



Agenda

Greenville City Council

June 14, 2012
7:00 PM
City Council Chambers
200 West Fifth Street

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

I. Call Meeting To Order

II. Invocation - Council Member Joyner

III. Pledge of Allegiance

IV. Roll Call

V. Approval of Agenda

VI. Special Recognitions

- Fair Housing Poster Contest Winners

VII. Appointments

1. Appointments to Boards and Commissions

VIII. New Business

Public Hearings

2. Ordinance requested by Brighton Park Apartments, LLC to rezone 0.63 acres located on the western right-of-way of Brighton Park Drive approximately 50 feet south of its intersection with Melrose Drive from MO (Medical-Office) to MR (Medical-Residential)
3. Resolution authorizing an application to the Federal Transit Administration for a Section 5307 grant for federal operating and capital assistance for Greenville Area Transit (GREAT) for Fiscal Year 2012-2013

4. Ordinance directing the enforcement officer to repair, alter or improve, or to vacate and close the nonresidential building or structure located at 917 West Fifth Street
5. Naming of Elm Street Park Little League field as Stallings Stadium at Elm Street Park

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

6. Presentation on sales tax issue by David Baker, North Carolina Department of Revenue
7. Resolution requested by Greenville Auto Auction, LLC for an extension of the City of Greenville's Extra-Territorial Jurisdiction (ETJ)
8. Establishment of fair market value for 608, 610, and 612 Roosevelt Avenue
9. Ordinances adopting budgets for the 2012-2013 Fiscal Year and Operating Plans for Fiscal Year 2013-2014:
 - a. City of Greenville including Sheppard Memorial Library and Pitt-Greenville Convention and Visitors Authority
 - b. Greenville Utilities Commission
10. 2012-2013 Redevelopment Commission Work Plan and Budget

IX. Comments from Mayor and City Council

X. City Manager's Report

XI. Adjournment



City of Greenville, North Carolina

Meeting Date: 6/14/2012
Time: 7:00 PM

Title of Item: Appointments to Boards and Commissions

Explanation: City Council appointments need to be made to the Affordable Housing Loan Committee, Board of Adjustment, Greenville Bicycle & Pedestrian Commission, Greenville Utilities Commission, Human Relations Council, Pitt-Greenville Convention & Visitors Authority, Police Community Relations Committee and the Youth Council.

Fiscal Note: No direct fiscal impact.

Recommendation: Make appointments or reappointments to the Affordable Housing Loan Committee, Board of Adjustment, Greenville Bicycle & Pedestrian Commission, Greenville Utilities Commission, Human Relations Council, Pitt-Greenville Convention & Visitors Authority, Police Community Relations Committee and the Youth Council.

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Appointments to Boards and Commissions

June 14, 2012

Affordable Housing Loan Committee

Council Liaison: Council Member Kandie Smith

Name	District #	Current Term	Reappointment Status	Expiration Date
Gregory James (Alternate Member)	5	Filling unexpired term	Resigned	February 2012

Board of Adjustment

Council Council Member At-Large Dennis Mitchell

Nam	District #	Current Term	Reappointment Status	Expiration Date
William Fleming (Alternate #1 - Mayor Thomas)	1	Filling unexpired term	Eligible	June 2012
John Hutchens (Council Member Smith)	5	Second term	Ineligible	June 2012
Thomas Taft (Alternate #2 - Council Member Joyner)	1	Filling unexpired term	Eligible	June 2012

Greenville Bicycle & Pedestrian Commission

Council Liaison: Council Member Calvin Mercer

Name	District #	Current Term	Reappointment Status	Expiration Date
JP Walsh	4	First term	Resigned	January 2015

Greenville Utilities Commission

Council Liaison: Council Member Max Joyner, Jr.

Nam	District #	Current Term	Reappointment Status	Expiration Date
Virginia Hardy	County	First term	Eligible	June 30, 2012
J. Freeman Paylor (Council Member Joyner)	4	Second term	Ineligible	June 30, 2012

Human Relations Council

Council Liaison: Mayor Pro Tem Rose Glover

Student Representatives

Name	District #	Current Term	Reappointment Status	Expiration Date
Available (ECU)		Unexpired Term	Eligible	October 2012
Available (PCC)		Unexpired Term	Eligible	October 2012

Pitt-Greenville Convention & Visitors Authority

Council Liaison: Mayor Pro-Tem Rose Glover

Name	District #	Current Term	Reappointment Status	Expiration Date
Hanna Magnusson (City (1))		First term	No longer with the Courtyard Marriot	June 2014
Ivory Mewborn (County (3))		First term	Resigned	June 2013

1: Owners/operators of hotels/motels

3: Residents not involved in tourist or convention-related business

Police Community Relations Committee

Council Liaison: Mayor Pro Tem Rose Glover

Name	District #	Current Term	Reappointment Status	Expiration Date
Available (Mayor Pro Tem Glover)	2	Unexpired Term	Eligible	October 2013

Youth Council

Council Liaison: Council Member Marion Blackburn

Youth Council continued

Name	District #	Current Term	Reappointment Status	Expiration Date
Eight Available Slots		Filling unexpired term	Eligible	September 2012

Applicants for Affordable Housing Loan Committee

Christina W. Darden
387 Claredon Drive
Greenville, NC 27858

District #: 5

Thomas Hines
211 Patrick Street
Greenville, NC 27834

District #: 1

Application Date:

Home Phone: (252) 756-9249

Business Phone: (252) 215-1019

Email: chris@chrisdarden.com

Application Date: 10/6/2011

Home Phone: (252) 864-4907

Business Phone: (252) 695-9066

Email: thinesg@aol.com

Applicants for the Board of Adjustment

Cornell Allen
4030 Bells Chapel Road
Greenville, NC 27858

District #: 5

JJ McLamb
102 Christina Drive
Greenville, NC 27858

District #: 4

Dustin Mills
504 Daventry Drive
Greenville, NC 27858

District #: 5

Howard Stearn
2818 Jefferson
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: 2/27/2012

Home Phone: (252) 814-6050

Business Phone: (252) 737-4669

Email: jjmclamb@suddenlink.net

Application Date: 4/9/2012

Home Phone: (919) 480-0791

Business Phone: (252) 558-0207

Email: dmills@pirhl.com

Application Date: 11/9/2011

Home Phone: (252) 862-6683

Business Phone: (252) 321-1101

Email: howardmstearn@gmail.com

Applicants for Greenville Bicycle and Pedestrian Commission

Henry H. Robbins
1084 Allen Road, Apartment 2G
Greenville, NC 27834

Application Date: 5/25/2012

District #: 1

Home Phone: (919) 909-4512
Business Phone: (252) 847-9550
Email: henryrobbins2@yahoo.com

Robert Turner
320 Dupont Circle
Greenville, NC 27858

Application Date: 5/8/2012

District #: 5

Home Phone: (252) 413-8197
Business Phone: (252) 353-4111
Email: rturner17@suddenlink.net

Applicants for Greenville Utilities Commission

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

District #: 5

Application Date: 3/5/2011

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

Charles H. Farley
206 Oxford Road
Greenville, NC 27858

District #: 4

Application Date: 11/16/2011

Home Phone: (252) 717-4873
Business Phone:
Email: privatepilot@earthlink.net

Howard Stearn
2818 Jefferson
Greenville, NC 27858

District #: 3

Application Date: 11/9/2011

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

Charles W. Tudor
101 Queen Anne's Road
Greenville, NC 27858

District #: 5

Application Date: 2/14/2012

Home Phone: (252) 414-2325
Business Phone: (252) 756-6101
Email: charles.tudor@greenvillenc.com

Applicants for Human Relations Council

Wanda Carr
2304 British Court
Greenville, NC 27834

District #: 1

Isaac Chemmanam
402 Lochview Drive
Greenville, NC 27858

District #: 4

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

District #: 4

Aaron Lucier
1516 Thayer Drive
Winterville, NC 28590

District #: 5

Angela Marshall
2609B Boone Court
Greenville, NC 27834

District #: 1

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

District #: 1

Application Date: 10/13/2010

Home Phone: (252) 321-1409

Business Phone:

Email: carrwdc@hotmail.com

Application Date: 1/18/2012

Home Phone: (252) 561-8759

Business Phone: (252) 412-2045

Email: isaac.chemmanam@gmail.com

Application Date: 2/20/2012

Home Phone:

Business Phone: (252) 328-2950

Email: scottthduke@gmail.com

Application Date: 2/23/2011

Home Phone: (252) 321-3910

Business Phone: (252) 328-2758

Email: luciera@ecu.edu

Application Date: 4/29/2011

Home Phone: (252) 258-4104

Business Phone: (252) 328-4173

Email: marshalla@ecu.edu

Application Date: 7/15/2010

Home Phone: (252) 489-8390

Business Phone:

Email: partridgeb06@students.ecu.edu

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

Brian Brown
2237 Penncross Drive
Greenville, NC 27834
District #: 5

Application Date: 2/23/2011
Home Phone: (252) 414-3943
Business Phone: (252) 353-7379
Email: bbrown@myrepexpress.com

Wanda Carr
2304 British Court
Greenville, NC 27834
District #: 1

Application Date: 10/13/2010
Home Phone: (252) 321-1409
Business Phone:
Email: carrwdc@hotmail.com

Brian Cooper
1149 Mulberry Lane, #34-G
Greenville, NC 27858
District #: 5

Application Date: 3/5/2011
Home Phone: (252) 439-0651
Business Phone: (252) 439-0651
Email: brianevans_99@yahoo.com

Ann Eleanor
102 Lindenwood Drive
Greenville, NC 27834
District #: 5

Application Date: 2/13/2011
Home Phone: (252) 227-4240
Business Phone:
Email: aeleonor@suddenlink.net

JJ McLamb
102 Christina Drive
Greenville, NC 27858
District #: 4

Application Date: 2/27/2012
Home Phone: (252) 814-6050
Business Phone: (252) 737-4669
Email: jjmclamb@suddenlink.net

Bridget Moore
4128A Bridge Court
Winterville, NC 28590
District #: 5

Application Date: 7/13/2011
Home Phone: (252) 355-7377
Business Phone: (252) 756-1002
Email: bmoore2004@netzero.com

Linda J. Snell
106 Blackbird Lane
Pinetops, NC 27864
District #:

Application Date: 5/21/2012
Home Phone: (252) 717-7213
Business Phone: (252) 754-8300
Email: hiegvgm@1stcarolina.net

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

Debbie Avery
3010 Sapphire Lane
Winterville NC 28590

Day Phone: (252) 531-4590
Evening Phone: (252) 756-9832
Fax:
E-mail: davery60@hotmail.com

Gender: F
Race: White
District: 4
Priority:

Applied for this board on: 1/16/2009

Application received/updated: 01/20/2011

Applicant's Attributes: County Planning Jurisdiction
District 4

<u>Experience (Educ./Vol./Prof. Assoc./Military/Other Appointed Positions, etc.)</u>			
	Organization	Description	Date(s)
Education	East Carolina	BS - Education	
Education	Ayden Grifton High		
Experience	First State Bank		1978-1984
Experience	ECU School of Medicine	Standardized Patient	2007-present
Experience	Pitt County Schools	Middle School Science Teacher	30 years
Experience	Winterville Chamber of Commer	Executive Director	
Volunteer/Prof. Associations	Winterville Kiwanis Club		
Volunteer/Prof. Associations	Winterville Watermelon Festival		

<u>Boards Assigned To</u>	
Development Commission	2/7/2011 to 12/31/2013

Brian Cooper
1149 Mulberry Lane #34G
Greenville NC 27858

Day Phone: (252) 439-0651
Evening Phone: (252) 439-0651
Fax:
E-mail: Brianevans_99@yahoo.co

Gender: M
Race: White
District: 5
Priority: 0

Applied for this board on: 12/23/2009

Application received/updated: 01/06/2011

Applicant Interest Listing

Applicant's Attributes: District 5
Greenville City Limits
South of the River

Experience (Educ./Vol./Prof. Assoc./Military/Other Appointed Positions, etc.)			
	Organization	Description	Date(s)
Education	Princeton University	AB-History	
Education	University of Michigan	MA	
Education	Sewanhaka High		
Experience	Self-Employed - Cooper Pearson	Writer-Editor & Marketing	currently
Experience	Air Force	ROTC	2 years
Experience	Hill & Knowlton/New York	Senior Account Executive	1984-1985
Experience	St. Regis Paper Company/New Y	PR Project Manager	1978-1984
Experience	Harcourt Brace Jovanovich/New	Asst. to the CEO	1976-1978
Experience	The Port Authority		1972
Experience	Industry Experience	Publishing,Media, Airport Mang., Hea	
Experience	Treadway Ins. & Resorts	Marketing & Communications Directo	1976
Volunteer/Prof. Associations	Princeton Club of New York	Member, Board of Governors	1975-1990
Volunteer/Prof. Associations	The International Center	English/language tutor	
Volunteer/Prof. Associations	The Network of Independent Pub		1986-1988
Volunteer/Prof. Associations	Literacy Tutor/Orange County		
Volunteer/Prof. Associations	Radio Reading Services of Easter		
Volunteer/Prof. Associations	Greenville Writers Group	Member	
Volunteer/Prof. Associations	American Society of Journalists	Member	

Ralph Hall Jr
111 Hardee Street
Greenville NC 27858

Day Phone:
Evening Phone: (252) 756-0262
Fax:

Gender: M
Race: White
District: 6

Convention & Visitors Authority
Wednesday, April 18, 2012

Page 2 of 5

Applicant Interest Listing

E-mail: bajhall@aol.com

Priority: 0

Applied for this board on: 2/26/2003

Application received/updated: 02/26/2003

Applicant's Attributes: District 6
Greenville ETJ

<u>Experience (Educ./Vol./Prof. Assoc./Military/Other Appointed Positions, etc.)</u>			
	<u>Organization</u>	<u>Description</u>	<u>Date(s)</u>
Education	University of South Carolina	Civil Engineering	1955-1957
Education	Edenton High		
Experience	Phillippines Construction	Project Manager	1962-1966
Experience	Foreign Service Staff Officer	Civil Engineer	1966-1969
Experience	Odell Associates	Hospital Construction Engineer	1969-1973
Experience	PCMH	Vice-President of Facilities	1973-2001
Volunteer/Prof. Associations	N.C. Bio-Medical Association		
Volunteer/Prof. Associations	N.C. Association of Health Care		
Volunteer/Prof. Associations	American Society of Health Care		
Volunteer/Prof. Associations	American Cancer Society		
Volunteer/Prof. Associations	State Board of Directors		

<u>Boards Assigned To</u>	
Industrial Revenue & Pollution Control Authority	3/15/2004 to 3/15/2007
P. C. M. H. Board of Trustees District 2	2/19/2008 to 3/31/2013

Steve Little
3314 NC 33 W
Greenville NC 27834

Day Phone: (252) 714-3559
Evening Phone: (252) 758-2040
Fax:
E-mail: steve.little@nashfinch.com

Gender: M
Race: White
District: 2
Priority:

Applicant Interest Listing

Applied for this board on: 1/5/2007

Application received/updated: 02/28/2012

Applicant's Attributes: District 2
County Planning Jurisdiction
North of the River

<u>Experience (Educ./Vol./Prof. Assoc./Military/Other Appointed Positions, etc.)</u>			
	Organization	Description	Date(s)
Education	East Carolina University		
Education	Belvoir Elementary		
Experience		NC Real Estate Broker License	
Experience	Nash Finch	Division Manager	
Volunteer/Prof. Associations	Pitt County Planning Board		6 years

<u>Boards Assigned To</u>			
ABC Board			9/22/2009 to 6/30/2012
Pitt County Board of Adjustment			1/11/2010 to 1/1/2013
	North of the River		

Edward Sontag
3902 Brookstone Drive
Winterville NC 28590

Day Phone: (252) 364-8198
Evening Phone:
Fax:
E-mail: edsbadger@gmail.com

Gender: M
Race:
District: 5
Priority:

Applied for this board on: 1/21/2011

Application received/updated: 01/21/2011

Applicant's Attributes: Greenville City Limits
South of the River
District 5

<u>Experience (Educ./Vol./Prof. Assoc./Military/Other Appointed Positions, etc.)</u>			
	Organization	Description	Date(s)

Applicant Interest Listing

Education	Syracuse U		1971
Education	Buffalo State	BS; MS	1964, 1967
Education	Bennett High School; Buffalo N		
Experience	US Dept. of Education	Director of Special Education	
Experience	Governor Tommy Thompson	Policy Advisor	
Experience	CDC	Chief Management Official	2005-2010
Experience	HHS	Assistant Secretary	2001-2005
Volunteer/Prof. Associations	National Guard - NY State		

Elizabeth Weidner

116 Knight Drive
Winterville NC 28590

Day Phone: (252) 321-4034

Evening Phone:

Fax:

E-mail: demrs5@suddenlink.net

Gender: F

Race: White

District: 5

Priority:

Applied for this board on: 6/22/2010

Application received/updated: 06/22/2010

Applicant's Attributes: Greenville ETJ
South of the River
GUC Customer
District 5

Experience (Educ./Vol./Prof. Assoc./Military/Other Appointed Positions, etc.)		
Organization	Description	Date(s)
Education	University of Alabama-Birmingh	
Education	Albemarle High School	

Applicants for Police Community Relations Committee

Isaac Chemmanam
402 Lochview Drive
Greenville, NC 27858

District #: 4

Application Date: 1/18/2012

Home Phone: (252) 561-8759
Business Phone: (252) 412-2045
Email: isaac.chemmanam@gmail.com

Ann Eleanor
102 Lindenwood Drive
Greenville, NC 27834

District #: 5

Application Date: 2/13/2011

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

Terry King
1310 Thomas Langston Rd. #7
Winterville, NC 28590

District #: 5

Application Date: 2/11/2011

Home Phone: (252) 412-5228
Business Phone:
Email: terryeu2@aol.com

Adam Lawler
502 Treybrooke Circle, Apt. 32
Greenville, NC 27858

District #: 1

Application Date: 10/26/2011

Home Phone: (252) 558-2037
Business Phone: (252) 737-4640
Email: adam.e.lawler@gmail.com

Aaron Lucier
1516 Thayer Drive
Winterville, NC 28590

District #: 5

Application Date: 2/23/2011

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

Howard Stearn
2818 Jefferson
Greenville, NC 27858

District #: 3

Application Date: 11/9/2011

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

Applicants for Youth Council

NONE.



City of Greenville, North Carolina

Meeting Date: 6/14/2012
Time: 7:00 PM

Title of Item: Ordinance requested by Brighton Park Apartments, LLC to rezone 0.63 acres located on the western right-of-way of Brighton Park Drive approximately 50 feet south of its intersection with Melrose Drive from MO (Medical-Office) to MR (Medical-Residential)

Explanation: **Required Notices:**

Planning and Zoning meeting notice (property owner and adjoining property owner letter) mailed on March 6, 2012.
On-site sign(s) posted on March 6, 2012.
City Council public hearing notice (property owner and adjoining property owner letter) mailed May 22, 2012.
Public hearing legal advertisement published June 4 and 11, 2012.

Comprehensive Plan:

The subject area is located in Vision Area F.

The Future Land Use Plan Map recommends office/institutional/multi-family (OIMF) along the northern right-of-way of West Fifth Street between Schoolhouse Branch and Harris Run.

Thoroughfare/Traffic Report Summary (PWD- Engineering Division):

A traffic report was not generated since the proposed rezoning will generate fewer trips on West Fifth Street than the existing zoning.

History/Background:

In 1986, the subject property was incorporated into the City's extra-territorial jurisdiction (ETJ) and zoned MD-3 and MD-5. Later, these districts were re-named to MO (Medical-Office) and MR (Medical-Residential), respectively.

Present Land Use:

Currently, the property is vacant.

Water/Sewer:

Water and sanitary sewer are located in the right-of-way of Brighton Park Drive.

Historic Sites:

There are no known effects on designated sites.

Environmental Conditions/Constraints:

There are no known environmental conditions/constraints.

Surrounding Land Uses and Zoning:

North: MR - vacant

South: MO - vacant

East: MO and MR - vacant

West: MO - Carolina Ortho Prosthetics

Density Estimates:

Under the current zoning (MO), the site could yield 6,028+/- square feet of medical office space.

Under the proposed zoning (MR), the maximum density would allow 11 multi-family units (1, 2 and 3 bedrooms). Staff would anticipate the site to yield 8 multi-family units (1, 2 and 3 bedrooms).

The anticipated build-out time is approximately 1 to 2 years.

Fiscal Note: No cost to the City.

Recommendation: In staff's opinion, the request is in compliance with Horizons: Greenville's Community Plan, the Future Land Use Plan Map and the Medical District Land Use Plan Update(2007).

"In compliance with the comprehensive plan" should be construed as meaning the requested zoning is (i) either specifically recommended in the text of the Horizons Plan (or addendum to the plan) or is predominantly or completely surrounded by the same or compatible and desirable zoning and (ii) promotes the desired urban form. The requested district is considered desirable and in the public interest, and staff recommends approval of the requested rezoning.

The Planning and Zoning Commission voted to deny the request at its March 20, 2012, meeting.

If City Council determines to approve the request, a motion to adopt the attached rezoning ordinance will accomplish this. The ordinance includes the statutorily required statement describing whether the action taken is consistent with the comprehensive plan and explaining why Council considers the action taken to be reasonable and in the public interest.

If City Council determines to deny the rezoning request, in order to comply with this statutory requirement, it is recommended that the motion be as follows:
Motion to deny the proposed amendment and to make a finding and determination that, although the rezoning request is consistent with the comprehensive plan, there is a more appropriate zoning classification and, therefore, denial is reasonable and in the public interest.

Note: In addition to the other criteria, the Planning and Zoning Commission and City Council shall consider the entire range of permitted and special uses for the existing and proposed zoning districts as listed under Title 9, Chapter 4, Article D of the Greenville City Code.

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

Attachments / click to download

- [Location Map](#)
- [Survey](#)
- [Bufferyard and Vegetation Standards and Residential Density](#)
- [Ordinance Brighton Park Apt 920905](#)
- [Minutes Brighton Park Apartments 920909](#)
- [List of Uses for MO to MR 900329](#)

ORDINANCE NO. 12-
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GREENVILLE
REZONING TERRITORY LOCATED WITHIN THE PLANNING AND ZONING JURISDICTION OF THE
CITY OF GREENVILLE, NORTH CAROLINA

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 June 14, 2012, 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 rezoning the following described territory;

WHEREAS, the City Council has been informed of and has considered all of the permitted and special uses of the districts under consideration; and,

WHEREAS, in accordance with the provisions of North Carolina General Statute 160A-383, the City Council does hereby find and determine that the adoption of the ordinance rezoning the following described property is consistent with the adopted comprehensive plan and that the adoption of the ordinance rezoning the following described property is reasonable and in the public interest due to its consistency with the comprehensive plan and, as a result, its furtherance of the goals and objectives of the comprehensive plan.

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

Section 1. That the following described territory is rezoned from MO (Medical-Office) to MR (Medical-Residential).

TO WIT: Brighton Park Apartments, LLC Properties.

LOCATION: Located at the western right-of-way of Brighton Park Drive approximately 50 feet south of its intersection with Melrose Drive.

