



# Agenda

## Greenville City Council

November 9, 2009  
6:00 PM  
City Council Chambers  
200 West Fifth Street

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**I. Call Meeting To Order**

**II. Invocation - Council Member Glover**

**III. Pledge of Allegiance**

**IV. Roll Call**

**V. Approval of Agenda**

**VI. Special Recognitions**

- Lead Supervisor and Worker Training

**VII. Appointments**

1. Appointments to boards and commissions
2. Recommendation of City representative to serve on the Pitt County Development Commission

**VIII. Consent Agenda**

3. Minutes of the October 5 and October 8, 2009 City Council meetings
4. Resolution amending the Board and Commission Policy

5. Resolution accepting dedication of rights-of-way and easements for Kittrell Farms Duplexes, Section 2; Augusta Trails, Section 4, Phase 1; Brook Hollow, Section Three; Relocation of Moye Boulevard; University Medical Park North, Lots 1 and 12; and Brighton Place (Cluster), Section 3, Phase 1
6. Amendment 5 to the contract with Moser/Mayer/Phoenix Associates for the Intermodal Transportation Center Project
7. Contract award for the Arlington Boulevard Turn Lane Improvements Project
8. Contract award for the Arlington Boulevard Sidewalk Construction Project
9. Contract award for the Charles Boulevard Sidewalk Construction Project
10. Municipal Agreement with the North Carolina Department of Transportation for biennial bridge inspections
11. Resolution to support the Washington-Greenville Greenway planning activities
12. Resolutions authorizing the agreement for replacement of the current golf cart fleet at Bradford Creek Golf Course
13. Resolution abandoning a Greenville Utilities Commission electrical easement on property located off Oakley Road
14. Water and sewer capital project budget ordinances for Greenville Utilities Commission's Portertown Road Bridge Replacement Project
15. Various tax refunds

**IX. Old Business**

16. Status report on the ordinance requiring the repair or the demolition and removal of the dwelling located at 609 Wyatt Street
17. Potential actions to address downtown crime issues
18. Crime-free rental housing program
19. Special task force on public safety

**X. New Business**

20. Presentations by boards and commissions
  - a. Recreation and Parks Commission
  - b. Historic Preservation Commission
  - c. Pitt-Greenville Airport Authority

### **Public Hearings**

21. Ordinance requested by WLA Enterprises, Incorporated (James K. Price) to rezone 28.9± acres located between East 10th Street (NC 33) and the Norfolk Southern Railroad and east of Portertown Road from RA20 (Residential-Agricultural) and OR (Office-Residential [High Density Multi-family]) to CG (General Commercial)
22. Ordinance to annex Lynndale East, Section 8, Block H, Lot 2 involving 2.831 acres located north of Stonehenge Office Park, west of Arlington Place at Stonehenge, Sections One and Two, and east of Lynndale East, Section 9
23. Ordinance directing the enforcement officer to remove or demolish the nonresidential building or structure located at 1600 South Greene Street
24. Ordinance directing the enforcement officer to repair, alter, or improve or to vacate and close the nonresidential building or structure located at 1500 North Greene Street

### **Public Comment Period**

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

### **Other Items of Business**

25. Focus Group for North of the River
26. Sewer service for S & S Realty property
27. Agreement for federal lobbying services with The Ferguson Group and consideration of the City's FY 2011 Federal Agenda
28. Greenville Downtown Intermodal Transportation Center Memorandum of Agreement

29. Proposed City Council inquiry of Housing Authority
30. 2009-2010 Capital Reserve Fund calculation and designations
31. Budget ordinance amendment #4 to the 2009-2010 City of Greenville General Fund, amendment to ordinance 05-127 Center City Revitalization Capital Project Fund, and ordinance establishing the COPS Hiring Recovery Program Grant Special Revenue Project Fund
32. Fiscal years 2010-2011 budget and 2011-2012 financial plan schedule

**XI. Comments from Mayor and City Council**

**XII. City Manager's Report**

**XIII. Adjournment**





# City of Greenville, North Carolina

Meeting Date: 11/9/2  
Time: 6:00 PM

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**Title of Item:** Appointments to boards and commissions

**Explanation:** City Council appointments or reappointment(s) need to be made to the Community Appearance Commission, Greenville Bicycle and Pedestrian Commission, Human Relations Council, Public Transportation and Parking Commission, and Redevelopment Commission.

**Fiscal Note:** No fiscal impact.

**Recommendation:** Make appointments or reappointment(s) to the Community Appearance Commission, Greenville Bicycle and Pedestrian Commission, Human Relations Council, Public Transportation and Parking Commission, and Redevelopment Commission.

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[Appointments To Boards and Commissions](#) [City Council Meetings Agenda Deadline Material 138519](#)

# Appointments to Boards and Commissions

November 9, 2009

## Community Appearance Commission

**Council Liaison:** Council Member Larry Spell

<u>Name</u>	<u>Current Term</u>	<u>Reappointment Status</u>	<u>Expiration Date</u>
Katherine Wetherington	First term	Resigned	April 2011
Evon Zell	First term	Resigned	July 2011

## Human Relations Council

**Council Liaison:** Mayor Pro-Tem Mildred A. Council

### Regular Members

<u>Name</u>	<u>Current Term</u>	<u>Reappointment Status</u>	<u>Expiration Date</u>
Franchine Pena	Second term	Ineligible	September 2009
Lori Tripp	First term	Resigned	September 2011

### Student Representative from Higher Educational Institution (Pitt Community College)

<u>Name</u>	<u>Current Term</u>	<u>Reappointment Status</u>	<u>Expiration Date</u>
Keisha Staton	Third term	Resigned	October 2009

## Public Transportation and Parking Commission

**Council Liaison:** Council Member Max Joyner, Jr.

<u>Name</u>	<u>Current Term</u>	<u>Reappointment Status</u>	<u>Expiration Date</u>
Don Anderson	First term	Resigned	January 2012
Shannon White	Second term	Resigned	January 2011

## Redevelopment Commission

**Council Liaison:** Council Member Max Joyner, Jr.

<u>Name</u>	<u>Current Term</u>	<u>Reappointment Status</u>	<u>Expiration Date</u>
Don Mills (Mayor Dunn)	Filling unexpired term	Eligible	November 2009

## Applicants for Community Appearance Commission

Teasha Barrett 1216-B Allen Road Greenville, NC 27834	414-2844	<b>Application Date:</b> 9/23/2009 <b>District:</b> #1
Valerie Guess 3915 Sterling Pointe Drive Winterville, NC 28590	227-4991	<b>Application Date:</b> 6/9/2009 <b>District:</b> #5
Jeffrey Johnson 2008 Pinecrest Drive Greenville, NC 27858	355-0644	<b>Application Date:</b> 2/12/2009 <b>District:</b> #4
Jeremy Jordan 707 West 4th Street Greenville, NC 27834	341-3066	<b>Application Date:</b> 6/25/2009 <b>District:</b> #1
Justin Mullarkey 1509 East 5th Street Greenville, NC 27858	364-1183	<b>Application Date:</b> 6/10/2009 <b>District:</b> #3
Ray M. Spears 3609 Prestwick Place Greenville, NC 27834	364-2565	<b>Application Date:</b> 9/18/2009 <b>District:</b> #1
Wayne M. Whipple 3102 Cleere Court Greenville, NC 27858	321-0611	<b>Application Date:</b> 3/9/2009 <b>District:</b> #4

## Applicants for Human Relations Council

Teisha Lavaughn Barrett 1216-B Allen Road Greenville, NC 27834	414-2844	<b>Application Date:</b> 9/23/2009 <b>District:</b> #1
Gloria Brewington-Person 1005 Cortland Road Greenville, NC 27834	321-3227	<b>Application Date:</b> 10/1/2009 <b>District:</b> #2
Brian Brown 2237 Penncross Drive Greenville, NC 27834	367-5831	<b>Application Date:</b> 9/11/2009 <b>District:</b> #5
Ronnie Christian 2608 Mulberry Lane Greenville, NC 27858	561-5405	<b>Application Date:</b> 7/2/2008 <b>District:</b> #5
Ann Eleanor 102 Lindenwood Drive Greenville, NC 27834	848-4257	<b>Application Date:</b> 2/10/2009 <b>District:</b> #5
Shane Martin 1736 Beaumont Drive Greenville, NC 27858	786-5970	<b>Application Date:</b> 2/3/2009 <b>District:</b> #4

**Student Candidates from Higher Educational Institutions:** NONE

## Applicants for Public Transportation and Parking Commission

Richard Malloy Barnes  
208 South Elm Street  
Greenville, NC 27858

752-5278

**Application Date:** 3/23/2009

**District:** #3

Mary Fedash  
3223 Meeting Place  
Greenville, NC 27858

[jmfedash@suddenlink.net](mailto:jmfedash@suddenlink.net)

**Application Date:** 10/20/2008

**District:** #4

## Applicants for Redevelopment Commission

Paul C. Anderson 3704 Tucker Dr. Greenville, NC 27858	752-6880	<b>Application Date:</b> 10/21/2008 <b>District:</b> #4
Teasha Barrett 1216-B Allen Road Greenville, NC 27834	414-2844	<b>Application Date:</b> 9/23/2009 <b>District:</b> #1
Jeremy Jordan 707 West 4th Street Greenville, NC 27834	341-3066	<b>Application Date:</b> 6/25/2009 <b>District:</b> #1
Terry King 1310 Thomas Langston Rd. #7 Winterville, NC 28590	321-6996	<b>Application Date:</b> 2/18/2009 <b>District:</b> #5
Justin Mullarkey 1509 East 5th Street Greenville, NC 27858	364-1183	<b>Application Date:</b> 6/10/2009 <b>District:</b> #3
Corey Rhodes 3911 Sterling Pointe Drive, #006 Winterville, NC 28590	916-4523	<b>Application Date:</b> 2/11/2009 <b>District:</b> #5
Deryck Steven Wilson 1203 Franklin Drive Greenville, NC 27858	714-5950	<b>Application Date:</b> 11/7/2008 <b>District:</b> #3



# City of Greenville, North Carolina

Meeting Date: 11/9/2  
Time: 6:00 PM

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**Title of Item:** Recommendation of City representative to serve on the Pitt County Development Commission

**Explanation:** On April 9, 2009, upon the resignation of Ruth Leggett, City representative on the Pitt County Development Commission, the City Council unanimously voted to recommend Tyree Walker to the Pitt County Commissioners to fill that position, and he was appointed by the Commissioners to complete the unexpired term that expires December 2009.

The City Clerk has contacted Wanda Yuhas of the Pitt County Development Commission regarding the attendance of Mr. Walker on the Commission. Ms. Yuhas reported that he has attended the meetings on a regular basis, that he chairs the Ad Hoc Personnel Committee, and that he is an asset to the Commission.

Mr. Walker is eligible to serve a first full three-year term on the Commission as a City representative. In order to accomplish this, a recommendation has to go to the Pitt County Commissioners from the City Council.

**Fiscal Note:** None.

**Recommendation:** Recommend to the Pitt County Commissioners the reappointment of Tyree Walker to serve a first full three-year term to expire December 2012 on the Pitt County Development Commission as a City representative.

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# City of Greenville, North Carolina

Meeting Date: 11/9/2  
Time: 6:00 PM

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**Title of Item:** Minutes of the October 5 and October 8, 2009 City Council meetings

**Explanation:** Draft minutes of the October 5 and October 8, 2009 City Council meetings have been prepared and are ready for City Council consideration.

**Fiscal Note:** No direct cost.

**Recommendation:** Approval of the October 5 and October 8, 2009 City Council meeting minutes.

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[October 8 2009 City Council Minutes 845879](#)

[October 5 2009 City Council Minutes 845739](#)

## MINUTES PROPOSED FOR ADOPTION BY CITY COUNCIL

Greenville, NC  
October 5, 2009

The Greenville City Council met in a regular meeting on the above date at 6:00 PM in the City Council Chambers, third floor of City Hall, with Mayor Patricia C. Dunn presiding. The meeting was called to order, followed by the invocation by Council Member Kittrell and the pledge of allegiance to the flag. The following were present.

