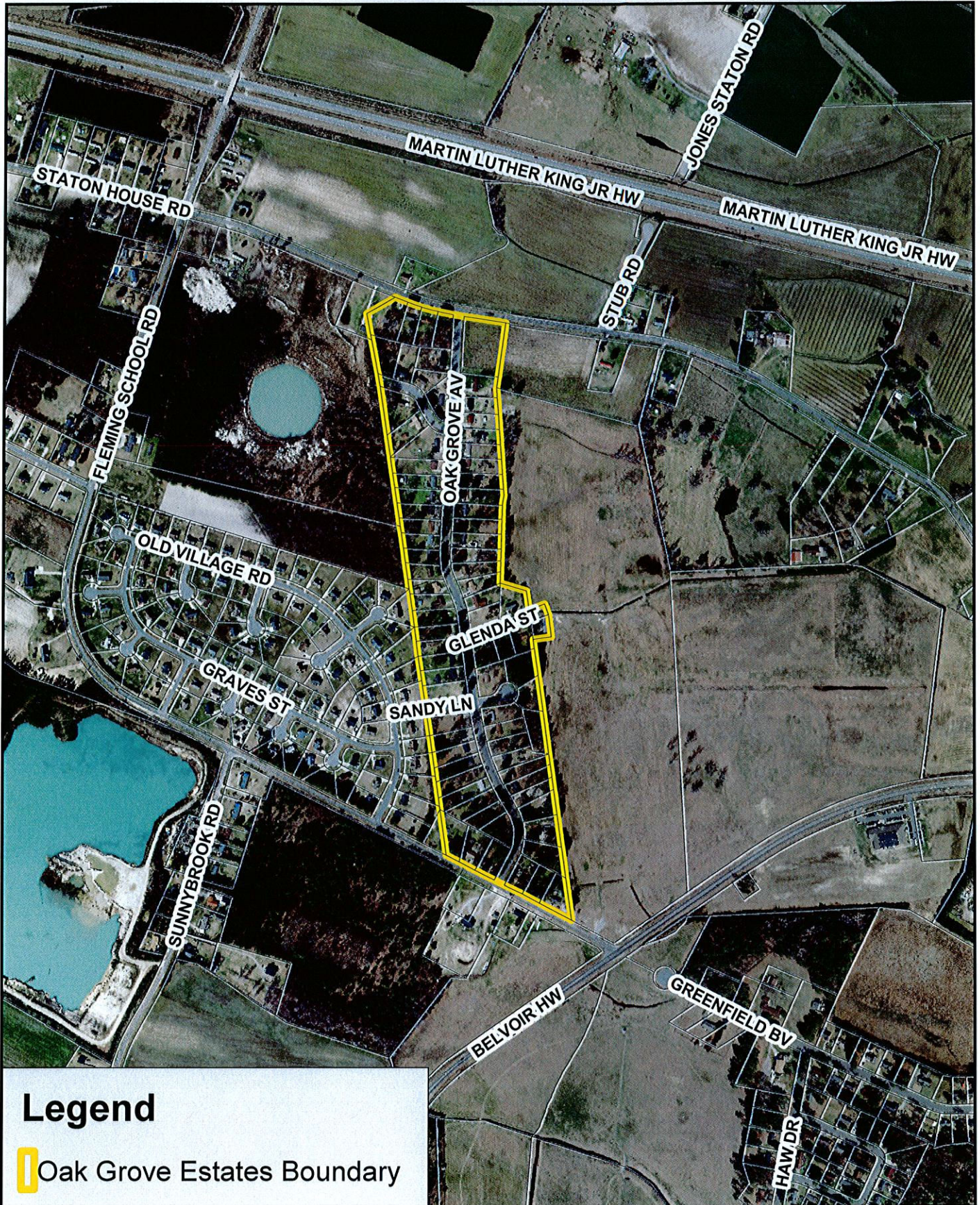


Legend


-  Oak Grove Estates Boundary
-  A = 100 yr
-  AE = 100 yr
-  AEFW = Floodway
-  SHADED X = 500 yr

Map 5: Aerial (2012)

September 23, 2013



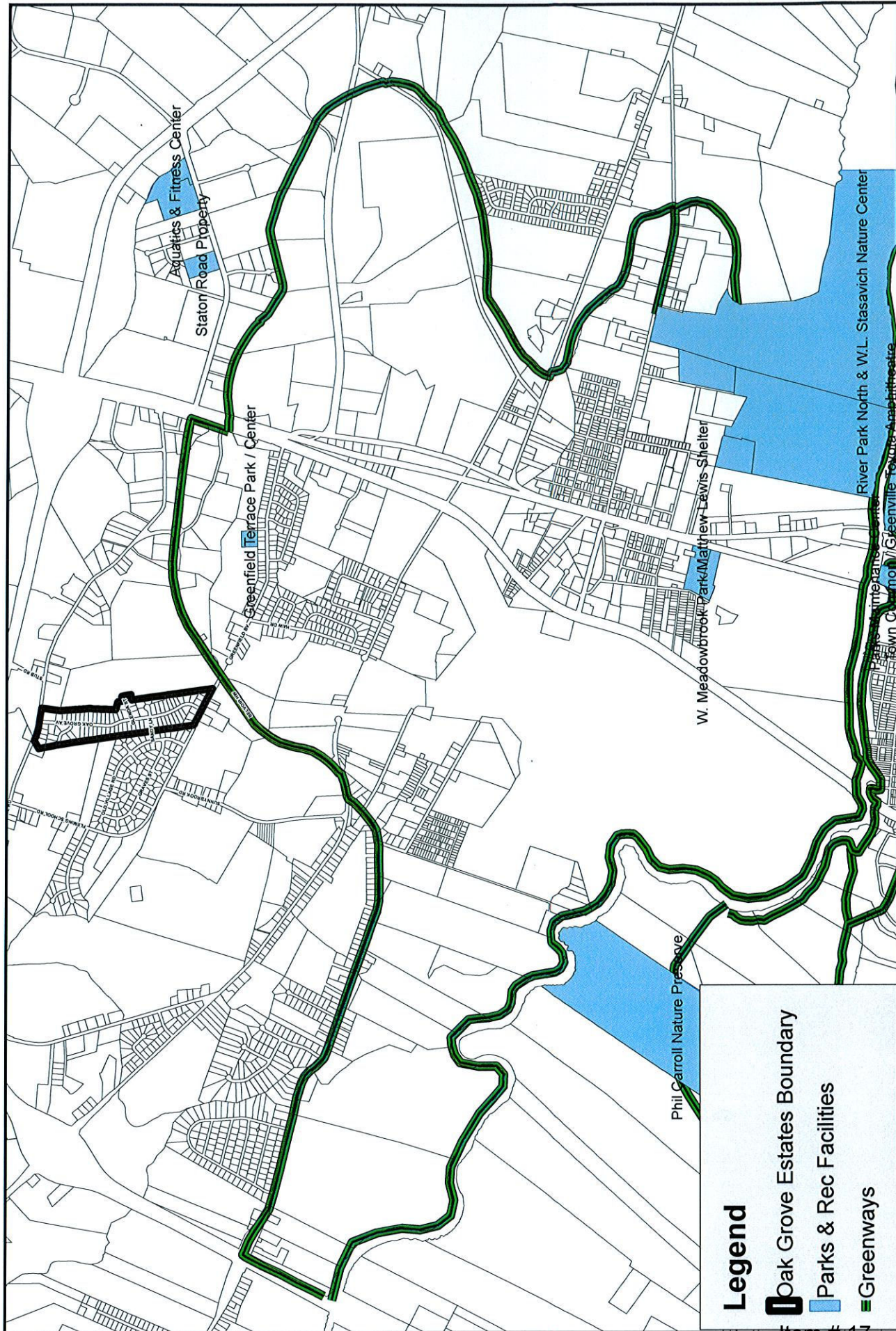
Legend

 Oak Grove Estates Boundary






Map 6: Greenways

September 23, 2013

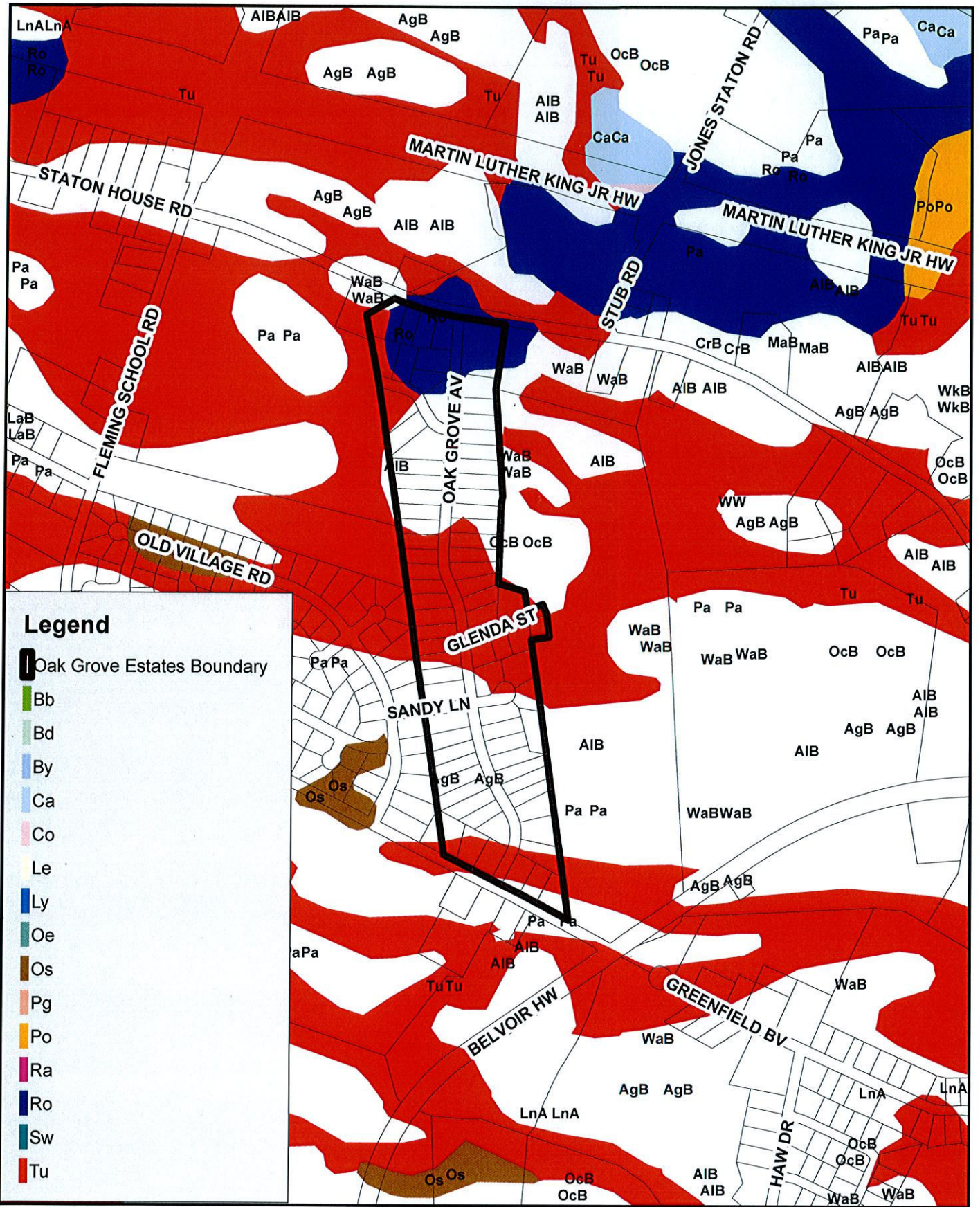


Legend

-  Oak Grove Estates Boundary
-  Parks & Rec Facilities
-  Greenways

Map 7: Hydric Soils

September 23, 2013

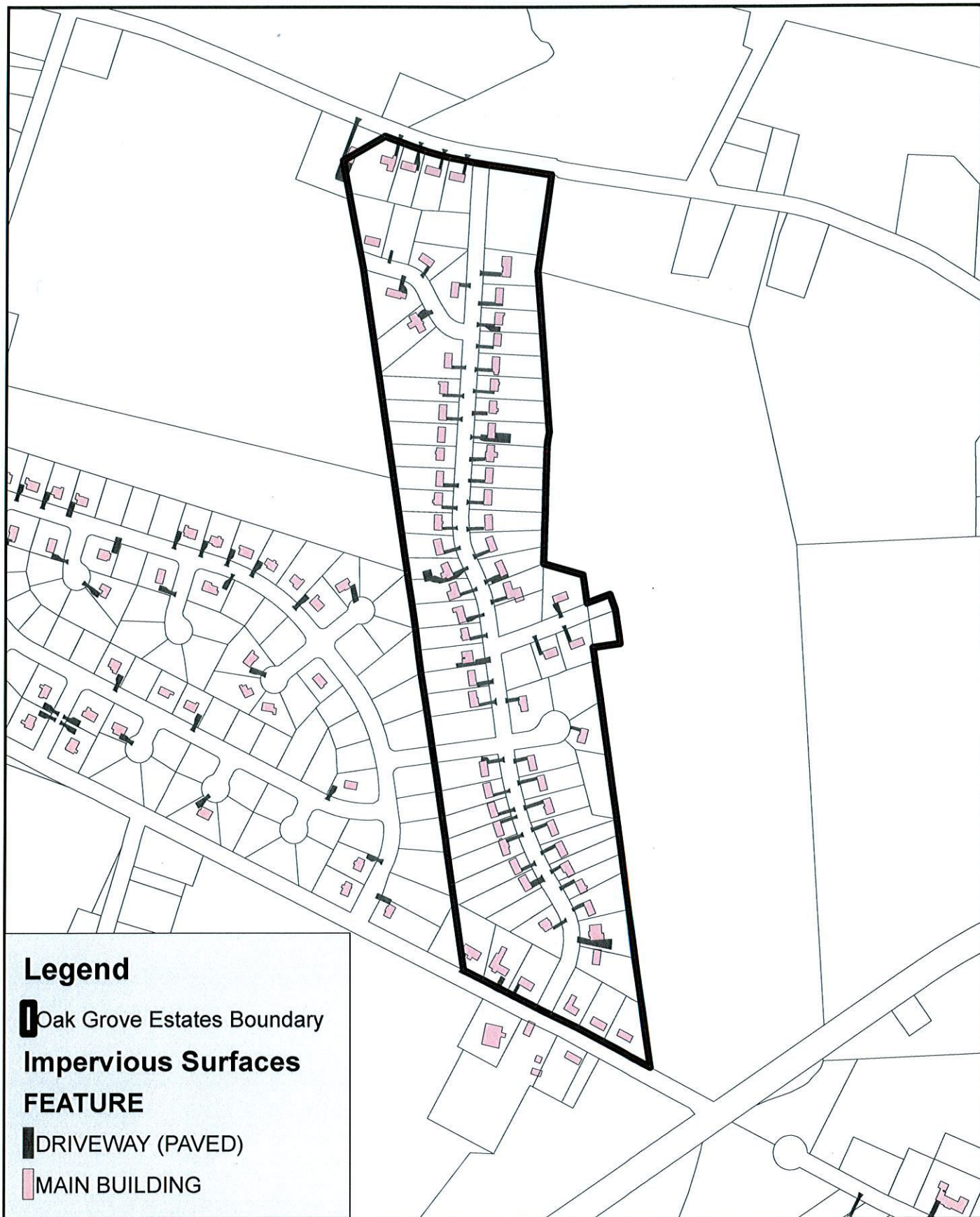


Legend

- Oak Grove Estates Boundary
- Bb
- Bd
- By
- Ca
- Co
- Le
- Ly
- Oe
- Os
- Pg
- Po
- Ra
- Ro
- Sw
- Tu

Map 8: Impervious Surfaces

September 23, 2013





Legend

 Oak Grove Estates Boundary

Impervious Surfaces

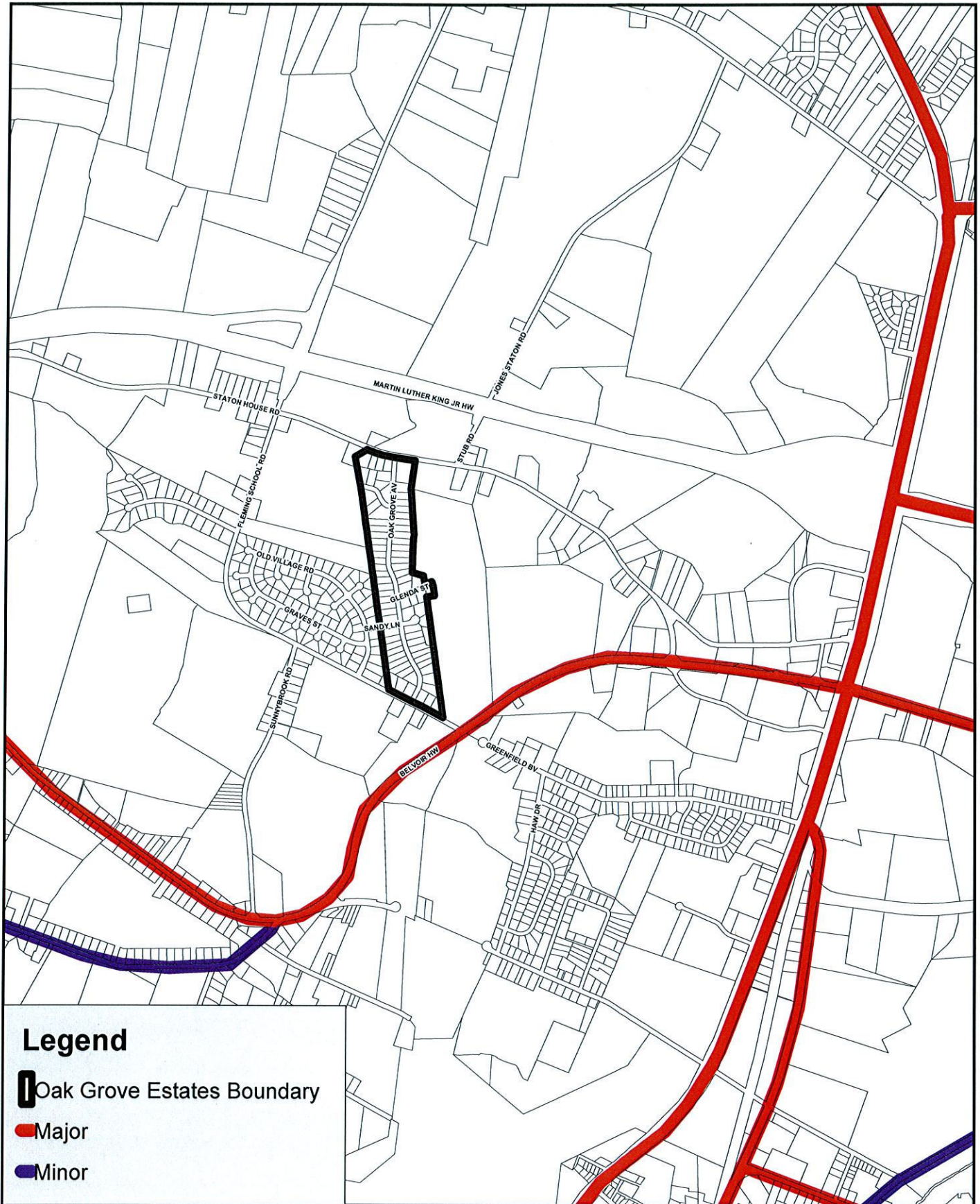
FEATURE

 DRIVEWAY (PAVED)




 MAIN BUILDING

Map 9: Thoroughfare Plan

September 23, 2013



Legend

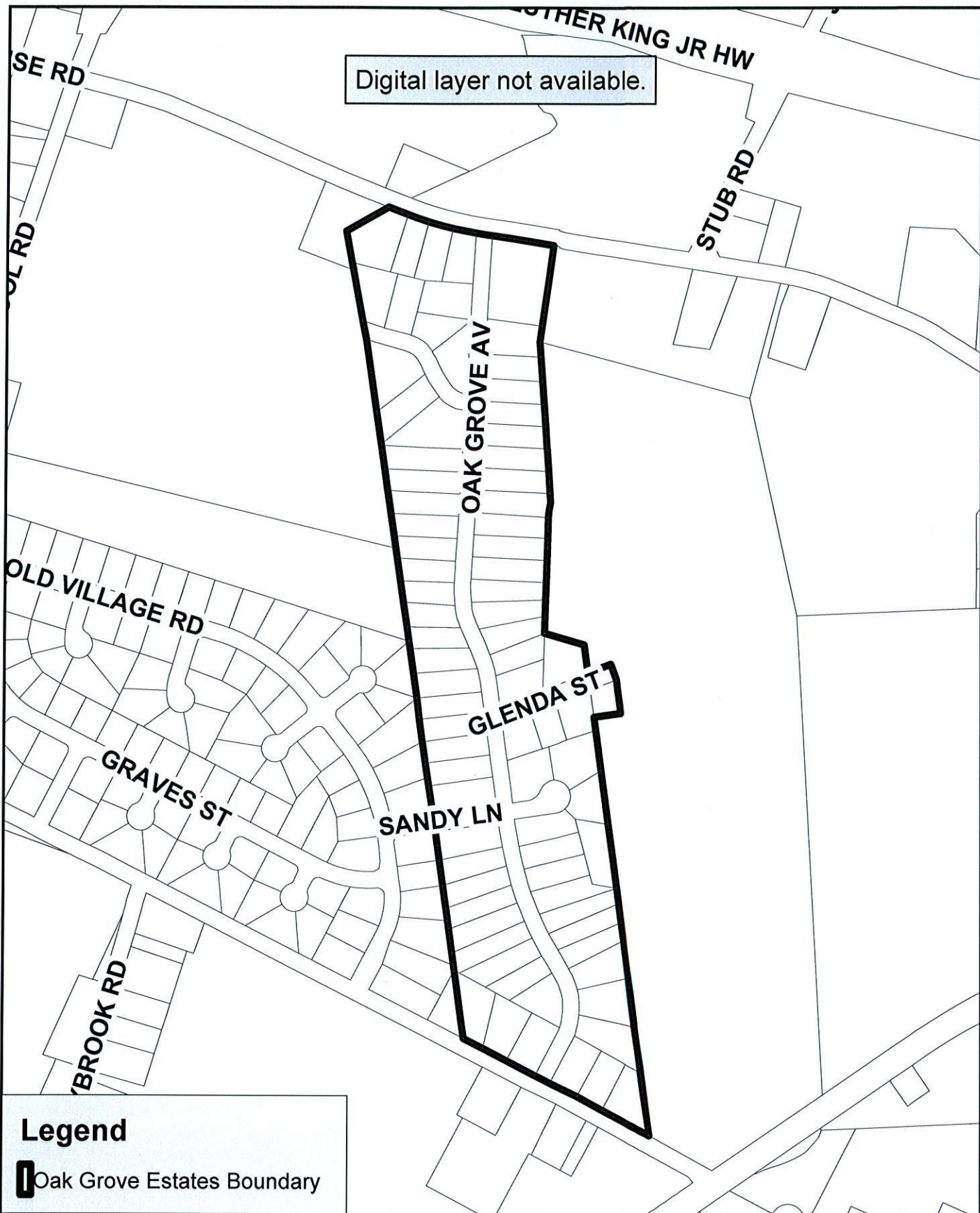
-  Oak Grove Estates Boundary
-  Major
-  Minor

Map 10: Existing Sidewalks

September 23, 2013



Digital layer not available.

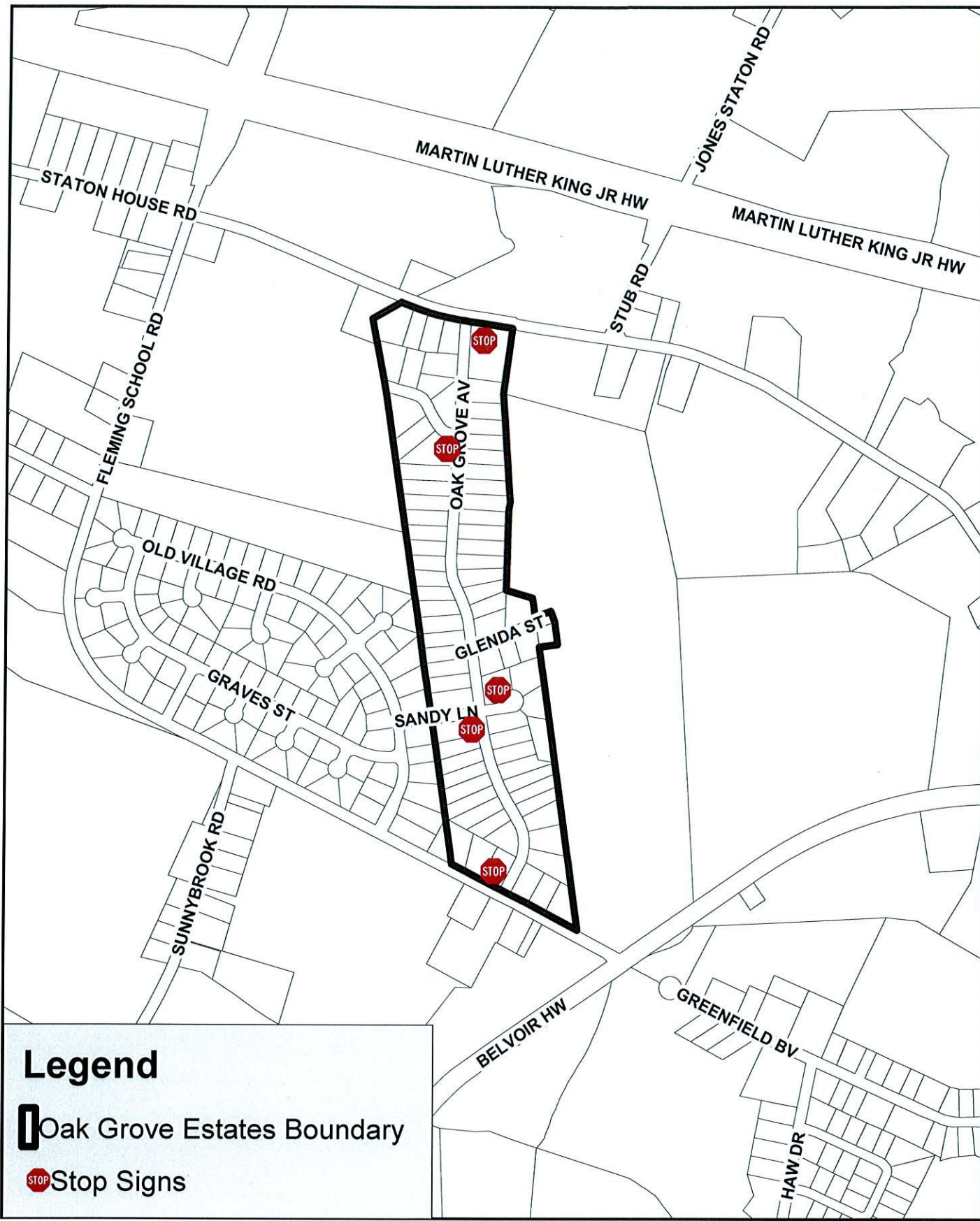


Legend

 Oak Grove Estates Boundary

Map 11: Traffic Calming

September 23, 2013



Legend

 Oak Grove Estates Boundary

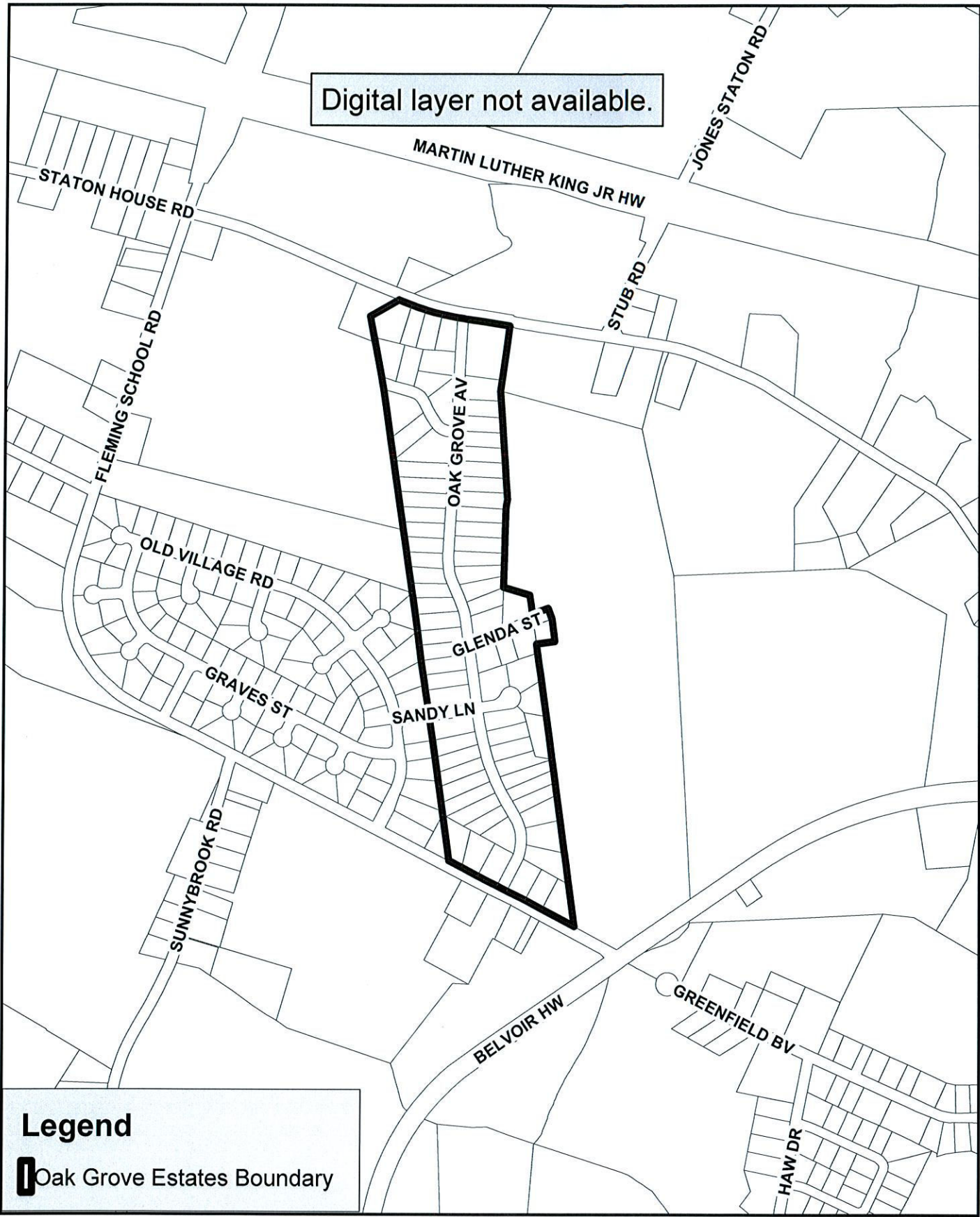
 Stop Signs

Map 12: Water and Sanitary Sewer Systems (public)

September 23, 2013



Digital layer not available.