DESCRIPTION: Being all of Lot 3 and a portion of Lot 4 as shown on the map prepared by Baldwin and Associates recorded in Map Book 56, Page 101, Pitt County Register of Deeds.

Section 2. That the Director of Community Development is directed to amend the zoning 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 14th day of June, 2012.

Allen M. Thomas, Mayor

ATTEST:

Carol L. Barwick, City Clerk

Doc. # 920905

Excerpt from the ADOPTED Planning & Zoning Minutes (3/20/2012)

REQUEST BY BRIGHTON PARK APARTMENTS, LLC - DENIED

Ordinance requested by Brighton Park Apartments, LLC to rezone 0.63 acres located on the western right-of-way of Brighton Park Drive approximately 50 feet south of its intersection with its intersection with Melrose Drive from MO (Medical-Office) to MR (Medical-Residential).

Mr. Andy Thomas, Planner, delineated the property. The property is located in the western section of the city near the intersection of Brighton Park Drive and West Fifth Street. The property is currently vacant and adjacent properties to the north, south and east of the property are vacant. Carolina Ortho Prosthetics is to the west of the property. The rezoning could generate fewer trips on West Fifth Street than the existing zoning. The property is currently zoned MO (Medical-Office) and the requested zoning is MR (Medical-Residential). Under the current zoning (MO), the site could yield 6,028+/- square feet of medical office space. Under the proposed zoning (MR), the maximum density would allow 11 multi-family units (1, 2 and 3 bedrooms). Staff would anticipate the site to yield 8 multi-family units (1, 2 and 3 bedrooms). The Future Land Use Plan Map recommends office/institutional/multi-family (OIMF) along the northern right-of-way of West Fifth Street between Schoolhouse Branch and Harris Run. In staff's opinion, the request is in compliance with Horizons: Greenville's Community Plan, the Future Land Use Plan Map and the Medical District Land Use Plan Update (2007).

Mr. Clay Tyre, representative of Brighton Park LLC, spoke in favor of the request.

Mr. Carl Tyndall, owner of Carolina Ortho Prosthetics, spoke in opposition of the request. Mr. Tyndall requested that the current zoning remain the same and not have apartments encroaching upon the medical area. Mr. Tyndall stated his property is zoned OI and goes back 650 feet from Fifth Street. The adjacent properties, the nursing home, dialysis center, and Brighton Park distance from Fifth street are 450 feet, 480 feet, and 445 feet, respectively. Brighton Park has the shortest distance. Mr. Tyndall stated that he foresaw the existing property going down in value, increase foot traffic, improper use of the lawn by animals and increase in crime. He pointed out that the location of the rezoning request is at the narrowest depth of MO zoning along that section of W. Fifth Street.

Mrs. Barbara Tyndall, wife of Mr. Tyndall, also spoke in opposition of the request. Mrs. Tyndall stated that she works at the Carolina Ortho Prosthetics office and no longer feels safe. The increase of foot and vehicular traffic along with increased crime makes her and her co-workers feel unsafe. Mrs. Tyndall presented a graph of crime statistics of Brighton Park to demonstrate the increase of crimes since the growth of the complex. She stated that she felt the more the

density of the area increases, the more unsafe it becomes. She suggested that the area remain medical office.

Motion made by Mr. Maxwell, seconded by Mr. Parker, to recommend denial of the proposed amendment, to advise that, although the proposed amendment is consistent with the Comprehensive Plan, there is a more appropriate zoning classification, and to adopt the staff report which addresses plan consistency. Those voting in favor: Bellis, Basnight, Parker, Maxwell, Schrade, Weitz and Harrington. Those voting in opposition: Bell. Motion passed.

EXISTING ZONING

MO (Medical-Office)

Permitted Uses

(1) General:

- a. Accessory use or building
- b. Internal service facilities
- c. On- premise signs per Article N
- f. Retail sales; incidental

(2) Residential:

- l. Group care facility
- n. Retirement center or home
- o. Nursing, convalescent center or maternity home; major care facility

(3) Home Occupations (see all categories):

*None

(4) Governmental:

- b. City of Greenville municipal government building or use (see also section 9-4-103)
- c. County or state government building or use not otherwise listed; excluding outside storage and major or minor repair
- d. Federal government building or use

(5) Agricultural/ Mining:

- a. Farming; agriculture, horticulture, forestry (see also section 9-4-103)

(6) Recreational/ Entertainment:

- f. Public park or recreational facility
- g. Private noncommercial park or recreational facility

(7) Office/ Financial/ Medical:

- a. Office; professional and business, not otherwise listed
- d. Bank, savings and loan or other savings or investment institutions
- e. Medical, dental, ophthalmology or similar clinic, not otherwise listed

(8) Services:

- n. Auditorium
- r. Art gallery
- u. Art studio including art and supply sales
- ee. Hospital
- ii. Wellness center; indoor and outdoor facilities

(9) Repair:

* None

(10) Retail Trade:

- d. Pharmacy
- s. Book or card store, news stand
- w. Florist

(11) Wholesale/ Rental/ Vehicle- Mobile Home Trade:

* None

(12) Construction:

- c. Construction office; temporary, including modular office (see also section 9-4-103)

(13) Transportation:

* None

(14) Manufacturing/ Warehousing:

* None

(15) Other Activities (not otherwise listed - all categories):

* None

Special Uses

MO (Medical-Office)

(1) General:

* None

(2) Residential:

- i. Residential quarters for resident manager, supervisor or caretaker; excluding mobile home

(3) Home Occupations (see all categories):

* None

(4) Governmental:

- a. Public utility building or use

(5) Agricultural/ Mining:

* None

(6) Recreational/ Entertainment:

- s. Athletic club; indoor only

(7) Office/ Financial/ Medical:

* None

(8) Services:

- a. Child day care facilities
- b. Adult day care facilities
- e. Barber or beauty shop
- f. Manicure, pedicure or facial salon
- j. College and other institutions of higher learning
- l. Convention center; private
- s. Hotel, motel bed and breakfast inn; limited stay lodging (see also residential quarters for resident manager, supervisor or caretaker and section 9-4-103)
- s.(1). Hotel, motel bed and breakfast inn; extended stay lodging (see also residential quarters for resident manager, supervisor or caretaker and section 9-4-103)
- hh. Exercise and weight loss studios; indoor only
- ll.(1) Dry cleaning; household users, drop-off/pick-up station only [2,000 sq. ft. gross floor area limit per establishment]
- jj. Health services not otherwise listed

(9) Repair:

* None

(10) Retail Trade:

- f. Office and school supply, equipment sales [5,000 sq. ft. gross floor area limit per establishment]
- h. Restaurant; conventional
- i. Restaurant; fast food [limited to multi-unit structures which contain not less than three separate uses]
- j. Restaurant; regulated outdoor activities
- k. Medical supply sales and rental of medically related products including uniforms and related accessories.
- t. Hobby or craft shop [5,000 sq. ft. gross floor area limit per establishment]

(11) Wholesale/ Rental/ Vehicle- Mobile Home Trade:

* None

(12) Construction:

* None

(13) Transportation:

* None

(14) Manufacturing/ Warehousing:

* None

(15) Other Activities (not otherwise listed - all categories):

* None

PROPOSED ZONING

MR (Medical-Residential)

Permitted Uses

(1) General:

- a. Accessory use or building
- c. On- premise signs per Article N

(2) Residential:

- a. Single-family dwelling
- b. Two-family attached dwelling (duplex)
- c. Multi-family development per Article 1
- f. Residential cluster development per Article M
- k. Family care home (see also section 9-4-103)
- q. Room renting

(3) Home Occupations (see all categories):

*None

(4) Governmental:

- b. City of Greenville municipal government building or use (see also section 9-4-103)

(5) Agricultural/ Mining:

- a. Farming; agriculture, horticulture, forestry (see also section 9-4-103)

(6) Recreational/ Entertainment:

- f. Public park or recreational facility
- g. Private noncommercial park or recreation facility

(7) Office/ Financial/ Medical:

* None

(8) Services:

- o. Church or place of worship (see also section 9-4-103)

(9) Repair:

* None

(10) Retail Trade:

* None

(11) Wholesale/ Rental/ Vehicle- Mobile Home Trade:

* None

(12) Construction:

- c. Construction office; temporary, including modular office (see also section 9-4-103)

(13) Transportation:

* None

(14) Manufacturing/ Warehousing:

* None

(15) Other Activities (not otherwise listed - all categories):

* None

MR (Medical-Residential)

Special Uses

(1) General:

* None

(2) Residential:

- d. Land use intensity multifamily (LUI) development rating 50 per Article K
- l. Group care facility
- n. Retirement center or home
- o. Nursing, convalescent center or maternity home; major care facility
- o.(1). Nursing, convalescent center or maternity home; minor care facility

(3) Home Occupations (see all categories):

- b. Home occupations; excluding barber and beauty shops
- d. Home occupations; excluding manicure, pedicure or facial salon

(4) Governmental:

- a. Public utility building or use

(5) Agricultural/ Mining:

* None

(6) Recreational/ Entertainment:

- c.(1). Tennis club; indoor and outdoor facilities

(7) Office/ Financial/ Medical:

* None

(8) Services:

- a. Child day care facilities
- b. Adult day care facilities

- g. School; junior and senior high (see also section 9-4-103)
- h. School; elementary (see also section 9-4-103)
- i. School; kindergarten or nursery (see also section 9-4-103)

(9) Repair:

* None

(10) Retail Trade:

* None

(11) Wholesale/ Rental/ Vehicle- Mobile Home Trade:

* None

(12) Construction:

* None

(13) Transportation:

* None

(14) Manufacturing/ Warehousing:

* None

(15) Other Activities (not otherwise listed - all categories):

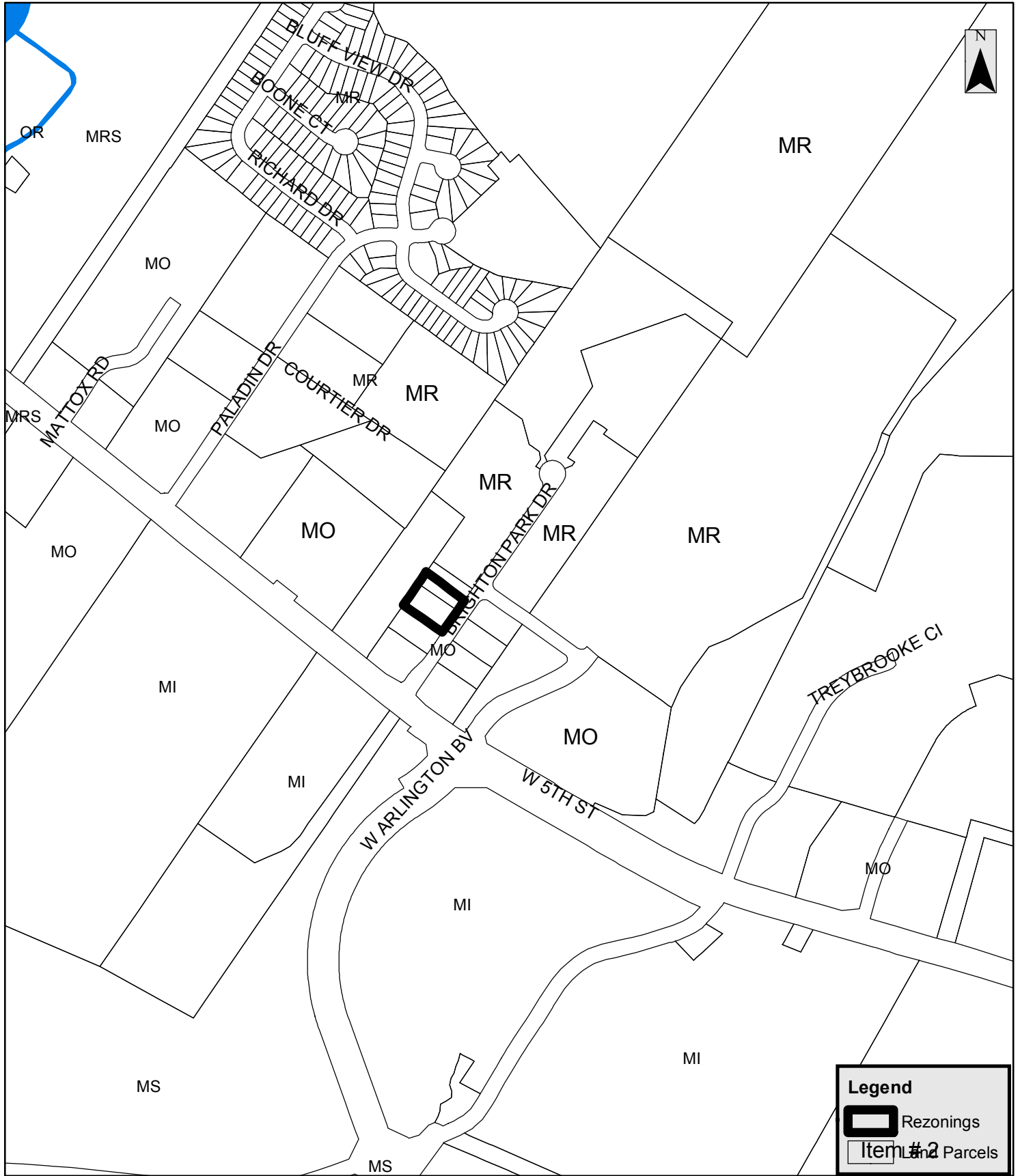
* None

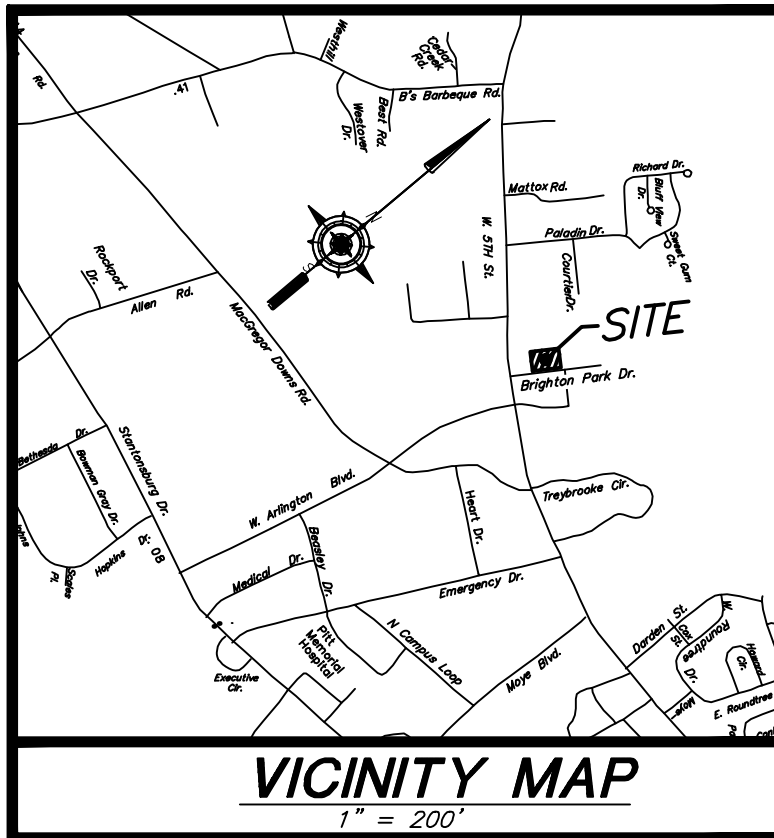
Brighton Park Apartments, LLC (12-01)

From: MO To: MR

0.43 acres

March 6, 2012





ADDRESSES OF ADJOINERS WITHIN 100 FEET OF SITE

BRIGHTON PARK APARTMENTS, LLC
 LOT 2, BRIGHTON PARK
 PO BOX 20370
 GREENVILLE, NC 27858

BRIGHTON PARK APARTMENTS, LLC
 LOT 5, BRIGHTON PARK
 PO BOX 20370
 GREENVILLE, NC 27858

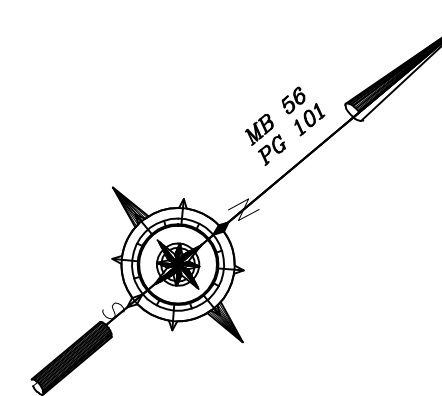
BRIGHTON PARK APARTMENTS 1, LLC
 105C REGENCY BOULEVARD
 GREENVILLE, NC 27858

CARL H. TYNDALL
 359 HUNTINGRIDGE ROAD
 GREENVILLE, NC 27834

CARROL & ASSOCIATES, INC.
 LOT 6, BRIGHTON PARK
 2510 S. CHARLES BOULEVARD
 GREENVILLE, NC 27858

CARROL & ASSOCIATES, INC.
 LOT 7, BRIGHTON PARK
 2510 S. CHARLES BOULEVARD
 GREENVILLE, NC 27858

CARROL & ASSOCIATES, INC.
 LOT 8, BRIGHTON PARK
 2510 S. CHARLES BOULEVARD
 GREENVILLE, NC 27858



LEGEND

- B/B = BACK OF CURB TO BACK OF CURB
- C/L= CENTERLINE
- DB = DEED BOOK
- DH = DRILL HOLE
- EIP = EXISTING IRON PIPE
- LP = LIGHT POLE
- PG = PAGE
- R/W= RIGHT-OF-WAY
- SF = SQUARE FEET
- TPED = TELEPHONE PEDESTAL
- TRANS = ELECTRICAL TRANSFORMER
- "X" = X CHISELED IN CONCRETE

- = EXISTING ZONING
- = PROPOSED ZONING

SURVEY NOTES

1. ALL DISTANCES ARE HORIZONTAL GROUND MEASUREMENTS UNLESS SHOWN OTHERWISE.
2. ALL BEARINGS ARE BASED ON MAP BOOK 56, PAGE 101.
3. LOT AREAS CALCULATED BY COORDINATE GEOMETRY.
4. THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. REF: FIRM 3720467800J, DATED: JANUARY 2, 2004.
5. CURRENT ZONING LINE SCALED FROM PITT COUNTY ONLINE PARCEL INFORMATION SYSTEM.

CERTIFICATION

I, BENJAMIN J. PURVIS, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL FIELD SURVEY MADE BY ME FROM DESCRIPTIONS RECORDED IN BOOKS REFERENCED HEREON; THAT THE RATIO OF PRECISION AS CALCULATED BY LATITUDES AND DEPARTURES IS 1: 10,000+; THAT BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION FOUND IN BOOKS REFERENCED HEREON; THAT THIS SURVEY MEETS THE REQUIREMENTS OF "THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA" (21 NCAC 56.1600); I FURTHER CERTIFY THAT THIS SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET. WITNESS MY HAND AND SEAL THIS 29th DAY OF FEBRUARY, A.D. 2012.

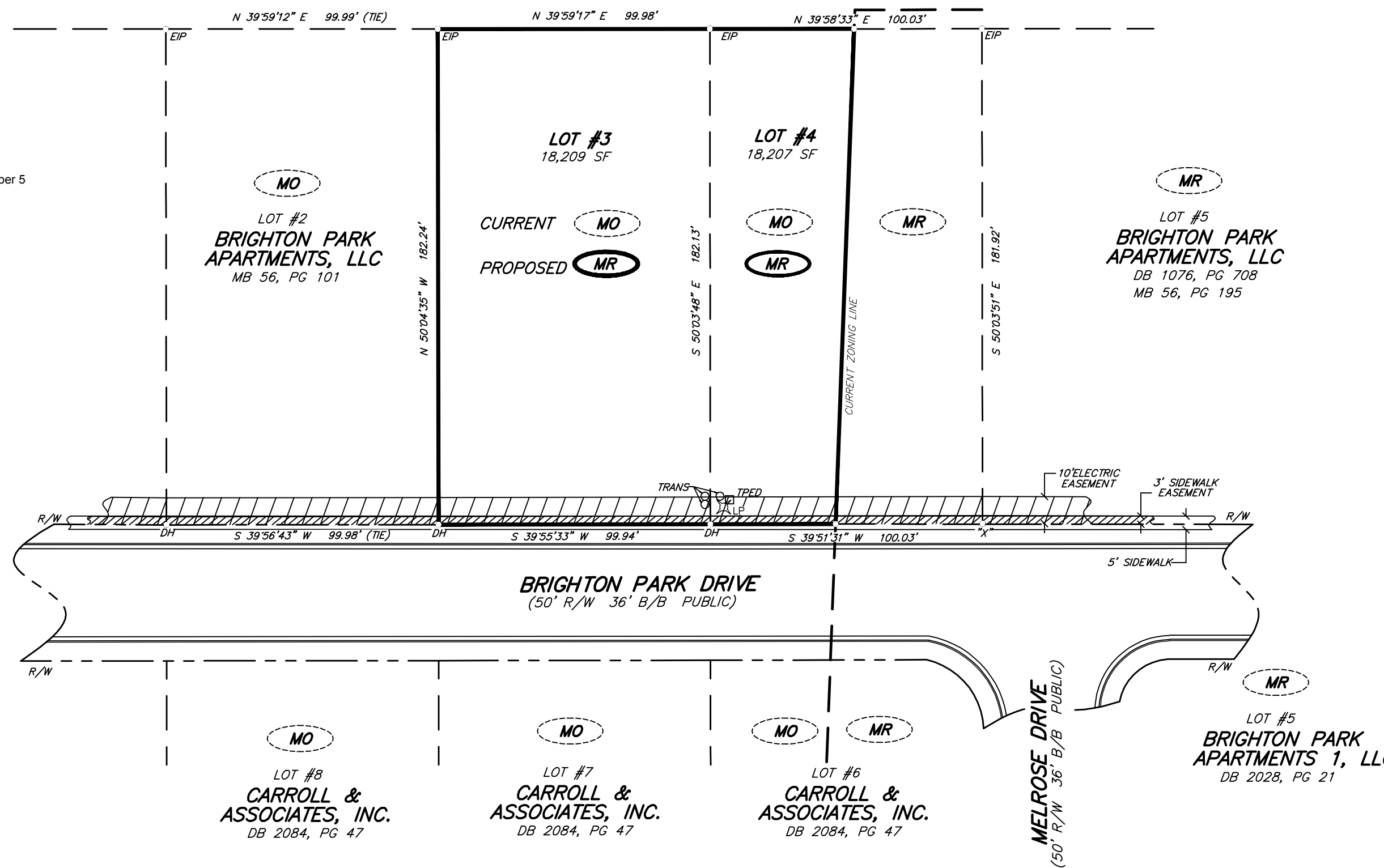


Benjamin J. Purvis

BENJAMIN J. PURVIS, P.L.S.

