



Agenda

Greenville City Council

February 11, 2019

6:00 PM

City Hall Council Chambers

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 Litchfield**
- III. Pledge of Allegiance**
- IV. Roll Call**
- V. Approval of Agenda**
- VI. 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.

VII. Consent Agenda

1. Minutes from the December 10, 2018 and January 10, 2019 City Council meetings
2. Adoption of Board and Commission Policy
3. Resolution amending the Assignment of Classes to Pay Grades and Ranges (Pay Plan)
4. Resolution Accepting Dedication of Rights-of-Way and Easements for Westhaven South, Section 2 & Lots 41 & 91, Westhaven South, Section 3 & Lots 16 & 19, Westhaven Section 7; Firetower Junction Block B Lot 4; Firetower Junction Block B Lot 4A, 4B, and 4C; and Firetower Junction Section One
5. Authorization to Submit Application for State Acquisition Relocation Funds for Hurricane Matthew
6. Resolution supporting an application for a Rural Demolition Program grant through the North Carolina Department of Commerce Rural Economic Development Division
7. Resolution declaring Police Canine Bono JR as surplus and authorizing his disposition to Officer Tim McLaughlin
8. Report on Bids and Contracts Awarded
9. Various tax refunds greater for \$100

VIII. New Business

10. Presentations by Boards and Commissions
 - a. Board of Adjustment
 - b. Community Appearance Commission
 - c. Neighborhood Advisory Board
11. North Carolina Eastern Municipal Power Agency (Taxpayer) Request for Tax Refund
12. Contract Award for State Lobbying Services
13. Budget ordinance amendment #7 to the 2018-2019 City of Greenville budget (Ordinance #18-038)

IX. Review of February 14, 2019 City Council Agenda

X. City Manager's Report

XI. Comments from Mayor and City Council

XII. Adjournment



City of Greenville,
North Carolina

Meeting Date: 2/11/2019
Time: 6:00 PM

Title of Item: Minutes from the December 10, 2018 and January 10, 2019 City Council meetings

Explanation: Proposed minutes from the regular City Council meetings held on December 10, 2018 and January 10, 2019 are presented for review and approval

Fiscal Note: There is no direct cost to the City

Recommendation: Review and approve proposed minutes from the regular City Council meetings held on December 10, 2018 and January 10, 2019

ATTACHMENTS:

- ❑ **Final_Proposed_Minutes_for_December_10,_2018_City_Council_Meeting_1100309**
- ❑ **Proposed_Minutes_of_the_January_10,_2019_City_Council_Meeting_1100058**

PROPOSED MINUTES
MEETING OF THE CITY COUNCIL
CITY OF GREENVILLE, NORTH CAROLINA
MONDAY, DECEMBER 10, 2018



A regular meeting of the Greenville City Council was held at 6:00 pm, on Monday, December 10, 2018 in the Council Chambers, located on the third floor at City Hall, with Mayor P. J. Connelly presiding. The meeting was called to order, followed by the invocation and the Pledge of Allegiance by Mayor Pro-Tem Rose H. Glover.

Those Present:

Mayor P. J. Connelly; Mayor Pro-Tem Rose H. Glover; and Council Members Brian V. Meyerhoeffer, Jr., Kandie D. Smith, Will Bell, Rick Smiley, and William F. Litchfield, Jr.

Those Absent:

None

Also Present:

Ann E. Wall, City Manager; Emanuel D. McGirt, City Attorney; Carol L. Barwick, City Clerk; and Polly W. Jones, Deputy City Clerk

APPROVAL OF THE AGENDA

City Manager Wall requested that the City Council consider continuing one item under the Consent Agenda until the Thursday meeting, specifically, the agreement with Bode Cellmark Forensics, Inc. for the testing of Sexual Kits.

Motion was made by Council Member Bell and seconded by Council Member Smith to approve the agenda with the recommended change. Motion carried unanimously.

PUBLIC COMMENT PERIOD

Don Cavellini – 101 Lancaster Drive

Mr. Cavellini made comments about citizens being present tonight at another meeting to protest the Greenville elected and appointed officials' failure to protect the City's residents. Presently, most of them are on 5th Street, demanding with even greater urgency, that the City Council establishes a civilian complaint review board to monitor the practices and procedures of the Greenville Police Department (GPD).



Mr. Cavellini stated that hundreds of signatures on a petition would be presented to the City Council to achieve that end. Also, data provided by the GPD and analyzed by lawyers from the Southern Coalition for Social Justice as to the timetable and deaths resulting from police profiling in Greenville would be presented to the City Council. The Southern Coalition for Social Justice's statement would also suggest other measures that Chief Holtzman can institute as immediate remedies to build trust while the civilian police review board is being constituted.

Mr. Cavellini stated that the root of the problem of the GPD's abuse and misconduct is that the police officers are not constituted to protect and to serve ordinary taxpaying citizens. As a matter of fact their patrol cars, which say protect and serve, are part of that same public relations thing that Cops and Barbers and all the other things that they have designed to do.

Mr. Cavellini stated that these citizens are impatient and angry, following the death of three unarmed young people at the hands of the GPD. Less than two years ago, the Coalition Against Racism (CAR), National Association for the Advancement of Colored People, and other human justice organizations called for a review board to monitor law enforcement. Those murders happened in Greenville long before the late Travon Martin was unjustly killed by George Zimmerman and all of the other killings by the police.

Mr. Cavellini stated since these citizens' concerns were discussed with individual Council Members both before and after their election or reelection and many have addressed the City Council more than four times, tonight the CAR, citizens, and others are protesting as well as advocating. Mr. Cavellini submitted an original petition to City Clerk Carol Barwick.

Kris Rixon – 400 Cooper Street, Winterville, NC

Mr. Rixon gave statistics about the number of African-Americans who have been stopped by the Greenville Police Department (GPD), stating that the GPD's traffic stops have grown increasingly Black for more than 10 consecutive years. In 2006, 36% of traffic stops involved Black drivers and in 2016 and 2017, 59% of all traffic stops involved Black drivers. So far in 2018, 62% of all people stopped by the GPD have been Black.

Mr. Rixon stated that the GPD stopped more than 6,000 Black drivers per year for each of the last three years and is on track to stop in excess of 6,000 in 2018. By contrast, the GPD averaged 1,811 Black drivers stopped annually between 2006 and 2009. The GPD has one of the highest overall search rates and highest Black search rates in the State and one of the lowest contraband seizure rates.

Mr. Rixon stated that in 2017, the GPD posted the highest search rates at 7% of North Carolina's dozen largest cities and second highest Black search rate at 9.5%. The City with the highest Black search rate, Asheville, recently adopted a mandatory written consent to search policy that is likely to reduce the search rate there and leave the GPD with the State's highest Black search rate. In each of the 16 years for which data is available, the GPD searched more Black people than White people in the course of traffic stops.



Mr. Rixon stated that in 2005, the GPD searched 245 White people and 253 Black people. Last year, it searched 115 Whites, and 580 Blacks. These are not alternative facts. Possible policy responses by Greenville could be to follow the lead of Fayetteville, Durham, Carrboro, and Asheville in adopting a mandatory written consent to search policy. Additionally, Greenville could follow the lead of Fayetteville, Greensboro, Chapel Hill, and Asheville in deprioritizing regulatory and equipment based traffic stops that significantly drives racial disparities.

Mr. Rixon stated that hopefully, the Greenville City Council considers a policy proposal to address this issue.

Jason Coale – 609 River Hill Drive

Mr. Coale expressed his gratitude to the Greenville City Council's focus on giving to the performing arts as well as to arts in general. Mr. Coale also extended an invitation for the City Council to visit the Whirligig Stage located at 628 South Pitt Street, which is a performing arts venue that developed in the City in 2016.

Mr. Coale stated that venue began in a small events tent on Pitt Street and now they are inside a building. In addition to its standard programming, the Whirligig Stage offers scholarships for all of its classes, theater performances, comedy shows, music performances, poetry readings, and anything related to the community's performing arts. The building is a rental facility and, hopefully, every month, there will be opportunities for different artists and community groups to use the facility.

Mr. Coale stated that as part of a developing artist program, available space would be given to artists for free to showcase their work and a "pay what you can" Thursday is being offered, giving those who are interested in supporting this venue the opportunity to do so. The Holiday Heist event is scheduled for Wednesday of this week and 100% of the proceeds, after the cost of the catering, will be donated to the Pitt County Council on Aging and the Meals on Wheels Program. It is a wonderful evening of entertainment, featuring some locals performing during their free time.

Collette Sharpe – No Address Given

Ms. Sharpe reported her experience with a Greenville Police Department Officer, stating that on November 23, 2018, she walked out of the store on Pitt Street to retrieve money to make an additional purchase. A police officer approached her about the tinted windows of the vehicle and noted motion inside the vehicle, being driven by her sister. The officer stated that the car was parked on the wrong side of the street. She told him that her children were in the vehicle.

Ms. Sharpe reported that the police officer's response was "no" when she asked him whether she was being charged for anything. However, as she was walking away, the police officer grabbed one of her arms and his handcuffs. She told her sister to record what was happening with her cellphone, and when her sister asked about the handcuffs, the police officer reached for his weapon.



Ms. Sharpe stated that the officer tried to pull her in an unmarked car and she cried rape, helping to bring attention to what was happening during the incident. The police officer never responded to her inquiries about his name and badge number. As a citizen of Greenville, she is asking the City Council for the community’s protection from the behavior of and actions taken by the GPD officers. Some citizens are in fear for their lives.

Mayor Connelly asked Ms. Sharpe to provide her contact information to one of the Assistant City Managers, Michael Cowin or Ken Graves.

Camilla Wiggins – No Address Given

As a Department of Corrections Officer in Bertie County and a soon-to-be criminologist, Ms. Wiggins encouraged the City Council to listen to the citizens’ concerns about law enforcement in Greenville. Her brother was affected by the actions taken by the Greenville Police Department (GPD), and she has seen a lot of things that are not right such as people pleading guilty or taking a plea to avoid a lot of charges. They could have fought against the charges, but because of not having enough money and the color of their skin those people have gone to jail for a certain amount time or were given an ankle monitor.

Ms. Wiggins stated that she is a witness to what happens in the correctional system with females and males, and she respects the law, but there is a problem with law enforcement in Greenville. People who have shared their experiences with the GPD are not on the news like other people and are not tearing down the streets or destroying Greenville. These people have discussed what actions should be taken and are smart to attend the City Council meetings plus these citizens want to be peaceful.

SPECIAL RECOGNITIONS

Rhys Collins – Interfraternity Council President at East Carolina University

Mayor Connelly recognized Mr. Collins’ involvement with beautifying the City of Greenville, stating the City Council wants to make sure that people have a good first impression when they visit our community. Mr. Collins is a huge advocate for beautifying the City and keeping the City clean.

Council Member Bell stated that over the last six months, Mr. Collins’ participation in the City’s “Sanitary Sundays” is well appreciative. Council Member Bell presented Mr. Collins with an Adopt-A-Street program corridor zip jacket, and stated that Mr. Collins was heavily involved with the recruitment of over 1,000 volunteers to clean up various areas of the City. He has led 15 organizations with being qualified to adopt a street, and those numbers really stand out.

Mayor Connelly announced that anyone who wants to be part of the Adopt-A-Street program or to get involved with keeping our City clean, please contact any of the Council



Members or contact the Public Works Department at (252) 329-4522. Your help will be appreciated.

CONSENT AGENDA

City Manager Wall introduced the following items on the Consent Agenda:

- Minutes from the October 8, 2018 City Council workshop and the November 5, 2018 City Council meeting
- Ordinance enacting and adopting Supplement #2018-S11 to the City of Greenville Code of Ordinances – (Ordinance No. 18-059)
- Offer by Home Builders and Supply Company to purchase City-owned property located near the intersection of Line Avenue and Wilson Street and request to relocate monument on this same property
- *Continued* Agreement with Bode Cellmark Forensics, Inc. for testing of Sexual Assault Kits
- *Removed for Separate Discussion* Renewal of Microsoft Enterprise Agreement for City-Owned Microsoft Software
- Report on Bids and Contracts Awarded
- Various tax refunds greater than \$100

Council Member Litchfield requested that an item be pulled from the Consent Agenda for separate discussion, specifically, the Renewal of the Microsoft Enterprise Agreement for City-Owned Microsoft Software.

Motion was made by Council Member Smith and seconded by Council Member Meyerhoeffer to approve the remaining items under the Consent Agenda. Motion carried unanimously.



CONSENT AGENDA ITEMS FOR SEPARATE DISCUSSION

RENEWAL OF MICROSOFT ENTERPRISE AGREEMENT FOR CITY-OWNED MICROSOFT SOFTWARE

Council Member Litchfield asked staff to provide a brief overview of this agenda item because of the cost of the software. Also, he asked staff to give an explanation about SHI (Software House International) being the only authorized Microsoft Enterprise Agreement (EA) reseller on the State of North Carolina Procurement Contract.

Information Technology Director Rex Wilder explained that the State of North Carolina goes through a process with Microsoft and the State bid out to various software companies that resale Microsoft products. The State enters into a contract with the bid award winner. The EA has to go through this company that won the contract with North Carolina. If the City wanted to contract with another agency, the City must obtain approval from the State to buy from another company. Those are the rules that Microsoft has put in place.

Director Wilder explained that several years ago, the City tried to independently bid out the services, but Microsoft would not honor the City's choice. So, the City was required to obtain services from the company that was on the State of North Carolina contract.

Director Wilder explained that the City has close to 190 servers and each one has to be licensed based on the processors within those servers. From 2015 to this year, the price of those went up about \$900 per server. From 2015 to now, staff added 91 computers and that much more software was added into the mix.

Director Wilder explained that during the three-year agreement period, if Microsoft comes out with a new version of any of its products, the City would not pay for that. If the City was not within the agreement and wanted to stay in current with the products, the City would buy those products individually at market rate, which would be way beyond the payment with the EA.

Motion was made by Council Member Litchfield and seconded by Council Member Smiley to approve the agreement. Motion carried unanimously.

NEW BUSINESS

FINANCIAL AUDIT FOR THE FISCAL YEAR ENDED JUNE 30, 2018

Partner April Adams of Cherry Bekaert, LLP, the City's independent auditor, reported the results of the City of Greenville's Financial Statement Audit, ending June 30, 2018.



Role of the External Auditor

Ms. Adams explained that Cherry Bekaert, LLP performs the City's audit in accordance of two sets of auditing standards. The first is the generally accepted auditing standards, which means an entity in the United States that gets an audit gets it done in accordance with those standards. The second set is the government auditing standards, as the City is a government entity. Both of those auditing standards require Cherry Berkaert, LLP to plan and perform the City's audit to obtain a reasonable assurance that the City's financial statements are free from material statement as well as in compliance with certain State laws. That is known as a risk base audit.

Ms. Adams explained that after Cherry Bekaert is done performing the procedures, they are required to issue opinions. In the case of the City of Greenville, they issued four opinions related to: 1) financial statements (which is in accordance with the general accepted standards), 2) internal control over financial reporting (the opinion given in accordance with the government auditing standards), and 3-4) federal and state compliance (opinions related to the compliance for the federal and street grant funding received by the City).

Ms. Adams explained Cherry Bekaert is required to communicate certain things to the City, which is being done through tonight's presentation and a letter was issued to the City, accompanying the City's financial statements. The letter covers policy changes, if the auditor implemented a new government accounting standard. It also identifies what the City's estimates are in its financial statements, and any journal entries that had occurred as a result of the audit.

Internal Controls

Ms. Adams explained that Cherry Bekaert is required to do a review of the City's internal controls. Cherry Bekaert identified the City's significant financial transaction cycles, including payroll, cash receipts, cash disbursements, capital assets, debt, budgeting, and financial statement close. Also, Cherry Bekaert actually tests payroll for operating effectiveness. No issues were discovered as a result of that.

Ms. Adams explained that Cherry Bekaert is required to obtain all journal entries that occur throughout the year and that is done in a system, Mind Bridge, which looks for unusual transactions and then Cherry Bekaert does further procedures on those journal entries identified.

Ms. Adams explained that the City's Information Technology (IT) controls are looked at, including who has access to the system, how secure is the system and is IT able to back up the system. As a requirement for the single audit, Cherry Bekaert looks at and tests controls over those federal and state grants that have been identified as major.

Significant Audit Areas – Financial Statements

Ms. Adams explained that the risk based audit requires the auditor to identify where the financial statements are most at risk to be materially misstated. Those are listed in the first



two columns below and are where Cherry Bekaert spent most of its time testing the balances sustainably:

Significant Audit Areas

Financial Statements

Assets & Revenues	Liabilities & Expenses	Other Items	Single Audit
<ul style="list-style-type: none"> ▪ Accounts Receivable ▪ Revenues ▪ Capital Assets 	<ul style="list-style-type: none"> ▪ Accounts Payable and other liabilities ▪ Expenditures ▪ Payroll-related expenses and liabilities 	<ul style="list-style-type: none"> ▪ Grants ▪ Cash and Investments ▪ Debt, including pension and OPEB liabilities ▪ Net Position ▪ Related Parties ▪ Estimates ▪ Legal 	<ul style="list-style-type: none"> ▪ Compliance Matrix ▪ Compliance Testing

Ms. Adams stated that Cherry Bekaert confirmed with third parties and looked at the information analytically or actually pulled a sample of the transactions and looked at the supporting documentation. Procedures are done with the Other Items, but they are not most likely to be materially misstated. For the Single Audit, testing of compliance must be done and there are specific requirements.

Key Highlights – Results

Ms. Adams reported that all four opinions were unmodified opinions, which is known as the clean opinion. That’s the highest level of assurance that Cherry Bekaert could give the City. The City’s financial statements are free from material statement and in compliance.

Ms. Adams reported that there are no significant deficiencies or material weaknesses noted related to internal controls. For the Single Audit, Cherry Bekaert identified and tested three federal major programs: FTA Cluster, COPS, and Disaster Grant FEMA and one state major program: Powell Bill. There were no reportable findings related to the Single Audit.

Ms. Adams reported that the letter indicates that Cherry Bekaert implemented GASB 75, which is related to the City’s Other Post Employment Benefit (OPEB), meaning that the health care retirement for your retirees resulted in a prior period of adjustment to June 30, 2017 balance. Every government having these types of insurance for their retirees implemented the same standard and had that same prior period of adjustment. The amount of the City’s was \$55.5 million. Other than the estimates in the letter, there were no journal entries associated with the audit, meaning that the books and records which



were given to Cherry Bekaert to audit are the books and records that ended up being in the City's financial statements and all are correct.

Ms. Adams reported that the City was in compliance with its policy related to fund balance. The policy states the City will maintain at least 14% of available fund balance over its expenditures and general fund. This year the City is at 19%. If anyone has some concern about the intentional adjustment from last year, Assistant City Manager Michael Cowin's presentation later in this meeting will address what occurred.

PRESENTATIONS BY BOARDS AND COMMISSIONS

Human Relations Council

Vice-Chairperson Samar Badwan gave the following detailed annual report:

"COPY"

GREENVILLE HUMAN RELATIONS COUNCIL
Annual Report
Presented by Samar Badwan, Vice-Chairperson

Ordinance No. 382 established the Human Relations Council on February 10, 1972. The Council's mission is to serve as advocate for all people in pursuit of human and economic relationships, to promote activities, education and programs, which enhance human dignity, equal opportunity, mutual respect and harmony among the residents of Greenville.

The Council's vision is for an inclusive community where trust, acceptance, fairness and equity are community standards.

THE ROLE OF THE COUCIL, is to:

- Develop and strengthen ties among organizations working in the area of human rights.
- Study any conditions that present prejudice or discrimination against protected classes.
- Work to prevent discrimination by developing educational materials and programs to promote equal rights, understanding, inclusiveness and acceptance.
- Continue to partner and consult with state, federal and other governmental authorities on any matters, disputes, and controversies within the City's jurisdiction regarding fair housing complaints.
- Make recommendations to City Council on procedures, programs or policies that promote diversity, acceptance, equal rights, understanding and inclusion.
- Provide information and referral resources on human rights issues to members of the community.



- Foster open communication about human rights issues in Greenville.

The Council is responsible for a number of projects, events and activities aligned with its mission. In order to accomplish our work, the Council depends on:

1. **Internal Work Group:** A group primarily comprised of Human Relations Council members and city staff, which collaborate on coordinating events, projects and activities.
2. **External Work Group:** A group comprised of both Council members and members of community members who share information and collaborate on projects related to shared goals and objectives.
3. **Coordinator:** The Human Relations' Council staff liaison oversees and coordinates activities and all events. The staff liaison works with the Council and members of the community to accomplish the Council goals.

INITIATIVES

The Council's 2018 events, projects and activities includes:

1. The Community Relations Officer conducted a fair housing seminar on Monday, March 19th for ESL students at Pitt Community College on Monday, March 19th.
2. The month of April is Fair Housing Month. The Council's fair housing seminar was held on Tuesday, April 24th. The morning topic was: Fair Housing: Reasonable Accommodations and Modifications for People with Disabilities. The presenter was Mr. Phillip A. Jordan III with the North Carolina Human Relations Commission in Raleigh, North Carolina. The afternoon topic was Fair Housing: Hot Topics and Recent Developments. The presenter was Mr. Chris Loeb sack, the Managing Principal of Loeb sack & Brownlee, of Charlotte, North Carolina.
3. The City of Greenville and the Greenville Housing Authority partnered with the North Carolina Human Relations Commission to sponsor a fair housing seminar on Thursday, August 16th.
4. From January – December 10, 2018, staff has responded to 166 tenant/landlord complaints.
5. The City's Inclusive Community Breakfast is held annually on the fourth Thursday in September. For September 2018, the Council featured the "GAME P.L.A.Y" initiative. Mr. Dion Dail and Dr. Gera Miles created this initiative.
6. Human Relations Month is observed in February. In celebration of outstanding achievement and diligent work in improving the equality and diverse environment



to the City, the awards ceremony recognize and promote residents who are dedicated for their humanitarian and volunteerism efforts.

7. The City's first **GAME P.L.A.Y** event was held on **Wednesday, November 14th** at the South Greenville Recreation Center. Members of the Human Relations Council and City Departments coordinated the event. Representatives from the following City Departments served on the committee: **City Manager Office** (Assistant City Manager Michael Cowin); **Greenville Police Department** (Chief Mark Holtzman and Officer Ken Laws); **Recreation and Parks Department** (Director, Mr. Gary Fenton, Nicole Manigo, Bershaun Thompson, and Don Octigan). External Organizations on the Committee were **Pitt County Boys and Girls Club** (Anastasia Hunter); and the owners of GAME P.L.A.Y, Mr. Dion Dail and Mr. Gera Miles. Many volunteers from other law enforcement agencies (Farmville, Pitt County Sheriff), Pitt Community College BLET Class and members of the community.
8. Senior Citizens Christmas Celebration is held the first Thursday in December. The celebration was held at the Drew Steele Center. City staff, the Human Relations Council and volunteers from the City Manager's Office (City Manager, Ms. Ann Wall and Assistant City Manager, Mr. Ken Graves), the Police Department, Chief Mark Holtzman and law enforcement officers; Chief Eric Griffith and fire/rescue employees, Sheriff Paula Dance and sheriff department staff and served as volunteers. Others participating on the program were: Mayor Pro-Tem Rose Glover; event speaker, Mrs. Ella Harris; prayer and blessing was given by Pastor Eve Rogers; and Greenville Police and School Resource Officer provided musical selections to approximately 145 senior citizens.
9. Connecting People: Planting Seeds of Change to Dismantle Racism. The Council and their partners sponsor community dialogues throughout the year. The purpose is to develop positive ways the community can work together to unify and embrace the city's culturally diverse community. The Council believes it is all about planting seeds of change that will transform us individually and collectively as a community and lead us to a path of understanding and peace.

In conclusion, we live in times of great opportunities and challenges – and both require civic character and conduct that respects and honors the civil and human rights of all residents. The Council is entrusted with a noble charge of improving the relationships within our city by planting seeds of change, by cultivating an atmosphere of mutual appreciation, and by respecting our diverse community. We thank you for your time and especially for your continued support and leadership in all our efforts.

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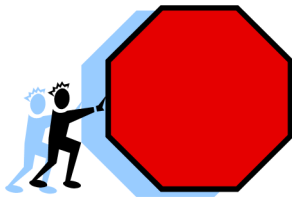


Youth Council

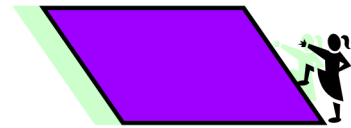
Chairperson Ekta Shah gave the following detailed annual report:

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Greenville Youth Council
Annual Report
December 10, 2018



MEMBERS



- Ekta Shah, Chairperson
- Jenna Lee, Vice-Chair
- Olivia Chiancone
- Trinity Dupree
- Cassidy Green
- Kendra House
- Landen House
- Aniyah Lane
- Heather Lee
- Joshua McCarter
- Matthew McCauley
- Jantrel McNair
- Kunj Patel
- Ashyia Williams
- Abigail Yoon

Staff Liaison

Cassandra Daniels

Advisors

- Antonio Milton, Chairperson
- Montez Bishop, Vice-Chair
- Samar Badwan



Joyce Mitchell
Franchine Pena
Seok Yoon

City Council Liaison

Mayor Pro-Tem Rose Glover

Working to shape a better community!
GREENVILLE YOUTH COUNCIL
Annual Report
Presented by Ekta Shah

The Greenville Youth Council was created August 11, 2005 for high school students. The establishment of the Council has given youth a platform to voice their concerns on issues and/or challenges that affect youth.

The **mission** is to encourage youth to get involved in the community and local government; and the **vision** is a community where every youth feels valued, empowered and connected.

The Council has fifteen (15) students serving and five (5) vacant slots. The staff liaison and seven (7) Human Relations Council members serve as advisors assist with implementing events/activities of the Council. There are many benefits that youth gain from participating on the Council are:

- Representing the community,
- Meeting and discussing a and variety of issues and challenges,
- Encourage young people to vote via voter registration,
- Participating in local government; and,
- Empowered to make decisions and action to improve their community

YOUTH COUNCIL ACTIVITIES

The Greenville Youth Council implemented the following initiatives for 2018:

- On Tuesday, November 27th, Mayor P. J. Connelly was invited to speak to Mr. Aaron Rountree's 10th grade math class by a student name Mr. Harvey. I was excited when the Mayor invited me to accompany him to provide information about the Youth Council.
- Members of Council participated in the **GAME P.L.A.Y.** event held on Wednesday, November 14th.



- **“Letting Our Voices Be Heard”** a community dialogue, designed to give youth a platform, where they can share and discuss matters of the heart. Hopefully, this is the first of a series of conversations where young people will be given opportunities to voice their concerns, issues and challenges. Data from these conversations and possible solutions will be compiled into a report and presented to elected officials. The first dialogue was held on Thursday, November 15th. The second part of “Letting Our Voices Be Heard” is scheduled for Monday, January 28, 2019.
- **“Youth: Matters of the Heart”** was held on Wednesday, August 8th. The Greenville Youth Council and Pitt County Youth for Justice and Change held an informal conversation with Congressman G. K. Butterfield. Topics for discussion were “why the youth vote matters,” reasonable gun control,” “school safety,” and much more.
- **“Rising Above It All”** a panel discussion held on Thursday, April 12th. Topics for discussion: gun violence, substance abuse, racial profiling.
- The Greenville Youth Council will continue their food drive for the following agencies:
 1. Joy Soup Kitchen
 2. Community Crossroads
 3. Grifton Mission Ministries

The Greenville Youth Council meetings are held monthly on the fourth Monday at 6:30 pm. Meetings are held in Conference Room 337, located on the third floor of City Hall. Thank you for your support and time.

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Historic Preservation Commission

Chairperson Candace Pearce reported that the Historic Preservation Commission (HPC) was created December 8, 1988 and this year is its 30th anniversary. The HPC’s mission includes providing oversight to the local landmarks and the College View Overlay District. Historic preservation focuses on the character of the community, not only the architectural character, but also the folklore, acquisition, and community education about the character of our community.

Chairperson Pearce reported that historic preservation is both economic development and community development. The HPC is a committed volunteer board, which meets monthly except in September, always having a quorum, and its standing committees meet monthly as well.

Chairperson Pearce reported the activities and accomplishments by the HPC during 2018. Recognizing Preservation Month in May 2018 included a well-attended reception with almost 300 guests. The HPC Facebook page features the HPC’s participation in This Place Matters, which is a National Trust for Historic Preservation initiative, as well as other



historic information. The HPC's Facebook page has almost 2,700 hits, which indicates that people are interested in this history.

Chairperson Pearce reported that there are three landmark properties in various stages of designation. That is a huge move forward for the HPC. The HPC is working with Taft-Ward Assemblage, LLC and Don Edwards to move the Jones Lee House rather than to demolish it.

Chairperson Pearce reported that a workshop was held in September which resulted in HPC's work plan for 2019. The most exciting thing in the work plan is the TAG (Teach About Greenville (tag your history)) proposal. The HPC has partnered with the Greenville Museum of Art and the Convention and Visitors Bureau, at their request and HPC asked the Sheppard Memorial Library, Joyner Library and many people in the community to participate as well.

Chairperson Pearce reported that the HPC's goal is to create a collection of stories about people and places identified by members of the community that is vital to the history and character of Greenville. TAG will identify and capture folklore, which may be lost if it is not collected now because people have it in their heads and hearts, and they are dying. Chairperson Pearce reported that these stories would give our various communities both education and pride in how citizens got here. Once information is gathered, tours could be made available to highlight the character to finding events. Although these tours can be used by visitors to the community, they serve a greater purpose by informing our community about this community.

Firefighters Relief Fund Committee

Treasurer Will Franklin reported that the Firefighters Relief Fund is also mandated by the State Firemen's Association, which places fairly stringent guidelines on what the Committee can do, cannot do, and where the Committee cannot spend the money. Recently, the Committee completed its annual reporting process for the fiscal year.

Treasurer Franklin reported that at the end of June 30, 2018, the Firefighters Relief Fund had \$9,042 in assets. Last year, the Firefighters Relief Fund had interest income of about \$13,400 plus \$64,791 was received from the Department of Insurance. Those proceeds come from the fire premium that the residents and businesses of the City of Greenville pay. It is a half of 1% of the fire premium of the insurance policy.

Treasurer Franklin reported that last year, the Committee paid out retirement payments to the retired firefighters in the amount of \$12,512 and paid out education benefits and scholarships to four individuals, totaling \$4,500. All of them were dependents of active firefighters. The Committee can have up to four spots per grade, totaling sixteen spots, but, presently, there are only four candidates in the scholarship program.

Treasurer Franklin reported that the Committee has received another payment and the payments are usually received in August or September from the State Firemen Association. Today, their funds are \$1,000,006. One of the issues that the Committee continues to

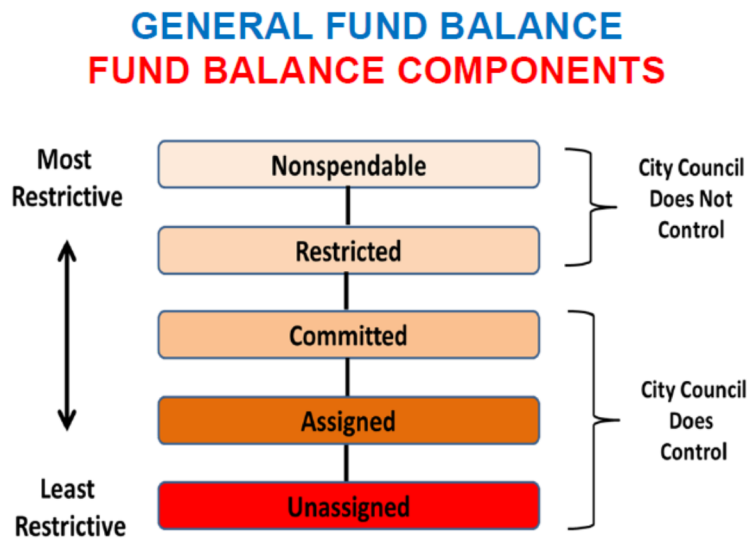


struggle with is being more of a conservative investor to keep within the investment policy of the State and the City. The Committee invests the money in Certificates-of-Deposits (CDs) and Federal Deposit Insurance Corporation signature CDs. A bunch of CDs just matured and the Committee is in the process of reallocating those funds and getting some shorter term higher rate CDs, which will give more money that the Committee can pay out to the retired firefighters.

PRESENTATION ON THE FY 2018-19 GENERAL FUND UNASSIGNED FUND BALANCE AS OF THE FY 2017-18 FINANCIAL AUDIT

Assistant City Manager Michael Cowin explained that each year with the presentation of the annual audit, staff provides an update on the status of the General Fund Unassigned Fund Balance. Staff has discussed the three goals to be achieved in order to not only have a successful financial services department but the best one in the entire State, including: 1) No audit findings, 2) The Protection of the General Fund Balance, specifically the Unassigned Fund Balance which is the savings account of the City, and (3) To keep everybody in the awesome Financial Services Department happy.

Assistant City Manager Cowin explained the five components of the General Fund Balance Fund Balance:

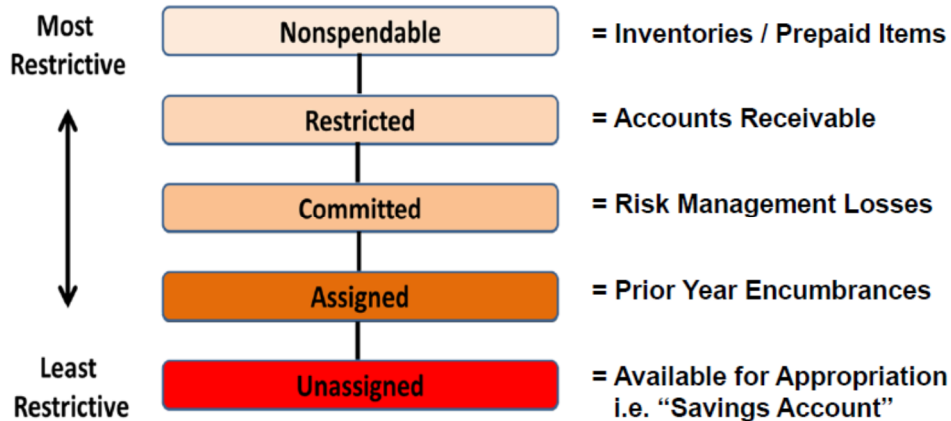


Assistant City Manager Cowin explained that the nonspendable and restricted components are the most restrictive and the City Council does not control these components. The committed, assigned, unassigned components are less restrictive and these fund balance components are more controlled by the City Council on an annual basis.

Assistant City Manager Cowin explained that when looking at what is within each of the five components, nonspendable includes inventories and prepaid items. The City cannot spend inventory even though it is an asset and has value. Earlier in the meeting, the



auditor stated that on an annual basis they have confirmations of accounts receivable, which is the restricted component. Just in this one item alone, staff has two months' worth of receivables from the State for sales tax, which is over \$4 million. The City cannot spend money that it does not have so that is why it is restricted in fund balance.



Assistant City Manager Cowin explained that regarding the committed component, the City has approximately \$2 million set aside for risk management losses. This is more so in the form of potential workers compensation losses. Assigned, which is prior year encumbrances, includes open purchase orders. At the end of the year, goods are on order and have not been received so they are not recognized as expenses, are carried over, and staff restricts those within fund balance. The unassigned is available for appropriation at the will of the City Council.