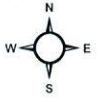


Legend

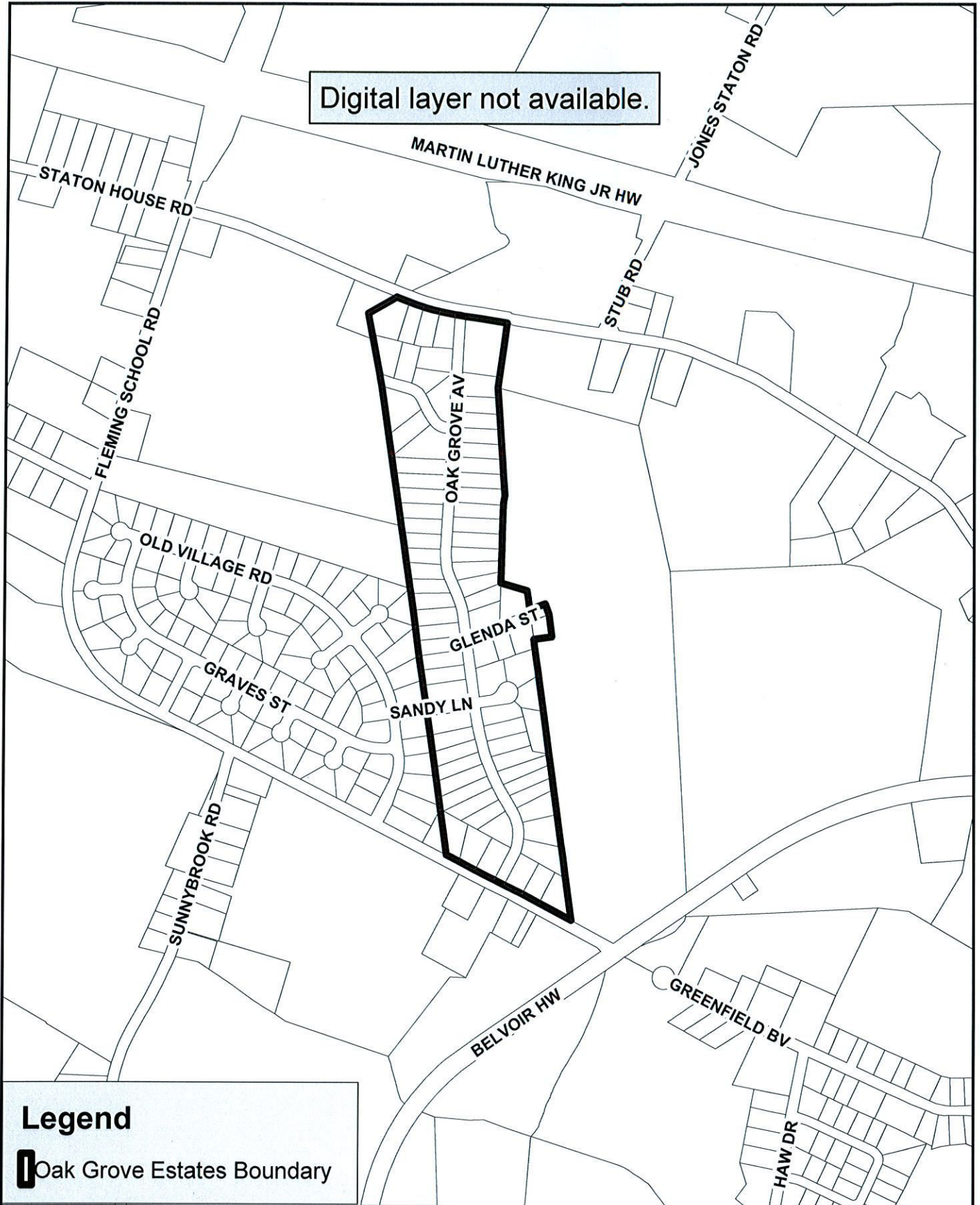
 Oak Grove Estates Boundary

Map 13: Drainage System (public)


September 23, 2013



Digital layer not available.

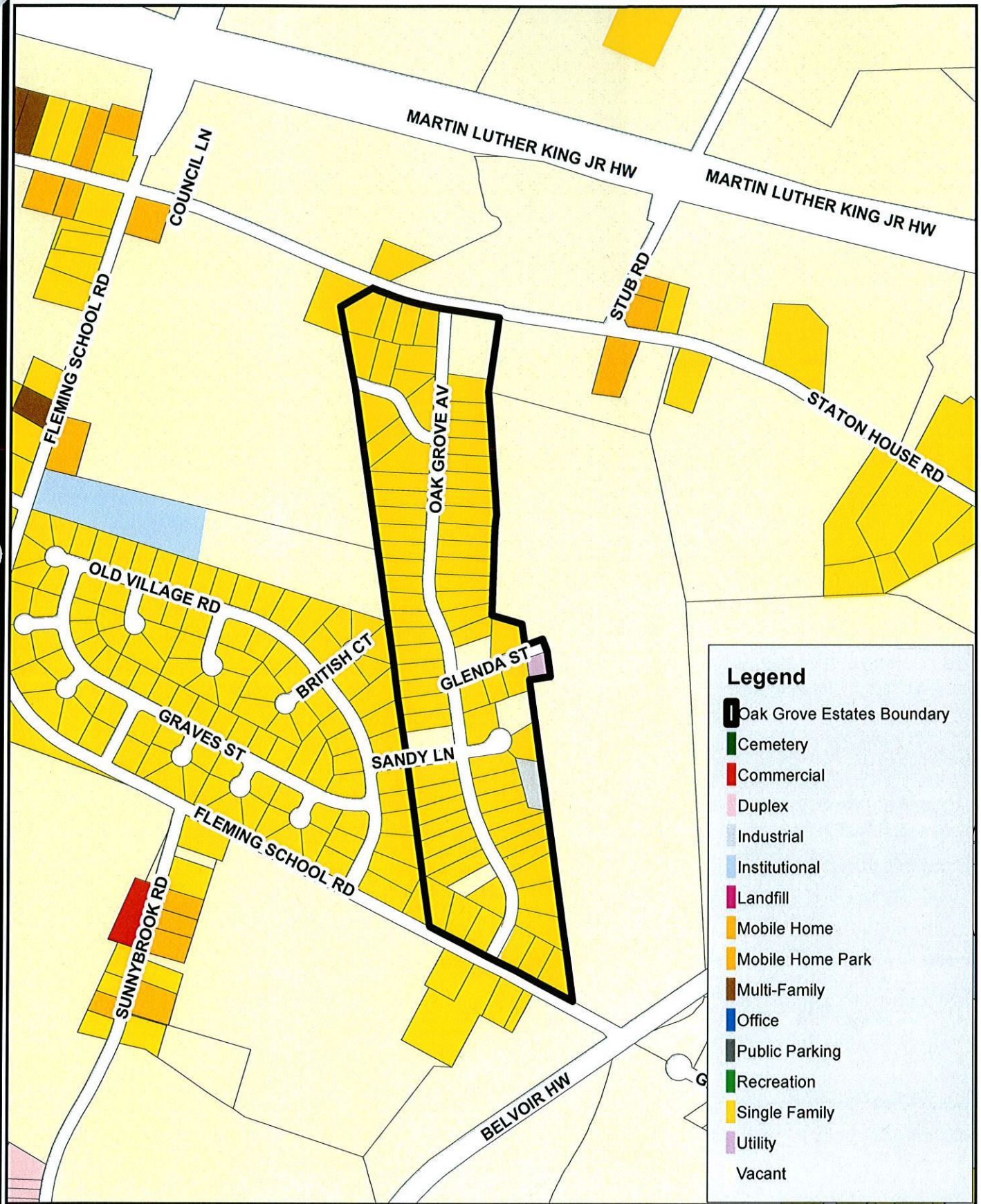


Legend

 Oak Grove Estates Boundary

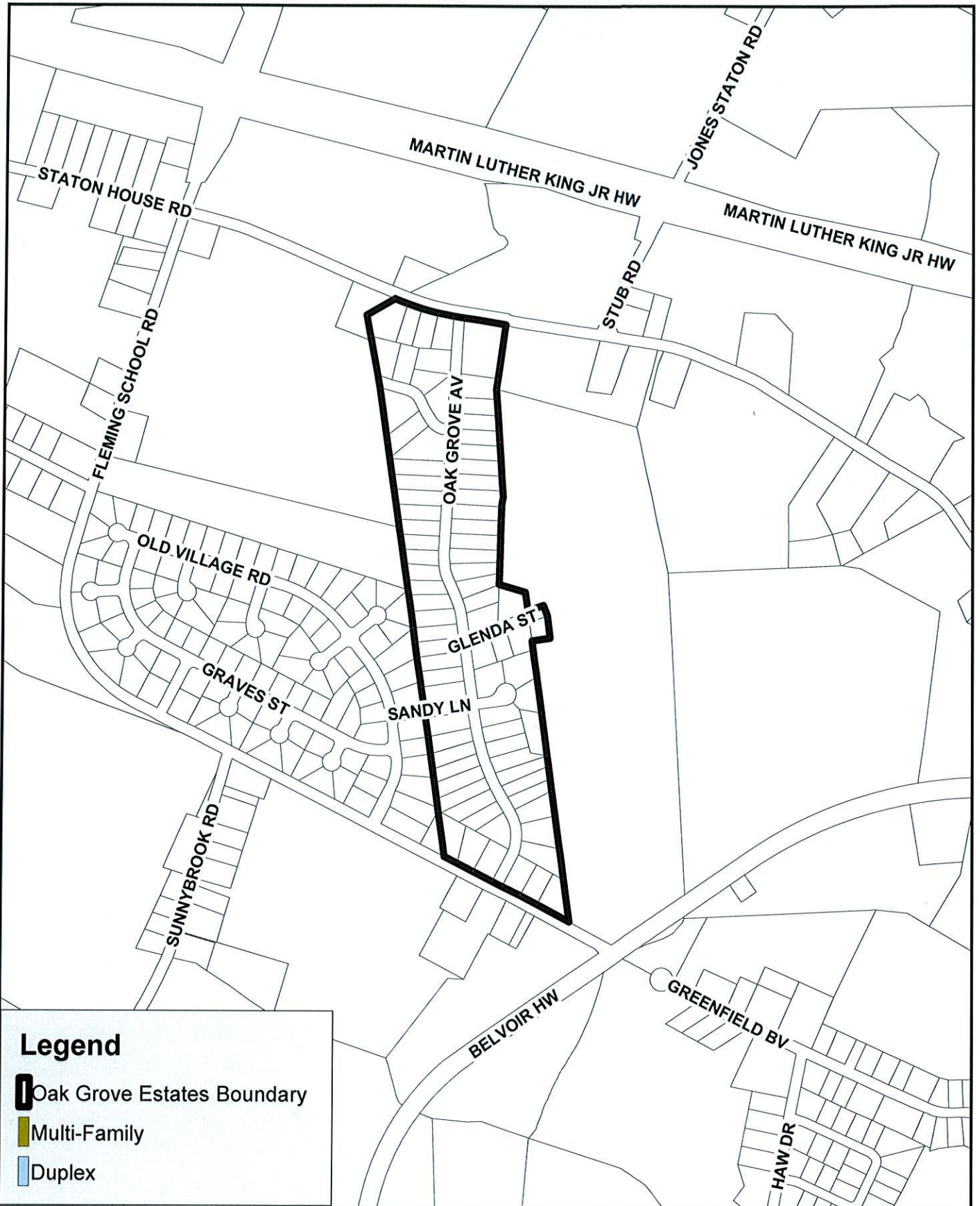
Map 14: Existing Land Use

September 23, 2013






Map 15: Multi-family and Duplex Units

September 23, 2013



Legend

-  Oak Grove Estates Boundary
-  Multi-Family
-  Duplex

Map 16: Owner Units vs. Rental Units

September 23, 2013



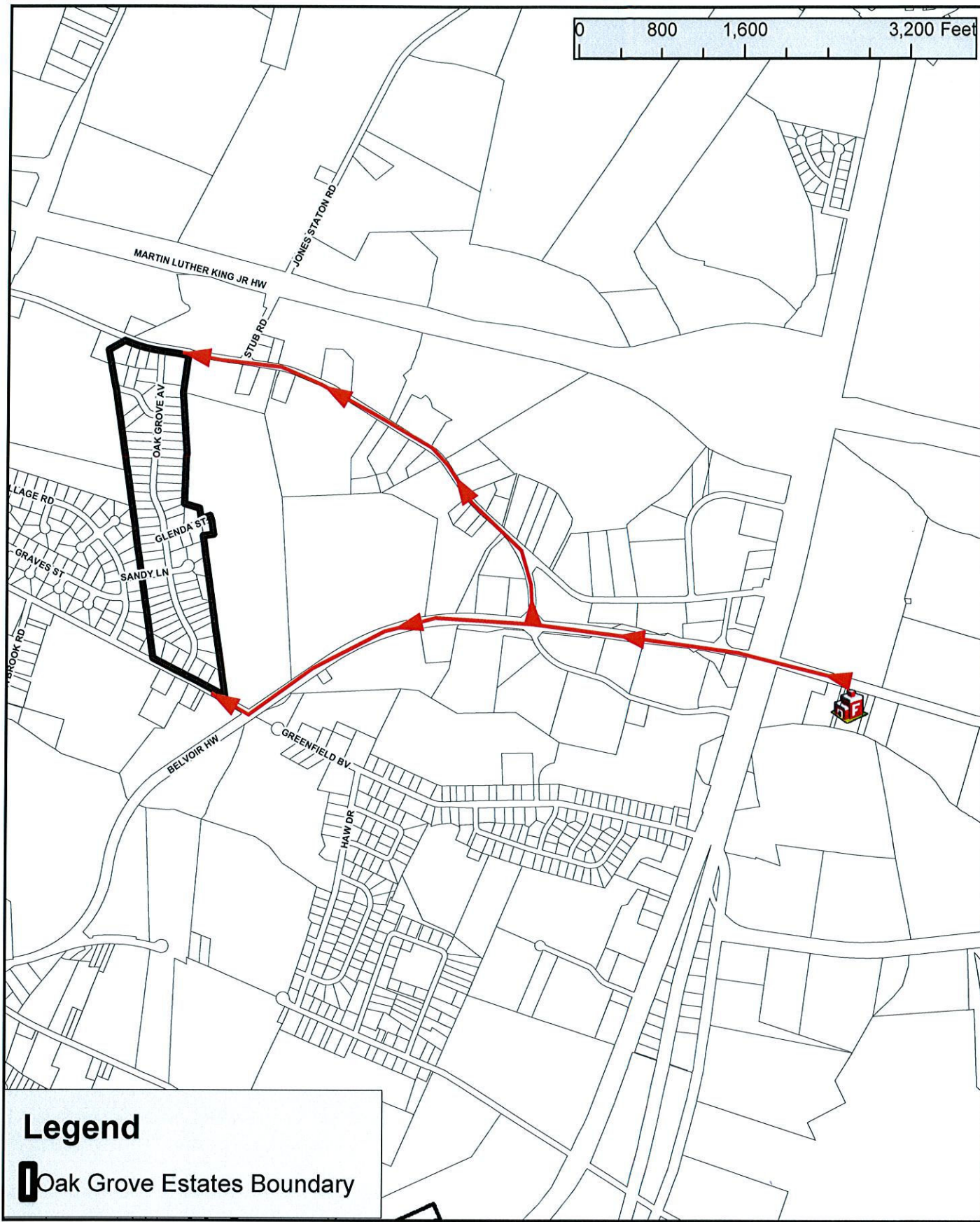
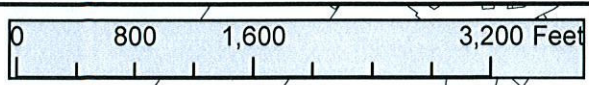
Map 17: Building Tax Value

September 23, 2013



Map 18: Fire Station and Routes

September 23, 2013

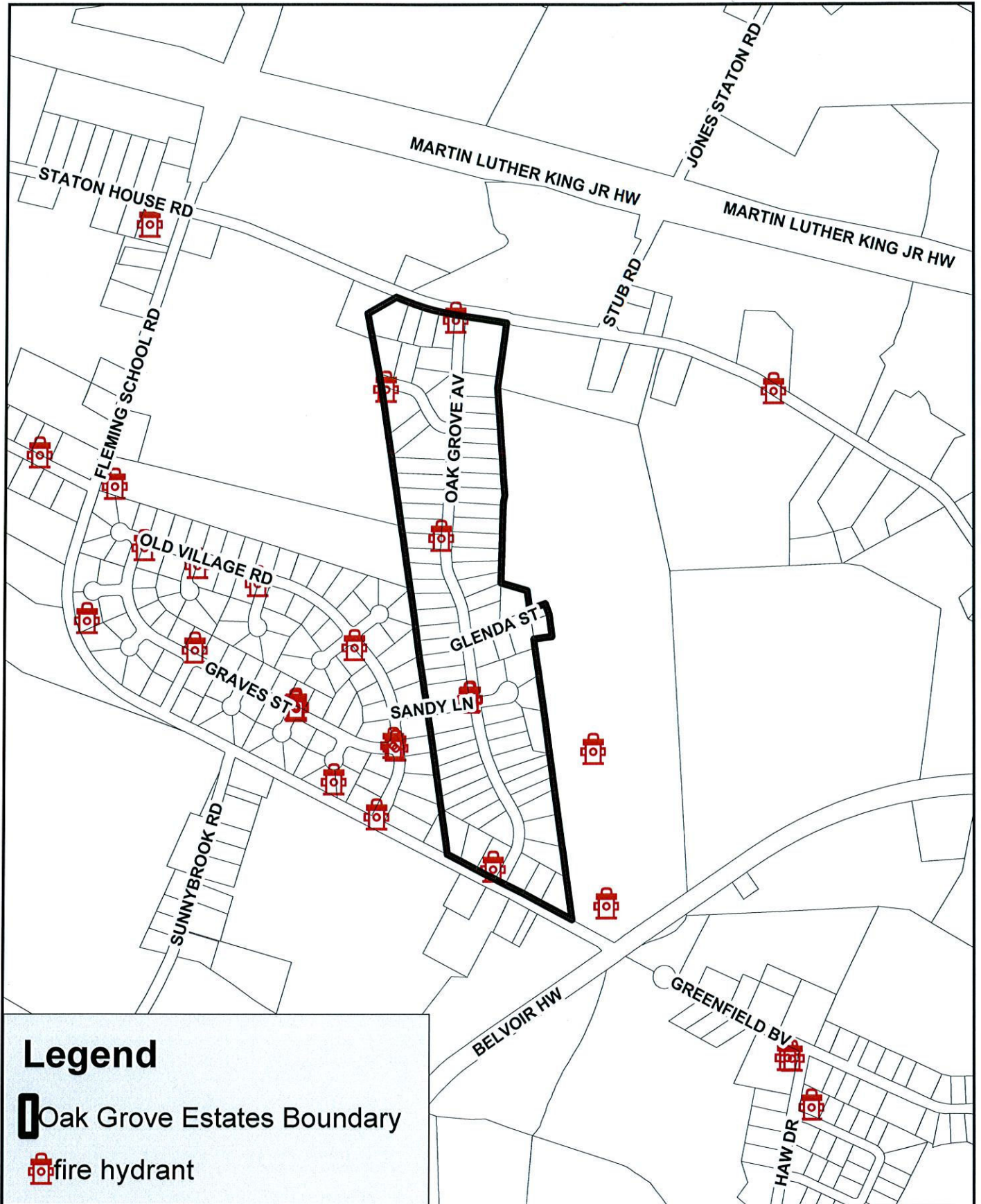
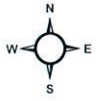


Legend

 Oak Grove Estates Boundary


Map 19: Fire Hydrants

September 23, 2013



Legend

 Oak Grove Estates Boundary

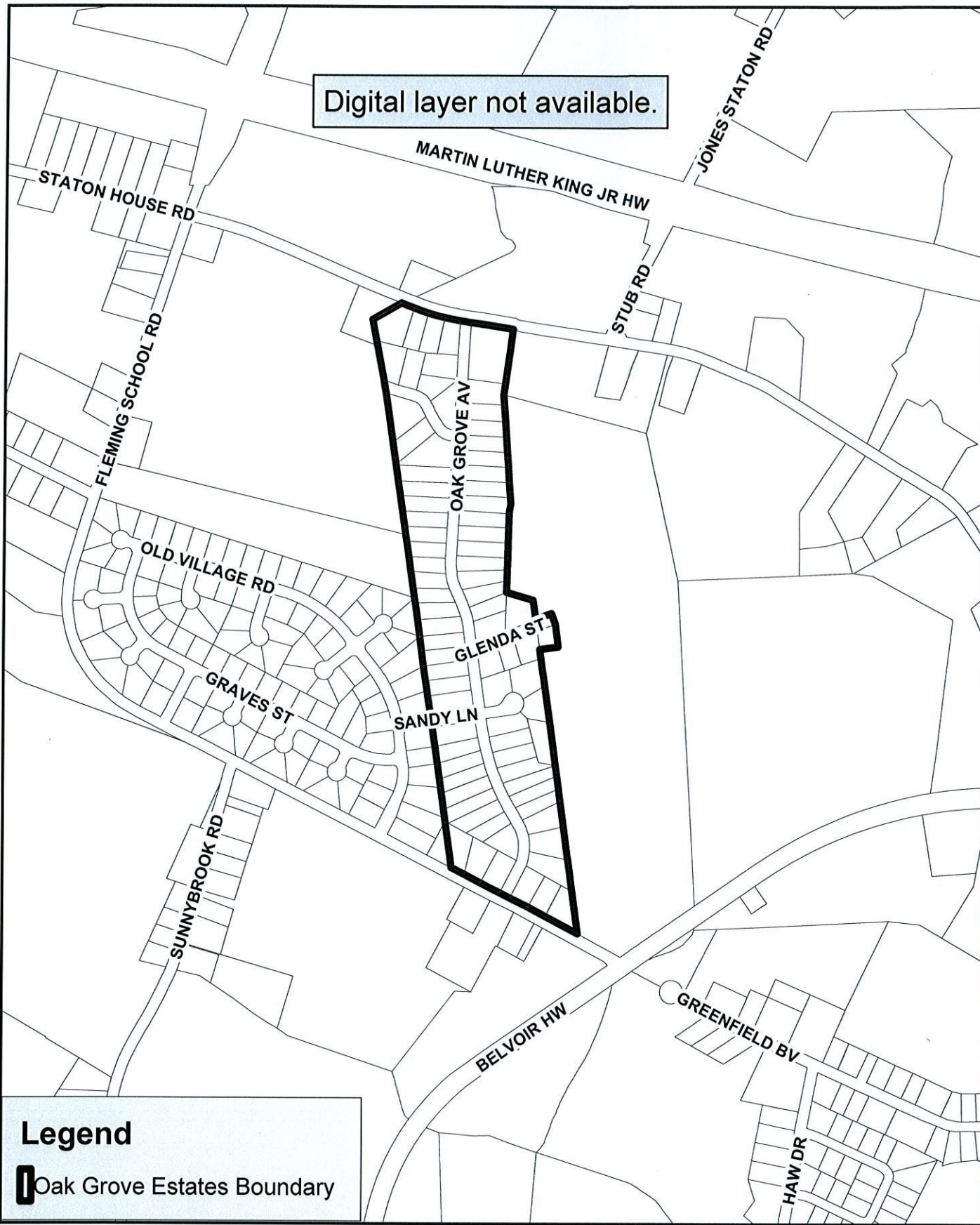
 fire hydrant

Map 20: Street Lights


September 23, 2013



Digital layer not available.