L-4290

Item # 2

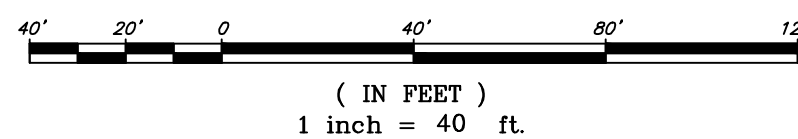


MO
CARL H. TYNDALL
DB C-50, PG 694

NOTES

1. REQUEST TO CHANGE ALL OF LOT 3 AND A PORTION OF LOT 4 TO MR ZONING.
2. LOT 3 = 18,209.18 SF CURRENTLY ZONED MO.
3. PORTION OF LOT 4 = ± 9,189.53 SF CURRENTLY ZONED MO. THE REMAINDER OF LOT 4 IS CURRENTLY ZONED MR. (APPROXIMATELY ± 9,017.65).
4. TOTAL AREA REQUESTED TO BE REZONED FROM MO TO MR = 27,398.71 SF (0.63 ACRES)
5. THERE ARE CURRENTLY NO STRUCTURES OR IMPROVEMENTS LOCATED ON LOTS 3 AND 4.

GRAPHIC SCALE



REZONING MAP FOR
BRIGHTON PARK APARTMENTS, LLC

REFERENCE: BEING A PORTION OF THE PROPERTY DESCRIBED IN DB 1076, PAGE 708 AND MAP BOOK 56, PAGE 101 OF THE PITT COUNTY REGISTRY
 GREENVILLE, FALKLAND TOWNSHIP, PITT COUNTY, N.C.

OWNER: **BRIGHTON PARK APARTMENTS, LLC**
 ADDRESS: PO BOX 20370
 GREENVILLE, NC 27858
 PHONE: (252) 756-4052

	BENJAMIN J. PURVIS, P.L.S. 2004 B. EAST 3RD. ST. Greenville, N.C. 27858 (252) 341-5588 www.landsurvey.webs.com	SURVEYED: BJP	APPROVED: BJP
		DRAWN: CPT	DATE: 02/29/12
		CHECKED: BJP	SCALE: 1" = 40'

04/30/07

BUFFERYARD SETBACK AND VEGETATION SCREENING CHART

For Illustrative Purposes Only

Bufferyard Requirements: Match proposed land use with adjacent permitted land use or adjacent vacant zone/nonconforming use to determine applicable bufferyard.

PROPOSED LAND USE CLASS (#)	ADJACENT PERMITTED LAND USE CLASS (#)					ADJACENT VACANT ZONE OR NONCONFORMING USE		PUBLIC/PRIVATE STREETS OR R.R.
	Single-Family Residential (1)	Multi-Family Residential (2)	Office/Institutional, light Commercial, Service (3)	Heavy Commercial, Light Industry (4)	Heavy Industrial (5)	Residential (1) - (2)	Non-Residential (3) - (5)	
Multi-Family Development (2)	C	B	B	B	B	C	B	A
Office/Institutional, Light Commercial, Service (3)	D	D	B	B	B	D	B	A
Heavy Commercial, Light Industry (4)	E	E	B	B	B	E	B	A
Heavy Industrial (5)	F	F	B	B	B	F	B	A

Bufferyard A (street yard)		
Lot Size	Width	For every 100 linear feet
Less than 25,000 sq.ft.	4'	2 large street trees
25,000 to 175,000 sq.ft.	6'	2 large street trees
Over 175,000 sq.ft.	10'	2 large street trees

Street trees may count toward the minimum acreage.

Bufferyard B (no screen required)	
Lot Size	Width
Less than 25,000 sq.ft.	4'
25,000 to 175,000 sq.ft.	6'
Over 175,000 sq.ft.	10'

Bufferyard C (screen required)	
Width	For every 100 linear feet
10'	3 large evergreen trees 4 small evergreens 16 evergreen shrubs

Where a fence or evergreen hedge (additional materials) is provided, the bufferyard width may be reduced to eight (8) feet.

Bufferyard D (screen required)	
Width	For every 100 linear feet
20'	4 large evergreen trees 6 small evergreens 16 evergreen shrubs

Bufferyard width may be reduced by fifty (50%) percent if a fence, evergreen hedge (additional material) or earth berm is provided.

Bufferyard E (screen required)	
Width	For every 100 linear feet
30'	6 large evergreen trees 8 small evergreens 26 evergreen shrubs

Bufferyard width may be reduced by fifty (50%) percent if a fence, evergreen hedge (additional material) or earth berm is provided.

Bufferyard F (screen required)	
Width	For every 100 linear feet
50'	8 large evergreen trees 10 small evergreens 36 evergreen shrubs

Bufferyard width may be reduced by fifty (50%) percent if a fence, evergreen hedge (additional material) or earth berm is provided.

Parking Area: Thirty (30) inch high screen required for all parking areas located within fifty (50) feet of a street right-of-way.

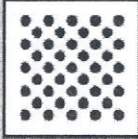
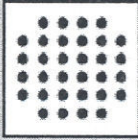
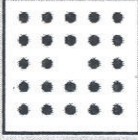
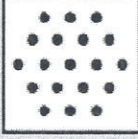

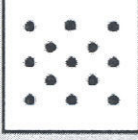
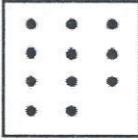
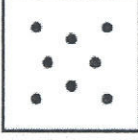
Residential Density		
Maximum density allowed by Zoning District based on average of 2.67 persons per dwelling unit		
High Density		
R6 R6-N R6-MH OR CDF	17 units per acre yields 45 persons per acre	
PUD	12 units per acre yields 32 persons per acre	
Medium Density		
R6-A	9 units per acre yields 24 persons per acre	
R6-S	7 units per acre yields 19 persons per acre	
R9	6 units per acre yields 16 persons per acre	
R9-S	5 units per acre yields 13 persons per acre	
Low Density		
RA-20 MRS	4 units per acre yields 11 persons per acre	
R15-S	3 units per acre yields 8 persons per acre	

Illustration: Maximum allowable density in Residential Zoning Districts



City of Greenville, North Carolina

Meeting Date: 6/14/2012
Time: 7:00 PM

Title of Item: Resolution authorizing an application to the Federal Transit Administration for a Section 5307 grant for federal operating and capital assistance for Greenville Area Transit (GREAT) for Fiscal Year 2012-2013

Explanation: Attached for City Council consideration is a resolution authorizing the filing and execution of a federal grant application for operating and capital funds designated for the City of Greenville to assist with the operations of the Greenville Area Transit (GREAT) system. The grant funding supports transit systems that are open to the public in areas with populations between 50,000 and 200,000. The federal funds are available to reimburse the City for 50% of the operating deficit and 80% of the capital expenditures.

The City Council has previously authorized the City Manager to file and execute all Section 5307 grant applications. Once City Council adopts the attached resolution, the City Manager will file and execute the application.

Fiscal Note: The total federal amount allocated for the City of Greenville is \$1,087,410. Maximum matching funds are estimated at \$417,898 and are included in the fiscal year 2012-2013 budget.

Recommendation: Conduct a public hearing to receive comments on the proposed grant application and adopt the attached resolution approving the grant request and authorizing the filing and execution of the application for these federal funds.

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

Attachments / click to download

 [FY_13_CC_FTA_Grant_Resolution_926342](#)

RESOLUTION NO. ___
RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION TO THE
FEDERAL TRANSIT ADMINISTRATION FOR A SECTION 5307 FEDERAL GRANT
FOR OPERATING AND CAPITAL ASSISTANCE FOR GREENVILLE AREA TRANSIT

WHEREAS, the Federal Transportation Administrator has been delegated authority to award Federal financial assistance for a transportation project;

WHEREAS, the contract for financial assistance will impose certain obligations upon the Applicant, including the provision by the Applicant of the local share of the project cost;

WHEREAS, the Applicant has or will provide all annual certifications and assurances to the Federal Transit Administration required for the project;

WHEREAS, it is required by the U. S. Department of Transportation in accord with the provisions of Title VI of the Civil Rights Act of 1964 as amended, the applicant give an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the U. S. Department of Transportation requirements thereunder; and

WHEREAS, it is the goal of the applicant that minority business enterprise be utilized to the fullest extent possible in connection with this project.

NOW, THEREFORE, BE IT RESOLVED BY THE GREENVILLE CITY COUNCIL:

1. That the City Manager is authorized to execute and file applications on behalf of the City of Greenville with the Federal Transit Administration and the North Carolina Department of Transportation to aid in the financing of planning, capital and/or operating assistance projects authorized by 49 U.S.C. Chapter 53, Title 23, United States Code, and other Federal and State Statutes authorizing a project administered by the Federal Transit Administration and/or the North Carolina Department of Transportation.
2. That the City Manager is authorized to execute and file the Annual Certifications and Assurances and other documents the Federal Transit Administration requires before awarding a Federal assistance grant or cooperative agreement.
3. That the City Manager is authorized to submit additional information as the Federal Transit Administration or the North Carolina Department of Transportation may require in connection with the application or project.

4. That the City Manager is authorized to set forth and execute affirmative minority business policies in connection with the project.
5. That the City Manager is authorized to execute grant and cooperative agreements with the Federal Transit Administration and the North Carolina Department of Transportation on behalf of the City of Greenville.

ADOPTED this the 14th day of June, 2012.

Allen M. Thomas, Mayor

CERTIFICATION

The undersigned duly qualified City Clerk, acting on behalf of the City of Greenville, certifies that the foregoing is a true and correct copy of a resolution adopted at a legally convened meeting of the Greenville City Council on June 14, 2012.

Carol L. Barwick, City Clerk

Date

SEAL



City of Greenville, North Carolina

Meeting Date: 6/14/2012
Time: 7:00 PM

Title of Item: Ordinance directing the enforcement officer to repair, alter or improve, or to vacate and close the nonresidential building or structure located at 917 West Fifth Street

Explanation: The nonresidential building at 917 West Fifth Street was found to be out of compliance with the Nonresidential Building or Structure Code for the City of Greenville. The initial Notice of Violation and hearing was sent by certified mail on January 9, 2012, to the property owner(s) informing the owner(s) of the nonresidential structure violations cited by the Enforcement Officer. A hearing was held; no one appeared for the hearing. It was determined that the building was in violation of the minimum standards and the cost to repair would not exceed 50% of the current value.

Pursuant to the enforcement procedure of the Nonresidential Building or Structure Code for the City of Greenville, an order was issued to the owner directing that the owner either repair the building so that it complies with the minimum standards or vacate and close the building. The owner has not performed the needed repairs to the structure located at 917 West Fifth Street within the time established by the enforcement officer. No information has been provided as to why the repairs have not been performed.

The current tax value on the property is \$87,084 (the building value is \$75,864, the land value is \$10,810, and it has an extra feature value of \$410). The estimated cost to repair the property for occupancy is \$15,000 depending on the amount of dilapidated members. The cost to vacate and close the building is estimated at \$2,000. Utilities to the structure were disconnected on March 30, 2009.

If City Council approves the ordinance, staff will proceed with vacating and closing the building.

Fiscal Note:

The estimated cost to secure the structure is \$2,000. The cost of securing and weatherizing shall constitute a lien against the real 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:

City Council approve the ordinance allowing the City to abate the nonresidential structure at 917 West Fifth Street by means of repairing, altering or improving, or vacating and closing the nonresidential building or structure per the City code for non-residential structures in which cost of repairs is not more than 50% of value of the structure.

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

Attachments / click to download

 [917 W 5th St Photos](#)

 [917 West 5th Street Ordinance 926323](#)

ORDINANCE DIRECTING THE ENFORCEMENT OFFICER TO
REPAIR, ALTER OR IMPROVE OR TO VACATE AND CLOSE
THE NONRESIDENTIAL BUILDING OR STRUCTURE
LOCATED AT 917 W. 5th St., Greenville, NC

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) vacate and close the nonresidential building or structure for any use; 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 cause a nonresidential building or structure to be repaired, altered, or improved in order to bring it into compliance with the minimum standards of a Nonresidential Building or Structure Code contained in Section 9-1-125 of the City Code of the City of Greenville, North Carolina, or to be vacated and closed for any use 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 cause the nonresidential building or structure located at 917 W. 5th St., in the City of Greenville, North Carolina, and owned by Phillip Higgs, Jr. and Felicia Higgs to be repaired, altered, or improved in order to bring it into compliance with the minimum standards of a Nonresidential Building or Structure Code contained in Section 9-1-125 of the Code of the City of Greenville, North Carolina, or to be vacated and closed for any use. 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 25, 2005, and recorded in Book 1899, at Page 401 in the office of the Register of Deeds of Pitt County, said description being herein incorporated by reference.

Section 2. The cost of repair, alterations, or improvements or vacating and closing 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. The Enforcement Officer is authorized and directed to post on the main entrance of any nonresidential building or structure which is vacated and closed pursuant to this ordinance a placard with the following words: "This building is unfit for any use; the use or occupation of this building for any purpose is prohibited and unlawful." Any person who occupies or knowingly allows the occupancy of a building or structure so posted shall be guilty of a Class 3 misdemeanor.

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 ____ day of _____, 20_____.

Allen M. Thomas, Mayor

ATTEST:

Carol L. Barwick, City Clerk





City of Greenville, North Carolina

Meeting Date: 6/14/2012
Time: 7:00 PM

Title of Item: Naming of Elm Street Park Little League field as Stallings Stadium at Elm Street Park

Explanation: On June 9, 2011, the Greenville Little Leagues, a non-profit 501(c)(3) organization providing Little League Baseball services within the City of Greenville, requested and received permission from City Council to initiate a major capital improvement to the City-owned baseball facility the organization utilizes at Elm Street Park. The project, funded through a generous donation and requiring no City funds, is underway and entails the installation of stadium seating behind home plate, increased spectator capacity, an improved backstop with netting, a new press box, storage area, and office space.

In addition to benefiting area residents, it is anticipated this improvement will further foster the Greenville Little Leagues' ability to attract high-level baseball tournaments to the City of Greenville.

The proposal was made with the condition that the facility be named "Stallings Stadium at Elm Street Park" in honor of the Stallings family, who provided the donation. (Though generally referred to as the "Little League Field at Elm Street Park," the facility currently has no official name.) This naming is permitted by and referenced in Section 3-F-4 and 3-G-4 of the City's Policy and Guidelines for Naming or Renaming City of Greenville Parks, Recreation Facilities, and Geographic Features within Parks (attached).

The naming proposal and a public hearing were announced on Greenville Recreation and Park's website beginning on April 9, 2012. There was also an associated City Page ad in The Daily Reflector on April 23, 2012, and April 30, 2012. The public hearing was held at the May 9, 2012, Recreation and Parks Commission meeting; however, no citizens attended to present comments.

At their May 9, 2012 meeting, the members of the Recreation and Parks Commission unanimously passed a motion to recommend that City Council name this Little League field as "Stallings Stadium at Elm Street Park."

Fiscal Note: No cost to the City

Recommendation: Conduct a public hearing and name the Elm Street Park Little League field, "Stallings Stadium at Elm Street Park."

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

Attachments / click to download

 [Park Naming Policy](#)

POLICY AND GUIDELINES FOR NAMING OR RENAMING CITY OF GREENVILLE PARKS, RECREATION FACILITIES AND GEOGRAPHIC FEATURES WITHIN PARKS

Section 1 - INTRODUCTION

The naming of City of Greenville parks, recreation facilities and geographic features within parks is an important task, and one that should be approached with caution and patient deliberation. With the possible exception of a corporate purchase of “naming rights,” a park, facility, or geographic feature name, once selected, should be bestowed with the intention that it will be permanent.

Those who select the names of parks, recreation facilities and geographic features should do so with a clear understanding that their decisions may set a precedent, and that their actions will exert an influence upon the community in future generations.

Section 2 - POLICY PURPOSE

The purpose of this policy is to establish a systematic and consistent approach for the official naming of City of Greenville parks, recreation facilities, and geographic features within parks.

Section 3 - NAMING of PARKS, RECREATION FACILITIES AND FEATURES

The following guidelines and criteria will be used when naming a park, recreation facility, or a geographic feature within a park:

- A. A permanent name may be assigned, if deemed appropriate by the Greenville City Council (following receipt of a recommendation for naming by the Greenville Recreation and Parks Commission) to a park or recreation facility, any time after land acquisition or park/facility development. Such recreation facilities may include trails/greenways, recreation centers, athletic complexes, picnic shelters, pools, playgrounds, “spraygrounds,” or other facility. However, discretion should be utilized in order to avoid an overabundance of named features or facilities in any single park, and the naming of a facility should not diminish or overshadow the park’s name.
- B. A permanent name may also be assigned, if deemed appropriate by the Greenville City Council (following receipt of a recommendation for naming from the Greenville Recreation and Parks Commission), to an unnamed lake or other prominent geographic feature within a park.
- C. At its discretion, the Greenville City Council may grant the Recreation and Parks Commission authority to officially name certain types of recreation facilities without further Council involvement.

- D. Duplication of the names of other parks, recreation facilities and geographic features within the City shall not be permitted. The exception would be a facility carrying the same name as the park in which it is situated. (ex: South Greenville Recreation Center in South Greenville Park)
- E. Priority in naming parks, facilities and geographic features shall be given to geographical locations, historic significance or geologic features.
- F. Consideration to name a park, facility or geographic feature in honor of a person (or persons or family) shall only be given if one or more of the following criteria has been met:
1. The individual is statewide or nationally significant.
 2. The individual, individuals or family has contributed significant long-term support to the development or operation of the park or facility, or to the overall recreation and park system. The suggested name must be accompanied by evidence of contributions to the park, facility, and/or service, or to any of the Recreation and Parks Department's companion organizations that function in cooperation with and on behalf of the department. A companion organization includes, but is not limited to, such organizations as the Greenville Little Leagues, Jackie Robinson Baseball League, and the Friends of Greenville Greenways.
 3. An outstanding community individual has made significant and long term civic contributions to the City of Greenville as determined by either the Recreation and Parks Commission or the Greenville City Council.
 4. A substantial donation, as determined by either the Recreation and Parks Commission or the Greenville City Council, has been made to the Recreation and Parks Department, or companion organization, by or in memory of an individual, group or family.
- G. Parks, facilities, and geographic features may only be named after an individual who has been deceased for a minimum of two (2) years, except in the case of one or more of the following circumstances:
1. The parkland in its entirety has been donated by the individual being honored through the proposed naming.
 2. 50% or more of the total cost of the facility has been donated by the individual being honored through the proposed naming, or by a group, business or organization making the donation in his or her name.
 3. A land donation in which a naming provision has been made on the deed and accepted by the Greenville City Council.
 4. A substantial donation of money has been made to the Greenville Recreation and Parks Department wherein the donor stipulated a naming provision as a condition of the donation and this condition has been accepted by the Greenville City Council.

H. Naming proposals for a park, facility or geographic feature may come from any individual, family, organization, business, governmental agency, donor, or neighborhood association that represents the locality wherein the park, facility or feature is situated.

Section 4 - PROCESS

Naming and renaming proposals shall be made on a form provided by the Recreation and Parks Department and forwarded to the Chair of the Greenville Recreation and Parks Commission at:

Chairman, Greenville Recreation and Parks Commission
Greenville Recreation and Parks Department
P.O. Box 7207
Greenville, NC 27835-7207

The proposal will be posted on the Greenville Recreation and Parks website for a period of 30 days, during which citizen comments and suggestions may be submitted in writing to the Commission Chair through the website or at the above address. The Commission will then hear oral comments during a public hearing at their first meeting following the expiration of the 30 day period, and formulate a recommendation regarding the proposal. The recommendation will then be forwarded to the Greenville City Council. In the event the Commission does not formulate a recommendation within 60 days after the public hearing, it will be considered that the Commission's recommendation is to approve the naming proposal and this recommendation will be forwarded to the Greenville City Council.

The Greenville City Council will consider the naming proposal at a Council meeting after receipt of a recommendation from the Recreation and Parks Commission. A public hearing will be held by City Council prior to making its decision on the naming proposal. City Council may approve, deny, or modify the naming proposal. City Council may, but is not required to, refer a modification of the naming proposal back to the Recreation and Parks Commission for review and recommendation.

The following guidelines and criteria shall be considered and met before renaming a City of Greenville park, facility or geographic feature:

- A. Once named, the renaming of City of Greenville parks, facilities, or geographic features is strongly discouraged. It is recommended that efforts to change a name be subject to the most critical examination so as not to diminish the original justification for the name or discount the value of the prior contributions.
- B. Land and facilities named by deed restriction shall not be renamed.
- C. Parks, facilities and geographic features named after individuals shall not be changed unless it is found by the Recreation and Parks Commission or the Greenville City Council that the individual's personal character was such that the continued use of the name for a City park, facility or geographic feature would not be in the best interest of the City.

- D. Parks, facilities and geographic features named for a location, a geographic feature or a community/neighborhood may be considered for renaming. However, the existing name of a park, facility, or geographic feature which is of local or national importance or which identifies an outstanding geographic or physical feature shall not be changed unless the Recreation and Parks Commission or Greenville City Council determines that there are extraordinary circumstances of local or national interest to justify the name change.
- E. Subject to the foregoing, in order for a park, facility or geographic feature to be considered for renaming, the recommended name must otherwise qualify according to the same guidelines and criteria as set forth above for originally naming parks, facilities and geographic features and the same general procedure shall be followed.

SECTION 5 - NAMING RIGHTS FOR CORPORATIONS OR OTHER PRIVATE BUSINESSES:

This policy does not provide guidelines or processes for granting temporary naming rights to corporations or other private businesses as a mutually beneficial arrangement between the City and a corporation or other private business wherein the corporation or other private business provides cash and/or in-kind services to the City in return for access to the commercial and/or marketing potential associated with a city facility or service.

Such arrangements could include the naming of a park, a facility, a geographic feature, an event or activity. While such arrangements could prove highly beneficial to the City and its citizens, as well as to area businesses, the details of such arrangements will necessitate cautious consideration. A separate city policy and process will address the grant of naming rights to a corporation or other private business.



City of Greenville, North Carolina

Meeting Date: 6/14/2012
Time: 7:00 PM

Title of Item: Presentation on sales tax issue by David Baker, North Carolina Department of Revenue

Explanation: The North Carolina Department of Revenue (NCDOR) contacted City of Greenville and Pitt County staff in mid-March to schedule a meeting to discuss a "sales tax matter". City and County staffs met with representatives of NCDOR on March 20, 2012, at which time it was explained that NCDOR would be recapturing \$4.2 million of overpayment in sales tax to all the jurisdictions in Pitt County. The error that NCDOR discovered occurred during a three-year period--2007, 2008, and 2009, and over a 30 month period.

Staff was further informed that this recapture (repayment) would be offset by a \$1.3 million sales tax credit. The recapture amount is due to an audit NCDOR conducted of one of the larger non-profits in Pitt County. The sales tax credit, (\$1.3 million), is a result of a second audit that has not been fully described to date. **The net effect is that Pitt County and all municipalities located within the County have to collectively pay back to the NCDOR \$2.9 million.**


Recognizing the potential impact of this discovery on local budgets, a group of City and County representatives, including Interim City Manager Thomas Moton and County Manager Scott Elliot, traveled to Raleigh on May 3, 2012, to meet with the State's Secretary of Revenue. The purpose of this meeting was to better understand the circumstances that led to the overpayment and to attempt to minimize the fiscal impact on Pitt County and the municipalities. The result of the meeting was a decision by the Secretary to allow repayment to occur over 30 months, which was the same span of time that the overpayment occurred.