Assistant City Manager Cowin reported that at the end of Fiscal Year 2018, the City had \$22,898,767 in fund balance within the General Fund with 52.6% coming in the form of Unassigned Fund Balance (\$12,048,199).

**GENERAL FUND BALANCE
AS OF JUNE 30, 2018 FISCAL AUDIT**

Non Spendable	\$	101,710	0.4%
Restricted		7,318,084	32.0%
Committed		2,050,839	9.0%
Assigned		1,379,935	6.0%
Unassigned		12,048,199	52.6%
Total	\$	<u>22,898,767</u>	<u>100.0%</u>



Assistant City Manager Cowin stated that the City of Greenville’s General Fund Balance Unassigned Fund Balance Policy is *the City of Greenville will strive to maintain an Unassigned General Fund Balance at the close of each fiscal year of at least 14% of the total annual unrestricted operating budget.* Anything above that 14% would be considered excess fund balance.

Assistant City Manager Cowin explained the General Fund Balance Excess Fund Balance Calculation, stating that the formula at the fiscal year end includes the City having a budget of approximately \$80 million, less restricted revenues. At 14%, that calculated out to be \$11.2 million and with an unassigned fund balance of over \$12 million. That leaves an excess fund balance of approximately \$833 thousand, which was less than what was predicted in the budget. Staff is trying to project forward what the unassigned balance would be in the budgeting process so that at the end of the year there will not be a lot of excess fund balance that has not been appropriated.

**GENERAL FUND BALANCE
FY2018-19 EXCESS FUND BALANCE CALCULATION**

2018-19 General Fund Budget Less Restricted Revenues	\$ 80,103,254
Unassigned Fund Balance Percentage	14.0%
Calculated Unassigned Fund Balance	\$ 11,214,456
Unassigned Fund Balance per June 30, 2018 Audit	12,048,199
Fund Balance Available for Appropriation (i.e. Excess)	\$ 833,743

Assistant City Manager Cowin explained that in this current two-year budget, staff projected \$1 million and the actual amount came in as \$833,743. That is a \$166,257 difference, which the City will make up by the following: 1) Lapsed salaries at the end of fiscal year 2018-2019 and 2) Cumulative FIP savings from projects coming under budget. In next year’s budget, staff is projecting approximately \$655,000 of excess fund balance which is down from what was projected in the current year of \$1 million.

Assistant City Manager Cowin explained how the \$833,743 was allocated, and stated that the excess appropriated to the Industrial/Commercial Site Development (\$300,000) as well as to the Firetower Road Project (\$350,000) would be transferred from the General Fund to the Capital Reserve Fund until the City is ready to spend those dollars for specific purposes.



GENERAL FUND BALANCE
FY2018-19 EXCESS FUND BALANCE CALCULATION

Appropriation of Excess Fund Balance		
Operating Contingency	\$	40,000
One-Time Capital Project Appropriations		
Industrial / Commercial Site Development	\$	300,000
10th Street Connector Betterments		143,743
Firetower- 14th Street to NC 33		350,000
Total One-Time Capital		793,743
Total Appropriation of Excess Fund Balance	\$	833,743

Assistant City Manager Cowin explained that \$5,037,967 would be set aside within the Capital Reserve with the completion of the audit in this fiscal year's budget.

GENERAL FUND BALANCE
CAPITAL RESERVE FUND BALANCE

Designations by Project		
Convention Center	\$	140,487
Dickinson Area Parking- City Employee		450,751
Dickinson Parking- Public		350,000
Industrial / Commercial Site Development		700,000
Future NCDOT Projects:		
Dickinson Streetscape/Light	1,702,860	
Firetower NC43-14th	187,480	
Firetower 14th-NC33	594,389	
Street Signal Conversion	912,000	
		3,396,729
Balance	\$	5,037,967

Assistant City Manager Cowin explained that of that \$5,037,967, \$140,487 is dedicated to replacing equipment on rotation at the Convention Center, which would be future HVAC replacements. Approximately \$800,000 is set aside for the Dickinson Avenue parking, which would be split between a parking lot for the City's employees and public parking. Those amounts might change after determining the actual size and locations of specific parking needs within Dickinson Avenue.

Assistant City Manager Cowin explained that with this year's budget, the City would have approximately \$700,000 set aside within Capital Reserve for industrial/commercial site development. Another \$300,000 is to be added to that in the next year's budget to have \$1 million set aside for industrial/commercial site development. Approximately \$3.4 million is set aside for future North Carolina Department of Transportation (NCDOT) projects, which includes Dickinson Avenue, Fire Tower Road, and street signal conversion.



Assistant City Manager Cowin explained that the City has a significant amount of NCDOT projects, which are planned for the next 5-6 years. \$5,216,667 is projected as of need. Currently, \$3,396,729 (65.1%) is currently in the Capital Reserve and the remaining amount to be funded is \$1,819,938 (34.9%). The City's Fund balance continues to be strong. Dollars are not only set aside within the budget this year for immediate needs with concerns to moving its economic development initiatives forward, but also dollars would be set aside in the future for specific NCDOT infrastructure projects.

Council Member Litchfield asked regarding the \$150,000 to cover the cost of the HVAC replacement for the Convention Center is the City covering a percentage there or are some of the tourism dollars used as well.

Assistant City Manager Cowin responded that the City has dollars set aside over time in Capital Reserve to cover the replacement of equipment over a 10-year period. But, the sales tax from the hotels actually helps the City to fund those replacements in the future. Over the next few years, the City would tap further into those sales tax dollars to probably go back into the Capital Reserve to help the future replacement of equipment.

Assistant City Manager Cowin explained that the City is replacing this year about \$300,000 worth of projects at the Convention Center. The City still has \$150,000, which will cover the replacements for 3-4 years and after that the City must tap into more of those sales tax dollars to make replacements for 5-10 years in the future. A schedule is being managed by staff for that purpose.

ORDINANCE APPROVING 2018-2019 CAPITAL RESERVE FUND DESIGNATIONS –
(Ordinance No. 18-060)

Director of Financial Services Byron Hayes explained that the North Carolina General Statutes § 159-18 gives local governments the authority to establish and maintain a capital reserve fund. Based on the designations from the 2018-2019 original budget and Budget Amendment #5, there are three recommendations for transfer to the Capital Reserve Fund:

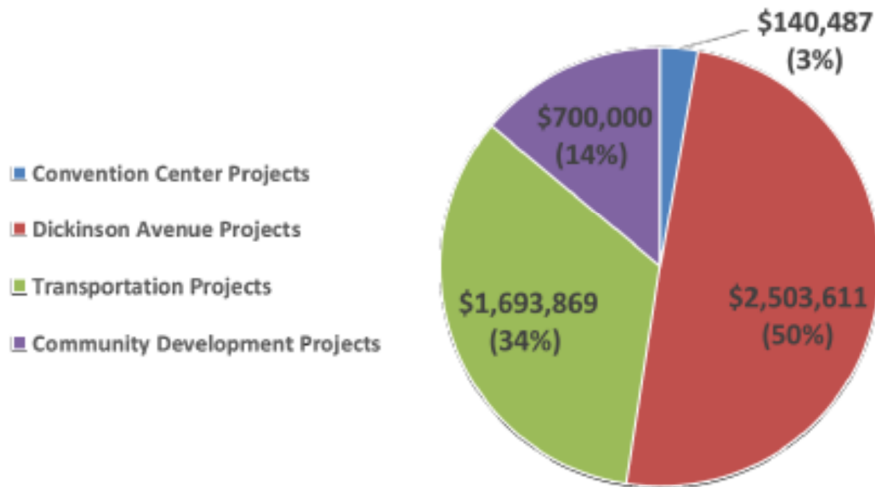
Recommended for Transfer

Description	Amount
Reclassify FY 2018-19 designations to align with the 2017-18 financial audit	A \$ (177,278)
Transfer to pay for HVAC unit replacement at the Convention Center	B \$ (250,000)
Recognize FY2018-19 allocation for future projects	C \$ 740,000



Director Hayes stated that this brings the capital reserve designations to \$5,037,967. When breaking that down by category, 50% of the capital reserve is designated for Dickinson Avenue, 34% is designated for NCDOT projects, 14% for economic development site development and 3% for the Convention Center.

Breakdown by Category



Motion was made by Mayor Pro-Tem Glover and seconded by Council Member Bell to adopt the ordinance. Motion carried unanimously.

BUDGET ORDINANCE AMENDMENT #5 TO THE 2018-2019 CITY OF GREENVILLE BUDGET (ORDINANCE #18-038) AND AN ORDINANCE ESTABLISHING THE DONATIONS FUND – (Ordinance Nos. 18-061 and 18-062)

Director of Financial Services Byron Hayes explained that the City of Greenville’s Budget Ordinance Amendment #5 establishes the Donations Special Revenue Fund and includes the adjustments to the following funds:

- General Fund
- Capital Reserve Fund
- Facility Improvement Fund
- Debt Service Fund
- Public Transportation Fund
- Housing Fund



Director Hayes summarized the following different amendments:

**CITY OF GREENVILLE
BUDGET ORDINANCE AMENDMENT #5**

Description	Funds Impacted	Amount
- Adjust fund balance appropriated to reflect the 2017-18 financial audit and recognize 2017-18 donation revenue carryover for Recreation and Parks	General Fund Donations Fund Facility Improvement Fund Capital Reserve Fund Debt Service Fund	\$ 166,257
- Reclassify FY 2018-19 designations to align with the 2017-18 financial audit	General Fund Facility Improvement Fund	\$ 116,733
- Recognize program income within the Community Development Housing Fund received through FY 2017-18	Housing Fund	\$ 80,440
- Recognize additional funding received in the Public Transportation fund for State Maintenance Assistance Program	Public Transportation Fund	\$ 7,055
- Recognize funding from the Capital Reserve Fund to cover costs associated with HVAC replacement at the Convention Center	Facility Improvement Fund	\$ 250,000

Director Hayes stated that as a result of the amendment, the operating fund increased from \$133,849,505 to \$136,347,919, which is a change of roughly \$2.5 million.

**CITY OF GREENVILLE
BUDGET ORDINANCE AMENDMENT #5 SUMMARY**

City of Greenville Operating Fund Budget per Amendment #5:

Fund	Budget	%
General	\$ 84,829,739	62.2%
Debt Service	5,463,492	4.0%
Public Transportation (Transit)	3,256,977	2.4%
Fleet Maintenance	4,431,156	3.2%
Sanitation	7,843,096	5.8%
Stormwater	6,267,592	4.6%
Housing	1,677,619	1.2%
Health Insurance	13,562,600	9.9%
Vehicle Replacement	4,332,161	3.2%
Facilities Improvement	3,870,765	2.8%
Capital Reserve	812,722	0.6%
Total	\$ 136,347,919	100%



Motion was made by Council Member Smiley and seconded by Council Member Bell to adopt the Budget Ordinance #5 and the ordinance establishing the Donations Special Revenue Fund. Motion carried unanimously.

Council Member Smith thanked staff for this information and stated that the City must make sure that it has clear delineation of those funds donated by citizens. Citizens feel better knowing that their donations are being used for City projects. Hopefully, other people who want to help towards certain City projects would be more willing to do so because this shows that the City is using and taking care of those donations.

CITY OF GREENVILLE'S PARTICIPATION IN COLLABORATIVE ECONOMIC DEVELOPMENT STUDY

City Manager Ann Wall stated that this a request for the City to make a contribution to continue to fund the collaborative economic development study, which is ongoing. Back in the spring, the City Council agreed that the City of Greenville would participate in a study with the Pitt County Committee of 100 and the partners would have discussions about how to form a more collaborative economic development model. Those issues were worked through and they discovered that the idea of a more collaborative model would be a good thing.

City Manager Wall stated that now the two partners have a group working to iron out the details, including to look at the model and bylaws and who might serve in the capacities for that board. A consultant, Creative Consulting, has guided the City and the partnership well through that process. There is a request from the Committee of 100 for the City to make an additional contribution in the amount of \$15,000 to fund the services of the consultant. The Committee of 100 as well as Pitt County have approved their share and now there is a request for the City to do the same.

Council Member Smiley asked whether the shares are equal.

City Manager Wall responded the first portion was contributed by the Greenville Utilities Commission. In this case, the three partners, the Committee of 100, City of Greenville, and Pitt County are contributing equal shares.

Council Member Smith asked how long does staff anticipate this study would continue which could yield more requests for money.

City Manager Wall responded at this point, they are working through a facilitated discussion with a group composed of City Council Members, County Commissioners, private sector funders, various towns, and representatives from small businesses. There have been two meetings, a third one is scheduled for next week, and some additional meetings are scheduled for January. Their hope is those meetings would continue at the pace of their moving and they would be able to make a recommendation to the City, County and the Committee of 100 in the spring. Hopefully, this is the final request for funds.



Council Member Meyerhoeffer asked what financial commitment has the City of Greenville made up to this point.

City Manager Wall responded that the City made an initial \$10,000 contribution for the convergent study.

Council Member Meyerhoeffer asked whether the grand finale of \$15,000 from each partner would make some progress.

City Manager Wall responded that these funds are helping to work through the process of what that model would look like. This is a facilitated discussion about how a governing model could be created that would create that collaborative economic development approach for the County.

Council Member Meyerhoeffer asked about a timeframe for those results. Have the other partners expressed any preference of timing associated with this?

City Manager Wall responded that the two meetings have gone well, there has been productive conversation, and they are looking forward to being able to bring this for recommendation in the spring.

Council Member Smiley asked whether there are comments from the City's representatives.

Council Member Litchfield stated there has been great conversation about collaboration between the County, City, and other interested parties. He feels that every meeting that they have opens the eyes to the opportunity in Pitt County of creating a single voice for economic development. He has been happy with the progress thus far and excited about the progress to come.

Mayor Connelly stated that he feels that it has been positive so far.

Council Member Smith stated people are concerned that the Economic Development Manager position is not filled and some of the funds from that vacancy could be used for this purpose. The City must move forward as much as possible on economic development because Greenville means business, and it would be exciting to see the fruits of the City's labor.

City Manager Wall stated that the City has hired an economic development person who is serving on an interim basis. Staff can continue to move forward with the City Council's goals of identifying certified sites, working on marketing, and doing lead generation at this point.

Council Member Smith asked about the name of the person and what is the person doing exactly.



City Manager Wall responded that Charles Hayes is working two days a week, Monday and Tuesday, for the City. He is working on economic development, identifying certified sites, and marketing and assisting with lead generation.

Mayor Connelly stated that the \$15,000 is coming from the contingency and not from the Office of Economic Development's budget.

Motion was made by Council Member Smiley and seconded by Council Member Bell to approve the funding for the study. Motion carried unanimously.

PROCESS TO FILL UPCOMING VACANCY IN THE OFFICE OF COUNCIL MEMBER FOR DISTRICT 1

City Attorney Emanuel McGirt explained that a vacancy in the Office of Council Member for District 1 would exist in the near future due to the recent election of Council Member Kandie D. Smith to the North Carolina House of Representatives, District 8. Such vacancy would occur when Council Member Smith resigns from the City Council, or when Council Member Smith is sworn in as a Member of the House of Representatives.

City Attorney McGirt explained that North Carolina General Statutes §160A-63 provides that when a vacancy occurs in an elective office of a city, the vacancy shall be filled by appointment of the City Council. The last time there was a vacancy on the City Council was August 2017. The application form used in that process is in the City Council's agenda package. The qualifications to fill this seat are the person chosen to fill the vacancy must be a resident of District 1, a registered voter who is eligible to vote for the Council Member District 1 seat, and is a person of at least 21 years of age.

City Attorney McGirt stated that the City Attorney's Office recommends that the City Council, by motion, direct that the City Clerk publish a notice of the upcoming vacancy of the office. Such notice shall provide that the City is accepting applications to fill the vacancy. The City Council should determine a deadline by which the applicants must complete the applications and return them to the City Clerk. The City Attorney's Office recommends December 31, 2018 as the deadline. Additionally, it is recommended that the City Council develop a proposed timeline to fill the upcoming vacancy.

City Attorney McGirt advised that the City Council has a lot of flexibility, but the suggested timeline states that the City Clerk shall forward the applications to the City Council. The City Council shall consider applications at its January 7, 2019 meeting and shall vote to fill the vacancy with a replacement at its January 10, 2019 meeting.

Council Member Smiley stated that the last time there was a vacancy, the City Council received skeletal applications and faced challenges. One of the challenges was the City Council received the information, but was unable to have discussions with some of the applicants. Some of the information provided was thin because nobody informed the



applicants that they should really provide a comprehensive explanation of who are they and what are their interests.

Council Member Smiley stated that it should be explained that certainly the applicants should complete the form, but the applicants should submit a resume as well. The applicants should be informed that the City Council would like to receive more than a statement of interest.

Council Member Smiley recommended that the City Council should receive information about what the applicants have done before, what qualifies them to serve, and what interests that they might have about being on the City Council, not necessarily taking positions and issues.

Council Member Smith informed the City Council that at the upcoming Thursday meeting, she will be giving her resignation effective December 31, 2018.

Mayor Connelly suggested that the applications should be submitted to the City Council as they are received by the City Clerk so that the City Council Members have sufficient time to review them. The information should not be discussed via email, which would violate Open Meetings Law.

Motion was made Council Member Smiley and seconded by Council Member Bell to approve the process.

Mayor Pro-Tem Glover stated that District 1 is a majority, minority district. That was set out years ago when there were no African-Americans serving on the City Council.

There being no further discussion, the motion to approve the process passed unanimously.

(ADDED) REQUEST FOR CLOSED SESSION

City Attorney McGirt requested that a closed session be added to the agenda before adjournment of the meeting. He recommended that the City Council adopt the following motion for holding a closed session:

To enter closed session in accordance with G.S. §143-318.11 (a)(3) to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body including consultation relating to giving instructions on handling a judicial action, and G.S. §143-318.11(a)(5) to establish or instruct the public body, staff, or negotiating agents concerning the position to be taken by or on or behalf of the public body in negotiating the price and other material terms of a contract or proposed contract for the acquisition of real property. Such property



being building and land owned by Miracle Deliverance Church, 430 Bonners Lane.

Motion was made by Council Member Smiley and seconded by Council Member Bell to approve the addition of a closed session to the agenda. Motion carried unanimously.

REVIEW OF DECEMBER 13, 2018 CITY COUNCIL MEETING

The Mayor and City Council reviewed the agenda for the December 13, 2018 City Council meeting.

CITY MANAGER’S REPORT

City Manager Wall stated that staff received several letters of appreciation. The North Carolina Insurance Commissioner, Mike Causey, commended City Inspectors Brian Sasser and William Mills for assisting Craven County after Hurricane Floyd. A letter was received from the Wintergreen Intermediate School PTA, expressing appreciation to the Public Works Department staff for providing great information at the school’s Steam Night about engineering, traffic, stormwater, and recycling. The Carolina East Neighborhood Association complimented Police Sergeant Curtis Liverman, Public Works Director Kevin Mulligan, Code Enforcement Officer Sharon Gray, and Staff Support Specialist II Tawanda Cage for providing information at its recent neighborhood meeting.

City Manager Wall announced that the bi-annual City of Greenville Employee Luncheon would be held on Wednesday to recognize 45 employees, who have served milestones of 5-30 years. The total years of service for those 45 employees is 725 years of service to the City of Greenville.

COMMENTS FROM MAYOR AND CITY COUNCIL

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

CLOSED SESSION

Council Member Smith moved to enter closed session in accordance with G.S. §143-318.11 (a)(3) to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body including



consultation relating to giving instructions on handling a judicial action, and G.S. §143-318.11(a)(5) to establish or instruct the public body, staff, or negotiating agents concerning the position to be taken by or on or behalf of the public body in negotiating the price and other material terms of a contract or proposed contract for the acquisition of real property. Such property being building and land owned by Miracle Deliverance Church, 430 Bonners Lane. Council Member Bell seconded the motion, which passed by unanimous vote.

Mayor Connelly declared the City Council in Closed Session at 8:07 p.m. and called a brief recess to allow Council Members to relocate to Conference Room 337.

Upon conclusion of the closed session discussion, motion was made by Council Member Smiley and seconded by Council Member Bell to return to open session. Motion was approved unanimously, and Mayor Connelly returned the City Council to open session at 9:29 p.m.

ADJOURNMENT

There being no further business before the City Council, motion was made by Council Member Smiley and seconded by Council Member Bell to adjourn the meeting. Motion carried unanimously, and Mayor Connelly declared the meeting adjourned at 9:30 p.m.

Respectfully Submitted

Polly Jones
Deputy City Clerk

PROPOSED MINUTES
MEETING OF THE CITY COUNCIL
CITY OF GREENVILLE, NORTH CAROLINA
THURSDAY, JANUARY 10, 2019



A regular meeting of the Greenville City Council was held on Thursday, January 10, 2019 in the Council Chambers, located on the third floor at City Hall, with Mayor P. J. Connelly presiding. Mayor Connelly called the meeting to order at 6:00 pm. Rabbi Harley Karz-Wagman of Congregation Bayt Shalom gave the invocation on behalf of Council Member Smiley, followed by the Pledge of Allegiance.

Those Present:

Mayor P. J. Connelly, Mayor Pro-Tem Rose H. Glover and Council Members Will Bell, Rick Smiley, William F. Litchfield, Jr. and Brian V. Meyerhoeffer, Jr.

Those Absent:

None (Note: District 1 seat vacant when meeting convened)

Also Present:

City Manager Ann E. Wall, City Attorney Emanuel D. McGirt, City Clerk Carol L. Barwick and Deputy City Clerk Polly Jones

APPROVAL OF THE AGENDA

Upon motion by Council Member Smiley and second by Council Member Bell, the City Council voted unanimously to approve the agenda as presented.

PUBLIC COMMENT PERIOD

Mayor Connelly opened the public comment period at 6:10 pm, explaining procedures which should be followed by all speakers.

Pam Strickland – 4128 Dale Drive - Farmville

Ms. Strickland, along with the Pitt County Coalition Against Human Trafficking, thanked Greenville for their support and the proclamation recognizing January as Human Trafficking Awareness Month. Ms. Strickland stated that the Coalition is open to the public and invited all that were interested to attend and join. She then read the following proclamation:

****Begin Copy****



WHEREAS, human trafficking involves the recruitment, harboring, transportation or provision of a person for labor or commercial sex through the use of force, fraud or coercion; and

WHEREAS, human trafficking violates basic human rights and deprives victims of human dignity and freedom. Victims are dehumanized and forced into modern-day slavery; and

WHEREAS, it is imperative that we educate our communities, our young people and families to take an active interest in learning how to recognize the risks and resist predators who use coercion and threats to manipulate children as young as 12 into labor or sex trafficking; and

WHEREAS, in recognition of the need for that education, the NC General Assembly recently enacted legislation mandating that sex trafficking prevention and awareness information be included in the sexual health education curriculum; and

WHEREAS, every law enforcement officer in North Carolina received Human Trafficking training in 2016; and

WHEREAS, in recognition of the importance of access to services, the NC General Assembly enacted legislation effective January 1, 2018 requiring that many businesses post the National Human Trafficking Hotline; and

WHEREAS, the City of Greenville is committed to protecting people vulnerable to human trafficking and taking action to end human trafficking through prevention, prosecution, and partnerships;

NOW, THEREFORE, I, P.J. Connelly, Mayor of the City of Greenville, do hereby proclaim January 2019 as

HUMAN TRAFFICKING AWARENESS & PREVENTION MONTH

in Greenville and commend its observance to all citizens.

This 10th day of January 2019.

****End Copy****

Jill Twark – 2501 East 5th Street - Greenville

Ms. Twark, Co-Chair of Friends of Greenville Greenways (FROGGS) along with Hunt McKinnon, said they promote the construction of greenways within the City. The funds that come from their members go toward installation of park benches, trash cans, picnic tables, gazebos, drinking fountains and a majority of the interpretive signs along the



greenways. Her purpose in speaking tonight it to invite the Council and everyone listening to their annual fund-raiser on Saturday, January 26th at the Pitt Street Brewing Company from 4:00-6:30 pm.

Hearing no one else who wished to speak during the Public Comment period, Mayor Connelly closed the public comment period at 6:18 pm.

SPECIAL RECOGNITIONS

JESSIE GRANT – PUBLIC WORKS DEPARTMENT RETIREE

City Manager Ann Wall, accompanied by Mayor Connelly, Public Works Director Kevin Mulligan and Sanitation Manager Delbert Bryant, recognized Jessie Grant on the occasion of his retirement from the Public Works Department’s Sanitation Division. She then read and presented Mr. Grant with a plaque honoring his 30 years of service to the citizens of Greenville.

MILTON CARNEY – FIRE-RESCUE DEPARTMENT RETIREE

City Manager Ann Wall, accompanied by Mayor Connelly and Fire-Rescue Chief Eric Griffin, recognized Milton Carney on the occasion of his retirement from Greenville Fire-Rescue. She noted that Chief Carney served 12 years in the United States Air Force, then read and presented Chief Carney with a plaque honoring his nearly 26 years of service to the citizens of Greenville.

APPOINTMENTS

APPOINTMENT OF A PERSON TO FILL THE VACANCY IN THE OFFICE OF COUNCIL MEMBER FOR DISTRICT 1

City Attorney Emanuel McGirt stated it is the City Council’s authority and responsibility to appoint someone to fill the vacancy for District 1 which resulted from Kandie D. Smith’s election to the NC House of Representatives. City Clerk Carol Barwick has provided the City Council with copies of the applications and supporting material. The City Council has received applications from 1) Shawan M. Barr, 2) Kelly L. Darden, Jr. 3) Monica Daniels and 4) Christopher Dolin.

Mayor Connelly called for nominations for the appointment of the person to fill the vacancy in the Office of Council Member for District 1.



Council Member Litchfield nominated Monica Daniels to fill the vacancy in the Office of Council Member for District 1.

Mayor Pro-Tem Glover nominated Shawan M. Barr to fill the vacancy in the Office of Council Member for District 1.

Council Member Smiley nominated Kelly L. Darden, Jr. to fill the vacancy in the Office of Council Member for District 1.

There being no further nominations, Mayor Connelly declared that the nominations were closed and stated the City Council would vote on nominees in the order nominations were made.

The City Council voted 4-1 to appoint Monica Daniels to fill the vacancy in the Office of Council Member for District 1. Mayor Pro-Tem Glover cast the dissenting vote.

City Attorney McGirt stated that Ms. Daniels received the majority vote and there is no need to go further with the remainder of the nominees.

Mayor Connelly declared Monica Daniels as the appointee to fill the vacancy in the Office of Council Member for District 1.

City Clerk Carol Barwick administered the Oath of Office to Council Member Monica Daniels.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Affordable Housing Loan Committee
Appointment was continued.

Community Appearance Commission
Council Member Smiley continued the appointment for Byron Aynes' seat.

Environmental Advisory Commission
Council Member Meyerhoeffer continued the appointment for Nathaniel Hamilton and Durk Tyson's seat.

Firefighters Relief Fund Committee
Council Member Smiley made a motion to appoint William Franklin to a two-year term that will expire January 2021. Council Member Litchfield seconded the motion and it carried unanimously.



Planner Chantae Gooby showed a map depicting the proposed annexation area, which is located within Winterville Township in voting district #2. The property is currently vacant with no population. A population of 26 is expected at full development. Current zoning is R9S (Residential-Single-Family), with the proposed use being 12 single-family lots. Present tax value is \$61,600, with tax value at full development estimated at \$2,947,200.

Mayor Connelly declared the public hearing for the proposed annexation open at 6:39 pm and invited anyone wishing to speak in favor to come forward.

Hearing no one, Mayor Connelly invited comment in opposition. Also hearing none, Mayor Connelly closed the public hearing at 6:40 pm.

Council Member Meyerhoeffer moved to adopt the ordinance to annex Savannah Place, Section 4, Phase 1 involving 4.928 acres located at the current terminus of Camille Drive. Council Member Smiley seconded the motion, which passed by unanimous vote.

ORDINANCE TO ANNEX LANGSTON WEST, PHASE 11, SECTION 1 INVOLVING 11.1420 ACRES LOCATED AT THE CURRENT TERMINUS OF BIRCH HOLLOW DRIVE –
(Ordinance No. 19-003)

Planner Chantae Gooby showed a map depicting the proposed annexation area, which is located within Winterville Township in voting district #2. The property is currently vacant with no population. A population of 59 is expected at full development. Current zoning is R20 (Residential-Agricultural), with the proposed use being 27 single-family residences. Present tax value is \$278,550, with tax value at full development estimated at \$8,286,300.

Mayor Connelly declared the public hearing for the proposed annexation open at 6:41 pm and invited anyone wishing to speak in favor to come forward.

Hearing no one, Mayor Connelly invited comment in opposition. Also hearing none, Mayor Connelly closed the public hearing at 6:42 pm.

Council Member Smiley moved to adopt the ordinance to annex Langston West, Phase 11, Section 1 involving 11.1420 acres located at the current terminus of Birch Hollow Drive. Council Member Bell seconded the motion, which passed by unanimous vote.

ORDINANCE REQUESTED BY KENNETH AND CHRISTINE LLOYD, SR. TO REZONE 0.3416 ACRES LOCATED ALONG THE EASTERN RIGHT-OF-WAY OF WATAUGA AVENUE AND 130+/- FEET SOUTH OF FARMVILLE BOULEVARD FROM R6 (RESIDENTIAL ([HIGH DENSITY MULTI-FAMILY]) TO CH (HEAVY COMMERCIAL)

Planner Chantae Gooby stated Kenneth and Christine Lloyd, Sr. have requested to rezone 0.3416 acres located along the eastern right-of-way of Watauga Avenue and 130+/- feet



south of Farmville Boulevard from R6 (Residential ([High Density Multi-family]) to CH (Heavy Commercial).

Due to the size of the tract, it is undevelopable, therefore, a traffic volume report was not generated. During the review process, measures to mitigate the traffic will be determined.

In 1969, the property was zoned to its current zoning. Water and sanitary sewer are available to the property. There are no known historical conditions/constraints on this property.

The property is located in the Harris Mill Run / Schoolhouse Branch Watershed. Since the property is less than 0.5 acres, stormwater rules will not apply. If stormwater rules apply, 10-year detention would be required. Since it is located in the West Greenville Revitalization Area, it is exempt from water quality requirements.

Under the current zoning, Ms. Gooby stated the property could accommodate two (2) single-family lots. Due to the size of the tract, it is undevelopable, but staff would anticipate the tract to be incorporated into the CH-zoned tracts to the north when they are developed. The anticipated build-out time is within 1-2 years.

Surrounding land uses and zoning are as follows:

North: CH - One (1) vacant lot (under common ownership of the applicant)

South: R6 - One (1) vacant lot (under common ownership of the applicant)

East: R6 - One (1) single-family residence and one (1) vacant lot (under common ownership of the applicant)

West: R6 - One (1) single-family residence and one (1) vacant lot

Ms. Gooby stated that, in staff's opinion, the request is in compliance with Horizons 2026: Greenville's Community Plan and the Future Land Use Plan and Character Map. "In compliance with the comprehensive plan" should be construed as meaning the requested zoning is (i) either specifically recommended in the text of the Horizons Plan (or addendum to the plan) or is predominantly or completely surrounded by the same or compatible and desirable zoning and (ii) promotes the desired urban form. The requested district is considered desirable and in the public interest, and staff recommends approval of the requested rezoning.

Ms. Gooby stated the Planning and Zoning Commission voted 6 to 2 in favor of recommending approval of the request at its November 20, 2018 meeting.

Mayor Connelly declared the public hearing for the proposed rezoning open at 6:45 pm and invited anyone wishing to speak in favor to come forward.



Steve Spruill – No Address Given

Mr. Spruill, representing the applicant, spoke about the benefits of the rezoning, noting that the adjoining property is owned by the applicant and is already zoned commercial. The NC Department of Transportation took about half an acre of the adjoining property for their construction project of Farmville Boulevard and they have a utility easement around the perimeter, making another 2/10 acre unbuildable. While Mr. Lloyd was compensated for the property taken, the loss makes the remainder less usable than it was before. Mr. Spruill said he anticipates if this request is approved, the applicant would recombine the two parcels to afford greater flexibility for development. He is available to answer any questions the Council may have.

Kenneth Lloyd, Sr. – No Address Given

Mr. Lloyd stated he is requesting this rezoning in order to give him a large enough area to do something good for the community. He noted he was not the owner of the property at the time there were so many convenience stores in that area, but indicated he wants the opportunity to get his money back from the investment by building something worthwhile there.

Hearing no one else wishing to speak in favor of the proposed rezoning, Mayor Connelly invited comment in opposition.

Rufus Huggins – No Address Given

Mr. Huggins thanked Mayor Pro-Tem Glover for attending the impromptu neighborhood meeting which gave the people an opportunity to speak to the owner of this property. They expressed their concerns about what the property had been in the past and the possibility of commercial zoning bringing it back to that. They were not satisfied with any of his answers and asked him to come before Council to ask that this request be denied. The people of that neighborhood formed the first neighborhood association in Greenville and cleaned up the neighborhood from what it once was. They do not want it to return to what it was before. If Mr. Lloyd wants to get his money back, he needs to build houses there.

Frank Morgan – No Address Given

Mr. Morgan stated he's lived in this neighborhood since 1973 and was there when the two stores were there. Residents were unable to sleep at night because of gunshots. When Mr. Lloyd came to their neighborhood meeting, he said he wanted to have the property zoned to heavy commercial so he could sell it. Once he sells it, he has no control over what goes on the lot. Mr. Morgan asked that the Council deny the request to rezone to heavy commercial.

Milton Ryals – No Address Given

Mr. Ryals said he lives at the corner of Farmville and Manhattan. He stated he would have no problem with Mr. Lloyd building houses on this property, but if it is rezoned, he can put anything he wants there. Mr. Ryals also expressed concerns about property values.



Hearing no one else wishing to speak in opposition, Mayor Connelly closed the public hearing at 7:03 pm.

Council Member Smiley moved 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. Council Bell seconded the motion to deny, which passed by unanimous vote.

ORDINANCE REQUESTED BY BENT CREEK, LLC TO REZONE 2.002 ACRES LOCATED ALONG THE WESTERN RIGHT-OF-WAY OF PORT TERMINAL ROAD AND 750 +/- FEET NORTH OF EAST 10TH STREET FROM RA20 (RESIDENTIAL-AGRICULTURAL) TO CH (HEAVY COMMERCIAL) – (Ordinance No. 19-004)

Planner Chantae Gooby stated Bent Creek, LLC has requested to rezone 2.002 acres located along the western right-of-way of Port Terminal Road and 750 +/- feet north of East 10th Street from RA20 (Residential-Agricultural) to CH (Heavy Commercial).

Based on the possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 80 trips to and from the site on East 10th Street, which is a net increase of 42 additional trips per day. During the review process, measures to mitigate the traffic will be determined.

In 1976, the property was incorporated into the City's extra-territorial jurisdiction (ETJ) and zoned to RA20 as part of a large-scale ETJ extension. Water will be provided by Eastern Pines Water Corporation; however, sanitary sewer is not currently available. There are no known historical conditions/constraints on this property.

The property is located in the Hardee Creek Watershed. If stormwater rules apply, it would require 10-year detention and nitrogen and phosphorous reduction. It is not located in the Special Flood Hazards Area. Therefore, development is not subject to the Flood Damage Prevention Ordinance.