Mayor Patricia C. Dunn  
Mayor Pro-Tem Mildred A. Council  
Council Member Rose H. Glover  
Council Member Max Joyner, Jr.  
Council Member Bryant Kittrell  
Council Member Calvin Mercer  
Council Member Larry Spell  
Wayne Bowers, City Manager  
Wanda T. Elks, City Clerk  
David A. Holec, City Attorney

### APPROVAL OF AGENDA

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

### SPECIAL RECOGNITIONS

Former Council Member Bob Ramey presented a City of Greenville watch to Public Information Officer Steve Hawley and he thanked him for his service to the City of Greenville.

### CONSENT AGENDA

Motion was made by Council Member Joyner and seconded by Council Member Mercer to approve the items under consent agenda as follows:

- 1 Minutes of the August 13, 2009 joint City Council/Human Relations Council meeting; August 13, August 24, and September 10, 2009 City Council meetings; September 15, 2009 joint City Council/Greenville Utilities Commission meeting; and September 21, 2009 joint City Council/ECU SGA meeting
- 2 Resolution declaring 18 police radios as surplus and authorizing disposition to Pitt County Memorial Hospital - Adopted (Resolution No. 09-51)
- 3 Resolution declaring an ambulance as surplus and authorizing its disposition to Pitt Community College - Adopted (Resolution No. 09-52)

- 4 Amendment 4 to the contract with Moser/Mayer/Phoenix Associates (MMPA) for the Intermodal Transportation Center Project (Contract No. 1599D)
- 5 Resolution amending the Personnel Policies for holiday schedule - Adopted (Resolution No. 09-53)
- 6 City of Greenville support of youth scholarship - Approved
- 7 Budget ordinance amendment #3 to the 2009-2010 City of Greenville budget and amendment to Ordinance 07-41 and ordinance establishing the Byrne-JAG Grant Recovery Project - Adopted (Ordinance Nos. 09-78, 09-79, and 09-80)
8. Report on bid awarded

Date Awarded	Description	Vendor	Amount	M/WBE Yes/No
9/8/09	Police Summer/Winter Uniforms	Century Uniforms	\$65,695	No

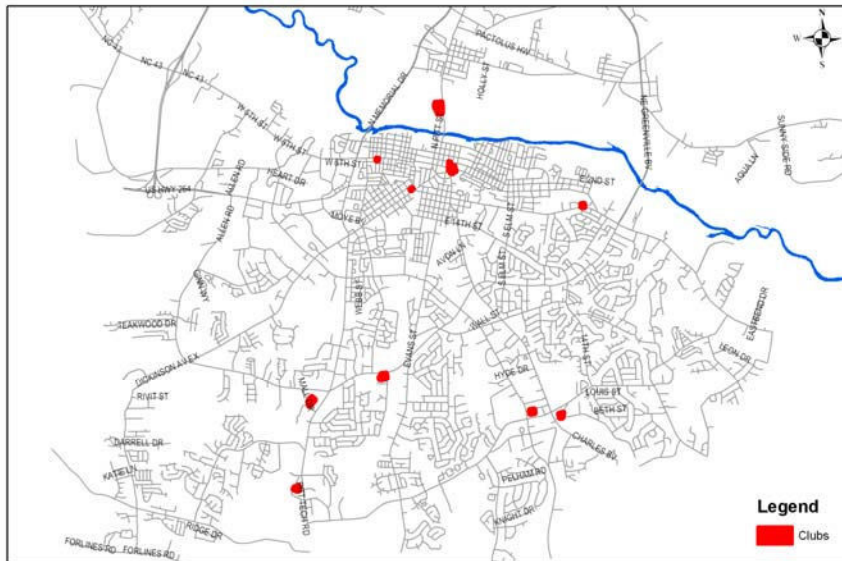
POTENTIAL ACTIONS TO ADDRESS DOWNTOWN CRIME ISSUES

City Attorney Dave Holec gave a report on the potential actions to address downtown crime issues. He reminded the Council that at its August 24 meeting, it was presented information by staff on 15 potential actions in order to address issues resulting from the concentration of public/private clubs in the downtown area. Council directed staff to prepare necessary ordinances for consideration by Council relating to three of the potential actions and to pursue a fourth potential action of an agreement with the Pitt County ABC Board relating to City law enforcement officers assisting local ABC officers in the enforcement of ABC laws. On September 4, the City Attorney’s Office mailed information, including proposed ordinances, to the owners and managers of the 25 public/private clubs located within Greenville’s planning and zoning jurisdiction. On September 16, a meeting was held with the public/private club owners and managers, and they offered their input on the ordinances and potential actions. Concerns which the potential actions address included:

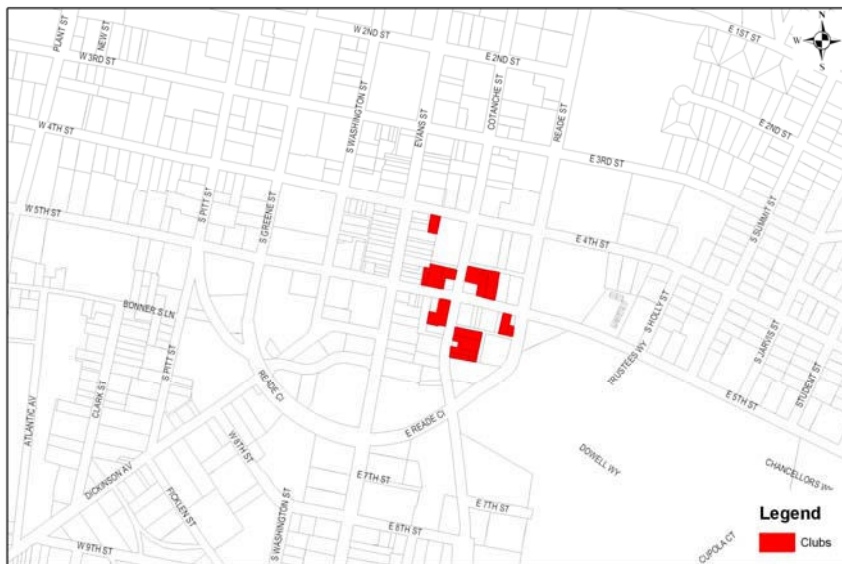
- 1 Concentration of Public/Private Clubs in a 4 block area of the downtown and issues related to resulting crowd noise, public intoxication, altercations, and potential violence.
- 2 Impact of Public/Private Clubs on nearby neighborhoods; quality of life concerns.
- 3 City law enforcement resources devoted to address issues created by Public/Private Clubs.

A map of the club locations citywide was displayed, as well as one of the clubs located downtown.

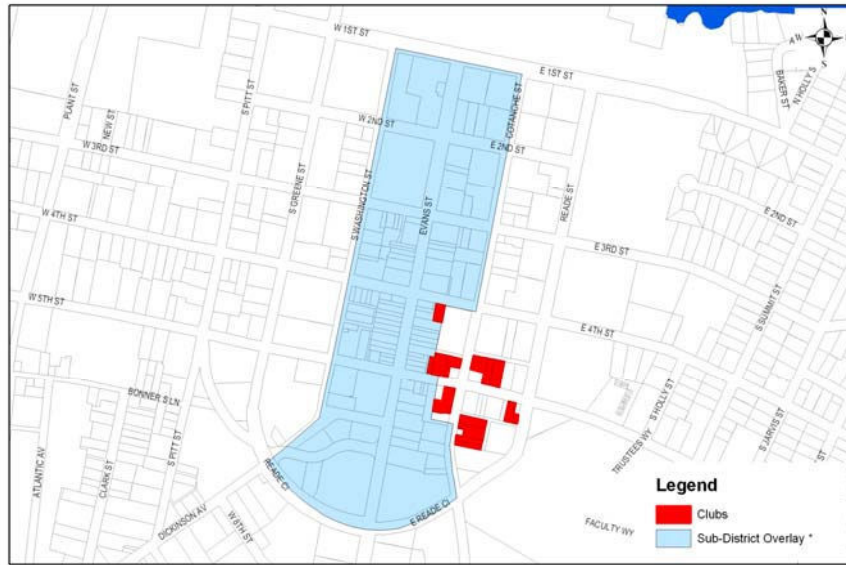
### Club Locations Citywide



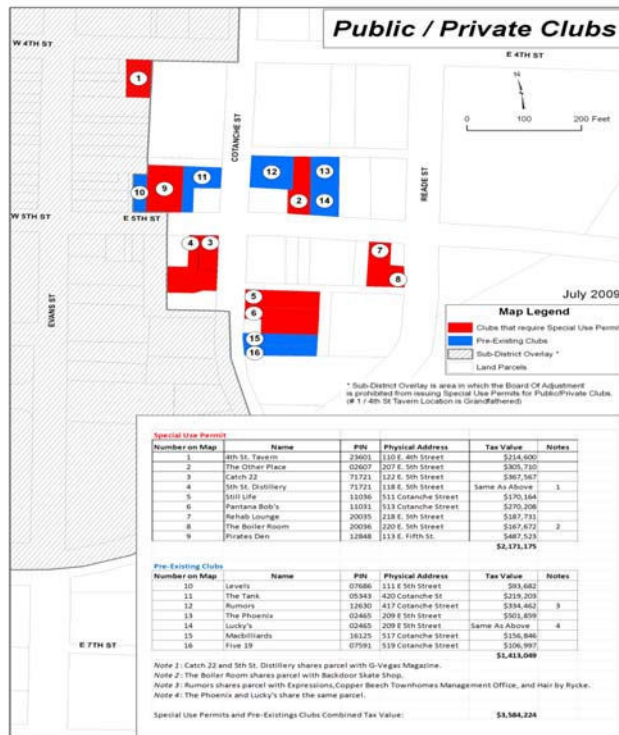
### Club Locations Downtown



### Downtown Clubs and Sub-Districts Overlay



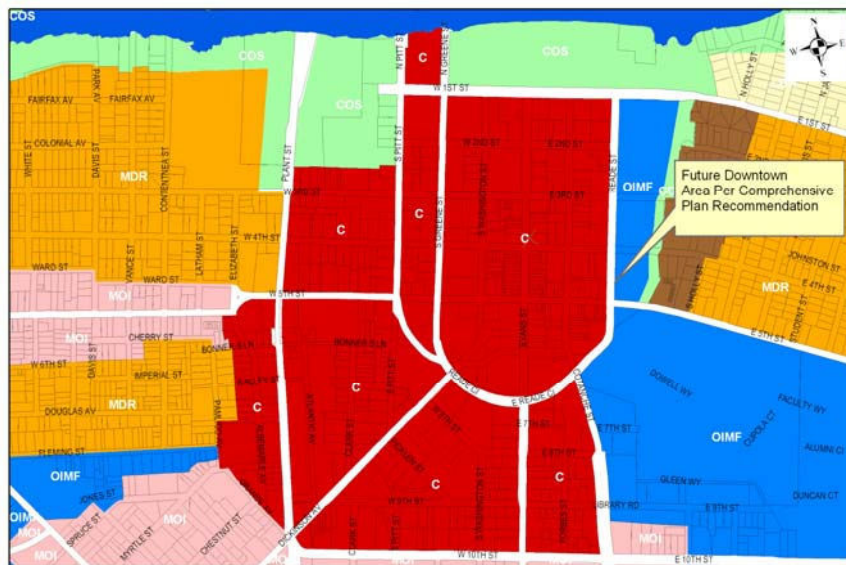
### Public/Private Clubs



**Downtown Area (Existing CD District)**



**Future Downtown Area (Expanded CD Dis.)**



City Attorney Holec reviewed the four potential actions that were presented to City Council on August 24 on which he was directed to bring back more information.

- 1) Enact an ordinance which establishes a requirement that each public or private club provide security personnel (either off-duty law enforcement or security officers licensed by the State) for the establishment in certain defined circumstances.

City Attorney Holec stated that the proposed ordinance on this action states that security requirements would apply to any public or private club which provides or utilizes amplified audio entertainment or any form of live entertainment on any day at any time during the

period between 11:00 p.m. to the close of business shall be subject to a security requirement during and after such period of amplified audio entertainment or live entertainment. Downtown area clubs with occupancy of 50 to 300 would require one security person, and downtown area clubs with occupancy of over 300 would require two security persons. Clubs not in the downtown area which are located within 500 feet of a residential zoning district with occupancy of 50 to 199 persons would require one security person, and those with occupancy of 200 or more persons would require two security persons. Security personnel shall be either uniformed off-duty law enforcement officers, or uniformed security guards provided by a security guard and control profession licensed in accordance with the provisions of Chapter 74C of the North Carolina General Statutes. The duties of the security officers for the downtown clubs would be to patrol inside the public or private club or the area outside the public or private club near the main entrance to the public or private club during the period between 11:00 p.m. to the close of business and later to such time that all patrons and other persons, other than employees, have vacated the premises. The required security personnel shall remain on duty and visible either inside or outside the public or private club and shall be accessible to law enforcement officers at all time. This requirement shall apply regardless of the number of patrons actually within the public or private club. For security personnel in clubs outside the downtown area, the duties will be to patrol the parking lot and disperse the crowd and to direct traffic during the period between 11:00 p.m. to the close of business and later to such time that all patrons and other persons, other than employees, have vacated the premises. The required security personnel shall remain on duty and visible outside the public or private club and shall be accessible to law enforcement officers at all time. This requirement shall apply regardless of the number of patrons actually within the public or private club.