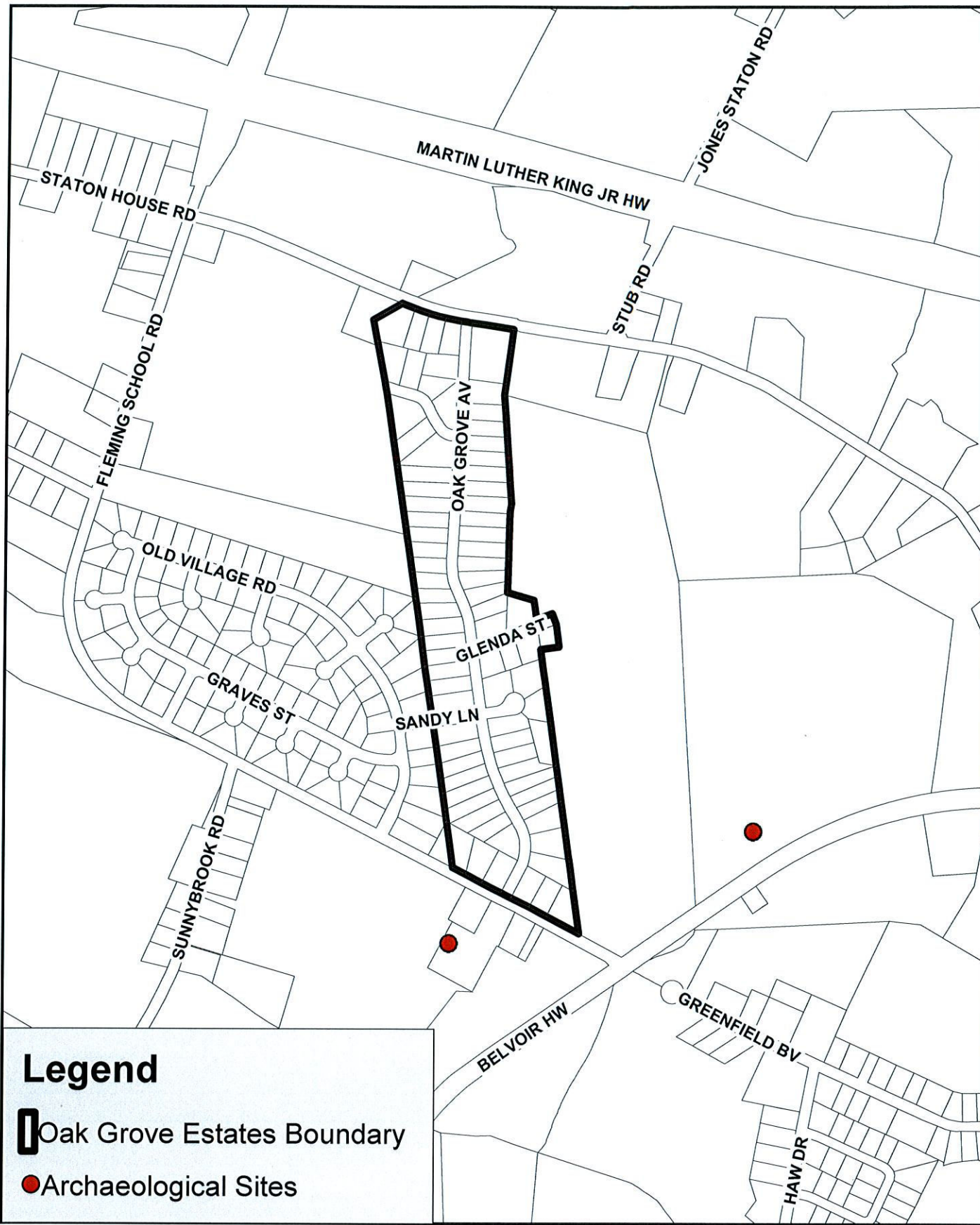


Legend



 Oak Grove Estates Boundary

Map 21: Cultural Resources

September 23, 2013

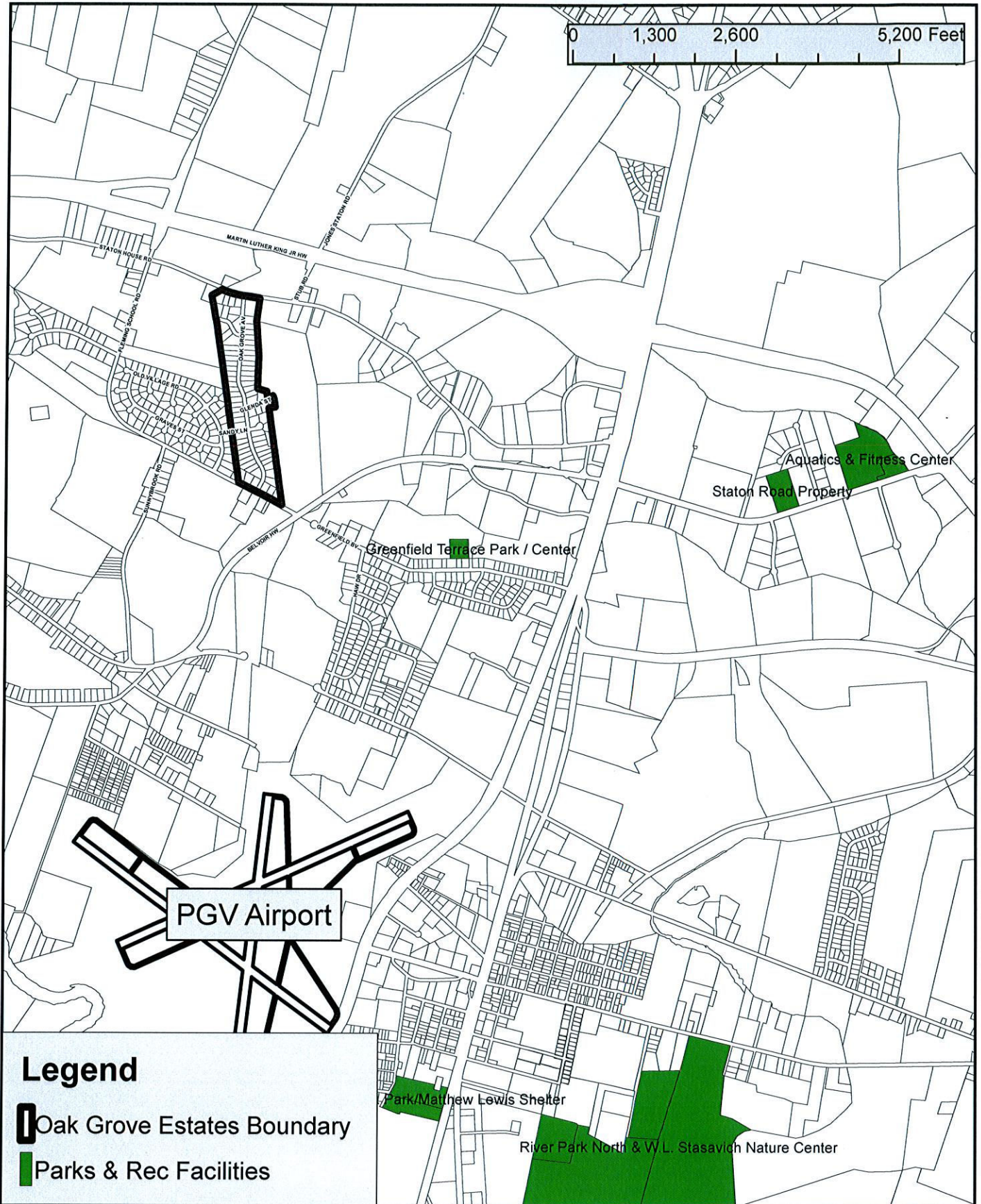
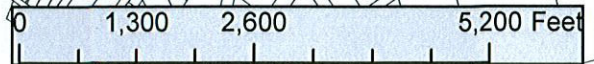


Legend

-  Oak Grove Estates Boundary
-  Archaeological Sites

Map 22: Recreation and Park and Government Facilities

September 23, 2013

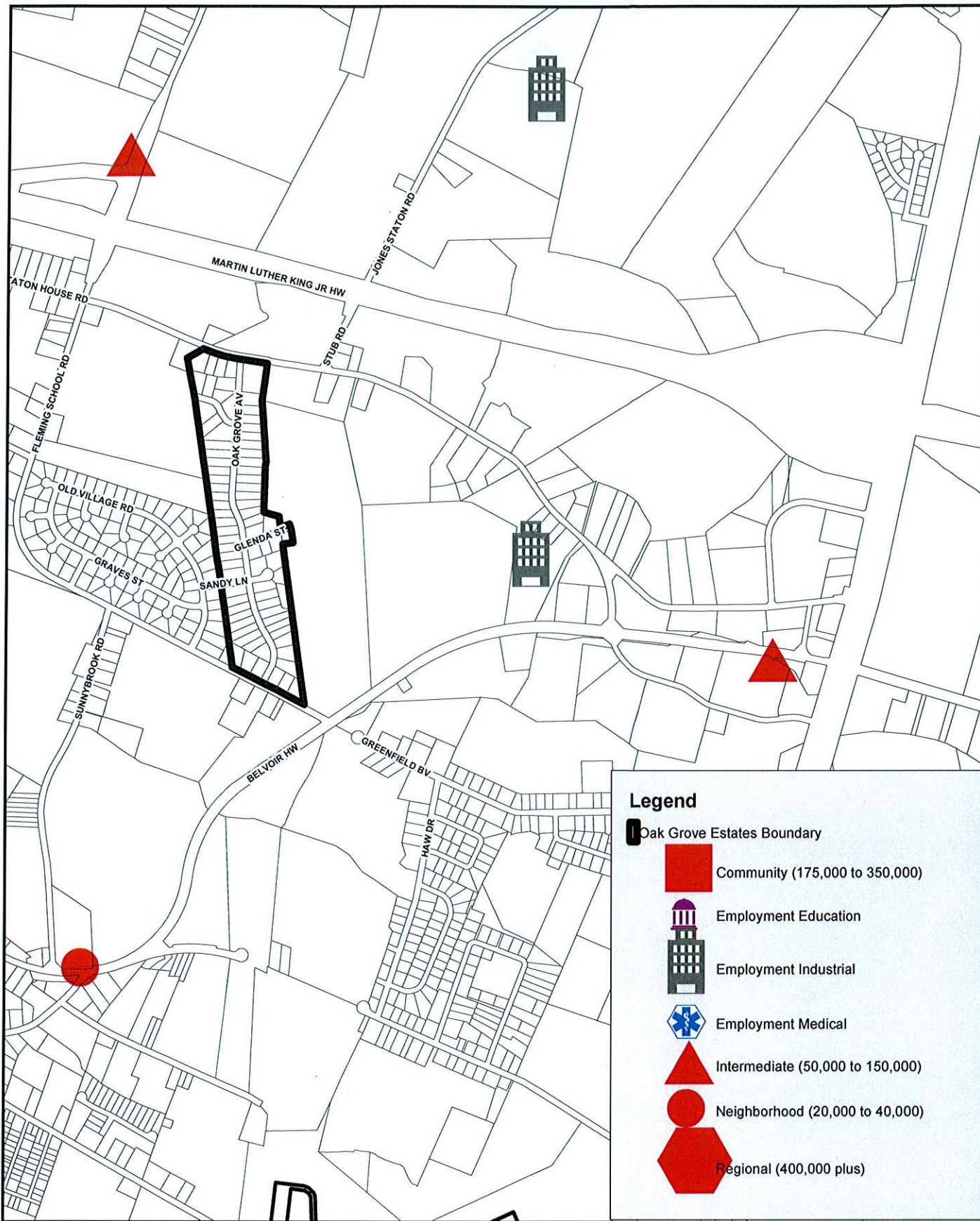


Legend

- Oak Grove Estates Boundary
- Parks & Rec Facilities

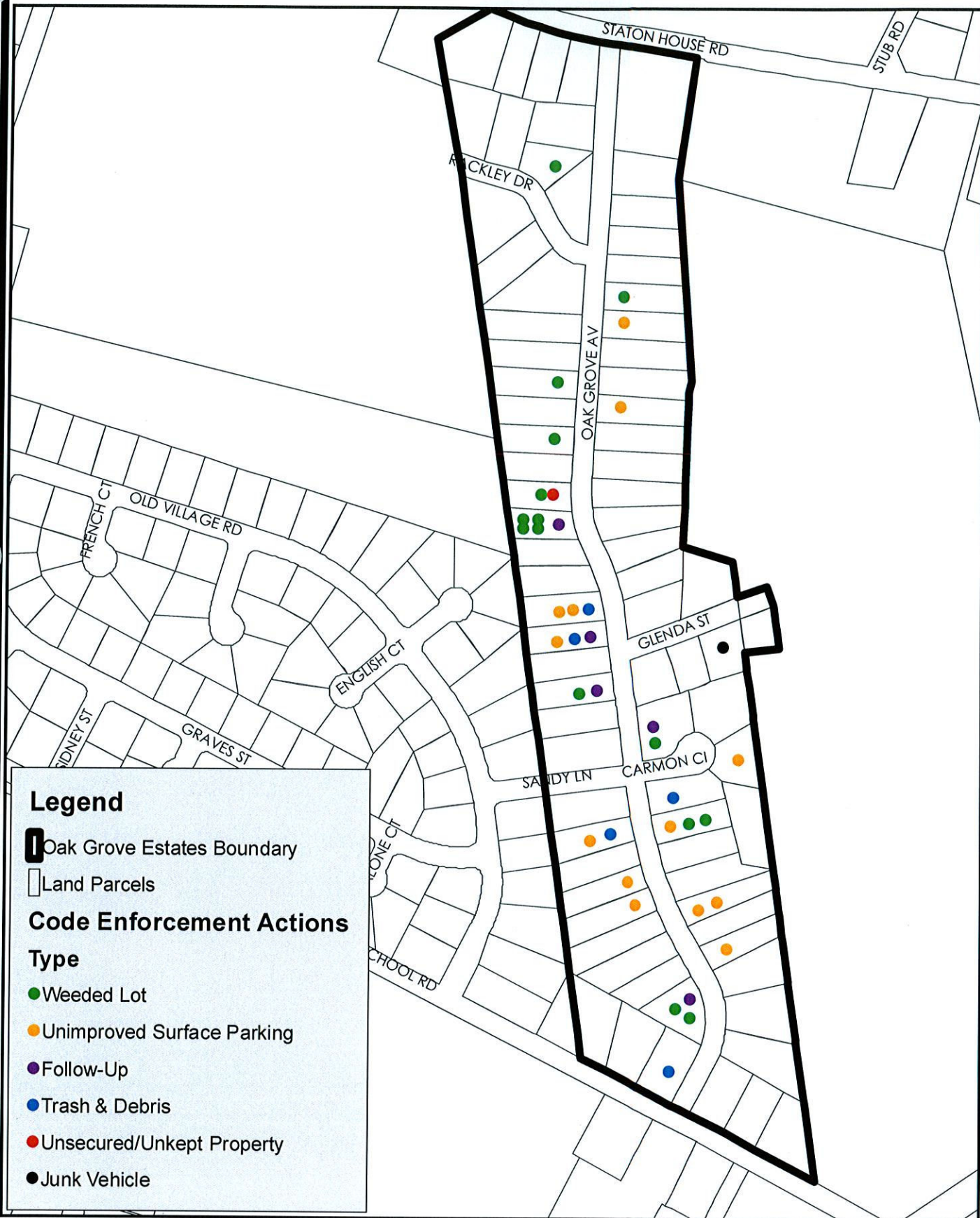
Map 23: Focus Areas (Horizons)

September 23, 2013



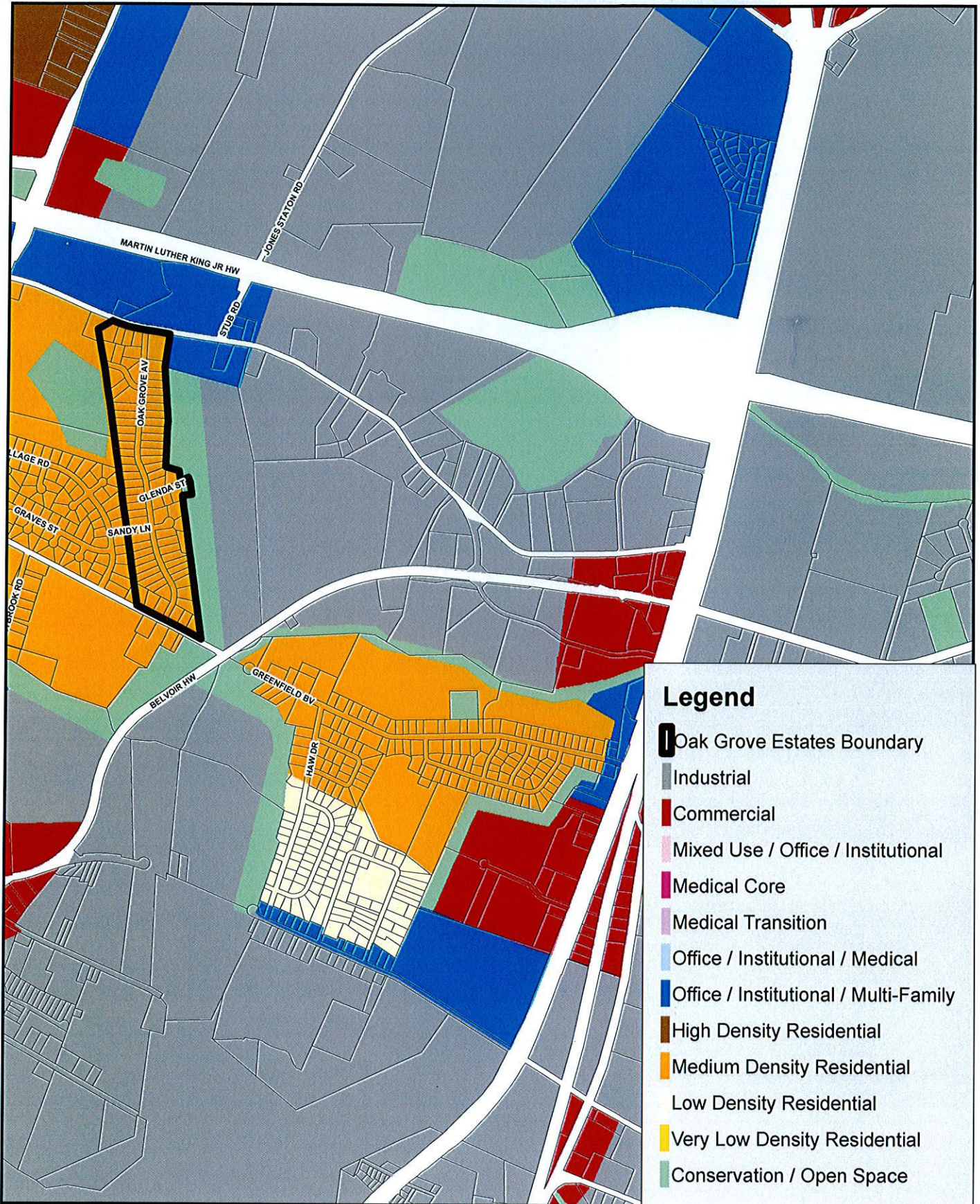
Map 24: Code Enforcement Actions

September 23, 2013



Map 25: Future Land Use Plan Map (Horizons)

September 23, 2013

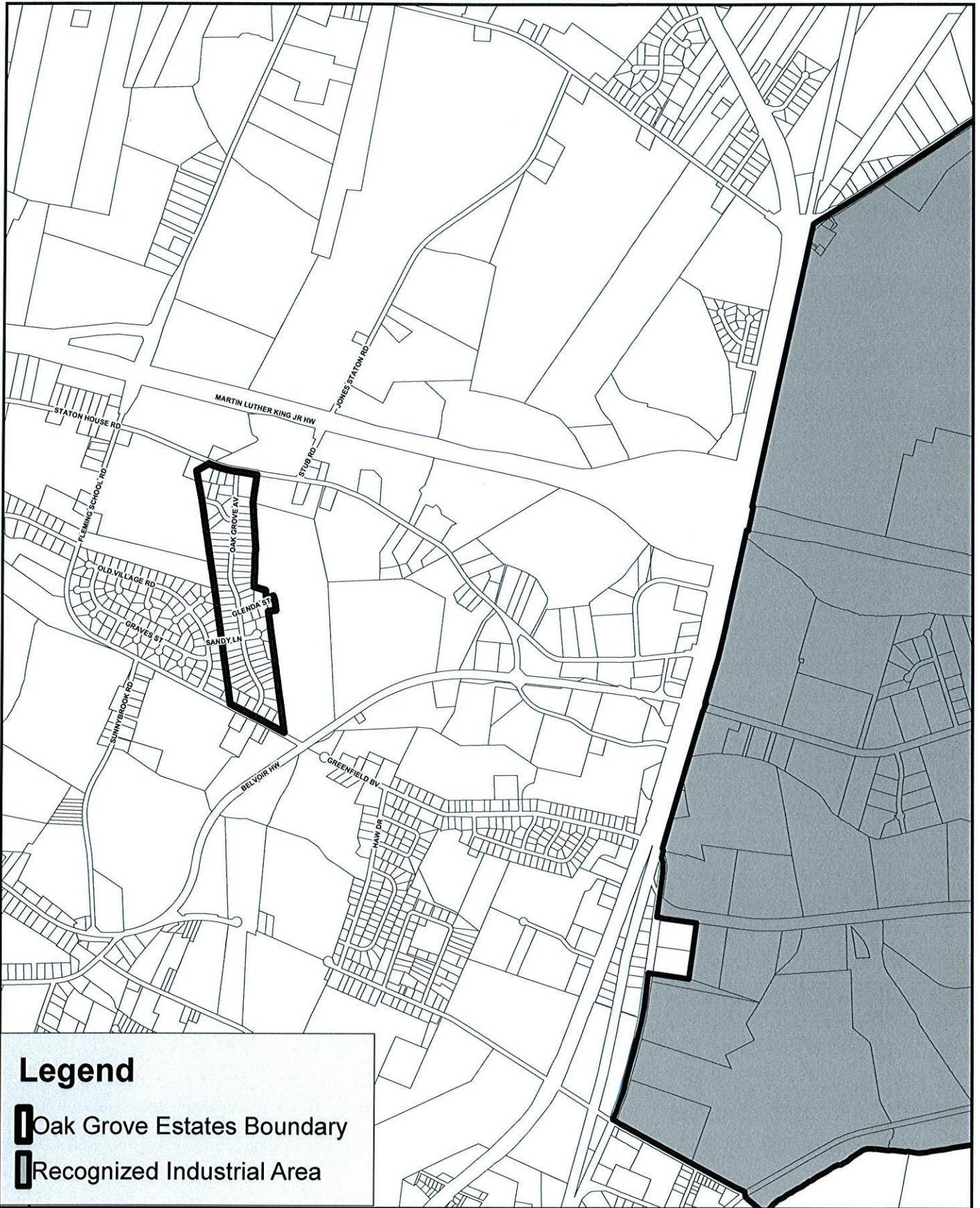


Legend



- Oak Grove Estates Boundary
- Industrial
- Commercial
- Mixed Use / Office / Institutional
- Medical Core
- Medical Transition
- Office / Institutional / Medical
- Office / Institutional / Multi-Family
- High Density Residential
- Medium Density Residential
- Low Density Residential
- Very Low Density Residential
- Conservation / Open Space

Map 26: Recognized Industrial Area

September 23, 2013

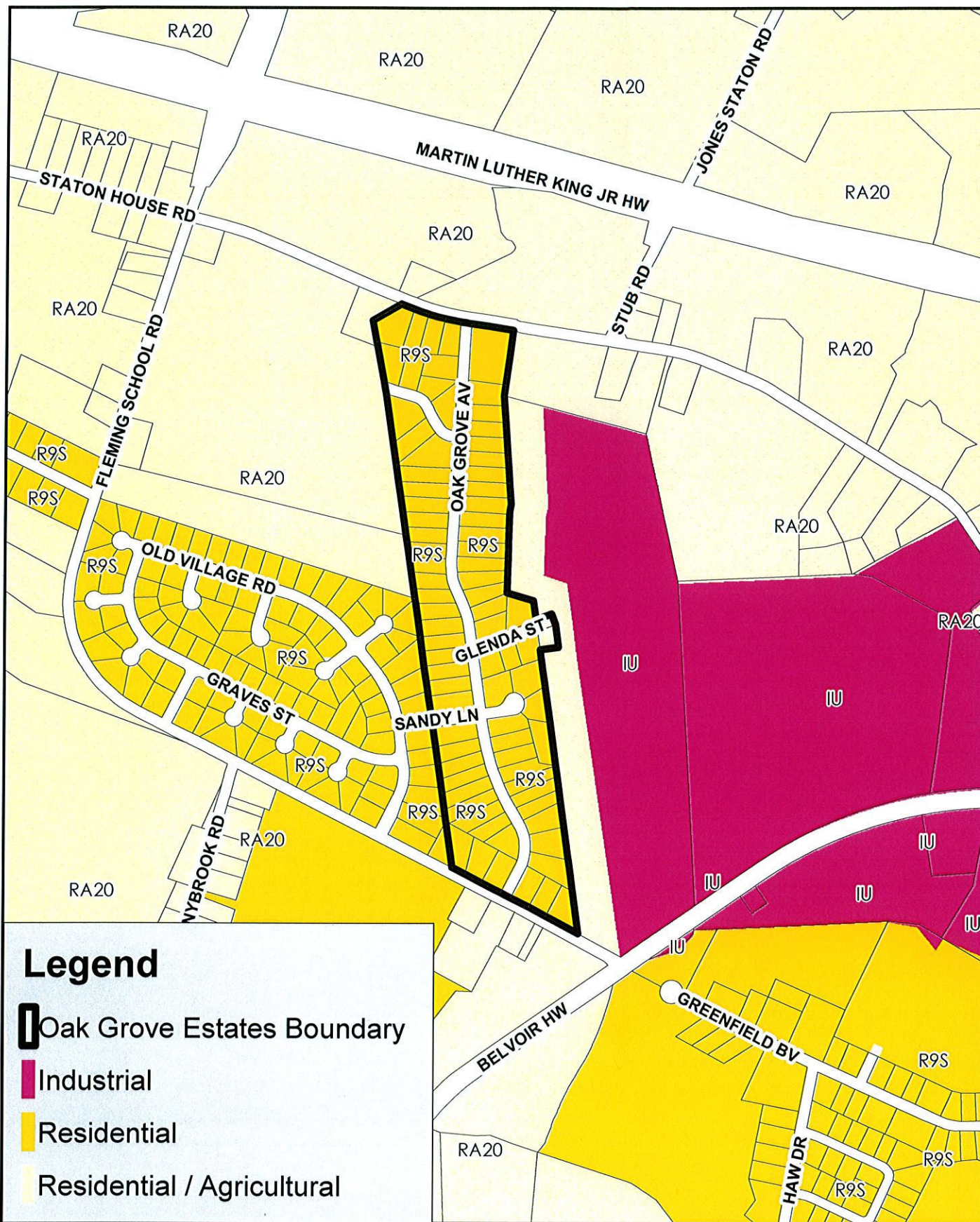


Legend

-  Oak Grove Estates Boundary
-  Recognized Industrial Area

Map 27: Current Zoning

September 23, 2013



Map 28: Street Addresses (House Numbers)

September 23, 2013

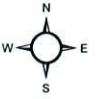


Legend



- Oak Grove Estates Boundary
- Oak Grove Estates House Numbers**
- Compliant
- Non-Compliant
- Non-Residential

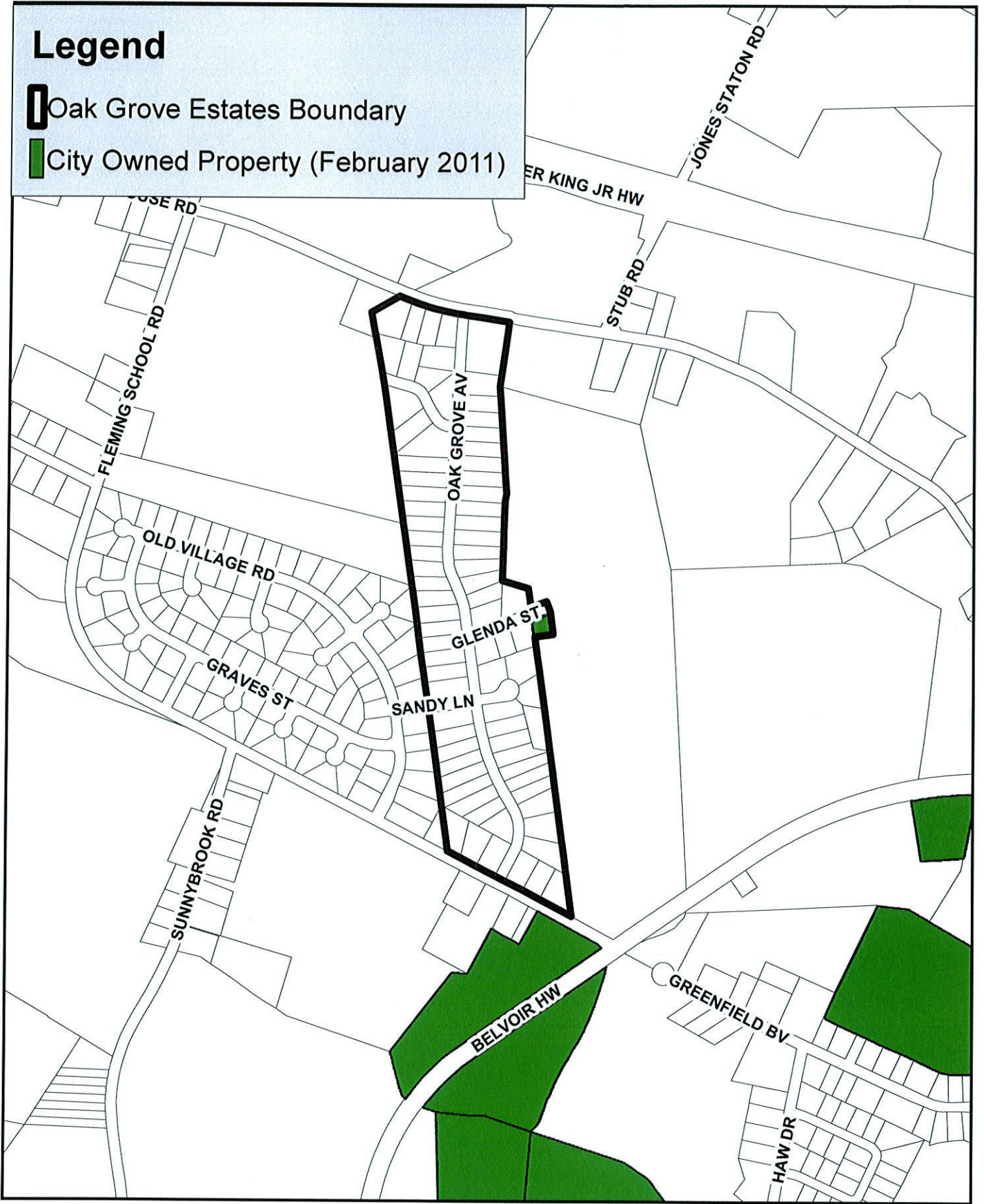
Map 29: City-Owned Properties (February, 2011)