Under the current zoning, Ms. Gooby stated the property could accommodate four (4) single-family lots. Under the proposed zoning, the site could accommodate 17,000+/- square feet of auto/boat repair. The anticipated build-out time is within 1-2 years.

Surrounding land uses and zoning are as follows:

North: RA20 - East Carolina Masonry

South: RA20 - One (1) single-family residence

East: RA20 - Vacant

West: R6A - The Davis Apartments



Ms. Gooby stated that, in staff's opinion, the request is in compliance with Horizons 2026: Greenville's Community Plan and the Future Land Use Plan and Character Map. "In compliance with the comprehensive plan" should be construed as meaning the requested zoning is (i) either specifically recommended in the text of the Horizons Plan (or addendum to the plan) or is predominantly or completely surrounded by the same or compatible and desirable zoning and (ii) promotes the desired urban form. The requested district is considered desirable and in the public interest, and staff recommends approval of the requested rezoning.

Ms. Gooby stated the Planning and Zoning Commission voted 6 to 2 in favor of recommending approval of the request at its December 18, 2018 meeting.

Mayor Connelly declared the public hearing for the proposed rezoning open at 7:13 pm and invited anyone wishing to speak in favor to come forward.

Mike Baldwin – No Address Given

Mr. Baldwin, representing the applicant, spoke about the benefits of the rezoning and stated he is available to answer any questions the Council may have.

Hearing no one else wishing to speak in favor of the proposed rezoning, Mayor Connelly invited comment in opposition. Also hearing none, Mayor Connelly closed the public hearing at 7:16 pm.

Council Member Bell moved to adopt the ordinance to rezone 2.002 acres located along the western right-of-way of Port Terminal Road and 750 +/- feet north of East 10th Street from RA20 (Residential-Agricultural) to CH (Heavy Commercial). Mayor Pro-Tem Glover seconded the motion, which passed by unanimous vote.

ORDINANCE REQUESTED BY ACP HOLDINGS, LLC TO REZONE A TOTAL OF 14.925 ACRES LOCATED AT THE CURRENT TERMINUS OF ALLEN RIDGE DRIVE FROM R9S (RESIDENTIAL-SINGLE-FAMILY [MEDIUM DENSITY]) AND OR (OFFICE-RESIDENTIAL [HIGH DENSITY MULTI-FAMILY]) TO R6A-RU (RESIDENTIAL [MEDIUM DENSITY])-RESTRICTED RESIDENTIAL OVERLAY DISTRICT AND OR (OFFICE-RESIDENTIAL [HIGH DENSITY MULTI-FAMILY]) – (Ordinance No. 19-005)

Planner Chantae Gooby stated ACP Holdings, LLC has requested to rezone a total of 14.925 acres located at the current terminus of Allen Ridge Drive from R9S (Residential-Single-family [Medium Density]) and OR (Office-Residential [High Density Multi-family]) to R6A-RU (Residential [Medium Density])-Restricted Residential Overlay District and OR (Office-Residential [High Density Multi-family]).

Based on the possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 531 trips to and from the site on Allen Road, which is a net



increase of 110 additional trips per day. During the review process, measures to mitigate the traffic will be determined.

In 2001, the subject property was part of a large-scale extra-territorial jurisdiction (ETJ) extension and was zoned OR (Office-Residential). In 2005, the subject properties was rezoned to its current zoning. Water and sewer are available. There are no known historical conditions/constraints on this property.

The property is located in the Greens Mill Run Watershed. If stormwater rules apply, it would require 25-year detention and nitrogen and phosphorous reduction. It is not located in the Special Flood Hazards Area. Therefore, development is not subject to the Flood Damage Prevention Ordinance.

Surrounding land uses and zoning are as follows:

North: OR - Allen Ridge Subdivision (undeveloped)

South: R9S - Allen Ridge Subdivision (single-family)

East: OR - Allen Ridge Subdivision (duplexes)

West: R9S - Allen Ridge Subdivision (undeveloped)

Ms. Gooby stated the Planning and Zoning Commission voted unanimously to recommend approval of the request at its December 18, 2018 meeting.

Mayor Connelly declared the public hearing for the proposed rezoning open at 7:20 pm and invited anyone wishing to speak in favor to come forward.

Mike Baldwin – No Address Given

Mr. Baldwin, representing the applicant, spoke about the benefits of the rezoning and stated he is available to answer any questions the Council may have.

Hearing no one else wishing to speak in favor of the proposed rezoning, Mayor Connelly invited comment in opposition. Also hearing none, Mayor Connelly closed the public hearing at 7:23 pm.

Mayor Pro-Tem Glover moved to adopt the ordinance to rezone a total of 14.925 acres located at the current terminus of Allen Ridge Drive from R9S (Residential-Single-family [Medium Density]) and OR (Office-Residential [High Density Multi-family]) to R6A-RU (Residential [Medium Density])-Restricted Residential Overlay District and OR (Office-Residential [High Density Multi-family]). Council Member Bell seconded the motion, which passed by unanimous vote.

RESOLUTION AUTHORIZING THE SALE OF CITY-OWNED PROPERTY LOCATED AT 610 ROOSEVELT AVENUE TO DEMETRIS DANIELS – (Resolution No. 005-19)



Senior Planner Tiana Berryman stated staff has identified Demetris Daniels as a prospective home buyer for City-owned property at 610 Roosevelt Avenue. Ms. Berryman requested authorization to sell the property, noting that the buyer is proposing a closing date on or before February 28, 2019 and will occupy the home as his principal residence.

The home has three bedrooms, two bathrooms, and is approximately 1,487 square feet. The fair market value on the home is \$100,000, which was previously set by the City Council.

Mayor Connelly declared the public hearing open at 7:26 p.m. and invited anyone who wished to speak in favor of the proposed sale to come forward.

Demetris Daniels

Mr. Daniels stated this will be his first time buying a home and it will be the primary residence for himself and his son. He said he is very grateful for the opportunity.

Hearing no one else wishing to speak in favor, Mayor Connelly invited comment in opposition. Hearing no one, Mayor Connelly closed the public hearing at 7:28 p.m.

Mayor Pro-Tem Glover made a motion to approve the resolution. Council Member Meyerhoeffer seconded the motion, which passed by unanimous vote.

OTHER ITEMS OF BUSINESS

DISCUSSION OF BICYCLE AND PEDESTRIAN COMMISSION REQUEST FOR TEMPORARY MORATORIUM ON SHARED USE ALTERNATIVE TRANSPORTATION SYSTEMS WITHIN THE CITY OF GREENVILLE

City Attorney Emanuel McGirt stated Council Member Bell asked that a discussion be added to the agenda relative to the Bicycle and Pedestrian Commission’s request as stated above. They are requesting a moratorium prohibiting bike-sharing companies from leaving their bikes on the sidewalk. Mr. McGirt feels the City has authority to regulate the sidewalks, and some cities do have ordinances exercising their police power to regulate companies like LimeBike, but he feels it is premature to do so in Greenville unless there is a finding of significant problems. In addition, it is his understanding that ECU has an agreement with LimeBike, so they should probably be a stakeholder in any decision the City might make.

Chad Carwein, Chair of the Bicycle and Pedestrian Commission, stated they have seen shared use alternative transportation system implemented in other cities in Eastern North Carolina and the nation without ordinances on the books to regulate things like the number and placement of bikes, eScooters and other types of alternative transportation, not to mentioned the ones that are to come that haven’t been imagined yet. It is a matter of



safety. Rogue launching is already occurring in other communities where companies come in and dump 500-1,000 bikes within the City. It becomes a scramble as cities then try to retroactively regulate these types of transportation. The proposed resolution includes a one-year sunset clause to give City staff time to develop an ordinance to regulate shared use alternative transportation companies.

Mayor Connelly expressed some interest in a registration process as new companies come in, but felt a moratorium would be premature as there are so many students and citizens without a car.

Council Member Bell asked that staff do some research on how other cities control where these bikes can be placed when not in use.

CITY MANAGER’S REPORT

City Manager Wall gave no report.

COMMENTS FROM THE MAYOR AND CITY COUNCIL

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

ADJOURNMENT

Council Member Bell moved to adjourn the meeting, seconded by Council Member Meyerhoeffer. There being no further discussion, the motion passed by unanimous vote and Mayor Connelly adjourned the meeting at 7:57 pm.

Respectfully submitted,
Carol L. Barwick
Carol L. Barwick, CMC
City Clerk



City of Greenville, North Carolina

Meeting Date: 2/11/2019
Time: 6:00 PM

Title of Item: Adoption of Board and Commission Policy

Explanation: **Abstract:** The Council's Board and Commission Policy expired on August 31, 2018, pursuant to a sunset provision in that policy. Staff recommends the Council adopt the amendment to the attached Board and Commission Policy which provides that the policy is retroactive and effective as of September 1, 2018.

Explanation: The Council's Board and Commission Policy expired on August 31, 2018, pursuant to a sunset provision in that policy. (See Exhibit 1, Board and Commission policy, pg. 1 & 21).

Staff recommends that the Council adopt the attached amended Board and Commission Policy which provides that the policy is retroactive and effective as of September 1, 2018 to ensure there is no lapse in the Board and Commission Policy. (See Exhibit 2, Board and Commission Policy, pgs. 1-21). The substance of the attached policy is identical to the previous policy.

Fiscal Note: There is no expense associated with this item.

Recommendation: Staff recommends that the Council adopt the attached Board and Commission Policy, and the policy is retroactive to and effective on September 1, 2018.

ATTACHMENTS:

- ❑ **Board and Commission Policy - 10/9/17 - pages 1 & 21**
- ❑ **Amended_Board_and_Commission_Policy_-_9_1_18_1100635**

BOARD AND COMMISSION POLICY FOR THE CITY OF GREENVILLE

Having citizens to serve on boards and commissions gives them an opportunity to participate in local government. In order to maintain some consistency, a policy has been adopted to aid in the appointment process and in other areas dealing with the boards and commissions. In order to provide all citizens of Greenville with an opportunity to serve on City boards and commissions, this board and commission policy is being established.

Talent Bank

A pool of applicants for the various boards and commissions, called the talent bank, shall be maintained by the City Clerk's Office. This talent bank shall be updated on a biennial basis. Solicitation of applications for this pool of applicants shall be done through such methods as advertising in local newspapers, the City website, the government access channel, and posted at some City buildings. On at least a monthly basis, the City Clerk's Office shall notify City Council of new applications received.

Appointments

City Council Members shall be notified of upcoming appointments to City boards and commissions by the first day of the month preceding the month in which the appointment is to be made. A list of persons who have indicated an interest in serving on the board or commission through the talent bank shall also be provided to the City Council.

The list of upcoming appointments shall be advertised in the local newspaper, on the government access channel, and on the City's website at least four weeks prior to the meeting at which the appointment is to be made in order to provide citizens with an opportunity to indicate their interest in serving.

Prior to the 15th day of the month preceding the month in which the appointment is to be made, City Council Members shall submit any recommendations for upcoming vacancies to the elected official responsible for making a nomination to City Council to fill the vacancy on the board or commission. The elected official responsible for making a nomination to City Council to fill the vacancy shall be provided a copy of resumes from citizens for upcoming appointments as they are received by the City Clerk's Office.

During review of nominations for upcoming appointments, the elected official responsible for making a nomination to City Council to fill the vacancy may request the City Clerk's assistance in obtaining the nominees' addresses and any pertinent background information. The elected official responsible for making a nomination to City Council to fill the vacancy shall contact the individual to discuss the applicant's interest in the board and his/her ability to attend the meetings in accordance with this policy.

The City Clerk's Office will mail an appointment letter to a person appointed no later than seven calendar days after the appointment is made.

Sunset Provision

This policy shall expire and shall be null and void after the 31st day of August, 2018. This provision, commonly known as a sunset provision, is included in this policy to ensure that the policy, its effectiveness, and its necessity will be reviewed by the City Council on a periodic basis.

This policy was adopted by the Greenville City Council on October 11, 2010, and amended June 12, 2014, August 15, 2016, and October 9, 2017.

BOARD AND COMMISSION POLICY FOR THE CITY OF GREENVILLE

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Appointments

City Council Members shall be notified of upcoming appointments to City boards and commissions by the first day of the month preceding the month in which the appointment is to be made. A list of persons who have indicated an interest in serving on the board or commission through the talent bank shall also be provided to the City Council.

The list of upcoming appointments shall be advertised in the local newspaper, on the government access channel, and on the City's website at least four weeks prior to the meeting at which the appointment is to be made in order to provide citizens with an opportunity to indicate their interest in serving.

Prior to the 15th day of the month preceding the month in which the appointment is to be made, City Council Members shall submit any recommendations for upcoming vacancies to the elected official responsible for making a nomination to City Council to fill the vacancy on the board or commission. The elected official responsible for making a nomination to City Council to fill the vacancy shall be provided a copy of resumes from citizens for upcoming appointments as they are received by the City Clerk's Office.

During review of nominations for upcoming appointments, the elected official responsible for making a nomination to City Council to fill the vacancy may request the City Clerk's assistance in obtaining the nominees' addresses and any pertinent background information. The elected official responsible for making a nomination to City Council to fill the vacancy shall contact the individual to discuss the applicant's interest in the board and his/her ability to attend the meetings in accordance with this policy.

The City Clerk's Office will mail an appointment letter to a person appointed no later than seven calendar days after the appointment is made.

Several of the boards and commissions have representation from other entities. Also, criteria for the membership is noted in the by-laws or ordinance creating many of the boards and commissions. The criteria and/or appointment process are detailed below.

Affordable Housing Loan Committee. The committee shall have seven regular members and one alternate member. It shall be racially diverse and composed of persons with experience and an interest in housing. The members may be of the following professions: banker, lawyer, realtor, member of the building profession or developer, member of a social service organization, and a member of a local housing group. All members shall be appointed by the City Council in accordance with this policy and the City Clerk's Office shall send the appointment letters for those members.

Board of Adjustment. The board shall consist of seven regular members and four alternate members. Six of the regular members and three alternate members shall reside within the corporate limits of the City of Greenville at the time of their appointment and shall be appointed by the City Council. One of the regular members and one alternate member shall reside outside of the corporate limits of the city but within the extraterritorial jurisdiction at the time of their appointment and shall be appointed by the Board of Commissioners. City members shall be appointed by the City Council in accordance with this policy and the City Clerk's Office shall send the appointment letters for those members. The County Commissioners shall appoint county candidates and the appointment letter shall be sent from the County Clerk's Office for those appointments. A copy of the appointment letter shall be sent to the City Clerk's Office, at which time the City records shall be updated.

The procedure hereinafter set forth for the nomination and appointment of Board of Adjustment members applies to Board of Adjustment members appointed after October 11, 2010, other than Board of Adjustment members who are to be appointed by the Pitt County Board of Commissioners. Appointments will be made by City Council unless the appointment is required to be made by the Pitt County Board of Commissioners.

When the appointment is made by City Council, nominations to the City Council will be made by City Council Members or the Mayor on a rotating basis in the following order: Council Member, District Five, for the first appointment, the Mayor, for the second appointment, Council Member, At-large, for the third appointment, Council Member, District One, for the fourth appointment, Council Member, District Two, for the fifth appointment, Council Member, District Three, for the sixth appointment, and, Council Member, District Four, for the seventh appointment.

City Council is not required to appoint the person nominated by a Council Member or the Mayor and may, but is not required to, request another nomination from the Council Member or the Mayor making the nomination in the event the initial nominee is not appointed. In the event the person nominated by a Council Member or the Mayor is not appointed and another nomination from the Council Member or the Mayor making the nomination is not requested, any Council Member or the Mayor may make a nomination. City Council shall make the appointment by a motion of appointment.

Prior to City Council making an appointment as a result of a nomination, the elevation of alternate members in accordance with the Alternate Members section of this policy shall occur. In the event the term of an alternate member position is expiring and the person holding this alternate member position was appointed after October 11, 2010, and remains in this alternate member position after appointments are made to other positions to be filled at the same time and the elevation of alternate members in accordance with the Alternate Members section of this policy has occurred, the person holding this alternate member position will be automatically reappointed without the necessity of a nomination and the City Council shall make the reappointment by a motion of appointment. In the event the term of an alternate member position is expiring and the person holding this alternate member position was not appointed after October 11, 2010, and remains in this alternate member position after appointments are made to other positions to be filled at the same time and the elevation of alternate members in accordance with the Alternate Members section of this policy has occurred, the nomination to fill the alternate member position will be made by the next elected official in the rotation order set forth above.

When more than one position is to be filled for the first seven positions filled after October 11, 2010, the positions to be filled will be assigned to the elected officials whose time it is to make a nomination as follows: first, if any of the positions to be filled is held by a person residing in a district which a Council Member whose time it is to make a nomination is elected to represent, that Council Member will be assigned to make the nomination for that position, (provided that, if more than one position to be filled are held by persons residing in the same district which a Council Member whose time it is to make a nomination for these positions is elected to represent, the Council Member will be assigned to make the nomination for the position held by person residing in his district alphabetically by last name of the person holding the position) and then, for any remaining positions, elected officials whose time it is to make a nomination will be assigned in the order of the rotation to make the nomination for positions held by persons alphabetically by the last name of the person holding the position. For example, if two positions are to be filled and the persons holding the positions are John Doe residing in District One and Jane Roe residing in District Three and Council Member, District Three and Council Member District Four are to make the nominations, the Council Member from District Three will make the nomination for the position held by Jane Roe and the Council Member from District Four will make the nomination for the position held by John Doe. As a further example, if two positions are to be filled and the persons holding the positions are John Doe residing in District One and Jane Roe residing in District Three and the elected officials to make the nomination are Council Member, District Four and Council Member District Five, the Council Member, District Four will make the nomination for the position held by John Doe and the Council Member District Five will make the nomination for the position held by Jane Roe. In the event any of the appointments will result in a new person being appointed as a regular member after the elevation of alternate members in accordance with the Alternate Members section of this policy, the regular member positions to be filled will be assigned to the elected officials whose time it is to make the nominations for positions in the order of the rotation to make the nominations for positions. In a similar manner, the highest ranked alternate positions will be assigned to the elected officials whose time it is to make the nominations for positions in the order of the rotation to make the nominations for positions.

When a position is filled after a nomination for the first seven positions filled after October 11, 2010, the position on the Board held by the person who was nominated by the elected official will thereafter be assigned for nomination by the same elected official who made the initial nomination of that person. For example, if a position is filled after a nomination by Council Member, District One, and it is time to make an appointment for a position on the Board held by the person who was nominated by Council Member, District 1, again, due to the expiration of the term or a vacancy in the position on the Board held by the person who was nominated by Council Member, District One, the nomination for that position will be made by Council Member, District One.

For the eighth and ninth position filled after October 11, 2010, nominations will be made in the rotation order indicated above whenever it is time to make an appointment in these two positions due to expiration of a term or a vacancy. For example, if a vacancy occurs in the eighth position and Council Member District One made the most recent nomination for the eighth position and Council Member District Two has made the most recent nomination for the ninth position, when it is time to make another appointment for the eighth position again due to expiration of a term or a vacancy, the nomination will be made by the Council Member, District Three and then when it is time to make another appointment for either position again due to expiration of a term or a vacancy the nomination will be made by the Council Member, District Four.

Community Appearance Commission. The commission shall consist of 11 members, all of whom shall be citizens and residents of the city. All members shall be appointed by the City Council in accordance with this policy and the City Clerk's Office shall send the appointment letters for those members.

Environmental Advisory Commission. The commission shall have seven members that are designated as follows: (A) a lawyer or other person with knowledge of environmental regulations and environmental safety practices; (B) a building contractor, land developer or someone familiar with construction techniques; (C) a member of a local environmental group;

(D) an educator of the natural or physical sciences or physician; (E) a professional engineer; (F) an at-large member from the Greenville community; and (G) an at-large member with skills and interest in environmental public health, safety and/or medicine. All members shall be appointed by the City Council in accordance with this policy and the City Clerk's Office shall send the appointment letters for those members. The mayor or a member of city council shall be designated as an ex-officio, non-voting member of the commission

Firefighters' Relief Fund Committee. The committee shall consist of five trustees. The members of the Fire/Rescue Department shall elect two trustees to serve at the pleasure of the members of the Fire/Rescue Department. The trustees elected by members or the Fire/Rescue Department may serve until such time as they resign or an election is held to replace them. The trustees elected by the members of the Fire/Rescue Department shall be either (i) residents of the fire district or (ii) active or retired trustees of the Fire/Rescue Department. The City Council shall appoint two trustees to serve at the pleasure of City Council. The trustees appointed by City Council shall be residents of the fire district. The Commissioner of Insurance shall appoint one representative to serve as trustee who shall serve at the pleasure of the Commissioner. The trustee appointed by the Commissioner of Insurance shall be either (1) a resident of the fire

district or (ii) an active or retired member of the Fire/Rescue Department. North Carolina General Statute 58-84-30 governs the appointment of the trustees of the Firefighter's Relief Fund.

Greenville Bicycle and Pedestrian Commission. The Commission shall consist of 9 members, all of whom shall be citizens and residents of the city. All members shall be appointed by the City Council in accordance with this policy and the City Clerk's Office shall send the appointment letters for those members. The Director of the Recreation and Parks Department and the Director of the Public Works Department shall serve as ex-officio, non-voting advisors to the Commission. East Carolina University, the Pitt County Planning Department, and the Eastern Carolina Injury Prevention Program shall each designate a representative to serve as a non-voting advisor to the Commission.

Greenville Utilities Commission. The commission shall consist of eight members, one of whom is the City Manager. The charter specifies that the members shall have utilities expertise. Representation should include some members with financial, engineering, environmental, technical, or development backgrounds. Five City members shall be appointed by the City Council in accordance with this policy, and appointment letters for the City members sent by the City Clerk's Office. Two County candidates shall be nominated by the County Commissioners, at which time the County Clerk shall submit to the City Clerk a letter of recommendation. (The two candidates shall be bonafide residents of Pitt County but residing outside the city limits, who shall be customers of Greenville Utilities.) The City Clerk's Office shall then obtain background information on the nominee and provide it along with the letter to the City Council liaison. The information shall be provided to City Council for consideration at a regular City Council meeting. The City Council shall have the right to reject any nominee from the Board of Commissioners and to request additional nominees. If the Pitt County Board of Commissioners fails to recommend a nominee to the City Council within 60 days of the original date requested by the City Council, then the City Council may appoint any individual that meets the residency requirement. The City Clerk's Office shall send a letter of appointment to the new members informing them of the appointment. A copy of the letter for County appointments shall be sent to the County Clerk. Greenville Utilities Commissioners filling the first three-year term shall automatically fill a second three-year term unless the City Council initiates the replacement process.

The procedure hereinafter set forth for the nomination and appointment of commissioners applies to commissioners appointed after October 11, 2010, other than commissioners who are to be nominated by the Pitt County Board of Commissioners. Additionally, whenever a commissioner has completed a first three year term, the commissioner will be automatically appointed to a second three year term, without a nomination, unless City Council initiates the replacement process for the commissioner.

Nominations to the City Council will be made by City Council Members or the Mayor on a rotating basis in the following order: Council Member, District Four, for the first appointment, Council Member, District Five, for the second appointment, the Mayor, for the third appointment, Council Member, At-large, for the fourth appointment, Council Member, District One, for the fifth appointment, Council Member, District Two, for the sixth appointment,

Council Member, District Three, for the seventh appointment, and, thereafter, the rotation shall be repeated.

City Council is not required to appoint the person nominated by a Council Member or the Mayor and may, but is not required to, request another nomination from the Council Member or the Mayor making the nomination in the event the initial nominee is not appointed. In the event the person nominated by a Council Member or the Mayor is not appointed and another nomination from the Council Member or the Mayor making the nomination is not requested, any Council Member or the Mayor may make a nomination. City Council shall make the appointment by a motion of appointment.

In the event there is a vacancy prior to the completion of the term of office in a commissioner position which has been appointed by City Council after October 11, 2010, the nomination of a person to fill the unexpired term will be made by the Council Member or the Mayor who made the initial nomination to City Council to appoint the commissioner. In the event there is a vacancy prior to the completion of a term of office in a commissioner position which was not appointed by City Council after October 11, 2010, the nomination will be made in accordance with the reverse order of the rotating basis set forth above and such nomination will complete the Council Member's or the Mayor's turn in the rotation for filling unexpired terms not previously appointed by City Council only. City Council is not required to appoint the person nominated by a Council Member or the Mayor and may, but is not required to, request another nomination from the Council Member or the Mayor making the nomination in the event the initial nominee is not appointed. In the event the person nominated by a Council Member or the Mayor is not appointed and another nomination from the Council Member or the Mayor making the nomination is not requested, any City Council Member or the Mayor may make a nomination. City Council shall make the appointment by a motion of appointment.

Historic Preservation Commission. The commission shall consist of ten members, the majority of whom shall have demonstrated special interest, experience, or education in history, architecture, and/or archaeology. All members shall be appointed by the City Council in accordance with this policy and the City Clerk's Office shall send the appointment letters for those members.

Housing Authority. The authority shall consist of seven commissioners. One commissioner shall be appointed by the Mayor and all other commissioners shall be appointed by City Council. No commissioner may be a city official. At least one of the commissioners shall be a person who is directly assisted by the public housing authority. The City Council shall appoint the person directly assisted by the authority unless the authority's rules require that the person be elected by other persons who are directly assisted by the authority. If the commissioner directly assisted by the public housing authority ceases to receive such assistance, the commissioner's office shall be abolished and another person who is directly assisted by the public housing authority shall be appointed by the City Council.

The procedure hereinafter set forth for the nomination and appointment of commissioners applies to commissioners appointed on or after June 30, 2009, (the effective date of Session Law 2009-211). Appointments will be made by City Council unless the appointment is required to be made

by the Mayor to ensure that the authority has a commissioner appointed by the Mayor or unless the appointment to be made is the commissioner on the authority appointed as the commissioner who is directly assisted by the authority and the authority's rules require that the person appointed is elected by other persons directly assisted by the authority.

When the appointment is made by City Council, nominations to the City Council will be made by City Council Members on a rotating basis in the following order: Council Member, At-Large, for the first appointment, Council Member, District One, for the second appointment, Council Member, District Two, for the third appointment, Council Member, District Three, for the fourth appointment, Council Member, District Four, for the fifth appointment, Council Member, District Five, for the sixth appointment, and, thereafter, the rotation shall be repeated. City Council is not required to appoint the person nominated by a Council Member and may, but is not required to, request another nomination from the Council Member making the nomination in the event the initial nominee is not appointed. In the event the person nominated by a Council Member is not appointed and another nomination from the Council Member making the nomination is not requested, any City Council Member may make a nomination. City Council shall make the appointment by a motion of appointment.

At all times, at least one (1) of the commissioners shall have been appointed by the Mayor. Therefore, the appointment by City Council will not occur until the next appointment whenever the appointment to be made is the only commissioner position on the authority who has been appointed by the Mayor. The Mayor shall make the appointment or reappointment in this event by filing with the City Clerk a certificate of appointment or reappointment.

At all times, at least one (1) of the commissioners shall be a person directly assisted by the authority. Therefore, the nomination by a Council Member and the appointment by City Council will not occur until the next appointment whenever the appointment to be made is the commissioner on the authority appointed as the commissioner who is directly assisted by the authority and the authority's rules require that the person appointed is elected by other persons directly assisted by the authority. City Council shall confirm the appointment of the person who is elected by other persons directly assisted by the authority after receipt of written notice of the election of this person from the authority whenever the authority's rules require that the person appointed as the person directly assisted by the authority is elected by other persons directly assisted by the authority. City Council shall make the confirmation of the appointment by a motion of appointment. In the event the authority's rules do not require that the person appointed as the commissioner directly assisted by the authority is elected by other persons who are directly assisted by the authority and the appointment to be made is the commissioner on the authority who is appointed as the commissioner directly assisted by the authority, the nomination by a Council Member on the rotating basis will not occur until the next appointment and, instead of a nomination, a recommendation from the authority will be sought. City Council is not required to appoint the person recommended by the authority and may, but is not required to, request another recommendation from the authority in the event the initial recommended person is not appointed. In the event the person recommended by the authority is not appointed and another recommendation from the authority is not requested, any Council Member may make a nomination. City Council shall make the appointment by a motion of appointment.

In the event there is a vacancy prior to the completion of the term of office in a commissioner position which has been appointed by City Council, the nomination of a person to fill the unexpired term will be made by the Council Member who made the initial nomination to City Council to appoint the commissioner. In the event there is a vacancy in a commissioner position which was not appointed by City Council and which is not either the required Mayor appointment or person directly assisted by the authority appointment, the nomination will be made in accordance with the reverse order of the rotating basis set forth above and such nomination will complete the Council Member's turn in the rotation for filling unexpired terms not previously appointed by City Council only. City Council is not required to appoint the person nominated by a Council Member and may, but is not required to, request another nomination from the Council Member making the nomination in the event the initial nominee is not appointed. In the event the person nominated by a Council Member is not appointed and another nomination from the Council Member making the nomination is not requested, any City Council Member may make a nomination. City Council shall make the appointment by a motion of appointment.

In the event there is a vacancy prior to the completion of the term of office in a commissioner position which is either the required Mayor appointment or the person directly assisted by the authority appointment, the procedure to appoint and recommend or elect shall be the same as the procedure to appoint and recommend or elect a person for a full term.

Human Relations Council. The 18-member council shall consist of fifteen citizens, one East Carolina University student, one Shaw University student, and one Pitt Community College student. The fifteen citizens shall reside within the corporate limits of the city. The three students shall reside within the corporate limits of the city during the school year. All members shall be appointed by the City Council in accordance with this policy and the City Clerk's Office shall send the appointment letters for those members.

Investment Advisory Committee. The three-member committee shall be composed of three members that have a background in investing and money management (i.e., bankers, stock brokers, accountants, economists, etc.). All members shall be appointed by the City Council in accordance with this policy and the City Clerk's Office shall send the appointment letters to the members.

Neighborhood Advisory Board. The Neighborhood Advisory Board shall consist of ten regular board members with two regular board members being elected from each of the five districts from which Council Members are elected and five alternate board members with one alternate board member being elected from each of the five districts from which Council Members are elected. Each neighborhood association shall appoint a liaison member to the Neighborhood Advisory Board and an alternate liaison member shall serve at the pleasure of the neighborhood association. The alternate liaison member, while attending a meeting of the liaison members or of the Neighborhood Advisory Board in the absence of the liaison member from the same neighborhood association, may serve as the liaison member and shall have and may exercise the powers of the liaison member.

The liaison members of the Neighborhood Advisory Board shall elect, at the initial meeting of the liaison members and annually thereafter, at a meeting of the liaison members established by the Neighborhood Advisory Board for that purpose, ten board members of the Neighborhood Advisory Board with two board members being elected from each of the five districts from which Council Members are elected. The liaison members of the Neighborhood Advisory Board who represent neighborhood associations of neighborhoods located primarily within a district from which a Council Member is elected shall only be eligible to vote for board members for said district. The board members of the Neighborhood Advisory Board elected from a district from which a Council Member is elected must be a liaison member for a neighborhood association of a neighborhood located primarily within said district. For the purpose of determining eligibility to vote and to serve as a board member, a neighborhood is located primarily within the district if the majority of the residences in the neighborhood served by the neighborhood association are located within said district.

The Neighborhood Liaison/Ombudsman shall serve as an ex-officio, non-voting member of the Neighborhood Advisory Board. The Liaison Members of the Neighborhood Advisory Board shall consist of the liaison members appointed by each neighborhood association. In addition to electing the board members of the Neighborhood Advisory Board, the liaison members shall offer feedback to the board members of the Neighborhood Advisory Board at least twice each year at a meeting of the Neighborhood Advisory Board.

Pitt-Greenville Airport Authority. The authority shall have eight members, four appointed by the City Council and four appointed by the Pitt County Commissioners. The City Council and Pitt County Commissioner liaisons shall serve as voting members of the authority. City members shall be appointed by the City Council in accordance with this policy. Appointment letters shall be sent by the City Clerk's Office for City Members. County members shall be appointed by the County Commissioners and appointment letters for those members sent by the County Clerk's Office. A copy of the letter shall be forwarded to the City Clerk's Office, at which time the City records shall be updated.

The procedure hereinafter set forth for the nomination and appointment of Authority members applies to authority members appointed after October 11, 2010, other than Authority members who are to be appointed by the Pitt County Board of Commissions. Appointments will be made by City Council unless the appointment is required to be made by the Pitt County Board of Commissioners.

When the appointment is made by City Council, nominations to the City Council will be made by City Council Members or the Mayor on a rotating basis in the following order: Council Member, District Three, for the first appointment, Council Member, District Four, for the second appointment, Council Member, District Five, for the third appointment, the Mayor, for the fourth appointment, Council Member, At-large, for the fifth appointment, Council Member, District One, for the sixth appointment, Council Member, District Two, for the seventh appointment, and, thereafter, the rotation shall be repeated.

City Council is not required to appoint the person nominated by a Council Member or the Mayor and may, but is not required to, request another nomination from the Council Member or the

Mayor making the nomination in the event the initial nominee is not appointed. In the event the person nominated by a Council Member or the Mayor is not appointed and another nomination from the Council Member or the Mayor making the nomination is not requested, any City Council Member or the Mayor may make a nomination. City Council shall make the appointment by a motion of appointment.

In the event there is a vacancy prior to the completion of the term of office in an Authority member position which has been appointed by City Council after October 11, 2010, the nomination of a person to fill the unexpired term will be made by the Council Member or the Mayor who made the initial nomination to City Council to appoint the commissioner. In the event there is a vacancy prior to the completion of the term of office in a commissioner position which was not appointed by City Council after October 11, 2010, the nomination will be made in accordance with the reverse order of the rotation set forth above and such nomination will complete the Council Member's or the Mayor's turn in the rotation for filling unexpired terms not previously appointed by City Council only. City Council is not required to appoint the person nominated by a Council Member or the Mayor and may, but is not required to, request another nomination from the Council Member or the Mayor making the nomination in the event the initial nominee is not appointed. In the event the person nominated by a Council Member or the Mayor is not appointed and another nomination from the Council Member or the Mayor making the nomination is not requested, any City Council Member or the Mayor may make a nomination. City Council shall make the appointment by a motion of appointment.

Pitt-Greenville Convention and Visitors Authority. The authority shall have eleven members as follows: Four owners or operators of hotels, motels, or other taxable accommodations, two of whom shall be appointed by the Pitt County Board of Commissioners and two of whom shall be appointed by the City Council; two individuals who are directly involved in a tourist or convention-related business but do not own or operate a hotel, motel, or other taxable accommodation, one appointed by the Board of Commissioners and one appointed by the City Council; two residents of Greenville, appointed by the City Council, and two residents of Pitt County but not of Greenville, appointed by the Pitt County Board of Commissioners, none of whom is involved in a tourist or convention-related business or owns or operates a hotel, motel, or other taxable accommodation; and one individual who is a member of the Pitt-Greenville Chamber of Commerce, appointed by the Chairman of the Board of Directors of the Pitt-Greenville Chamber of Commerce. City members of the Convention and Visitors Authority Board shall be appointed by the City Council. Appointment letters shall be sent by the City Clerk's Office for the City appointments. The City Council shall also make a nomination to the County on five of the members, and appointment of County members shall be made by the Pitt County Commissioners based on the nominations of City Council. The Board of Commissioners has the right to reject any nominee from the City Council and request additional nominees. If the City Council fails to recommend a nominee to the County within sixty days after a written request for nominees is sent by the County to the City, then the Board of Commissioners may appoint any individual meeting the eligibility requirements of the Enabling Legislation. The County Clerk shall be responsible for sending out appointment letters for County members. The Chamber of Commerce shall appoint one of its members and is responsible for sending out the appointment letter for that appointment and sending a copy of the letter to the City Clerk's Office, at which time the records are updated.