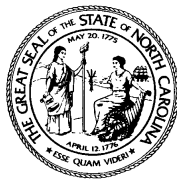
Fiscal Note: The proposed FY 2012-2013 budget and FY 2013-2014 annual plan have been adjusted to reflect the City's anticipated reduction in sales tax revenues (\$29,691.42 per month for 30 months).

Recommendation: Receive a report by David Bake of the North Carolina Department of Revenue.

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

Attachments / click to download

 [Sales Tax Explanation](#)



North Carolina Department of Revenue

Beverly Eaves Perdue
Governor

David W. Hoyle
Secretary

June, 5, 2012

Thomas M. Moton Jr.
Greenville City Manager
City of Greenville
P.O. Box 7207
Greenville, NC 27835

Pitt County and its Municipalities

As a result of an inquiry from Pitt County regarding the monthly Sales & Use Tax Distribution report, DOR personnel looked at how a non-profit entity in Pitt County was completing their E-585, non-profit refund claims. As DOR personnel were reviewing the E-585 and E-536 showing county breakdown of local taxes, DOR personnel noticed that a large amount of tax refund was being requested from counties other than Pitt County. DOR personnel contacted the non-profit entity regarding the filing of the E-585 and E-536.

At this time, DOR learned that the non-profit entity was making purchases from a large vendor with numerous other customers. The non-profit entity had been previously audited by an outside consultant who had informed the non-profit entity, at the time of the audit that the vendor in question was paying sales tax and reflecting the sales tax as coming from several counties based upon an established formula and not by properly allocating the sales tax to the correct destination county. In the meantime, the vendor in question corrected their method of reporting the sales tax to the destination county as verified by the NC Department of Revenue.

After the previous audit, the nonprofit entity continued to assume that the vendor was using the questionable formula for paying and reporting sales tax and nonprofit entity continue to report the sales tax as being from the counties identified in the formula, instead of the correct destination county. The timing of the previous audit coincided with the vendor's changing of their method of reporting the county sales tax to the correct method. Therefore, the non-profit entity was utilizing the vendor's old method of allocating sales tax when making refund claims on the E-585, which caused the refunds to come from various other counties while the vendor was correctly reporting the sales tax in Pitt County.

When this matter was discovered by NCDOR, it was determined that a thorough audit of the E-585 refund claims filed by the non-profit entity would be required to determine if there were other issues that could affect the distribution of sales tax to the counties and municipalities of North Carolina. Upon request, the non-profit entity provided all information that was used in preparing its E-585 for the periods January 2007 – June 2009. The E-585 refunds are filed on a semi-annual basis by non-profit entities. Therefore, the audit of the non-profit entity was for five periods. We have available the breakdown of the amounts that are due to and from each county for each 6 month period.

Some discussion was made concerning the use of County 101 money to offset the amounts owed by the local governments. In response to this discussion, G.S. 105-472(a) clearly outlines how this money should be distributed. Therefore, the County 101 money is not available for use in offsetting the amounts owed.

In addition, the reason that County 101 is owed money is because the non-profit entity initially reflected a portion of the refund as being from County 101. However, as a result of NCDOR audit, it was determined that the refund amounts should have been assigned to the destination counties as the vendor's return correctly reflected these counties when the sales were reported instead of County 101. To allow Pitt County and its municipalities to utilize the County 101 money to offset amounts owed would be to allow Pitt County and its municipalities to have a benefit for the second time of an amount that should not have occurred originally.

The amount that the City of Greenville received in error and will be required to pay back is approximately \$890,742.63. The Department has agreed to allow the local units involved in this issue 30 months to pay it back starting with the, July 2012, collections which will be distributed in September. The payback period matches the time period in which the City received the money in error. Starting in September the sales tax distributions will be reduced by approximately 1/30 of the amount listed above. These numbers are estimates and subject to change.

If you have any questions, please contact me at 919-733-7711.

Sincerely

David B. Baker, MPA, PPS,
Director
Local Government Division



City of Greenville, North Carolina

Meeting Date: 6/14/2012
Time: 7:00 PM

Title of Item: Resolution requested by Greenville Auto Auction, LLC for an extension of the City of Greenville's Extra-Territorial Jurisdiction (ETJ)

Explanation: Greenville Auto Auction, LLC is in the process of undergoing site improvements that include adding additional pavement. Because the paving increases the amount of impervious surface to the property, stormwater regulations apply. This property is located at the edge of the City of Greenville's ETJ. The business owner also owns an adjacent vacant tract of land that is within Pitt County's planning jurisdiction. The business owner wants to have both properties under one jurisdiction so that the properties may be combined to gain favorable consideration of stormwater regulations.

When Pitt County initiated County-wide zoning, it established a policy of how ETJ extensions would be considered. The procedure begins with a municipality requesting an ETJ extension. The request is forwarded to the Pitt County Planning Board and then to the Pitt County Board of Commissioners. If considered favorably, the request will go before the City of Greenville Planning and Zoning Commission and then to City Council for adoption of the ETJ extension. A rezoning application will accompany the request to change the property from County zoning to a City zoning classification.

The applicant's engineer has prepared an ETJ extension report, which is attached for your consideration.


Fiscal Note: No costs to the City of Greenville associated with this request.

Recommendation: Consider adoption of the attached resolution. If adopted, the request will be forwarded to the Pitt County Board of Commissioners.

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

Attachments / click to download

 [ETJ Extension Request- Auto Auction](#)

 [Greenville Auto Auction ETJ Resolution 927999](#)

RESOLUTION NO. -12

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GREENVILLE REQUESTING
THE PITT COUNTY BOARD OF COMMISSIONERS TO AGREE TO AN EXTENSION OF
THE CITY OF GREENVILLE'S EXTRATERRITORIAL JURISDICTION

WHEREAS, N.C.G.S. 160A-360 allows a municipality to exercise powers conferred by Article 19 of Chapter 160A of the North Carolina General Statutes within a defined extraterritorial jurisdiction;

WHEREAS, N.C.G.S. 160A-360(e) requires a city and county to agree upon an extension of a city's extraterritorial jurisdiction where a county enforces a zoning ordinance and subdivision regulations and within which the county is enforcing the State Building Code regulations;

WHEREAS, Pitt County enforces a zoning ordinance and subdivision regulations and enforces the State Building Code regulations within areas in the county which are outside the corporate limits and extraterritorial jurisdiction of cities;

WHEREAS, a property owner has requested that the City of Greenville extend its extraterritorial jurisdiction to include his property which is adjacent to the City of Greenville's extraterritorial jurisdiction; and

WHEREAS, City Council desires to approve the request of the property owner by extending its extraterritorial jurisdiction and, therefore, seeks the agreement of the Pitt County Board of Commissioners for the extension;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Greenville that it does hereby request the Pitt County Board of Commissioners to agree, by a formally adopted resolution as required by N.C.G.S. 160A-360, to an extension of the City of Greenville's extraterritorial powers under Article 19 of Chapter 160A of the North Carolina General Statutes within the area identified in the report entitled "Greenville Auto Auction Site, LLC – Proposed ETJ Expansion" prepared by J. S. Janowski Engineering.

This the 14th day of June, 2012.

Allen M. Thomas, Mayor

ATTEST:

Carol L. Barwick, City Clerk



Greenville Auto Auction Site, LLC – Proposed ETJ Expansion

Greenville Auto Auction Site, LLC hereby requests that the City of Greenville’s ETJ be extended to include the property described as; Pitt County parcel number 56551, containing 15.78 acres located on the Northern side of Brompton Lane as shown on the attached maps. The property is currently vacant and is used as an access point for adjacent property owned by Greenville Auto Auction Site, LLC.

The property is situated adjacent to two other parcels, numbers 48380 and 48242, owned by Greenville Auto Auction Site, LLC that are currently within the City of Greenville ETJ. The two adjacent parcels are currently zoned CH and OR. The subject property’s current Pitt County zoning is CG. Greenville Auto Auction Site, LLC requests that the subject property be zoned CH by the City of Greenville upon being included into the ETJ.

Inclusion of parcel 56551 into the ETJ will provide opportunities for Greenville Auto Auction Site, LLC to utilize the property in combination with their adjacent property for future expansion or improvements. One current and immediate benefit to Greenville Auto Auction Site, LLC will be use of the subject property to mitigate stormwater requirements for improvements made on the adjacent property already within the ETJ.

Considerations for Greenville ETJ extension

The following items address considerations as noted by the Pitt County Board of Commissioners Draft Policy for Expansions of Municipal ETJ:

1. The City of Greenville currently has subdivision and zoning regulations in place that are administered by a planning board and city staff.
2. The subject property is adjacent to property currently within Greenville City limits and the ETJ. The property is well defined by parcel lines and adjacent roadways, as shown on the attached maps.
3. Water service is currently available from Bell Arthur Water Corporation. Electric service is currently available from Greenville Utilities Commission. Sewer service would currently be an on-site system; however, Greenville Utilities Commission has participated with other property owners in the area to install sewer outfall lines that may be of future benefit to the subject property.
4. The subject property is not located within two miles of any other planning jurisdiction’s corporate limits. The property’s location being adjacent to the existing Greenville City Limits and ETJ would imply there will be no impact to neighboring municipalities.
5. Greenville Auto Auction is continuing to expand operations and the addition of this adjacent property into the ETJ will allow a uniform controlled expansion of this facility.

This formal request and its attachments were prepared by J.S. Janowski Engineering, P.A. as a representative of Greenville Auto Auction Site, LLC.

Respectfully submitted by:

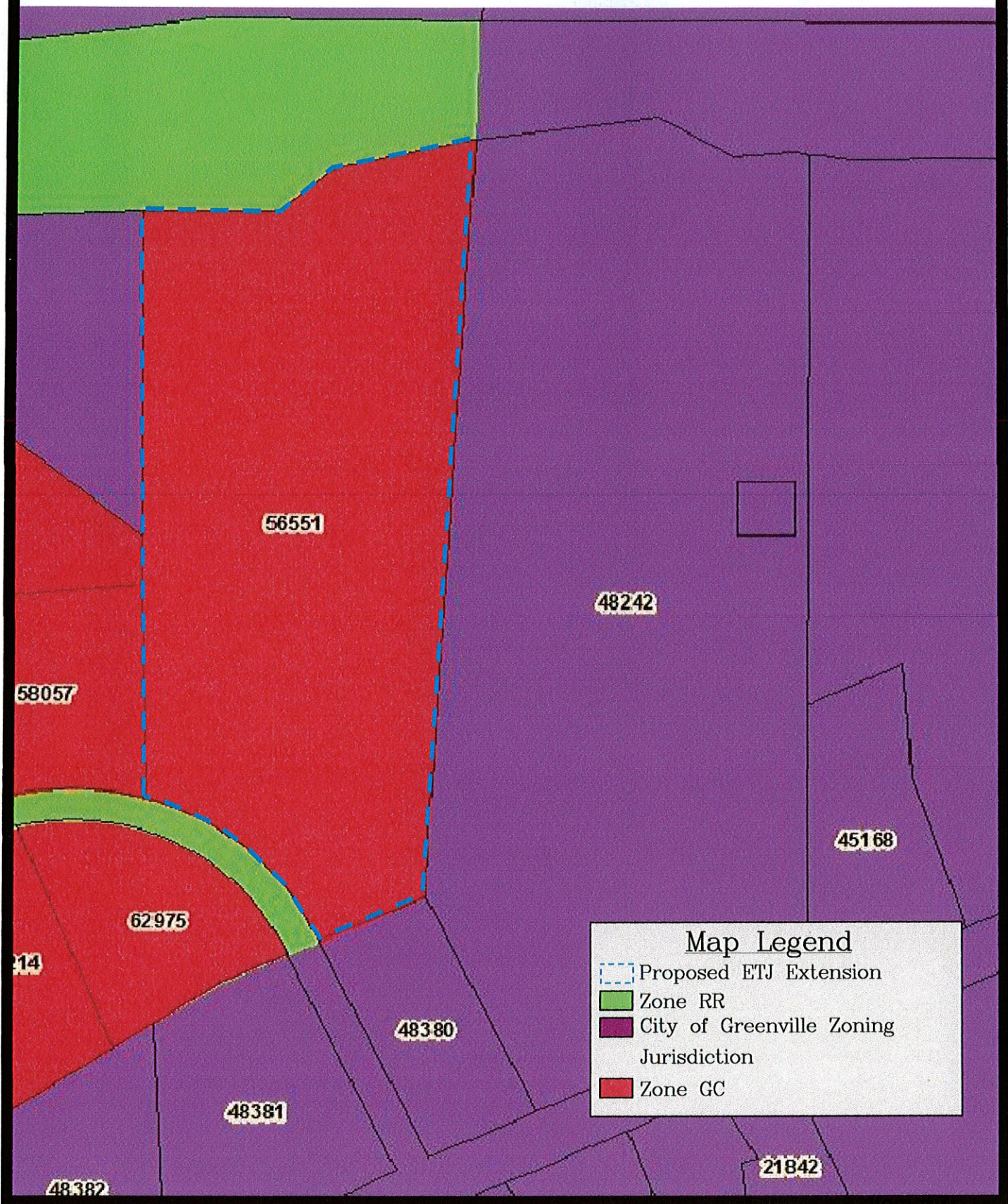
J. Stephen Janowski, PE – President of
J.S. Janowski Engineering, P.A.

Clark Stallings, Managing Member of
Greenville Auto Auction Site, LLC

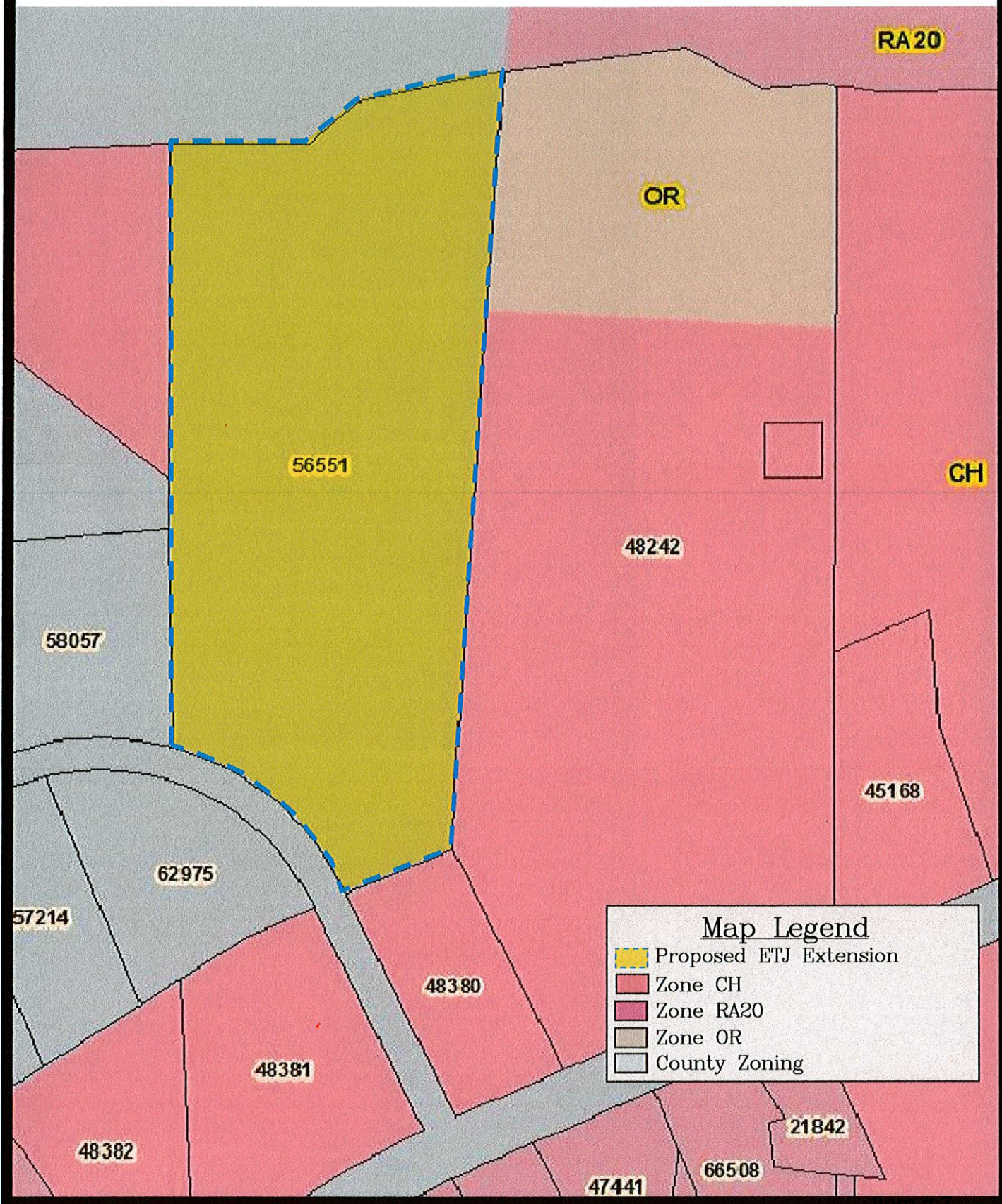
Proposed Municipal Extraterritorial Jurisdiction Extension Aerial Photo (2010)