September 23, 2013



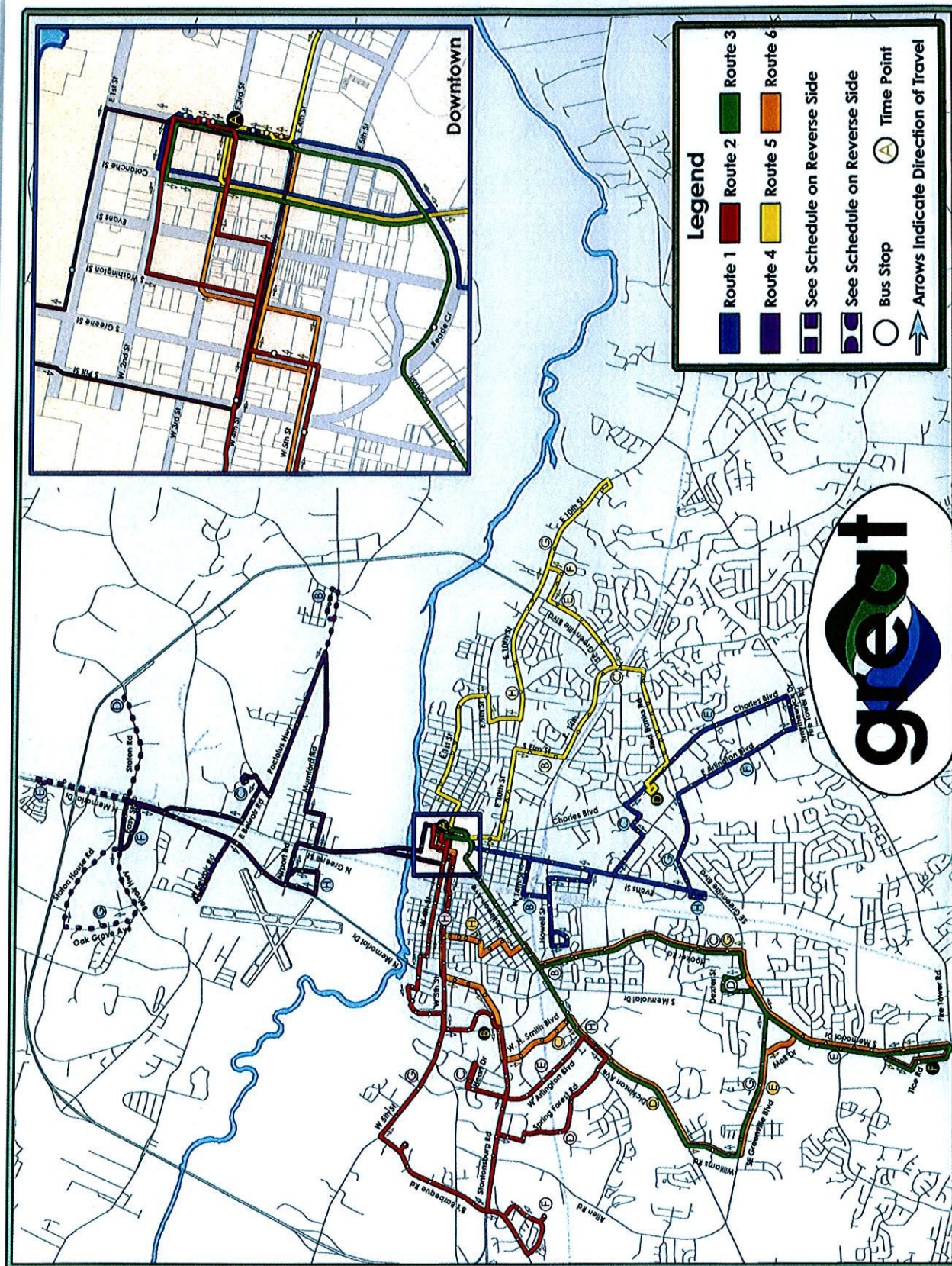
Legend

-  Oak Grove Estates Boundary
-  City Owned Property (February 2011)



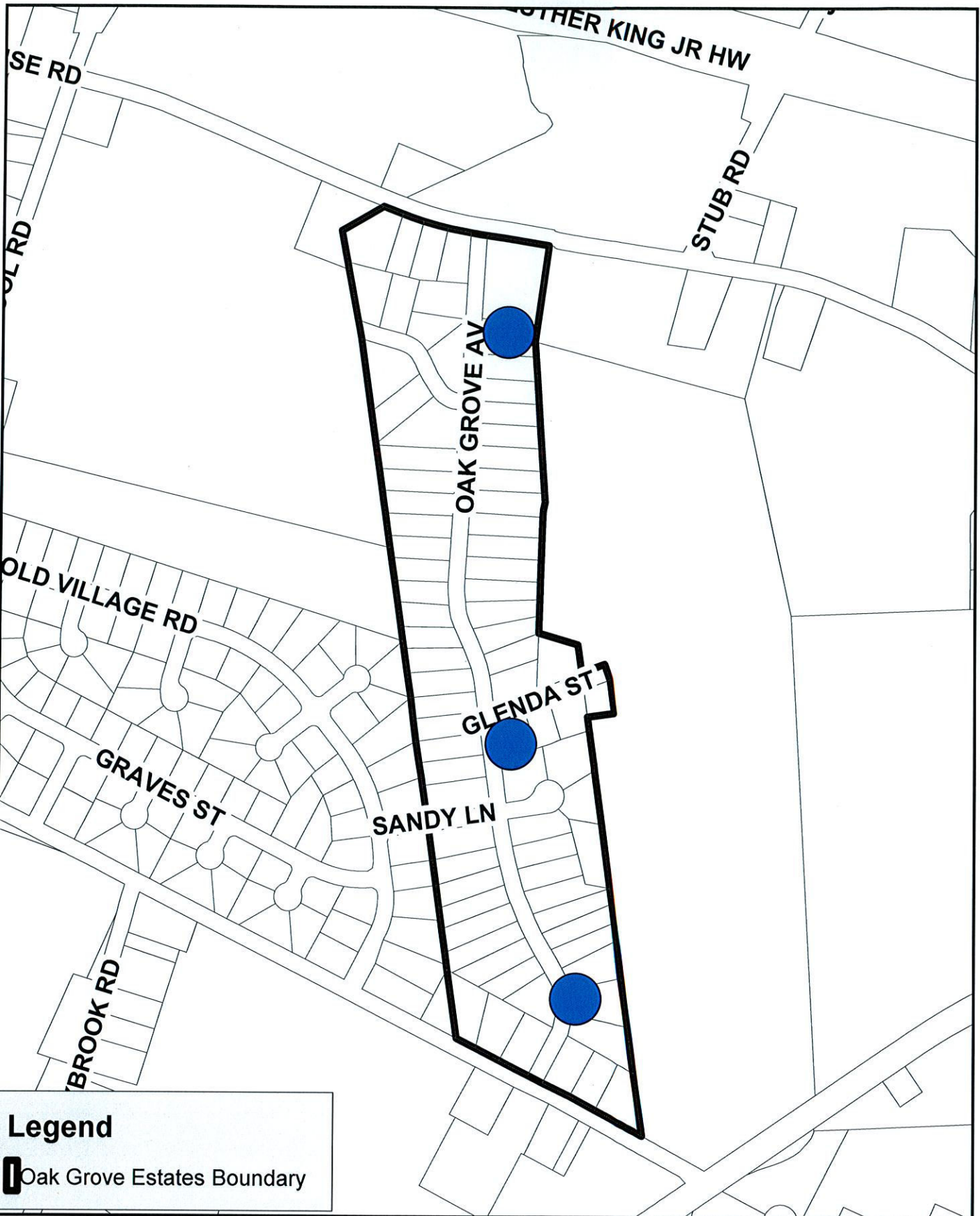
Map 30: GREAT Bus Routes (city-wide)

September 23, 2013



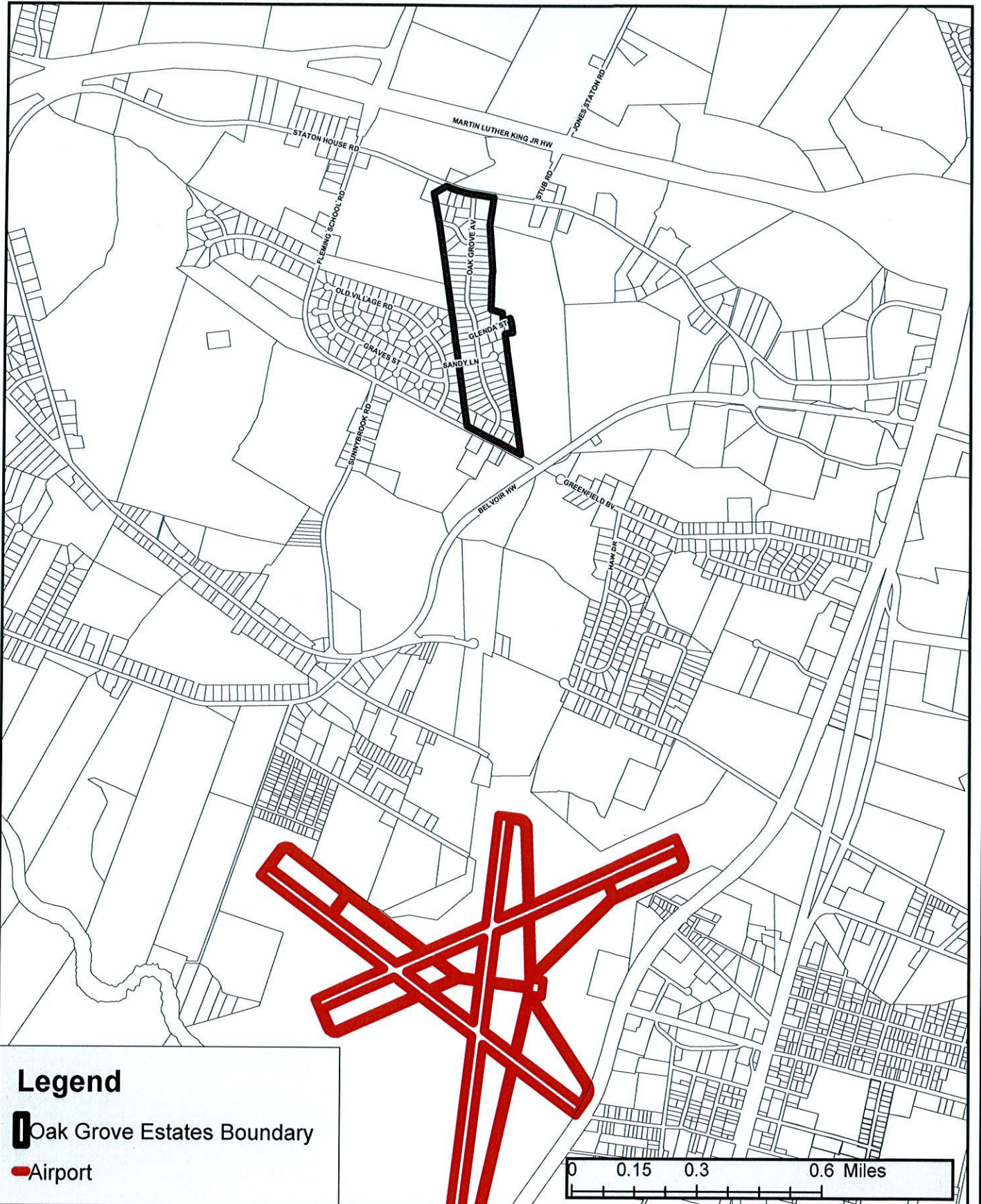
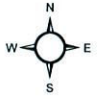
Map 31: GREAT Bus Stops (in the neighborhood)

September 23, 2013





Map 32: Airport

September 23, 2013



Legend

-  Oak Grove Estates Boundary
-  Airport



Oak Grove Estates Questionnaire



1. What is your overall satisfaction level with the following neighborhood issues:

	5 - very satisfied	4 - satisfied	3 - unsatisfied	2 - no interest	1 - N/A or unable to answer	Rating Count
Convenience to retail shopping	15.4% (2)	15.4% (2)	69.2% (9)	0.0% (0)	0.0% (0)	13
Convenience to personal services (daycare, etc.)	0.0% (0)	38.5% (5)	15.4% (2)	7.7% (1)	38.5% (5)	13
Convenience to place of employment	15.4% (2)	23.1% (3)	15.4% (2)	15.4% (2)	30.8% (4)	13
Accessibility to and from the neighborhood (turning movements and wait times)	7.7% (1)	76.9% (10)	7.7% (1)	0.0% (0)	7.7% (1)	13
Neighborhood appearance (curb appeal, style and character of homes)	7.7% (1)	46.2% (6)	46.2% (6)	0.0% (0)	0.0% (0)	13
Neighborhood identification (sense of place)	8.3% (1)	50.0% (6)	16.7% (2)	0.0% (0)	25.0% (3)	12
Neighborhood organization (home owners' association effectiveness)	0.0% (0)	7.7% (1)	46.2% (6)	7.7% (1)	38.5% (5)	13
Number of rental properties (percent of rental dwellings)	0.0% (0)	28.6% (4)	14.3% (2)	0.0% (0)	57.1% (8)	14
Condition of rental properties	0.0% (0)	16.7% (2)	25.0% (3)	0.0% (0)	58.3% (7)	12
Sidewalks and pedestrian friendly	14.3% (2)	14.3% (2)	50.0% (7)	7.1% (1)	14.3% (2)	14

Security of investment (anticipated or realized appreciation in home value)	0.0% (0)	28.6% (4)	57.1% (8)	0.0% (0)	14.3% (2)	14
Personal safety (personal and property crime)	7.7% (1)	84.6% (11)	7.7% (1)	0.0% (0)	0.0% (0)	13
External noise (road noise, adjacent incompatible use)	0.0% (0)	61.5% (8)	38.5% (5)	0.0% (0)	0.0% (0)	13
Internal noise (frequent amplified sound and other noise emanating from neighborhood dwellings or adjacent properties)	7.7% (1)	53.8% (7)	30.8% (4)	0.0% (0)	7.7% (1)	13
Streetscape appearance (shoulder maintenance, litter and trash)	8.3% (1)	58.3% (7)	25.0% (3)	0.0% (0)	8.3% (1)	12
Neighborhood lighting quality (street lights, property/building lighting)	7.7% (1)	53.8% (7)	30.8% (4)	0.0% (0)	7.7% (1)	13
Outdoor environmental quality (natural settings, open spaces)	14.3% (2)	50.0% (7)	35.7% (5)	0.0% (0)	0.0% (0)	14
Recreational opportunities within or convenient walking distance of the neighborhood (accessibility to parks, play grounds)	7.7% (1)	53.8% (7)	30.8% (4)	0.0% (0)	7.7% (1)	13
Convenient and accessible on-street parking	7.1% (1)	28.6% (4)	57.1% (8)	0.0% (0)	7.1% (1)	14
Street drainage conditions (neighborhood streets and neighborhood entrances)	0.0% (0)	76.9% (10)	15.4% (2)	7.7% (1)	0.0% (0)	13
	7.1% (1)	28.6% (4)	64.3% (9)	0.0% (0)	0.0% (0)	14

Residential lot drainage conditions (your dwelling)	0.0% (0)	38.5% (5)	61.5% (8)	0.0% (0)	0.0% (0)	13
Neighborhood public street condition and maintenance	0.0% (0)	53.8% (7)	46.2% (6)	0.0% (0)	0.0% (0)	13
Private parking lot condition and maintenance (for apartments, etc.)	0.0% (0)	23.1% (3)	0.0% (0)	7.7% (1)	69.2% (9)	13
Convenient access to public (GREAT) transit system stops	15.4% (2)	69.2% (9)	7.7% (1)	7.7% (1)	0.0% (0)	13
Convenient access to ECU STUDENT transit system stops	0.0% (0)	23.1% (3)	15.4% (2)	7.7% (1)	53.8% (7)	13
Other (please specify)						
						7
answered question						15
skipped question						0

2. My previous address located outside this neighborhood was (check one):

	Response Percent	Response Count
a Greenville in-city neighborhood:	64.3%	9
a Winterville in-city neighborhood	0.0%	0
a Pitt County city other than Greenville or Winterville:	7.1%	1
a Pitt County out-of-city area (rural subdivision or stand alone rural lot)	14.3%	2
a County in North Carolina other than Pitt County:	7.1%	1
a State other than North Carolina:	7.1%	1
a Country other than the United States	0.0%	0
answered question		14
skipped question		1

3. How many years have you lived in this neighborhood? (round up to next highest year. Examples: 6 to 12 months, round to 1 year; 1 year and 6 months = 2 years, etc., less than 6 months = 0)

	Response Percent	Response Count
Less than 1 Year	0.0%	0
1 year to 5 years	6.7%	1
5 years to 15 years	26.7%	4
15 +	66.7%	10
answered question		15
skipped question		0

4. Does your neighborhood have an organized and active Neighborhood Association? (check one)

	Response Percent	Response Count
Yes	6.7%	1
No	93.3%	14
answered question		15
skipped question		0

5. Do you regularly attend meetings of the neighborhood association? (check one)

	Response Percent	Response Count
Yes	0.0%	0
No	100.0%	1
answered question 1		
skipped question 14		

6. Do you plan on moving out of your current neighborhood in the next 1 to 3 years? (check one)

	Response Percent	Response Count
Yes	0.0%	0
No	100.0%	14
answered question 14		
skipped question 1		

7. If yes to previous question, check all that apply (consideration or reasons for moving):

	Response Percent	Response Count
Physical condition of current dwelling	0.0%	0
Need larger dwelling (bedrooms, bathrooms, yard area, etc.)	0.0%	0
Prefer a smaller dwelling/yard (less space, less maintenance)	0.0%	0
Security issues (personal or property crime)	0.0%	0
Quality of life issues (quiet enjoyment, recreational, open spaces, etc...)	0.0%	0
School system issues	0.0%	0
Employment opportunity in another area	0.0%	0
Retirement	0.0%	0
Other (please specify)		0
answered question		0
skipped question		15

8. Occupancy of current dwelling; do you: (check one)

Response	Response Percent	Response Count
----------	------------------	----------------

own the dwelling within which you reside (homeowner)	93.3%	14
--	-------	----

rent (if renter, would you consider purchasing a dwelling in this neighborhood)	6.7%	1
---	------	---

answered question	15
skipped question	0

9. If renting, would you consider purchasing a dwelling in this neighborhood? (check one)

Response	Response Percent	Response Count
----------	------------------	----------------

Yes	100.0%	1
-----	--------	---

No	0.0%	0
----	------	---

answered question	1
skipped question	14

10. Do you have any of these problems at your current dwelling? (check all that apply)

	Response Percent	Response Count
Frequent poor yard drainage	66.7%	6
Leaking roof	11.1%	1
Electrical system problems	22.2%	2
Cooling system problems	22.2%	2
Heating system problems	11.1%	1
Plumbing system problems	11.1%	1
Foundation or structural problems	22.2%	2
Other (please specify)		2
answered question		9
skipped question		6

11. How do you view your current neighborhood condition?

	Response Percent	Response Count
declining	13.3%	2
some improvement	6.7%	1
stable	60.0%	9
substantial improvement	13.3%	2
excellent	6.7%	1

answered question	15
skipped question	0

12. Please check the appropriate age range for the person(s) completing this survey.

	Response Percent	Response Count
Under 18 years old	0.0%	0
18 – 25 years old	0.0%	0
25 – 45 years old	13.3%	2
45 – 60 years old	26.7%	4
60 and over	66.7%	10

answered question	15
skipped question	0

13. Which of the following best describes your household? Family = 2 or more adults living together (married couple, roommates, etc...)

	Response Percent	Response Count
Single occupant (an adult living alone)	40.0%	6
Family with no children in the household	40.0%	6
Family with a young child(ren) (infant – 13 years old)	6.7%	1
Family with an older child(ren) (14 – 18 years old)	20.0%	3
answered question		15
skipped question		0

Page 1, Q1. What is your overall satisfaction level with the following neighborhood issues:

1	Convenient access to public (GREAT) transit system stops: Not shelter when rain/cold	Jul 25, 2013 9:37 AM
2	Need to keep their property more updated (paint, roofing, lawn)	Jul 25, 2013 9:30 AM
3	Need park rec for the neighborhood. Residents need to stop test driving their vehicles in the block!! Sometimes they drive 50+ miles PH in the block. Neighbors need to stop playing loud music in their vehicles while washing & waxing & cleaning them!!	Jul 25, 2013 9:26 AM
4	Need trees removed off property, no HUD Renters	Jul 25, 2013 9:16 AM
5	Teens hanging on corner problem near and on my lot	Jul 25, 2013 9:14 AM
6	We would love to see Oak Grove improve in an overall manner. A sign on the Staton House Rd entrance would be great. We also need some speed bumps vehicles come through here as if it was the highway. Also the condition of Staton House Road is ridiculous. I would not be surprised to find that the road was at least partially responsible for my back problems. Oak Grove can be a great place to live and we welcome any interest and or help we can get.	Jul 25, 2013 8:52 AM
7	As far as I can see some neighbors keep their trash cans out at the front all week and their surroundings disgusted with all the children toys laying around.	Jul 25, 2013 8:46 AM

Page 9, Q10. Do you have any of these problems at your current dwelling? (check all that apply)

1	Plumbing System Problems: hot water need kitchen	Jul 25, 2013 9:15 AM
2	All is well, thankfully.	Jul 16, 2013 9:17 AM



City of Greenville, North Carolina

Meeting Date: 11/7/2013
Time: 7:00 PM

Title of Item: Resolution authorizing the conveyance of City-owned property located at 801 Fleming Street and 605 Sheppard Street

Explanation: **Abstract:** The City owns several buildable parcels within the West Greenville Redevelopment Area. The Greenville Housing and Development Corporation (GHDC) approached the City about building affordable, single-family homes on two (2) City-owned parcels.

Explanation: This is a request to convey two (2) City-owned single-family lots located at 801 Fleming Street, Pitt County parcel #10823, and 605 Sheppard Street, Pitt County parcel #04432 (after lot recombination), to the Greenville Housing and Development Corporation. These are both vacant lots and are currently being underutilized. The GHDC wishes to construct affordable, single-family homes on these parcels. The current tax values of the vacant lots are \$6,815 (Fleming) and \$4,800 (Sheppard) respectively.

The GHDC intends to use its own resources and funding to construct the new homes. Moreover, they will be carrying out a documented City primary objective within the West Greenville Redevelopment Area. North Carolina General Statute 160A-279 authorizes the City to convey real property by private sale to a public entity or a private entity carrying out a public purpose.

Developing partnerships is a primary objective for the Housing Division, as noted in the most recent 2013-2018 Consolidated Plan. These partnerships with area housing providers will allow the City to leverage additional dollars, share resources and expertise, and develop programs that will truly benefit the community.

The City has partnered with the Greenville Housing and Development Corporation on several occasions. Most recently, the partnership has produced a homeowner at 602 Contentnea Street and the identification of a homeowner for the City-owned property at 605 Hudson Street.

Fiscal Note: None.

Recommendation: Adopt the resolution authorizing the conveyance of 801 Fleming Street, Pitt County parcel #10823, and 605 Sheppard Street, Pitt County parcel #04432 (after lot recombination), to the Greenville Housing and Development Corporation to develop two (2) affordable single-family homes.

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

Attachments / click to download

 [Resolution to sale city owned property 964100](#)

RESOLUTION NO. 13-____
RESOLUTION AUTHORIZING THE CONVEYANCE OF PROPERTY
LOCATED AT 801 FLEMING STREET AND 605 SHEPPARD STREET

WHEREAS, the City of Greenville recognizes the importance of affordable housing for low to moderate income families;

WHEREAS, the City of Greenville is authorized pursuant to North Carolina General Statute 160A-279 to convey property to a non-profit entity for affordable housing purposes as permitted by North Carolina General Statutes 160A-279-456(b) and 157-9;

WHEREAS, the City Council, during the November 7, 2013, meeting, heard a request to convey the property located at 801 Fleming Street and 605 Sheppard Street to the Greenville Housing and Development Corporation, for the purpose of developing affordable, single-family homes for low to moderate income families;

WHEREAS, a condition of the conveyance will be that the homes must remain affordable for a period of twenty (20) years with authorization to charge no more than fair market rent established by the Department of Housing and Urban Development;

WHEREAS, a condition of the conveyance will be that 605 Sheppard Street will be subdivided and recombined prior to Greenville Housing and Development Corporation taking ownership of the property;

WHEREAS, North Carolina General Statute 160A-279 authorizes a conveyance of property to Greenville Housing and Development Corporation for affordable housing purposes as permitted by North Carolina General Statutes 160A-456 (b) and 157-9;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Greenville that it does hereby authorize the conveyance of property consisting of tax parcel #10823 located at 801 Fleming Street and tax parcel #04432 at 605 Sheppard Street to Greenville Housing and Development Corporation with the condition that the use of the property is limited to affordable housing for low to moderate income families, and with the condition that 605 Sheppard Street will be subdivided and recombined prior to Greenville Housing and Development Corporation taking ownership of the property.

BE IT FURTHER RESOLVED by the City Council of the City of Greenville that the said conveyance occur by private sale for the consideration of the use of the property which is consistent with aforementioned conditions and to be accomplished by a deed executed by the Mayor and City Clerk.

This the 7th day of November, 2013.

Allen M. Thomas, Mayor

ATTEST:

Carol L Barwick, City Clerk



City of Greenville, North Carolina

Meeting Date: 11/7/2013
Time: 7:00 PM

Title of Item: Ordinance directing the enforcement officer to abate the Nonresidential Building or Structure Code violation located at 408 Hudson Street

Explanation: **Abstract:** This item is a request to abate violations found at 408 Hudson Street under the provisions of the Nonresidential Building or Structure ordinance.

Explanation: The nonresidential building at 408 Hudson Street was found to be non-compliant with the Nonresidential Building or Structure Code for the City of Greenville. The violations result from roof structure deterioration. The roof is comprised of a main "A" frame roof with large "A" frame dormers centered on each side of the main roof. The main roof is sagging, causing the dormers on each side to lean inward. The structural instability of this has also caused the gable end walls under the dormers to lean inward and has separated the brick veneer from the structural wall. This has also affected the large windows within the gable framed walls. The north side area affected is adjacent to a public sidewalk and street, while the southern wall affected faces a small parking area that is unsecured. Should either (or both) walls fall as a result of the roof collapsing inward, large sections of brick and framing materials would fall into the public way. This constitutes a major safety concern.

The initial Notice of Violation and hearing was sent by certified mail on January 14, 2013, to the property owner(s), The Living Word Redemption Center, Inc. (c/o Richard F. Moore, Jr.), informing the owner(s) of the nonresidential structure violations cited by the Enforcement Officer. A hearing was held on January 31, 2013; however, no one appeared for the hearing. Contact was later made with Mr. Moore, and he was notified of the violations and of the remedies necessary to bring the structure into compliance.