Planning and Zoning Commission. The commission shall be composed of nine regular members and three alternate members. Appointments of members appointed by City Council shall be made to promote the representation of a variety of interests. This representation should include some members with environmental, neighborhood preservation, development and business interests. Seven regular City members and two alternate members shall reside within the corporate limits of the City and shall be appointed by the City Council. Appointment letters shall be sent from the City Clerk's Office for the City appointments. The County Commissioners shall appoint two regular County members and one alternate member. The appointment letter for County appointees shall be sent from the County Clerk's Office. A copy of the appointment/reappointment letters shall be sent to the City Clerk's Office, at which time the City records shall be updated.

The procedure hereinafter set forth for the nomination and appointment of Planning and Zoning Commission members applies to commission members appointed after October 11, 2010, other than Planning and Zoning Commission members who are to be appointed by the Pitt County Board of Commissioners. Appointments will be made by City Council unless the appointment is required to be made by the Pitt County Board of Commissioners.

When the appointment is made by City Council, nominations to the City Council will be made by City Council Members or the Mayor on a rotating basis in the following order: Council Member, District Two, for the first appointment, Council Member, District Three, for the second appointment, Council Member, District Four, for the third appointment, Council Member, District Five, for the fourth appointment, the Mayor, Council Member, At-large, for the sixth appointment, and Council Member, District One, for the seventh appointment

City Council is not required to appoint the person nominated by a Council Member or the Mayor and may, but is not required to, request another nomination from the Council Member or the Mayor making the nomination in the event the initial nominee is not appointed. In the event the person nominated by a Council Member or the Mayor is not appointed and another nomination from the Council Member or the Mayor making the nomination is not requested, any Council Member or the Mayor may make a nomination. City Council shall make the appointment by a motion of appointment.

Prior to City Council making an appointment as a result of a nomination, the elevation of alternate members in accordance with the Alternate Members section of this policy shall occur. In the event the term of an alternate member position is expiring and the person holding this alternate member position remains in this alternate member position after appointments are made to other positions to be filled at the same time and the elevation of alternate members in accordance with the Alternate Members section of this policy has occurred, the person holding this alternate member position will be automatically reappointed without the necessity of a nomination and the City Council shall make the reappointment by a motion of appointment.

When more than one position is to be filled for the first seven positions filled after October 11, 2010, the positions to be filled will be assigned to the elected officials whose time it is to make a nomination as follows: first, if any of the positions to be filled is held by a person residing in a

district which a Council Member whose time it is to make a nomination is elected to represent, that Council Member will be assigned to make the nomination for that position, (provided that, if more than one position to be filled are held by persons residing in the same district which a Council Member whose time it is to make a nomination for these positions is elected to represent, the Council Member will be assigned to make the nomination for the position held by person residing in his district alphabetically by last name of the person holding the position) and then, for any remaining positions, elected officials whose time it is to make a nomination will be assigned in the order of the rotation to make the nomination for positions held by persons alphabetically by the last name of the person holding the position. For example, if two positions are to be filled and the persons holding the positions are John Doe residing in District One and Jane Roe residing in District Three and Council Member, District Three and Council Member District Four are to make the nominations, the Council Member from District Three will make the nomination for the position held by Jane Roe and the Council Member from District Four will make the nomination for the position held by John Doe. As a further example, if two positions are to be filled and the persons holding the positions are John Doe residing in District One and Jane Roe residing in District Three and the elected officials to make the nomination are Council Member, District Four and Council Member District Five, the Council Member, District Four will make the nomination for the position held by John Doe and the Council Member District Five will make the nomination for the position held by Jane Roe. In the event any of the appointments will result in a new person being appointed as a regular member after the elevation of alternate members in accordance with the Alternate Members section of this policy, the regular member positions to be filled will be assigned to the elected officials whose time it is to make the nominations for positions in the order of the rotation to make the nominations for positions. In a similar manner, the highest ranked alternate positions will be assigned to the elected officials whose time it is to make the nominations for positions in the order of the rotation to make the nominations for positions.

When a position is filled after a nomination for the first seven positions filled after October 11, 2010, the position on the Commission held by the person who was nominated by the elected official will thereafter be assigned for nomination by the same elected official who made the initial nomination of that person. For example, if a position is filled after a nomination by Council Member, District One, and it is time to make an appointment for a position on the Commission held by the person who was nominated by Council Member, District One again, due to the expiration of the term or a vacancy in the position on the Commission held by the person who was nominated by Council Member, District One, the nomination for that position will be made by Council Member, District One.

For the eighth and ninth position filled after October 11, 2010, nominations will be made in the rotation order indicated above whenever it is time to make an appointment in these two positions due to expiration of a term or a vacancy. For example, if a vacancy occurs in the eighth position and Council Member District One made the most recent nomination for the eighth position and Council Member District Two has made the most recent nomination for the ninth position, when it is time to make another appointment for either position again due to expiration of a term or a vacancy, the nomination will be made by the Council Member, District Three and then when it is time to make another appointment for either position again due to expiration of a term or a vacancy the nomination will be made by the Council Member, District Four.

Police Community Relations Committee. The committee shall be composed of seven members (one from each district, one at-large and one appointed by the Mayor). Members are appointed directly by the Mayor and individual Council Members. Members should not hold any elected office.

Public Transportation and Parking Commission. The commission shall be composed of seven members, all of whom shall be citizens and residents of the City. All members shall be appointed by the City Council in accordance with this policy and the City Clerk's Office shall send the appointment letters for those members.

Recreation and Parks Commission. The commission shall be composed of nine members, all of whom shall be residents of the City. All members shall be appointed by the City Council in accordance with this policy and the City Clerk's Office shall send the appointment letters for those members.

The procedure hereinafter set forth for the nomination and appointment of commission members applies to commission members appointed after October 11, 2010.

Nominations to the City Council will be made by City Council Members or the Mayor on a rotating basis in the following order: Council Member, District One, for the first appointment, Council Member, District Two, for the second appointment, Council Member, District Three, for the third appointment, Council Member, District Four, for the fourth appointment, Council Member, District Five, for the fifth appointment, the Mayor, for the sixth appointment, and, Council Member, At-large, for the seventh appointment.

City Council is not required to appoint the person nominated by a Council Member or the Mayor and may, but is not required to, request another nomination from the Council Member or the Mayor making the nomination in the event the initial nominee is not appointed. In the event the person nominated by a Council Member or the Mayor is not appointed and another nomination from the Council Member or the Mayor making the nomination is not requested, any Council Member or the Mayor may make a nomination. City Council shall make the appointment by a motion of appointment.

When more than one position is to be filled for the first seven positions filled after October 11, 2010, the positions to be filled will be assigned to the elected officials whose time it is to make a nomination as follows: first, if any of the positions to be filled is held by a person residing in a district which a Council Member whose time it is to make a nomination is elected to represent, that Council Member will be assigned to make the nomination for that position, (provided that, if more than one position to be filled are held by persons residing in the same district which a Council Member whose time it is to make a nomination for these positions is elected to represent, the Council Member will be assigned to make the nomination for the position held by person residing in his district alphabetically by last name of the person holding the position) and then, for any remaining positions, elected officials whose time it is to make a nomination will be assigned in the order of the rotation to make the nomination for positions held by persons alphabetically by the last name of the person holding the position. For example, if two

positions are to be filled and the persons holding the positions are John Doe residing in District One and Jane Roe residing in District Three and Council Member, District Three and Council Member District Four are to make the nominations, the Council Member from District Three will make the nomination for the position held by Jane Roe and the Council Member from District Four will make the nomination for the position held by John Doe. As a further example, if two positions are to be filled and the persons holding the positions are John Doe residing in District One and Jane Roe residing in District Three and the elected officials to make the nomination are Council Member, District Four and Council Member District Five, the Council Member, District Four will make the nomination for the position held by John Doe and the Council Member District Five will make the nomination for the position held by Jane Roe.

When a position is filled after a nomination for the first seven positions filled after October 11, 2010, the position will thereafter be assigned for nomination by the same elected official who made the initial nomination for that position. For example, if a position is filled after a nomination by Council Member, District One, and it is time to make an appointment for that position again, due to the expiration of the term or a vacancy, Council Member, District One, will make the nomination for that position.

For the eighth and ninth position filled after October 11, 2010, nominations will be made in the rotation order indicated above whenever it is time to make an appointment in these two positions due to expiration of a term or a vacancy. For example, if a vacancy occurs in the eighth position and Council Member District One made the most recent nomination for the eighth position and Council Member District Two has made the most recent nomination for the ninth position, when it is time to make another appointment for either position again due to expiration of a term or a vacancy, the nomination will be made by the Council Member, District Three and then when it is time to make another appointment for either position again due to expiration of a term or a vacancy the nomination will be made by the Council Member, District Four.

Redevelopment Commission. The commission shall consist of seven members, all of whom shall be residents of the City. All members shall be appointed by the City Council in accordance with this policy and the City Clerk's Office shall send the appointment letters for those members.

The Mayor and each Council Member nominates to City Council the persons to serve on the Redevelopment Commission. When a vacancy occurs in a position filled after a nomination by an elected official, the same elected official who made the nomination will make the nomination for that position again.

City Council is not required to appoint the person nominated by the Council Member or Mayor and may, but is not required to, request another nomination from the Council Member or Mayor making the nomination in the event the initial nominee is not appointed. In the event the person nominated by a the Council Member or Mayor is not appointed and another nomination from the Council Member or Mayor making the nomination is not requested, any Council Member or the Mayor may make a nomination. City Council shall make the appointment by a motion of appointment.

Sheppard Memorial Library Board. The board shall consist of nine members. City members shall be appointed by the City Council in accordance with this policy. Appointment letters shall be sent from the City Clerk's Office for the City appointments. The County Commissioners shall appoint county candidates, and the appointment letters for County members shall be sent from the County Clerk's Office. A copy of the appointment/reappointment letter shall be sent to the City Clerk's Office, at which time the City records shall be updated. The City Council liaison to the Sheppard Memorial Library Board shall serve as a voting ex-officio member of the Board.

Youth Council. The Greenville Youth Council shall be composed of twenty members as follows: fifteen representatives from each of the Pitt County public high schools and five representatives from private schools, charter schools and home schools located in Pitt County. All members shall be appointed by the City Council in accordance with this policy and the City Clerk's Office shall send the appointment letters for those members.

When an appointment is to be made by City Council on a particular board or commission, the City Council liaison shall contact the City Clerk's Office by noon on the Monday prior to the Thursday City Council meeting with a name of the person to be recommended for appointment. (Exceptions to this are (1) the Police Community Relations Committee, to which the Mayor and City Council Members each make individual appointments without a vote of City Council, (2) the Housing Authority, to which either, in accordance with the procedure set forth in the Housing Authority section above, the Mayor makes the appointment or City Council appoints commissioners after receipt of a nomination from Council Members on a rotating basis or City Council appoints a commissioner after receipt of a recommendation from the Housing Authority or City Council confirms the appointment of a commissioner who is elected by other persons directly assisted by the Housing Authority and (3) the Redevelopment Commission, to which the Mayor and each Council Member make a nomination for the individual members so that the Commission consists of members appointed by City Council after receipt of a nomination by either the Mayor or a Council Member.) If a talent bank form is not on file for the individual, the City Council Member shall be responsible for providing one to the City Clerk prior to that time. The City Clerk's Office shall be responsible for providing a copy of the talent bank form to all City Council Members at the Monday night meeting so that a recommendation can be made by the City Council liaison for appointment on Thursday night. Talent bank forms shall be provided to City Council on Monday night and the recommendation discussed, giving other City Council Members an opportunity for comment on the recommendation. A consensus on appointees shall be made at the Monday meeting. If written information is unavailable to be presented at the Monday night meeting, the City Council liaison shall provide a copy of the talent bank form to the City Clerk's Office by Wednesday at noon to be submitted to Council in the Wednesday Notes to Council. Official action on appointments shall be taken at the Thursday Council meeting held during the month in which the appointment is due, unless a recommendation has not been selected, at which time the appointment shall be continued to the following month.

Appointment to a Board at the Conclusion of Service on a Board

When a citizen completes at least one full term on a board or commission, that person shall be eligible to serve on another as a City member at the completion of the term. However, a one-year waiting period is required in order to serve on the same board or commission.

Alternate Members

On certain boards and commissions, members shall originally be appointed as Alternate Members in order to provide a learning period unless there are more vacancies on the Board than the number of alternate slots for the Board at the time of appointment. The alternates vote only when a regular member is absent or unable to vote. City alternates shall be provided for various boards as follows:

Affordable Housing Loan Committee	Alternate
Board of Adjustment	Alternate Nos. 1, 2 and 3
Planning and Zoning Commission	Alternate Nos. 1 and 2

Alternates shall move up in rank or to a regular member slot as vacancies become available on the board and in accordance with the following rotation. In the instance of only one alternate, when a vacancy becomes available to replace a regular member who is ineligible for reappointment or is not reappointed, the alternate shall move up and a new alternate member appointed. In the instance of two alternates, when a vacancy becomes available to replace a regular member who is ineligible for reappointment or is not reappointed, Alternate #1 shall be elevated to a regular member, Alternate #2 shall be elevated to Alternate #1, and a new Alternate #2 appointed. In the instance of three alternates, when a vacancy becomes available to replace a regular member who is ineligible for reappointment or is not reappointed, Alternate #1 shall be elevated to a regular member, Alternate #2 shall be elevated to Alternate #1, Alternate #3 shall be elevated to Alternate #2, and a new Alternate #3 appointed. In the event that there are two elevations at one time, the Alternate members shall move in the order in which they would have normally been elevated.

Reappointments

Persons serving on City boards and commissions having a term of more than three years shall be ineligible for consideration for reappointment. Persons serving on City boards and commissions having a term of three years or less shall be eligible for consideration for reappointment to a second term, but shall be ineligible for a third term. Persons serving unexpired terms on any City board or commission shall be eligible for consideration for appointment to a full term. On joint City and County boards, such as the Pitt-Greenville Airport Authority and the Sheppard Memorial Library Board, City appointees may be reappointed to a second term. The purpose of this exception is to create the same reappointment policy for City appointees as that of the County on joint City/County boards; this policy shall be reviewed if the County of Pitt amends the County appointment policy with regard to joint City/County boards. On the Firefighter's Relief Fund Committee, City Council appointees may be reappointed without a limit on the number of terms. The purpose of this exception is to create the same reappointment policy for City Council appointees and those elected or appointed by others in accordance with statutory

provisions. On the Housing Authority, City Council appointees may be reappointed to a second term.

No Holdover Beyond Term

Upon the expiration of the term of office of a member of a board or commission, the member shall not continue to serve until a successor is appointed unless the member is eligible to be reappointed for another term. The holdover service of the member eligible to be reappointed for another term shall be considered to be a part of the member's service for the next term

Nominations for Extended Vacancies

In the event there is a vacancy on a City board or commission which has been on the City Council agenda for appointment by City Council for more than three (3) calendar months in which a regular City Council meeting has been held, then any Council Member may make a nomination to fill the vacancy without regard to any other provision relating to who has the authority to make the nomination. If there are more than one nomination, the appointment shall be conducted in accordance with the procedure for nominations and elections in Robert's Rules of Order.

Resignation of Board or Commission Members Elected to Public Office

Members of City boards or commissions who are elected as Mayor or as a City Council Member shall submit a resignation from the board or commission prior to becoming installed as an elected official.

Service of a Full-Time Employee on a Board or Commission

A full-time employee of the City of Greenville shall not be eligible to serve on a city authority, board, commission or committee as an appointee of the Mayor, City Council or a Council Member. If such a member becomes a full-time employee of the City of Greenville, that shall constitute a resignation from the authority, board, commission or committee upon which he serves, effective upon the date a replacement is appointed. The prohibition established herein shall not apply to any current full-time City employee who is currently serving on an authority, board, commission or committee for so long as said employee serves on the same body until the completion of the current term. The prohibition established herein shall not apply to service resulting from being an ex-officio member.

Police

Designation of Liaisons and their Roles and Responsibilities

Designation. The Mayor shall designate City Council Members and the Mayor as liaisons to boards and commissions whose members are appointed by the City. Prior to the designation of the liaisons, the Mayor shall ask Council Members to which boards and commissions they prefer

to be designated as liaison. The Council Members shall be provided an opportunity to discuss their choices with the Mayor.

Length of Designation. The liaisons shall serve until the end of their elected two-year term as a City Council Member or the Mayor.

Roles of the Liaisons. The liaison is a communication link between the City Council and the appointed board or commission. The liaison role is not to regularly and actively discuss subjects on the agenda with the board or commission members, but to offer insight into overall City goals and policies that have been adopted by the City Council as it may relate to an issue being considered by the board or commission. The liaison, from time to time as appropriate, shall inform City Council of major activities of the board or commission.

Attendance. The attendance at board or commission meetings is at the discretion of the liaison. While attendance at every meeting is not required, attendance sufficient to understand the subjects before the board or commission is important.

Voting. The liaison is not a voting member of the board or commission and may not make motions at a meeting of the board or commission. The exception to this is the Sheppard Memorial Library Board of Trustees and the Pitt-Greenville Airport Authority where the liaison is a voting member and should participate as a full member.

Appointments. The liaison is to review the applications in the talent bank for vacancies on the board or commission and to make nominations of persons to City Council to fill the vacancies. The exception to this is Housing Authority, the Police Community Relations Committee, the Redevelopment Commission, Board of Adjustment, Greenville Utilities Commission, Pitt-Greenville Airport Authority, Planning and Zoning Commission and Recreation and Parks Commission.

City Council is not required to appoint the person nominated by the liaison and may, but is not required to, request another nomination from the liaison making the nomination in the event the initial nominee is not appointed. In the event the person nominated by a liaison is not appointed and another nomination from the liaison making the nomination is not requested, any Council Member or the Mayor may make a nomination. City Council shall make the appointment by a motion of appointment.

Attendance of Members

All appointed members of the various boards and commissions are expected to attend all regular meetings. Whenever a member of any board or commission has missed two or more consecutive regular meetings or fails to attend seventy-five percent of all regularly scheduled meetings in a one year period commencing annually on the month immediately after the month which City Council is regularly scheduled to make an appointment for that board or commission as a result of an expired term, the staff liaison to the board or commission shall notify the City Clerk of the member's attendance record. If a regularly scheduled meeting is cancelled due to a lack of a quorum, a member will be considered as failing to attend the meeting if the member's failure to

attend or failure to indicate an intent to attend the meeting contributes to the lack of a quorum. The City Clerk's Office shall send a letter and an email to the member asking to be notified about the person's ability to attend future meetings. A copy of the letter and email shall be sent to the City Council liaison. If, within 15 work days after the date the letter is mailed and the email is sent, the member responds that he desires to continue serving and will attend future meetings on a regular basis, the City Clerk's Office will notify the City Council liaison, and the attendance will be monitored for the next two regularly scheduled meetings as a probationary period. If the attendance requirements are still not met during the two regularly scheduled meeting probationary period or during the six month period after the two month probationary period or if the person either fails to respond to the letter within 15 work days after the date the letter is mailed and the email is sent, or indicates that he is unable or unwilling to attend, the City Council liaison will be notified by the City Clerk's Office and the vacancy placed on the next possible City Council agenda for replacement or other appropriate action. The appointment shall be for the duration of the unexpired term of the member whose position has been vacated.

Acknowledgement of Attendance Requirement

Persons appointed to a board or commission shall be provided a copy of the attendance requirement and sign a form provided by the City which acknowledges the understanding of the attendance requirement.

Quorum Issues

In the event a board or commission has failed to have two (2) consecutive regularly scheduled meetings due to a lack of a quorum or has failed to have at least fifty percent of its regularly scheduled meetings in a calendar year due to a lack of a quorum, City Council shall be notified. The City employee providing support to the board or commission shall notify the City Manager and City Clerk of this failure. The City Clerk will then notify City Council of the failure electronically. Any member of Council may place the issue for discussion or action in accordance with the Policy on Mayor and Council Members Adding an Agenda Item approved by City Council. If placed on a City Council agenda, City Council will consider whether the board or commission should continue or be eliminated, whether the membership of the board or commission should be reduced, whether the quorum for the board of commission should be reduced, and whether alternate members should be appointed to the board or commission.

Recommendations to City Council

When a board or commission makes a recommendation or comment to City Council, City Council shall be provided the recommendation or comment. The recommendation or comment shall be approved by an action of the board or commission. The recommendation or comment shall be sent to the City Manager and City Clerk by the City employee providing staff support to the board or commission. The City Clerk will forward the recommendation or comment to City Council electronically. Any member of City Council may place the recommendation or comment on a City Council agenda for discussion or action in accordance with the Policy on Mayor and Council Members Adding an Agenda Item approved by City Council.

The following are not subject to this procedure:

- (i) Recommendations from a board or commission in response to a request for a recommendation from City Council,
- (ii) recommendations from the Planning and Zoning Commission, Recreation and Parks Commission, and Affordable Housing Loan Committee requiring a public hearing by City Council, and
- (iii) recommendations from the Greenville Utilities Commission, Redevelopment Commission and Airport Authority.

These items will be placed on a City Council agenda by the City Manager in accordance with standard agenda preparation procedures.

Electronic Participation in Meetings

A board or commission may allow a member to participate in a meeting electronically. However, a member who is not physically present at the meeting shall not be counted as present for the purpose of establishing a quorum or for the purpose of compliance with the attendance requirement of this Policy and shall not vote on any matter before the board or commission.

This provision shall not apply to the Greenville Utilities Commission, Airport Authority, and Housing Authority and these boards or commissions may establish their own policy relating to electronic participation in meetings.

Minutes

Minutes shall be prepared for each meeting of a board or commission. The minutes for a regular meeting shall be scheduled for approval by the board or commission at its next regular meeting. The minutes for a special meeting shall be scheduled for approval by the board or commission no later than the next regular meeting held thirty days after the special meeting. The approved minutes shall be posted on the City's website no later than seven calendar days after approval.

Annual Presentation to Council

Boards or commissions will make an annual presentation to City Council. The City Clerk shall coordinate the scheduling of the date for the presentation. The presentation shall provide information on the activities and accomplishments during the past year and the goals and activities for the upcoming year. The goals and activities for the upcoming year shall support approved City Council goals, programs, and projects. The presentation shall comply with the Greenville City Council Policy on Time Limitations at City Council Meetings adopted at City Council.

Validity or Legality of Appointment Not Impacted

Failure to observe any requirement of this policy shall not affect the validity or legality of any appointment.

This policy was adopted by the Greenville City Council on October 11, 2010, and amended June 12, 2014, August 15, 2016, and October 9, 2017. **In addition, this policy was readopted on February 11, 2019 and made retroactive to and effective on September 1, 2018.**



City of Greenville, North Carolina

Meeting Date: 2/11/2019
Time: 6:00 PM

Title of Item: Resolution amending the Assignment of Classes to Pay Grades and Ranges (Pay Plan)

Explanation: **Abstract:** The Police Department (GPD) is proposing to reclassify existing allocated positions to maximize managerial effectiveness and efficiency. The GPD is requesting to move the current Zone Commander positions from Lieutenants to Captains and to reclassify the current Captain positions to Major positions. The Public Information Office, a division of the City Manager's Office, is proposing to retitle the classification of Communications Technician to Communications Specialist.

Explanation: As part of a department reorganization, GPD is proposing to move the current Zone Commanders (4 positions) from Lieutenants (current Pay Grade 540) to Captains (newly created Pay Grade 545) and reclassify the current Captains to Majors (maintain Pay Grade 550).

GPD is aligning its resources under the Zone Commanders to allow growth of the department to continue in the philosophy of zone policing. Realigning these positions will eliminate some confusion for patrol officers who currently report to a shift lieutenant while on patrol and a zone lieutenant in the area where they are assigned to work. The rank structure will be more clearly defined for each zone with this adjustment.

As such, GPD also recommends renaming the current Captains to become Majors, again to represent the responsibilities and duties they perform and to clearly define the rank structure for each bureau. This will be a title change only.

The Public Information Office, a division of the City Manager's Office, is proposing to retitle the classification of Communications Technician to Communications Specialist. The title change better aligns with industry titling of the position with comparable job duties and responsibilities. This will be a title change only.

Fiscal Note:

There will be no change in the pay for the Zone Commanders (new Zone Captains). After the six-month probationary period, the new Captains will be eligible to receive an additional 5% pay increase. This increase will not be effective until the new fiscal year (FY 19/20).

The new Major position will be a title change only and will have no fiscal impact.

The new Communications Specialist position will be a title change only and will have no fiscal impact.

Recommendation:

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

ATTACHMENTS:

- ▣ Resolution amending pay plan

RESOLUTION NO. _____

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

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

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

<u>Classification Title</u>	<u>Pay Grade</u>
Communications Specialist	111
Police Captain	545
Police Major	550

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

<u>Classification Title</u>	<u>Pay Grade</u>
Communications Technician	111
Police Captain	550

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

Section 4. This resolution shall be effective February 11, 2019

Adopted this the 11th day of February, 2019.

P.J. Connelly, Mayor

ATTEST:

Carol L. Barwick, City Clerk

1100324



City of Greenville, North Carolina

Meeting Date: 2/11/2019
Time: 6:00 PM

Title of Item: Resolution Accepting Dedication of Rights-of-Way and Easements for Westhaven South, Section 2 & Lots 41 & 91, Westhaven South, Section 3 & Lots 16 & 19, Westhaven Section 7; Firetower Junction Block B Lot 4; Firetower Junction Block B Lot 4A, 4B, and 4C; and Firetower Junction Section One

Explanation: **Abstract:** This item proposes to accept the dedication of rights-of-way for Westhaven South, Section 2 & Lots 41 & 91, Westhaven South, Section 3 & Lots 16 & 19, Westhaven Section 7; Firetower Junction Block B Lot 4; Firetower Junction Block B Lot 4A, 4B, and 4C; and Firetower Junction Section One.

Explanation: In accordance with the City's Subdivision regulations, rights-of-way and easements have been dedicated for Westhaven South, Section 2 & Lots 41 & 91, Westhaven South, Section 3 & Lots 16 & 19, Westhaven Section 7 (Map Book 83 at Pages 4-5) ; Firetower Junction Block B Lot 4 (Map Book 78 at Pages 55-56); Firetower Junction Block B Lot 4A, 4B, and 4C (Map Book 78 at Pages 156-157); and Firetower Junction Section One (Map Book 72 at Pages 129-130). A resolution accepting the dedication of the aforementioned rights-of-way and easements is attached for City Council consideration. The final plats showing the rights-of-way and easements are also attached.

Fiscal Note: Funds for the maintenance of these rights-of-way and easements will be included within the fiscal year 2020 budget.

Recommendation: City Council adopt the attached resolution accepting dedication of rights-of-way and easements for Westhaven South, Section 2 & Lots 41 & 91, Westhaven South, Section 3 & Lots 16 & 19, Westhaven Section 7; Firetower Junction Block B Lot 4; Firetower Junction Block B Lot 4A, 4B, and 4C; and Firetower Junction Section One.

ATTACHMENTS:

- ▣ **February_2019_Right_of_Way_Resolution_1100061**
- ▣ **Westhaven Plat**
- ▣ **Firetower Junction B4 Plat**
- ▣ **Firetower Junction Block B Lots Plat**
- ▣ **Firetower Junction Section 1 Plat**

RESOLUTION NO.
A RESOLUTION ACCEPTING DEDICATION TO THE PUBLIC OF
RIGHTS-OF-WAY AND EASEMENTS ON SUBDIVISION PLATS

WHEREAS, G.S. 160A-374 authorizes any City Council to accept by resolution any dedication made to the public of land or facilities for streets, parks, public utility lines, or other public purposes, when the lands or facilities are located within its subdivision-regulation jurisdiction; and

WHEREAS, the Subdivision Review Board of the City of Greenville has acted to approve the final plats named in this resolution, or the plats or maps that predate the Subdivision Review Process; and

WHEREAS, the final plats named in this resolution contain dedication to the public of lands or facilities for streets, parks, public utility lines, or other public purposes; and

WHEREAS, the Greenville City Council finds that it is in the best interest of the public health, safety, and general welfare of the citizens of the City of Greenville to accept the offered dedication on the plats named in this resolution.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Greenville, North Carolina:

Section 1. The City of Greenville accepts the dedication made to the public of lands or facilities for streets, parks, public utility lines, or other public purposes offered by, shown on, or implied in the following approved subdivision plats:

Westhaven South Section 2 & Lot(s) 41 & 91		
Westhaven, South Section 3 & Lot(s) 16 & 19,		
Westhaven Section 7 (Revised)	Map Book 83	Pages 4-5
Firetower Junction Block B Lot 4	Map Book 78	Pages 55-56
Firetower Junction Block B Lot 4A, 4B, and 4C	Map Book 78	Pages 156-157
Firetower Junction Section One	Map Book 72	Pages 129-130

Section 2. Acceptance of dedication of lands or facilities shall not place on the City any duty to open, operate, repair, or maintain any street, utility line, or other land or facility except as provided by the ordinances, regulations or specific acts of the City, or as provided by the laws of the State of North Carolina.

Section 3. Acceptance of the dedications named in this resolution shall be effective upon adoption of this resolution.

Adopted the 11th day of February, 2019.

P. J. Connelly, Mayor

ATTEST:

Carol L. Barwick, City Clerk

NORTH CAROLINA
PITT COUNTY

I, Polly Jones, Notary Public for said County and State, certify that Carol L. Barwick personally came before me this day and acknowledged that she is the City Clerk of the City of Greenville, a municipality, and that by authority duly given and as the act of the municipality, the foregoing instrument was signed in its name by its Mayor, sealed with the corporate seal, and attested by herself as its City Clerk.

WITNESS my hand and official seal this the 11th day of February, 2019.

Notary Public

My Commission Expires:

SITE DATA

TOTAL AREA	13.154 ACRES
NUMBER OF LOTS CREATED	38
AREA IN COMMON AREA	0
AREA IN PARKS, RECREATION AREAS, CEMETERIES AND THE LIKE	0
LINEAR FEET IN STREETS	1,669 L.F.
ZONING CLASSIFICATION	R-9S

Doc ID: 014101220002 Type: CRP
 Recorded: 05/11/2018 at 09:53:38 AM
 Fee Amt: \$42.00 Page 1 of 2
 Pitt County, NC
 Lisa P. Nichols REG OF DEEDS
 BK 83 PG 4-5

GENERAL NOTES

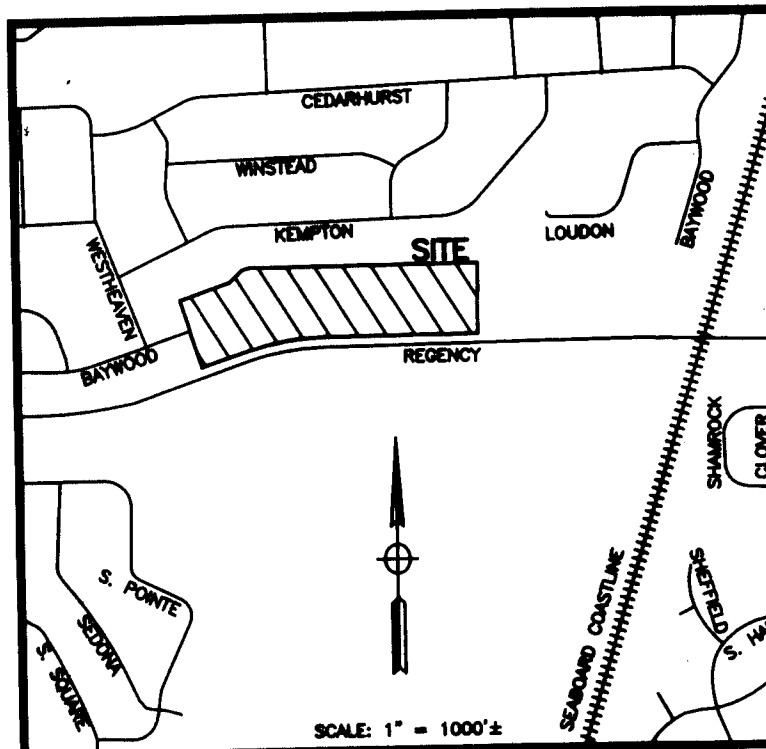
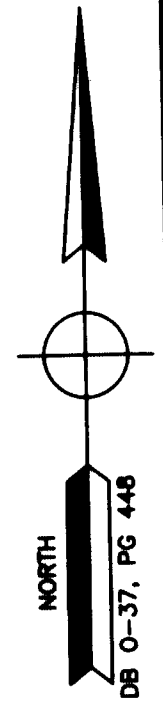
- ALL AREAS CALCULATED BY COORDINATE GEOMETRY.
- THIS MAP IS OF A SURVEY THAT CREATES A SUBDIVISION OF LAND WITHIN A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.
- THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS DETERMINED BY FEDERAL EMERGENCY MANAGEMENT AGENCY. REF: FIRM 3720467600K, DATED JULY 7, 2014.
- THE DESIGNATION NOTED OVER WATER, SANITARY SEWER, GAS OR ELECTRICAL LINES IS FOR THE PURPOSE OF ESTABLISHING THE WIDTH OF SAID EASEMENT. THE EASEMENTS ARE NOT EXCLUSIVE AND WILL PERMIT THE INSTALLATION OF WATER, SANITARY SEWER, GAS AND ELECTRICAL LINES WITHIN THOSE DESIGNATED WIDTHS.
- NO BUILDINGS, STRUCTURES OR OTHER IMPROVEMENTS, MATERIALS AND SURFACES, INCLUDING BUT NOT LIMITED TO PRINCIPAL AND ACCESSORY STRUCTURES AND ADDITIONS OR APPOINTMENTS THERETO, SIGNAGE, FENCES, WALLS, METEOROLOGICAL EQUIPMENT, CANOPIES, ANTENNAS, MASTS, AERIALS, MONUMENTS, LANDSCAPE PLANTINGS, FILL MATERIALS, DEBRIS, SOLID WASTE COLLECTION CONTAINERS, WATER RECEPTACLES AND IMPERVIOUS SURFACES SHALL ENCRoACH WITHIN ANY DEDICATED EASEMENT WITHOUT PRIOR WRITTEN APPROVAL OF THE CITY OF GREENVILLE.
- IRON PIPES SET AT ALL PROPERTY CORNERS UNLESS OTHERWISE NOTED.
- MAXIMUM BUILT UPON AREA ON EACH LOT IS NOT TO EXCEED 3,944 S.F. THIS INCLUDES BUILDINGS, PATIOS, SIDEWALKS, DRIVEWAYS & POOL DECKING.
- REFERENCE: DEED BOOK 3497, PAGE 28 OF THE PITT COUNTY REGISTER OF DEEDS.