- 2) Enact an ordinance which prohibits the employment by public or private clubs of bouncers who have been convicted of certain crimes.

City Attorney Holec informed the Council that the proposed ordinance on this action states that no public or private club shall employ a person as a bouncer who has been convicted of a crime relating to either (1) the sale, manufacture, distribution, or possession of controlled substances or (2) criminal street gang activity, or (3) prostitution or assignation or (4) homicide, assault, affray, communicating threats, unlawful possession of dangerous or deadly firearms, or discharge of a dangerous or deadly firearm. Convictions after specified time lapse would not prohibit employment. Clubs are to submit a list of persons employed as bouncers on a monthly basis and to submit criminal record checks on bouncers employed within 30 days after date of initial employment and annually thereafter. City Attorney Holec stated that a police officer or other person authorized by the City Manager to enforce the provisions of this ordinance may issue a written citation for a violation of the provisions of this ordinance. The owner and the manager of the public or private club are responsible for compliance with the provisions of this ordinance. A written citation for a violation of the provisions of this ordinance may be issued to the owner or the manager of the public or private club and the owner or the manager who is issued the citation will suffer the penalties and be subject to the remedies as set forth in section 11-12-6. An owner or a manager who has been issued a citation may appeal the citation to the Chief of Police or designee. Written

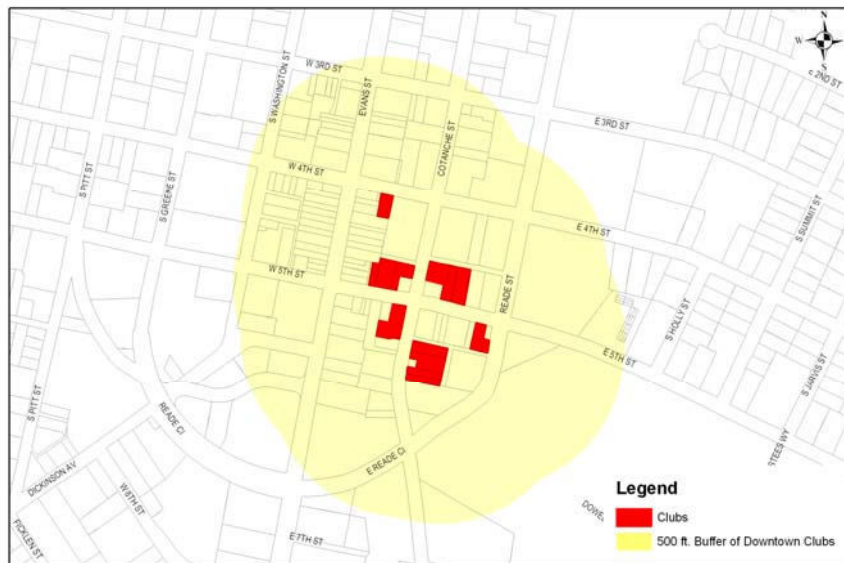


notice of appeal must be filed within ten days of the date of the issuance of the citation. The penalty would be:

- 1) Fifty dollars for each offense on the first day of such offense; and
  - 2) One hundred dollars for each offense either on the second day of such offense or when the offense is a second offense within a twelve-month period; and
  - 3) In two hundred and fifty dollars for each offense either on the third day and on each subsequent day of such offense or when the offense is the third or subsequent offense within a twelve-month period.
- 3) Enact a zoning ordinance which establishes a minimum separation requirement for the location of public or private clubs in order to reduce the adverse impact which is caused by the concentration of such clubs.

City Attorney Holec stated that this proposed ordinance on this action states that no public or private club located in any district shall be located within a five-hundred foot radius of an existing or approved public or private club as measured from the nearest lot line. No new club or club addition shall be allowed unless such club meets the proposed spacing requirement. Existing clubs are grandfathered (qualified as a legal nonconforming use). Such clubs may continue operation indefinitely provided the club activity does not cease for a period of six months (willful abandonment rule applies). Change in ownership does not impact grandfather protection.

**500-Foot Buffer of Downtown Clubs**



- 4) Enter into an agreement with the local ABC Board which would result in City law enforcement officers assisting local ABC officers in their enforcement of ABC Commission rules on establishments which have ABC permits.



City Attorney Holec stated that the Pitt County ABC Board has indicated that it is not interested in entering into an agreement which would allow City law enforcement officers to assist local ABC officers in their enforcement of ABC Commission rules on establishments which have ABC permits.

Council Member Joyner expressed concern about rules being placed on bars when the restaurants also serve alcohol and some of them stay open until midnight. He asked who and how it was determined whether one or two officers would be needed, and City Attorney Holec stated that a consultation with the Police Chief determined the capacity level when two officers are required.

Council Member Joyner asked how staff came up with these regulations, and City Attorney Holec stated that they are similar to those placed on dining and entertainment establishments. Extra leeway was given to downtown clubs. The design is that the provision of the security officers by the clubs will have the security officers immediately take care of issues and make it a safer environment. The Police Chief will periodically make an evaluation about the officers needed downtown and see how the implementation of the ordinances impacts the need.

Council Member Joyner expressed concern about requiring security officers when the Police Chief had indicated that he couldn't guarantee that having the bouncers and security officers would work.

City Attorney Holec stated that the Police Chief cannot make a guarantee that adding the officers will allow the City to deploy fewer officers. That will be reviewed and the Police Chief will look at how many officers are needed to be deployed. The Police Chief wants to have people there that can handle the situation.

Discussion occurred about the number of officers required for the different nights of the week.

Upon being asked about the suggestions from the bar owners, City Attorney Holec replied that a summary of comments and suggestions made at the September 16 meeting with the club owners and managers is included in the agenda material. At that meeting, the club owners and managers indicated that they would submit a list of suggestions but that has not been received.

Council Member Kittrell stated that written suggestions had been requested from the bar owners and the East Carolina University Student Government Association, and he would like to see them prior to making a decision on this issue.

Council Member Joyner asked that staff check with other cities to see what they are doing about training for bouncers.

City Attorney Holec stated that was brought up by the club owners and managers at the September 16 meeting and it is being looked into.

Council Member Joyner stated that he would like for this to be tabled until all the input is received. He also asked for the occupancy rate of the restaurants and was informed that was provided earlier.

Council Member Kittrell asked about the enforceability of the 500-foot buffer, and City Attorney Holec responded that, in his opinion, it was legally enforceable.

City Attorney Holec stated that staff is looking for direction from Council on whether it wants to look at any changes to ordinances or anything else. In the agenda, there is information on comments made and suggestions and a sheet that discusses legal authority to address the four issues. Specifically included is the training session requirement. That is something that Council could legally require as an ordinance. Council asked that staff bring back these four items, and that is what has been done tonight. If the Council wants further modification or whatever direction it wants to take, it needs to let staff know, and it will be brought back to them.

Council Member Mercer stated that he would like for them to look at a substation downtown. They are trying to figure out how to maintain the feel of safety and reduce the burden on the citizens. If there are creative ways to do that rather than this particular ordinance, he is open to that. He hopes that the club owners and uptown organization will have conversations about that. They need to get buy-in from all parties involved. He is trying to make sure that the tremendous investment that has been made in revitalization of downtown continues. Conversations between the club owners and Uptown Greenville are a piece of that.

Council Member Spell stated that he agreed with the comments made by Council Member Mercer and stated that he hoped that staff would get back to Council as soon as practical with the information requested. A great deal of misinformation is out there about this issue, and he would like for people to have the truth.

Motion was made by Council Member Spell and seconded by Council Member Kittrell to table this until the staff gets more information and a response from East Carolina University Student Government Association and the club owners.

Council Member Joyner suggested an amendment to the motion by asking for an October 30 deadline.

Council Members Spell and Kittrell accepted the deadline of October 30 as an amendment to the motion.

Council Member Glover stated that one bar owner has said that he doesn't need that many police officers. Crime is everywhere, not just downtown. It is the City Council's duty to make sure that every dollar spent downtown is needed and that there are no parts of town that need dollars that don't get it because it is being spent downtown.

Council Member Joyner stated that he would like to see the City use more technology to combat crime like is done in Virginia, where they are using cameras and extra lights.

The motion made by Council Member Spell and seconded by Council Member Kittrell to table this until the staff gets more information and response from East Carolina University Student Government Association and the club owners, with a deadline of October 30, 2009, was then voted on and carried unanimously

### PRESENTATIONS BY BOARDS AND COMMISSIONS

#### Firefighters' Relief Fund Committee

City Clerk Wanda Elks, former Secretary of the Firefighters' Relief Fund Committee, stated that Chairman Chuck Owens extended his regrets for being unable to attend the meeting tonight because of being out of town. The committee is now composed of five new members--Kacem Sebti, who was appointed by the North Carolina Insurance Commission; Brock Davenport and Chuck Owens, who were appointed by firefighters; and Pat Sugg and Will Franklin, who were appointed by the City Council. Chief Mike Burton is an ex-officio member. This is a State-mandated committee established to administer State supplemental retirement funds for retired firemen. Since the initial establishment of the committee, the purpose of administering the college scholarship fund has been added. Funding comes from interest on funds and ½ of one percent of fire insurance premiums. In January, the Committee approved state supplemental retirement funds for retired firefighters in the amount of \$30,828, which was divided and distributed to the 48 retired firefighters, with amounts varying depending on employment time. In July, four college scholarships were awarded to children of firefighters. These scholarships are based on merit and need. Students are eligible for \$2000 scholarship for a four-year institution and \$1000 for a two-year institution.

#### Police Community Relations Committee

Ms. Diane Kulik, Chairman, read the following report to the Council.

“COPY”

The PCRC, as a liaison between the community and the police department and consistent with the intent of the actions of the Community Relations Council, states that its purpose is:

- 1) To serve as a liaison between the community and the police over issues of common interest.
- 2) To serve as an advocate for programs, ideas and methods to promote working relationships between the community and the police.
- 3) To disseminate information to the community and the City with regard to the state of relations between the community and the Greenville Police Department.
- 4) To assist and promote community education efforts concerning safety awareness and community and individual awareness.

This year has been a busy year for the Police Community Relations Committee. We have held informative and educational programs in each of the five voting districts. We have also held

meetings at City Hall, Rose High School, and on the East Carolina University campus. We want our residents to have easy access to attending our meetings. Our speakers have been excellent. In September of 2008 we had District Attorney Clark Everett speak in the City Council Chambers. He spoke on the criminal justice system from accusation to conviction, including bond hearings, pretrial, trial, verdict, sentencing and the appeal.

In October Chief Anderson spoke at J. H. Rose High School on violent crime in Greenville and how it affects our city. Lt. Herald Hines and Lt. Ted Sauls spoke and explained their roles in Community Policing and how the concept works. Chief Anderson also spoke about the Youth Protection Ordinance.

In November PCRC met at East Carolina University at Mendenhall for a Crime Forum to discuss personal safety issues and parking enforcement for the students and surrounding residents. Speakers were; Chief Anderson, Gary Barrett, Officer Staffelbach, Officer Stormer and Sgt. Carevale.

In January we met at the Police Department Building. Chief Anderson spoke on the overall status for 2008. He spoke about; Operation Falcon, West Greenville Sub Station, 9 new officers, PAL Program, the Truancy Program, and gangs.

In February the meeting was held in the Barnes, Ebron, Taft Community Center. Lt. Richard Allsbrook and Lt. Ted Sauls gave a very informative presentation on Home and Community Safety and how to help our youth be more productive citizens. Chief Anderson spoke about the Explorer Program.

In March the meeting was held in the Ironwood Community. Chief Anderson gave a power point presentation about crime in Greenville. Then Lt. Allsbrook gave an excellent presentation about crime in that area and how to be safe.