Since the initial contact with Mr. Moore, a number of phone conversations have taken place where he has been informed of the need to provide specific information to our office. The most recent conversation took place on October 29, 2013, at which time Mr. Moore informed Les Everett, Chief Building Inspector, that he had contracted with RPA Engineering (specifically Mark Roy)

to perform an assessment of the structure and to prepare construction drawings outlining the repair needs. Mr. Everett later contacted Mr. Roy and was advised that the assessment has been performed and the plans are being prepared. Mr. Roy confirmed that the assessment revealed that the roof structure in question must be removed along with wall framing that has been affected. From the description, repair estimates could exceed staff estimates included below. In addition to the past communications, the Inspections Division has had ownership inquiries from a few interested parties in an effort to purchase the property. The Inspections Division has had no further follow-up regarding those ventures.

Pursuant to the enforcement action of the Nonresidential Building or Structure Code for the City of Greenville, the owner has not performed measures needed to repair the structure located at 408 Hudson Street within the time established by the enforcement officer.

The current tax value on the property is \$150,032 (the building value is \$145,432 and the land value is \$4,600). The estimated cost to repair the property exceeds \$150,000. Since the cost of repairs is more than 50% of the cost of the building, as specified in the ordinance, demolition abatement by the City is the only option if the owner does not take corrective action.

Fiscal Note:

Staff estimates the costs to repair this structure would exceed \$150,000. The estimated cost to abate the violations by means of demolition is \$30,000 - \$40,000 (not including any asbestos inspections or abatement). The cost of the abatement shall constitute a lien against the property upon which the cost was incurred. The lien shall be filed, have the same priority, and be collected in the same manner as the lien for special assessment established by Article 10 of Chapter 160A of the North Carolina General Statutes.

Recommendation:

Approve the ordinance allowing the City to abate the nonresidential structure violations at 408 Hudson Street by means of demolition due to structural issues that could cause hazards to adjacent right-of-ways and/or structures.

City staff is willing to work with the owner but recommends that in order to avoid demolition action by the City the owner must take immediate action within 30 days following the approval of the attached resolution that would begin with submission of construction drawings by RPA Engineering, then obtaining required building permits and performing repairs as a result of the assessment.

Attachments / click to download

-  [408 Hudson 1](#)
 -  [408 Hudson 2](#)
 -  [408 Hudson 3](#)
 -  [408 Hudson 4](#)
 -  [408_Hudson_Ordinance_959331](#)
-

ORDINANCE NO. 13-
ORDINANCE DIRECTING THE ENFORCEMENT OFFICER TO
REMOVE OR DEMOLISH THE NONRESIDENTIAL BUILDING OR STRUCTURE
LOCATED AT 408 HUDSON STREET, PARCEL #26952

WHEREAS, pursuant to the enforcement of the Nonresidential Building or Structure Code contained in Article G of Chapter 1 of Title 9 of the Code of the City of Greenville, North Carolina, as authorized by the provisions of North Carolina General Statute 160A-439, the owner of the nonresidential building or structure described below has failed to comply with an Order to either (i) repair, alter or improve the nonresidential building or structure to bring it into compliance with the minimum standards established by the Nonresidential Building or Structure Code or (ii) remove or demolish the nonresidential building or structure;

WHEREAS, the City Council of the City of Greenville does hereby find and determine that the owner of the nonresidential building or structure described below has been given a reasonable opportunity to bring the nonresidential building or structure in conformity with the minimum standards established by the Nonresidential Building or Structure Code contained in Section 9-1-125 of the Code of the City of Greenville, North Carolina; and

WHEREAS, North Carolina General Statute 160A-439(f) and Section 9-1-129(d), of the Code of the City of Greenville, North Carolina, empower the City Council of the City of Greenville to enact this ordinance to authorize and direct the Enforcement Officer to remove or demolish a nonresidential building or structure when the owner has failed to comply with an Order of the Enforcement Officer issued pursuant to the provisions of the Nonresidential Building or Structure Code;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Greenville that:

Section 1. The Enforcement Officer is hereby authorized and directed to proceed to demolish and remove the nonresidential building or structure located at 408 Hudson Street in the City of Greenville, North Carolina, and owned by The Living Word Redemption Center, Inc. The real property upon which such nonresidential building or structure is located being described as follows:

Being the property described in the Deed dated April 21, 2005, and recorded in Book 1897, at page 807 in the Office of the Register of Deeds of Pitt County, said description being herein incorporated by reference.

Section 2. The cost of demolition and removal shall constitute a lien against the real property described above. The lien shall be filed, have the same priority, and be enforced and the costs collected in the same manner as the lien for special assessment established by Article 10 of Chapter 160A of the North Carolina General Statutes. The amount of the costs shall also be a lien on any other real property of the owner located within the corporate limits of the City of

Greenville except for the owner's primary residence, said additional lien to be inferior to all prior liens and shall be collected as a money judgment.

Section 3. Any recoverable materials of the building or structure demolished or removed and any personal property, fixtures, or appurtenances found in or attached to the building or structure shall be offered for sale by the Enforcement Officer and the proceeds shall be credited against the cost of removal or demolition and any balance remaining shall be deposited in superior court where it shall be secured and disbursed in the manner provided by North Carolina General Statute 160A-439 (i)(3).

Section 4. This ordinance shall be recorded in the Office of the Register of Deeds of Pitt County and shall be indexed in the name of the property owner in the grantor index.

Section 5. This ordinance shall become effective upon its adoption.

Adopted this the 7th day of November, 2013.

Allen M. Thomas, Mayor

ATTEST:

Carol L. Barwick, City Clerk





Item # 19





Food Pantry Ministry
LWRC



City of Greenville, North Carolina

Meeting Date: 11/7/2013
Time: 7:00 PM

-
- Title of Item:** Presentations by Boards and Commissions
- a. Public Transportation and Parking Commission
- Explanation:** The Public Transportation and Parking Commission will make their annual presentation to City Council at the November 7, 2013, City Council meeting.
- Fiscal Note:** N/A
- Recommendation:** Hear the presentation from the Public Transportation and Parking Commission.
-

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Attachments / click to download



City of Greenville, North Carolina

Meeting Date: 11/7/2013
Time: 7:00 PM

Title of Item: Contract with Brian Wishneff & Associates for the Dickinson Avenue Market and Planning Study

Explanation: **Abstract:** A goal of the Greenville City Council is to make transportation gateways and commercial corridors more attractive and accessible. In pursuance of that goal, the City intends to complete a commercial corridor study that includes Dickinson Avenue. After a highly competitive procurement process, staff has selected a team headed by Brian Wishneff & Associates to complete a planning and market study of an area bisected by Dickinson Avenue.

Explanation: City Council's Economic Development goal #10 is to make transportation gateways and commercial corridors more attractive and accessible. The Redevelopment Commission sought a highly experienced and creative team to complete a market-based revitalization study of the Dickinson Avenue corridor between Reade Circle and 14th Street, which bisects and anchors the city's "warehouse district" within the West Greenville Redevelopment Area. The study area includes the newly constructed Federal Bankruptcy Courthouse, the Imperial Tobacco Warehouse site, the site of the future Greenville Transportation Activity Center (GTAC), two National Register Historic Districts, and a cluster of State of North Carolina owned properties within ECU's Warehouse District (ECU Master Plan 2012). The future 10th Street Connector also traverses the study area. Therefore, it is critical that the City maximize its opportunities in this area in ways that are economically and environmentally viable, while preserving and capitalizing on its unique character.

After a very competitive procurement process, staff selected a highly qualified team to complete the study. Staff recommends that City Council approve selection of that team, which is headed by Brian Wishneff & Associates, a firm that has been instrumental in the completion of numerous major catalytic public-private redevelopment projects throughout the mid-Atlantic, including the Imperial Center in Rocky Mount. The team also includes Ayers/Saint/Gross, an internationally respected urban design firm that has a great track record working in "town and gown" contexts; Partners for Economic Solutions, a real estate, economics, and market analysis firm with an outstanding reputation for

analytical excellence; and Hanbury Evans Wright Vlattas & Company, one of the leading architecture firms that specialize in historic preservation planning.

The scope of services for this project (Attachment A) includes a master plan and urban design framework for the study area; a market and economic study that analyzes the potential of the area to support new Office, Technology, and Institutional Uses as well as Residential Uses; and a strategic action plan for implementing key redevelopment and/or economic development projects. The study will recommend strategies and action steps to support public/private investment in ECU's "Warehouse District," such as creation of a technology transfer facility in the Haney Warehouse; it will recommend a conceptual vision and transportation improvements in relation to the GTAC; and assess the feasibility of economic development opportunities (e.g., advanced manufacturing uses at the Imperial tobacco site), as well as provide guidelines for historically-appropriate redevelopment and adaptive reuse of historic properties in ways that preserve the character of the area and leverage private investment in this future destination district.

This project involves a multi-disciplinary study and evaluation of the Dickinson Avenue corridor and surrounding areas which includes privately held properties and the proposed Millennial Campus for East Carolina University. The University has been a partner in the recommendation of the consultant because university owned properties are in the study area and there are possibilities for creating additional public/private project partnerships. The proposed study will include the completion of a land use study, economic analysis, financial feasibility study and development of a marketing program for the entire study area.

Although completion of one of the individual elements might be less expensive, staff recommends that a comprehensive approach be employed with this study in order to provide the City and project partners such as East Carolina University with a realistic and implementable plan for the area. In addition to the funds provided in the FY 2013-2014 City budget, funds totaling \$70,000 have been allocated from the Redevelopment Commission FY 2013-2014 budget and the Brownfield Assessment Grant program.

Fiscal Note:

The project team, headed by Wishneff & Associates, has agreed to complete all of the services described in Attachment A for a fee not to exceed \$220,000. Funding for this project has been allocated in the FY2013-2014 City budget (\$150,000) with additional funding coming from the Redevelopment Commission and a Brownfield Assessment Grant.

Recommendation:

Authorize the City Manager to enter into a services contract with Brian Wishneff & Associates in an amount not to exceed \$220,000.

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Attachments / click to download

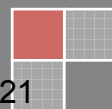
 [SOQ](#)

 [Dickinson Ave. Study Scope](#)

Dickinson Avenue RFQ

City of Greenville

A joint collaboration between Brian Wishneff & Associates, Ayers/Saint/Gross Architects, Hanbury Evans Wright Vlattas & Company, and Partners for Economic Solutions



Brian Wishneff & Associates

Mr. Carl Rees
City of Greenville
Office of Economic Development

Dear Carl,

Thank you for the opportunity to respond to the RFQ issued by the City of Greenville for the Dickinson Avenue Corridor Market and Planning Study. We believe our team and its broad array of relevant experience will be well-positioned to conduct a study that will guide the successful redevelopment of the Dickinson Avenue Corridor in Greenville.

For this project, we plan to leverage the experience and expertise of each member of our team which includes Brian Wishneff & Associates, Ayers/Saint/Gross Architects, Hanbury Evans Wright Vlattas & Company, and Partners for Economic Solutions. Each member of our team brings a unique perspective and skill set to this project and in combination can provide the total solution for the study of the Dickinson Avenue Corridor.

Our team has extensive experience developing plans, businesses and projects that are relevant to the City's request. We have been involved in numerous large-scale redevelopment efforts throughout the United States. Further, our involvement has included working with governmental, non-profit and for-profit entities which has provided us experience with a wide variety of projects and project sponsors. Because of this experience, we structure our projects from day one in a way that not only works for our team but achieves our client's objectives. We plan to engage the public and relevant stakeholders to ensure that we develop a plan that not only makes sense but will have support from the broader community.

Although our team has a national footprint, we have done extensive work in small to mid-sized communities in North Carolina and Virginia including Rocky Mount, Greensboro, Norfolk, Culpeper, Clarke County, Danville, South Boston and Roanoke. As a result we understand both the opportunities and constraints for real estate projects and businesses in these types of localities, given that we have been able to implement a number of challenging yet successful projects within the confines of smaller community markets similar to Greenville.

Given that we will share responsibilities among team members, we believe that we have sufficient personnel to dedicate to this project to ensure a positive result. Input from the entire team would be provided throughout the life of the project.

For questions related to this proposal, please contact Brian Wishneff at 540-982-1317.

Warm Regards,



Brian Wishneff

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Consultant Background

Information for BW&A and the entire team is included in the following pages.

Brian Wishneff & Associates

Since 1995, Brian Wishneff & Associates (BW&A) has provided a variety of consulting services to clients throughout the United States. A significant amount of our recent work has focused on assisting both tax-exempt entities and for-profit developers take advantage of various tax credits and other financial incentives to help fund their real estate projects and business expansion. BW&A staff also has over 60 years of combined experience in economic development. We have played a number of roles in successful redevelopment efforts including providing market analysis, building/site redevelopment feasibility, incentive creation, project finance consulting, fee and owner development and site selection work. BW&A has helped numerous clients identify, negotiate and close on various public-private partnerships that involved large scale redevelopment. Using our vast experience, BW&A can assist the city of Greenville in structuring a partnership that will produce a positive result for all involved. In creating these partnerships, we hope to add economic value to both partners, provide the public partner the ability to implement public policy and provide enhanced benefits to the community.

In addition to the economic development work, BW&A has focused on tax credit enhanced real estate financing and development. This can be done by monetizing federal or state tax credits through sale or transfer of tax credits to private investors. This process is called "tax credit syndication". Our work typically involves the legal and financial structuring, securing, and syndication of Historic tax credits, New Markets tax credits, Renewable Energy tax credits, and other various tax credits on federal and state levels.

The firm is currently led by Brian Wishneff and employs seven people with headquarters in Roanoke, VA and a satellite office in Washington, DC. Brian Wishneff has over 30 years of development experience in a wide variety of public and private sector jobs. During the past 18 years, he has been President of Brian Wishneff & Associates. In this role, he serves as a national consultant and developer on projects that use many different state and federal tax credit programs. Prior to serving as President of BW&A, Brian was Chief of Economic Development for Roanoke, Virginia for 14 years. He has been involved in over \$2,000,000,000 of development projects many of which involved targeted redevelopment efforts.

For projects of this nature, the firm tends to take an all hands on deck approach and will leverage the skills of all of our team members to see the project come to fruition. We anticipate dedicating two full time employees to this project and having the rest of the team provide input at all necessary steps along the way.

Team Experience

BW&A has helped numerous public and private clients lead both small and large-scale redevelopment efforts often involving challenging circumstances that require a creative approach to achieve success. Below are a select few projects highlighting past successes of our firm.

The Imperial Centre for the Arts & Sciences (Rocky Mount, North Carolina)

This 140,000 sq. ft. project, located in the heart of downtown Rocky Mount involved the conversion of a former Imperial Tobacco Plant that had been vacant for many years into a children's museum and art center. BW&A, acting as fee developer for this \$37mm project, was able to overcome a number of challenges including a hurricane that damaged the building during construction.



Our firm was initially hired to do a feasibility study for the project. Once that study was completed, BW&A provided a comprehensive solution for project completion including producing operating budgets, leasing space, financing management, design and construction. Funding for this project consisted of a City bond issuance, historic and new market tax credits, a FEMA grant and private fundraising. This was the first time some of these sources of funding were combined for this type of redevelopment project in North Carolina and making the various requirements mesh with one another required significant work and coordination between parties which BW&A oversaw.

Project Contact:

Our primary contact for this project was Peter Varney, Assistant City Manager, City of Rocky Mount, NC. Peter has since retired from the City. Charles Penny, whose contact information is below, also had interaction with our firm on this project.

Charles Penny
City Manager
City of Rocky Mount, NC
Telephone: 252-972-1325
Email: charles.penny@rockymountnc.gov

Warehouse Row (Roanoke, Virginia)



Warehouse Row began as a block of empty historic buildings in downtown Roanoke that the City had targeted for redevelopment as a combination technology-based companies and a related incubator. The City purchased the largest building in middle of this block in hopes they could develop it as an incubator/high tech building. The project, however, stalled after this purchase and the local economic development group hired BW&A to do a feasibility study. We developed a plan that included how best to use the building. BW&A then proceeded to prelease the building and develop a financing plan which included use of historic tax credits. BW&A oversaw the entire planning and construction of this \$2.7M project. Today the building is fully leased and has been a catalyst for the rest of the block which has since been redeveloped as a combination of office space and residences.

Project Contact:

David Bowers
Mayor of the City of Roanoke, VA
Telephone: 540-915-8420

Montgomery County National Parks & Planning Commission (Montgomery County, Maryland)

BW&A was engaged by Montgomery County, Maryland in 2012 to evaluate a group of ten historic buildings to determine their highest and best use. The buildings were owned by the County and many of them had been vacant for a number of years. The study involved an analysis of each building in terms of zoning, environmental, layout and construction related challenges, compatibility with surrounding properties and the potential utilization of financing incentives including tax credits. The study included hypothetical uses and an estimate of financial incentives based upon such uses. The study also recommended several potential paths forward to facilitate the redevelopment of these long-vacant buildings.



Project Contact: David Tobin
Manager, Community Partnerships
Public Affairs & Community Partnerships Division
Montgomery Parks
Maryland - National Capital Park and Planning Commission
9500 Brunett Avenue
Silver Spring, Maryland 20901
office (301) 495-2478
cell (240) 338-0072



Roanoke Higher Education Center (Roanoke, Virginia)

BW&A was engaged for this \$19.2mm project when it was simply an idea. As a result, we had to create every aspect of the higher education center from scratch. There had been some broad discussions when this building was donated to the City of Roanoke that it would be used for higher education. However, the project failed to move forward. This work initially included the drafting of business and feasibility plans. We had to negotiate and structure every aspect of the project from drafting rules on the role of the Higher Education Authority which required specific legislative approval from the Virginia General Assembly with our higher education partners to negotiating and securing leases with 16 different public and private colleges who would ultimately be the project tenants. Once the Authority was created, BW&A served as its interim executive director for two years. During that

time, our firm produced a variety of budget and use estimates. We implemented every aspect of the project including overseeing all aspects of design and construction of the headquarters pictured above to recruiting a permanent executive director. We also put together the entire financing package for the project which included public funded as well as Federal and Virginia historic tax credits. The Center has been so successful that it has since expanded from its original building into two additional buildings which now includes a Culinary School. This project gave us extensive experience in both building a successful venture from the conceptual stage through completion as well as working with numerous colleges and universities.

The Roanoke Higher Education Center now has 16 academic and training institutions for workforce training. These organizations include: Averett College, Blue Ridge Technical Academy, College of Health Sciences, Ferrum College, Hampton University, Hollins University, Mary Baldwin College, Old Dominion University, Radford University, Roanoke College, Total Action Against Poverty, University of Virginia, Virginia Tech, Virginia Western Community College, Bluefield College and the Fifth District Employment & Training Consortium.

Project Contact:

State Senator John Edwards (chaired Roanoke Higher Education Authority Board at time the project was implemented)
540-985-8625

Project Approach

Our team plans to utilize our respective expertise and strengths to jointly complete the project. Each firm will play a specific role and handle project responsibilities as necessary for successful completion of the project. Much of the analysis will begin with Partners for Economic Solutions (PES) analyzing market potentials for land uses appropriate to the corridor. At the same time, Ayers, Saint & Gross will begin an analysis of the entire corridor and the opportunities and challenges presented in terms of existing and proposed land uses as well as parking, transportation and infrastructure. Hanbury, Evans, Wright, Vlattas & Company (Hanbury Evans) will then analyze the historic and environmental resources that exist within the corridor and evaluate how they may play into future development. Once this analysis is completed, BW&A will aggregate this information and development priorities for public expenditures, identify and evaluate existing and future financial incentives to leverage private investment and identify specific redevelopment projects that will be key to the successful redevelopment.

PES's initial market analysis will include the following steps:

- define the market area that would be served by businesses in the corridor;
- analyze demographic and economic trends;
- estimate expenditure potential among market area residents;
- evaluate existing and planned competitive developments;
- project potential demand;
- evaluate the corridor's ability to compete for future development; and
- determine the corridor's potential by use in terms of square feet of space, hotel rooms or units by type by five-year period along with supportable prices and rents.

Particular attention will be given to linking the corridor to East Carolina University (ECU) and the Medical District and the development potential that could be tapped via a public/private technology transfer campus and/or a certified advanced manufacturing park. PES will meet with members of the ECU leadership to explore the areas and depth of research activity that could lead to commercialization in the Dickinson Avenue corridor.

PES will identify conditions that must be in place to support the market projections and recommend strategies to enhance development potential and remove barriers to private investment. These could include land assemblage, financial support, partnerships with ECU and other local institutions, creation of incubator facilities, public space investments, rehabilitation or demolition of existing buildings, and/or transportation improvements.

Ayers Saint Gross (ASG) will work to develop the master plan for the project which will encompass an analysis of transportation, infrastructure and parking challenges and opportunities. Their planning studio develops long-rang strategies for the growth and transformation of physical settings. This work includes planning for colleges, universities, museums, visitor centers, nature parks, zoos, towns, and cities. Common to all of their projects is a belief that no single issue can be considered in isolation. They strive to inter-relate building, infrastructure, open spaces, transit, site ecology, and stormwater management. Their process is driven by consensus-building, collaboration, and a respect for local culture, climate, and place. Their plans act as roadmaps for clients, allowing their physical settings to grow more useful and beautiful over time.

With 140 employees, they are an internationally recognized practice leader in planning, having completed plans for over 200 towns, colleges, and universities in the US and abroad.

Collaboration and consensus are hallmarks of their process. They begin all of their planning efforts with a period of observation, listening and inquiry in an effort to develop a common vocabulary between your constituencies and the design team. Most of their on-campus work is conducted during intensive workshops. During each, their team will engage your team in dialogue, fact finding and decision making. Each workshop spans two to three days and includes interview sessions, walking tours and concept development.

They typically propose that their work begin with a kick-off meeting and workshop, during which they will confirm the goals and objectives of the master plan. Through a series of targeted interviews and open forums with you and your stakeholders, we will gather the city's aspirations and opportunities for enhancement. Following this period of observation, they will present summary findings back to the group(s) guiding the master planning effort to ensure that they have met your needs of the corridor correctly as they relate to necessary facilities, growth, circulation, open space, and sustainability.

Building upon these observations, they propose a phase of work to draft planning principles and a conceptual plan. Planning principles guide and inform the intent, direction and priorities of future campus development by stating the institution's philosophical positions that inform long-term aspirations and underpin near-term decision making. Based on the RFQ, one can imagine the principles drafted would be in support of development that creates a campus environment,

Planning principles inform the content and composition of a second tool used in the planning process, the conceptual plan. Like a sketch before a painting, the conceptual plan graphically illustrates the anticipated layout and relationships of open space, circulation, natural systems, buildings and focal points that will be fleshed out in the final master plan. Combined, the planning principles and conceptual plan establish a foundation for discussion and exploration through the remaining planning process.

As scenarios are tested and refined, a singular draft plan will emerge. Through close work between their team and key personnel at the city, they will develop detailed phasing and implementation sequences to ensure that a broad, long-term vision for the corridor is implementable in near-term and interim steps.

The resulting final plan and supporting documentation will provide a flexible framework and guide for how your site might develop over the next twenty years.

As important to a successful planning effort are strategic public communications. ASG believes that a multi-tiered approach to public participation is key to the success of the plan. To begin the engagement, we will convene a kickoff meeting to focus on communications and public outreach, and will involve all members of the city staff and other internal stakeholders whose input is critical to the project.

From the outset, interviews and meetings with key stakeholders will help ASG gain a better understanding of the issues surrounding the project and cultivate a strong working relationship with stakeholders. An advisory group, consisting of influential community members, will be formed to help determine the format and approach of the public workshops that will best capture feedback from the Greenville community. Their team could meet with the advisory group monthly to share preliminary findings and key takeaways from each of the public workshops.

Public workshops are a great opportunity to present key information, discuss project objectives, listen and learn about the community's needs and concerns, and consider its recommendations. ASG is proposing a number of public meetings. These workshops will be promoted through traditional city communications channels and advertised through social media, project website and community listservs.

A project website could host all plan-related materials, including base maps, diagrams, presentations, project goals and schedule, public workshop dates and, ultimately, the final master plan. Uploading information onto the project website creates a sense of transparency and inclusiveness, and will help to build community trust and foster ownership of the project.

Throughout the engagement, the team will work closely with city staff to provide periodic project updates, and information sessions for the City of Greenville.

Hanbury Evans are leaders in historic preservation. The firm specializes in the programming, planning, and design of projects that build community. The firm takes its role as a steward of historic resources seriously. Their work includes preservation planning, restoration of historic buildings and adaptive use as well as a broader analysis of preferred design standards for historic preservation.

The key components to preservation planning for a historic district are:

1. Identify the resources within the district
2. Establish the historic context
3. Develop strategies for preservation and enhancement of the resources or district

Hanbury Evans Wright Vlattas + Company follows this approach for their preservation planning projects:

1. **Identify the resources within the district.** A field survey, the physical search for and recording of historic resources produces both raw data for each property and an inventory of the resources within the District Boundary. The survey can be at a reconnaissance level, which documents the boundaries, the general character of the area's architecture, the kinds of buildings and structures, and physical data, such as building descriptions. A reconnaissance survey has the potential to identify one or several structures for an intensive survey in which there is sufficient detail to permit their evaluation and registration in the National Register of Historic Places. The survey step is vitally important because it gathers the information needed to plan for the future of the resources and how they contribute to the character of the community.
2. **Establish historic context.** The historic context is the broad pattern of historic development represented by the historic structures and properties. This is important to establish and understand because these patterns are unique to a community, but are often reflected in a broader context of regional or national development. A statement of historic context should be developed during the earliest stages of planning to guide this effort.
3. **Develop strategies for preservation and enhancement of the resources or district.** With a statement of historic context and a survey of the contributing resources, strategies for planning for their use, rehabilitation, and continuing contribution to the community can be developed, which are custom tailored to economic and market forces as well as the actual physical environment. Some examples of strategies include developing guidelines for the rehabilitation of structures that promote the use of Historic Preservation Tax Credits; building on the character of the district and enhancing the district with guidelines and standards for new construction, additions and infill projects so they are compatible with a district; and defining new uses for historic resources that create vibrant districts that spur interest and development opportunities.

Using these three steps together is the key to a successful approach to community preservation planning and has produced successful plans for their clients.

As PES, ASG and Hanbury Evans work to complete their analysis, BW&A will take this information and with the team's assistance make specific recommendations to the City on a path forward. The development strategy will recommend incentives and financing strategies to achieve the market-supportable development. BW&A will play a key role in evaluating the economic feasibility based upon the market analysis generated by PES. This analysis will include potential existing or proposed targeted incentives that could help facilitate this redevelopment. It will also include a specific analysis of particular buildings or lots that are best suited for initial investment and critical to the success of this corridor. Often determining those uses or sites that will serve as a catalyst for other redevelopment is key to initiating redevelopment. Also, with targeted public investments, as development in the corridor gains momentum private investment will increasingly to make up a larger portion of overall capital

expenditures. BW&A has been a part of these long-term redevelopment efforts and as a result believes it can help build that necessary momentum.

BW&A will also assist in the evaluation of the feasibility, financing and development of specific development opportunities including an advanced manufacturing park, a public/private technology transfer campus and passenger rail station among other potential catalytic uses. BW&A has studied the feasibility of a wide range of past projects ranging from industrial/manufacturing parks, cultural and community facilities, higher education centers, hotel & conference centers, recreational amenities such as stadiums or parks, incubators and housing to name a few. Because of this experience, BW&A feels it will not only help determine the best uses for identified sites but also help develop an implementation strategy to ensure projects are successfully carried out.

In addition, as the projects preferred business opportunities are identified and refined, BW&A will continually provide research and analysis on the availability of a variety of funding sources. The funding sources will generally fall into three categories:

- 1) Non-competitive funding sources such as historic tax credits or traditional debt financing that will be available dependent on whether a particular project or business line qualifies.
- 2) Competitive funding sources that may be available for almost any business opportunity that Greenville ultimately elects to pursue.
- 3) Specific funding sources that will only be available should Greenville elect to pursue certain business opportunities.