CURVE TABLE

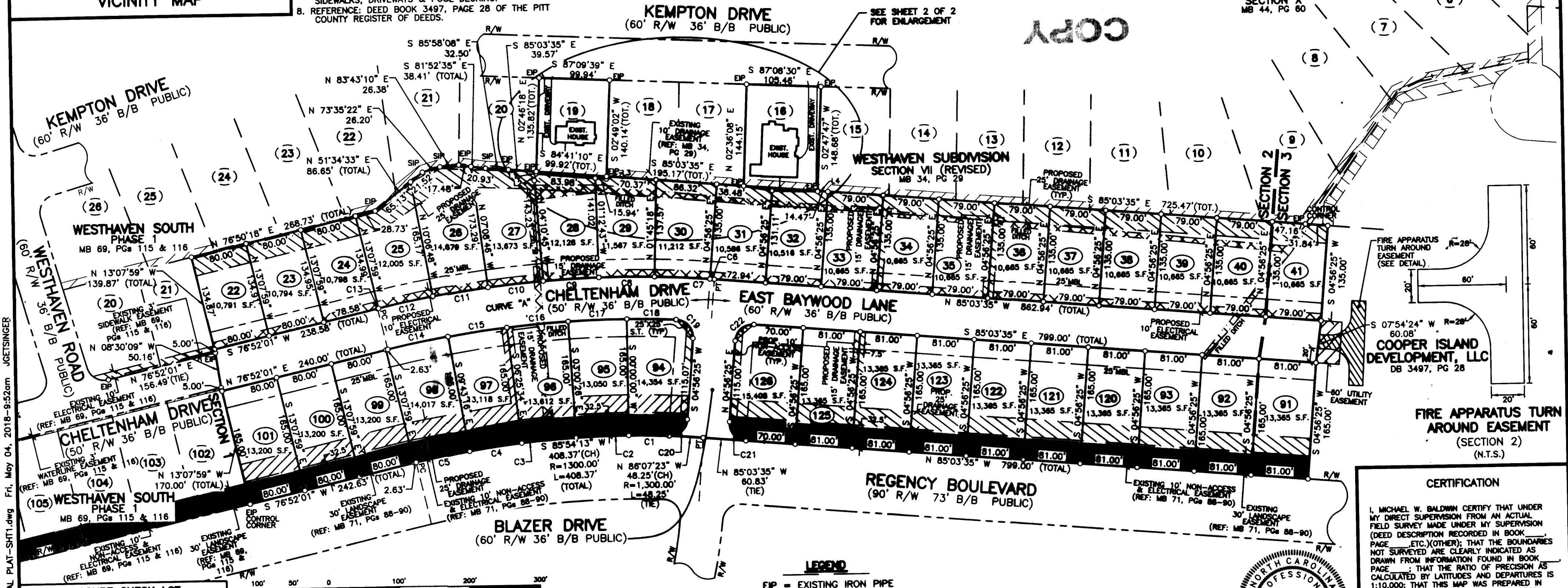
CURVE	BEARING	CHORD	RADIUS	LENGTH
C1	N 88°26'57" W	57.30'	1300.00'	57.31
C2	S 88°38'25" W	74.75'	1300.00'	74.78
C3	S 85°17'00" W	77.56'	1300.00'	77.57
C4	S 81°55'35" W	74.75'	1300.00'	74.76
C5	S 78°34'23" W	77.40'	1300.00'	77.41
C6	N 85°10'25" W	6.06'	1525.00'	6.06
C7	N 86°45'58" W	78.71'	1525.00'	78.72
C8	N 88°43'42" W	78.96'	1525.00'	78.97
C9	S 87°18'16" W	78.96'	1525.00'	78.97
C10	S 84°20'15" W	78.96'	1525.00'	78.97
C11	S 81°22'13" W	78.96'	1525.00'	78.97

CURVE TABLE

CURVE	BEARING	CHORD	RADIUS	LENGTH
C12	S 78°24'13" W	78.95'	1525.00'	78.95
C13	S 76°53'37" W	1.42'	1525.00'	1.42
C14	N 78°34'23" E	87.23'	1485.00'	87.24
C15	N 81°55'35" E	84.24'	1485.00'	84.25
C16	N 85°17'00" E	87.41'	1485.00'	87.42
C17	N 88°37'27" E	83.41'	1485.00'	83.42
C18	S 88°22'50" E	69.75'	1485.00'	69.75
C19	S 41°02'17" E	35.95'	25.00'	40.12
C20	S 48°52'37" W	34.69'	25.00'	38.34
C21	N 40°03'35" W	35.36'	25.00'	39.27
C22	N 49°56'25" E	35.36'	25.00'	39.27



VICINITY MAP



COPY

WESTHAVEN SUBDIVISION SECTION X MB 44, PG 60

WESTHAVEN SUBDIVISION SECTION VII (REVISED) MB 34, PG 29

COOPER ISLAND DEVELOPMENT, LLC DB 3497, PG 28

FIRE APPARATUS TURN AROUND EASEMENT (SECTION 2) (N.T.S.)

CLOSURE CHECK LOT

CHECKED: MAH	DATE: 12/13/2016
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CLOSURE CHECK BOUNDARY

CHECKED: MAH	DATE: 12/13/2016
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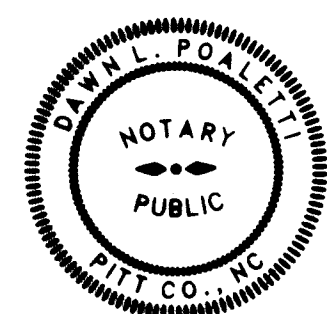
PARCEL #74007 & A PORTION OF PARCEL #74008
 FINAL PLAT SHEET 1 OF 2

WESTHAVEN SOUTH, SECTION 2 & LOT(S) 41 & 91, WESTHAVEN SOUTH, SECTION 3 & LOT(S) 16 & 19, WESTHAVEN, SECTION 7 (REVISED)
 GREENVILLE, WINTERVILLE TOWNSHIP, PITT COUNTY, N.C.

OWNER/DEVELOPER: COOPER ISLAND DEVELOPMENT, LLC
 ADDRESS: PO BOX 606 GREENVILLE, NC 27835
 PHONE: (252) 205-7121

Baldwin Design Consultants, PA
 LICENSE C-3468
 ENGINEERING - LAND PLANNING - SURVEYING
 1700-D EAST ARLINGTON BOULEVARD GREENVILLE, NC 27858 252.758.1380

SURVEYED: DF/BW	APPROVED: MWB
DRAWN: JJB/MAH	DATE: 1/22/2018
CHECKED: MWB	SCALE: 1" = 100'



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

DEED BOOK 3497 PAGE 28
 DEED BOOK PAGE
 DEED BOOK PAGE

NC REGISTRATION NO. L-3082

OWNERS STATEMENT
 THIS IS EVIDENCE THAT THIS SUBDIVISION IS MADE AT THE REQUEST OF

William A. Michael
 SWORN AND SUBSCRIBED BEFORE ME THIS DAY OF May, 2018.

Dawn L. Poalelli
 NOTARY PUBLIC
 MY COMMISSION EXPIRES: 03/28/19

APPROVAL
 THIS FINAL PLAT NO. 18-02 WAS APPROVED BY THE SUBDIVISION REVIEW BOARD IN ACCORDANCE WITH TITLE 9, CHAPTER 5 OF THE GREENVILLE CITY CODE THE 14th DAY OF FEBRUARY 2018.

MWB
 SIGNED CITY PLANNER

DEDICATION
 THE UNDERSIGNED HEREBY ACKNOWLEDGES THIS PLAT AND ALLOTMENT TO BE THEIR FREE ACT AND DEED, AND HEREBY DEDICATES TO PUBLIC USE AS STREETS, PARKS, PLAYGROUNDS, OPEN SPACES AND EASEMENTS FOREVER ALL AREAS AS SHOWN OR SO INDICATED ON SAID PLAT.

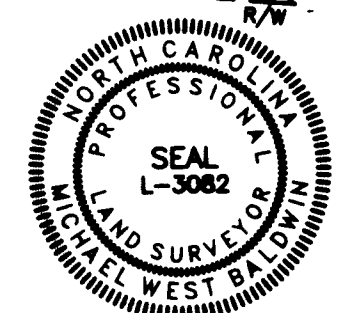
William A. Michael
 SIGNED
Dawn L. Poalelli
 ATTEST

CERTIFICATION
 I, MICHAEL W. BALDWIN CERTIFY THAT UNDER MY DIRECT SUPERVISION FROM AN ACTUAL FIELD SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK PAGE ETC.) (OTHER); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK PAGE ; THAT THE RATIO OF PRECISION AS CALCULATED BY LATITUDES AND DEPARTURES IS 1:10,000; THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH 47-30 AS AMENDED. WITNESS MY HAND AND SEAL THIS 22nd DAY OF JANUARY 2018.

SIGNED: *Michael West Baldwin*
 REGISTRATION NO. L-3082

REVIEW OFFICER'S CERTIFICATE
Michael D. I.
 REVIEW OFFICER OF PITT COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

Michael D. I.
 REVIEW OFFICER DATE

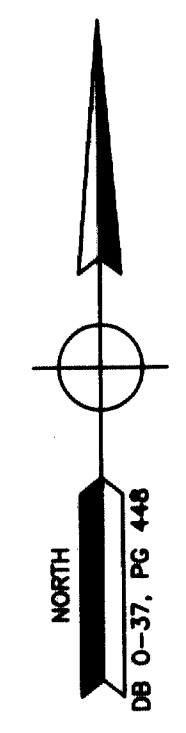


C/L CURVE DATA

CURVE "A"
 R= 1485.00'
 Δ= 18°04'24"
 L= 471.58'
 T= 237.76'
 CH= N 85°54'13" E 489.63'

LEGEND
 EIP = EXISTING IRON PIPE
 R/W = RIGHT-OF-WAY
 B/B = BACK OF CURB TO BACK OF CURB
 CH = CHORD
 PC = POINT OF CURVATURE
 PT = POINT OF TANGENCY
 = IRON PIPE SET UNLESS OTHERWISE NOTED
 PRC = POINT OF REVERSE CURVATURE
 TOT = TOTAL

LINE	BEARING	DISTANCE
1	S 02°48'18" W	3.03
2	N 15°23'07" E	10.00
3	N 02°49'02" E	3.99
4	N 02°47'47" E	0.71

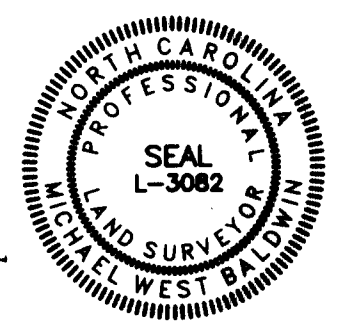
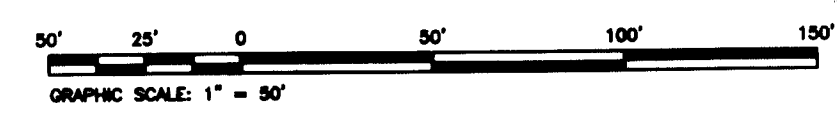
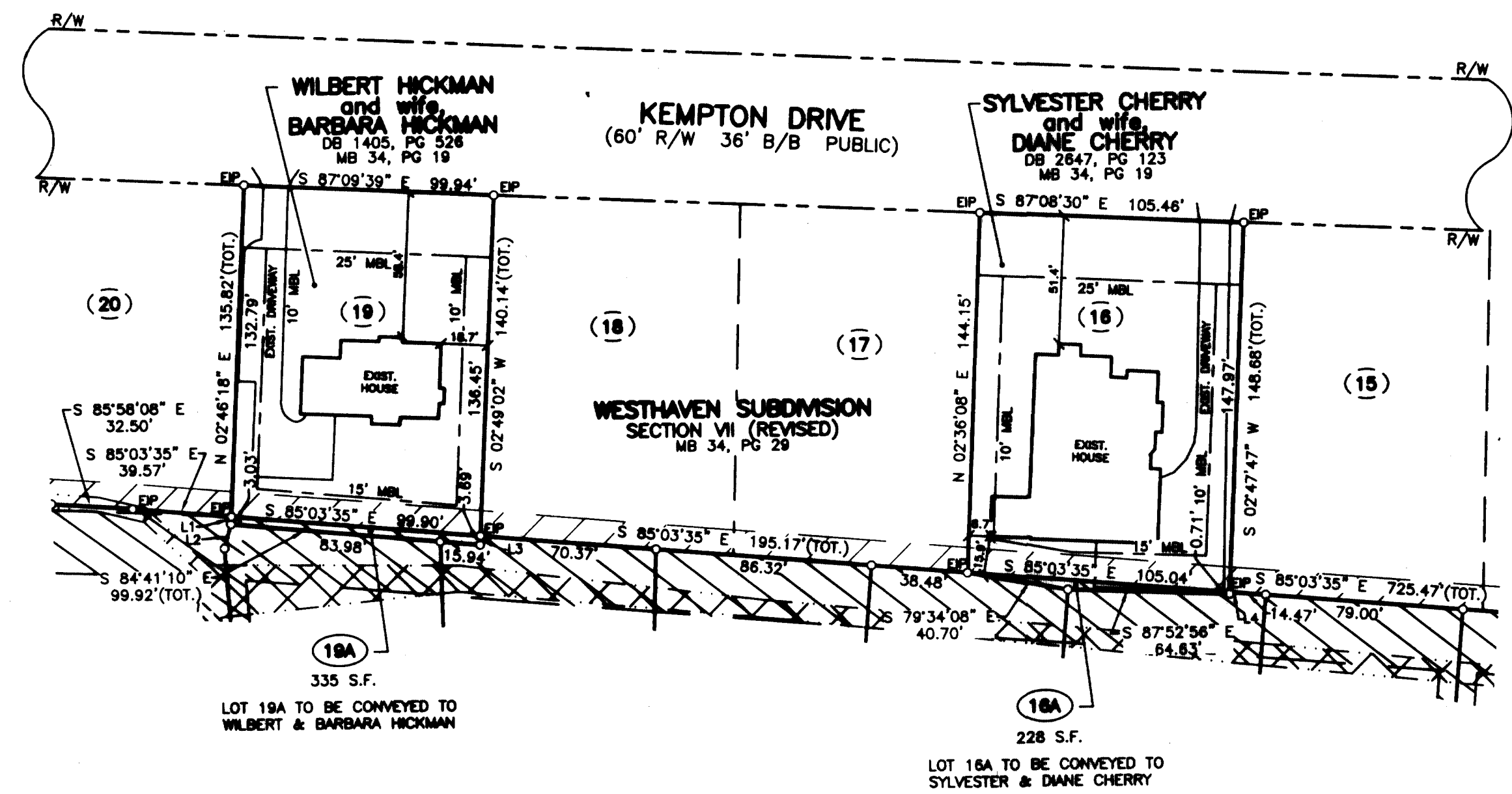


COPY

PROPERTY OWNERS

LOT 16
 SYLVESTER CHERRY
 and wife, DIANE CHERRY
 505 KEMPTON DRIVE
 GREENVILLE, NC 27858
 (252) 321-8988

LOT 19
 WILBERT HICKMAN
 and wife, BARBARA HICKMAN
 511 KEMPTON DRIVE
 GREENVILLE, NC 27858
 (252) 756-0802



CERTIFICATION

I, MICHAEL W. BALDWIN CERTIFY THAT UNDER MY DIRECT SUPERVISION FROM AN ACTUAL FIELD SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK PAGE, ETC.); (OTHER); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK PAGE; THAT THE RATIO OF PRECISION AS CALCULATED BY LATITUDES AND DEPARTURES IS 1:10,000; THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH GS 47-30 AS AMENDED. WITNESS MY HAND AND SEAL THIS 22nd DAY OF JANUARY AD 2018.

SIGNED: [Signature] REGISTRATION NO. L-3082

REVIEW OFFICER'S CERTIFICATE

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

SIGNED: [Signature] DATE: 5/11/18

PARCEL #74007 & A PORTION OF PARCEL #74008
 FINAL PLAT SHEET 2 OF 2

WESTHAVEN SOUTH, SECTION 2 & LOT(S) 41 & 91, WESTHAVEN SOUTH, SECTION 3 & LOT(S) 16 & 19, WESTHAVEN, SECTION 7 (REVISED)
 GREENVILLE, WINTERVILLE TOWNSHIP, PITT COUNTY, N.C.

OWNER/DEVELOPER: COOPER ISLAND DEVELOPMENT, LLC
 ADDRESS: PO BOX 606 GREENVILLE, NC 27835
 PHONE: (252) 205-7121

<p>Baldwin Design Consultants, PA ENGINEERING - LAND PLANNING - SURVEYING 1700-D EAST ARLINGTON BOULEVARD GREENVILLE, NC 27858 252.756.1360</p>	SURVEYED: DF/BW	APPROVED: MWB
	DRAWN: JJB/MAH	DATE: 1/22/2018
	CHECKED: MWB	SCALE: 1" = 50'
	NO. REGISTRATION NO. L-3082	

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

DEED BOOK 3497	PAGE 28
DEED BOOK	PAGE
DEED BOOK	PAGE

OWNERS STATEMENT
 THIS IS EVIDENCE THAT THIS SUBMISION IS MADE AT THE REQUEST OF

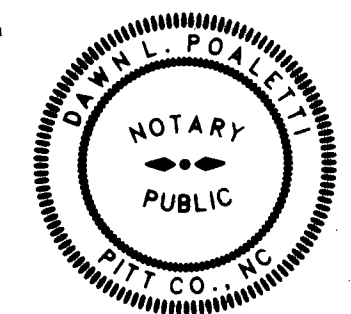
[Signature]
 SWORN AND SUBSCRIBED BEFORE ME THIS DAY OF May, 2018.
 [Signature]
 NOTARY PUBLIC
 MY COMMISSION EXPIRES: 03/28/19

APPROVAL
 THIS FINAL PLAT NO. 18-02 WAS APPROVED BY THE SUBDIVISION REVIEW BOARD IN ACCORDANCE WITH TITLE 9, CHAPTER 5 OF THE GREENVILLE CITY CODE THE 14th DAY OF FEBRUARY 2018.

SIGNED: [Signature]
 CITY PLANNER

DEDICATION
 THE UNDERSIGNED HEREBY ACKNOWLEDGES THIS PLAT AND ALLOTMENT TO BE THEIR FREE ACT AND DEED, AND HEREBY DEDICATES TO PUBLIC USE AS STREETS, PARKS, PLAYGROUNDS, OPEN SPACES AND EASEMENTS FOREVER ALL AREAS AS SHOWN OR SO INDICATED ON SAID PLAT.

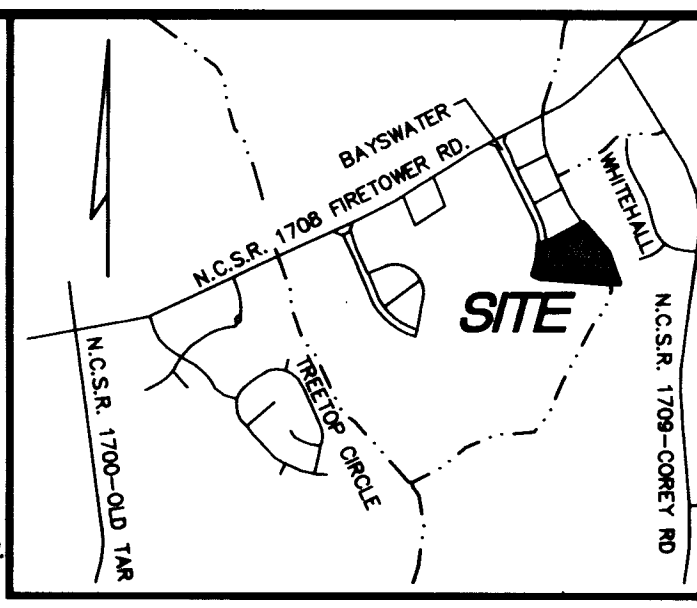
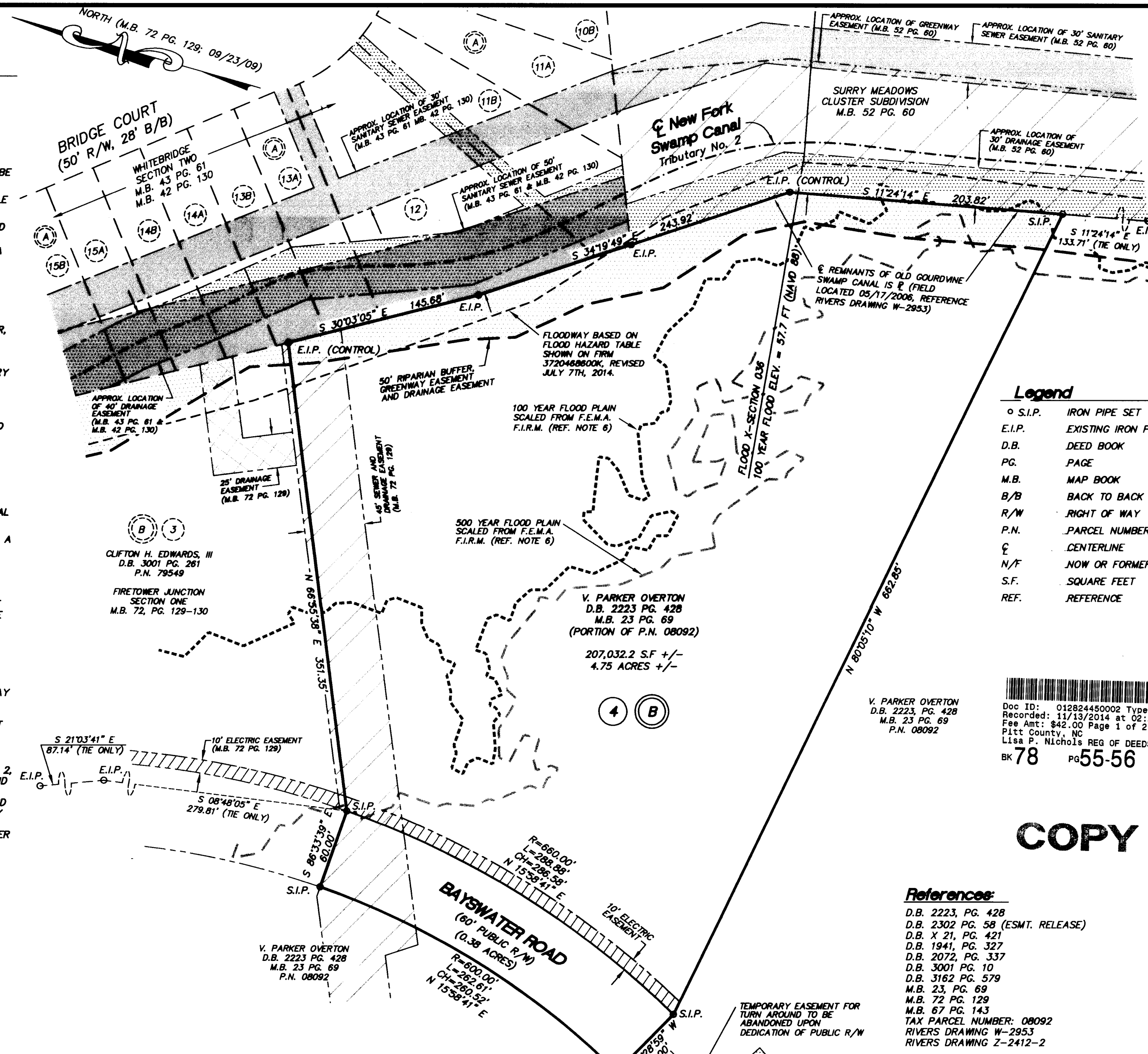
SIGNED: [Signature]
 ATTEST: [Signature]



Y:\DRAWINGS\Westhaven\Westhaven South\dwg\SECTION 2 FINAL PLAT-SHT2.dwg Fri, May 04, 2018-9:53am JGETSINGER

Notes :

- IRON STAKES LOCATED AT ALL CORNERS, EXCEPT AS NOTED OTHERWISE.
- ALL DISTANCES ARE HORIZONTAL GROUND MEASURED UNLESS SHOWN OTHERWISE.
- AREA BY COORDINATES.
- PROPERTY SUBJECT TO ANY AND ALL EASEMENTS, RIGHTS-OF-WAY, RESTRICTIVE COVENANTS WHICH MAY BE OF RECORD.
- THIS PROPERTY IS SUBJECT TO THE CITY OF GREENVILLE STORMWATER MANAGEMENT PROGRAM.
- PORTIONS OF THIS PROPERTY ARE LOCATED IN A FLOOD ZONE X (AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN), ZONE X SHADED (AREA OF 0.2% ANNUAL CHANCE FLOOD) AND ZONE AE (AREA DETERMINED TO BE INSIDE THE 1% ANNUAL CHANCE FLOOD) AS SHOWN ON THE FEMA FLOOD INSURANCE RATE MAP NUMBER 3720468800K, EFFECTIVE JULY 7, 2014. (BASE FLOOD ELEVATION = 58.4 ± NAVD 88)
- THE DESIGNATION NOTED OVER WATER, SANITARY SEWER, GAS, OR ELECTRIC LINES ARE FOR THE PURPOSE OF ESTABLISHING WIDTH OF SAID EASEMENTS. THE EASEMENTS SHOWN ARE NOT EXCLUSIVE AND WILL PERMIT THE FUTURE INSTALLATION OF WATER, SANITARY SEWER, GAS AND ELECTRIC LINES WITHIN THOSE DESIGNATED WIDTHS.
- NO BUILDINGS, STRUCTURES, OR OTHER IMPROVEMENTS, MATERIALS, AND SURFACES, INCLUDING BUT NOT LIMITED TO PRINCIPAL AND ACCESSORY STRUCTURES AND ADDITIONS OR APPURTENANCES THERETO, SIGNAGE, FENCES, WALLS, MECHANICAL EQUIPMENT, CANOPIES, ANTENNAS, MASTS, AERIALS, MONUMENTS, LANDSCAPE PLANTINGS, FILL MATERIALS, DEBRIS, SOLID WASTE COLLECTION CONTAINERS, MAIL RECEPTACLES, AND IMPERVIOUS SURFACES, SHALL ENCRoACH WITHIN ANY DEDICATED EASEMENT WITHOUT PRIOR WRITTEN APPROVAL OF THE CITY OF GREENVILLE.
- THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT REPORT OR RESEARCH. RIVERS AND ASSOCIATES DOES NOT CLAIM THAT ALL MATTERS OF RECORD WHICH MAY OR MAY NOT AFFECT THIS PROPERTY ARE SHOWN HEREON.
- LOCATION OF THE PROPERTY LINES ALONG CENTERLINE OF CREEK OR STREAMS ARE SUBJECT TO CHANGE DUE TO NATURAL RIPARIAN CAUSES. (SURVEY LINES ARE FOR REFERENCE ONLY.) NO POINTS SET IN THE CENTERLINE OF THE CREEK UNLESS OTHERWISE NOTED.
- THE PURPOSE OF THE GREENWAY EASEMENT IS TO PROVIDE FOR THE PRESERVATION OF NATURAL AREAS AND PEDESTRIAN ACCESS PURSUANT TO THE GREENWAY COMPREHENSIVE PLAN OF THE CITY OF GREENVILLE.
- THE TEMPORARY STORMWATER MANAGEMENT EASEMENT IDENTIFIED IN INSET 'A' (ON SHEET 2) IS TO BE MAINTAINED AS MANAGED PERVIOUS TO MEET THE REQUIREMENTS OF THE CITY OF GREENVILLE'S STORMWATER MANAGEMENT REGULATIONS FOR LOTS 1, 2, 3 BLOCK B RECORDED IN MAP BOOK 72 PAGE 129 AND LOT 4 BLOCK B SHOWN ON THIS FINAL PLAT. FUTURE DEVELOPMENT BEYOND THE AFOREMENTIONED LOTS AND LOTS 1 THROUGH 6, BLOCK A SHOWN ON PRELIMINARY PLAT #09-03 REQUIRES THE CONSTRUCTION OF A STORMWATER BMP AS ILLUSTRATED IN THE STORMWATER MANAGEMENT PLAN PREPARED BY RIVERS AND ASSOCIATES, INC. AND APPROVED BY THE CITY OF GREENVILLE ENGINEERING DIVISION ON 04/22/09.



Legend

- o S.I.P. IRON PIPE SET
- E.I.P. EXISTING IRON PIPE
- D.B. DEED BOOK
- PG. PAGE
- M.B. MAP BOOK
- B/B BACK TO BACK
- R/W RIGHT OF WAY
- P.N. PARCEL NUMBER
- ℄ CENTERLINE
- N/F NOW OR FORMERLY
- S.F. SQUARE FEET
- REF. REFERENCE
- (188) PLATTED LOT NO.
- (A) PLATTED BLOCK NO.
- (2) LOT NUMBER
- (B) BLOCK NUMBER
- LOT/BOUNDARY LINE
- NEW FORK SWAMP CANAL
- EXISTING EASEMENT
- 500 YEAR FLOOD LINE
- 100 YEAR FLOOD LINE
- FEMA FLOODWAY

Doc ID: 012824450002 Type: CRP
 Recorded: 11/13/2014 at 02:28:51 PM
 Fee Amt: \$42.00 Page 1 of 2
 Pitt County, NC
 Lisa P. Nichols REG OF DEEDS
 BK 78 PG 55-56



COPY

References:

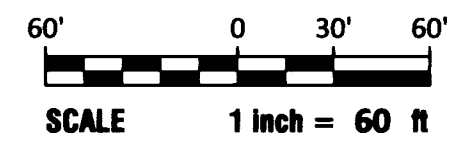
- D.B. 2223, PG. 428
- D.B. 2302 PG. 58 (ESMT. RELEASE)
- D.B. X 21, PG. 421
- D.B. 1941, PG. 327
- D.B. 2072, PG. 337
- D.B. 3001 PG. 10
- D.B. 3162 PG. 579
- M.B. 23, PG. 69
- M.B. 72 PG. 129
- M.B. 67 PG. 143
- TAX PARCEL NUMBER: 08092
- RIVERS DRAWING W-2953
- RIVERS DRAWING Z-2412-2

Site Summary:

NUMBER OF LOTS CREATED	1
ACREAGE IN LOTS	4.75 AC.
ACREAGE IN BAYSWATER ROAD	0.38 AC.
ACREAGE IN TOTAL TRACT	5.13 AC.
ACREAGE IN COMMON AREA(S)	NONE
ACREAGE IN PARK AND RECREATION AREAS	NONE

CERTIFICATION

NORTH CAROLINA PITT COUNTY
 I, Patrick W. Hartman CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE BY W.M. FROM DEED DESCRIPTIONS RECORDED IN BOOK SEE PAGE 55; THAT THE RATIO OF PRECISION AS CALCULATED BY COORDINATES IS 1:10,000 + ; THAT BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION FOUND IN BOOKS REFERENCED HEREON; THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. I, FURTHER CERTIFY PURSUANT TO G.S. 47-30 (f)(11) that THIS SURVEY CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND; WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER, AND SEAL THIS 11th DAY OF JULY, 2014.
 SIGNED: Patrick W. Hartman
 PROFESSIONAL LAND SURVEYOR
 LICENSE NUMBER L-4262



REVISIONS: #1 - 10/6/2014: REVISED PER CITY OF GREENVILLE COMMENTS

FINAL PLAT
FIRETOWER JUNCTION
BLOCK B LOT 4
 CITY OF GREENVILLE, WINTERTOWN TOWNSHIP, PITT COUNTY, N.C.

OWNER **V. PARKER OVERTON**
 ADDRESS P.O. BOX 30930 GREENVILLE, NC 27833
 PHONE (252) 355-7757

Rivers & Associates, Inc.
 NC License: F-8334
 Engineers, Planners, Surveyors, Landscape Architects
 107 East Second Street
 Greenville, NC 27858
 (252) 752-4135
 riversandassociates.com Since 1918

SURVEYED JEW/MM
 DRAWN EW
 CHECKED PWH
 APPROVED DT
 DATE 7/30/14
 SCALE 1" = 60'

SOURCE OF TITLE
 TO THE BEST OF MY KNOWLEDGE, THE LAST INSTRUMENT(S) IN THE CHAIN OF TITLE OF THIS PROPERTY AS RECORDED IN THE PITT COUNTY REGISTRY AT GREENVILLE, NORTH CAROLINA IS:
 DEED BOOK 2223, PAGE 428
 DEED BOOK _____, PAGE _____
 DEED BOOK _____, PAGE _____
 NORTH CAROLINA LICENSE NO. L-4262

OWNERS STATEMENT
 THIS IS EVIDENCE THAT THIS SUBDIVISION IS MADE AT THE REQUEST OF V. Parker Overton
 SWORN TO AND SUBSCRIBED BEFORE ME THIS 13th DAY OF August 2014.
Kelly L. Berrini
 NOTARY PUBLIC
 MY COMMISSION EXPIRES 6/29/2015

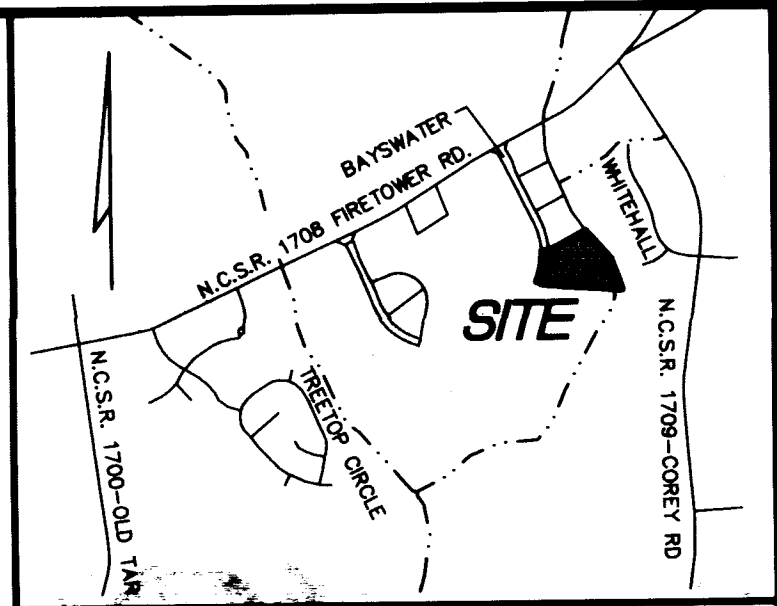
APPROVAL
 THIS FINAL PLAT NO. 14-33, WAS APPROVED BY THE SUBDIVISION REVIEW BOARD IN ACCORDANCE WITH TITLE 9, CHAPTER 5 OF THE GREENVILLE CITY CODE THE 13th DAY OF AUGUST, 2014.
 SIGNED: Andrew Thomas, Jr.
 CITY PLANNER

DEDICATION
 THE UNDERSIGNED HEREBY ACKNOWLEDGE(S) THIS PLAT AND ALLOTMENT TO BE THEIR FREE ACT AND DEED, AND HEREBY DEDICATE TO PUBLIC USE AS STREETS, PARKS, PLAY-GROUNDS, OPEN SPACES, AND EASEMENTS FOREVER, ALL AREAS SHOWN OR SO INDICATED ON SAID PLAT.
 SIGNED: Kelly L. Berrini
 ATTEST: Andrew Thomas, Jr.