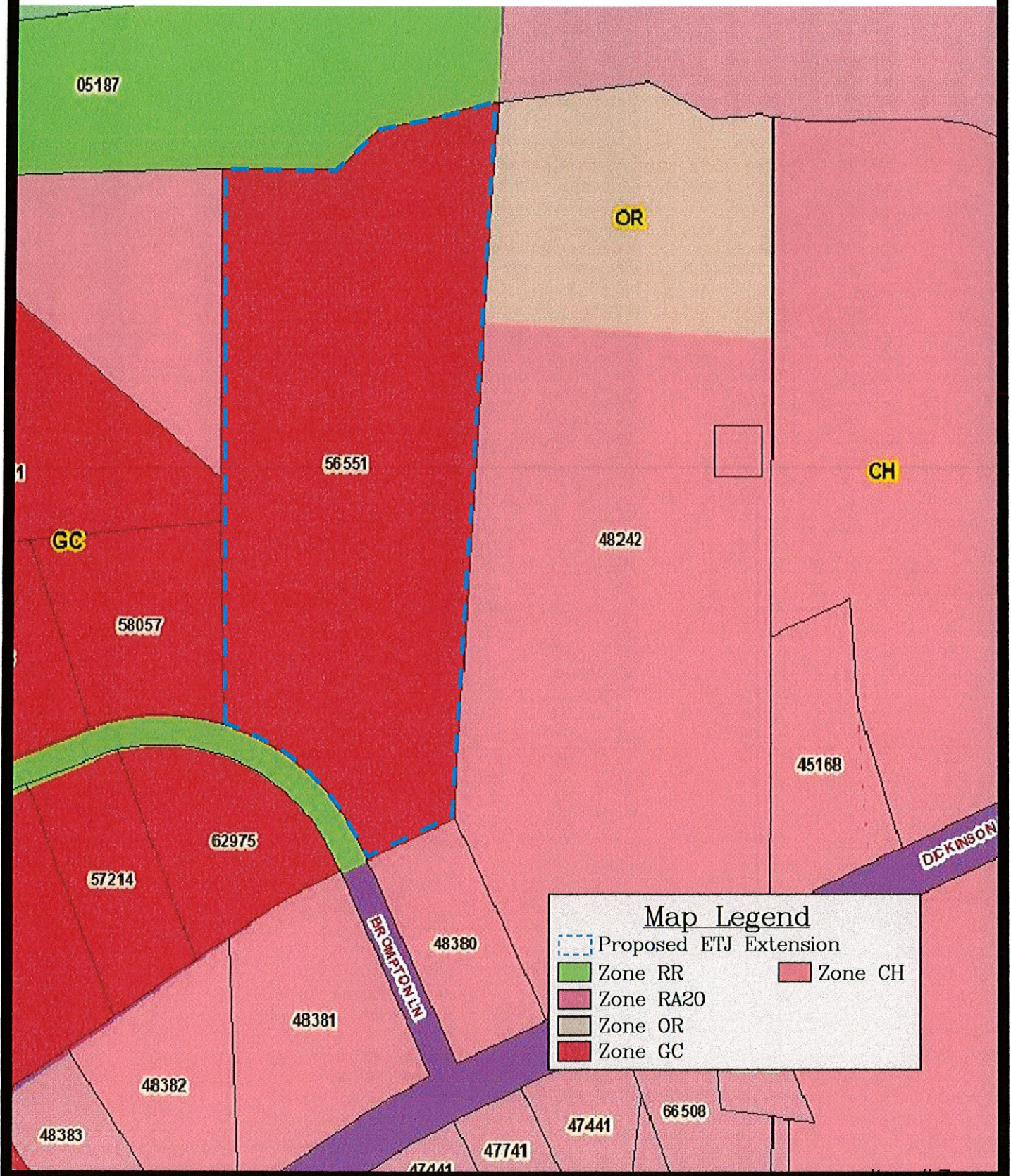
Existing Pitt County Land Uses



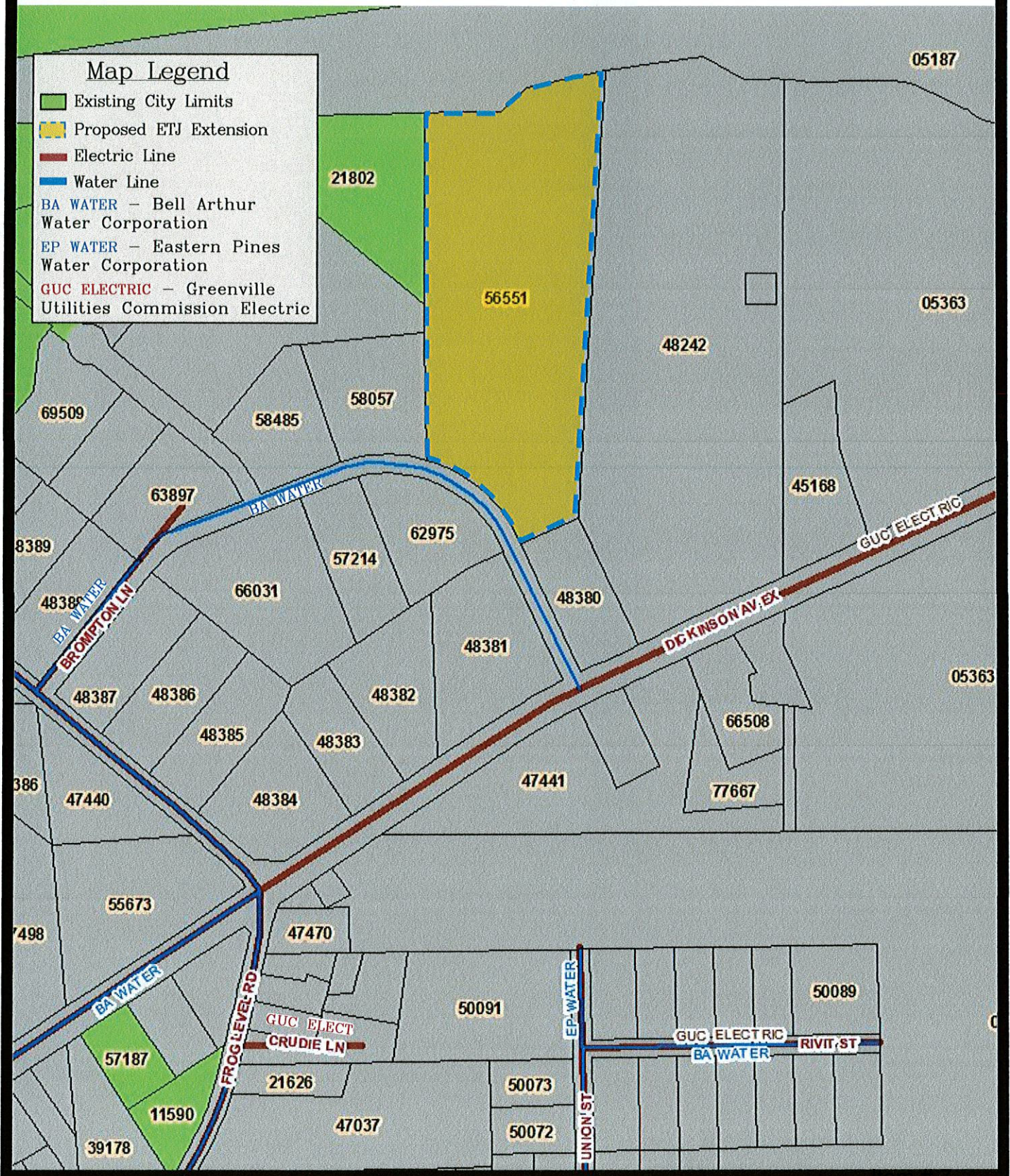
Existing City of Greenville Land Uses



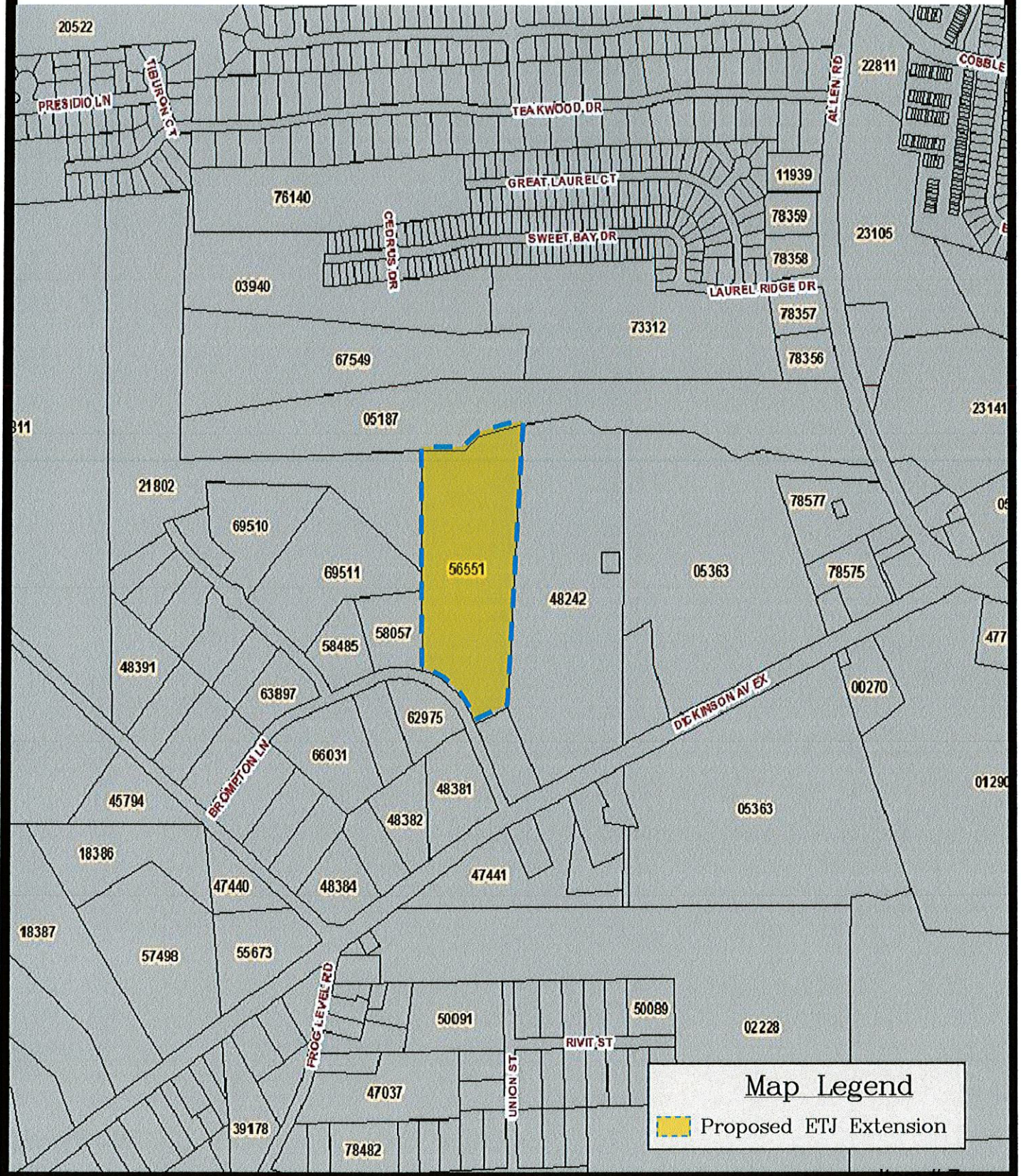
Combined Pitt County and City of Greenville Existing Land Uses



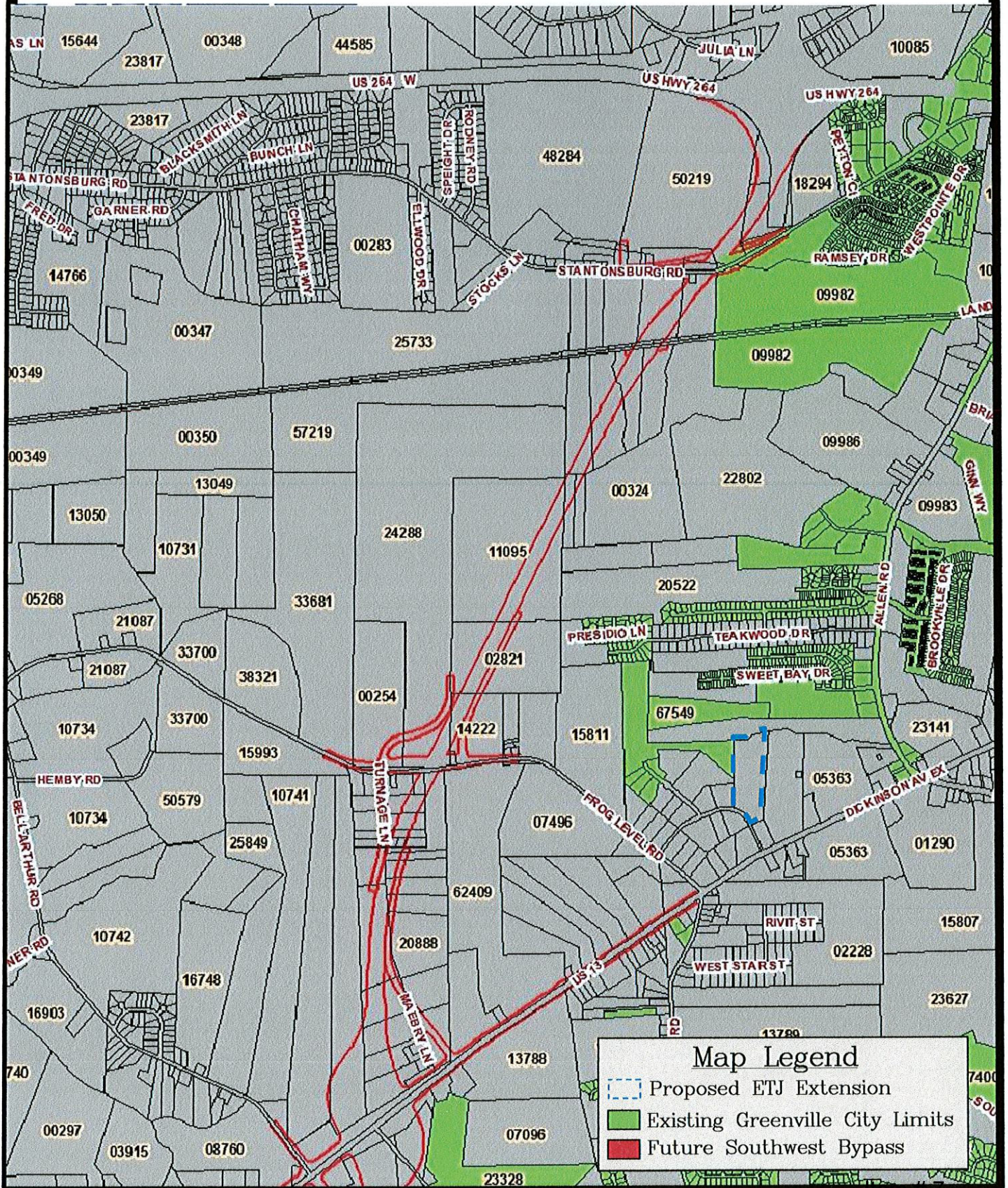
Existing Utility Services



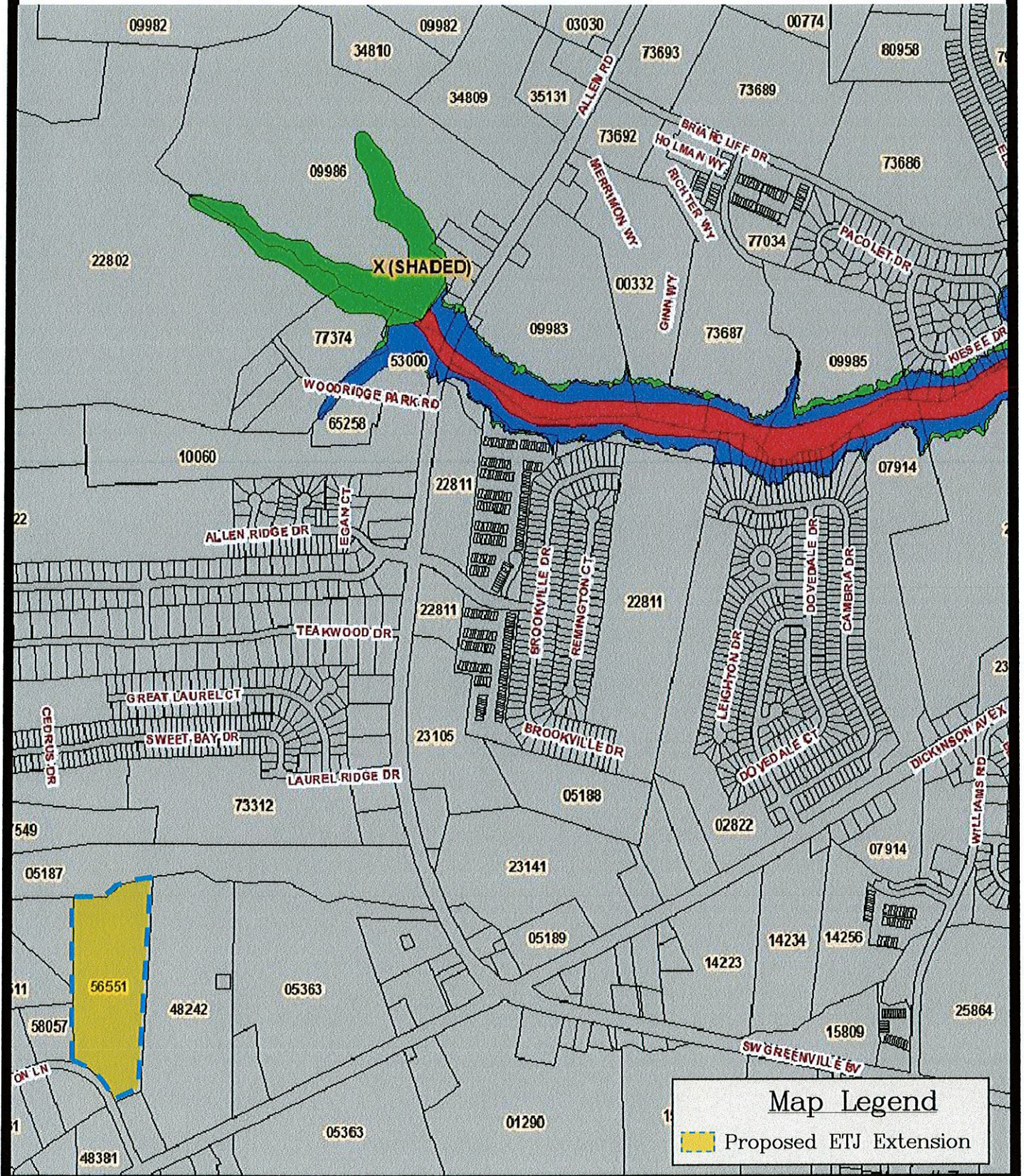
Existing Thoroughfares



Future Thoroughfares



Proximity To Existing Floodway





City of Greenville, North Carolina

Meeting Date: 6/14/2012
Time: 7:00 PM

Title of Item: Establishment of fair market value for 608, 610, and 612 Roosevelt Avenue

Explanation: Mr. and Mrs. Dax Crandell have notified City staff of their interest in purchasing three City-owned properties at 608, 610 and 612 Roosevelt Avenue. The Crandells have indicated that their intention would be to purchase the properties and build affordable priced homes on the properties. The proposed sales prices would be similar to the prices of homes built and sold by the City of Greenville and non-profit housing providers currently in the mid \$90,000 range.

If City Council desires to initiate sales action, City Council must first establish fair market value of the properties by means of an appraisal, then advertise the properties for sealed bids. Because there has been a recent assessment of property value by the Pitt County Tax Assessor's Office, staff believes that the property values established by the County reflect the market values of the properties. Based upon recent value assessments established by the County, the land values of the properties are as follows:

1. 608 Roosevelt Avenue \$2,800
2. 610 Roosevelt Avenue \$3,054
3. 612 Roosevelt Avenue \$3,309

610 Roosevelt Avenue has a dilapidated structure located on the property that would need to be demolished and has a total tax value (building and land) of \$12,608. Mr. Crandell has requested that since the 610 Roosevelt demolition expenses would be incurred by him, he request that parcel's fair market value be based upon the assessed land value only.

These properties are located within the 45-Block Revitalization Area and were acquired by the City of Greenville with funds. In accordance with the re-use plan of the Center City-West Greenville Revitalization Plan, the properties were designated for rehabilitation, if feasible, or acquisition. Roosevelt Avenue was identified as an area of housing in the plan. Mr. Crandell is building four single-family homes just to the north of these properties at this time.

If approved by City Council, staff would advertise the properties for sealed bid for the purpose of housing development. Once all bids have been received, City Council will be asked to award the property to the successful bidder at the August 2012 City Council meeting.

Fiscal Note: Approximately \$200 in advertising costs.

Recommendation: Establish the fair market value for 608 Roosevelt Avenue at \$2,800, 610 Roosevelt Avenue at \$3,054, and 612 Roosevelt Avenue at \$3,309. In addition, authorize staff to advertise and accept sealed bids for the lots with the condition that they be developed for the production of housing.

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

Attachments / click to download

 [roosevelt street properties](#)

 [crandell letter](#)

Twana Crandell
331 Barrel Dr.
Winterville, NC 28590

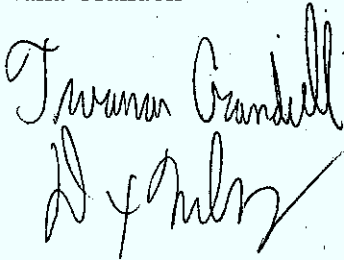
May 18, 2012

Merrill Flood
Director of community Development

This is a letter of request to purchase the following lots: 612 Roosevelt St., 608 Roosevelt St., and 610 Roosevelt St. I am an investor interested in rebuilding underdeveloped areas. I can be reached day or night at (252) 258-2563.

Thank you,

Twana Crandell

A handwritten signature in cursive script, appearing to read "Twana Crandell", with a large, sweeping flourish underneath.



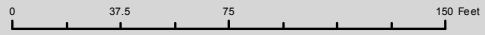
ID	71099
PIN and Link to County Deed Document	13036
Account No.	
Owner	GREENVILLE CITY OF
Owner Address 1	PO BOX 7207
Owner Address 2	
Owner Address 3	
City, State and Zip	GREENVILLE NC 27835
Municipality (Inside City of):	GREENVILLE
Legal Description	RES. 612 ROOSEVELT
Physical House No.	612
Physical Street Prefix	
Physical Street Name	ROOSEVELT
Physical Street Type	AV
Deed Book	2411
Deed Page	710
Use Code	
Township	GREENVILLE
Census Tract	7.01
Fire Tax District	GREENVILLE
Rescue Tax District	
Year Built	
Heated Square Footage	
Total Square Footage	
Sales Price	\$20,700
Sales Month and Year	Nov-07
Current Tax Value	\$3,309
Current Building Value	
Current Land Value	\$3,309
Current Other Features Value	\$0
Prior Tax Value	\$19,580
Prior Building Value	\$15,460
Prior Land Value	\$2,850
Prior Other Features Value	\$1,270
Elementary School	ELMHURST ES
Middle School	C M EPPES MS
High School	J H ROSE HS

Legend

Land Parcels

Item # 8 Street Names

Physical Address





ID	67573
PIN and Link to County Deed Document	15089
Account No.	
Owner	GREENVILLE CITY OF
Owner Address 1	PO BOX 7207
Owner Address 2	
Owner Address 3	
City, State and Zip	GREENVILLE NC 27835
Municipality (Inside City of:)	GREENVILLE
Legal Description	STORE ROOSEVELT
Physical House No.	608
Physical Street Prefix	
Physical Street Name	ROOSEVELT
Physical Street Type	AV
Deed Book	2420
Deed Page	617
Use Code	
Township	GREENVILLE
Census Tract	7.01
Fire Tax District	GREENVILLE
Rescue Tax District	
Year Built	
Heated Square Footage	
Total Square Footage	
Sales Price	\$12,000
Sales Month and Year	Nov-07
Current Tax Value	\$2,800
Current Building Value	
Current Land Value	\$2,800
Current Other Features Value	
Prior Tax Value	\$13,740
Prior Building Value	\$11,340
Prior Land Value	\$2,400
Prior Other Features Value	\$0
Elementary School	ELMHURST ES
Middle School	C M EPPES MS
High School	J H ROSE HS

Legend

- Land Parcels
- Item # 8** Street Names
- Physical Address



ID	67572
PIN and Link to County Deed Document	15090
Account No.	
Owner	GREENVILLE CITY OF
Owner Address 1	PO BOX 7207
Owner Address 2	
Owner Address 3	
City, State and Zip	GREENVILLE NC 27835
Municipality (Inside City of:)	GREENVILLE
Legal Description	LINCOLN PLACE
Physical Ho use No.	610
Physical Street Prefix	
Physical Street Name	ROOSEVELT
Physical Street Type	AV
Deed Book	2852
Deed Page	856
Use Code	SFR CONST(SFR)
Township	GREENVILLE
Census Tract	7.01
Fire Tax District	GREENVILLE
Rescue Tax District	
Year Built	1935
Heated Square Footage	1064
Total Square Footage	
Sales Price	\$11,500
Sales Month and Year	Apr-11
Current Tax Value	\$12,068
Current Building Value	\$9,014
Current Land Value	\$3,054
Current Other Features Value	\$0
Prior Tax Value	\$9,710
Prior Building Value	\$7,480
Prior Land Value	\$2,230
Prior Other Features Value	\$0
Elementary School	ELMHURST ES
Middle School	C MEPPES MS
High School	J H ROSE HS

Legend

- Land Parcels
- Item # 8** Street Names
- Physical Address



City of Greenville, North Carolina

Meeting Date: 6/14/2012
Time: 7:00 PM

- Title of Item:** Ordinances adopting budgets for the 2012-2013 Fiscal Year and Operating Plans for Fiscal Year 2013-2014:
- a. City of Greenville including Sheppard Memorial Library and Pitt-Greenville Convention and Visitors Authority
 - b. Greenville Utilities Commission

Explanation: Attached are the Fiscal Year 2012-2013 budget ordinances for the City of Greenville (including Sheppard Memorial Library and Pitt-Greenville Convention & Visitors Authority) and Greenville Utilities Commission. The amounts to be approved include unspent amounts approved within Fiscal Year 2011-2012. The ordinances establish the fiscal year 2012-2013 budgets and a separate motion will be needed to approve the 2013-2014 operating plans. Also attached is the proposal of fee changes for the manual of fees for your consideration.

Fiscal Note: The 2012-2013 budget ordinances provide revenues and appropriations for the following funds:

General Fund	\$ 75,006,681
Debt Service Fund	4,611,468
Public Transportation Fund	2,240,749
Fleet Maintenance Fund	4,364,441
Sanitation Fund	7,441,360
Stormwater Utility Fund	3,280,219
Community Development Housing Fund	1,581,461
Health Fund	12,015,632

Vehicle Replacement Fund	3,769,058
Sheppard Memorial Library	2,238,134
Convention & Visitors Authority	1,650,100
Greenville Utilities Commission	278,250,949

Recommendation: Approval of budget ordinances for the 2012-2013 Fiscal Year and financial plans for 2013-2014 Fiscal Year.