In addition to project financing, BW&A's broad range of strategic planning services can help Greenville develop long-term, robust, strategies that can help accelerate its transformation of the Dickinson Avenue Corridor. BW&A has extensive experience helping organizations address key aspects of strategic business planning including:

- Taking development concepts and turning them into successful redevelopments/businesses.
- Creating new entities ranging from for-profits to non-profits to quasi-governmental Authorities. These new entities have been used for a diverse array of purposes such as creating a new higher education authority, to facilitating real estate development, to starting cultural and economic development entities.
- Creating business plans and budgets for these new entities.
- Market analysis, which illuminates economic trends, market deficiencies, demographic information and key value drivers for Greenville and the community it serves.
- Scenario analysis, which explores a series of projections based on the market analysis.
- Opportunity identification, which reveals innovative and attractive business opportunities for Greenville.

- Internal analysis, which uncovers distinctive capabilities of Greenville staff and its supporters and determine it's most productive position in the marketplace it serves.
- Strategy formulation, which provides strategic direction designed for the future, taking into account the identified market opportunities, internal capabilities and future financial performance.
- Economic and financial impact analysis
- Financial Budgeting, which predicts future financial performance of a given strategic direction.

Based on this work, BW&A will be able to help Greenville create a plan that will best meet its stated goals.

Every project that our team has worked on has its own set of unique challenges, some of which will be unforeseen, that will need to be overcome during the course of our work. However, given the broad base of relevant experience within our team and the flexibility to adapt to the conditions presented, we believe we are well-positioned to address these challenges as they arise. We will take a creative approach and show a willingness to think outside the box to work around potential issues as they arise. Each of our team members have been involved with projects that had failed on previous attempts and we were able to bring new insight to the project that got them over the hurdles that once seemed insurmountable.

Collectively, we feel that leveraging each other's strengths gives the City of Greenville the best opportunity for successful completion of the project.

BW&A Biographies

Brian Wishneff

President

Education

Virginia Polytechnic & State University, Blacksburg, VA

- M.A., Urban and Regional Planning, 1977
- B.A., Political Science, 1975

Work Experience

Brian Wishneff & Associates

August 1995 - Present

President

- Consulting and Syndication on behalf of project sponsors seeking to utilize a variety of tax credit incentives including federal and state historic, new markets, renewable energy and low-income housing tax credits. To date, BW&A has worked on over 100 tax credit projects involving over \$3 billion of investment and over \$250 million of tax credit equity.
 - Provided fee development and/or project management for a variety of projects including mixed-use developments, large cultural facilities and hotel/conference centers
 - Consulting on governmental and development related issues including:
 - o Public/private development partnership (including oversight of detailed public procurement process for complex development projects)
 - o Downtown planning and development.
 - o Public assembly facility development.
 - o Reuse strategy for existing buildings.
 - o Strategic planning for economic development efforts.
 - o Site location analysis.
 - o Economic impact analysis.
 - o Management of high profile public issues ranging from rezonings to referendums

Cameron Development, Inc.

August 2007 – Present

Partner

- Development or co-development of underutilized buildings in downtown buildings in the Mid-Atlantic. Responsibilities included:
 - o Negotiating purchase of building, determining building use, arranging tax credit and other necessary financing including grants/equity/fundraising/loans, secured tenants, design and construction management.

Virginia Polytechnic & State University

January 1995 – January 1996

Adjunct Professor

- Graduate Program Urban and Regional Planning

Hotel Roanoke Conference Center Commission

May 1993 – January 1996

Acting Director

Responsibilities included:

- Negotiation of all necessary contracts and agreements related to development and operation of the Conference Center (subject to public procurement),
- Oversight of design and construction of new conference center,
- Design of marketing and operations policies for the conference center involving hotel operator, Virginia Tech, and the Roanoke Convention & Visitors Bureau, and
- Creation and oversight of budget and administrative functions of Commission.

City of Roanoke, Virginia

August 1979 – May, 1993

Chief of Economic Development

Responsibilities included:

- Implementation of all City of Roanoke Development efforts to include:

- Business and industry recruitment,
- Site assembly and development,
- Developer recruitment and negotiations,
- Downtown planning and development,
- Government relations and lobbying, and
- Strategic planning and public relations.
- Conduct fiscal impact analysis of potential investments to ensure maintenance of bond ratings

City of Roanoke, Virginia

October 1978 - August 1979

Grant Financial Analyst, Finance Department

City of Norfolk, Virginia

August 1977 - September 1978

Fiscal Monitoring Specialist, Finance Department

Public Service

2004 – 2008 - Roanoke City Councilman

1995 – 2001 - Roanoke City School Board Member

Affiliations/Honors

Governor's Industrial Development Services Advisory Board

- Governor appointed board reviews industrial development services of the state.

Joint Subcommittee of the General Assembly

- Studied the competitiveness of the Commonwealth's economic development programs (1986-89)

Governor's Advisory Council on Small Business (1981-86)

Downtown Roanoke, Inc., Director

Roanoke Valley Convention and Visitors Bureau, Director

Virginia Council on Urban Economic Development, President

10 Outstanding Young Economic Developers (Site Selection magazine, 1987)

Accomplishments

Public Facility Development

- Coordinated development of \$43 million, 332 room hotel and 100,000 square foot conference center.
- Coordinated financing and development of five publicly-owned garages representing over 2,000 spaces.
- Coordinated development of conversion of an empty former high school building into a mixed-use complex.
- Participated in development of \$25 million airport terminal.
- Coordinated financing & development of a multi-modal transit & retail complex.
- Coordinated financing & development of an empty former federal building into a state office complex.

Business and Industrial Park Development

- Assembled land for three City-owned business and industrial parks totaling over 600 acres. Over 450 acres have been sold representing over 4,000 jobs, 2 million square feet of building space and millions of tax dollars
- Arranged financing and sold 72,000 square foot shell building.

Recruitment/New Industry

- Assisted in locating and securing new companies including Elizabeth Arden, Sears Telemarketing Center, Orvis, Inc., Transkrit, Cooper Industries, Blue Cross/Blue Shield, Vitramon, NSW Corporation and Footlevelers.

Existing Industry

- Assisted with expansion of firms such as IBM, BellSouth Communications, United Parcel Service, Advance Auto Parts Stores, Consolidated Coke, Fibercom, Quibell, Tultex, Business Communication Systems, and First Union Bank.

Government Relations

- Initiated and influenced new state and federal legislation to advance economic development in Virginia.
- Obtained various competitive federal and state development related grants in excess of \$40,000,000.

Downtown Planning and Development

- Managed and implemented three downtown master plans which have resulted in over \$500 million in investment.
- Developed a variety of loan programs which have resulted in millions of dollars in building renovations.
- Obtained national historic designation for City Market area in downtown Roanoke
- Assembled and negotiated sale of various office sites.

Developer Recruitment

- Assisted in locating and/or negotiating numerous commercial and office deals including a 1,000,000 sq. ft. shopping mall, numerous office renovations and new construction projects each in excess of 100,000 sq. ft.

Enterprise Zones and Other Incentives

- Obtained designation and managed 1700 acre state enterprise zone program.
- Developed numerous incentive programs to attract and maintain businesses and developers.

Erik Wishneff

Vice President & General Counsel

Erik is a member of the Virginia Bar, and has worked in real estate development and finance both as an attorney in private practice and for a national homebuilder. Erik's current role with BW&A is facilitating and closing tax credit investments in projects throughout the United States. Erik works extensively with both project sponsors and investors to help maximize the returns from the use of tax credits. His work includes performing financial analysis related to the use of tax credits, transaction structuring and overall project management. Prior to joining BW&A, Erik served as Division Counsel and Director of Land Acquisitions for a national homebuilder, where his duties included identifying, negotiating, and securing new land for residential development, as well as assisting with the entitlement process for these developments. Erik also has worked as an attorney in private practice where his clients included various developers, builders, and lenders. Finally, Erik worked for a large Low-Income Housing Tax Credit syndication firm where his work focused on the identification, underwriting and negotiation of low-income tax credit financing transactions throughout the U.S. He received a B.S. in Finance from Virginia Tech and his Juris Doctrate from George Mason University School of Law. Erik is a frequent speaker on tax credits at conferences and other events. He is a member of the Board of Directors of the Virginia Downtown Development Association.

Doug Chittum

Director of Development and Acquisitions

Chittum joined BW&A in September 2011 after serving as Economic Development Director for Roanoke County, VA since 2001. Chittum's role with BW&A primarily relates to facilitating tax credit projects. While in his previous position, his primary responsibilities were to coordinate the County's economic development efforts and to lead and mentor professional staff in the planning and implementation of marketing, product development, and existing business retention and expansion programs. He oversaw the ongoing development of the 400 acre Centre for Research and Technology, the 200 acre Vinton Business Center and served as the liaison for new retail and commercial developments in the County. Under his direction Roanoke County's Economic Development Office achieved accreditation and is one of only 29 fully accredited Economic Development Agencies by the International Economic Development Association.

Mr. Chittum was formerly employed by F&W Management Corporation as Director of Commercial Development where he managed over 150,000 square feet of commercial office space and brokered commercial real estate transactions throughout Virginia.

His previous public service includes a 15-year career with the City of Roanoke where he served as Economic Development Administrator. In that capacity he assisted in the development of the Roanoke Centre for Industry and Technology, and played a leadership role in the redevelopment of the historic downtown area where he authored two successful Enterprise Zone applications and managed the cities downtown development programs and initiatives. He was Chairman of Roanoke's first Downtown Living Tour and oversaw numerous rehabilitation projects involving historic renovation and preservation.

A graduate of James Madison University, Mr. Chittum also holds credentials from the Roanoke College Management Institute and the Weldon Cooper Center for Public Service. He has served on the Boards of Directors of Virginia's First Regional Industrial Development Authority, the Virginia Economic Development Association, The Arts Council of the Blue Ridge, The Roanoke Valley Horse Show and the Roanoke Small Business Incubator.

Adam Markwood

Vice President, Preservation & Environment, LEED AP

Adam is a LEED accredited professional and has worked in the public sector as an environmental planner and the private sector as a development consultant. Currently, his role with BW&A entails the identification, securing and closing of tax credit transactions throughout the U.S. Prior to joining BW&A in 2008, Adam worked for a national planning and architecture firm in Philadelphia, PA, where he focused on assisting with the design of LEED registered buildings, sustainable urban design plans, and large-scale green plans. He also worked for a regional planning commission in Southwestern Virginia where he assisted in the coordination of regional sustainability initiatives. Adam received his degree from Virginia Tech in Public and Urban Affairs. He is Treasurer for the U.S. Green Building Council SWVA Chapter, a member of the City-Manager appointed Roanoke Clean and Green Committee, and a member of the Roanoke City Fair Housing Board.

John Willingham, CPA

Vice President

John recently joined BW&A after serving as the Market President and Business Banking Manager for Wells Fargo in Winchester, VA. In this role, he was responsible for managing portfolio of clients and structuring loan deals including real estate and commercial investors. Through this process he provides consultation and recommendations based on the financial viability and pro-forma budgeting of the projects. He also managed the extensive underwriting of potential loan transactions. Prior to joining Wells Fargo, John was a CPA in public practice with PricewaterhouseCoopers and Yount, Hyde & Barbour, P.C. and was Chief Financial Officer for a public traded banking holding company before it was acquired.

Additionally, John serves on the City Council for the City of Winchester, is a member of the Board of Trustees for the Winchester Medical Center and serves as Vice Chairman for the Metropolitan Planning Organization which is the regional transportation steering committee for the Northern Shenandoah Valley of Virginia.

William Fiederlein

Business Analyst

Mr. Fiederlein joined the BW&A team in March of 2013. He works on various historic preservation tax credit and new markets tax credit projects. Prior to his joining BW&A, he served in a variety of roles for a multi-state medical management company, primarily focusing on real estate and IT. Mr. Fiederlein holds a Bachelors Degree in Finance from the University of South Carolina. He is from Charlotte, NC and currently lives in Washington, DC.

Equal Employment Opportunity Statements

Equal employment opportunity statements from all members of the project team are attached to this response on the following pages.

Dickinson Avenue Market and Planning Study: Scope of Services to be provided by the Project Team

Project team: Brian Wishneff & Associates; Hanbury Evans Wright Vlattas & Company; Ayers Saint Gross; Partners for Economic Solutions

Total cost of services outlined herein = \$220,000 (not to exceed)

Brian Wishneff & Associates (BW&A) is the lead consultant. In addition to providing specialized services outlined herein, BW&A will serve as the project manager, taking ultimate responsibility over the work components provided by respective firms participating in the project.

Ayers Saint Gross (ASG) will facilitate the planning processes and work closely with City of Greenville staff and stakeholders in creating a long-range vision for the project area.

BW&A and ASG will work together to aggregate data, gather public/stakeholder input, integrate and summarize all the research findings and analyses, and synthesize all of the various services provided under this scope to create a vision for the project area and translate that vision in the forms of draft and final deliverables as described herein.

BW&A SCOPE

As PES, ASG and Hanbury Evans (HE) work to complete their analysis, BW&A will assist in this process which will result in a development plan including specific recommendations to the City on a path forward to implementation. The development strategy will recommend incentives and financing strategies to achieve the market supportable development. BW&A will evaluate the economic feasibility based upon the market analysis generated by PES. This analysis will include potential existing or proposed targeted incentives that could help facilitate this redevelopment. It will also include a specific analysis of particular buildings or lots that are best suited for initial investment and critical to the success of this corridor. Since determining those uses or sites that will serve as a catalyst for other redevelopment is a key to initiating redevelopment, we will focus on the following development opportunities.

- 1) Development of the Millennial Campus on the 20 acre site owned by East Carolina University. The recommendations related to this site will include providing a comprehensive use and financing plan for the redevelopment of the entire 20 acre site, and will begin with the renovation of the Haynie building which is threatened due to its physical condition. The feasibility of developing a Performing Arts Center and a Work/Live Center on the site will be explored through cooperation with ECU and the Community College.
- 2) **The Haynie Building** analysis will involve the following:
 - Identify in cooperation with ECU and City's help potential tenants/users of this building

- Through an interview process, determine their space needs (in cooperation with HE)
- Based on this develop a space utilization for entire building (in cooperation with HE)
- Based on this develop a cost estimate and development schedule (in cooperation with HE)
- Based on this development scheme develop a funding plan
- Based on this develop an operating budget including various rents
- Based on this secure some type of LOI or lease
- Also we will make a recommendation on the Landlord entity and management of facility

3) BW&A will analyze the feasibility of developing an Advanced Manufacturing Center at the Imperial site. This analysis will include both an examination of the suitability of the building for this specific adaptive reuse, and the probability of securing the participation of educational and private manufacturing partners which will be necessary to develop the project.

4) BW&A will provide an analysis of the redevelopment and adaptive reuse options for the UNX/Ficklen Warehouse building.

5) If all parties agreed to the results of any or all of the projects discussed above BWA would then carry out the development under a separate fee developer agreement with the appropriate party.

6) BWA and HE will work to complete the predevelopment work outlined above for the Haynie Building within 90-120 days of being under contract. Separate fee developer agreements will be negotiated with appropriate parties at that time.

7) If anytime during the project the City desires to add similar detail analysis for a additional buildings the parties will negotiate an increase in scope of work at that time.

8) BW&A will provide recommendations for funding sources for all of the redevelopment projects that will generally fall into three categories:

- Non-competitive funding sources such as historic tax credits or traditional debt financing that will be available dependent on whether a particular project or business line qualifies.
- Competitive funding sources that may be available for almost any business opportunity that Greenville ultimately elects to pursue.
- Specific funding sources that will only be available should Greenville elect to pursue certain business opportunities.

HANBURY EVANS WRIGHT VLATTAS & COMPANY SCOPE

We will assist the planning and development team with analyzing the area to be considered a Historic District, and more specifically with providing data to facilitate the restoration of historic buildings and adaptive use. Specific strategies for planning for the rehabilitation and adaptive use of existing buildings will be custom tailored to economic and market forces identified by the other members of our team. More specifically we will:

- Provide assistance to BW&A on the repurposing and rehabilitation of the Haynie Building.

ASG SCOPE

Our planning process will establish options, build consensus, and synthesize several program variables into succinct planning strategies. This process will enable the City of Greenville's staff and their stakeholders to make informed decisions about future development in the study area. The final plan will support both short term improvements as well as a long-range vision for the larger development. This master planning process will consist of:

- 1) **Site analysis and plan study**– The master plan process will begin with a physical analysis of the site and a review of recent planning studies
- 2) **Land use, density plan and building design guidelines in the study area** – Working collectively with key stakeholders and our associated consultants (PES and Hanbury Evans), a land development strategy for the study area will be developed. The strategy will be market-tested and implementable within the framework of the historic buildings and will balance broadly defining permitted uses and form-based directives to guide future development, as well as general building design guidelines that create an urban scale and environment that reflects the historic character of the tobacco district.
- 3) **Traffic/pedestrian/biking circulation and parking strategy** – The Master Plan will include transportation-oriented planning analysis and an integrated multimodal strategy that incorporates the future plans of the 10th Street extension as well as the Greenville Transportation and Activity Center (GTAC). This master plan will incorporate a pedestrian and bike-friendly environment, temporary surface parking, and long-term structured parking.
- 4) **Design Framework** – The Master Plan will integrate existing streetscape planning, and propose strategies to guide open spaces and buildings, that will provide an urban design framework for enlivening the public realm and creating a vibrant and integrated district. Ayers/Saint/Gross will lead designs for the initial planning concepts and infrastructure improvements. As necessary, a civil engineer, separately contracted by BWA will provide technical and cost estimating assistance of the proposed improvements.
- 5) **Neighborhood connectivity** – Key to creating a thriving mixed-use/innovation community is integration with surrounding neighborhoods. The master plan will identify opportunities for better connections to key neighborhood assets including housing and retail. Equally important will be creating a district that the community sees as a user-friendly, safe, active environment. The Master Plan will incorporate strategies to

improve neighborhood connections to the Uptown Greenville, ECU and the medical center.

- 6) **District public/open spaces and gateway entrances** – Critical to making the study area a successful and vibrant district is active, usable open space. Building on best practices, the Master Plan will illustrate a conceptual vision for the tobacco district’s key side streets and gateways.

DELIVERABLES

Project deliverables will convey the Master Plan vision and provide guidance on how to best allocate immediate funding to improve the infrastructure, open space, and streetscape of the district. The deliverables include:

- 1) **Master Plan and Design Guidelines** –A descriptive narrative of the site and planning process and will address the following issues:
 - a) Site analysis
 - b) Land use and density
 - c) Traffic/pedestrian/biking circulation and parking locations
 - d) Neighborhood connectivity options
 - e) Urban design guidelines and architectural character:
 - Sustainability and low impact development standards to incorporate stormwater strategies;
 - Building design parameters at a basic level to focus on general style, materials, color, and building massing;
 - Working with Hanbury Evans (contracted directly under BWA) historic building guidelines describing strategies for building renovation and building additions;
 - Public realm standards; and
 - Potential gateway entrance treatments.
 - f) Implementation plan and development phasing
 - g) Precinct studies to provide more in-depth design vision for up to three (3) key zones/intersections within the district and may include:
 - The ECU “Millennial Campus” district,
 - The GTAC site and adjacent area and street network,
 - Imperial tobacco site, and
 - UNX/Ficklen properties.
2. **Meeting and presentation materials** – Ayers/Saint/Gross will prepare electronic versions of maps and presentations as needed for client and stakeholder meetings including:
 - a) Kickoff
 - b) A final Power Point presentation of the district Master Plan.

SCHEDULE AND PROCESS

We propose that the City of Greenville provide required background data and an existing GIS and CAD information of the study area prior to the first workshop, as well as schedule all meetings with key stakeholders. During each workshop Ayers/Saint/Gross will meet with the Core Working Group, which will consist of the City of Greenville's Planning and Economic Development staff, the BWA team and representatives from ECU.

We propose a schedule of approximately nine months structured around four workshops. After each workshop we will continue to develop concepts. By structuring the project around, interactive workshops on site, we can work toward consensus and create a highly responsive plan.

December 2013: Workshop 1: Key Issues and Development Goals

The first workshop will focus on gaining an understanding of the key issues and establishing goals to guide the district Master Plan. This workshop will occur after the site analysis and planning study review has been initiated.

Workshop One (1 day in Greenville):

- Present the site analysis, initial findings of the economic analysis (from PES), and site analysis findings.

March 2014: Workshop 2: Vision and Development Scenarios

Working with the market and economic analysis provided by PES, Ayers/Saint/Gross will test various scenarios for future development. The pros and cons of each scenario will be outlined. Ayers/Saint/Gross will present the scenarios to the Core Working Group during Workshop Two. The goal is to review, assess, and critique potential options for short- and long-term development as well as to begin to identify possible phase one development options.

Workshop Two (2 days at Greenville):

- Present the final economy and market analysis by (PES)
- Present proposed scenarios to the Core Working Group and other key stakeholders if desired
- Facilitate a work session (charrette) to discuss and refine development scenarios

May 2014: Workshop 3 Refinement of Scenarios

Based on Workshop Two, Ayers/Saint/Gross will refine the scenarios. The goal is to review, assess, and ultimately gain consensus on the preferred direction for short- and long-term development.

Workshop Three (Video Conference):

- Present refined scenarios to the Core Working Group via electronic document sharing and teleconferenced discussions
- Facilitate a work session (virtual charrette) to synthesize the ideas into a preferred direction

June 2014: Workshop 4: Plan and Design Framework

Based on the feedback received in Workshop Three, Ayers/Saint/Gross will develop a final concept plan (draft) that establishes a vision for future development and proposes how near-term investment priority. A Design Framework will also be presented that identifies general streetscape and building strategies.

Workshop Four (1 day at Greenville):

- Present Plan and Design Guidelines to the Core Working Group
- Update other stakeholders on the work to date
- To coincide with the Redevelopment Commission Presentation organized by the City of Greenville
- Present the draft plan and design framework to the Greenville City Council

August 2014: Final Documents

Following Workshop Four, Ayers/Saint/Gross will revise the district Master Plan and create the final deliverables. A draft of the document layout and narrative text will be distributed to the Core Working Group for feedback prior to creation of the final document.

To facilitate the delivery of the final document, Ayers/Saint/Gross proposes limiting that review to one text review (file provided in Microsoft Word) and two graphic reviews (file provided in Adobe PDF). We will ask that a final sign-off be provided prior to printing.

Upon the client's request, Ayers/Saint/Gross will produce printed and bound copies of the report for which *the cost of the production will be reimbursable by the City of Greenville*. (Fees for this deliverable are not included in this proposal).

ADDITIONAL SERVICES

The following services of Ayers/Saint/Gross, and any others in excess of those described in the Scope of Work, are not part of this proposal and will be furnished only at your written request:

- Printing of the final report.
- Perspective renderings used to communicate Master Planning concepts and recommendations to the surrounding community.
- Additional trips/expenses in addition to those delineated above
- Additional renderings beyond those already referenced.
- Printing of Final Summary Report
- Schematic Design through Construction Administration services
- Parking and Transportation engineering
- Civil and environmental engineering
- M/E/P Engineering
- Cost Estimating
- Surveys

PES SCOPE OF WORK

PES will analyze the market as the basis for the development strategy, development program, phasing plan and implementation plan. PES will test the potentials for

- Office, technology and institutional, and
- Residential uses.

PES will begin with a profile of the Greenville/Pitt County economy, drawing on Pitt County employment trends to quantify the existing business base. We will review the most current plans for Greenville, Downtown Greenville, East Carolina University and Pitt County as well as agencies and institutions relevant to economic development.

Demographic trends (e.g., population, households, age, income, household type and size, etc.) will profile Greenville, Pitt County and regional residents.

PES will rely on the Greenville Planning Division and Office of Economic Development to identify planned and proposed projects in the development pipeline.

Office, Technology and Institutional Uses

East Carolina University (ECU) and related entities will be the focus of the office, technology and institutional uses market analysis. PES will conduct extensive interviews with ECU leaders, including the Provost and selected Deputy Chancellors, Deans, Department Heads, and representatives of the Office of Innovation and Economic Development. This analysis will focus on medicine, other sciences, engineering and business programs most likely to generate new businesses. These interviews will explore the University's academic and research areas with particular potential for commercialization as well as the University environment, policies and facilities for faculty and student entrepreneurial development.

PES will rely on the Client to schedule these interviews for two two-day trips.

In addition to ECU, PES will evaluate the local business environment and support for local entrepreneurs. This will involve review of business support services, technical assistance, facilities, incentives and financing. Selected telephone interviews with local technology entrepreneurs will identify key assets and liabilities.

PES will interview representatives of other local institutions identified by the Client as having the potential to support or use new facilities in the tobacco district.

Pitt County Development Commission maintains a database of available office and industrial buildings and sites. Coupled with interviews with active real estate brokers, this will allow profiles and analysis of competitive facilities and sites in the region.

From these inputs, PES will prepare a Strengths, Weaknesses, Opportunities and Threats (SWOT) analysis of the Greenville economy and potentials for new business development and attraction of technology-based businesses. Evaluation of the tobacco district itself will consider its potential role within the local and regional market.

PES will quantify near- and mid-term potentials for businesses that could be attracted to an incubator or multi-tenant office space in the tobacco district. The market conclusions will include estimated occupancy, lease-up period, supportable rents, typical tenant size and types of facilities required. Particular focus will be given to the roles to be played by the tobacco district in contrast to those played by the Medical District.

Residential Uses

To evaluate the potentials for residential development in the tobacco district, PES will review demographic and housing trends to quantify demand. The preceding demographic trends analysis will be refined to focus on the nature of individual households by tenure, age of the householder, type of household, income levels, presence of children, and other key factors.

American Community Survey and 2010 Census data will be used to profile the existing housing stock in terms of number of units by year built, size, type (e.g., single-family versus multi-family) and vacancy rates. Annual building permit data will reveal year-by-year variations in the number and type of units built.

Based on the demographic and construction trends, PES will estimate the number and type of residential units that could be supported within the tobacco district by five-year period.

MEETINGS

PES will participate in three workshops (no more than five days), presenting economic and market analysis and contributing economic inputs to the plans and implementation strategy.



City of Greenville, North Carolina

Meeting Date: 11/7/2013
Time: 7:00 PM

Title of Item: Resolution adopting the City of Greenville Local Preference Policy

Explanation: **Abstract:** City Council requested that a Local Preference Policy be prepared for its consideration. The policy provides a preference to local businesses in the procurement of goods and services for the contracts which the City may apply a local preference when applying federal and state law. After reviewing a proposed policy at its September 12, 2013, meeting, City Council requested that some changes be made to the policy and be presented to Council in October. In October, City Council continued the item until the November meeting.

Explanation: At its June 13, 2013, meeting, City Council requested that a Local Preference Policy be prepared for its consideration. City Council requested that the policy be the strongest preference policy allowed by law.

At its September 12, 2013, meeting, a proposed Local Preference Policy was presented to City Council. City Council requested some changes be made to the Policy and be presented to Council in October. At the October 7, 2013, meeting, City Council continued the item to the November meeting in order to allow Council Member Joyner the opportunity to discuss some possible changes to the Policy with City Attorney Holec.

Attached is an amended Local Preference Policy contained in the October agenda material with the changes made from the previous proposed policy being shown in red. A summary of the changes made from the Policy presented in September is as follows:

- 1) Increases from \$10,000 to \$25,000 the cap on the difference in the lowest non-local bid and a local bid which will allow the local bidder the opportunity to match the lowest bid. The \$10,000 cap is 5% of a \$200,000 contract while the \$25,000 cap is 5% of a \$500,000 contract. Having a cap remains important for the "reasonableness" of the preference.
- 2) Provides more clarity (and is more restrictive) in listing the purchases which

will be exempted from the Policy. Previously, it was when an emergency situation exists and when either the Purchasing Manager or Department Head determines that not seeking bids is in the best interest of the City. Now it is (i) when bids or proposals are not sought due to an emergency situation; or (ii) in special cases when the required expertise or item is not available locally or in a timely manner, as determined by either the Purchasing Manager or Department Head; or (iii) when the purchase involves an expenditure of less than \$1,000; or (iv) when the purchase involves an expenditure equal to or greater than \$1,000 and less than \$10,000 when the purchase is from a business which qualifies as an Eligible Local Bidder.

3) Provides that the Bidder's Certification of Local Preference Form does not have to be submitted with each bid but that it must be submitted with or prior to a bid. It also defines when updates are required. This will allow the form to be on file in the Purchasing Division and eliminate the need for a bidder to fill out the form multiple times.