In April the meeting was held at The Church of Jesus Christ of Latter Day Saints. Cpl. Phil Rollinson gave an excellent speech on Gangs. He explained how to recognize a gang member, how a gang is structured, what their purpose is and what they do.

In May the meeting was held in the City Council Chambers. Cpl. Oxendine and Officer Sharon Madigan gave a very informative speech about "What Should You Do In A Dangerous Situation?" They talked about personal safety for you and your family. Some of the topics were; what you should do if you are confronted in a parking lot, what you should do if you are being followed, and what you should do if someone grabs your purse. In June we met at the C.M. Epps Recreation Center. Chief Anderson was the speaker. The topic was: Helping to create and preserve an environment of safety and security for our elderly and our children. This September we met at the Willis Building. Lt. Earl Phipps was the speaker. The topic was Code Enforcement. He gave an excellent presentation showing boarded up houses, homes in need of repair as well as other code violation around the city. He covered weeded lots, public nuisances, junked or abandoned vehicles and the minimum housing standards. He explained what the

process is once the complaint comes into their office. Code Enforcement Officer Carlton Dawson also spoke.

Coming up, October 14th, we will meet at the City Council Chambers. The speakers will be District Attorney Clark Everett and representatives from the Pitt County Probation Department. The subject will be Probation, what offenses are eligible for probation, who makes the determination for probation, who keeps track of the defendant and what occurs if someone violates their probation. This is October 14th, at 7:00 in the City Council Chambers.

Over all we are trying to help our citizens understand the scope of crime in Greenville, where it is happening, what initiatives the police use to combat the different types of crime and what police units cover different types of crime. We want to present excellent, professional informative speakers. We all need to do our part in preventing crime in our neighborhood, at home and in our community. We, PCRC, want to present ideas that can be used to make our lives safer. We need to inform the police when we see something that is wrong or a crime being committed. We share a commitment with our police to make our city safe. This is what Community Policing is about. This is a sharing. We are a team working together. We want more positive interaction between the residents and the police. We are helping to get information out to the city and educate our citizens about important issues and concerns.

Respectfully submitted,

Diane Kulik  
Chairman, Greenville Police Community Relations Committee

"COPY"

#### FIVE POINTS PLAZA CONCEPT DESIGN - APPROVED

Senior Planner Carl Rees stated that with the popularity of the Freeboot Friday events at an all-time high, along with the growing popularity of the Uptown Umbrella Market, the time seems right for upgrades to the City-owned parking lot located at the corner of Fifth and Evans Street (Sixth Street Lot) that serves as a makeshift host site for those events. Understanding the importance of these events to attracting visitors and customers for restaurants and businesses in Greenville's center city, the Uptown Greenville organization requested that the Redevelopment Commission initiate an architectural study of the parking lot that would provide recommendations for site improvements that would facilitate these and other similar public events. Much of the project's direction has been based on extensive public opinion data gathered by Uptown Greenville through survey work as well as a series of public meetings. Based on input from a steering committee made up of City staff, Uptown Greenville members, neighboring property owners such as Jarvis Church and the State Historic Preservation Office, Susan Hatchell Landscape Architecture, working on behalf of the Redevelopment Commission, has developed a concept plan for the site. The concept plan not only addresses the various programmatic elements required for hosting events on the site, but also helps to highlight the history of the Five Points intersection from which the project gained its name. For much of the 20th Century, Five Points was the center of commercial and culture for Greenville and Pitt

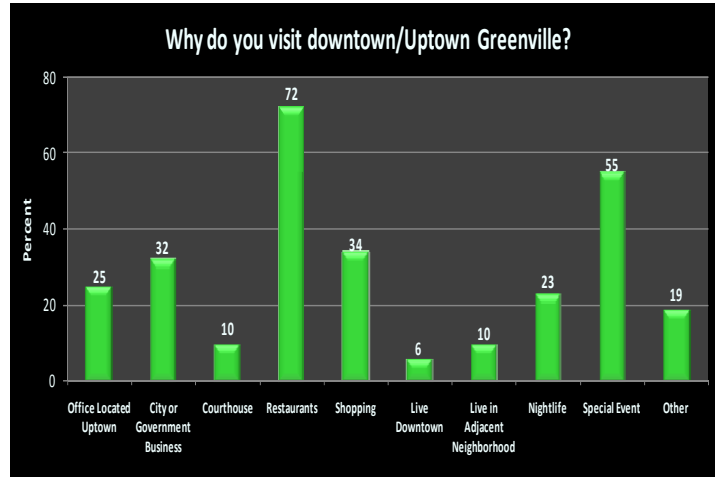
County, and while Greenville has been fortunate to gain a variety of new commercial corridors in recent years, Five Points is once again becoming a viable destination for Greenville's diners and shoppers.

Mr. Eric Clark, Uptown Greenville President, informed the Council that the Five Points Plaza has been a priority for Uptown Greenville. He called on Denise Walsh to give a presentation.

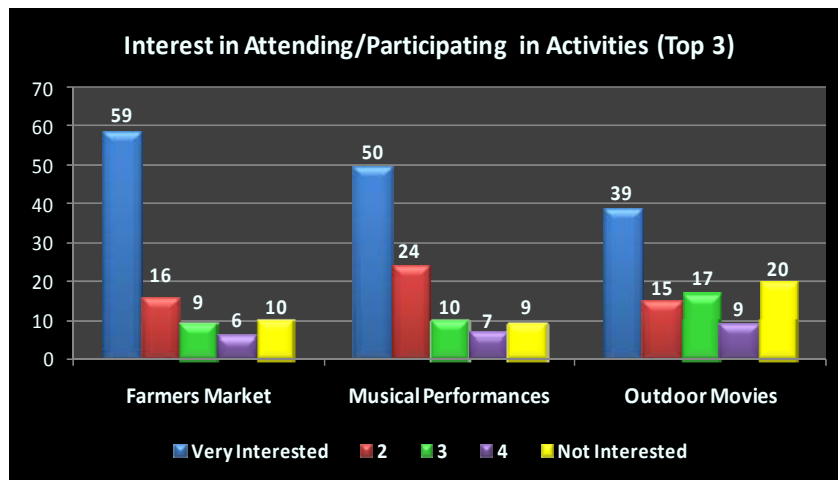
Ms. Denise Walsh, Executive Director of Uptown Greenville, informed the Council that the purpose of the proposed Five Points Plaza is to create an attractive, active and functional multi-purpose space and to create an economic catalyst for the area.

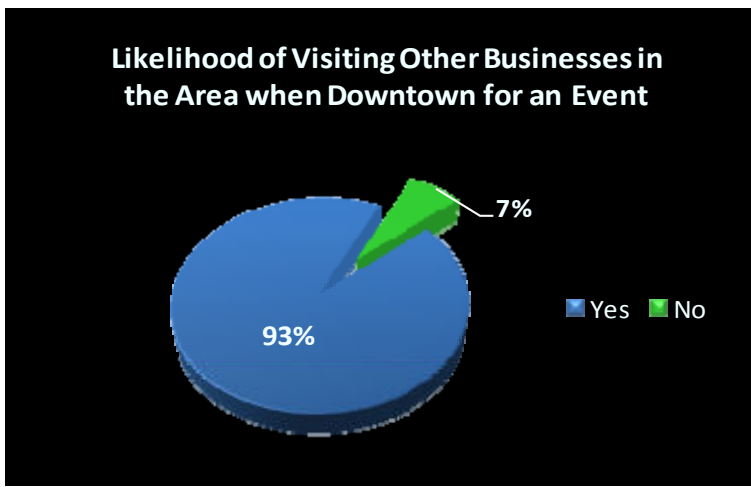
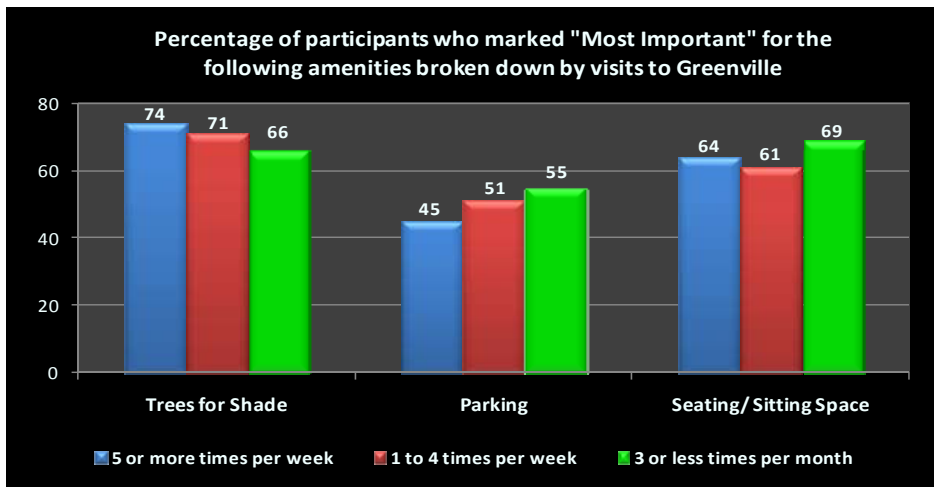
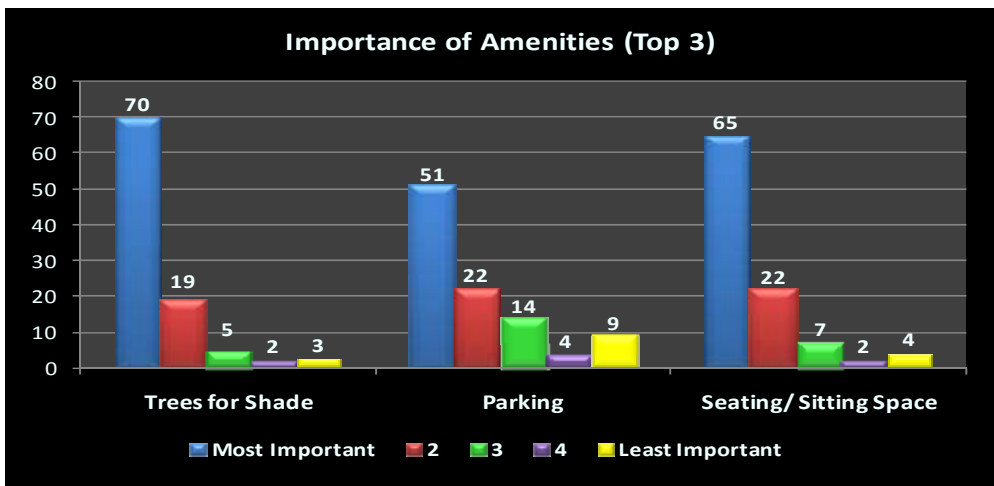


Ms. Walsh stated that in May 2008, Uptown Greenville requested the addition of the Five Points Plaza Work Plan. In June, the request was approved and listed as Item #13, "Open Air Market Initiative." In July/August, Greenville Utilities Commission added electricity and water before completion of the lot construction. A public input session was held on September 30, and approximately 40 people attended. There was a focus group discussion on October 15 at Sheppard Memorial Library, and there were 16 participants. An online survey was launched on October 16, and a paper copy was also available. There were 236 completed surveys. Uptown Greenville worked with the East Carolina University Center for Survey Research to execute the three components of gathering public input. Input was solicited through The Daily Reflector Editorial Board meeting, advertisements in The Daily Reflector & Greenville Times, radio ads, PSA's and interviews on local radio stations; GTV-9; WITN Sunrise; Community Calendar listings; e-newsletters sent to over 600 addresses, and direct mail post card sent to 2,100+ addresses. There was also a drawing for 50 pairs of ECU football tickets. Ms. Walsh reviewed the questions and responses that were included on the surveys.