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

Attachments / click to download

- [Budget Ordinance FY 2012 2013 927509](#)
 - [GUC Budget Ordinance FY 2012 2013 928188](#)
 - [Requested Changes Manual of Fees 2012 912373](#)
-

ORDINANCE NO. 12-

CITY OF GREENVILLE, NORTH CAROLINA
2012-2013 BUDGET ORDINANCE

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

Section I: Estimated Revenue. It is estimated that the following revenues will be available for the City of Greenville during the fiscal year beginning July 1, 2012 and ending June 30, 2013:

GENERAL FUND

Unrestricted Intergovernmental Revenues:

Ad Valorem Taxes;		
Current Year Taxes - Operations	\$ 29,207,880	
Prior Year's Taxes and Penalties	104,163	
Subtotal		\$ 29,312,043
Sales Tax	\$ 14,611,439	
Video Prog. & Tele. Comm. Svcs Tax	970,000	
Rental Vehicle Gross Receipts	123,321	
Utilities Franchise Tax	5,540,166	
Motor Vehicle Tax	880,925	
Other Unrestricted Intergovernmental Revenues	765,352	
Subtotal		\$ 22,891,203
Restricted Intergovernmental Revenues:		
Restricted Intergovernmental Revenues	\$ 1,006,337	
Powell Bill - State allocation payment	2,157,640	
Subtotal		\$ 3,163,977
Licenses, Permits, & Fees:		
Privilege Licenses	\$ 627,800	
Other Licenses, Permits & Fees	4,118,755	
Subtotal		\$ 4,746,555
Sales and Services:		
Rescue Service Transport	\$ 3,062,835	
Parking Violation Penalties, Leases, and Meters	348,102	
Other Sales and Services	573,605	
Subtotal		\$ 3,984,542
Other Revenues:		
Other Revenue Sources	\$ 397,449	
Subtotal		\$ 397,449
Investment Earnings:		
Interest on Investments	\$ 1,768,922	
Subtotal		\$ 1,768,922
Other Financing Sources:		
Transfer from Greenville Utilities Commission	\$ 5,952,192	
Appropriated Fund Balance	2,489,798	
Other Transfers	300,000	
Subtotal		\$ 8,741,990
TOTAL GENERAL FUND REVENUES		\$ 75,006,681

DEBT SERVICE FUND

Powell Bill Fund	\$	60,424	
Occupancy Tax		509,589	
Transfer from General Fund		<u>4,041,455</u>	
TOTAL DEBT SERVICE FUND			<u>\$ 4,611,468</u>

PUBLIC TRANSPORTATION FUND

Operating Grant 2012-2013	\$	597,145	
Capital Grant 2012-2013		593,997	
Planning Grant 2012-2013		32,103	
State Maintenance Assistant Program		250,000	
Hammock Source		1,023	
Miscellaneous Revenue		225	
Pitt Community College Bus Fare		9,021	
Eastern Carolina Vocational Center Service Contract		930	
Bus Fares		195,000	
Bus Ticket Sales		65,785	
Pitt Co. Bus Service		5,022	
Appropriated Fund Balance		<u>490,498</u>	
TOTAL PUBLIC TRANSPORTATION FUND			<u>\$ 2,240,749</u>

FLEET MAINTENANCE FUND

Fuel Markup	\$	1,736,695	
Labor Fees		881,661	
Pool Car Rentals		14,210	
Other Revenue Sources		1,556,875	
Transfer from Vehicle Replacement		<u>175,000</u>	
TOTAL FLEET MAINTENANCE FUND			<u>\$ 4,364,441</u>

SANITATION FUND

Refuse Fees	\$	7,224,360	
Extra Pickup		2,000	
Recycling Revenue		5,000	
Cart and Dumpster		155,000	
Solid Waste Tax		55,000	
TOTAL SANITATION FUND			<u>\$ 7,441,360</u>

STORMWATER MANAGEMENT UTILITY FUND

Utility Fee	\$	3,182,587	
Appropriated Fund Balance		<u>97,632</u>	
TOTAL STORMWATER MANAGEMENT UTILITY FUND			<u>\$ 3,280,219</u>

COMMUNITY DEVELOPMENT HOUSING FUND (GRANT PROJECT FUND)

Annual CDBG Grant Funding	\$	781,037	
HUD City of Greenville		387,237	
Transfer from General Fund		<u>413,187</u>	
TOTAL COMMUNITY DEVELOPMENT HOUSING FUND			<u>\$ 1,581,461</u>

HEALTH - DENTAL INSURANCE FUND

Employer Contributions - City of Greenville	\$	7,380,575	
Employee Contributions - City of Greenville		2,421,903	
Other Health Insurance Sources		<u>2,213,154</u>	
TOTAL HEALTH INSURANCE FUND			<u>\$ 12,015,632</u>

VEHICLE REPLACEMENT FUND

Transfer from Other Funds	\$	<u>3,769,058</u>	
TOTAL VEHICLE REPLACEMENT FUND			<u>\$ 3,769,058</u>
TOTAL ESTIMATED CITY OF GREENVILLE REVENUES			<u>\$ 114,311,069</u>

SHEPPARD MEMORIAL LIBRARY FUND

City of Greenville	\$	1,060,181	
Pitt County		516,499	
Pitt County-Bethel/Winterville		5,446	
Town of Bethel		28,824	
Town of Winterville		143,620	
State Aid		172,746	
Desk/Copier Receipts		130,153	
Interest		1,000	
Miscellaneous Revenues		30,756	
Greenville Housing Authority		10,692	
Local Grants		68,000	
LSTA Grant		45,000	
Appropriated Fund Balance		<u>25,217</u>	
TOTAL SHEPPARD MEMORIAL LIBRARY FUND			<u>\$ 2,238,134</u>

PITT-GREENVILLE CONVENTION AND VISITORS AUTHORITY

Occupancy Tax (2%)	\$	800,000	
Interest on Checking		100	
Appropriated Fund Balance		<u>850,000</u>	
TOTAL PITT-GREENVILLE CONVENTION AND VISITORS AUTHORITY FUND			<u>\$ 1,650,100</u>

Section II: Appropriations. The following amounts are hereby appropriated for the operation of the City of Greenville and its activities for the fiscal year beginning July 1, 2012 and ending June 30, 2013:

GENERAL FUND	
Mayor & City Council	\$ 321,263
City Manager	1,210,711
City Clerk	271,798
City Attorney	446,593
Human Resources	2,499,431
Information Technology	2,816,937
Fire/Rescue	13,325,415
Financial Services	2,345,983
Contingency	207,469
Other Post Employment Benefits	300,000
Police	22,555,893
Recreation & Parks	7,254,788
Public Works	9,693,628
Community Development	1,568,894
Capital Improvement	5,177,203
Transfers to Other Funds	6,025,247
Indirect Cost Reimbursement	(1,014,572)
TOTAL GENERAL FUND	<u>\$ 75,006,681</u>
DEBT SERVICE FUND	
Debt Service	\$ 4,611,468
PUBLIC TRANSPORTATION FUND	
Transit	\$ 2,240,749
FLEET MAINTENANCE FUND	
Fleet	\$ 4,364,441
SANITATION FUND	
Sanitation Service	\$ 7,441,360

STORMWATER MANAGEMENT UTILITY FUND

Stormwater Management Utility \$ 3,280,219

COMMUNITY DEVELOPMENT HOUSING PROGRAM FUND

Community Development Housing/CDBG \$ 1,581,461

HEALTH - DENTAL INSURANCE FUND

Health - Dental Insurance Fund \$ 12,015,632

VEHICLE REPLACEMENT FUND

Vehicle Replacement Fund \$ 3,769,058

TOTAL CITY OF GREENVILLE APPROPRIATIONS \$ 114,311,069

SHEPPARD MEMORIAL LIBRARY FUND

Sheppard Memorial Library \$ 2,238,134

PITT-GREENVILLE CONVENTION AND VISITORS AUTHORITY

Pitt-Greenville Convention and Visitors Authority \$ 1,650,100

Section III: Encumbrances. Appropriations herein authorized and made shall have the amount of outstanding purchase orders as of June 30, 2012, added to each appropriation as it appears in order to account for the expenditures in the fiscal year in which it was paid.

Section IV: Revenue Neutral Tax Rate. A general reappraisal of real property was conducted and is effective January 1, 2012. In accordance with General Statutes 159-11, the revenue-neutral property tax rate was calculated to be 56.44 cents per one hundred dollars (\$100) valuation.

Section V: Taxes Levied. There is hereby levied a tax rate of 52 cents per one hundred dollars (\$100) valuation of taxable properties, as listed for taxes as of January 1, 2012, for the purpose of raising the revenue from current year's property tax, as set forth in the foregoing estimates of revenue, and in order to finance the foregoing appropriations.

Section VI: Salaries.

(a) Salaries of Elected Officials. The annual salaries of the Mayor, Mayor Pro-Tem, and other members of the City Council shall be as follows:

Mayor	\$ 11,500
Mayor Pro-Tem	\$ 7,800
Council Members	\$ 7,500

(b) Salary Cap of Greenville Utilities Commission Members. Pursuant to Section 4 of the Charter of the Greenville Utilities Commission of the City of Greenville, the monthly salaries of members of the Greenville Utilities Commission shall not exceed the following caps:

Chair	\$ 350
Member	\$ 200

Section VII: Amendments.

(a) Pursuant to General Statutes 159-15, this budget may be amended by submission of proposed changes to the City Council.

(b) Notwithstanding Subsection (a) above, the City Manager is authorized to transfer funds from one appropriation to another within the same fund in an amount not to exceed \$10,000. Any such transfers shall be reported to the City Council at its regular meeting and shall be entered in the minutes.

(c) In case of emergency which threatens the lives, health, or safety of the public, the City Manager may authorize expenditures in an amount necessary to meet the emergency so long as such amount does not exceed the amount in contingency accounts and the expenditure is reported to the City Council as soon as possible, and the appropriate budget amendments are submitted at the next regular meeting.

Section VIII: The Manual of Fees, dated July 1, 2012, is adopted herein by reference.

Section IX: Community Development. The City Council does hereby authorize grant project funds for the operation of FY 2011-2012 CDBG Entitlement and Community Development Home Consortium programs under the Community Development Block Grant Program and Home Consortium Program for the primary purpose of housing rehabilitation and other stated expenditures.

Section X: Greenville Utilities Commission. The City Council adopts a separate ordinance for the budget of the Greenville Utilities Commission.

Section X1: Distribution. Copies of this ordinance shall be furnished to the City Manager and the Director of Financial Services of the City of Greenville to be kept on file by them for their direction in the disbursement of funds.

ADOPTED this the 14th day of June, 2012.

Allen Thomas, Mayor

ATTEST:

Carol L. Barwick, City Clerk

FY 2013 FOR GENERAL FUND AND POWELL BILL	
REVENUES	Last Revised May 16 2013 PLAN
CURRENT YEAR TAXES	29,207,880
Net PENALTIES, DISCOUNTS, REFUNDS AND PRIOR YRS	104,163
SUBTOTAL - AD VALOREM TAXES	29,312,043
SALES TAX	14,611,439
RENTAL VEHICLE - GROSS REC	123,321
VIDEO PROGRAMMING FEES	918,000
SUPPLEMENTAL PEG	52,000
PAYMENT IN LIEU OF TAXES GHA	8,200
UTILITIES FRANCHISE TAX	5,540,166
WINE & BEER	361,800
STATE FIRE PROTECTION	395,352
SUBTOTAL - MOTOR VEHICLE	880,925
SUBTOTAL - UNRESTRICTED INTERGOV	22,891,203
TRAFFIC CONTROL LIGHTS MAINT.	180,000
STREET SWEEPER AGREEMENT	25,035
SPEC STATE/FED/LOC GRANT -PB	224,000
POLICE DRUG FUND	5,809
POLICE DEPT GRANTS	100,000
SECTION 104F CITY OF GREENVILLE PLANNING GRT	315,493
FIRE/RESCUE SAFER GRANT	156,000
POWELL BILL - ST ALLOCATION	2,157,640
SUBTOTAL - RESTRICTED INTERGOV	3,163,977
PRIVILEGE LICENSES & PENALTIES	627,800
INSPECTION DIVISION	876,700
RECREATION & PARKS	2,129,300
PLANNING	119,505
POLICE	797,350
ENGINEERING	13,200
FIRE/RESCUE	182,700
SUBTOTAL - LICENSE PERMITS AND FEES	4,746,555
RESCUE SERVICE TRANSPORT	3,062,835
LEASE PARKING & METERS	108,102
PARKING TICKETS	240,000
PUBLIC WORKS SALES AND SERVICES	573,605
SUBTOTAL - SALES AND SERVICES	3,984,542
SUBTOTAL - OTHER REVENUES	397,449
SUBTOTAL - INTEREST ON INVESTMENTS	1,768,922
GUC TRANSFERS IN	5,952,192
APPROPRIATED FUND BALANCE	272,903
TRANSFER FROM GENERAL FUND	300,000
SUBTOTAL - OTHER FINANCING SOURCES	6,525,095
TOTAL GF and PB INCLUDING OTHER FINANCING SOURCES	72,789,786

ORDINANCE NO. _____
CITY OF GREENVILLE, NORTH CAROLINA
2012-13 GREENVILLE UTILITIES COMMISSION BUDGET ORDINANCE

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

Section I. Estimated Net Revenues and Fund Balances. It is estimated that the following non-tax revenues and fund balances will be available during the fiscal year beginning July 1, 2012 and ending June 30, 2013 to meet the subsequent expenditures, according to the following schedules:

<u>REVENUE</u>		<u>BUDGET</u>
A. <u>Electric Fund</u>		
Rates & Charges	\$201,533,454	
Fees & Charges	870,000	
U.G. & Temp. Service Charges	94,500	
Miscellaneous	744,569	
Interest on Investments	135,000	
Installment Purchase	880,300	
Transfer from Capital Projects	125,000	
Total Electric Fund Revenue		\$204,382,823
B. <u>Water Fund</u>		
Rates & Charges	\$16,016,324	
Fees & Charges	241,879	
Miscellaneous	163,786	
Interest on Investments	37,843	
Transfer from Capital Projects	125,000	
Total Water Fund Revenue		\$16,584,832
C. <u>Sewer Fund</u>		
Rates & Charges	\$16,991,129	
Fees & Charges	251,329	
Miscellaneous	117,094	
Interest on Investments	22,500	
Transfer from Capital Projects	125,000	
Total Sewer Fund Revenue		\$17,507,052
D. <u>Gas Fund</u>		
Rates & Charges	\$39,330,058	
Fees & Charges	133,500	
Miscellaneous	133,684	
Interest on Investments	54,000	
Transfer from Capital Projects	125,000	
Total Gas Fund Revenue		\$39,776,242
TOTAL REVENUE		\$278,250,949

Section II. Expenditures. The following amounts are hereby estimated for the Greenville Utilities Commission to be expended for managing, operating, improving, maintaining, and extending electric, water, sewer and gas utilities during the fiscal year beginning July 1, 2012 and ending on June 30, 2013, according to the following schedules:

		<u>BUDGET</u>
Electric Fund	204,382,823	
Water Fund	16,584,832	
Sewer Fund	17,507,052	
Gas Fund	<u>39,776,242</u>	
TOTAL EXPENDITURES		<u><u>\$278,250,949</u></u>

Section III: Amendments. (a) Pursuant to General Statutes 159-15, this budget may be amended by submission of proposed changes to the City Council.

(b) Notwithstanding Subsection (a) above, the General Manager/CEO of Greenville Utilities Commission is authorized to transfer funds from one appropriation to another in an amount not to exceed \$100,000. Any such transfers shall be reported to the Greenville Utilities Commission and the City Council at their next regular meeting and shall be entered in the minutes.

(c) In case of emergency which threatens the lives, health, or safety of the public, the General Manager/CEO may authorize expenditures in an amount necessary to meet the emergency so long as such amount does not exceed the amount in contingency accounts and the expenditure is reported to the Greenville Utilities Commission as soon as possible, and appropriate budget amendments are submitted to the City Council, if necessary, at its next regular meeting.

Section IV: Distribution. Copies of this ordinance shall be furnished to the General Manager/CEO and the Chief Financial Officer of the Greenville Utilities Commission, and the Director of Financial Services of the City of Greenville to be kept on file by them for their direction in the disbursement of funds.

Adopted this the _____ day of June, 2012.

Allen M. Thomas, Mayor

Attest:

Carol L. Barwick, City Clerk

POTENTIAL REVENUE SOURCES FOR 2013 AND 2014

RECOMMENDATIONS CURRENTLY IN THE MANUAL OF FEES

	2013	2014
RECREATION AND PARKS	\$ 37,150	\$ 37,150
POLICE/PEDDLER FEE/PARADE FEE	9,055	9,055
PLANNING FEES	1,135	2,035
FIRE PREVENTION	380	380
FIRE/RESCUE EMS STANDBY/EMS BILLING	162,335	165,562
PUBLIC WORKS STREETS UTILITY CUTS	3,100	5,000
TOTAL INCREASES TO REVENUES FOR GENERAL FUND	<u>\$ 213,155</u>	<u>\$ 219,182</u>
SANITATION FUND	<u>\$1,245,441</u>	<u>\$1,134,441</u>

**REQUESTED FEE CHANGES FOR CITY OF GREENVILLE
MANUAL OF FEES
ALL DEPARTMENTS- SUMMARIZED BY FINANCIAL SERVICES**

Doc # 912373

Department/Division	FEE DESCRIPTION	ACCOUNT NUMBER	CURRENT FEE	RECOMMENDED FEE	ESTIMATED REVENUE		SUPPORTING DETAIL COMMENTS/JUSTIFICATIONS
					FIRST BUDGET YEAR	SECOND BUDGET YEAR	
	Sports Connection	010-0000-340-02-10					change of revenue account number
	PAL Program	010-0000 321-32-16		Remove from Recreation and Parks			PAL is a Police program
	Jaycee Park Kitchen	010-0000-340-04-01	10/ hour	Remove from manual			No longer rent out kitchen
	Elm Street Gym	010-0000-340-04-01	50/hour plus 10 staff fee	Remove staff fee			Change name to Drew Steele Center Gymnasium
	Elm Street Gym Meeting Room	010-0000-340-04-01		Remove from manual			No longer in existence
	Eppes Gym	010-0000-340-04-01	50/hour plus 10 staff fee	50/hour			We don't charge an additional staff fee
	Jaycee Park Auditorium	010-0000-340-04-01	30/hour plus 10 staff fee	Remove staff fee add classes and non resident fees			Change to match department's reservation manual
	Jaycee Park Activity Room	010-0000-340-04-01		Remove from manual			No longer in existence
	All Other Shelters	010-0000-340-04-01					Change phone number to 329-4567
	Soccer/Lacrosse/Football 7	010-0000-340-04-01					Remove the "7" after the word Football
	Adult Sports	010-0000-340-20-00					Add indoor soccer to the list of sports
	Special Events	010-0000-340-02-01					Take out International Festival
	Greenville Pitt Road Race	010-0000-340-02-19	not listed	\$0-\$55			Add to manual
	Piratefest Town Common Vendor Fees	010-0000-340-23-01	not listed	\$0-\$300			Add to manual
	Soccer Complex	010-0000-340-04-01		Remove			Remove from manual. Fees covered under "Soccer/Lacrosse/Football/ Multipurpose Fields"
	Skatepark or inline Hockey Rink	010-0000-340-04-01	50/hour plus 10 staff fee	50/hour			Remove staff fee
	South Greenville Center	010-0000-340-04-01	20/hour plus 10 staff fee	30/hour			Our current charges for meeting rooms
	South Greenville Gym	010-0000-340-04-01	50/hour plus 10 staff fee	50/hour			Remove staff fee per our reservation manual (Doc #781490)
	Facility Rentals for Athletic Tournaments	010-0000-340-04-01	not listed	For tournament rates, call the Athletic Office 329-4550			
	Youth Sports	010-0000-340-20-00					Add Sports Plus Day Camp to the list of activities
Parks	Extras - Bleachers	010-0000-340-04-01	\$50, portable, \$75 per set deliver & pickup	Remove			Remove from manual of fees, bleachers are not rented
	Small Shelters	010-0000-340-04-01	\$20 Half day/\$40 Full day for Residents; \$30 half day/\$60 Full Day - Non-residents	\$20 Full Day Residents; Full day Non-Residents	\$30		Implement Winter Rates - November 1 thru February 29 The non-winter hours for half-days are 8-3 and 3-dark. In winter, the 3-dark rental would only be for two hours. Also, do to the weather, we very rarely rent the shelters. Perhaps the all-day rental fee will increase shelter rentals.
	Large Shelters		\$30 Half day/\$60 Full day for Residents; \$45 half day/\$90 Full Day - Non-residents	\$30 Full Day Residents; Full Day for Non-Residents	\$45		Implement Winter Rates - November 1 thru February 29 The non-winter hours for half-day are 8-3 and 3-dark. In winter, the 3-dark rental would only be for two hours. Also, do to the weather, we very rarely rent the shelters. Perhaps the all-day rental fee will increase shelter rentals.
					\$	\$	These changes do not impact revenue budgets in Fiscal Year 2013 and 2014. They are to clarify or edit existing information unrelated to fee changes.

**REQUESTED FEE CHANGES FOR CITY OF GREENVILLE
MANUAL OF FEES
ALL DEPARTMENTS- SUMMARIZED BY FINANCIAL SERVICES**

Doc # 912373

Department/Division	FEE DESCRIPTION	ACCOUNT NUMBER	CURRENT FEE	RECOMMENDED FEE	ESTIMATED REVENUE		SUPPORTING DETAIL COMMENTS/JUSTIFICATIONS
					FIRST BUDGET YEAR	SECOND BUDGET YEAR	
Aquatics/Fitness Center	Recreational Programming	010-0000-340-0209	\$0-\$100/Members; \$0-\$150 Non-Members	\$0-\$150/Members; \$0-\$200 Non-members; \$0-\$400 Non-member/Non-resident	\$ 3,000	\$ 5,000	Effective Date September 1, 2012 Add a non-resident fee to cover cost of providing program.
	GAFCA Memberships	010-0000-340-0203	FOR YEARLY \$190-\$550 Residents; Same for non-resident	FOR YEARLY \$225-\$700 Non-Residents	\$ 6,633	\$ 6,633	Effective Date September 1, 2012 Add a non-resident fee to cover cost of providing program.
			FOR QUARTERLY \$50-\$250 Same for non-Residents;	FOR QUARTERLY \$75-\$500 Non-Residents	\$ 6,633	\$ 6,633	Effective Date September 1, 2012 Add a non-resident fee to cover cost of providing program.
			FOR MONTHLY \$16-\$200 Residents; Same for non-Residents	FOR MONTHLY \$20-\$300 Non-Residents	\$ 6,633	\$ 6,633	Effective Date September 1, 2012 Add a non-resident fee to cover cost of providing program.
	Community Pool	010-0000-340-0211	Daily Admission \$1.50-\$2.50 Residents Same for Non-Residents	Daily Admission \$1.50-\$2.50 Residents \$2.25-\$3.25 Non-Residents	\$ 1,083	\$ 417	Effective June 1, 2013 Add a non-resident fee to cover cost of providing program.
			Season Pass \$10-\$50 Residents for Non-Residents	Season Pass \$10-\$50 Residents \$15-\$55 Non-Residents	\$ 1,084	\$ 417	Effective June 1, 2013 Add a non-resident fee to cover cost of providing program.
	Senior Trips	010-0000-340-0216	\$10-\$800	\$10-\$2500 Residents \$12-\$3200 Non-Residents	\$ 1,084	\$ 417	Effective June 1, 2013 Add a non-resident fee to cover cost of providing program.
	Sports Connection	010-0000-340-2000	\$50-\$100	\$1-\$150 Residents -\$200 Non-Residents	\$ 11,000	\$ 11,000	Effective July 1, 2012 Add a non-resident fee to cover cost of providing program.
TOTAL FUND					\$ 37,150	\$ 37,150	

Form # 9

**REQUESTED FEE CHANGES FOR CITY OF GREENVILLE
MANUAL OF FEES**

INSTRUCTIONS: Please save a copy of this document (843784) for your Department's use. Please put each division on a separate page. Remember to give full access to your document. Once you have completed the request's for your department, please e-mail your document to Brenda Matthews.