NORTH CAROLINA PITT COUNTY
 I, Andrew Thomas, Jr.
 A REVIEW OFFICER OF PITT COUNTY, N.C., CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.
 BY: Andrew Thomas, Jr.
 REVIEW OFFICER
 DATE 11/13/14

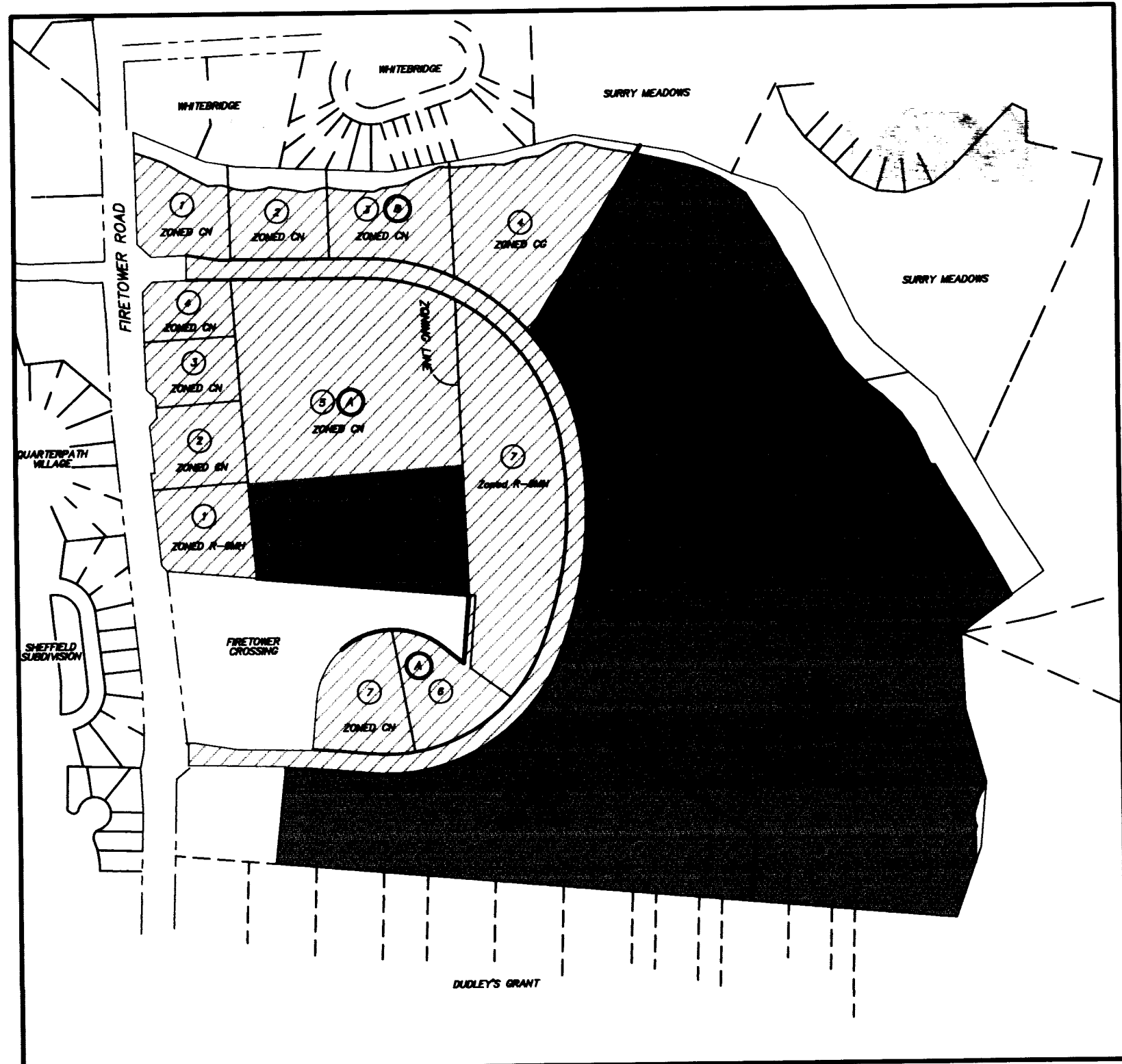
NORTH (M.B. 72 PG. 129; 09/23/09)

Doc ID: 012824450002 Type: CRP
 Recorded: 11/13/2014 at 02:28:51 PM
 Fee Amt: \$42.00 Page 1 of 2
 Pitt County, NC
 Lisa P. Nichols REG OF DEEDS
 BK 78 Pg 55-56



COPY

Vicinity Map
 SCALE: 1" = 100'

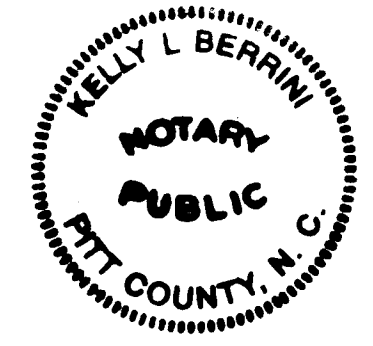


TEMPORARY STORMWATER MANAGEMENT EASEMENT
 AREA BENEFITING FROM TEMPORARY STORMWATER MANAGEMENT EASEMENT

(SEE NOTE 12)
Inset 'A'
 N.T.S.

REVISIONS: #1 - 10/6/2014: REVISED PER CITY OF GREENVILLE COMMENTS

FINAL PLAT
FIRETOWER JUNCTION
BLOCK B LOT 4
 CITY OF GREENVILLE, WINTERVILLE TOWNSHIP, PITT COUNTY, N.C.



References:
 D.B. 2223, PG. 428
 D.B. 2302 PG. 58 (ESMT. RELEASE)
 D.B. X 21, PG. 421
 D.B. 1941, PG. 327
 D.B. 2072, PG. 337
 D.B. 3001 PG. 10
 D.B. 3162 PG. 579
 M.B. 23, PG. 69
 M.B. 72 PG. 129
 M.B. 67 PG. 143
 TAX PARCEL NUMBER: 08092
 RIVERS DRAWING W-2953
 RIVERS DRAWING Z-2412-2

Site Summary:
 NUMBER OF LOTS CREATED _____ 1
 ACREAGE IN LOTS _____ 4.75 AC.
 ACREAGE IN BAYSWATER ROAD _____ 0.38 AC.
 ACREAGE IN TOTAL TRACT _____ 5.13 AC.
 ACREAGE IN COMMON AREA(S) _____ NONE
 ACREAGE IN PARK AND RECREATION AREAS _____ NONE

CERTIFICATION

 SIGNED *Patrick W. Martin* 7/1/14
 PROFESSIONAL LAND SURVEYOR
 LICENSE NUMBER L-4262

OWNER **V. PARKER OVERTON**
 ADDRESS **P.O. BOX 30930 GREENVILLE, NC 27833**
 PHONE **(252) 355-7757**

Rivers & ASSOCIATES, INC.
 107 East Second Street
 Greenville, NC 27858
 (252) 752-4135

Engineers
 Planners
 Surveyors
 Landscape Architects

SURVEYED
 JEW/MM
 DRAWN
 EW
 CHECKED
 PWF
 APPROVED
 DT
 DATE
 7/30/14
 SCALE
 1" = 60'

SOURCE OF TITLE
 TO THE BEST OF MY KNOWLEDGE, THE LAST INSTRUMENT(S) IN THE CHAIN OF TITLE OF THIS PROPERTY AS RECORDED IN THE PITT COUNTY REGISTRY AT GREENVILLE, NORTH CAROLINA IS:
 DEED BOOK **2223**, PAGE **428**
 DEED BOOK _____ PAGE _____
 DEED BOOK _____ PAGE _____
 NORTH CAROLINA LICENSE NO. **L-4262**

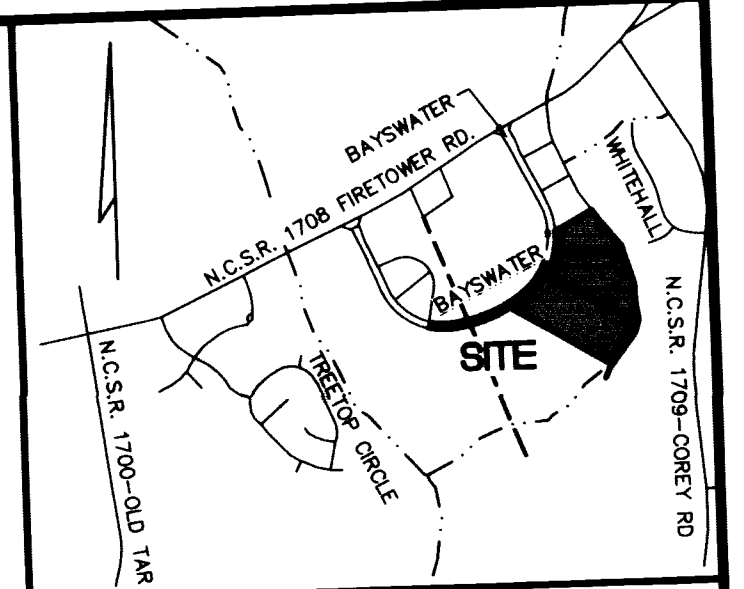
OWNERS STATEMENT
 THIS IS EVIDENCE THAT THIS SUBDIVISION IS MADE AT THE REQUEST OF
V. Parker Overton
 SWORN TO AND SUBSCRIBED BEFORE ME THIS **13th** DAY OF **November**, 2014.
Kelly L. Berrini
 NOTARY PUBLIC
 MY COMMISSION EXPIRES **6/29/2015**

APPROVAL
 THIS FINAL PLAT NO. **14-33**, WAS APPROVED BY THE SUBDIVISION REVIEW BOARD IN ACCORDANCE WITH TITLE 9, CHAPTER 5 OF THE GREENVILLE CITY CODE THE **13TH** DAY OF **AUGUST**, 2014.
 SIGNED *Andrew Thomas, Jr.*
 CITY PLANNER

DEDICATION
 THE UNDERSIGNED HEREBY ACKNOWLEDGE(S) THIS PLAT AND ALLOTMENT TO BE THEIR FREE ACT AND DEED, AND HEREBY DEDICATE TO PUBLIC USE AS STREETS, PARKS, PLAY-GROUNDS, OPEN SPACES, AND EASEMENTS FOREVER, ALL AREAS SHOWN OR SO INDICATED ON SAID PLAT.
 SIGNED *V. Parker Overton*
 ATTEST *Patrick W. Martin*

NORTH CAROLINA PITT COUNTY
 I, **Andrew Thomas, Jr.**, A REVIEW OFFICER OF PITT COUNTY, N.C., CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.
 BY *Andrew Thomas, Jr.*
 REVIEW OFFICER
 DATE **11/13/14**

Doc ID: 013086370002 Type: CRP
 Recorded: 03/20/2015 at 12:05:08 PM
 Fee Amt: \$42.00 Page 1 of 2
 Pitt County, NC
 Lisa P. Nichols REG OF DEEDS
 BK 78 Pg 156-157



Vicinity Map SCALE: 1" = 1000'

NOTES:
SEE SHEET 2

REFERENCE:
SEE SHEET 2

CURVE TABLE:
SEE SHEET 2

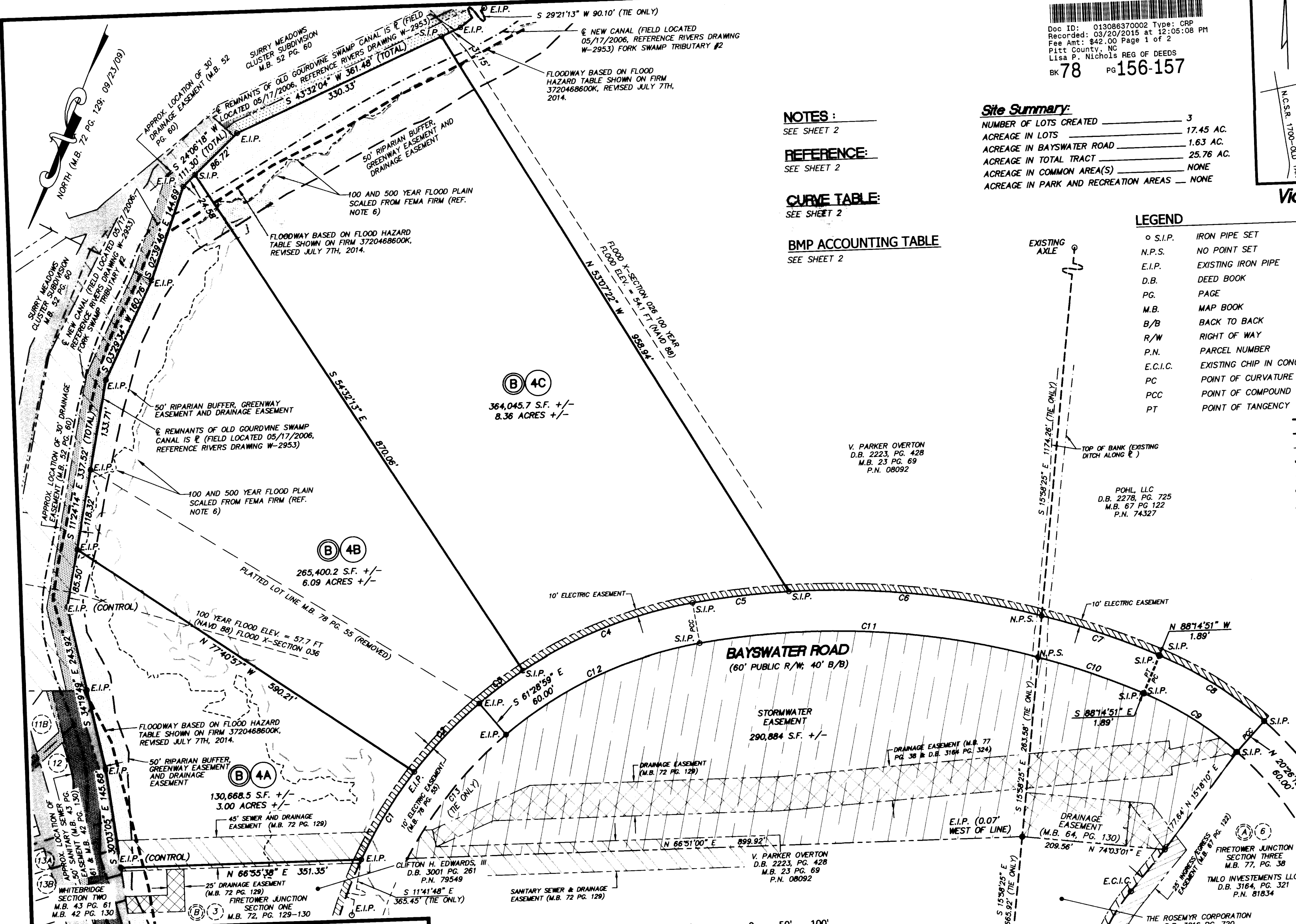
BMP ACCOUNTING TABLE:
SEE SHEET 2

Site Summary:

NUMBER OF LOTS CREATED	3
ACREAGE IN LOTS	17.45 AC.
ACREAGE IN BAYSWATER ROAD	1.63 AC.
ACREAGE IN TOTAL TRACT	25.76 AC.
ACREAGE IN COMMON AREA(S)	NONE
ACREAGE IN PARK AND RECREATION AREAS	NONE

LEGEND

o S.I.P.	IRON PIPE SET	(188)	PLATTED LOT NO.
N.P.S.	NO POINT SET	(A)	PLATTED BLOCK NO.
E.I.P.	EXISTING IRON PIPE	(2)	LOT NUMBER
D.B.	DEED BOOK	(B)	BLOCK NUMBER
PG.	PAGE	¢	CENTERLINE
M.B.	MAP BOOK	ℙ	PROPERTY LINE
B/B	BACK TO BACK	N/F	NOW OR FORMERLY
R/W	RIGHT OF WAY	S.F.	SQUARE FEET
P.N.	PARCEL NUMBER	REF.	REFERENCE
E.C.I.C.	EXISTING CHIP IN CONCRETE	---	LOT/BOUNDARY LINE
PC	POINT OF CURVATURE	---	NEW FORK SWAMP CANAL
PCC	POINT OF COMPOUND CURVE	---	EXISTING EASEMENT
PT	POINT OF TANGENCY	---	100 YEAR FLOOD LINE
		---	500 YEAR FLOOD LINE
		---	FEMA FLOODWAY
		---	RIPARIAN BUFFER AND GREENWAY
		---	NEW EASEMENT
		---	TOP OF DITCH BANK



CERTIFICATION
 NORTH CAROLINA PITT COUNTY
 I, PATRICK W. HARTMAN, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE BY W.M./R.B./M.S. FROM DEED DESCRIPTIONS RECORDED IN BOOK SEE PAGE REF; THAT THE RATIO OF PRECISION AS CALCULATED BY COORDINATES IS 1:10,000+; THAT BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION FOUND IN BOOKS REFERENCED HEREON; THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. I, FURTHER CERTIFY PURSUANT TO G.S. 47-30 (1)(11)a: THIS SURVEY CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND; WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER, AND SEAL THIS 12th DAY OF FEBRUARY, 2015.
 SIGNED: *Patrick W. Hartman*
 PROFESSIONAL LAND SURVEYOR
 LICENSE NUMBER L-4262

FINAL PLAT
FIRETOWER JUNCTION
BLOCK B LOT 4A, 4B, AND 4C
 CITY OF GREENVILLE, WINTERVILLE TOWNSHIP, PITT COUNTY, N.C.

OWNER V. PARKER OVERTON POHL, LLC ADDRESS P.O. BOX 30930 GREENVILLE, NC 27833 PHONE (252) 355-7757	CHARLES G. LASSITER MONICA L. LASSITER 1469 HOLLY BRANCH RD. GREENVILLE, NC 27858 (252) 756-1314	SURVEYED JEW/WM/RB/MS DRAWN PH CHECKED PHW APPROVED JW DATE 2/12/2015 SCALE 1" = 100'
--	---	--

MC License: F-0334
Rivers & ASSOCIATES, INC.
 107 East Second Street
 Greenville, NC 27858
 (252) 752-4135
 riversandassociates.com Since 1918

REVISIONS:
 #3 - 03/13/2015: UPDATED BMP ACCOUNTING TABLE
 #2 - 03/09/2015: ADDED MONICA L. LASSITER
 #1 - 03/06/2015: REVISED PER CITY OF GREENVILLE COMMENTS AND PRELIMINARY PLAT

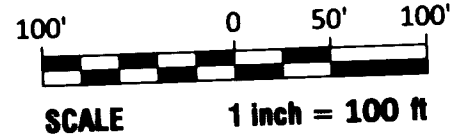
SOURCE OF TITLE
 TO THE BEST OF MY KNOWLEDGE, THE LAST INSTRUMENT(S) IN THE CHAIN OF TITLE OF THIS PROPERTY AS RECORDED IN THE PITT COUNTY REGISTRY AT GREENVILLE, NORTH CAROLINA IS:
 DEED BOOK 2223, PAGE 428
 DEED BOOK 2278, PAGE 725
 DEED BOOK 3275, PAGE 98
 DATE 2/12/2015
 SCALE 1" = 100'
 NORTH CAROLINA LICENSE NO. L-4262

OWNERS STATEMENT
 THIS IS EVIDENCE THAT THIS SUBDIVISION IS MADE AT THE REQUEST OF
 SEE SHEET 2
 SWORN TO AND SUBSCRIBED BEFORE ME THIS _____ DAY OF _____, 2015.
 SEE SHEET 2
 NOTARY PUBLIC
 MY COMMISSION EXPIRES _____

APPROVAL
 THIS FINAL PLAT NO. 15-09, WAS APPROVED BY THE SUBDIVISION REVIEW BOARD IN ACCORDANCE WITH TITLE 9, CHAPTER 5 OF THE GREENVILLE CITY CODE THE 11th DAY OF MARCH, 2015.
 SIGNED: *Andrew Thomas, Jr.*
 CITY PLANNER

DEDICATION
 THE UNDERSIGNED HEREBY ACKNOWLEDGE(S) THIS PLAT AND ALLOTMENT TO BE THEIR FREE ACT AND DEED, AND HEREBY DEDICATE TO PUBLIC USE AS STREETS, PARKS, PLAY-GROUNDS, OPEN SPACES, AND EASEMENTS FOREVER, ALL AREAS SHOWN OR SO INDICATED ON SAID PLAT.
 SIGNED: SEE SHEET 2
 ATTEST: SEE SHEET 2

APPROVAL
 NORTH CAROLINA PITT COUNTY
 I, *Andrew Thomas, Jr.*
 A REVIEW OFFICER OF PITT COUNTY, N.C., CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.
 BY: *Andrew Thomas, Jr.*
 REVIEW OFFICER
 DATE: 3/10/15



NOTES :

- IRON STAKES LOCATED AT ALL CORNERS, EXCEPT AS NOTED OTHERWISE.
- ALL DISTANCES ARE HORIZONTAL GROUND MEASURED UNLESS SHOWN OTHERWISE.
- AREA BY COORDINATES.
- PROPERTY SUBJECT TO ANY AND ALL EASEMENTS, RIGHTS-OF-WAY, RESTRICTIVE COVENANTS WHICH MAY BE OF RECORD.
- THIS PROPERTY IS SUBJECT TO THE CITY OF GREENVILLE STORMWATER MANAGEMENT PROGRAM.
- PORTIONS OF THIS PROPERTY ARE LOCATED IN A FLOOD ZONE X (AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN), ZONE X SHADED (AREA OF 0.2% ANNUAL CHANCE FLOOD) AND ZONE AE (AREA DETERMINED TO BE INSIDE THE 1% ANNUAL CHANCE FLOOD) AS SHOWN ON THE FEMA FLOOD INSURANCE RATE MAP NUMBER 3720468600 K AND 37404685, EFFECTIVE JULY 7, 2014. (BASE FLOOD ELEVATION VARIES FROM 54.1 TO 58.4± NAVD 88)
- THE DESIGNATION NOTED OVER WATER, SANITARY SEWER, GAS, OR ELECTRIC LINES ARE FOR THE PURPOSE OF ESTABLISHING WIDTH OF SAID EASEMENTS. THE EASEMENTS SHOWN ARE NOT EXCLUSIVE AND WILL PERMIT THE FUTURE INSTALLATION OF WATER, SANITARY SEWER, GAS AND ELECTRIC LINES WITHIN THOSE DESIGNATED WIDTHS.
- NO BUILDINGS, STRUCTURES, OR OTHER IMPROVEMENTS, MATERIALS, AND SURFACES, INCLUDING BUT NOT LIMITED TO PRINCIPAL AND ACCESSORY STRUCTURES AND ADDITIONS OR APPURTENANCES THERETO, SIGNAGE, FENCES, WALLS, MECHANICAL EQUIPMENT, CANOPIES, ANTENNAS, MASTS, AERIALS, MONUMENTS, LANDSCAPE PLANTINGS, FILL MATERIALS, DEBRIS, SOLID WASTE COLLECTION CONTAINERS, MAIL RECEPTACLES, AND IMPERVIOUS SURFACES, SHALL ENCRoACH WITHIN ANY DEDICATED EASEMENT WITHOUT PRIOR WRITTEN APPROVAL OF THE CITY OF GREENVILLE.
- THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT REPORT OR RESEARCH. RIVERS AND ASSOCIATES DOES NOT CLAIM THAT ALL MATTERS OF RECORD WHICH MAY OR MAY NOT AFFECT THIS PROPERTY ARE SHOWN HEREON.
- LOCATION OF THE PROPERTY LINES ALONG CENTERLINE OF CREEK OR STREAMS ARE SUBJECT TO CHANGE DUE TO NATURAL RIPARIAN CAUSES. (SURVEY LINES ARE FOR REFERENCE ONLY.) NO POINTS SET IN THE CENTERLINE OF THE CREEK UNLESS OTHERWISE NOTED.
- THE PURPOSE OF THE GREENWAY EASEMENT IS TO PROVIDE FOR THE PRESERVATION OF NATURAL AREAS AND PEDESTRIAN ACCESS PURSUANT TO THE GREENWAY COMPREHENSIVE PLAN OF THE CITY OF GREENVILLE.

FIRETOWER JUNCTION BMP ACCOUNTING TABLE

Areas Draining into the BMP

Lot	Block	Description	Lot Area (sq)	Lot Area (ac)	Drainage Area to be treated (ac)	Assigned Impervious Area to be treated (sq)	Assigned Impervious Building Area to be treated (sq)	Assigned Impervious Transportation Area to be treated (sq)	Assigned Managed Pervious Area to be treated (sq)	Assigned Wooded Pervious Area untreated (sq)
1	A	Undeveloped (unplatted)	77,370	1.776	1.776	65,765	16,474	60,291	11,605	0
2	A	Undeveloped (unplatted)	89,438	1.594	1.594	59,023	13,087	45,136	10,415	0
3	A	Undeveloped (unplatted)	54,863	1.258	1.258	46,634	10,973	35,661	8,229	0
4	A	Undeveloped (unplatted)	47,850	1.088	1.088	40,473	9,570	31,183	7,177	0
5	A	Undeveloped (unplatted)	613,921	14.094	14.094	521,833	137,981	363,852	52,088	0
6	A	ACR (Platted MB 77 Pg 38)	74,734	1.716	1.716	63,524	14,947	48,577	11,210	0
7	A	AA Storage (Platted MB 77 Pg 38)	86,146	2.024	2.024	81,901	36,783	45,118	6,265	0
8	A	BMP area	230,804	5.278	5.278	0	0	0	128,458	0
1	B	Undeveloped (Platted MB 72 Pg 129-130)	96,571	2.219	1.799	65,819	19,334	47,285	11,757	18,285
2	B	Undeveloped (Platted MB 72 Pg 129-130)	83,612	1.919	1.489	54,888	16,722	37,686	9,822	19,602
3	B	Undeveloped (Platted MB 72 Pg 129-130)	181,856	2.331	1.981	72,828	20,511	52,312	12,816	16,147
4-A	B	Undeveloped (Proposed Final Plat - Blk B Lot 4A,4B,4C)	130,969	3.000	2.700	63,457	25,208	58,297	34,184	13,888
4-B	B	Undeveloped (Proposed Final Plat - Blk B Lot 4A,4B,4C)	265,400	6.093	5.643	174,517	53,098	121,437	71,281	19,602
4-C	B	Undeveloped (Proposed Final Plat - Blk B Lot 4A,4B,4C)	364,846	8.367	7.967	180,000	60,000	130,000	141,793	42,253
7	B	Undeveloped (unplatted)	532,804	12.231	12.231	376,291	106,561	271,738	154,513	0
RAW		Baywater Road	198,885	4.586	4.586	155,876	0	155,876	43,289	0
5	B	Undeveloped (unplatted)	862,326	19.796	4.017	98,747	25,091	74,656	75,221	0
6	B	Undeveloped (unplatted)	864,646	19.847	4.017	98,747	25,091	74,656	75,221	0
Totals:			4,817,728	110.888	76.688	2,344,478	581,885	1,863,473	984,636	128,837
Allowable Areas (Per BMP Design):			3,311,848		76.688	2,344,478	581,885	1,863,473	984,636	128,837

NOTE: 1. ANY AREAS EXCEEDING THOSE SPECIFIED IN THE TABLE WILL REQUIRE A SUBMITTAL TO THE CITY OF GREENVILLE FOR REVIEW AND APPROVAL THAT DOES ONE OF THE FOLLOWING:
 A. REQUESTS AN EXCHANGE OF AREAS WITH ANOTHER PARCEL WITH APPROVAL FROM THE OWNER OF THE PROPERTY INVOLVED IN THE EXCHANGE
 B. MAKES A DETERMINATION THAT TOTAL NUTRIENT LOADING DOES NOT EXCEED THE ASSIGNED NUTRIENT LOADING AS DETERMINED BY THIS TABLE
 C. DETERMINES A METHOD OF MITIGATION FOR TREATMENT AND/OR ATTENUATION IN ACCORDANCE WITH THE CITY OF GREENVILLE STORM WATER MANAGEMENT PROGRAM
 2. THE FOLLOWING AREAS ARE NOT TREATED IN THE ABOVE BMP FOR LOT 8B AND 8C AND SHALL BE REQUIRED TO MEET THE CITY OF GREENVILLE STORM WATER MANAGEMENT PROGRAM

Lot	Block	Description	Lot Area (sq)	Lot Area (ac)	Drainage Area Untreated (ac)	Assigned Impervious Area Total BUA	Assigned Impervious Building Area (sq)	Assigned Impervious Transportation Area (sq)	Assigned Managed Pervious Area to be treated (sq)	Assigned Wooded Pervious Area untreated (sq)
* Lots 5 & 6 Block B (Unplatted) - Require individual BMP										
5	B	Undeveloped (unplatted)	862,326	19.796	15.780	TBD	TBD	TBD	TBD	111,550
6	B	Undeveloped (unplatted)	864,646	19.847	15.931	TBD	TBD	TBD	TBD	0

Abbreviations:
 DA = Drainage Area
 BUA = Built Upon Area (Impervious Area)
 TBD = To be Determined

Doc ID: 013086370002 Type: CRP
 Recorded: 03/20/2015 at 12:05:08 PM
 Fee Amt: \$42.00 Page 2 of 2
 Pitt County, NC
 Lisa P. Nichols REG OF DEEDS
 BK 78 Pg 156-157

CURVE TABLE					
CURVE	RADIUS	ARC LENGTH	CH BEARING	CH. LENGTH	DELTA
C1	660.00	150.32	N 09°57'51" E	150.00	13°03'00"
C2	660.00	138.55	N 22°30'11" E	138.30	12°01'40"
C3	660.00	80.04	N 31°59'28" E	79.99	6°56'53"
C4	660.00	269.04	N 47°08'35" E	267.18	23°21'20"
C5	1210.46	142.00	N 62°10'53" E	141.92	6°43'17"
C6	1210.46	373.14	S 74°22'24" W	371.67	17°39'44"
C7	1210.46	180.59	S 87°28'43" W	180.43	8°32'53"
C8	553.85	180.62	N 78°54'17" W	179.82	18°41'07"
C9	493.85	161.06	S 78°54'17" E	160.34	18°41'08"
C10	1150.46	161.94	N 87°43'12" E	161.81	8°03'54"
C11	1150.46	499.31	N 71°15'15" E	495.40	24°52'01"
C12	600.00	317.34	N 43°40'08" E	313.65	30°18'13"
C13	600.00	233.16	S 17°23'03" W	231.70	22°15'56"

REFERENCES:

- | | |
|--|--|
| PARCEL NUMBER 82302
D.B. 3275 PG. 98
PARCEL NUMBER 08092
D.B. 2223, PG. 428
D.B. 2302 PG. 58 (ESMT. RELEASE)
D.B. X 21, PG. 421
D.B. 1941, PG. 327
D.B. 2072, PG. 337
D.B. 3001 PG. 10
D.B. 3162 PG. 579
M.B. 78 P.G. 55
M.B. 23, PG. 69
M.B. 72 PG. 129
M.B. 67 PG. 143
D.B. U 46 PG. 574
D.B. 819 PG. 853
RIVERS DRAWING W-2953
RIVERS DRAWING Z-2412-2 | PARCEL NUMBER 74327
D.B. 2278, P.G. 725
D.B. 547 PG. 874
D.B. 2219 PG. 612
D.B. 2278 PG. 722
D.B. 2278 PG. 720
M.B. 77 PG. 38
M.B. 69 PG. 90
M.B. 67 PG. 122
M.B. 67 PG. 95
M.B. 59 PG. 35
M.B. 32 PG. 280
RIVERS DRAWING W-2953
D.B. 3162 PG. 571 (WITHDRAWAL AND TERMINATION OF PRIVATE EASEMENT/STREETS)
RIVERS DRAWING W-3220-BMP
(FIRETOWER JUNCTION SUBDIVISION BMP AREA MAP) |
|--|--|

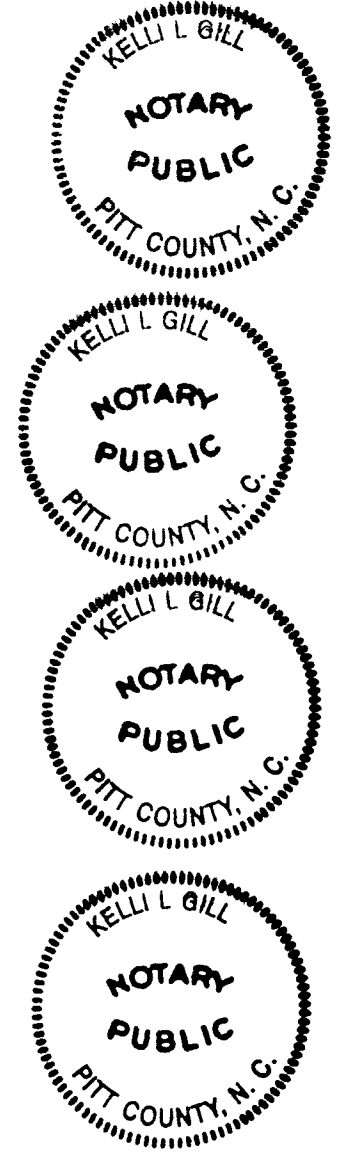
OWNERS STATEMENT AND DEDICATION

V. Parker Overton SWORN TO AND SUBSCRIBED BEFORE ME THIS 17th DAY OF March, 2015.
Kelli L. Hill NOTARY PUBLIC
 MY COMMISSION EXPIRES Sept. 25, 2016

Harvey R. Lewis SWORN TO AND SUBSCRIBED BEFORE ME THIS 17th DAY OF March, 2015.
Kelli L. Hill NOTARY PUBLIC
 MY COMMISSION EXPIRES Sept. 25, 2016

Charles Gregory Lassiter SWORN TO AND SUBSCRIBED BEFORE ME THIS 17th DAY OF March, 2015.
Kelli L. Hill NOTARY PUBLIC
 MY COMMISSION EXPIRES Sept. 25, 2016

Monica S. Lassiter SWORN TO AND SUBSCRIBED BEFORE ME THIS 17th DAY OF March, 2015.
Kelli L. Hill NOTARY PUBLIC
 MY COMMISSION EXPIRES Sept. 25, 2016



COPY

CERTIFICATION

Andrew Thomas, Jr. 2/12/15
 PROFESSIONAL LAND SURVEYOR
 LICENSE NUMBER L-4262

FINAL PLAT
FIRETOWER JUNCTION
BLOCK B LOT 4A, 4B, AND 4C

CITY OF GREENVILLE, WINTERVILLE TOWNSHIP, PITT COUNTY, N.C.