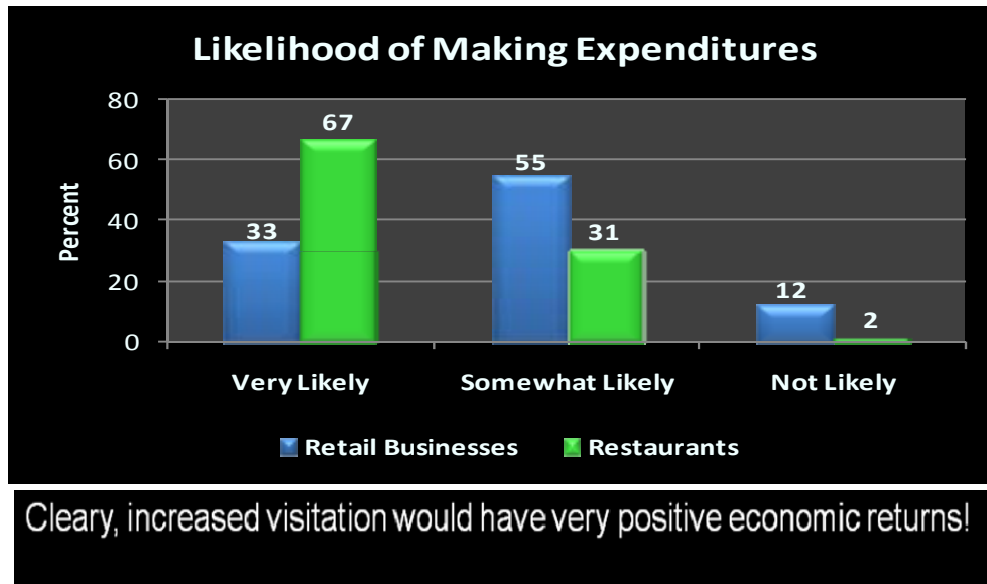


Ms. Walsh provided results of the question asking the respondents to indicate their level of interest in attending or participating in activities at the Sixth Street Lot, as well as the results for the other questions on the survey. Results were:









Ms. Walsh stated that when asked about the amenities people would like to see, they responded: trees for shade, seating/sitting space, parking, green space, public/free wi-fi (currently exists), bicycle racks, connectivity between plaza and greenway, interactive water feature, historic information, public art, public restrooms, adequate lighting/surveillance – nighttime tree lighting, pet friendly features, outdoor games, and permeable pavers. The survey showed that a center city public plaza is desired, a plaza would greatly enhance the area, and modest improvements could have great economic and social benefits.

Ms. Walsh continued by stating that in January 2009, Uptown Greenville received approval from the Redevelopment Commission to proceed with the request for qualifications. In February, the request for qualifications was advertised, and nine proposals were submitted. Four interviews were conducted, and the award was made to Susan Hatchell Landscape Architecture in May by the Redevelopment Commission. In July, the Five Points Plaza Steering Committee planning committee meetings began.

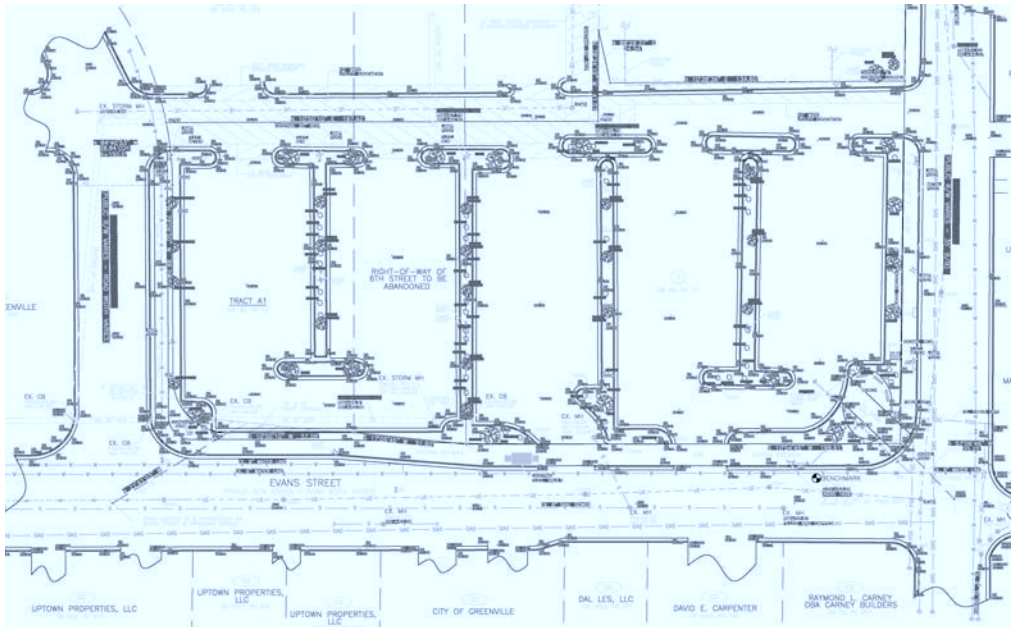
Ms. Walsh stated that the economic benefits of public space include property increased property values, economic revitalization, tourism benefits and social benefits. Some insights from scientific studies include increased property values when property is located near parks and open space. Property value decreases dramatically moving away from greenbelts. Revitalization substantially increases leasing activity. It also increases property value over time. Green spaces build community. Research shows that residents of neighborhoods with greenery are more likely to enjoy stronger social ties than those who are surrounded by concrete.

Ms. Walsh concluded by stating that the Five Points Plaza needs to be done to enhance the space to help employers recruit from around the country. Planning needs to be truly innovative and progressive. The current layout has created two separate downtowns. More parking is needed uptown, but not necessarily on this location. The Town Common is a sideline to the downtown area and not the center of the downtown. An active civic space could increase the sense of safety

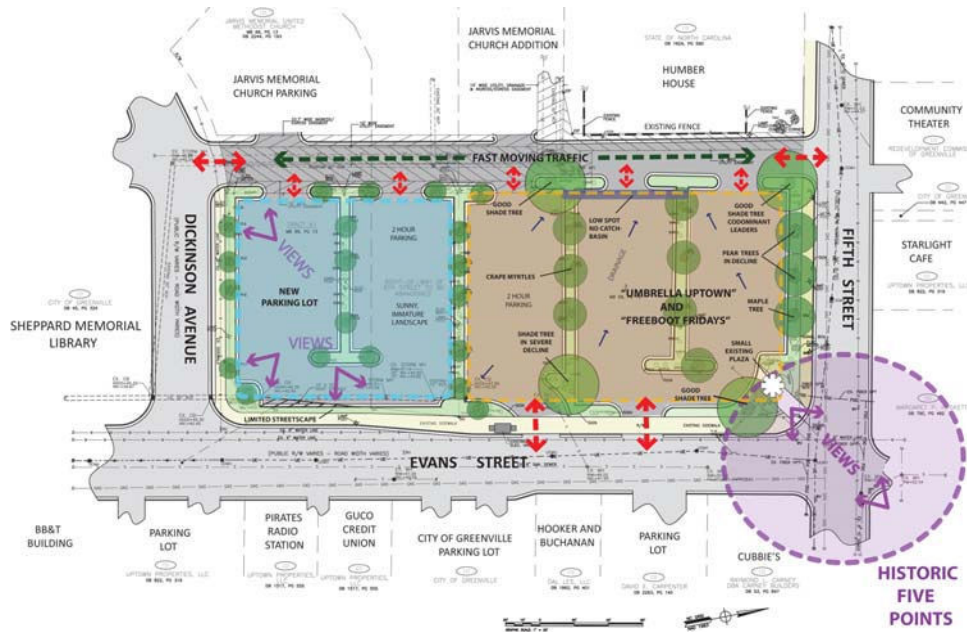
and enhance property values, which would result in increased tax revenues. This area is so visible and the heart of the city. It needs to be made into an inviting place.

Ms. Susan Hatchell of Susan Hatchell Landscape Architecture provided artist's renderings and drawings of the current and potential Five Points Plaza area.