4) Provides that a home office will qualify for a preference provided that the home office has been used for a period of at least one year. Also, when the three employee qualification applies, the employees are to be based and working out of the office or store rather than having their work assignments directed from the office or store.

5) Provides direction on the solicitation of bids when the Local Preference Policy applies. The request for bids or proposals will be posted on the City website. Notification will be provided to businesses located in the City and which have submitted the Bidder's Certification for Local Preference Form and will also be provided to other bidders as appropriate for the item or service sought.

6) Changes the effective date of the policy to January 1, 2014. But now it is changed to February 1, 2014. But now it changed to February 2, 2014.

There was a request to increase the amount of points allocated for a local business when qualifications of bidders and not price as a bid is considered. The 5% is based upon the requirement that the preference is "reasonable". The 5% was not changed since this is the amount which is considered legally acceptable.

The changes requested by Council Member Joyner to the Policy are set forth on the attached sheet and are summarized as follows:

1) The Policy is amended so that the local preference is given to businesses located within the corporate limits of the City of Greenville and its extraterritorial jurisdictional area not just to those located within the corporate limits of the City of Greenville.

2) The Policy is amended so that the exceptions to the Local Preference Policy are scaled back by deleting the exception for when the required expertise or item is not available in a timely manner and providing that purchases less than \$1,000 are excepted only when the purchase is from a business which qualifies as an

Eligible Local Bidder (in the same manner as purchases from \$1,000 to \$10,000).

3) The Policy is amended by eliminating the provision that notification of a request for bids or proposals will be provided to other potential bidders (other than those who have filed a Bidder's Certification for Local Preference Form) when deemed appropriate by the Purchasing Manager or Department Head.

4) Adopt a separate policy, patterned after a City of Raleigh policy, for the retention of professional and other service contracts. The attached Policy was provided by Council Member Joyner. This Policy does the following:

(a) Requires City Council approval for professional and other service contracts if the contract is greater than \$100,000 and City Manager approval for contracts up to \$100,000. (Raleigh's policy sets this amount at \$300,000. Greenville's current policy is City Council approval is required for contracts greater than \$30,000 for architectural, engineering, or surveying services and greater than \$300,000 for other services, a department head has authority to approve a contract less than \$10,000, and the City Manager or Purchasing Manager has the authority to approve contracts between these amounts.)

(b) Provides that requests for proposals are to be distributed to all identified service firms within the Greenville area (the corporate limits and extraterritorial jurisdictional areas of the City of Greenville) unless the City Manager approves sending it to a wider area as necessary to obtain proposals from qualified firms after a department head determines that the type of service is not available locally. (Raleigh's Policy is to the Raleigh area (Wake, Orange, and Durham counties) unless the City Manager approves sending it to a wider area as necessary to obtain proposals from qualified firms after a department head determines that the type of service is not available locally. Greenville's current practice is to post the request for proposals on the City website and, when a specialized service is involved, send directly to firms which have the expertise regardless of location.)

Prior to the October meeting, input was received from the Chamber of Commerce. A letter from Chamber President Scott Senatore is attached. In the letter, the Chamber makes the following suggestions:

- (1) that the local preference should be given to businesses located within Pitt County not just to those located within the City of Greenville;
- (2) that the qualification requirements should be amended so that home based businesses are included and the bidder is in business in Pitt County at least 3 to 6 months; and
- (3) that criteria to assess a bidder's ability to perform be included so there are controls to keep bidders from exceeding their regular scope of work.

* * * *

The attached Local Preference Policy does the following:

1) Defines the contracts for which the policy applies. The following contracts may be subject to a Local Preference Policy and are included in the proposed policy when bids or proposals are sought:

- 1) Contracts for the purchase of apparatus, supplies, and equipment costing less than \$30,000;
- 2) Contracts for construction or repair costing less than \$30,000;
- 3) Contracts for architectural, engineering, surveying, construction management at risk services, design-build services, and public-private partnership construction services costing less than \$50,000; and
- 4) Contracts for services (other than contracts for architectural, engineering, surveying, construction management at risk services, design build services, and public-private partnership construction services).

2) Includes a purpose statement. The purpose of the policy is to ensure the best overall value in the procurement of goods and services while supporting the City's economic development by supporting local business. It further notes the additional benefit derived when goods and services are provided by local businesses which have the opportunity to be more timely and responsive.

3) Defines as local the geographic area of the corporate limits of the City of Greenville. Other possibilities considered were (a) Pitt County, (b) Pitt County and all of the counties which share a border with Pitt County (Edgecombe, Martin, Beaufort, Craven, Lenoir, Greene, and Wilson), and (c) an eastern region (area bounded by I-95, Virginia-North Carolina border, Atlantic Ocean, and NC 50). The corporate limits of the City was chosen since this more directly achieved the purpose of the policy.

4) Provides that for a local business to be eligible for a preference, it must have paid and be current on any applicable City of Greenville privilege license fees and property taxes in the City of Greenville. Additionally, provisions are included to ensure that the local business has a substantial presence in the City and not just a token presence.

For a bid involving the submittal of a price, the bidder must either:

- (a) Have an office or store from which all or a portion of its business is directed or managed and which is located within the corporate limits of the City of Greenville, consisting of at least 500 square feet of floor area within a building on property having a non-residential zoning classification;
- (b) Have an office or store located within the corporate limits of the City of Greenville and have at least three (3) employees who are based and working out of said office or store; or
- (c) Have an office from which all or a portion of its business is directed or managed and which is located within the corporate limits of the City of Greenville and within a residence as allowed by the Zoning Ordinance for a period of at least one (1) year.

For proposals not involving submittal of a price as a bid (proposals involving qualifications for service contracts), the bidder must either:

- (a) Have an office from which all or a portion of its business is directed or

managed and which is located within the corporate limits of the City of Greenville, consisting of at least 500 square feet of floor area within a building on property having a non-residential zoning classification; or

(b) Have an office located within the corporate limits of the City of Greenville and have at least three (3) employees who are based and working out of said office or store;

(c) Have an office from which all or a portion of its business is directed or managed and which is located within the corporate limits of the City of Greenville and within a residence as allowed by the Zoning Ordinance for a period of at least one (1) year; or

(d) Have an arrangement with one or more firms or companies that qualify as an Eligible Local Bidder pursuant to (a), (b), or (c) above to subcontract with said firms or companies to perform at least twenty five percent (25%) of the dollar value of the work to be performed pursuant to the service contract, if the bidder is awarded the contract.

A form providing certifications relating to these qualifications is to be submitted by the bidder prior to or when a bid or proposal is submitted.

5) Provides a preference when bids are submitted involving the submittal of a price. A local business may match the bid of the lowest responsible, responsive bidder who is non-local provided the local business' bid is within 5% or \$25,000, whichever is less, of the lowest bid. This results in no additional expense to the City and is not expected to be a deterrent to the willingness of both local and non-local businesses to submit competitive bids. This dollar range is the amount considered legally acceptable.

6) Provides a preference when proposals are submitted without a price being submitted as a bid (proposals involving qualifications for service contracts). A local business receives 5% of the points to be awarded a bidder in an evaluation of the qualifications of bidders. This results in a preference to local businesses but also ensures that the qualifications of businesses are evaluated so that the City is receiving the service it requires.

7) Ensures flexibility in the purchasing process by stating that the Local Preference Policy does not apply (i) when bids or proposals are not sought due to an emergency situation; or (ii) in special cases when the required expertise or item is not available locally or in a timely manner, as determined by either the Purchasing Manager or Department Head; or (iii) when the purchase involves an expenditure of less than \$1,000; or (iv) when the purchase involves an expenditure of \$1,000 to \$10,000 and is from a business which qualifies as an Eligible Local Bidder.

8) Provides that the policy will be effective for requests for bids or proposals issued on or after February 1, 2014. This date was chosen since prior to implementation of the policy, the required forms will need to be developed, the Purchasing Manual revised, staff educated, and the vendor community educated.

9) Provides that notification that bids or proposals are being sought will be (i) posted on the City website, (ii) provided to potential local bidders who have

submitted a Bidder's Certification for Local Bidder Preference Form, and (iii) provided to other potential bidders as deemed appropriate for the item or service sought.

10) Allows all businesses, whether local or not, to submit a bid or proposal and to be awarded a contract. The policy provides a preference and does not provide a guarantee that contracts are to be awarded to a local business.

* * * *

The attached memo dated July 18, 2012, provides information concerning the legal considerations relating to a preference policy.

Also attached is an excerpt from the June 13, 2013, agenda item which provides information on local spending by the City in fiscal year 2011-2012, examples of local preference approaches, and potential advantages and disadvantages of a local preference policy.

Fiscal Note:

Implementation of the Local Preference Policy is not expected to have any fiscal impact on the cost to the City of its goods and services.

Recommendation:

If Council determines to proceed with a Local Preference Policy, adoption of the attached resolution will result in the adoption of the Local Preference Policy. Council may amend the resolution to include any changes it deems appropriate.

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

Attachments / click to download

- [Memo to Mayor and CCM](#)
- [Red Lined 9 25 Version RESOLUTION ADOPTING LOCAL PREFERENCE POLICY 963991](#)
- [9 25 Version Resolution adopting the City of Greenville Local Preference Policy 963998](#)
- [Council Member Joyner s requested Changes to Local Preference Policy 966519](#)
- [Retention of Professional Services 966670](#)
- [Letter from Greenville Pitt County Chamber of Commerce 966749](#)
- [Excerpt from June 13 2013 Agenda Item 963969](#)

RESOLUTION NO. -13
RESOLUTION ADOPTING THE CITY OF GREENVILLE
LOCAL PREFERENCE POLICY

WHEREAS, the economic development of the City of Greenville will be promoted by the implementation of a Local Preference Policy in the procurement of goods and services in that it supports local business;

WHEREAS, in addition to promoting economic development, a Local Preference Policy provides a benefit to the City of Greenville in that local businesses have the opportunity to be more timely and responsive in providing goods and services; and

WHEREAS, the City Council of the City of Greenville hereby finds and determines that the Local Preference Policy herein adopted accomplishes the aforementioned goals while ensuring fiscal responsibility and the provision of goods and services in a manner which best serves the needs of the City of Greenville;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENVILLE:

Section 1. That the City of Greenville Local Preference Policy is hereby adopted, said policy to read as follows:

CITY OF GREENVILLE LOCAL PREFERENCE POLICY

Section 1. Purpose.

The purpose of the Local Preference Policy is to ensure the best overall value in the procurement of goods and services while providing a preference to local businesses to support the City's economic development. The City's economic development is supported by the Local Preference Policy in that the policy supports local business. An additional benefit of a Local Preference Policy is the benefit derived by the City when goods and services are being provided by local businesses which have the opportunity to be more timely and responsive when providing goods and services.

Section 2. Definitions.

- (a) Eligible Local Bidder means a bidder that has paid and is current on any applicable City of Greenville privilege license fees and on property taxes in the City of Greenville and who meets the qualifications set forth in Section 5.
- (b) Non-Local Bidder means a bidder that is not an Eligible Local Bidder as defined in subsection (a).
- (c) Responsible bidder means the bid or proposal is submitted by a bidder that has the skill, judgment and integrity necessary for the faithful performance of the contract, as well as sufficient financial resources and ability.

(d) Responsive bidder means that the bid or proposal submitted by a bidder complies with the specifications or requirements for the request for bids or request for proposals.

Section 3. Policy.

The policy of the City of Greenville is to provide a preference to local businesses in the procurement of goods and services for the contracts which the City may apply a local preference when applying federal and state law. When the request for bids involves the bidder submitting a price, a price-matching preference will be given to Eligible Local Bidders on contracts for the purchase of goods and services. The preference will allow an Eligible Local Bidder to match the price and terms of the lowest responsible, responsive bidder who is a Non-Local Bidder, if the Eligible Local Bidder's price is within five percent (5%) or \$10,000, \$25,000 whichever is less, of the lowest responsible, responsive Non-Local Bidder's price. When the request seeking proposals is based upon qualifications for a service contract without a price being submitted as a bid when the proposal is submitted, a factor in the evaluation of proposals shall be whether the proposal is submitted by an Eligible Local Bidder. Five percent (5%) of the points to be awarded to a bidder in an evaluation of proposals shall be awarded to an Eligible Local Bidder.

Section 4. Local Preference Eligible Contracts.

The provisions of the Local Preference Policy shall apply when bids or proposals are sought for the following:

- 1) Contracts for the purchase of apparatus, supplies and equipment costing less than \$30,000;
- 2) Contracts for construction or repair costing less than \$30,000;
- 3) Contracts for architectural, engineering, surveying, construction management at risk services, design-build services, and public-private partnership construction services costing less than \$50,000; and
- 4) Contracts for services (other than contracts for architectural, engineering, surveying, construction management at risk services, design-build services, and public-private partnership construction services).

Notwithstanding the foregoing, the provisions of the Local Preference Policy shall not apply to contracts involving a project funded by a federal grant unless the grant has specific language which overrides the prohibition of the Grants Management Common Rule which does not allow local preferences and the provisions of the Local Preference Policy shall not apply (i) when bids or proposals are not sought due to an emergency situation or ~~when~~ (ii) in special cases when the required expertise or item is not available locally or in a timely manner, as determined by either the Purchasing Manager or Department Head, ~~determines that not seeking bids or proposals is in the best interest of the City of Greenville~~ or (iii) when the purchase involves an expenditure of less than \$1,000 or (iv) when the purchase involves an expenditure equal to or greater than \$1,000

and less than \$10,000 when the purchase is from a business which qualifies as an Eligible Local Bidder.

Section 5. Qualifications.

In order to qualify for the local preference, an Eligible Local Bidder must complete the Bidder's Certification for Local Preference Form and ~~include it with~~ submit it to the Purchasing Manager with or prior to the submittal of the bid or proposal. A Bidder's Certification for Local Preference Form shall be required to be updated by a bidder (i) when matters certified to in the form have materially changed and (ii) when notified by the Purchasing Manager that a periodic update is required. The Eligible Local Bidder must have paid and be current on any applicable City of Greenville privilege license fees and on property taxes in the City of Greenville.

When the request for bids involves the bidder submitting a price, in order for a bidder to be an Eligible Local Bidder, the bidder must either:

- (a) Have an office or store from which all or a portion of its business is directed or managed and which is located within the corporate limits of the City of Greenville consisting of at least 500 square feet of floor area within a building on property having a non-residential zoning classification; or
- (b) Have an office or store located within the corporate limits of the City of Greenville and have at least three (3) employees ~~whose work assignment-s are directed from~~ who are based and working out of said office or store; or
- (c) Have an office from which all or a portion of its business is directed or managed and which is located within a residence within the corporate limits of the City of Greenville as allowed by the Zoning Ordinance for a period of at least one (1) year.

When the request seeking proposals is based upon qualifications for a service contract without a price being submitted as a bid when the proposal is submitted, in order for a bidder to be considered as an Eligible Local Bidder, the bidder must either:

- (a) Have an office from which all or a portion of its business is directed or managed and which is located within the corporate limits of the City of Greenville consisting of at least 500 square feet of floor area within a building on property having a non-residential zoning classification; or
- (b) Have an office located within the corporate limits of the City of Greenville and have at least three (3) employees ~~whose work assignments are directed from~~ who are based and working out of said office; or

- (c) Have an office from which all or a portion of its business is directed or managed and which is located within a residence within the corporate limits of the City of Greenville as allowed by the Zoning Ordinance for a period of at least one (1) year; or
- (d) Have an arrangement with one or more firms or companies that qualify as an Eligible Local Bidder pursuant to (a), ~~(b)~~, or (c) above to subcontract with said firms or companies to perform at least twenty five percent (25%) of the dollar value of the work to be performed pursuant to the service contract, if the bidder is awarded the contract.

Section 6. Process When Bid Involves Price.

Bids will be evaluated in accordance with the award criteria stated in the request for bids to determine the lowest responsible, responsive bid when the request for bids involves the bidder submitting a price. If the lowest responsible, responsive bid is submitted by an Eligible Local Bidder, then there will be no consideration of the price-matching preference. If the lowest responsible, responsive bid is submitted by a bidder who is not an Eligible Local Bidder and there are no submitted bids from an Eligible Local Bidder that is within 5% or ~~\$10,000~~ \$25,000, whichever is less, of the lowest responsible, responsive bid, then none of the Eligible Local Bidders will qualify for the price-matching preference. The award will be made to the lowest responsible, responsive bidder.

If the lowest responsible, responsive bid is submitted by a Non-Local Bidder and there are one or more Eligible Local Bidders that submit a bid within 5% or ~~\$10,000~~ \$25,000, whichever is less, of the lowest responsible, responsive bid, then the Bidder's Certification for Local Preference Form of the Eligible Local Bidder(s) shall be reviewed to determine whether the Eligible Local Bidder's certification is compliant. Additional clarification may be sought of the certification and/or information in an Eligible Local Bidder's certification and additional documentation may be requested if necessary. Failure to supply the requested information will result in the Eligible Local Bidder not receiving a price-matching preference.

If only one Eligible Local Bidder qualifies for the price-matching preference, the Eligible Local Bidder will first be offered the contract award and will have two (2) business days to accept or decline the award based on the lowest responsible, responsive bidder's price. If the lowest responsible, responsive Eligible Local Bidder declines to accept the contract award, then the award is made to the lowest responsible, responsive bidder.

If more than one Eligible Local Bidder qualifies for the price-matching preference, then the qualified Eligible Local Bidders shall be prioritized according to their original bids, from lowest to highest, so that the Eligible Local Bidder who submitted the lowest responsible, responsive bid should get the first opportunity to match the quote of the lowest responsible, responsive Non-Local

Bidder. The Eligible Local Bidder will first be offered the contract award and will have two (2) business days to accept or decline the award based on the lowest responsible, responsive Non-Local Bidder's price. If the lowest responsible, responsive Eligible Local Bidder declines to accept the contract award, then the contract should be offered to the next lowest responsible, responsive Eligible Local Bidder and will continue in this manner until either a responsible, responsive Eligible Local Bidder within five percent (5%) or ~~\$10,000-\$25,000~~, whichever is less, of the lowest responsible, responsive bid accepts the contract award or the award is made to the lowest responsible, responsive bidder if no qualified Eligible Local Bidder accepts the award. If two responsible, responsive Eligible Local Bidders qualify for the price-matching preference and both bid the same amount, then the Eligible Local Bidder which will be offered the contract award will be chosen by lot.

At any time, all bids may be rejected.

Section 7. Process When Considering Qualifications for Service Contracts.

When the request seeking proposals is based upon qualifications for a service contract without a price being submitted as a bid when the proposal is submitted, the request seeking proposals shall state that being local is a factor to be considered in determining the qualifications of the bidder. The proposals will be evaluated in accordance with an award criteria developed to determine the best qualified responsible, responsive bidder submitting a proposal. The Bidder's Certification for Local Preference Form shall be reviewed to determine whether the Eligible Local Bidder certification is compliant. Five percent (5%) of the points to be awarded to a bidder in an evaluation shall be awarded to each Eligible Local Bidder submitting a proposal. Once the best qualified responsible, responsive bidder submitting a proposal is determined, the price is then negotiated. If an agreement on the price does not occur, then the City will negotiate with the next best qualified responsible, responsive bidder submitting a proposal.

Although being local is a factor in determining the best qualified responsible, responsive bidder submitting a proposal, other factors such as specialized experience and expertise will be a component of the award criteria when determining the best qualified proposal.

At any time, all proposals may be rejected.

Section 8. Solicitation of Bids or Proposals.

Whenever bids or proposals are sought by directly contacting bidders for bids or proposals for a contract for which the provisions of the Local Preference Policy apply, the request for bids or proposals shall be posted on the City of Greenville's website. Notification of the request for bids or proposals shall also be provided to potential bidders having an office or store located within the corporate limits of the City of Greenville which have submitted a Bidder's Certification for Local

Preference Form and which offer the item or service sought. Notification of the request for bids or proposals will be provided to other potential bidders as deemed appropriate by the Purchasing Manager or Department Head for the item or service sought.

Section ~~89~~. False or Substantially Inaccurate or Misleading Certifications.

If at any time during or after the procurement process, the City determines that certifications or information in the Bidder's Certificate for Local Preference Form are false, substantially inaccurate or misleading, the City Manager or designee may:

- (1) Cancel the Eligible Local Bidder's contract and/or purchase order that was awarded based on the preference: The Eligible Local Bidder shall be liable for all costs it incurs as a result of the cancellation and all increased costs of the City that may be incurred by awarding the contract to the next lowest bidder;
- (2) Exclude the bidder from any preference in any future City bidding opportunities for a period of time determined by the City Manager or designee; and/or
- (3) Debar the bidder from doing business with the City for a period of time determined by the City Manager or designee.

Section 2. That all resolutions and clauses of resolutions in conflict with this resolution are hereby repealed.

Section 3. That this resolution shall become effective for requests for bids or proposals issued on or after ~~December 1, 2013 January 1, 2014~~ February 1, 2014.

This the 7th day of November, 2013.

Allen M. Thomas, Mayor

ATTEST:

Carol L. Barwick, City Clerk

RESOLUTION NO. -13
RESOLUTION ADOPTING THE CITY OF GREENVILLE
LOCAL PREFERENCE POLICY

WHEREAS, the economic development of the City of Greenville will be promoted by the implementation of a Local Preference Policy in the procurement of goods and services in that it supports local business;

WHEREAS, in addition to promoting economic development, a Local Preference Policy provides a benefit to the City of Greenville in that local businesses have the opportunity to be more timely and responsive in providing goods and services; and

WHEREAS, the City Council of the City of Greenville hereby finds and determines that the Local Preference Policy herein adopted accomplishes the aforementioned goals while ensuring fiscal responsibility and the provision of goods and services in a manner which best serves the needs of the City of Greenville;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENVILLE:

Section 1. That the City of Greenville Local Preference Policy is hereby adopted, said policy to read as follows:

CITY OF GREENVILLE LOCAL PREFERENCE POLICY

Section 1. Purpose.

The purpose of the Local Preference Policy is to ensure the best overall value in the procurement of goods and services while providing a preference to local businesses to support the City's economic development. The City's economic development is supported by the Local Preference Policy in that the policy supports local business. An additional benefit of a Local Preference Policy is the benefit derived by the City when goods and services are being provided by local businesses which have the opportunity to be more timely and responsive when providing goods and services.

Section 2. Definitions.

- (a) Eligible Local Bidder means a bidder that has paid and is current on any applicable City of Greenville privilege license fees and on property taxes in the City of Greenville and who meets the qualifications set forth in Section 5.
- (b) Non-Local Bidder means a bidder that is not an Eligible Local Bidder as defined in subsection (a).
- (c) Responsible bidder means the bid or proposal is submitted by a bidder that has the skill, judgment and integrity necessary for the faithful performance of the contract, as well as sufficient financial resources and ability.

(d) Responsive bidder means that the bid or proposal submitted by a bidder complies with the specifications or requirements for the request for bids or request for proposals.

Section 3. Policy.

The policy of the City of Greenville is to provide a preference to local businesses in the procurement of goods and services for the contracts which the City may apply a local preference when applying federal and state law. When the request for bids involves the bidder submitting a price, a price-matching preference will be given to Eligible Local Bidders on contracts for the purchase of goods and services. The preference will allow an Eligible Local Bidder to match the price and terms of the lowest responsible, responsive bidder who is a Non-Local Bidder, if the Eligible Local Bidder's price is within five percent (5%) or, \$25,000 whichever is less, of the lowest responsible, responsive Non-Local Bidder's price. When the request seeking proposals is based upon qualifications for a service contract without a price being submitted as a bid when the proposal is submitted, a factor in the evaluation of proposals shall be whether the proposal is submitted by an Eligible Local Bidder. Five percent (5%) of the points to be awarded to a bidder in an evaluation of proposals shall be awarded to an Eligible Local Bidder.

Section 4. Local Preference Eligible Contracts.

The provisions of the Local Preference Policy shall apply when bids or proposals are sought for the following:

- 1) Contracts for the purchase of apparatus, supplies and equipment costing less than \$30,000;
- 2) Contracts for construction or repair costing less than \$30,000;
- 3) Contracts for architectural, engineering, surveying, construction management at risk services, design-build services, and public-private partnership construction services costing less than \$50,000; and
- 4) Contracts for services (other than contracts for architectural, engineering, surveying, construction management at risk services, design-build services, and public-private partnership construction services).

Notwithstanding the foregoing, the provisions of the Local Preference Policy shall not apply to contracts involving a project funded by a federal grant unless the grant has specific language which overrides the prohibition of the Grants Management Common Rule which does not allow local preferences and the provisions of the Local Preference Policy shall not apply (i) when bids or proposals are not sought due to an emergency situation or (ii) in special cases when the required expertise or item is not available locally or in a timely manner, as determined by either the Purchasing Manager or Department Head, or (iii) when the purchase involves an expenditure of less than \$1,000 or (iv) when the purchase involves an expenditure equal to or greater than \$1,000 and less than

\$10,000 when the purchase is from a business which qualifies as an Eligible Local Bidder.

Section 5. Qualifications.

In order to qualify for the local preference, an Eligible Local Bidder must complete the Bidder's Certification for Local Preference Form and submit it to the Purchasing Manager with or prior to the submittal of the bid or proposal. A Bidder's Certification for Local Preference Form shall be required to be updated by a bidder (i) when matters certified to in the form have materially changed and (ii) when notified by the Purchasing Manager that a periodic update is required. The Eligible Local Bidder must have paid and be current on any applicable City of Greenville privilege license fees and on property taxes in the City of Greenville.

When the request for bids involves the bidder submitting a price, in order for a bidder to be an Eligible Local Bidder, the bidder must either:

- (a) Have an office or store from which all or a portion of its business is directed or managed and which is located within the corporate limits of the City of Greenville consisting of at least 500 square feet of floor area within a building on property having a non-residential zoning classification; or
- (b) Have an office or store located within the corporate limits of the City of Greenville and have at least three (3) employees who are based and working out of said office or store; or
- (c) Have an office from which all or a portion of its business is directed or managed and which is located within a residence within the corporate limits of the City of Greenville as allowed by the Zoning Ordinance for a period of at least one (1) year.

When the request seeking proposals is based upon qualifications for a service contract without a price being submitted as a bid when the proposal is submitted, in order for a bidder to be considered as an Eligible Local Bidder, the bidder must either:

- (a) Have an office from which all or a portion of its business is directed or managed and which is located within the corporate limits of the City of Greenville consisting of at least 500 square feet of floor area within a building on property having a non-residential zoning classification; or
- (b) Have an office located within the corporate limits of the City of Greenville and have at least three (3) employees who are based and working out of said office; or

- (c) Have an office from which all or a portion of its business is directed or managed and which is located within a residence within the corporate limits of the City of Greenville as allowed by the Zoning Ordinance for a period of at least one (1) year; or
- (d) Have an arrangement with one or more firms or companies that qualify as an Eligible Local Bidder pursuant to (a), (b), or (c) above to subcontract with said firms or companies to perform at least twenty five percent (25%) of the dollar value of the work to be performed pursuant to the service contract, if the bidder is awarded the contract.

Section 6. Process When Bid Involves Price.

Bids will be evaluated in accordance with the award criteria stated in the request for bids to determine the lowest responsible, responsive bid when the request for bids involves the bidder submitting a price. If the lowest responsible, responsive bid is submitted by an Eligible Local Bidder, then there will be no consideration of the price-matching preference. If the lowest responsible, responsive bid is submitted by a bidder who is not an Eligible Local Bidder and there are no submitted bids from an Eligible Local Bidder that is within 5% or \$25,000, whichever is less, of the lowest responsible, responsive bid, then none of the Eligible Local Bidders will qualify for the price-matching preference. The award will be made to the lowest responsible, responsive bidder.

If the lowest responsible, responsive bid is submitted by a Non-Local Bidder and there are one or more Eligible Local Bidders that submit a bid within 5% or \$25,000, whichever is less, of the lowest responsible, responsive bid, then the Bidder's Certification for Local Preference Form of the Eligible Local Bidder(s) shall be reviewed to determine whether the Eligible Local Bidder's certification is compliant. Additional clarification may be sought of the certification and/or information in an Eligible Local Bidder's certification and additional documentation may be requested if necessary. Failure to supply the requested information will result in the Eligible Local Bidder not receiving a price-matching preference.