OWNER **V. PARKER OVERTON POHL, LLC**
 ADDRESS P.O. BOX 30930 GREENVILLE, NC 27833
 PHONE (252) 355-7757

CHARLES G. LASSITER
 MONICA L. LASSITER
 1469 HOLLY BRANCH RD.
 GREENVILLE, NC 27858
 (252) 756-1314

SURVEYED JEW/WM/RB/MS
 DRAWN PH
 CHECKED PWH
 APPROVED JW
 DATE 2/12/15
 SCALE N/A

Rivers
 & ASSOCIATES, INC.
 107 East Second Street
 Greenville, NC 27858
 (252) 752-4135

NC License: F-0334
 Engineers Planners Surveyors Landscape Architects

#3 - 03/13/2015: UPDATED BMP ACCOUNTING TABLE
 #2 - 03/09/2015: ADDED MONICA L. LASSITER
 #1 - 03/06/2015: REVISED PER CITY OF GREENVILLE COMMENTS AND PRELIMINARY PLAT

SOURCE OF TITLE
 TO THE BEST OF MY KNOWLEDGE, THE LAST INSTRUMENT(S) IN THE CHAIN OF TITLE OF THIS PROPERTY AS RECORDED IN THE PITT COUNTY REGISTRY AT GREENVILLE, NORTH CAROLINA IS:
 DEED BOOK 2223, PAGE 428
 DEED BOOK 2278, PAGE 725
 DEED BOOK 3275, PAGE 98
 NORTH CAROLINA LICENSE NO. L-4262

OWNERS STATEMENT
 THIS IS EVIDENCE THAT THIS SUBDIVISION IS MADE AT THE REQUEST OF
 SEE ABOVE
 ME THIS DAY OF , 2015.
 SEE ABOVE
 NOTARY PUBLIC
 MY COMMISSION EXPIRES

APPROVAL
 THIS FINAL PLAT NO. 15-09, WAS APPROVED BY THE SUBDIVISION REVIEW BOARD IN ACCORDANCE WITH TITLE 9, CHAPTER 5 OF THE GREENVILLE CITY CODE THE 11th DAY OF MARCH, 2015.
 SIGNED Andrew Thomas, Jr.
 CITY PLANNER

DEDICATION
 THE UNDERSIGNED HEREBY ACKNOWLEDGE(S) THIS PLAT AND ALLOTMENT TO BE THEIR FREE ACT AND DEED, AND HEREBY DEDICATE TO PUBLIC USE AS STREETS, PARKS, PLAY-GROUNDS, OPEN SPACES, AND EASEMENTS FOREVER, ALL AREAS SHOWN OR SO INDICATED ON SAID PLAT.
 SEE ABOVE
 SIGNED
 ATTEST SEE ABOVE

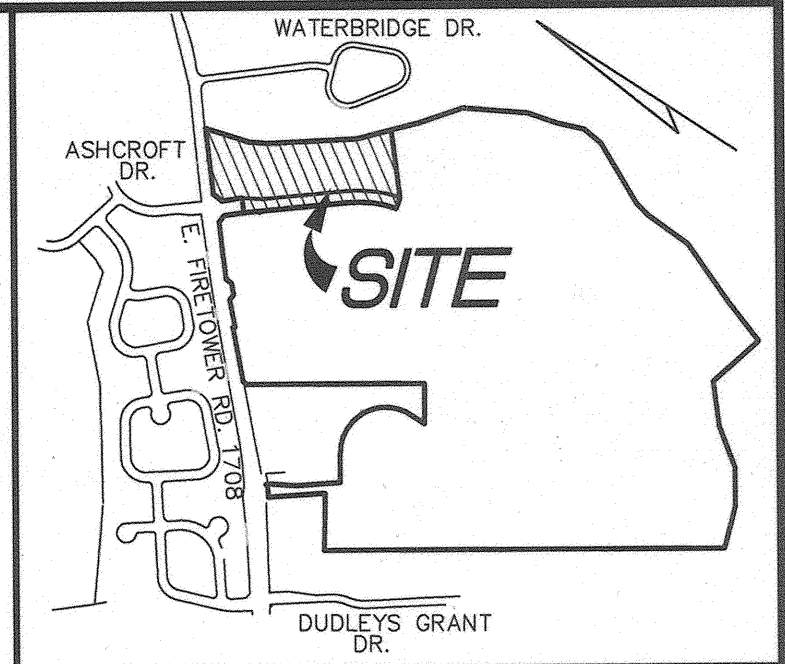
NORTH CAROLINA PITT COUNTY
 I, Andrew Thomas, Jr.
 A REVIEW OFFICER OF PITT COUNTY, N.C., CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.
 BY Andrew Thomas, Jr.
 REVIEW OFFICER
 DATE 3/20/15

Notes :

- IRON STAKES LOCATED AT ALL CORNERS, EXCEPT AS NOTED OTHERWISE.
- ALL DISTANCES ARE HORIZONTAL GROUND MEASURED UNLESS SHOWN OTHERWISE.
- AREA BY COORDINATES.
- PROPERTY SUBJECT TO ANY AND ALL EASEMENTS, RIGHTS-OF-WAY, RESTRICTIVE COVENANTS WHICH MAY BE OF RECORD.
- THIS PROPERTY IS SUBJECT TO THE CITY OF GREENVILLE STORMWATER MANAGEMENT PROGRAM.
- PORTIONS OF THIS PROPERTY IS LOCATED IN A FLOOD ZONE X (AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN) AND ZONE X SHADED (AREA OF 0.2% ANNUAL CHANCE FLOOD) AND ZONE AE (AREA DETERMINED TO BE INSIDE THE 1% ANNUAL CHANCE FLOOD) AS SHOWN ON THE FEMA FLOOD INSURANCE RATE MAPS NUMBER 3720468500 J, AND 3720468600 J, EFFECTIVE JANUARY 2, 2004. (BASE FLOOD ELEVATION = 58.3± NAVD 88)
- THE DESIGNATION NOTED OVER WATER, SANITARY SEWER, GAS, OR ELECTRIC LINES ARE FOR THE PURPOSE OF ESTABLISHING WIDTH OF SAID EASEMENTS. THE EASEMENTS SHOWN ARE NOT EXCLUSIVE AND WILL PERMIT THE FUTURE INSTALLATION OF WATER, SANITARY SEWER, GAS AND ELECTRIC LINES WITHIN THOSE DESIGNATED WIDTHS.
- NO BUILDINGS, STRUCTURES, OR OTHER IMPROVEMENTS, MATERIALS, AND SURFACES, INCLUDING BUT NOT LIMITED TO PRINCIPAL AND ACCESSORY STRUCTURES AND ADDITIONS OR APPURTENANCES THERETO, SIGNAGE, FENCES, WALLS, MECHANICAL EQUIPMENT, CANOPIES, ANTENNAS, MASTS, AERIALS, MONUMENTS, LANDSCAPE PLANTINGS, FILL MATERIALS, DEBRIS, SOLID WASTE COLLECTION CONTAINERS, MAIL RECEPTACLES, AND IMPERVIOUS SURFACES, SHALL ENCR OACH WITHIN ANY DEDICATED EASEMENT WITHOUT PRIOR WRITTEN APPROVAL OF THE CITY OF GREENVILLE.
- THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT REPORT OR RESEARCH. RIVERS AND ASSOCIATES DOES NOT CLAIM THAT ALL MATTERS OF RECORD WHICH MAY OR MAY NOT AFFECT THIS PROPERTY ARE SHOWN HEREON.
- LOCATION OF THE PROPERTY LINES ALONG CENTERLINE OF CREEK OR STREAMS ARE SUBJECT TO CHANGE DUE TO NATURAL RIPARIAN CAUSES. (SURVEY LINES ARE FOR REFERENCE ONLY.) NO POINTS SET IN THE CENTERLINE OF THE CREEK UNLESS OTHERWISE NOTED.
- THE PURPOSE OF THE GREENWAY EASEMENT IS TO PROVIDE FOR THE PRESERVATION OF NATURAL AREAS AND PEDESTRIAN ACCESS PURSUANT TO THE GREENWAY COMPREHENSIVE PLAN OF THE CITY OF GREENVILLE.
- THE TEMPORARY STORMWATER MANAGEMENT EASEMENT IDENTIFIED IN INSET 'A' (ON SHEET 2) IS TO BE MAINTAINED AS MANAGED PERVIOUS TO MEET THE REQUIREMENTS OF THE CITY OF GREENVILLE'S STORMWATER MANAGEMENT REGULATIONS FOR LOTS 1, 2 AND 3, BLOCK B SHOWN ON THIS FINAL PLAT. FUTURE DEVELOPMENT BEYOND THE AFOREMENTIONED LOTS AND LOTS 1 THROUGH 6, BLOCK A SHOWN ON PRELIMINARY PLAT #09-03 REQUIRES THE CONSTRUCTION OF A STORMWATER BMP AS ILLUSTRATED IN THE STORMWATER MANAGEMENT PLAN PREPARED BY RIVERS AND ASSOCIATES, INC. AND APPROVED BY THE CITY OF GREENVILLE ENGINEERING DIVISION ON 04/22/09.

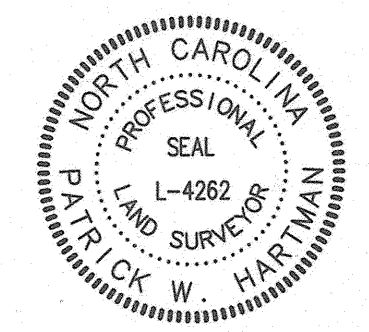
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Doc ID: 008396880002 Type: CRP
 Recorded: 09/23/2009 at 11:00:28 AM
 Fee Amt: \$42.00 Page 1 of 2
 Pitt County, NC
 Deborah T Barrington REG OF DEEDS
 BK 72 Pg 129-130



Vicinity Map
 SCALE: 1" = 1000'

- Legend**
- IRON PIPE SET
 - I.P.S. (W) WITNESS IRON PIPE SET
 - E.I.P. EXISTING IRON PIPE
 - E.C.M. EXISTING CONCRETE MONUMENT
 - N.P.S. NO POINT SET
 - PG. PAGE
 - M.B. MAP BOOK
 - B/B BACK TO BACK
 - R/W RIGHT OF WAY
 - P/N PARCEL NUMBER
 - ℄ CENTERLINE
 - N/F NOW OR FORMERLY
 - ② LOT NUMBER
 - ⓑ BLOCK NUMBER

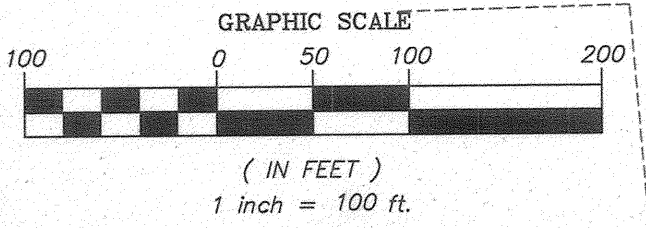
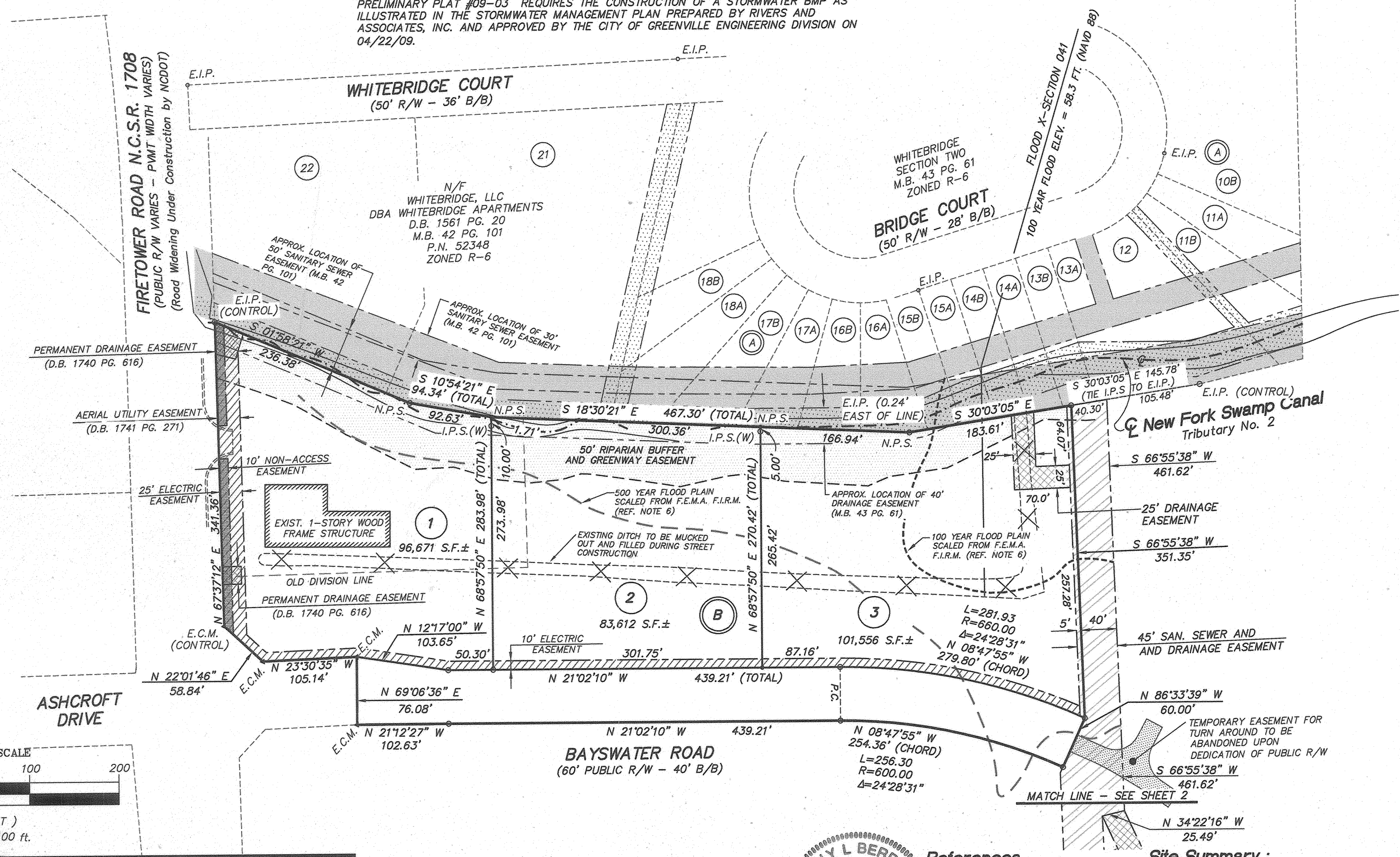


CERTIFICATION

NORTH CAROLINA PITT COUNTY

I, **PATRICK W. HARTMAN** CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE BY J.E.W. FROM DEED DESCRIPTIONS RECORDED IN BOOK SEE, PAGE SEE; THAT THE RATIO OF PRECISION AS CALCULATED BY COORDINATES IS 1:10,000 + ; THAT BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION FOUND IN BOOKS REFERENCED HEREON; THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. I, FURTHER CERTIFY PURSUANT TO G.S. 47-30 (f)(11)a: THIS SURVEY CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND; WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER, AND SEAL THIS 15th DAY OF JULY, 2009.

SIGNED: *Patrick W. Hartman*
 PROFESSIONAL LAND SURVEYOR
 LICENSE NUMBER L-4262



FINAL PLAT
FIRETOWER JUNCTION
SECTION ONE

CITY OF GREENVILLE, WINTERVILLE TOWNSHIP, PITT COUNTY, N.C.

OWNER **V. PARKER OVERTON**
 ADDRESS **P.O. BOX 30930 GREENVILLE, NC 27833**
 PHONE **(252) 355-7757**

 Engineers Planners Surveyors Landscape Architects License No. F-0334 107 East Second Street Greenville, NC 27858 (252) 752-4135 6131 Falls of Neuse Road, Suite 300 Raleigh, NC 27609 (919) 848-3347	SURVEYED JEW	APPROVED PWH
	DRAWN AR	DATE 7/15/09
	CHECKED PWH	SCALE 1" = 100'
	NORTH CAROLINA LICENSE NO. <u>L-4262</u>	

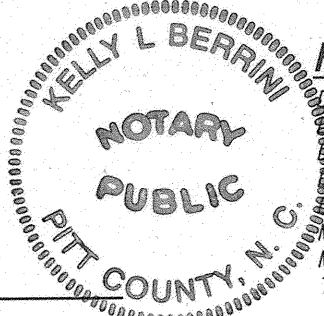
RECORDED IN MAP BOOK _____ PAGE _____

SOURCE OF TITLE
 TO THE BEST OF MY KNOWLEDGE, THE LAST INSTRUMENT(S) IN THE CHAIN OF TITLE OF THIS PROPERTY AS RECORDED IN THE PITT COUNTY REGISTRY AT GREENVILLE, NORTH CAROLINA IS:
 DEED BOOK 2223, PAGE 428
 DEED BOOK _____, PAGE _____
 DEED BOOK _____, PAGE _____
 NORTH CAROLINA LICENSE NO. L-4262

OWNERS STATEMENT
 THIS IS EVIDENCE THAT THIS SUBDIVISION IS MADE AT THE REQUEST OF
V. Parker Overton
 SWORN TO AND SUBSCRIBED BEFORE ME THIS 15th DAY OF September 2009.
Kelly L. Berrini
 NOTARY PUBLIC
 MY COMMISSION EXPIRES 6/29/2010

APPROVAL
 THIS FINAL PLAT NO. 09-30, WAS APPROVED BY THE SUBDIVISION REVIEW BOARD IN ACCORDANCE WITH TITLE 9, CHAPTER 5 OF THE GREENVILLE CITY CODE THE 12th DAY OF AUGUST, 2009.
 SIGNED *Andrew Thomas, Jr.*
 CITY PLANNER

DEDICATION
 THE UNDERSIGNED HEREBY ACKNOWLEDGE(S) THIS PLAT AND ALLOTMENT TO BE THEIR FREE ACT AND DEED, AND HEREBY DEDICATE TO PUBLIC USE AS STREETS, PARKS, PLAY-GROUNDS, OPEN SPACES, AND EASEMENTS FOREVER, ALL AREAS SHOWN OR SO INDICATED ON SAID PLAT.
 SIGNED *V. Parker Overton*
 ATTEST *[Signature]*



References

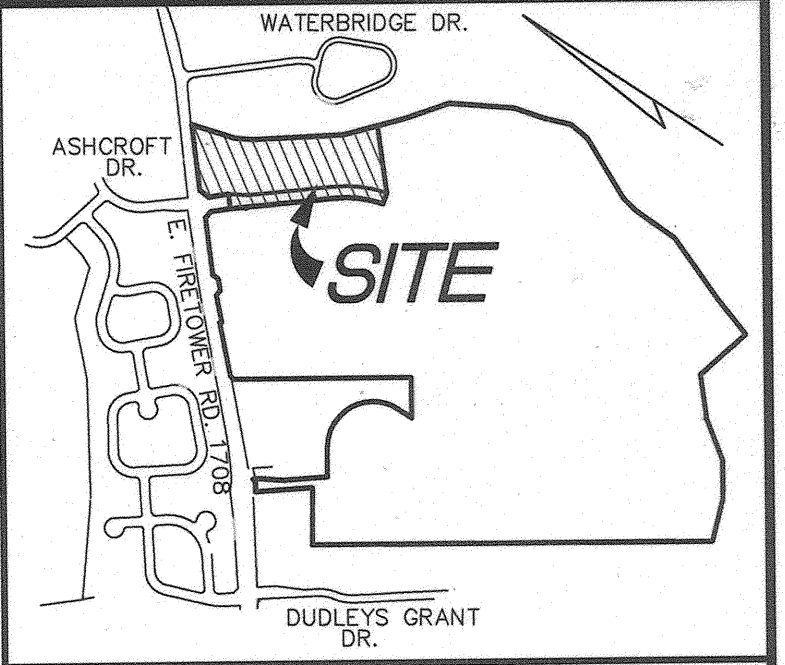
- D.B. 2223, P.G. 428
- D.B. 2072, P.G. 337
- D.B. X 21, PG. 421
- D.B. 1941, PG. 327
- D.B. 2302, PG. 58
- M.B. 67, PG. 143
- M.B. 23 PG. 69
- TAX NO. :08092

Site Summary :

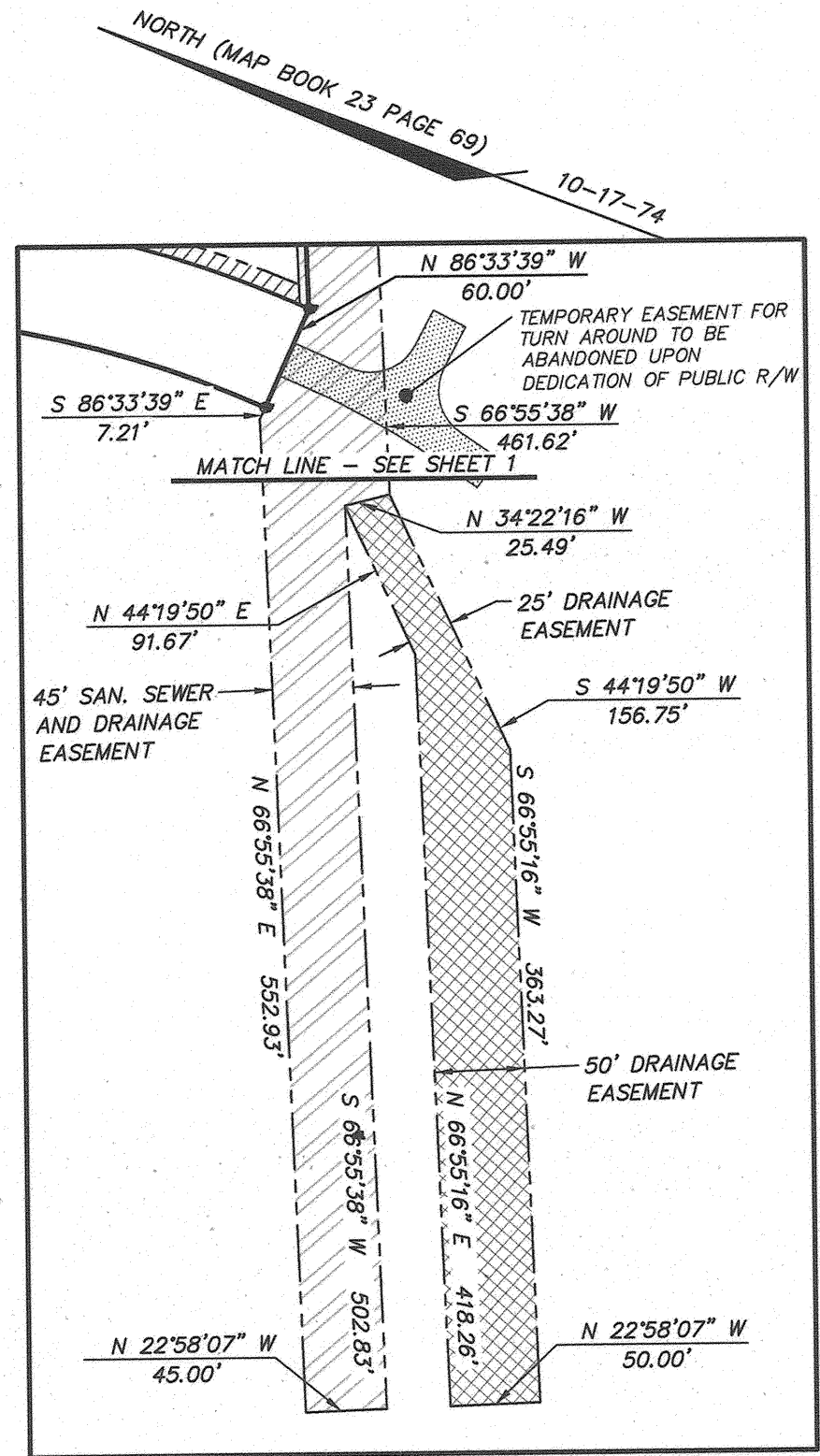
NUMBER OF LOTS CREATED	<u>3</u>
ACREAGE IN LOTS	<u>6.470 AC.</u>
ACREAGE IN BAYSWATER ROAD	<u>1.136 AC.</u>
ACREAGE IN TOTAL TRACT	<u>7.606 AC.</u>
ACREAGE IN COMMON AREA(S)	<u>NONE</u>
ACREAGE IN PARK AND RECREATION AREAS	<u>NONE</u>

COPY

Doc ID: 008396880002 Type: CRP
 Recorded: 09/23/2009 at 11:00:28 AM
 Fee Amt: \$42.00 Page 1 of 2
 Pitt County, NC
 Deborah T Barrington REG OF DEEDS
 BK 72 Pg 129-130



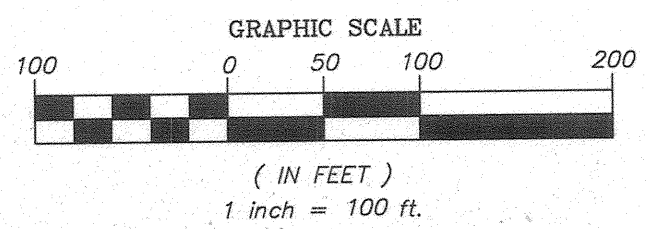
Vicinity Map
 SCALE: 1" = 1000'



- Legend**
- E.I.P. EXISTING IRON PIPE
 - PG. PAGE
 - M.B. MAP BOOK
 - B/B BACK TO BACK
 - R/W RIGHT OF WAY
 - P/N PARCEL NUMBER
 - CL CENTERLINE
 - N/F NOW OR FORMERLY
 - (2) LOT NUMBER
 - (B) BLOCK NUMBER

(SEE NOTE 12)
Inset "A"
 N.T.S.

- TEMPORARY STORMWATER MANAGEMENT EASEMENT
- AREA BENEFITING FROM TEMPORARY STORMWATER MANAGEMENT EASEMENT



FINAL PLAT
FIRETOWER JUNCTION SECTION ONE
 CITY OF GREENVILLE, WINTERVILLE TOWNSHIP, PITT COUNTY, N.C.

OWNER **V. PARKER OVERTON**
 ADDRESS **P.O. BOX 30930 GREENVILLE, NC 27833**
 PHONE **(252) 355-7757**

Rivers & Associates, Inc.
 Engineers, Planners, Surveyors, Landscape Architects
 License No. F-0334
 107 East Second Street, Greenville, NC 27856 (252) 752-4135
 6131 Falls of Neuse Road, Suite 300 Raleigh, NC 27609 (919) 848-3347

SOURCE OF TITLE
 TO THE BEST OF MY KNOWLEDGE, THE LAST INSTRUMENT(S) IN THE CHAIN OF TITLE OF THIS PROPERTY AS RECORDED IN THE PITT COUNTY REGISTRY AT GREENVILLE, NORTH CAROLINA IS:
 DEED BOOK **2223**, PAGE **428**
 DEED BOOK _____, PAGE _____
 DEED BOOK _____, PAGE _____
 NORTH CAROLINA LICENSE NO. **L-4262**

OWNERS STATEMENT
 THIS IS EVIDENCE THAT THIS SUBDIVISION IS MADE AT THE REQUEST OF

 SWORN TO AND SUBSCRIBED BEFORE ME THIS **15th** DAY OF **September** 2009.
Kelly L. Berrini
 NOTARY PUBLIC
 MY COMMISSION EXPIRES **6/29/2010**

APPROVAL
 THIS FINAL PLAT NO. **09-30**, WAS APPROVED BY THE SUBDIVISION REVIEW BOARD IN ACCORDANCE WITH TITLE 9, CHAPTER 5 OF THE GREENVILLE CITY CODE THE **12th** DAY OF **AUGUST**, 2009.
 SIGNED
 CITY PLANNER

DEDICATION
 THE UNDERSIGNED HEREBY ACKNOWLEDGE(S) THIS PLAT AND ALLOTMENT TO BE THEIR FREE ACT AND DEED, AND HEREBY DEDICATE TO PUBLIC USE AS STREETS, PARKS, PLAY-GROUNDS, OPEN SPACES, AND EASEMENTS FOREVER, ALL AREAS SHOWN OR SO INDICATED ON SAID PLAT.
 SIGNED
 ATTEST

- References**
- D.B. 2223, P.G. 428
 - D.B. 2072, P.G. 337
 - D.B. X 21, PG. 421
 - D.B. 1941, PG. 327
 - D.B. 2302, PG. 58
 - M.B. 67, PG. 143
 - M.B. 23 PG. 69
 - TAX NO. :08092

Site Summary :

- NUMBER OF LOTS CREATED **3**
- ACREAGE IN LOTS **6.470 AC.**
- ACREAGE IN BAYSWATER ROAD **1.136 AC.**
- ACREAGE IN TOTAL TRACT **7.606 AC.**
- ACREAGE IN COMMON AREA(S) **NONE**
- ACREAGE IN PARK AND RECREATION AREAS **NONE**

CERTIFICATION
 NORTH CAROLINA PITT COUNTY

 SIGNED
 PROFESSIONAL LAND SURVEYOR
 LICENSE NUMBER **L-4262**

NORTH CAROLINA PITT COUNTY
 I, **Andrew Thomas, Jr.**, A REVIEW OFFICER OF PITT COUNTY, N.C., CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.
 BY
 REVIEW OFFICER
 DATE **9/23/09**



City of Greenville, North Carolina

Meeting Date: 2/11/2019
Time: 6:00 PM

Title of Item: Authorization to Submit Application for State Acquisition Relocation Funds for Hurricane Matthew

Explanation: **Abstract:** There is potential State Acquisition Relocation funding for homeowners impacted by Hurricane Matthew and approved for the Hazard Mitigation Grant Program.

Explanation: The North Carolina Department of Emergency Management has issued a request for applications for Hurricane Matthew State Acquisition and Relocation Funds. These funds may be used to provide relocation assistance to homeowners whose primary residence was damaged during Hurricane Matthew and is being acquired in a Hazard Mitigation Grant Program or Disaster Recovery Act buyout. The City is acquiring two properties which were damaged and qualify for the Hazard Mitigation Grant. Staff anticipates that one homeowner may qualify for State relocation benefits.

Fiscal Note: The City is planning to submit an application for \$54,300 which includes relocation, service delivery, and legal fees.

Recommendation: Staff recommends City Council authorize submission for State Acquisition Relocation Funding from the NC Emergency Management Department.

ATTACHMENTS:

☐ Hurricane_Matthew_SARF_Application_Form_City_of_Greenville_1100358



State Acquisition Relocation Fund (SARF) APPLICATION SUMMARY

APPLICANT INFORMATION:

Type of Applicant (circle one): Municipality County

Applicant Name:	City of Greenville
Street/PO Box:	PO Box 7207
City:	Greenville
Zip Code	27835
County	Pitt
Contact Person:	Eric Griffin
Telephone No.	252-329-4404
Preparer of Application:	Gloria H. Kesler
Preparer Telephone No:	252-329-4226

Project Name	Hurricane Matthew Acq / Relocation Assistance Program
Total Funds Requested:	\$ 54,300

Project Area/Location Map Attached

Project Description: *(attach additional pages if necessary)*

We have one (1) property eligible to participate in the Relocation Assistance Program (SARF). The estimated funding for relocation is \$54,300.

The City has not identified additional assistance outside of the State’s Acquisition Relocation Fund (SARF) for the relocation of eligible homeowners.

We were able to identify 4 homes outside the flood plain though Zillow and online real estate searches which are suitable comparable homes located within the same geographic area, with similar square footage, rooms and amenities.

The relocation project will not require construction of new homes. The City does have an active construction project located within 2 miles of the subject property. If the buyer is interested in purchasing within the project area there could be, if qualified, downpayment assistance to make the replacement home affordable.

Attached is the contract and approved acquisition properties spreadsheet identifying the eligible property. A location map identifying the location of the property is attached. At this time there is no replacement housing identified.



State Acquisition Relocation Fund (SARF) APPLICATION SUMMARY

Strategy for Implementation: *(attach additional pages if necessary)*

The acquisition / relocation is being carried out by in-house staff experienced in the acquisition / relocation process following Uniform Relocation Act (URA) guidelines. The home buyer will receive the notice "When a Public Agency Acquires Your Property" and the State Relocation Funding Assistance Information for Homeowners handout during the acquisition process.

The Planner will review, with the home buyer, program guidelines and requirements for relocation assistance. Advisory services will be provided as required to assist the home buyer in locating a replacement home. A comparable replacement home is decent, safe and sanitary, functionally equivalent to the home buyer's present home, is available for purchase and affordable and is reasonably accessible to the home buyer's needs. Once the comparable units have been identified, the City will provide a comparable letter to the home buyer offering 3 comparable units with the most comparable setting the maximum amount of the Relocation Assistance.

The Planner will provide assistance to the home buyer to secure a suitable replacement property, assist with completing the required claim forms for relocation / moving expenses and the closing process.

Funds needed for service delivery will include staff hours to offer advisory services, identification of comparable properties and completing required forms with the home buyer. It is anticipated there will be a cost of up to \$1,500 for staff time to complete the relocation process. This includes advisory services as needed. The legal fees, appraisal, cost of inspection of property, and potential survey of the property total an anticipated cost of \$1,450. Total cost toward service delivery is anticipated to be \$2,950.

The City has 1 property eligible for relocation assistance. The acquisition of the property is set to be completed by April 30, 2019. The homebuyer will have 12 months from acquisition of property to locate a replacement home and file claim for relocation assistance. The replacement property must be located within the City of Greenville and outside of the flood plain.

The project budget is \$50,000 for the relocation assistance, \$1,350 for fixed moving expense and \$2,950 for service delivery, bringing the total cost to \$54,300.

Assistance will be delivered by check at the closing of the replacement home and will be documented on the Closing Disclosure.

Properties Proposed for Assistance (include address and cost): *(attach additional pages if necessary)*

Address	Owner-Occupied?	LMI?	Flood Zone	Proposed Cost
294 Millbrook Street, Greenville NC 27834	Yes	N	AE / AEFW	\$ 54,300
				\$
				\$
Total Service Delivery Costs				\$ 54,300
Grand Total				\$ 54,300



State Acquisition Relocation Fund (SARF) APPLICATION SUMMARY

Certification

To the best of my knowledge and belief, data in this application are true and correct. All of the proposed properties meet SARF eligibility requirements. The governing body of the applicant has duly authorized the document. The applicant will comply with all program-required certifications if the assistance is approved.

Name of Authorized Official:	Eric Griffin
Title:	F/R Chief
Signature:	
Date	

The applicant hereby assures and certifies that:

- a) It will comply with all applicable laws, regulations, rules and Executive Orders.*
- b) It possesses legal authority to apply for the grant, and to execute the proposed program.*
- c) Its governing body has duly adopted or passed as an official act a resolution, motion or similar action authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.*
- d) It will give NCEM and the State Auditor through any authorized representative access to and the right to examine all records, books, papers or documents related to the grant.*
- e) It will establish safeguards to prohibit employees from using positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties.*
- f) It will ensure that all properties on which grant funds are expended meet the requirements of the local floodplain ordinance, and it will require all owners of such properties to maintain flood insurance if located in a mapped floodplain.*
- g) It will ensure that assistance provided to households is secured by appropriate legal means, and it will maintain records sufficient to recapture funds. In the event that provisions are triggered, it will recapture funds and return them to NCEM.*



City of Greenville, North Carolina

Meeting Date: 2/11/2019
Time: 6:00 PM

Title of Item: Resolution supporting an application for a Rural Demolition Program grant through the North Carolina Department of Commerce Rural Economic Development Division

Explanation: **Abstract:** The Rural Economic Development Division of the North Carolina Department of Commerce provides grants to local governments to support the demolition of vacant buildings to encourage site rehabilitation and site availability for economic development purposes. City staff recommends the submission of an application for a Rural Demolition Program grant for demolition of the vacant buildings on the Imperial Tobacco Site. A resolution of support from City Council is required to accompany the grant application.