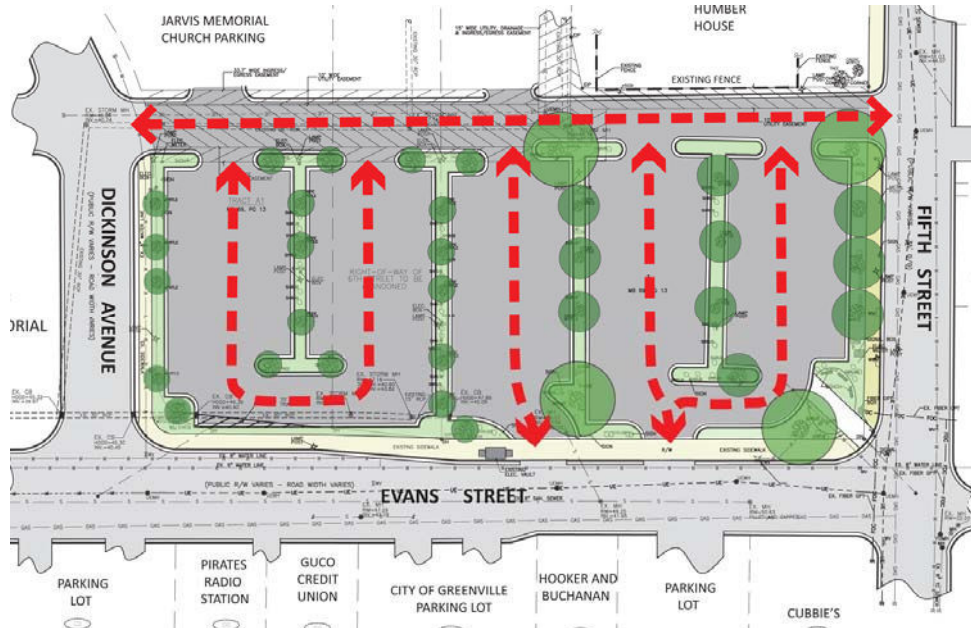
### Survey



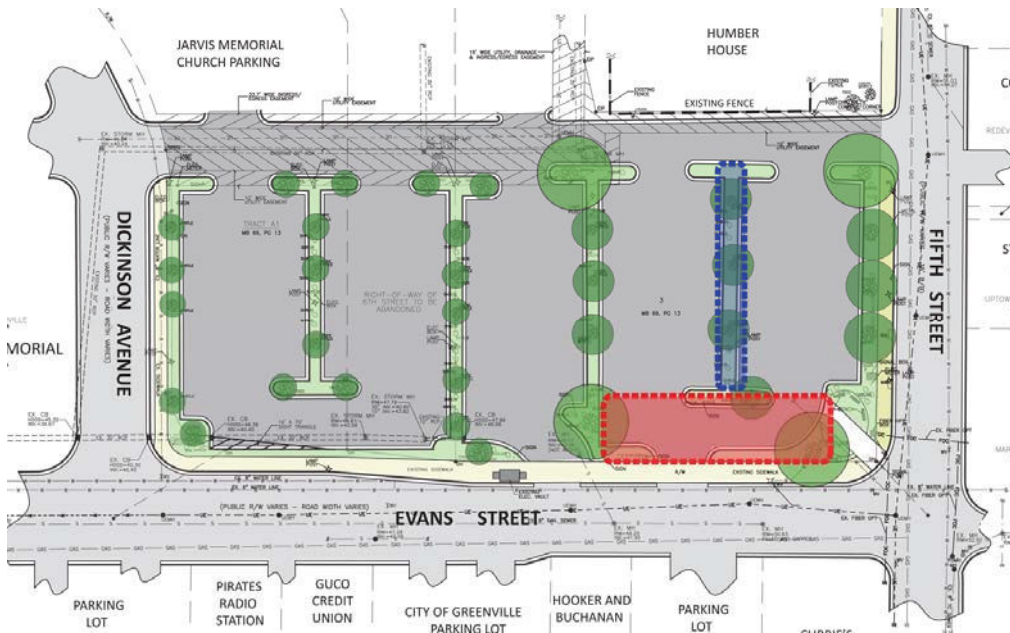
### Existing Conditions



### Existing Circulation

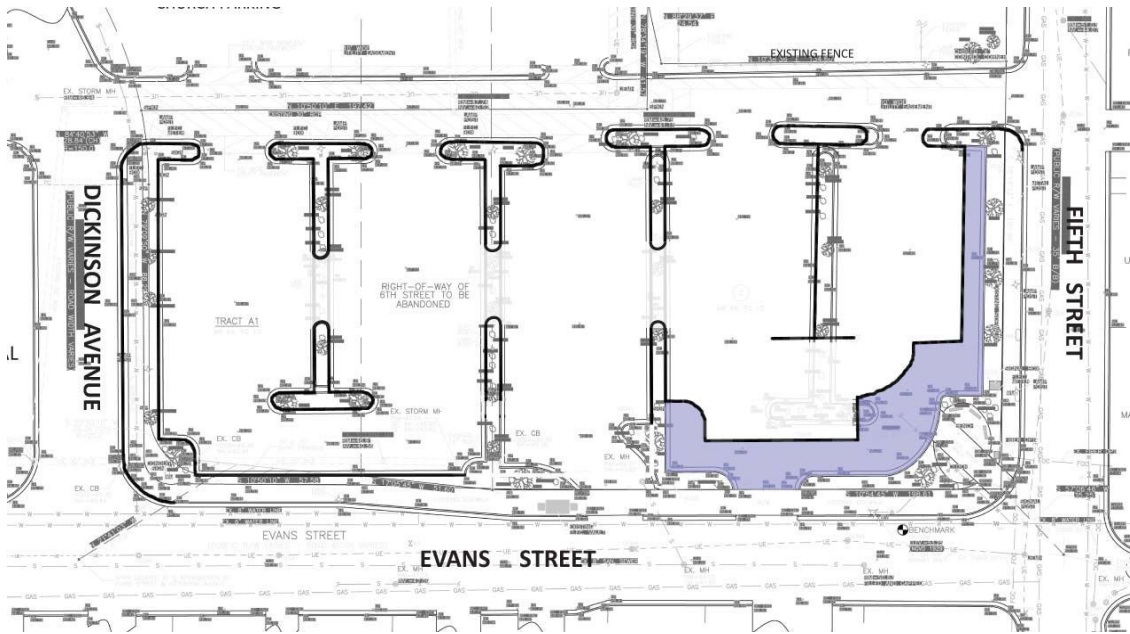


### Underutilized Space



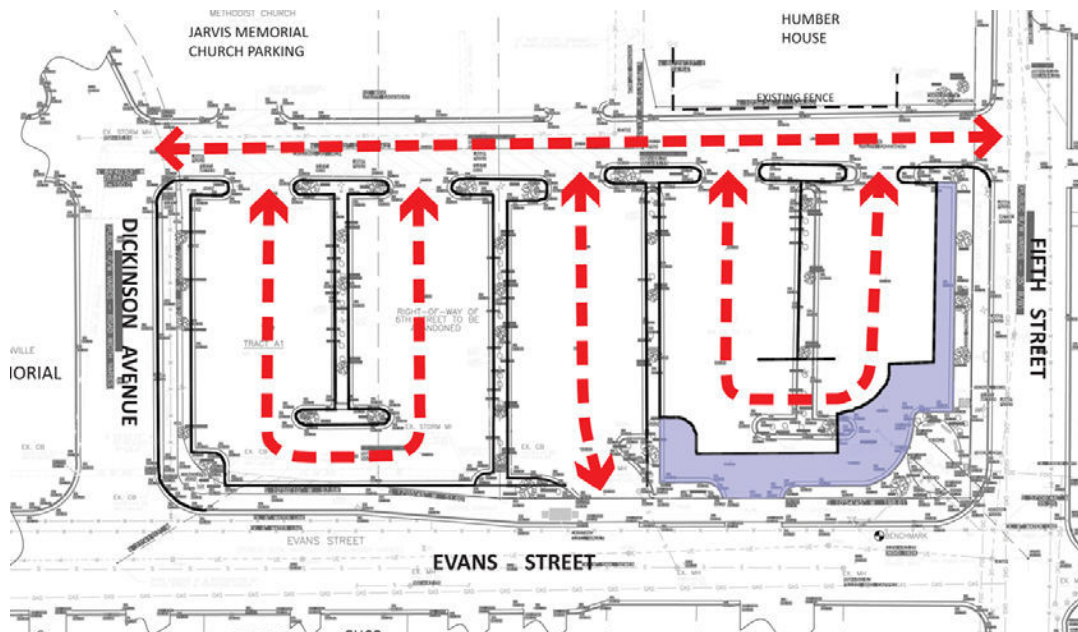
### Lot Redesign – New Circulation (114 Spaces)





Loss of two spaces at this end

Lot Redesign – New Circulation  
(No access from Evans Street into the first two bays;  
the only change to parking is pedestrian flow – 114 spaces.)



Ms. Hatchell provided the following schematic drawings showing the desired concept.

### Scheme A – The Market



### Scheme B – The Central Stage



### Revised Scheme "C"



Ms. Hatchell concluded by stating that the next steps are to research products for shelters, traffic control, etc.; to prepare a cost estimate for proposed changes; to prepare design development drawings for the plan; to submit for review and permitting by late fall; to prepare construction drawings by late winter; to submit drawings to the Redevelopment Commission for bidding in early spring; for construction of the plaza to begin in summer of 2010; and to have it open for Fall 2010 Freeboot Fridays.

The Council was informed that the Redevelopment Commission considered the Five Points Plaza design concept at its September 1, 2009 meeting and made a unanimous recommendation that the design concept be presented to City Council for consideration.

Upon being asked what purpose the alley serves, Mr. Rees stated that there is quite a bit of utility infrastructure located under the asphalt. Also, it serves to move vehicular traffic when an event is not going on.

Upon being asked what would keep people from sitting on the benches and hanging out, Mr. Rees stated that they are trying to attract as many people as possible. There is good loitering and inappropriate loitering, and that is something that law enforcement will have to sort out. They want to create spaces to make people feel comfortable. The entire area can be shut off to vehicular traffic.

Ms. Hatchell stated that people could drive by and see the people sitting down. It can be patrolled by passersby or police. The parking lot is a place where people are all the time. It is a crime prevention method in itself.

Upon being asked what the budget is and where the funds will come from, Mr. Rees stated that the budget has not been determined yet; however, the funds will come from the 2004 General Obligation Bond issue for the Center City Revitalization.

Motion was made by Council Member Spell and seconded by Council Member Joyner to approve the Five Points Plaza concept design. Motion carried unanimously.

RESOLUTION APPROVING EXCHANGE OF PROPERTY WITH NORFOLK SOUTHERN RAILWAY COMPANY - ADOPTED

City Manager Bowers stated that while refining the agreements for the railroad switching yard project, Norfolk Southern Railway Company advised that it desires to receive property (approximately 0.07 acre) in exchange for property (approximately 0.05 acre) which Norfolk Southern is dedicating to the project. The property that Norfolk Southern wants to receive in exchange is part of the property where the connector track wye is to be located. Because of Norfolk Southern's desire to receive this property, this portion of the property where the wye is to be located will be owned by Norfolk Southern rather than being a part of the easement or right-of-way which the City is conveying to CSX Transportation, Inc. Either way, the City is going to convey this property for use as part of the wye. Therefore, no additional property for the project is involved and this exchange does not affect the project.

Motion was made by Council Member Joyner and seconded by Council Member Mercer to adopt the resolution authorizing the exchange of property with Norfolk Southern Railway Company. Motion carried unanimously. (Resolution No. 09-54)

### REVIEW OF FIVE-YEAR SIDEWALK CONSTRUCTION PROGRAM FOR THE CITY OF GREENVILLE

Director of Public Works Wes Anderson stated that this is an interim plan to get the City through until the Bicycle and Pedestrian Master Plan is completed and approved by City Council.

City Engineer Rob Knopf informed the Council that the guidelines for the interim sidewalk plan are evidence of heavy pedestrian traffic, to create corridors for pedestrian traffic across the city, and to place sidewalk on one side of the street first on major thoroughfares, minor thoroughfares, and residential corridors. The request for qualifications for the Bicycle Master Plan has been completed and will be advertised during fourth quarter of 2009. The contract will be awarded during the first quarter of 2010. The interim sidewalk plan will be used until the master plan is complete and approved by City Council. The interim sidewalk plan contains the current location of sidewalks in the City; construction plan for this fiscal year; and the construction plan for sidewalks in the next Capital Improvement Program cycle, which is five years (2010 to 2015) with an assumed annual budget of \$375,000. It will contain existing sidewalks. The plan is as follows:

#### 2009-2010

##### 2009-2010 Sidewalk Construction Plan

- Charles Blvd. (E) (E. 10<sup>th</sup> St. to E. 14<sup>th</sup> St.)
- Greenville Blvd. (N) (Red Banks Rd. to Hooker Rd.)
- Evans St. (W) (Red Banks Rd. to Greenville Blvd.)
- Moye Rd. (SW) (Memorial Dr. to Stantonsburg Rd.)

##### 2009-2010 American Recovery and Reinvestment Act of 2009 Funds

- Charles Blvd. (West) (Greenville Blvd. to Red Banks Rd.)
- Arlington Blvd. (East) (Stantonsburg Rd. to Dickinson Ave.)

##### 2009-2010 Safe Routes to School Federal Grant

- Red Banks Rd. (South) (Charles Blvd. to E. 14th St.)

#### 2010-2011

##### Powell Bill Funds

- Greenville Blvd. (N) (Cherry Ct. to E. 10th St.)
- Greenville Blvd. (N) (E. 14th St. to Luci Dr.)
- Greenville Blvd. (N) (Red Banks Rd. to Arlington Blvd.)
- Memorial Dr. (W) (Stantonsburg Rd. to Moye Blvd.)

2011-2012

Powell Bill Funds

- E. 10th St. (N) (E. 5th St. to Monroe Rd.)
  - Red Banks Rd. (N) (Greenville Blvd. to Charles Blvd.)
  - E. 14th St. (W) (Red Banks Rd. to Greenville Blvd.) \*
- \* Need to secure sidewalk easement

2012-2013

Powell Bill Funds

- Firetower Rd. (N) (Old Firetower Rd. to Charles Blvd.)
- Greenville Blvd. (N) (Bismark Dr. to Memorial Blvd.)

2013-2014

Powell Bill Funds

- Firetower Rd. (S) (Old Firetower Rd. to Charles Blvd.)
- Dickinson Rd. (N) (Spring Forest Rd. to Arlington Blvd.)

2014-2015

Powell Bill Funds

- Charles Blvd. (W) (Red Banks Rd. to Firetower Rd.)

Council was informed that Public Works is proposing an amount of \$375,000 for sidewalk construction in the future City budget's Capital Improvement Program.

Upon being asked how much grant money is being provided for sidewalks, City Engineer David Brown informed the Council that there is just over \$550,000 in grant funds. City Manager Bowers stated that is Powell Bill money that has to be used strictly for transportation systems.

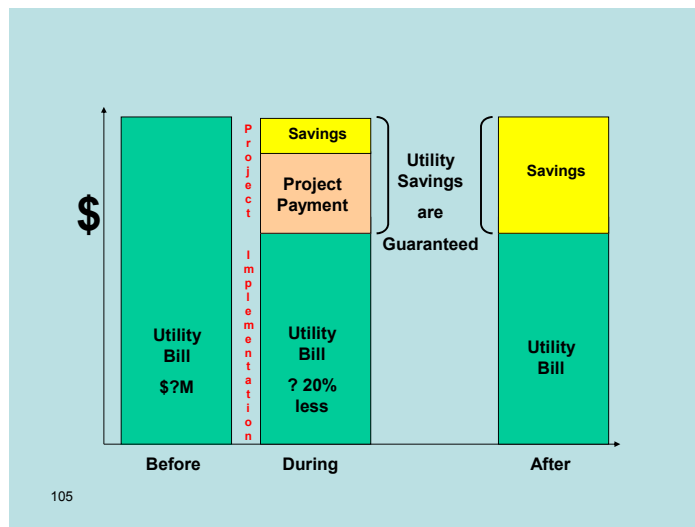
Engineer Knopf informed the Council that all this will be subject to the economy.

USE OF AN ENERGY SAVING PERFORMANCE CONTRACT TO IMPROVE ENERGY EFFICIENCY OF CITY BUILDINGS - APPROVED

Director of Public Works Wes Anderson informed the Council that an energy saving performance contract is a method of financing capital improvement projects in buildings that have energy inefficient systems. The purpose of the concept is to use private funding to pay for energy efficiency improvements to public facilities, thus reducing utility bills and then use the utility bill savings to pay back the lender. This is a single procurement contract for engineering, construction, installation, start-up, measurement, and verification of energy savings that will result in reduced energy costs. The particular form of contract authorized by the State is a guaranteed energy savings contract. This type of contract requires the contractor to guarantee a



minimum level of annual utility cost savings resulting from the performance upgrades. The guaranteed cost savings are then used by the local government to support the debt obligation that funded the improvements. Contract terms are typically 12 to 20 years. After the contract expires, the City retains all of the savings. Pitt County currently has a contract, and East Carolina University is in the process of participating in the program. Energy savings performance contracts are used to improve many building systems, including lighting, heating, ventilation, air conditioning, building envelope improvements and water efficient fixtures. The benefits include preserving limited budget dollars for other needed services and activities, reducing energy costs with the project financed through energy savings, savings guaranteed by a performance bond for the duration of the contract, the ability to proceed with projects when conventional funding is not available, the performance risk residing with the contractor, the reduced impact of escalating utility costs, and the savings retained by the City when the contract is over. Public Works staff has begun the process of determining the feasibility of using an energy savings performance contract to improve the energy efficiency of City buildings such as Police/Fire Rescue, Municipal Building, City Hall, Public Works compound, Gardner Training Center, Aquatics and Fitness Center, Elm Street Gym, and Eppes Recreation Center. Staff's initial analysis is that the City facilities provide sufficient opportunity to be attractive to a potential contractor. Staff requests City Council guidance on whether to continue to pursue an energy savings performance contract.