If only one Eligible Local Bidder qualifies for the price-matching preference, the Eligible Local Bidder will first be offered the contract award and will have two (2) business days to accept or decline the award based on the lowest responsible, responsive bidder's price. If the lowest responsible, responsive Eligible Local Bidder declines to accept the contract award, then the award is made to the lowest responsible, responsive bidder.

If more than one Eligible Local Bidder qualifies for the price-matching preference, then the qualified Eligible Local Bidders shall be prioritized according to their original bids, from lowest to highest, so that the Eligible Local Bidder who submitted the lowest responsible, responsive bid should get the first opportunity to match the quote of the lowest responsible, responsive Non-Local

Bidder. The Eligible Local Bidder will first be offered the contract award and will have two (2) business days to accept or decline the award based on the lowest responsible, responsive Non-Local Bidder's price. If the lowest responsible, responsive Eligible Local Bidder declines to accept the contract award, then the contract should be offered to the next lowest responsible, responsive Eligible Local Bidder and will continue in this manner until either a responsible, responsive Eligible Local Bidder within five percent (5%) or \$25,000, whichever is less, of the lowest responsible, responsive bid accepts the contract award or the award is made to the lowest responsible, responsive bidder if no qualified Eligible Local Bidder accepts the award. If two responsible, responsive Eligible Local Bidders qualify for the price-matching preference and both bid the same amount, then the Eligible Local Bidder which will be offered the contract award will be chosen by lot.

At any time, all bids may be rejected.

Section 7. Process When Considering Qualifications for Service Contracts.

When the request seeking proposals is based upon qualifications for a service contract without a price being submitted as a bid when the proposal is submitted, the request seeking proposals shall state that being local is a factor to be considered in determining the qualifications of the bidder. The proposals will be evaluated in accordance with an award criteria developed to determine the best qualified responsible, responsive bidder submitting a proposal. The Bidder's Certification for Local Preference Form shall be reviewed to determine whether the Eligible Local Bidder certification is compliant. Five percent (5%) of the points to be awarded to a bidder in an evaluation shall be awarded to each Eligible Local Bidder submitting a proposal. Once the best qualified responsible, responsive bidder submitting a proposal is determined, the price is then negotiated. If an agreement on the price does not occur, then the City will negotiate with the next best qualified responsible, responsive bidder submitting a proposal.

Although being local is a factor in determining the best qualified responsible, responsive bidder submitting a proposal, other factors such as specialized experience and expertise will be a component of the award criteria when determining the best qualified proposal.

At any time, all proposals may be rejected.

Section 8. Solicitation of Bids or Proposals.

Whenever bids or proposals are sought by directly contacting bidders for bids or proposals for a contract for which the provisions of the Local Preference Policy apply, the request for bids or proposals shall be posted on the City of Greenville's website. Notification of the request for bids or proposals shall also be provided to potential bidders having an office or store located within the corporate limits of

the City of Greenville which have submitted a Bidder's Certification for Local Preference Form and which offer the item or service sought. Notification of the request for bids or proposals will be provided to other potential bidders as deemed appropriate by the Purchasing Manager or Department Head for the item or service sought.

Section 9. False or Substantially Inaccurate or Misleading Certifications.

If at any time during or after the procurement process, the City determines that certifications or information in the Bidder's Certificate for Local Preference Form are false, substantially inaccurate or misleading, the City Manager or designee may:

- (1) Cancel the Eligible Local Bidder's contract and/or purchase order that was awarded based on the preference: The Eligible Local Bidder shall be liable for all costs it incurs as a result of the cancellation and all increased costs of the City that may be incurred by awarding the contract to the next lowest bidder;
- (2) Exclude the bidder from any preference in any future City bidding opportunities for a period of time determined by the City Manager or designee; and/or
- (3) Debar the bidder from doing business with the City for a period of time determined by the City Manager or designee.

Section 2. That all resolutions and clauses of resolutions in conflict with this resolution are hereby repealed.

Section 3. That this resolution shall become effective for requests for bids or proposals issued on or after February 1, 2014.

This the 7th day of November, 2013.

Allen M. Thomas, Mayor

ATTEST:

Carol L. Barwick, City Clerk

Council Member Joyner's Requested Changes to the Proposed City of Greenville Local Preference Policy

- 1) The local preference is given to businesses located within the corporate limits of the City of Greenville and its extraterritorial jurisdictional area not just to those located within the corporate limits of the City of Greenville. This can be accomplished by making the following changes to subsections (a),(b), and (c) where these subsections appear twice within Section 5:
 - (a) Have an office or store from which all or a portion of its business is directed or managed and which is located within the corporate limits **or extraterritorial jurisdictional area** of the City of Greenville consisting of at least 500 square feet of floor area within a building on property having a non-residential zoning classification; or
 - (b) Have an office or store located within the corporate limits **or extraterritorial jurisdictional area** of the City of Greenville and have at least three (3) employees who are based and working out of said office or store; or
 - (c) Have an office from which all or a portion of its business is directed or managed and which is located within a residence within the corporate limits **or extraterritorial jurisdictional area** of the City of Greenville as allowed by the Zoning Ordinance for a period of at least one (1) year.

And by making the following changes to the second sentence of Section 8 as follows:

Notification of the request for bids or proposals shall also be provided to potential bidders having an office or store located within the corporate limits **or extraterritorial jurisdictional area** of the City of Greenville which have submitted a Bidder's Certification for Local Preference Form and which offer the item or service sought.

- 2) The exceptions to the Local Preference Policy are scaled back by deleting the exception for when the required expertise or item is not available in a timely manner and providing that purchases less than \$1,000 are excepted only when the purchase is from a business which qualifies as an Eligible Local Bidder (in the same manner as purchases from \$1,000 to \$10,000). This can be accomplished by rewriting the second paragraph of section 4 as follows:

Notwithstanding the foregoing, the provisions of the Local Preference Policy shall not apply to contracts involving a project funded by a federal grant unless the grant has specific language which overrides the prohibition of the Grants Management Common Rule which does not

allow local preferences and the provisions of the Local Preference Policy shall not apply (i) when bids or proposals are not sought due to an emergency situation or (ii) in special cases when the required expertise or item is not available locally ~~or in a timely manner~~, as determined by either the Purchasing Manager or Department Head, or (iii) when the purchase involves an expenditure of ~~less than \$1,000 or (iv) when the purchase involves an expenditure equal to or greater than \$1,000~~ and less than \$10,000 when the purchase is from a business which qualifies as an Eligible Local Bidder.

- 3) Eliminate the provision that notification of a request for bids or proposals will be provided to other potential bidders (other than those who have filed a Bidder's Certification for Local Preference Form) when deemed appropriate by the Purchasing Manager or Department Head. This can be accomplished by the following changes to Section 8.

Section 8. Solicitation of Bids or Proposals.

Whenever bids or proposals are sought by directly contacting bidders for bids or proposals for a contract for which the provisions of the Local Preference Policy apply, the request for bids or proposals shall be posted on the City of Greenville's website. Notification of the request for bids or proposals shall also be provided to potential bidders having an office or store located within the corporate limits of the City of Greenville which have submitted a Bidder's Certification for Local Preference Form and which offer the item or service sought. ~~Notification of the request for bids or proposals will be provided to other potential bidders as deemed appropriate by the Purchasing Manager or Department Head for the item or service sought.~~

- 4) Adopt a separate policy, patterned after a City of Raleigh policy, for the retention of professional and other service contracts. This can be accomplished by adopting the attached Policy provided by Council Member Joyner. This Policy does the following:
 - (a) Requires City Council approval for professional and other service contracts if the contract is greater than \$100,000 and City Manager approval for contracts up to \$100,000. (Raleigh's policy sets this amount at \$300,000. Greenville's current policy is City Council approval is required for contracts greater than \$30,000 for architectural, engineering, or surveying services and greater than \$300,000 for other services, a department head has authority to approve a contract less than \$10,000, and the City Manager or Purchasing Manager has the authority to approve contracts between these amounts.)
 - (b) Provides that requests for proposals are to be distributed to all identified service firms within the Greenville area (the corporate limits and extraterritorial jurisdictional areas of the City of Greenville) unless the City Manager approves sending it to a wider area

as necessary to obtain proposals from qualified firms after a department head determines that the type of service is not available locally. (Raleigh's Policy is to the Raleigh area (Wake, Orange, and Durham counties) unless the City Manager approves sending it to a wider area as necessary to obtain proposals from qualified firms after a department head determines that the type of service is not available locally. Greenville's current practice is to post the request for proposals on the City website and, when a specialized service is involved, send directly to firms which have the expertise regardless of location.)

CITY OF GREENVILLE RETENTION OF PROFESSIONAL
AND OTHER SERVICES POLICY

SECTION 1. PURPOSE:

The purpose of this policy and procedure is to describe the formal and informal processes for retention of professional services and other service contracts by the City of Greenville.

SECTION 2. ORGANIZATIONS AFFECTED:

All Departments/Division

SECTION 3. POLICY:

- 3.1 The formal solicitation process shall apply to all professional and other services estimated to cost \$50,000 or more.
- 3.2 The informal solicitation process shall apply to all professional and other services estimated to cost more than \$5,000 but less than \$50,000.
- 3.3 All professional services contracts (greater than \$50,000) must be approved in advance by the City Manager.
- 3.4 Regardless of formal or informal solicitation process, service contracts up to \$100,000 are approved and executed by the City Manager while service contracts over \$100,000 require City Council approval and execution by the City Manager.
- 3.5 Formal solicitation processes should indicate the nature of the desired services and specify that these do not fall under the requirements of G.S. 143 or formal bids.

SECTION 4. DEFINITIONS:

- 4.1 Professional Services – Architectural, engineering, planning, design and other professional services of a consulting nature.
- 4.2 Other Service Contracts – Includes non-professional and those that are not of a consulting nature.

SECTION 5. FORMAL SOLICITATION PROCEDURES:

- 5.1 All formal solicitations of professional and other services greater than \$50,000 must be approved in advance by the City Manager.
- 5.2 Following authorization by the City Manager, a written request for proposals shall be developed by the department head or other individual as designated by the City Manager.

- 5.3 Requests for proposals shall be distributed to all identified service firms in the field of endeavor within the Greenville area (the corporate limits and extraterritorial jurisdictional area of the City of Greenville). If the department head believes that the type of service required is not available in the Greenville area, the Department Head will report to the City Manager on the type of services needed and why he/she believes no qualified firms are available in the Greenville area. The City Manager may authorize solicitation for proposals from a wider area as necessary to obtain proposals from qualified firms.
- 5.4 The request for proposals shall set a deadline for receipt for proposals, no earlier than two weeks for professional services and one week for other service contracts, from the date of distribution of the request and shall identify the individual(s) and office(s), including addresses, which are responsible for receiving the proposals.
- 5.5 The following elements shall be identified in the request for proposals as necessary items in any acceptable proposal:
 - 5.5.1 A detailed description of previous similar projects including photographs and locations where applicable, costs, initiation and completion dates, and any special design considerations for the desired services including necessary preliminary studies;
 - 5.5.2 Clients for whom similar services were provided and the appropriate individual who may be contacted as a representative of each client;
 - 5.5.3 Services team composition with specific reference to individuals who would be associated with the team and their particular responsibilities
 - 5.5.4 Time schedule with the firm can follow for initiation and for various stages through completion;
 - 5.5.5 Proposed service fees (except for contracts governed by the provisions of Article 3D of Chapter 143 of the North Carolina General Statutes); and
 - 5.5.6 Any special considerations of the project and any other pertinent date.
- 5.6 In evaluating proposals, a determination of the “qualified firm” will consider the following:
 - 5.6.1 Qualifications of the project team members assigned to the project;
 - 5.6.2 Time schedule for providing services;
 - 5.6.3 The level of work performed by a project team on previous assignments which are generally similar to the proposed project; and,
 - 5.6.4 Previous client satisfaction level.

- 5.7 The department head shall prepare a recommendation to the City Manager which includes the following:
- 5.7.1 A list of all firms to which the request for proposals were mailed.
 - 5.7.2 A list of all firms submitting proposals.
 - 5.7.3 A list of the top three firms and their location, with appropriate justification for each.
 - 5.7.4 If the proposals received do not meet the requirements for the project, the department head recommendation shall state why this is the case and will propose an alternative for obtaining satisfactory proposals.
- 5.8 The approval process for selected service firms and the execution of related contracts is as follows:

Contracts Over \$100,000

- 5.8.1 City Manager shall consider the recommendation of the department and shall recommend selection of a firm to the City Council.
- 5.8.2 The City Council shall authorize the City Manager to negotiate an appropriate agreement, including service fees, with the selected firm.
- 5.8.2 The City Manager shall report on the negotiations to the City Council for final approval prior to awarding the contract for services.
- 5.8.4 Execution of the contract shall take place following the City Council approval and services shall be provided in accordance with the contract and pertinent City of Greenville Standard Procedures.



September 25, 2013

Mr. Dave Holec, City Attorney
City of Greenville
200 West Fifth Street
Greenville, NC 27835

Dear Mr. Holec:

As the City of Greenville continues to draft its Local Preference Policy, the leadership of the Greenville-Pitt County Chamber of Commerce believes the City should consider the following:

- **Include Pitt County in the definition of “local.”** By limiting the preference to businesses within the corporate limits of the City of Greenville, the City is not ensuring the best overall value in the procurement of goods and service. Businesses in Pitt County contribute to the City of Greenville’s economy in many ways. It would be in the City’s interest to give preference to businesses in Pitt County.
- **Amend the qualification requirements to:**
 - **Include Home-Based Businesses.** In today’s economy, not all businesses need store fronts. By not including home-based businesses, the policy omits quality, local businesses.
 - **Require bidder to be in business in Pitt County at least 3 to 6 months.** This is one way to address the City’s desire to determine the bidder’s commitment to Greenville and/or Pitt County.
- **Criteria to assess the bidder’s ability to perform.** Controls are needed to keep bidders from exceeding their normal scope of work.

“Buying Local” is a top priority among our 1,000 members. We appreciate the opportunity to provide feedback. We look forward to continuing to work with you to achieve success for our City.

Sincerely,

A handwritten signature in black ink, appearing to read 'S+Senatore'.

Scott Senatore, MBA, IOM
President

Greenville-Pitt County Chamber of Commerce • 302 S. Greene St. • Greenville, NC 27834
(252) 752-4101 • Fax (252) 752-5934 • www.greenvillenc.org • chamber@greenvillenc.org

Excerpt from June 13, 2013, Agenda Item

Local Spending FY 2011-2012

Recognizing that City Council would likely desire context regarding the extent of local spending by the City, staff examined City expenditures for FY 2011-2012. For the purpose of this analysis, a vendor was considered local if they provided a mailing address with a Greenville zip code. It is recognized that this approach does not yield exact results, but it was the most readily available method staff could utilize for this purpose. The results of this analysis reveal that the total City expenditures for the for construction, purchases of supplies/equipment and professional and general services was \$17,255,854, of which \$11,568,584, or 67%, was spent with local (Greenville) vendors.

Additional analysis was conducted to determine the local / non-local spending amounts within the categories of purchasing that could legally be subject to a local preference policy. These include the following:

Contracts for the purchase of apparatus, supplies, and equipment costing less than \$30,000.

- Total spent with all vendors: \$6,212,836
- Total spent with local (Greenville) vendors: \$1,458,920 (23% of total)

Contracts for construction and repair costing less than \$30,000.

- Total spent with all vendors: \$1,861,540
- Total spent with local (Greenville) vendors: \$759,264 (40% of total)

Contracts for architectural, engineering, surveying, or construction management at risk services costing less than \$30,000.

- Total spent with all vendors: \$663,600
- Total spent with local (Greenville) vendors: \$264,084 (39% of total)

Contracts for services (other than contracts for architectural, engineering, surveying, or construction management at risk services).

- Total spent with all vendors: \$6,619,601
- Total spent with local (Greenville) vendors: \$1,755,990 (26% of total)

Examples of Local Preference Approaches

While the majority of the communities and other entities staff contacted (23 total) do not have any form of local preference policy adopted, the following entities have addressed the issue in various ways:

City of Burlington - Has a 5% matching local preference wherein local bids are accepted if they are within 5% of the lowest bid submitted. Burlington has defined local as any business located in Alamance County. This policy has been in place for two years, and according to City staff, it has not been used as they have not had any bid situations that fit this scenario.

City of Durham - Received special legislation from the General Assembly on June 11, 2011 to implement a race-gender neutral Small Local Business Enterprise Program. Using this authority they have proposed a Small Local Business Enterprise Program that limits bidding on certain types of contracts to only individuals and firms in Durham, Orange, Person, and Chatham Counties (Durham MSA). This limitation is generally applicable to construction contracts up to \$500,000 and architectural, engineering and surveying services contracts up to \$100,000. Contracts funded from grants and other governmental entities which restrict or prohibit the use of local preferences in contracting are exempted from this program.

City of Fayetteville - Fayetteville officials have had much discussion on this issue for several years. Officially, they do not have a local preference policy; however, on July 9, 2012, they adopted a *Hire Fayetteville First* policy which does have some local components. It should be noted that Fayetteville is still working towards how best to implement this policy.

City of Greensboro - In lieu of adopting a local preference policy, they operate under a local preference strategy to support local businesses. The strategy establishes a goal of 50% of total spending with local firms against which to monitor and track performance. They feel that this strategy allows them to support local businesses without the risks of diminished competition and increased costs associated with formal local preference policies. The strategy applies to all purchases and professional services, regardless of price, and construction contracts less than \$90,000.

New Hanover County (Wilmington area) – Does not have a formal policy, but the Board adopted a resolution in 2006 that requests that all Boards, Departments, Agencies, and Committees appointed or funded by New Hanover County explore local options first, and contract with local businesses including minorities, socially and economically disadvantaged individuals, and other small businesses for services, supplies, and equipment whenever possible and to the extent permissible by federal, state, and local laws whenever quality, price, and availability are equal to that of services, supplies, and equipment outside New Hanover County.

Cape Fear Public Utility - Has a Local Preference Policy that was effective July 13, 2011. Their policy applies to Service Contracts not specifically addressed by NC General Statutes, Construction Contracts under \$30,000, and Purchases costing \$5,000-\$30,000. The business is considered local if it has a physical office within New Hanover County. Their policy also will allow the lowest local vendor to match the lowest non-local bid if they are within 5% of the lowest nonlocal bid.

Potential Advantages and Disadvantages

While the specific advantages and disadvantages of a local preference policy will depend upon the specific construct of said policy, there are some general concepts that should be examined when considering the development of such a policy:

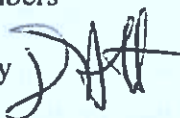
Potential Advantages

- Spending local will help support local business and the local economy.
- New businesses will be attracted to the area so as to have greater opportunities of doing business with the City.

Potential Disadvantages

- Local preference policies sometimes lead to reciprocity. A policy established by one jurisdiction could lead other jurisdictions to establish similar policies which, in turn, diminish the ability of our local businesses to do business elsewhere.
- Local preference policies can potentially increase the cost of goods and services purchased by the City with taxpayer dollars.
- Local preference policies can potentially diminish the effectiveness of M/WBE programs.

MEMORANDUM

TO: Mayor and City Council Members
FROM: David A. Holec, City Attorney 
DATE: July 18, 2012
SUBJECT: Local Vendor Preference Policy

City Council has previously received information relating to a local vendor preference policy. The purpose of this memo is to provide information concerning the legal considerations relating to a preference policy.

LEGAL PARAMETERS

No Preference when State Law Establishes Mandates

State law requires that certain bids be awarded to the lowest responsive, responsible bidder taking into consideration quality, performance and the time specified in the bid for the performance of the contract. Responsive means that the bidder's bid complies with the specifications or requirements for the bid. Responsibility means the bidder has the skill, judgment and integrity necessary for the faithful performance of the contract, as well as sufficient financial resources and ability. This means local preferences are not allowed for these contracts. Contracts which are governed by this standard are the following:

- (1) Contracts for the purchase of apparatus, supplies, materials, and equipment costing \$30,000 or more but less than \$90,000 (informal bidding process);
- (2) Contracts for the purchase of apparatus, supplies, materials, and equipment costing \$90,000 or more (formal bidding process);
- (3) Contracts for construction or repair services costing \$30,000 or more but less than \$500,000 (informal bidding process); and
- (4) Contracts for construction or repair services costing \$500,000 or more (formal bidding process).

State law requires that contracts for architectural, engineering, surveying and construction management at risk services are to be based upon a qualifications-based selection process. This means that the firm is to be selected first on qualifications and then the price is negotiated. This means that a local preference does not become involved. This qualification based standard does not apply to contracts costing less than \$30,000 (City Council has determined to exempt these contracts as allowed by State law) and any other contract costing \$30,000 or more specifically

exempted by City Council (State law allows City Council to exempt specific contracts by the adoption of a resolution).

No Preference when Federal Law Establishes Mandates

The Grants Management Common Rule provides that a project funded by a federal grant cannot utilize a local preference unless the grant has specific language which overrides this prohibition. Therefore, local preferences are not allowed for these contracts.

Possible Contracts to Apply Local Preferences

After removing the contracts in which federal or State law does not allow a local preference, the following contracts are possibilities for having a local preference policy:

- 1) Contracts for the purchase of apparatus, supplies and equipment costing less than \$30,000;
- 2) Contracts for construction or repair costing less than \$30,000;
- 3) Contracts for architectural, engineering, surveying, or construction management at risk services costing less than \$30,000;
- 4) Contracts for architectural, engineering, surveying, or construction management at risk services costing \$30,000 or more when the specific contract is exempted by resolution adopted by City Council; and
- 5) Contracts for services (other than contracts for architectural, engineering, surveying, or construction management at risk services).

Legitimate Interest

A local preference must be supported by a legitimate interest. The policy establishing the local preference must state this interest and the policy must be designed to achieve this interest. This is critically important if a local preference policy is challenged. Examples of interests which could be utilized:

- 1) Supporting local business;
- 2) Reducing local unemployment; and
- 3) Enhancing the local tax base.

U.S. Constitutional Implications

The Equal Protection Clause of the United States Constitution provides that a person is not to be denied the equal protection of the laws. The Courts have utilized this language as a check against laws or policies that treat one group of people differently than another group of people. When the characteristic determining the type of treatment is based upon geographic location (i.e. a local preference), the local preference policy would survive an Equal Protection Clause

challenge so long as the reason for the treatment is legitimate and the law or policy has some rational relationship to that legitimate goal. The preference afforded is required to be reasonable.

CONSIDERATIONS IN DEVELOPING A POLICY

Defining Local

A preference policy will need to define what geographic area is considered as local (for example, Greenville city limits or Pitt County) and what constitutes the bidder being local. This is critically important if a local preference policy is challenged. Options for defining local would include:

- 1) Owner is resident within Greenville city limits (or Pitt County)
- 2) Owner is a taxpayer to Greenville (or Pitt County)
- 3) Majority of employees are residents within Greenville city limits (or Pitt County)
- 4) Store or business location within Greenville city limits (or Pitt County) -- any store or business location
- 5) Store or business location within Greenville city limits (or Pitt County) -- headquarters

Local Preferences When Bids Involve Price

A preference policy applicable to the situation when bids involve price will need to establish a procedure to provide a reasonable preference for the local bidders when bids are received from local and non-local bidders. To be reasonable, the percentage preference needs to be relatively small with up to 5% being acceptable. When a non-local bidder has the lowest responsive, responsible bid and there are local bidders having responsive, responsible bids, alternative methods to provide a local preference include the following:

1) Bid Price Matching

When considering which bid to award, local bidders within "x" percent of the lowest responsive, responsible bid from a non-local bidder are given the opportunity to match the lowest bidder's bid. The lowest responsive, responsible local bidder that elects to match the lowest bidder's bid is awarded the contract. Example: non-local bidder bids \$100,000, local bidder bids \$104,000, and a 5% range is determined to apply. Since the local bidder's bid is within 5% of the non-local bidder's bid, the local bidder would be given the opportunity match the lowest bidder's bid. If the local bidder agrees to do so, the contract would be awarded to the local bidder and the contract amount would be \$100,000

2) Bid Decrease for Local Bidder

When considering which bid to award, local bidders within "x" percent of the lowest responsive, responsible bid would have a "x" percent reduction applied to their bid for the sole purpose of determining which bid is lowest. The contract would then be awarded to the lowest responsive, responsible bidder using these reduced bids for the local bidders. But, the contract amount

would remain the actual amount bid. Example: non-local bidder bids \$100,000, local bidder bids \$104,000, and a 5% decrease is applied to the local bidder's bid for the sole purpose of determining who has the lowest bid. This makes the local bidder's bid \$98,800 (\$104,000-\$5,200). So the local bidder would receive the bid but the contract amount would be \$104,000.

Local Preferences When Considering Qualifications for Service Contracts, then Negotiating Price - Discussion

Utilizing a local preference when service contracts are involved is more difficult since service providers are not necessarily interchangeable. Although one service provider may be able to provide a particular service in a generally acceptable manner, another service provider may have particular expertise or experience which results in a "better" service being provided in order to meet the needs of the City. Some examples:

- (1) The design of the Five Points Plaza. A local landscape architect or engineering company may have been able to provide this service, but an out of town firm had special experience or expertise in performing this service having done a similar project at Duke University.
- (2) The grant project administration for the Brownsfield Grant. A local engineering firm may have been able to provide this service including the performance of the Phase 1 and Phase 2 environmental studies, but an out of town firm had particular expertise in managing Environmental Protection Agency Brownsfield grants including compliance with the reporting requirements of the grant.
- (3) The design of the system for the Wayfinding Sign project. A local sign company or graphic art company may have been able to provide this service, but an out of town graphic design company with a transportation planning sub-consultant had experience with similar projects including compliance with NC DOT wayfinding regulations.

Because of the need for the City to ensure that it is receiving the service which is in the best interest of the City, it would be best if the implementation of the local preference provisions would only occur when there is a determination made that a local firm is able to provide the service in the manner which meets the City's needs. In other words, for the City's purpose of receiving the service in a manner which meets the City's needs, all factors are basically equal between the local firm and the non-local firm so awarding the contract to the local firm is a form of a tie breaker which does not result in the City receiving a lesser service.

When developing a policy utilizing this tie breaker format, the issues will be who makes the determination as to the firms being basically equal and the extent of the range between firms where they are still considered basically equal. This will be a subjective determination.

The need to ensure that the City is not receiving a lesser service is the reason North Carolina cities have strategies to promote the opportunities for a local firm to receive the award of the contract rather than formal preference policies. These include ensuring that local firms are given notice of opportunities to bid and using local businesses for convenience when purchasing small items or obtaining quotes for informal bids.

Subject to being able to demonstrate, if a local preference policy is challenged, that the local preference has a rational relationship to achieving the legitimate goal defined in a preference policy, it is possible to have the fact that a firm is local being a listed factor to be considered when evaluating the qualifications of firms or being a listed factor when determining the eligibility of firms to be awarded a contract.

Local Preferences When Considering Qualifications for Service Contracts, then Negotiating Price – Examples

Examples of possible preference policies are as follows:

- (1) Have a preference policy applicable to the situation when the qualifications for service contracts are considered and price negotiated later which establishes a tie breaker procedure to provide a reasonable preference for the local firm.

When a non-local firm is determined to be the most qualified and there are local firms who are determined to be qualified to perform the service in the manner which serves the City's needs, alternative methods to provide a local preference include the following:

- a) Consider the firms as basically equally qualified, use the fact that the firm is local as a tie breaker, and proceed to negotiate the price with the local qualified firm. Contract with the local qualified firm provided that a determination is made that the price negotiated is reasonable and in the best interest of the City.

- b) Solicit a price proposal from the firms determined to be qualified to perform the service. Then utilize the bid price matching method or bid decrease method on the price proposals described in the section entitled local preference when bids involve price.

- (2) Have a preference policy applicable to the situation when the qualifications for service contracts are considered and price negotiated later which provides that being local is a listed factor which is to be considered when evaluating the qualifications of the firms or that being local is a listed factor which is to be considered when determining the eligibility of firms to be awarded a contract.

ACTION REQUIRED

Council action to establish a preference policy will be required, if Council determines to establish a preference policy. Included within this will be re-consideration of the dollar amount

thresholds for when the formal bidding process is to be utilized. The Purchasing Manual of the City of Greenville will then be amended in order to conform with Council's actions.