Explanation: The Imperial Tobacco Site was purchased by the City of Greenville in 2012 and was the subject of an EPA Brownfields Cleanup Grant. In January 2019, the City opened a bid process for the demolition of the remaining structures on the Imperial Tobacco Site. Two estimates were received during the bid process, with estimates totaling \$327,000 and \$385,000. The City seeks to apply to the North Carolina Department of Commerce for the Rural Demolition Grant in the amount of \$150,000 to aid in the demolition of the remaining structures on the Imperial Site. Demolishing the remaining structures on the property will incentivize private investment by minimizing the amount of predevelopment expenses and cutting down the project timeline for the new development.

The City of Greenville recognizes that the Rural Demolition Grant program requires a 25% local match, which may not be derived from other State or Federal grant funds. The matching funds for the Rural Demolition Grant, if the full request is awarded, will be \$37,500.

The Imperial Site is a significant investment in a priority revitalization area, and any additional funds that can be gained to leverage with our current business incentives will help promote the redevelopment of the property.

Fiscal Note:

If the grant is successful, the Department of Commerce will award a grant up to \$150,000.

The City would be required to contribute at least 25%, or up to \$37,500, of the total project cost as a cash match, which must come from local resources and may not be derived from other State or federal grant funds.

Recommendation:

Staff recommends that City Council adopt the resolution of support for a Rural Demolition Program grant application.

ATTACHMENTS:

- ☐ **Draft_Resolution__Building_Demo_Grant_1100525**

RESOLUTION AUTHORIZING AND SUPPORTING AN APPLICATION BY THE CITY OF GREENVILLE TO THE NORTH CAROLINA DEPARTMENT OF COMMERCE RURAL ECONOMIC DEVELOPMENT DIVISION FOR A RURAL DEMOLITION PROGRAM GRANT TO SUPPORT DEMOLITION OF VACANT PROPERTIES ON THE IMPERIAL TOBACCO SITE

WHEREAS, the North Carolina Office of Rural Economic Development, an operating administration of the North Carolina Department of Commerce, offers state assistance under the Rural Demolition Program to support the demolition of vacant properties to encourage rehabilitation and site availability for economic development purposes;

WHEREAS, the City of Greenville is committed to advancing and promoting economic development in a priority revitalization area;

WHEREAS, the City of Greenville has purchased the Imperial Tobacco Site for the purposes of attracting private sector investment for redevelopment;

WHEREAS, the City of Greenville will adhere to all stipulations associated with the Rural Demolition Program grant and will ensure that the property will not be used for government/public, parking, recreation, or housing, for at least three years after the award date;

WHEREAS, the City of Greenville has invested funds in the purchase and redevelopment of the Imperial Tobacco Site, and additional funds through the North Carolina Department of Commerce under the Rural Demolition Program in the sum of \$150,000 will aid in the redevelopment efforts of the City-owned property;

WHEREAS, the City of Greenville acknowledges that the grant includes financial obligations in the form of a 25% cash match of the total request, a sum up to \$37,500;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Greenville, North Carolina, that:

1. It does hereby support and endorse the application of the City of Greenville to the North Carolina Department of Commerce's Rural Demolition Program for a grant up to the amount of \$150,000.
2. The City Manager is authorized to execute and file applications on behalf of the City of Greenville with the North Carolina Department of Commerce and the Rural Economic Development Division to aid in the demolition of the structures on the Imperial Tobacco Site.
3. The City Manager is authorized to submit additional information as the North Carolina Department of Commerce may require in connection with the application or project.
4. The City Manager is authorized to set forth and execute marketing policies to attract

- investment to the property; and
5. The City Manager is authorized to execute grant and cooperative agreements with the North Carolina Department of Commerce on behalf of the City of Greenville.

ADOPTED this the 11th day of February, 2019.

P.J. Connelly, Mayor

ATTEST:

Carol L. Barwick, City Clerk

1100525



City of Greenville, North Carolina

Meeting Date: 2/11/2019
Time: 6:00 PM

Title of Item: Resolution declaring Police Canine Bono JR as surplus and authorizing his disposition to Officer Tim McLaughlin

Explanation: **Abstract:** The Greenville Police Department (GPD) recently retired K9 Bono JR. His handler, Officer Tim McLaughlin, desires to keep and care for Bono JR for the remainder of his life. Staff seeks City Council approval to declare Bono JR as surplus property and authorize his disposition to Officer McLaughlin.

Explanation: Officer Tim McLaughlin and K9 Bono JR have been partners for nine years. Bono JR was recently retired by GPD, and Officer McLaughlin has expressed interest in caring for Bono JR for the remainder of his life. It has been the practice for many years to allow the handler to purchase the assigned K9 upon retirement if the handler wishes to do so. Approval of the attached resolution declaring Bono JR as surplus and authorizing his disposition to Officer McLaughlin will allow the purchase in accordance with North Carolina General Statutes relating to surplus government property.

Fiscal Note: To meet the requirements of North Carolina General Statutes, Officer McLaughlin will be charged \$1.00 to retain Bono JR.

Recommendation: Staff recommends approval of this resolution and transfer of Bono JR to Officer McLaughlin for the remainder of his life.

ATTACHMENTS:

▣ **Resolution_K9_Bono_Jr_Surplus_1099694**

RESOLUTION NO. _____-19
RESOLUTION DECLARING A POLICE CANINE AS SURPLUS
AND AUTHORIZING HIS DISPOSITION TO OFFICER TIM MCLAUGHLIN

WHEREAS, K-9 Bono JR, a police canine for the Greenville Police Department, has retired;

WHEREAS, Officer Tim McLaughlin has been K-9 Bono JR's handler for nine years and has requested that Bono JR be released to his care for the remainder of Bono JR's life; and

WHEREAS, North Carolina General Statute 160A-267 permits City Council to authorize the disposition of property valued at less than thirty thousand dollars (\$30,000) by private sale;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Greenville that K-9 Bono JR be and is hereby declared surplus to the needs of the City and is authorized to be conveyed to Officer Tim McLaughlin for one dollar (\$1.00).

This the 11th day of February, 2019

P. J. Connelly, Mayor

ATTEST:

Carol L. Barwick, City Clerk

#1099694



City of Greenville, North Carolina

Meeting Date: 2/11/2019
Time: 6:00 PM

Title of Item: Report on Bids and Contracts Awarded

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

Explanation: The Director of Financial Services reports that the following bids and/or contracts were awarded during the month of January.

Date Awarded	Description	Vendor PO Number	Amount	MWBE Vendor?	Does Local Preference Apply?
1/9/2019	Structural Firefighter (Turnout) Gear	NAFECO INC PO# 19000281	\$64,966.39	No	No
		NOTE: Cooperative Contract			

Fiscal Note: Funding for the bids and contracts awarded are included in the City of Greenville's 2018-2019 budget ordinance.

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



City of Greenville,
North Carolina

Meeting Date: 2/11/2019
Time: 6:00 PM

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

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

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

<u>Payee</u>	<u>Adjustment Refunds</u>	<u>Amount</u>
Abdo, Taha	Registered Property Taxes	\$772.39
Boyle Investment Group LLC	Registered Property Taxes	1,245.91
Community Fellowship Ministries Inc	Registered Property Taxes	931.74
Everett, Martha B	Registered Property Taxes	298.68
Palacios, Moises	Registered Property Taxes	128.29
Sheppard, Carolyn	Registered Property Taxes	155.53
Adamiec, Alicia Lynn	Registered Motor Vehicle	183.14
Chauncey, Christopher Scott	Registered Motor Vehicle	258.44
Crawford,m Reco danall	Registered Motor Vehicle	108.67
Eastwood, Jacqueline Smith	Registered Motor Vehicle	105.72
Forbes, Lester Marvel	Registered Motor Vehicle	126.73
Goodwin, Thomas Dall II	Registered Motor Vehicle	127.10

Jewell, Richard Lee	Registered Motor Vehicle	182.16
Journey, Cynthia Potts	Registered Motor Vehicle	118.20
Keefer, Matthew Scott	Registered Motor Vehicle	131.77
Lott, David Lamar	Registered Motor Vehicle	113.28
Mayo, Ted Carlton	Registered Motor Vehicle	163.93
Mueller, Ian Thomas	Registered Motor Vehicle	112.33
Nichols, Travis Eugene	Registered Motor Vehicle	105.97
Parker, Jackie Antonio	Registered Motor Vehicle	941.15
Pienta, John Norbert Burr	Registered Motor Vehicle	147.68
Ryder Truck Rental, Inc	Registered Motor Vehicle	360.30
Saleh, Farouq Ahmed-Murshed	Registered Motor Vehicle	129.95
Walker, Sidney Dallas Jr	Registered Motor Vehicle	139.44
Weatherington, Laveta Hinson	Registered Motor Vehicle	103.51
	REFUND TOTAL:	\$7,192.01

Fiscal Note: The total to be refunded is \$7,192.01.

Recommendation: Approval of tax refunds by City Council.



City of Greenville, North Carolina

Meeting Date: 2/11/2019
Time: 6:00 PM

Title of Item: Presentations by Boards and Commissions

- a. Board of Adjustment
- b. Community Appearance Commission
- c. Neighborhood Advisory Board

Explanation: All of the City's Boards and Commissions are asked to provide an annual update to the City Council. The Board of Adjustment, Community Appearance Commission, and Neighborhood Advisory Board are scheduled to make their annual presentations to City Council on February 11, 2019.

Fiscal Note: No direct cost.

Recommendation: Hear the presentations from the Board of Adjustment, Community Appearance Commission, and Neighborhood Advisory Board



City of Greenville, North Carolina

Meeting Date: 2/11/2019
Time: 6:00 PM

Title of Item: North Carolina Eastern Municipal Power Agency (Taxpayer) Request for Tax Refund

Explanation: **Abstract:** North Carolina Eastern Municipal Power Agency has filed a claim pursuant to N.C. Gen. Stat. 105-381 stating it is entitled to a tax refund of \$185,936.79. The City administration, after investigation and consultation with City Attorney's Office, is of view that a tax refund is warranted because the taxpayer's property is not located within City limits.

Explanation: North Carolina Eastern Municipal Power Agency ("taxpayer") is a public service power company that sells wholesale power to Greenville Utilities Commission (GUC). The Power Agency built a "facility" on property owned by the City for the benefit of GUC. This City-owned property (where the facility sits) is not located within City limits, but instead is located in an unincorporated portion of Pitt County--Winterville fire service district. (See Parcel ID #36048).

The taxpayer submitted to the North Carolina Department of Revenue ("DOR") an annual report listing the value and jurisdiction of the facility. DOR certified the value of the facility for taxation purposes and identified Pitt County and the City as the jurisdictions to receive the property tax revenue. Pitt County collected the tax revenue on behalf of the City pursuant to an Interlocal Tax Collection Agreement. However, an error was made in identifying the City as a recipient of tax revenue because the facility, which is built on City-owned land, is not located within City limits. The taxpayer was erroneously assessed \$185,936.79 (total amount) during a four-year period (tax years 2014-2015 through 2017-2018). The taxpayer has filed a claim indicating it is entitled to a refund of the above amount. (See attached letter from counsel for taxpayer). G.S. 105-381 authorizes a governing body (City Council) to refund a disputed tax that is imposed due to clerical error or is illegal.

Alternatives: The City could refund the taxes or notify taxpayer that no refund will be made, and be subject to a lawsuit. See N.C. Gen. Stat. § 105-381 and attached letter from taxpayer's counsel.

Fiscal Note:

There is an expense with this item of refunding the monies pursuant to the taxpayer's claim referenced above.

Recommendation:

The City Administration requests that Council authorize refunding the taxpayer in the amount of \$185,936.79 because the City had no legal authority to levy tax on this facility which was not located within City limits. The tax was imposed due to a clerical error and/or was an illegal tax.

ATTACHMENTS:

- ☐ Letter
- ☐ Map
- ☐ statute
- ☐ Area Map
- ☐ Photo of Facility

December 17, 2018

Michael S. Colo
Partner
D: (252) 972-7105
F: (919) 783-1075
mcolo@poynerspruill.com

VIA FEDERAL EXPRESS

City Council of the City of Greenville
c/o The Office of the City Attorney
200 West Fifth Street
Greenville, NC 27834
Attn.: Emanuel D. McGirt, City Attorney

RE: Statement of Defense and Request for a Refund with Respect to Taxes Paid

Dear Mr. McGirt:

We write to you on behalf of our client, North Carolina Eastern Municipal Power Agency ("Power Agency"). Power Agency owns and operates a diesel-powered electric generation facility (the "Facility") situated wholly in Pitt County, North Carolina (the "County"). As indicated by the records recently pulled from the County's Online Parcel Information System, and attached hereto as Exhibit A, the Facility is situated on real property (the "Real Property") entirely outside the limits of the City of Greenville (the "City").

Since 2014, the County's Tax Collector (the "Tax Collector") has been assessing County and City taxes on the Facility, even though the Facility is not located in the City. As detailed on Exhibit B hereto, the Tax Collector has assessed, and Power Agency has paid, City taxes amounting to **\$185,936.79** (the "Overpayment Amount") on the Facility. For the reasons set forth herein, Power Agency is entitled to an immediate refund of the Overpayment Amount; this letter constitutes Power Agency's *written statement of its defense and a request for a refund* of the Overpayment Amount pursuant to N.C.G.S. § 105-381(a)(3).

Statement of Defense

Applicable Law. Under N.C.G.S. § 105-380(a), a "taxing unit is prohibited from . . . refunding . . . all or any portion of the taxes levied against any property within its jurisdiction except as expressly provided in this Subchapter." The Subchapter referred to in N.C.G.S. §105-380 is Subchapter II of Chapter 105 of the General Statutes, §105-271 through §105-395.1. N.C.G.S. §105-381(a), a part of Subchapter II, sets forth the remedies for a taxpayer having a "valid defense" to the enforcement of a tax assessed upon his property. A taxpayer has a "valid defense" if the tax imposed was the result of a "clerical error." N.C.G.S. §105-381(a)(1)a. A "clerical error" exists for the purposes of N.C.G.S. §105-381 to the extent a "transcription error" has occurred; errors of "judgment or law" are not clerical errors. Ammons v. Cty. of Wake, 127 N.C. App. 426, 429-30 (1997).

North Carolina public service companies (such as Power Agency) are required to submit to the North Carolina Department of Revenue ("DOR") an annual report listing the value and location of taxable property in North Carolina. N.C.G.S. §105-334. This report is made pursuant to Form AV-19; Form AV-19 calls for

City Council of the City of Greenville
c/o The Office of the City Attorney
Page 2

a public service company to list its "taxable system property"¹ . . . in each County, City and special taxing unit."

Based on Form AV-19 and other evidence of value, DOR allocates the value of a public service company's property for taxation purposes among local taxing units in which the public service company operates, thereby authorizing a local taxing unit to levy taxes on such property. DOR, however, may only make such allocations to the extent such system property is located in a local taxing unit. N.C.G.S. §105-338(b)(3).

Application. It is beyond dispute that the Facility is not located in the City, and Power Agency believes that its payment of the Overpayment Amount resulted from "clerical errors." For reference, attached hereto as Exhibit C are copies of Power Agency's Forms AV-19 for 2014 through 2017 (the "Forms AV-19"); attached hereto as Exhibit D are copies of the Notices to Taxpayer with respect to Power Agency's Property Tax Valuation for 2014-2017 (the "Notices to Tax Payer").

In Schedule 1 to each Form AV-19, Power Agency listed the value and location of its taxable system property located in North Carolina; the taxable value and location of the Facility is reflected in the "Pitt" column. Power Agency accurately represented that the Facility was located in the County and, just as accurately, included no representations that the Facility is located in the City. Nevertheless, DOR erroneously allocated the value of the Facility to the City for taxation purposes, as evidenced by each Notice to Taxpayer. Had DOR properly carried Power Agency's Schedule 1 representations into its allocations, it would not have authorized the levy of City taxes on the Facility. These errors are errors of neither judgment nor law; rather, these are clear "clerical errors" for the purposes of N.C.G.S. §105-381.²

Request for Refund.

Applicable Law. If a taxpayer has a "valid defense" to the enforcement of a tax assessed against his property and the tax has been paid, the taxpayer, at any time within five years after the tax first became due or within six months from the date of payment of such tax, whichever is the later date, may make a demand for a refund of the tax paid by submitting to the governing body of the taxing unit a written statement of the defense and a request for a refund. N.C.G.S. §105-381(a)(3). Thereafter, "the governing body of the taxing unit shall within 90 days after receipt of such request determine whether the taxpayer has a valid defense to the tax imposed or any part thereof and shall . . . refund that portion of the amount that is determined to be in excess of the correct tax liability or notify the taxpayer in writing that no . . . refund will be made." N.C.G.S. §105-381(b). If a refund is not made by the governing body of the taxing unit "within 90 days" of receipt of such request, "the taxpayer may bring a civil action against the taxing unit for the amount claimed." N.C.G.S. §105-381(c)(2).

¹ The Facility is "taxable system property." N.C.G.S. §105-334(17).

² Power Agency's Statement of Defense is based on facts known to us and Power Agency at this time. Power Agency expressly reserves the right to raise other "valid defenses" under N.C.G.S. §105-381 to the extent additional facts become known.

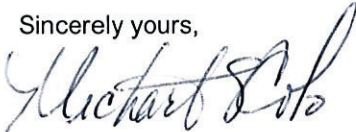
City Council of the City of Greenville
c/o The Office of the City Attorney
Page 3

Application. Based on available facts and our understanding of the relevant law, we believe Power Agency is entitled to an immediate refund of the Overpayment Amount, \$185,936.79. First, as shown on Exhibit B hereto, City and County taxes first came due on the Facility on September 1, 2014; Power Agency is well within the applicable limitations period for pursuing a remedy under N.C.G.S. §105-381 with respect to a refund of the Overpayment Amount. Second, as shown above, the levy of the Overpayment Amount was the result of a "clerical error" under N.C.G.S. §105-381(a)(1)a. Accordingly, this letter constitutes Power Agency's *written statement of its defense and a request for a refund* of the Overpayment Amount pursuant to N.C.G.S. § 105-381(a)(3).

If a refund of the Overpayment Amount is not forthcoming to Power Agency on or before ninety (90) days after the City's receipt of this letter, Power Agency intends to pursue whatever remedies may be available to Power Agency in law or in equity, including the right to bring suit against the City in the Superior Court of Pitt County, North Carolina in accordance with N.C.G.S. §105-381(c) and (d). In such event, and in accordance with the provisions of N.C.G.S. §105-381(d), Power Agency will request the Court to order the City to refund to Power Agency the Overpayment Amount, together with interest at the rate of 6% per annum from and after the date the initial demand was made, plus costs.

We look forward to discussing this matter with you at any time.

Sincerely yours,

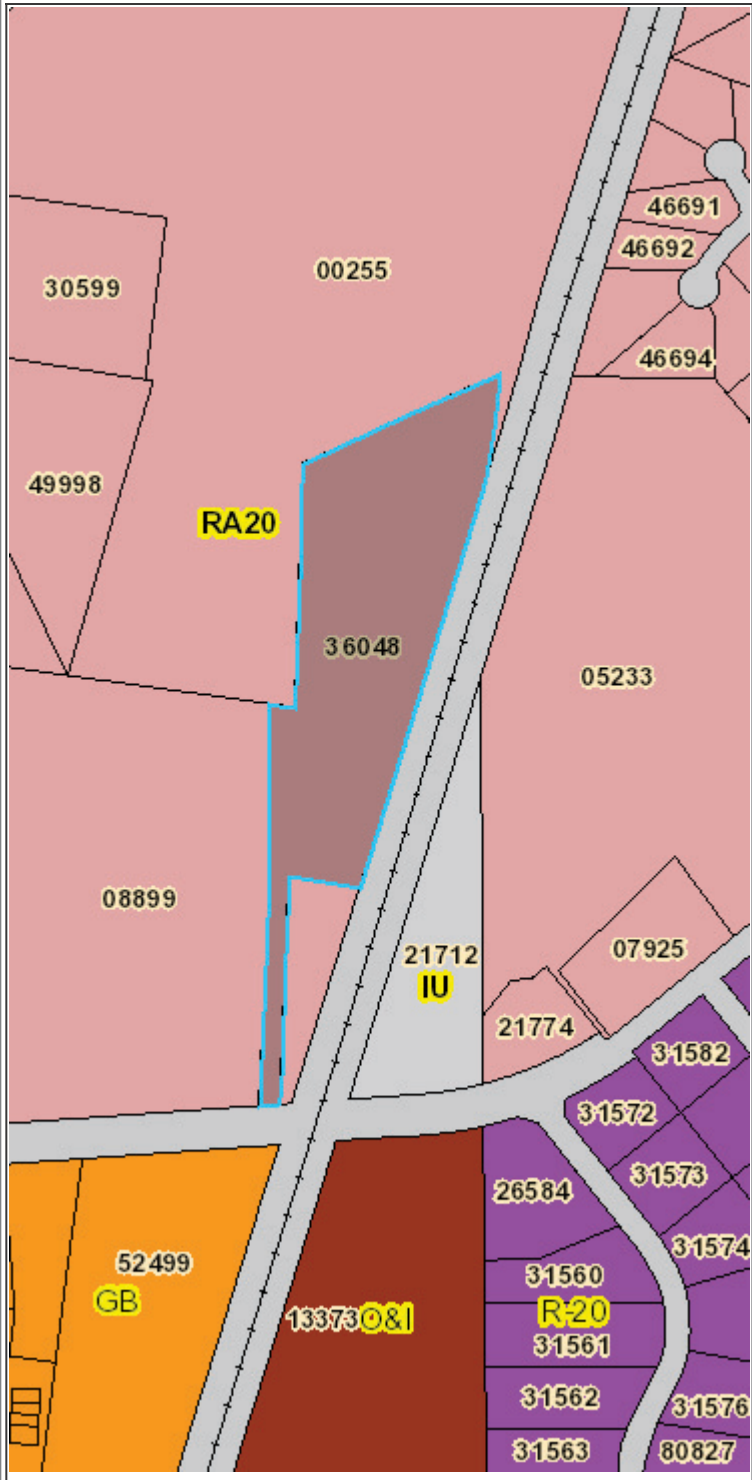


Michael S. Colo
Partner

cc: Public Service Company Section, North Carolina Department of Revenue
Pitt County Tax Administration, Office of the Tax Collector
Tim Tunis, Chief Financial Officer, North Carolina Eastern Municipal Power Agency
David Barnes, Chief Legal and Ethics Officer, North Carolina Eastern Municipal Power Agency
Christopher S. Dwight, Poyner Spruill LLP



Pitt County Government
 Greenville, North Carolina
www.pittcountync.gov

Parcel:	36048
More Info:	36048
Physical Address:	0 W FIRE TOWER RD
Owner Name:	GREENVILLE CITY OF
OwnerAddress1:	PO BOX 1847
OwnerAddress2:	
OwnerAddress3:	
City / State / Zip:	GREENVILLE NC 27835
NC PIN:	4675797523
Subdivision / Section / Phase:	
Prior Legal Description:	GREENVILLE UTILITIES COMM
Block / Lot:	
Tract:	1 & 2
Building Number / Unit:	
Acres:	9.57
Current Owner Deed/Document:	000J48 00349
Map Book:	28-85
Deed / Document Date:	09/1979
Deed / Document Sales Price:	\$50,000
Building Type / Use:	COMMERCIAL(Other Municipal)
Number of Buildings:	0
Year Built:	
Total Living Area:	
Building Value:	
Extra Features Value:	\$6,450
Land Value:	\$179,438
Total Current Market Value:	\$185,888
Total 2015 Market Value:	\$187,728
Municipality:	
Township:	WINTERVILLE
Fire Service District:	WINTERVILLE RURAL FIRE SERVICE DISTRICT
Census Tract:	603
Neighborhood:	7042GV
Elementary School:	W H Robinson ES
Middle School:	E B Aycock MS
High School:	South Central HS

Disclaimer: This tax record is prepared for the inventory of real property within Pitt County and is compiled from recorded deeds, plats, tax maps, surveys, and other public records. Users of this data are hereby notified that the aforementioned public primary information sources should be consulted for verification. Pitt County assumes no legal responsibility for the information contained herein.

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PLEASE NOTE:

The parcel information is updated nightly and reflects current property values.

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N.C.G.S.A. § 105-381

§ 105-381. Taxpayer's remedies

(a) Statement of Defense.--Any taxpayer asserting a valid defense to the enforcement of the collection of a tax assessed upon his property shall proceed as hereinafter provided.

(1) For the purpose of this subsection, a valid defense shall include the following:

- a. A tax imposed through clerical error;
- b. An illegal tax;
- c. A tax levied for an illegal purpose.

(2) If a tax has not been paid, the taxpayer may make a demand for the release of the tax claim by submitting to the governing body of the taxing unit a written statement of his defense to payment or enforcement of the tax and a request for release of the tax at any time prior to payment of the tax.

(3) If a tax has been paid, the taxpayer, at any time within five years after said tax first became due or within six months from the date of payment of such tax, whichever is the later date, may make a demand for a refund of the tax paid by submitting to the governing body of the taxing unit a written statement of his defense and a request for refund thereof.

(b) Action of Governing Body.--Upon receiving a taxpayer's written statement of defense and request for release or refund, the governing body of the taxing unit shall within 90 days after receipt of such request determine whether the taxpayer has a valid defense to the tax imposed or any part thereof and shall either release or refund that portion of the amount that is determined to be in excess of the correct tax liability or notify the taxpayer in writing that no release or refund will be made. The governing body may, by resolution, delegate its authority to determine requests for a release or refund of tax of less than one hundred dollars (\$100.00) to the finance officer, manager, or attorney of the taxing unit. A finance officer, manager, or attorney to whom this authority is

delegated shall monthly report to the governing body the actions taken by him on requests for release or refund. All actions taken by the governing body or finance officer, manager, or attorney on requests for release or refund shall be recorded in the minutes of the governing body. If a release is granted or refund made, the tax collector shall be credited with the amount released or refunded in his annual settlement.

(c) Suit for Recovery of Property Taxes.--

(1) Request for Release before Payment.--If within 90 days after receiving a taxpayer's request for release of an unpaid tax claim under (a) above, the governing body of the taxing unit has failed to grant the release, has notified the taxpayer that no release will be granted, or has taken no action on the request, the taxpayer shall pay the tax. He may then within three years from the date of payment bring a civil action against the taxing unit for the amount claimed.

(2) Request for Refund.--If within 90 days after receiving a taxpayer's request for refund under (a) above, the governing body has failed to refund the full amount requested by the taxpayer, has notified the taxpayer that no refund will be made, or has taken no action on the request, the taxpayer may bring a civil action against the taxing unit for the amount claimed. Such action may be brought at any time within three years from the expiration of the period in which the governing body is required to act.

(d) Civil Actions.--Civil actions brought pursuant to subsection (c) above shall be brought in the appropriate division of the general court of justice of the county in which the taxing unit is located. If, upon the trial, it is determined that the tax or any part of it was illegal or levied for an illegal purpose, or excessive as the result of a clerical error, judgment shall be rendered therefor with interest thereon at six percent (6%) per annum, plus costs, and the judgment shall be collected as in other civil actions.

N.C.G.S.A. § 105-381, NC ST § 105-381



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City of Greenville,
North Carolina

Meeting Date: 2/11/2019
Time: 6:00 PM

Title of Item: Contract Award for State Lobbying Services

Explanation: **Abstract:** Staff recommends a contract award to Ward and Smith P.A. for lobbying services with the State of North Carolina.

Explanation: Proposals were received from firms interested in performing lobbying services for the City of Greenville. The lobbyist services will include work with the General Assembly in areas including economic development, transportation, storm water, tax policies, and City Council priorities. The work will include reviewing State proposals and legislation under consideration; proposed and adopted administrative rules and regulations; and other developments for the purpose of advising the City of issues that may have a bearing on the City's policies and programs; identify and act to obtain funding for the City; develop briefing materials; and alert the City to potential new opportunities that will further the City's interest.

Fiscal Note: The annual contract will be \$72,000, and funds will be available through the operating budget.

Recommendation: Approve and authorize the City Manager to sign the engagement agreement with Ward and Smith.



City of Greenville, North Carolina

Meeting Date: 2/11/2019
Time: 6:00 PM

Title of Item: Budget ordinance amendment #7 to the 2018-2019 City of Greenville budget (Ordinance #18-038)

Explanation: **Abstract:** This budget amendment is for City Council to review and approve proposed changes to the adopted 2018-2019 budget and other funds as identified.

Explanation: Attached for consideration at the February 11, 2019, City Council meeting is an ordinance amending the 2018-2019 City of Greenville budget (Ordinance #18-038).

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

<u>Item</u>	<u>Justification</u>	<u>Funds Amended</u>	<u>Net Adjustment</u>
A	Move funds from Contingency to Recreation and Parks South Greenville budget to cover costs associated with the set-up of the Teen Lounge.	General	\$-
B	Move funds from CMO to City Attorney's Office to cover costs associated with contracts provided by external sources for leased parking spaces owned by the City.	General	\$-
C	Appropriate fund balance within the Stormwater Utility Fund to cover contracted services payback to the Pitt Greenville Airport as well as the purchase of new survey equipment.	SW Utility	\$141,000

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

	2018-19 Revised <u>Budget</u>	<u>Amend #7</u>	2018-19 Budget per <u>Amend #7</u>
<u>Fund Balance</u>			
General	\$84,829,739	-	\$84,829,739
Debt Service	5,463,492	-	5,463,492
Public Transportation (Transit)	3,256,977	-	3,256,977
Fleet Maintenance	4,431,156	-	4,431,156
Sanitation	7,843,096	-	7,843,096
Stormwater Utility	6,267,592	141,000	6,408,592
Housing	1,677,619	-	1,677,619
Health Insurance	13,562,600	-	13,562,600
Vehicle Replacement	4,332,161	-	4,332,161
Facilities Improvement	3,870,765	-	3,870,765
Capital Reserve	812,722	-	812,722
Rec & Parks Capital Projects	9,315,712	-	9,315,712
Greenway Capital Projects	2,983,857	-	2,983,857
Public Works Capital Projects	53,375,167	-	53,375,167
CD Capital Projects	18,591,285	-	18,591,285
Enterprise Capital Projects	42,839,245	-	42,839,245
Red Light Camera Program	1,300,000	-	1,300,000
Donations	203,288	-	203,288
Special Revenue Grants	7,215,575	-	7,215,575
Street Improvement Bond	15,580,000	-	15,580,000

Recommendation: Approve budget ordinance amendment #7 to the 2018-2019 City of Greenville budget (Ordinance #18-038).

ATTACHMENTS:

- ☐ **Budget_Ord_Amend__7_1100254**
- ☐ **Budget_Ord_Amend_Contingency_1100255**

ORDINANCE NO. 19-
CITY OF GREENVILLE, NORTH CAROLINA
Ordinance (#7) Amending the 2018-19 Budget (Ordinance #18-038)

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

Section I: Estimated Revenues and Appropriations. General Fund, of Ordinance #18-038 is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

	2018-19 Budget per Amend #6	Budget Amendment #7			2018-19 Budget per Amend #7
		A.	B.	Total Amend #7	
ESTIMATED REVENUES					
Property Tax	\$ 33,722,500	\$ -	\$ -	\$ -	\$ 33,722,500
Sales Tax	19,463,690	-	-	-	19,463,690
Video Prog. & Telecom. Service Tax	860,935	-	-	-	860,935
Rental Vehicle Gross Receipts	160,370	-	-	-	160,370
Utilities Franchise Tax	7,000,000	-	-	-	7,000,000
Motor Vehicle Tax	1,508,522	-	-	-	1,508,522
Other Unrestricted Intergov't	886,443	-	-	-	886,443
Powell Bill	2,220,065	-	-	-	2,220,065
Restricted Intergov't Revenues	1,290,682	-	-	-	1,290,682
Licenses, Permits and Fees	4,161,616	-	-	-	4,161,616
Rescue Service Transport	3,643,346	-	-	-	3,643,346
Parking Violation Penalties, Leases,	375,000	-	-	-	375,000
Other Sales & Services	294,803	-	-	-	294,803
Other Revenues	796,793	-	-	-	796,793
Interest on Investments	500,000	-	-	-	500,000
Transfers In GUC	6,731,296	-	-	-	6,731,296
Transfer from CDBG	-	-	-	-	-
Appropriated Fund Balance	1,213,678	-	-	-	1,213,678
Total Revenues	\$ 84,829,739	\$ -	\$ -	\$ -	\$ 84,829,739
APPROPRIATIONS					
Mayor/City Council	\$ 430,586	\$ -	\$ -	\$ -	\$ 430,586
City Manager	2,345,743	-	(26,359)	(26,359)	2,319,384
City Clerk	275,649	-	-	-	275,649
City Attorney	509,349	-	26,359	26,359	535,708
Human Resources	2,855,170	-	-	-	2,855,170
Information Technology	3,151,566	-	-	-	3,151,566
Fire/Rescue	15,253,541	-	-	-	15,253,541
Financial Services	2,513,669	-	-	-	2,513,669
Recreation & Parks	7,238,246	8,200	-	8,200	7,246,446
Police	25,396,131	-	-	-	25,396,131
Public Works	10,416,635	-	-	-	10,416,635
Community Development	2,999,958	-	-	-	2,999,958
OPEB	600,000	-	-	-	600,000
Contingency	25,000	(8,200)	-	(8,200)	16,800
Indirect Cost Reimbursement	(1,950,887)	-	-	-	(1,950,887)
Capital Improvements	-	-	-	-	-
Total Appropriations	\$ 72,060,357	\$ -	\$ -	\$ -	\$ 72,060,357
OTHER FINANCING SOURCES					
Transfers to Other Funds	\$ 12,769,382	\$ -	\$ -	\$ -	\$ 12,769,382
Total Other Financing Sources	\$ 12,769,382	\$ -	\$ -	\$ -	\$ 12,769,382
Total Approp & Other Fin Sources	\$ 84,829,739	\$ -	\$ -	\$ -	\$ 84,829,739

Section II: Estimated Revenues and Appropriations. Stormwater Management Utility Fund, of Ordinance #18-038 is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

	2018-19 Revised Budget	C.	Total Amend #7	2018-19 Budget per Amend #7
ESTIMATED REVENUES				
Stormwater Utility Fee	\$ 5,882,000	\$ -	\$ -	\$ 5,882,000
Appropriated Fund Balance	385,592	141,000	141,000	526,592
Total Revenues	<u>\$ 6,267,592</u>	<u>\$ 141,000</u>	<u>\$ 141,000</u>	<u>\$ 6,408,592</u>
APPROPRIATIONS				
Personnel	\$ 1,611,281	\$ -	\$ -	\$ 1,611,281
Operating	1,589,147	106,000	106,000	1,695,147
Capital Projects	1,385,307	35,000	35,000	1,420,307
Transfer Out	1,681,857	-	-	1,681,857
Total Appropriations	<u>\$ 6,267,592</u>	<u>\$ 141,000</u>	<u>\$ 141,000</u>	<u>\$ 6,408,592</u>

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

Adopted this 11th day of February, 2019

P. J. Connelly, Mayor

ATTEST:

Carol L. Barwick, City Clerk

City of Greenville
Budget Amendment #7
Fiscal Year 2018-19

GENERAL FUND

General Fund Contingency Available for Appropriation per Amendment #7:

2018-19 Contingency Fund Budget per Amendment #6 \$ 25,000

Appropriations As of Amendment #7:

Recreation and Parks: Teen Lounge Staffing and Supplies (8,200)

Contingency Available for Appropriation per Amend #7 \$ 16,800