Division	FEE DESCRIPTION	ACCOUNT NUMBER	CURRENT FEE	RECOMMENDED FEE	ESTIMATED REVENUE GAIN		SUPPORTING DETAIL COMMENTS/JUSTIFICATIONS
					FIRST BUDGET YEAR	SECOND BUDGET YEAR	
Parks	Pedal Boat Rentals	010-0000-340-02-02	\$3/30 min	\$4/30 min			To be in line with Rec & Park agencies that serve a similar audience. Ensure that we are able to recoup costs when open to the public.
	Group Pedal Boat Rentals	010-0000-340-02-02	\$15/hr for the whole fleet (currently \$)	\$32/hr for the whole fleet (currently \$)			Current price under values service significantly. Ensure staff is being used efficiently.
	Science & Nature Center	010-0000-340-02-02	\$1 under 12 yo/\$2.12 and older	\$1/\$1.50 NR under 12-9/11/12	\$2/\$3 NR 12 & over		including non resident fee differential
	Public Programming Fee	010-0000-340-02-02	Currently no fee schedule	Free to \$75 range ~1.3-2.0 fee multiplier for non residents			RPN needs to set fees for new public programming offerings to recoup costs. Fees are determined by the following criteria: 1. Direct costs of programming, 2. Perceived value by the customer, 3. How strongly it ties in with our mission, and 4. Audience served (resident/non resident, seniors, adults, youth).
	Private Group	010-0000-340-02-02	Currently no fee schedule	Free to \$25 range ~1.3-2.0 fee multiplier for non residents			River Park North needs to set fees for new private program offerings, current offerings are undervalued we also need to recoup costs for the services which we are currently providing. Fees are determined by the following criteria: 1. Direct costs of programming 2. Perceived value by the customer 3. How strongly it ties in with our mission 4. Audience served (Resident/NonResidents, Seniors, Adults, Youth)
	Jon Boat Fee	010-0000-340-02-02	\$54 hrs, \$8/all day	\$75 hrs			Current price under values service significantly.
	Birthdays Party Package	010-0000-340-02-02	Currently no fee schedule	\$100/resident, \$150/non-resident			RPN has proved to be an excellent location for a Birthday Party Package. Package details include classroom rental, 45 minute program, and 30 minute fun element to be determined (pedal boats in summer, ??? in winter)
	Science & Nature Center Facility Rentals	010-0000-340-02-02		~1.5 fee multiplier for non-residents for lobby, deck and surrounding, theater, classroom, entire facility, audio visuals and tables & chairs (listed below)			
	Lobby	010-0000-340-02-02	\$50/hr	Discontinue			Not an appropriate use of this area.
	Deck and Surrounding	010-0000-340-02-02	\$50/hr	\$25/hr			Over valued price
	Theater	010-0000-340-02-02	\$150/hr	\$75/hr, \$375/8hrs			Current rate structure is over priced.
	Entire Facility	010-0000-340-02-02	\$250/hr	\$290/3 hrs after 5pm			Current rate structure is over priced.
Audio Visuals	010-0000-340-02-02	\$25/hr	Discontinue			No need for separate charge	
(6) Tables, 50 chairs	010-0000-340-02-02	\$50/hr	\$50/event			No change	
TOTAL FUND					\$0	\$0	

Insert Additional Rows as Needed

**REQUESTED FEE CHANGES FOR CITY OF GREENVILLE
MANUAL OF FEES
ALL DEPARTMENTS- SUMMARIZED BY FINANCIAL SERVICES**

Doc # 912373

Department/Division	FEE DESCRIPTION	ACCOUNT NUMBER	CURRENT FEE	RECOMMENDED FEE	ESTIMATED REVENUE GAIN		SUPPORTING DETAIL COMMENTS/JUSTIFICATIONS
					FIRST BUDGET YEAR	SECOND BUDGET YEAR	
PLANNING	Preliminary Plat	010-0000-330-1801	\$600	\$600	\$0.00	\$0.00	\$550 base fee plus \$50 per acre or additional major fraction thereof
	Final Plats	010-0000-330-1802	\$490	\$490	\$0.00	\$0.00	\$440 base fee plus \$50 per acre or additional major fraction thereof
	Rezoning	010-0000-330-1803	\$600	\$600	\$0.00	\$0.00	\$550 base fee plus \$50 per acre or additional major fraction thereof
	Board of Adjustment Cases	010-0000-330-1804	\$500	\$500	\$0.00	\$0.00	\$385 flat fee for residential related special use permits included under Sec 9-4-78 f(2) & (3); \$50 flat fee for an appeal of an administrative decision to issue a citation for parking on an unimproved surface as a violation of a parking area surface material requirement as set forth in Section 9-4-248 (a); All other case \$500 flat fee; refund of Appeals of Administrative Decisions or Interpretation case fee where the Board of Adjustment finds in favor of the applicant.
	Board of Adjustment Renewal Cass - Special Use Permit Renewals	010-0000-330-1804	\$275	\$275	\$0.00	\$0.00	
	Site Plans	010-0000-330-1805	\$545	\$545	\$0.00	\$0.00	\$495 base fee plus \$50 per acre or additional major fraction thereof
	Landscape Plans Alterations	010-0000-330-1809	\$150	\$150	\$0.00	\$0.00	1st inspection: \$150 base fee plus \$25 per acre or additional major fraction thereof (\$150 minimum) not to exceed \$500; Each Additional inspection, \$75 flat fee
	Preliminary Plat Minor Alterations	010-0000-330-1806	\$330	\$330	\$0.00	\$0.00	\$300 flat fee
	Final Plat Minor Alterations	010-0000-330-1807	\$330	\$330	\$0.00	\$0.00	\$330 plus \$30/sheet
	Site Plan Minor Alterations	010-0000-330-1808	\$330	\$330	\$0.00	\$0.00	\$330 Flat fee
	Landscape Plan Minor Alterations	010-0000-330-1809	\$165	\$165	\$0.00	\$0.00	\$165 flat fee
	Landscape Plan Inspections	010-0000-330-1810	\$210	\$210	\$0.00	\$0.00	\$210 flat fee
	Street Name Change	010-0000-330-1811	\$440	\$440	\$0.00	\$0.00	\$440 base fee plus \$10 / certified notice
Misc. Planning Fees	010-0000-330-1812	\$25	\$25	\$0.00	\$0.00	Estimated misc. fees @ \$25 each	
Annexations	010-0000-330-1813	\$440	\$440	\$0.00	\$0.00	\$440 flat fee	
Amendments (Zoning/Subdivision Text, Comprehensive)	010-0000-330-1814	\$495	\$495	\$0.00	\$0.00	\$495 flat fee	
Planning & Zoning Commission Special Use Permit	010-0000-330-1815	\$680	\$680	\$0.00	\$0.00	\$680 flat fee	
Planned Unit Development -PUD; Land Use Intensity- Zoning Certificate Letter	010-0000-330-1816	\$0	\$0	\$1,125.00	\$1,125.00	Zoning Certificate Letter; \$25 flat fee	
COA Major Wrks. Gen. Public	010-0000-330-1817	\$0	\$0	\$0.00	\$300.00	COA (Certificate Of Appropriateness) Major Works General Public; \$50 flat fee.	
COA Minor Wrks In-House	010-0000-330-1818	\$0	\$0	\$0.00	\$600.00	COA (Certificate Of Appropriateness) Minor Works In-House	
RENTAL INCOME	010-0000-330-04-50		\$5	\$10.00	\$10.00	Rental Income Flood Property; \$5 flat fee	
Administrative Filing Fee for Grass Liens	010-0000-340-1201		\$6.00	\$10.00	\$0	\$0	We currently pay this fee when we record liens on properties at the courthouse. It has not previously been added to the Manual of Fees. This addition is for disclosure and is being added to the current information about the cost of mowing unkept properties.
TOTAL FUND					\$1,135	\$2,035	

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Doc # 912373

Department/Division	FEE DESCRIPTION	ACCOUNT NUMBER	CURRENT FEE	RECOMMENDED FEE	ESTIMATED REVENUE GAIN		SUPPORTING DETAIL COMMENTS/JUSTIFICATIONS
					FIRST BUDGET YEAR	SECOND BUDGET YEAR	

**REQUESTED FEE CHANGES FOR CITY OF GREENVILLE
MANUAL OF FEES
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Doc # 912373

Department/Division	FEE DESCRIPTION	ACCOUNT NUMBER	CURRENT FEE	RECOMMENDED FEE	ESTIMATED REVENUE GAIN		SUPPORTING DETAIL COMMENTS/JUSTIFICATIONS
					FIRST BUDGET YEAR	SECOND BUDGET YEAR	
Fire/Rescue Department FIRE PREVENTION	Extraction Tank Permit (per tank)	010-0000-330-22-07	\$100.00	\$125.00	\$50.00	\$50.00	Time consuming; new code standards' typical across eastern region
	Installation Tank Permit (per tank)	010-0000-330-22-07	\$125.00	\$150.00	\$50.00	\$50.00	Time consuming; new code standards' typical across eastern region.
	Permits: Mall Displays, Private Fire Hydrant	010-0000-330-22-07	\$30.00	\$50.00	\$40.00	\$40.00	Last revised 8 to 10 years ago
	Special Requested Business Inspections-City	010-0000-330-22-09	\$30.00	\$50.00	\$160.00	\$160.00	Upgrade to match fee schedule of other permits in this category such as the day care etc.
	Special Requested Business Inspections ETJ	010-0000-330-22-09	\$60.00	\$80.00	\$80.00	\$80.00	Upgrade to match fee schedule of other permits in this category such as the day care etc.
TOTAL FUND				\$380	\$380	\$380	

**REQUESTED FEE CHANGES FOR CITY OF GREENVILLE
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Doc # 912373

Department/Division	FEE DESCRIPTION	ACCOUNT NUMBER	CURRENT FEE	RECOMMENDED FEE	ESTIMATED REVENUE GAIN		SUPPORTING DETAIL COMMENTS/JUSTIFICATIONS
					FIRST BUDGET YEAR	SECOND BUDGET YEAR	
Fire/Rescue Department	EMS Transport Fee - BLS	010-0000-340-01-00	\$300.00	\$0.00	\$0.00	\$0.00	Per Financial Services we do not bill at this level. Since we are a 9-1-1 responder, we bill only at the "emergency" levels.
EMS DIVISION	EMS Transport Fee - BLS Emergency	010-0000-340-01-00	\$340.00	\$375.00	\$50,400.00	\$51,408.00	I polled NC EMS agencies for their fees, 15 responded. The average was \$391. The Medicare allowable for this level is \$332.24. Part of my recommendation is to increase revenue to help offset losses from reduced property taxes.
	EMS Transport Fee - ALS	010-0000-340-01-00	\$360.00	\$0.00	\$0.00	\$0.00	Per Financial Services we do not bill at this level. Since we are a 9-1-1 responder, we bill only at the "emergency" levels.
	EMS Transport Fee - ALS Emergency	010-0000-340-01-00	\$400.00	\$475.00	\$35,400.00	\$36,108.00	I polled NC EMS agencies for their fees, 15 responded. The average was \$503. The Medicare allowable for this level is \$394.50. Part of my recommendation is to increase revenue to help offset losses from reduced property taxes.
	EMS Transport Fee - ALS 2	010-0000-340-01-00	\$535.00	\$600.00	\$565.00	\$596.70	I polled NC EMS agencies for their fees, 15 responded. The average was \$603.78. The Medicare allowable for this level is \$571.03. Part of my recommendation is to increase revenue to help offset losses from reduced property taxes.
	Oxygen Delivery Fee	010-0000-340-01-00	\$26.00	\$30.00	\$3,780.00	\$3,885.60	This fee has not been increased in several years. Part of my recommendation is to increase revenue to help offset losses from reduced property taxes.
	EMS Treatment/No Transport Fee	010-0000-340-01-00	\$50.00	BLS: \$100.00	\$1,050.00	\$1,070.00	I polled NC EMS agencies for their fees, 15 responded. The overall average of those with such a fee was \$120, and those with different levels had an average \$125 for BLS. There is no Medicare allowable for this service.
	EMS Treatment/No Transport Fee (ALS)	010-0000-340-01-00	\$0.00	ALS: \$200.00	\$4,050.00	\$4,131.00	I polled NC EMS agencies for their fees, 15 responded. The overall average of those with such a fee was \$120, and those with different levels had an average \$204.40 for ALS. There is no Medicare allowable for this service.
	Head Immobilization Fee	010-0000-340-01-00	\$25.00	\$30.00	\$5,760.00	\$5,875.20	This fee has not been increased in several years. Part of my recommendation is to increase revenue to help offset losses from reduced property taxes.
	Ground Mileage - Per Statute Mile	010-0000-340-01-00	\$8.00	\$9.00	\$49,142.80	\$50,125.66	There has been no increase for this fee in several years. The Medicare allowable is \$6.86 for our area. The average from those polled is \$10.74.
	EMS Dedicated Standby - Unit & Crew	010-0000-340-25-10	\$75.00 / hour	\$100 / hour	\$4,587.00	\$4,587.00	We have never increased this fee since it's beginning. This fee basically represents two employees at \$35/person/hour and the unit at \$30/hour. Only GFR and Pitt County have such a fee (of those polled). Pitt County's fee is \$100/hour.
EMS Dedicated Standby - Crew Only	010-0000-340-25-10	\$30 / manhour	\$35 / manhour	\$1,080.00	\$1,080.00	This is the new "EF" coded fee that we implemented in 2011. I recommend the increase to help offset the GOG's liability with FICA taxes and maintain the \$30/hour/person for the employees.	
Extrication/Disentanglement Fee			\$0.00	\$6,500.00	\$6,695.00	To be billed to vehicle owners. Auto insurance policies #28 cover these costs. This is an area of revenue that is simply being lost because it is not being sought. Assignment could be made. None of the agencies polled had such a fee, but then again, the EMS agencies in NC don't do extrications. Those rescues are typical performed by Fire Departments. Red Oak VFD assess a \$250 extrication fee.	
TOTAL FUND				\$162,335	\$165,562		

REQUESTED FEE CHANGES FOR CITY OF GREENVILLE
MANUAL OF FEES
ALL DEPARTMENTS- SUMMARIZED BY FINANCIAL SERVICES

Doc # 912373

INSTRUCTIONS: Please save a copy of this document for your Department's use. Please put each division on a separate page. Remember to give Brenda Matthews access to your document. Once you have completed the request's for your department, please e-mail your document to Brenda Matthews.

Department/Division	FEE DESCRIPTION	ACCOUNT NUMBER	CURRENT FEE	RECOMMENDED FEE		ESTIMATED REVENUE GAIN		SUPPORTING DETAIL COMMENTS/JUSTIFICATIONS
				FY 2013	FY 2014	FIRST BUDGET YEAR	SECOND BUDGET YEAR	
PWD / Streets		01000003400301				\$3,100.00	\$5,000.00	
	Asphalt Cuts 1-25 sq. ft.		\$240.76	\$275.00	FY 2014			Based on past history and material costs
	Asphalt Cuts 26-50 sq. ft.		\$8.90	\$10.68	\$343.75			The asphalt request to the left is based on 2"
	Asphalt Cuts 51-100 sq. ft.		\$6.02	\$7.22	\$13.35			thickness of asphalt. The fees will be
	Asphalt Cuts 101-200 sq. ft.		\$5.07	\$6.80	\$9.02			increased 30% per 2"
	Asphalt Cuts 200 +		\$3.65	\$4.38	\$7.60			
	Curb & Gutter Cuts 1-10 Per Lin. Ft.		\$419.83	\$488.00	\$5.47			
	Curb & Gutter Cuts 11-50 Per Lin. Ft.		\$33.10	\$39.00	\$561.20			
	Curb & Gutter Cuts 51-100 Per Lin. Ft.		\$32.35	\$38.82	\$44.85			
	Curb & Gutter Cuts 101-200 Per Lin. Ft.		\$24.83	\$29.79	\$44.64			
	Curb & Gutter Cuts 200 Per Lin. Ft.		\$21.07	\$25.28	\$34.25			
	Concrete Cuts 1-25 per Sq. Ft.		\$195.62	\$355.00	\$29.07			
	Concrete Cuts 26-50 per Sq. Ft.		\$7.53	\$12.47	\$408.25			The concrete fees are based on 4" thickness
	Concrete Cuts 51-100 per Sq. Ft.		\$4.90	\$7.15	\$14.34			of cement. The fees will be increased 20%
	Concrete Cuts 101-200 per Sq. Ft.		\$4.00	\$5.28	\$8.22			per 2" of additional thickness.
	Concrete Cuts 200 + per Sq. Ft.		\$3.17	\$4.21	\$6.07			For repair work outside of the City limits, there
				\$4.84			is a \$5 per mile additional charge.	
SANITATION	Containers 6 or 8 yards	032-0000-330-1600	\$100 Over Cost	\$100 Over Cost		\$0.00	\$0.00	This request is to clarify language and simply the
	Roll Out Carts 64 or 96 Gallon	032-0000-330-1600	\$ 15 Over Cost	\$ 15 Over Cost		\$0.00	\$0.00	charge process. Each time the invoice comes in for
TOTAL FUND						\$3,100	\$5,000	purchasing containers or carts, the price is subject to
								change.

Insert Additional Rows as Needed



City of Greenville, North Carolina

Meeting Date: 6/14/2012
Time: 7:00 PM

Title of Item: 2012-2013 Redevelopment Commission Work Plan and Budget

Explanation: As has been the custom since the adoption of the Center City-West Greenville Revitalization Plan in 2006, the Redevelopment Commission prepares a program of work and corresponding budget to run concurrently with the City of Greenville's fiscal year. The program of work is presented to the City Council each year for consideration and approval.

Fiscal Note: The majority of Redevelopment Commission projects and programs are funded through the use of 2004 General Obligation bond funds approved by Greenville's citizens for revitalization activities in the Center City and West Greenville revitalization areas. Sources and uses of funding along with an annual budget are included in the 2012-2013 work plan. In order to complete the work plan item associated with planning streetscape improvements for Dickinson Avenue, the Redevelopment Commission is requesting that City Council approve the use of 2004 General Obligation bond funds allocated for Center City projects even though portions of Dickinson Avenue are located within the West Greenville redevelopment area.

As outlined in the attached letter from the City's bond counsel, it is permissible for Center City bond funds to be used in another revitalization area provided that City Council makes a finding that use of the Center City bond funds in a different revitalization area will promote Center City revitalization efforts. Staff is of the opinion that the use of bond funds for this purpose is consistent with the intent of the bond issue as all of Dickinson Avenue from Reade Circle to 14th Avenue is located either in the Center City revitalization area or the West Greenville redevelopment area. Dickinson Avenue also serves as one of the primary corridors bringing vehicular and pedestrian traffic into the Center City.

Recommendation: The Greenville Redevelopment Commission approved their 2012-2013 work plan and budget at their regular meeting on May 1, 2012, with a recommendation for approval by the Greenville City Council. Staff recommends approval of the 2012-2013 Redevelopment Commission Annual Program of Work along with the accompanying budget ordinance amendment. Staff also recommends that the

Greenville City Council make a finding that using up to \$150,000 of Center City Revitalization Bond proceeds to complete planning work for improvements to Dickinson Avenue from Reade Circle to 14th Avenue will promote Center City revitalization efforts.

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

Attachments / click to download

 [12 - 13 RDC Work Plan](#)

 [Bond Counsel Letter](#)

Redevelopment
Commission of
 Greenville

Annual Work Plan



Fiscal Year
2012 - 2013
Item # 10

A. Introduction

The Redevelopment Commission of Greenville is engaged in a multi-year revitalization effort aimed at transforming Greenville's urban core into the premier destination for Eastern North Carolinian's to live, work, shop and play. Projects and programs outlined in this work plan are based on the vision outlined in the *Center City - West Greenville Revitalization Plan*, which was adopted in January 2006. In the six years since the plan was adopted, the Redevelopment Commission has engaged in an ambitious program of public work that has served to leverage significant private investment to include new housing units and significant commercial investment.

For the past five fiscal years, the Redevelopment Commission made selective property acquisitions, which led to the removal of dilapidated buildings, followed by the construction of new, high quality owner-occupied housing and rental projects (e.g., Nathaniel Village) as well as new commercial development opportunities. In fiscal year 2012 – 2013, the Redevelopment Commission will seek to capitalize on its past investments, continue its successful West Greenville and Center City business development programs, and begin several new initiatives that will deploy a diversity of funding mechanisms which, in turn, have the potential to leverage private investment and spur additional phases of public commitments.

Of the eighteen total items outlined in the plan, seven represent new initiatives for the Commission as many projects carry-over from year to year. This work plan will guide City of Greenville staff and private contractors who will carry out a defined set of activities listed herein and timed to coincide with the City's fiscal year running from July 1, 2012 through June 30, 2013. Funding for these projects and programs comes from a combination of general obligation bonds, grant funds and general government operating funds.

Activities related to the West Greenville 45-Block Community Development Block Grant (CDBG) project, as listed in the current CDBG Annual Plan, are incorporated into this document by reference.

B. Proposed 2012 – 2013 Work Plan Items

1. Evans Street Gateway Project**

As part of its 2005 – 2006 Annual Work Plan, the Redevelopment Commission selected a consultant to develop a set of design guidelines for future streetscape improvement projects undertaken within the Revitalization Project area. The goal of the design process was to create a unique and distinctive vision for public spaces within the project area. Key factors considered in the process included, vehicular/pedestrian/bicycle access, public utility location and improvements, street and gateway character, and wayfinding. The final deliverable from that process was the *Center City – West Greenville Streetscape Master Plan* which was subsequently adopted by both the Redevelopment Commission as well as the City Council. Initial projects selected for design and construction were a segment of West 5th Street running from memorial Drive to Cadillac Street along with portions of Reade and Cotanche Streets.

Based on cost estimates and prioritization developed as part of the master planning process, the Redevelopment Commission and Greenville City Council have selected a segment of Evans Street running from the intersection of Reade Circle to the intersection of 10th Street as a second phase of streetscape design and construction in the Uptown District. Design and construction of this project is planned to coincide with design and construction of the 10th Street Connector Project which will deliver hundreds of new vehicular trips per day to the Evans Street gateway and to the Uptown Commercial District.

Fiscal Note: Use of Center City bond funds for design and construction documentation.
(Design budget: \$146,000 – Construction estimate: \$1,025,000)

2. West 5th Streetscape Phase II Design**

As part of its *2005 – 2006 Annual Work Plan*, the Redevelopment Commission selected a consultant to develop a set of design guidelines for future streetscape improvement projects undertaken within the Revitalization Project area. The goal of the design process was to create a unique and distinctive vision for public spaces within the project area. Key factors considered in the process included, vehicular/pedestrian/bicycle access, public utility location and improvements, street and gateway character, and wayfinding. The final deliverable from that process was the *Center City – West Greenville Streetscape Master Plan* which was subsequently adopted by both the Redevelopment Commission as well as the City Council. Initial projects selected for design and construction were a segment of West 5th Street running from Memorial Drive to Cadillac Street along with portions of Reade and Cotanche Streets.

Based on cost estimates and prioritization developed as part of the master planning process, the Redevelopment Commission and Greenville City Council have selected a segment of West 5th Street running from Cadillac Street to Tyson Street as a second phase of streetscape design and construction in West Greenville. A key feature of this project will be the realignment of West 14th Street and Tyson Street at their intersection with West 5th Street.

Fiscal Note: Use of West Greenville bond funds for design and construction documentation.
Construction funds for this project have not been identified.
(Design budget: \$105,000)

3. Parking Pay Station Phase II Installations

Although the City of Greenville continues to promote mass transit through the existing GREAT bus system as well as with the planned Intermodal Transportation Center, passenger vehicles and the associated parking requirements remain an integral part of the urban environment. The installation and use of parking meters is one of several parking management strategies that many local governments employ in urban settings, and one that the City of Greenville is utilizing in the Central Business District. Based on the success of the pilot parking pay station project in the Reade and Cotanche Street area, the Commission will install additional parking pay stations along streets in the Central Business District based on recommendations from the City's recently completed Strategic Parking Review.