The following timeline was presented to City Council.

- A one year award process
- Issue request for proposals
- Time for ESCOs to respond – 45-75 days
- Evaluation and selection – 30 days
- Define and agree on Project Development – 30 days
- Project Development – 90-120 days
- Contract and Financing negotiations – 30 days
- City Council and Local Government Commission approval – 60 days

- Contract execution and funding – 30 days
- Work – 1 year

Motion was made by Council Member Glover and seconded by Council Member Mercer to direct staff to continue pursuing the award of an Energy Savings Performance Contract. Motion carried unanimously.

#### LANDSCAPE MAINTENANCE OF RAILROAD RIGHTS-OF-WAY

Director of Public Works Wes Anderson informed the Council that the railroad rights-of-way within the City are currently maintained by Carolina Coastal Railway and CSX. The railway companies maintain the railway to facilitate safe travel of trains and for adequate site distance at intersections. Railroad companies' maintenance standards are based on safety and function rather than aesthetics. There are several sections of the railroad that are very prominent from roadways within the City. One section of CSX from Dickinson Avenue north of the river is particularly prominent as it is in the center section of the City. This section not only has vegetative growth that is unattractive but also collects litter and debris that is visually unappealing. The City Council established in their 2009 goals and objectives an objective to work with railroad companies to maintain vegetation in the area outside of the flagman zone (25 foot from rail center line) but within the right-of-way of the railroad. Public Works staff met with CSX regarding the possibility of entering into a beautification agreement. CSX supports the agreement but the City is responsible for costs of maintenance of the area without subsidy from the railroad. Public Works staff prepared an estimate of the cost of maintaining the entire length of railroad within the City (Option 1) and an estimate for maintaining the section between Dickinson Avenue and the Tar River (Option 2). The estimates are based on four mowing and litter collection cycles per year. Option 1 is to maintain the entire length of both railways, to have 88,065 lineal feet, to have litter pickup and mowing four times per year, to use growth retardant to slow growth in certain areas, at an estimated cost of \$78,000 per year. Option 2 is to maintain prominent section in the center of the City from Dickinson Avenue north to the Tar River (3,742 lineal feet), to have mowing and litter pickup four times per year outside of the flagman zone, to use growth retardant to slow growth in certain areas, for a total estimate of approximately \$10,300 per year.

Director of Public Works Anderson stated that the staff is requesting guidance in support of the Public Works Department's effort to develop its budget. If City Council directs staff to pursue maintenance of the railroad rights-of-way, staff must develop one or both railroad companies' landscape maintenance agreement(s), present to City Council the proposed maintenance agreement(s) for consideration and approval, and establish a maintenance plan for 2010-2011.

Council Member Spell requested numbers on areas that aren't near people's property.

Council Member Joyner stated that he would like to see this pursued throughout the City.

Council Member Mercer asked what the growth retardant area is, and Director of Public Works Anderson stated that railroads put down growth retardant once a year in May or June.

Council Member Joyner suggested painting the railroad overpass on Dickinson Avenue like the one on Charles Boulevard.

City Manager Bowers informed the Council that the City, Department of Transportation and East Carolina University came up with the money for the painting on that train trestle.

Staff was asked to provide more illustration and pictures for the Council.

The City Manager was asked to show the Council where it can be put in the budget after the pictures are received, and he stated that there is no funding in this year's budget. It can be included in the draft budget for 2010-2011; however, it will have to compete with other projects.

The consensus of the Council was to get the pictures prior to making a decision on this item.

#### REVIEW OF OCTOBER 8, 2009 CITY COUNCIL AGENDA

The appointments to boards and commissions scheduled for the October 8, 2009 agenda were reviewed, along with other items on the agenda.

#### COMMENTS FROM MAYOR AND CITY COUNCIL

The Mayor and City Council gave general comments.

#### CITY MANAGER'S REPORT

The City Manager had no report to give.

#### ADJOURNMENT

Motion was made by Council Member Mercer and seconded by Council Member Spell to adjourn the meeting at 8:48 p.m. Motion carried unanimously.

Respectfully submitted,

Wanda T. Elks, MMC  
City Clerk

## MINUTES PROPOSED FOR ADOPTION BY CITY COUNCIL

Greenville, NC  
October 8, 2009

The Greenville City Council met in a regular meeting on the above date at 7:00 PM in the City Council Chambers, third floor of City Hall, with Mayor Patricia C. Dunn presiding. The meeting was called to order, followed by the invocation by Mayor Dunn and the pledge of allegiance to the flag. The following were present.

Mayor Patricia C. Dunn  
Mayor Pro-Tem Mildred A. Council  
Council Member Rose H. Glover  
Council Member Max Joyner, Jr.  
Council Member Bryant Kittrell  
Council Member Calvin Mercer  
Council Member Larry Spell  
Wayne Bowers, City Manager  
Patricia A. Sugg, Deputy City Clerk  
David A. Holec, City Attorney

### APPROVAL OF AGENDA

Motion was made by Council Member Spell and seconded by Council Member Joyner to approve the agenda as presented. Motion carried unanimously.

### SPECIAL RECOGNITIONS

Mr. Gary Roberson was presented a plaque upon his retirement from the Fire Rescue Department with 30 years of service.

Mr. Bob Kasey and Marek Gaddy, Co-Chairs of the City's United Way campaign, were presented a certificate of appreciation for their leadership on the 2009 United Way campaign in which \$73,110.58 was raised.

### APPOINTMENTS TO BOARDS AND COMMISSIONS

#### Human Relations Council

Motion was made by Mayor Pro-Tem Council and seconded by Council Member Joyner to continue the replacement for Franchine Pena, who is ineligible for reappointment; to appoint Bob Thompson to replace Nikki Miller, who resigned, to fill an unexpired term that expires September 2011; to appoint Isaac Blount to replace Stanley Howard, who resigned for a one-year term to expire October 2010; and to continue the appointment of the Pitt Community College student.

### Investment Advisory Committee

Motion was made by Council Member Kittrell and seconded by Mayor Pro-Tem Council to reappoint Frederick Niswander for a second three-year term to expire October 2012. Motion carried unanimously

### Police Community Relations Committee

Mayor Pro-Tem Council advised the Council of the reappointment of Norwood Bradshaw as the District 1 representative for a second two-year term to expire October 2011.

Council Member Mercer advised the Council of the reappointment of Diane Kulik as the District 4 representative for a second two-year term to expire October 2011.

Council Member Joyner advised the Council of the reappointment of Jane Rolfe as the District 5 representative for a second two-year term to expire October 2011.

### Public Transportation and Parking Commission

Council Member Joyner requested that the replacements for Don Anderson and Shannon White be continued to November 2009.

### Sheppard Memorial Library Board

Motion was made by Council Member Glover and seconded by Council Member Kittrell to appoint Patricia Rawls to replace Al Muller, who is ineligible for reappointment for a first term to expire October 2012 and to reappoint Ralph Scott for a first full three-year term to expire October 2012. Motion carried unanimously.

### Youth Council

Motion was made by Council Member Council and seconded by Council Member Joyner to reappoint Matthew Edwards for a one-year term to expire September 30, 2010 and to appoint Lorenzo Person (Rose High School, Ebony Bailey (Conley), and Anassa Thompson (North Pitt High School), as students, for first one-year terms to expire September 30, 2010. Motion carried unanimously.

### APPOINTMENT OF REPRESENTATIVES TO THE HAZARD MITIGATION PLAN UPDATE ADVISORY COMMITTEE

Director of Community Development Merrill Flood informed the Council that the City must update its Local Hazard Mitigation Plan by Spring 2010 in order to remain eligible for hazard mitigation grants and for the plan to be in compliance with the most recent State of North Carolina and Federal Emergency Management Agency (FEMA) standards and guidelines. The plan update process will be led by an advisory committee of professionals and volunteers who

work in the areas of land use planning, affordable housing, civil engineering, and emergency response/management. The people recommended include:

Real Crisis Intervention, Inc. (Greenville)	Mary Smith, Executive Director
Red Cross (Pitt County)	Tom LaCoste, Emergency Services Manager
Environmental Advisory Committee	Jessica Christie and Anne Bunnell, Members
Affordable Housing Loan Committee	Lovella Perkins, Affordable Housing Loan Committee member; Burney & Burney Construction
Planning and Zoning Commission	Allen Thomas, Member
City of Greenville Fire Rescue	Mike Burton, Fire Rescue Chief
City of Greenville Public Works Department (Inspections)	Les Everett, Chief Building Inspector
City of Greenville Public Works Department (Engineering)	Tim Corley, Head of Land Development Section, and Billy Merrill, City Surveyor/Flood Plain Manager
City of Greenville Community Development Department (Planning)	Tom Wisemiller, Advisory Board Staff Liaison

Mr. Flood stated that the members would serve from the planning stage of the plan to the approval of the plan.

Motion was made by Council Member Joyner and seconded by Council Member Spell to appoint the representatives to the Hazard Mitigation Plan Update Advisory Committee as follows: Real Crisis Intervention, Inc. (Greenville)—Mary Smith; Red Cross (Pitt County)—Tom LaCoste; Environmental Advisory Committee—Jessica Christie and Ann Bunnell; Affordable Housing Loan Committee—Lovella Perkins; Planning and Zoning Commission—Allen Thomas; City of Greenville Fire Rescue—Mike Burton; City of Greenville Public Works Department (Inspections)—Les Everett; City of Greenville Public Works Department (Engineering)—Tim Corley and Billy Merrill; and City of Greenville Community Development Department (Planning)—Tom Wisemiller. Motion carried unanimously.

RELOCATION ASSISTANCE FOR BUSINESSES IMPACTED BY THE STANTONSBURG ROAD/TENTH STREET CONNECTOR PROJECT

Director of Community Development Merrill Flood stated that on February 5, 2007, the City Council approved the Tenth Street Connector Supplemental Relocation Program for homeowners who may be subject to relocation in connection with this road project. The program provided land for relocation if some of the residents want to relocate their home or build a new home in the immediate area and the land is in the Fleming Street area. It provided land in the area for around \$7,000, which would be amortized over a five-year period and forgiven if the person lived in the house for five years. In addition, homebuyer assistance was made available through homebuyer assistance program for those meeting income requirements in the amount of up to \$10,000 amortized for five years and forgiven if the person remained in the home for five years. This will be funded through the HOME program, and approval was received from HUD for this. During public hearings on the project, some business owners had requested that the City consider a similar program for commercial property. Council Member Glover had asked that this request be scheduled for discussion at the September 10, 2009 City Council meeting. During the discussion on September 10, 2009, a motion was approved by the City Council to have an agenda item for the business owners to be able to speak to Council on October 8, 2009.

Director of Public Works Wes Anderson reminded the Council that it asked him to check to see if other cities across the state offered relocation assistance to displaced businesses. Staff researched with the North Carolina Department of Transportation and Real Estate Office and asked consultants, and none of them were aware of such a program. Staff had heard that Charlotte may have a program; however, upon investigation, staff learned that they do not have a program at this point. Relocation assistance is totally separate from the purchase of the property itself, and it is not provided for commercial properties. There are two methods—one being when one wants to follow the actual reasonable expense method (covers the cost of pack, move and unpack; reconnection fee to utility providers; annual licenses, fees and permits; reestablishment fees (not to exceed \$10,000); professional services for the site analysis and move planning; loss of tangible personal property; searching for replacement property; and other related costs). With the fixed cost method, there are criteria to whether you can apply for this particular one. Basically it is for businesses that are small. The criteria are from \$1,000 to \$20,000. If a business earns \$30,000 for the last two years, they would qualify for \$15,000 fiscally through this program. The key thing to remember is that the North Carolina Department of Transportation is the authority for running the program, and businesses need to contact them for the exact location assistance prior to doing anything.