Fiscal Note: Potential use of Center City bond funds for purchase of pay stations.
(Procurement and installation budget: \$50,000)

4. Civic Art Initiative **

One of the key recommendations of the 2006 Streetscape Master Plan was the creation of a civic art program. The *Center City – West Greenville Revitalization Plan* likewise calls for “creating and expanding cultural resources” within the Revitalization Project area. Across the nation, some 350 jurisdictions have established civic art programs, including cities in North Carolina such as Cary, Chapel Hill and Raleigh (Americans for the Arts, 2003). Construction projects associated with streetscape and other public improvement projects provide opportunities to incorporate civic art into the public realm. It is hoped that such pilot projects may serve as a catalyst for implementing broader, city-wide approaches to civic art. Toward that end, the Redevelopment Commission contracted with the Pitt County Arts Council to assist with the development of a Cultural Arts Master Plan and the Arts Council in turn received grant funding from the State Arts Council that was used to advance the process. A draft arts plan has been completed and the Pitt County Arts Council will continue to work with the Redevelopment Commission to implement the recommendations contained in the Master Plan document.

Fiscal Note: Use of West Greenville and Center City bond funds for design, construction and purchase of civic artwork.

5. West Greenville Commercial Center**

The *Center City – West Greenville Revitalization Plan* calls for the establishment of a small-scale commercial center to serve the neighborhoods of West Greenville. Such a center might include a small grocery store, retail pharmacy as well as additional space for other commercial ventures. The adopted Redevelopment Plan initially called for location of such a center in the Albemarle Avenue and Dickinson Avenue area, but as the corridor for the Tenth Street Connector Project has been more accurately defined, it has become clear that the proposed location would be in conflict with the new alignment of 10th Street. With right-of-way acquisition for the 10th Street project expected to begin in 2012, the Redevelopment Commission will begin planning for the location of the West Greenville neighborhood commercial center. There is a strong opportunity for a public/ private partnership with this project in which the Redevelopment Commission assembles the land required for the commercial center then partners with a commercial center developer to build the improvements and bring in the commercial tenants. Once the site is properly located, land acquisition and the search for a private sector development partner can commence.

Fiscal Note: No funding required for planning activities; additional capital funding required for land assembly and infrastructure. (Potential use of HUD Section 108 loan for land acquisition and infrastructure improvements)

6. Uptown Hotel Project

The development of a hotel in Uptown Greenville continues to be a key revitalization goal for the Center City. The Redevelopment Commission has directed staff to actively recruit potential private development partners to evaluate the economic potential of an Uptown hotel project. Location of a hotel in the City’s central business district would create additional foot traffic in the area and increase patronage for area restaurants and shops. If the right opportunity does present itself, the City of Greenville is prepared to explore a variety of incentive options.

Fiscal Note: Potential use of Tax Increment Financing (No direct costs; staff in-kind support).

7. Small Business Assistance Programs**

To facilitate the expansion of small business in appropriate locations within the Center City - West Greenville Redevelopment Project area, the Redevelopment Commission has developed and adopted several programs intended to attract and retain small businesses within the adopted revitalization areas. These include a business plan competition program which has been developed in conjunction with the local office of the North Carolina Small Business Technology Development Center, EXCEED, SCORE and the Pitt Community College Small Business Center. The program provides grants in the amount of between \$15,000 and \$30,000 to as many as eight competition winners per year. The Commission has also developed the Dickinson Avenue Corridor grant program, a façade program that provides up to \$10,000 in grant funds for exterior repairs to non-residential buildings. In addition, staff working on behalf of the Commission, are collaborating with the Uptown Greenville organization and the Pitt County Economic Development Commission to explore the feasibility of tax incentive grant that would leverage private investment to renovate existing buildings in the City's revitalization areas.

Fiscal Note: Use of CDBG, and Center City bond funds for capitalization of grant programs. (\$50,000 CDBG and \$60,000 CC Bond funds)

8. Adaptive Re-use Projects for Historic Structures **

The Redevelopment Commission will solicit input and receive inquiries from interested parties including architectural and development firms intent on finding new uses for unoccupied and underutilized historic structures within the Center City – West Greenville Revitalization Project area. The Redevelopment Commission will review any proposals, and where appropriate, may take action to partner with an interested developer and/or facilitate the redevelopment of these structures.

Fiscal Note: Potential use of Center City bond funds and tax increment funds for activities including land acquisition, clearance, and infrastructure.

9. Uptown Parking Deck Site Analysis

The Redevelopment Commission will study between two and five sites located within the Central Business District in order to determine which sites have the highest probability of attracting private investment while also being suitable development sites for a parking facility. As part of this analysis, the Commission will hire an engineering consultant to survey potential sites. For each site, the survey will analyze geological conditions (soil, bedrock, etc.) as well as traffic conditions that might impact ingress and egress for a potential parking structure. The Commission will present a report to City Council inclusive of information on all sites that were studied as well as final site recommendations.

Once a suitable site is selected, the Redevelopment Commission and City Council will proceed with planning, design, and construction. Total construction costs are estimated to be about \$3.5 million for a 250 – 300 space parking deck.

Fiscal Note: Center City bond funds (Site survey(s): \$25,000).

10. West Greenville Business Incubator**

Development of a business incubator in West Greenville would support the creation and development of small, creative businesses in diverse industries by providing office space/amenities and technical assistance to fledgling companies and entrepreneurs. Amenities might include furnished office space; conference and training rooms; computer lab with high-speed Internet connection or wireless technology; office equipment; and reception services. Technical assistance allows entrepreneurs to consult with business experts; to collaborate with other tenants on problem solving, lead generation, and new ideas; and to get referrals on training programs, workshops, and financing. Incubator participants also reach new clients through onsite networking resources.

In recent years, the Redevelopment Commission visited successful small business incubators in Durham, Raleigh, Chapel Hill, and Siler City, worked with a steering committee to develop a preliminary model for the incubator, hired the Small Business Technology Development center to complete a feasibility study based on that model, and vetted several sites that might serve as host to the incubator. During the last fiscal year, the Commission selected the block bordered by West 5th Street, Cherry Street and Vance Street as the preferred site for an incubator, and has engaged a local design firm to complete a preliminary architectural study for the site. Next steps for the project include development of a business plan with community partners such as the Minority Business Roundtable, East Carolina University and Pitt Community College as well as outreach to potential funders such as the U.S. Economic Development Administration and the Golden Leaf Foundation.

Fiscal Note: Use of CDBG funds for preliminary architectural study.

11. Uptown Small Projects

The Redevelopment Commission recognizes that the cumulative effects of smaller, incremental projects are often just as important to urban core revitalization as are major redevelopment and infrastructure projects – the incremental projects often lay the groundwork for subsequent higher profile “catalytic” projects.

During this upcoming fiscal year, the Redevelopment Commission plans to complete two small but important projects—the 4th Street Pocket Park, and the installation of Uptown Planters.

Fiscal Note: Potential use of grant funds, Center City Bond funds and donations for planning and construction activities (Estimated costs for these projects: \$25,000)

12. Residential & Mixed Use Project Development**

The *Center City – West Greenville Revitalization Plan* calls for mixed use office, residential and retail development in the Central Business District. Toward this end, the Redevelopment Commission will explore redevelopment options for key business corridors. Redevelopment of important but underutilized corridors has the potential to jumpstart downtown office, residential,

and retail sectors while creating a vital node for cultural activity. By introducing mixed-use office/residential development around relatively underutilized public and semi-public open spaces such as the Town Common, larger scale mixed-use redevelopment has the potential to energize the overlapping pedestrian, business, and entertainment zones while “pulling” commercial activity down the length of key commercial corridors. Public and private market studies completed over the last few years have confirmed the latent demand within the Uptown Commercial District for mixed use development inclusive of residential, office and commercial uses.

Fiscal Note: *Potential use of Center City bond and tax increment funds for activities including land acquisition, clearance, development financing and infrastructure*

13. Revitalization Area Marketing Program **

The Revitalization Area Marketing Program aims to provide media services, property investors, business interests, and the public with timely revitalization events and stories as well as relevant statistics and background information. The marketing program utilizes a variety of media - including but not limited to press releases & feature articles; brochures/handbooks; targeted marketing pieces – to promote positive Center City revitalization stories and accomplishments. During the 2012 – 2013 fiscal year, the Redevelopment Commission will continue to market the assets of Greenville’s center city via the means described above and will also coordinate these actions with broader marketing efforts being undertaken as part of the City’s economic development initiatives.

Fiscal Note: Potential use of general operating and Center City bond funds for marketing activities

14. First Street/Town Common Parking Improvements

The *Center City - West Greenville Revitalization Plan* calls for “Improvement of the open space in the Town Common to leverage other adjacent residential and commercial projects”. The First Street-Town Common area will become a vibrant node of recreation and entertainment, mixed-use redevelopment, and lifestyle commerce. The Redevelopment Commission along with the Recreation and Parks Department completed a public visioning process that culminated in the drafting and adoption of the Town Common Master Plan. The plan is intended as a vision document that will guide improvements to the park and surrounding areas in the years ahead.

To begin laying the groundwork for future large-scale implementation of the master plan elements – which will require significant capital funding not currently available – the Redevelopment Commission will oversee the completion of parking improvements along First Street. The corridor will be narrowed with excess road right-of-way re-allocated toward on-street parking. As additional funding becomes available, such an approach can be expanded to include full streetscaping of the park’s frontage along First Street. These improvements will have immediate positive impacts – e.g., providing additional parking for community festivals, Greenway and Town Common recreation, and concerts at the Greenville Amphitheatre – as well as it will contribute to the longer-range goals of making First Street attractive to private redevelopment.

Fiscal Note: Potential use of Center City Bond funds planning and construction activities
(Construction budget for street improvements: \$150,000)

15. Establishment of a Center City Science Center**

The Eastern North Carolina Science Center (Go-Science) is a 501C3 nonprofit focused on enhancing the level of science and math literacy for the people of Greenville and eastern North Carolina. Envisioned as a teaching, learning and research center, the science center will ultimately offer programs from kindergarten through twelfth grade as well as undergraduate and graduate-level programs for the independent adult learner. Proposed components to be phased in over a number of years include a planetarium, exhibit space capable of hosting a wide range of life and physical science displays, a Challenger Space Shuttle learning center as well as a gift shop and café. The center would be open to the general public as a regional resource. During the 2010-2011 fiscal year, the Redevelopment Commission purchased a commercial building on Dickinson Avenue for the purpose of making the building available to the Go-Science organization to operate a science center. The location of this important resource in Greenville's Center City will provide an important entertainment and cultural resource and will also serve to draw in numerous visitors to the Center City. During the current fiscal year, the Redevelopment Commission will work with the Go-Science organization to develop an agreement for use of the property, and will complete required environmental remediation on the site.

Fiscal Note: Private fundraising activities conducted by the Go-Science organization.

16. Dickinson Avenue Streetscape Design

The Redevelopment Commission will procure a design consultant for completion of a detailed streetscape design plan for Dickinson Avenue between Reade Circle and the future route of the 10th Street connector. This plan will be informed by the 2006 Streetscape Master Plan, which included generalized streetscape and public arts "concepts" for Dickinson Avenue.

The Dickinson Avenue project area, which is flanked by two historic districts, lies at the fulcrum between Center City and West Greenville. This particular segment of the Dickinson Avenue corridor "sets the character for the entire redevelopment of the Tobacco Warehouse District," according to the Streetscape Master Plan. To the southwest of this district, the extended Dickinson Avenue corridor is the commercial spine of West Greenville. The Dickinson Avenue streetscape improvements will contribute to broad-based, community-economic revitalization, which can capitalize on synergies with other past and ongoing revitalization activities.

Fiscal Note: Potential use of Center City bond funds for planning and design activities
(Design budget : \$150,000)

17. Uptown Theatre Fundraising**

In December of 2008, the Redevelopment Commission acquired the historic State Theatre and completed a full architectural plan for the theatre. Originally known as White's Theatre and later as the Park, the theatre had been shuttered for more than a decade, and had fallen into disrepair. Working through a partnership with a local volunteer fundraising committee, the Redevelopment Commission will assist in the coordination of fundraising efforts to support

future construction costs associated with the theatre renovation – which will require an estimated \$3.1 million in construction funds.

The renovated theater will become an important cultural arts and entertainment venue, enhancing the community's quality of life and serving as a catalyst for private redevelopment. It is expected that restoration activities will be completed in two phases, with initial structural stabilization and weatherization activities taking place during the 2013 – 2014 fiscal year followed by a full restoration project once funds have been raised.

Fiscal Note: No costs associated with fundraising efforts outside of staff assistance. (Structural stabilization: \$104,000)

18. CVB Office Project

In an effort to catalyze development along the Evans Street corridor, the Redevelopment Commission has contracted to purchase a vacant tract in the 400 block of Evans Street near the intersection of Fifth and Evans Streets. The property is strategically located such that it adjoins the Moseley parking lot located at the corner of 4th and Cotanche Streets. Based on interest expressed by the Convention and Visitors Authority to relocate the City's visitor center, the Redevelopment Commission will consider a variety of redevelopment scenarios for the tract that will include a means of access from Evans Street to the Moseley Lot as well as relocation opportunities for the visitor center.

Fiscal Note: Use of Center City Bond funds for land acquisition. (Acquisition costs of \$185,000)

**Carryover project from 2011-2012 fiscal year

C. Out-Year Priority Projects

The Redevelopment Commission identified five additional work items that will require significant future funding sources. These items were omitted from the 2012 – 2013 fiscal year work plan and budget, to allow additional time for budget planning and to allow past, ongoing, and 2012 – 2013 activities to leverage additional public-private opportunities and resources. Each of these work plan items has been included within the City's Capital Improvement Plan but currently remain unfunded.

2013 – 2014 Fiscal Year

- Way finding Phase II (\$150,000)
- West Greenville Small Business Incubator Construction (\$3 million)

2014 – 2015 Fiscal Year

- West Greenville Property Acquisition (\$1.5 million)
- West 5th Streetscape Phase II (\$950,000)

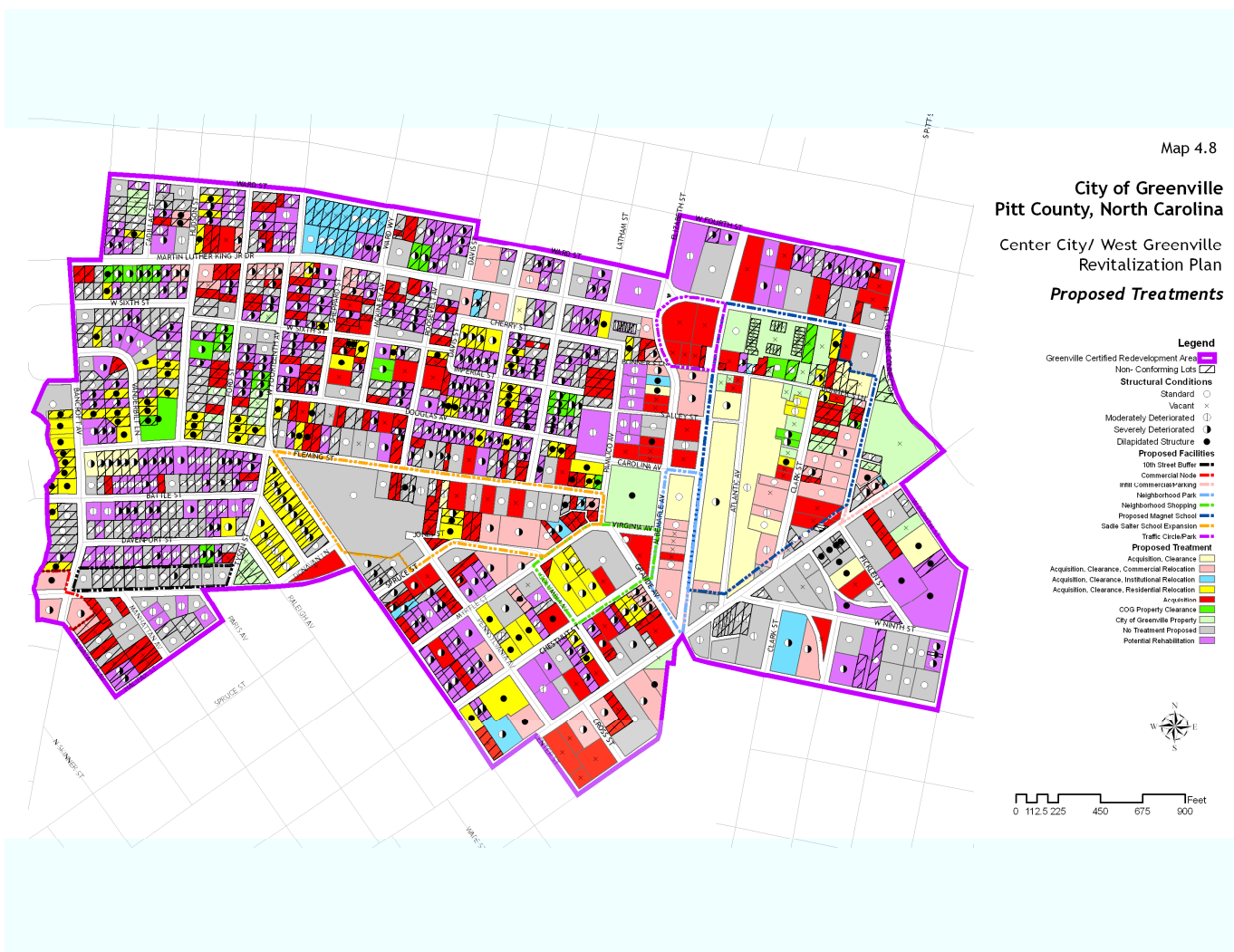
D. Budget

West Greenville Bond Funds		Carryover from 11' - '12 Budget	2012 - 2013 Budget	
Acquisition: 113-4665-452.50-00(R)	Per Revitalization Plan and Work Plan	\$0.00	\$204,994.00	
Business Relocation: 113-4665-452.70-00(R)	Business retention payments in accordance with adopted relocation plan	\$0.00	\$0.00	
Demolition: 113-4665-452.55-00(R)	Demolition of structures acquired by RDC; right-of-way clearance	\$0.00	\$0.00	
Infrastructure: 113-4665-452.63-00(R)	Design for W. 5th Street Phase II	\$70,500.00	\$80,000.00	
Construction: 113-4665-452.03-00(R)	Predevelopment activities for WG Incubator and Commercial Center	\$30,000.00	\$25,000.00	
Development Financing: ***CDBG	Business start-up grants, business retention, expansion and attraction incentives	\$91,339.00	\$50,000.00	***
Totals:		\$191,839.00	\$359,994.00	

Center City Bond Funds		Carryover from 11' - '12 Budget	2012 - 2013 Budget	
Acquisition: 114-4666-452.50-00(R)	Per Revitalization Plan and Work Plan	\$64,990.00	\$250,000.00	
Demolition: 114-4666-452.55-00(R)	Abatement and demolition of structures acquired by RDC	\$80,050.00	\$0.00	
Infrastructure: 114-4666-452.63-00(R)	Design and construction of public projects	\$994,992.00	\$1,333,949.00	
Development Financing: 114-4666-452.72-00(R)	Business start-up grants, business retention, expansion and attraction incentives	\$90,000.00	\$60,000.00	
Construction: 114-4666-463.03-00(R)	Structural repairs to Uptown Theatre	\$104,000.00	\$104,000.00	
Totals:		\$1,334,032.00	\$1,747,949.00	

E. Property Acquisition

In furtherance of the projects outlined above, and in conjunction with the ongoing West Greenville 45-Block CDBG Project, City of Greenville staff will utilize General Obligation Bond, CDBG and City of Greenville general funds to implement a property acquisition program that will focus on the acquisition of blighted properties as well as other properties where current uses do not conform to the intent of the Center City – West Greenville Revitalization Plan. It is expected that the Affordable Housing Loan Committee will continue to provide guidance throughout the acquisition process for purchase of residential properties within the CDBG project area. Real properties within the West Greenville Redevelopment Area (see map below) may be acquired during the current program year based on their compliance with the Center City – West Greenville Revitalization Plan, availability of funding, the willingness of property owners to sell their property, and staff capacity to implement the acquisition. Properties within the Center City Revitalization Area will be considered for acquisition based upon their relevance to projects described within this work plan.





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FOUNDED 1866

March 29, 2010

Mr. David Holec
City Attorney
City of Greenville
200 West Fifth Street
Greenville, NC 27858

Re: Use of Center City Revitalization Bonds proceeds

Dear Mr. Holec:

This letter is a follow up to our March 25, 2010 conversation relating to the use of unspent Center City Revitalization Bonds proceeds ("Center City Unspent Proceeds") from the City of Greenville's (the "City") November 14, 2006 General Obligation Public Improvement Bonds, Series 2006 issuance. Specifically, the City is considering using Center City Unspent Proceeds to finance the purchase of a building to be made into a Science Center (the "Science Center") outside of the Center City revitalization area ("Center City"). The Science Center is located in close proximity Center City, and it is anticipated that the Science Center would contribute to the Center City revitalization.

You requested advice as to whether the proposed use of Center City Unspent Proceeds to finance the Science Center would comply with the intent of the approved bond order and voter approved bond referendum question (collectively, the "Authorization").

On November 2, 2004 a majority of the voters approved the issuance of Center City Revitalization Bonds described in the bond referendum question set forth below:

Center City Revitalization Bonds

Shall the order adopted on August 23, 2004, authorizing not exceeding \$5,000,000 Center City Revitalization Bonds of the City of Greenville, North Carolina, for the purpose of providing funds,



Mr. David Holec, City Attorney
March 29, 2010
Page 2

together with any other available funds, *for acquiring and improving land in the Center City revitalization area including downtown and other revitalization areas within the City*, including the acquisition, demolition, rehabilitation and construction of structures, housing facilities, streets, sidewalks and public utilities; and authorizing the provision of loans, grants and other programs of financial assistance to persons of low or moderate income and small businesses in such areas; and authorizing the levy of taxes in an amount sufficient to pay the principal of and the interest on the bonds, be approved?

A reasonable interpretation of the italicized language above is that Center City Revitalization Bond proceeds can be spent in "*other revitalization areas within the City*" and do not have to be spent solely in the land area designated by the City as Center City. We feel that should City Council make a finding that using Center City Unspent Proceeds to finance the Science Center will promote the Center City revitalization efforts, such use of Center City Unspent Proceeds will be in compliance with and be consistent with the intent of the Authorization of the Center City Revitalization Bonds.¹

If you have any questions or need an additional information relating to this topic, please do not hesitate to contact me.

Best regards,

A handwritten signature in black ink that reads "Eric Hebert".

Eric Hebert

cc: A. Francis Robinson, Esq.

¹ See *Coggins v. City of Asheville*, 278 N.C. 428 (1971). The City of Asheville, North Carolina financing a single joint facility (including the renovation of an existing facility) from the proceeds of voter approved bonds did not deviate from the general purpose for which the bonds were to be issued despite the contemplation in the voter approved bond ordinances that two separate facilities would be constructed.