Mayor Dunn asked if there was anyone in the audience who would like to address the Council on this issue.

Ms. Jeannette Cox with Hardy and Cox Welding on Line Avenue appeared before the Council and stated that the 60-year old company has been in that location for 56 years. She expressed concern about not knowing who to address to obtain more information. She expressed concern about renters being able to receive \$10,000 and businesses that have employees not being

eligible for funding. Ms. Cox explained the expense that would be incurred to relocate the industrial business that she is involved with. It may also have to move into the county unless the City rezones some property within the City. She stated that it will cost \$500,000 to move, and the fair market value on the property doesn't come close to that. The business should not be penalized for a decision that was not made by them, as they are being forced out of their property. She asked if the City is going to help them to survive.

There was extensive dialogue between the Council Members and Ms. Cox about what had transpired to date and the role of the City and the Department of Transportation in this matter. Ms. Cox expressed concern about no one from the Department of Transportation being able to answer her questions about the relocation. She was informed by staff about the role of the Steering Committee and the Citizens Advisory Committee that is working on this project. Ms. Cox expressed concern about no one from the Steering Committee or Citizens Advisory Committee having contacted any of the business owners. She was informed that it is anticipated that it will be narrowed down to one or two alternatives at the Steering Committee meeting in November. Traffic Engineer David Brown stated that the Department of Transportation does not typically have as much public involvement as there has been during this process. That input has been a City initiative. Citizens have been given opportunities to provide comments, and the City has received good comments. Design changes have been made based on those comments. Ms. Cox stated that Mr. Brown has done a good job trying to get the communication problem resolved. Many business owners were not getting reminders of the meetings and when Mr. Brown was contacted, he made sure they started getting reminders.

Mr. James Hannon stated that he has received no notices of the meetings. He owns property that he rents to a tenant, and he is here on behalf of his tenant. The property is being used as a bar, and the six employees will lose their jobs. He shares the concerns of Ms. Cox and would like to get two copies of the information mailed to him as to where they stand at the moment. He will lose \$192,000 per year if the road goes through his property located at 1008 Dickinson Avenue. Traffic Engineer David Brown provided Mr. Hannon with his business card and encouraged Mr. Hannon to call him. He asked several questions about remuneration for his property, and City Attorney Holec informed him that the City could not answer those questions, as that is handled by the Department of Transportation. The City Attorney did inform him about what might be associated with the cost as far as the process the Department of Transportation will go through. Upon being asked to do so, City Attorney Holec explained the eminent domain process.

Mr. Zaron Riggs, owner of Double-A Rentals at 1012 Dickinson Avenue, stated that he is concerned because he leases the property. The business has been at the same location for 10 years, and the expenses that will be reimbursed through the Department of Transportation are too low to relocate a business. If the business relocates, the rent will increase dramatically and new signs will have to be made. Mr. Riggs stated that it seems unfair that it is being forced upon business owners. He requested a copy of Mr. Brown's business card, which he received.

Ms. Regina Wallace, representing Mr. Willie Moore of 1000 Tyson Street stated that she has been to the majority of the meetings, and tonight is the first time she has heard about the 45-block area on Fleming Street being an available area for homeowners to be relocated. Maps are



available at the meetings; however, nobody really tells the citizens there anything. She asked that the Steering Committee have information available for the homeowners because they are not getting it.

Mr. Derek Sanderson, owner of East Carolina Coins and Pawn located at 530 West Tenth Street, informed the Council that most of the business owners are not necessarily opposed to what is going to happen, but they are scared of the uncertainty. The homeowners still have income when they are in limbo, and the business owners will lose employees, etc.

The property/business owners in the audience were asked to submit their questions in writing to David Brown and to Wanda Elks, City Clerk, who will forward them to the City Council. The questions will be answered within two weeks.

Mr. Bobby Bowen of 1310 W. Fourteenth Street stated that he has owned an electric motor repair shop for 30 years and the business itself has been at that location for 60 years. People come from surrounding towns and know where it is. His clients include the City, East Carolina University, Pitt County Memorial Hospital, etc. The business is a 24-hour service that employs eight people. There is not another motor shop in Greenville. It will take quite some time to relocate the shop, leaving their customers in a bind.

Staff was asked to provide a map of where the businesses could be relocated at the next Steering Committee meeting. Mr. Bowen asked if there could also be someone at that meeting to answer questions.

Mr. J. T. Williams stated that he had his storage facility located at 1404 Fourteenth Street for retirement income. He asked if there is any provision for considering the loss of income while moving the business, getting permitted, etc. He was informed that the reimbursement would be for fair market value.

Motion was made by Council Member Glover and seconded by Mayor Pro-Tem Council to have staff get in conversations with Pitt County Memorial Hospital and East Carolina University and bring the concerns of the business people to the people who are benefitting from the road and explore what they could do to compensate the business owners in a monetary way. Motion carried unanimously.

Staff was asked to provide to the Council information on how many businesses are in each route and how many homes will be impacted.

Motion was made by Council Member Joyner and seconded by Council Member Kittrell to add a business owner to the Steering Committee. City Attorney Holec informed him that the City can add a member to the Citizens Advisory Committee but not the Steering Committee. Council Member Joyner then amended his motion to add a business owner to the Citizens Advisory Committee.

Traffic Engineer David Brown stated that there is an agreement with Pitt County Memorial Hospital, the City of Greenville, East Carolina University, and the Department of Transportation that specifically identifies the representation for the Steering Committee.

Staff was asked if there were any business owners on the Citizens Advisory Committee, and the City Manager responded that there were in the beginning; however, they are not currently filled. Therefore a motion is not needed.

Council Member Joyner withdrew his motion, and Council Member Kittrell withdrew his second, stating that the slots need to be filled.

Ms. Cox questioned why there are two members on the Steering Committee from the City. She was informed that since the City is undertaking the project and taking lead for the involvement, there are two members. The Director of Community Development stated that another reason there are two members is because of the impact the project has on the Revitalization Plan.

ORDINANCE REQUESTED BY THE LAMPE COMPANY, INCORPORATED TO REZONE 7,891 ACRES LOCATED AT THE NORTHEAST CORNER OF THE INTERSECTION OF ARLINGTON BOULEVARD AND THE SEABOARD COASTLINE RAILROAD FROM OR (OFFICE-RESIDENTIAL HIGH DENSITY MULTI-FAMILY) TO GC (GENERAL COMMERCIAL) – ADOPTED

City Manager Wayne Bowers reported that a notice of public hearing was published in The Daily Reflector on August 3 and 10, 2009 setting this time, date and place for a public hearing to consider a request by the Lampe Company to amend the Future Land Use Plan Map for the area described as being located at the northeast corner of the intersection of Arlington Boulevard and the Seaboard Coastline Railroad, containing 1.5+ acres, from an “Office/Institutional/Multi-family” category to a “Commercial” category.

Ms. Chantae Gooby delineated the property on the map and explained the request. She stated that, in staff’s opinion, the request is in compliance with the Comprehensive Plan.

Mayor Dunn declared the public hearing open and solicited comments from the audience.

Mr. Michael Baldwin, representing the petitioner, stated that the petitioner went through the land use map amendment process to make it easier. With the rezoning of this property, the two areas in the back would be General Commercial. The existing mini-storage was allowed under a special use permit in the 1980s, and they are getting that into a conforming use. The School Board was contacted during the land use map amendment process, and they were in support of the request.

There being no further comments, the public hearing was closed.

Motion was made by Council Member Joyner and seconded by Council Member Glover to adopt the ordinance rezoning 7.891 acres located at the northeast corner of the intersection of Arlington

Boulevard and the Seaboard Coastline Railroad from OR (Office-Residential High Density Multi-Family) to GC (General Commercial). Motion carried unanimously. (Ordinance No. 09-80)

ORDINANCE REQUIRING THE REPAIR OR THE DEMOLITION AND REMOVAL OF THE DWELLING LOCATED AT 105 NORTH MEADE STREET – ADOPTED

Lieutenant Earl Phipps stated that the initial notice of violation on the property located at 105 North Meade Street was sent by certified mail on June 24, 2008 to the current property owner informing the owner of the condition of the abandoned structure and minimum housing violations cited by the Code Enforcement Officer and of the remedies necessary to bring the structure into compliance. Staff has attempted to work with the owner, but no repairs have been made. The most recent notice to the owner was sent on September 28, 2009, and it provided notice to the owner that the dwelling was considered as an abandoned structure. The dwelling has been vacated and closed for a period of at least six months. The utilities to the dwelling have been disconnected since April 2004 for Side A and December 2004 for Side B. There have been 25 code enforcement cases initiated on this property since 1998. The Police Department has responded to 14 calls for service at this property since January 2000. The tax value on the property is \$124,108 (building value of \$95,108 and land value of \$29,000). The estimated cost to repair the property is \$15,381.

Mayor Dunn declared the public hearing open and solicited comments from the audience.

Mr. James Robbins, who owns property north of this property on Meade Street, asked that the Council adopt the ordinance requiring the repair or the demolition and removal of the dwelling as property owners have made significant investments in their property. He has rental property in this vicinity, and nine out of fifteen people who looked at the house didn't want to live there because of the subject property. Such properties help to deteriorate the neighborhood.

Mr. Ormon Whichard reinforced what Mr. Robbins said. He owns property on Meade Street, within a stone's throw of the property in question. He, too, is concerned about the decline in this neighborhood.

An unidentified property owner stated that the property in question raises concerns in the neighborhood about safety. He asked the Council to consider tearing down the structure.

There being no further comments, the public hearing was declared closed.

Motion was made by Council Member Mercer and seconded by Council Member Joyner to adopt the ordinance requiring the repair or the demolition and removal of the dwelling located at 105 North Meade Street. Motion carried unanimously. (Ordinance No. 09-81)

ORDINANCE REQUIRING THE REPAIR OR THE DEMOLITION AND REMOVAL OF THE DWELLING LOCATED AT 1011 CHESTNUT STREET – ADOPTED

Lieutenant Earl Phipps stated that the initial notice of violation on the property located at 1011 Chestnut Street was sent by certified mail on January 2, 2008 to the current property owner informing the owner of the condition of the abandoned structure and minimum housing violations cited by the Code Enforcement Officer and of the remedies necessary to bring the structure into compliance. Staff has attempted to work with the owner, but no repairs have been made. The most recent notice to the owner was sent on September 28, 2009, and it provided notice to the owner that the dwelling was considered as an abandoned structure. The dwelling has been vacated and closed for a period of at least six months. The utilities to the dwelling have been disconnected since August 31, 2004. There have been 31 code enforcement cases initiated on this property since 1998, and the Police Department has responded to 111 calls for service at this property since January 2000. The tax value on the property is \$20,285 (building value of \$16,535 and land value of \$3,750). The estimated cost to repair the property is \$43,802.35.

Mayor Dunn declared the public hearing open and solicited comments from the audience. There being none, the public hearing was declared closed.

Motion was made by Council Member Mercer and seconded by Council Member Glover to adopt the ordinance requiring the repair or the demolition and removal of the dwelling located at 1011 Chestnut Street. Motion carried unanimously. (Ordinance No. 09-82)

ORDINANCE REQUIRING THE REPAIR OR THE DEMOLITION AND REMOVAL OF THE DWELLING LOCATED AT 1305 WEST THIRD STREET – ADOPTED

Lieutenant Earl Phipps stated that the initial notice of violation on the property located at 1305 West Third Street was sent by certified mail on January 6, 2009 to the current property owner informing the owner of the condition of the abandoned structure and minimum housing violations cited by the Code Enforcement Officer and of the remedies necessary to bring the structure into compliance. Staff has attempted to work with the owner, but no repairs have been made. The most recent notice to the owner was sent on September 28, 2009, and it provided notice to the owner that the dwelling was considered as an abandoned structure. The dwelling has been vacated and closed for a period of at least six months. The utilities to the dwelling have been disconnected since May 19, 2006. There have been six code enforcement cases initiated on this property since 1998, and the Greenville Police Department has responded to eight calls for service at this property since January 2000. The tax value on the property is \$13,309 (building value of \$10,255 and land value of \$3,054). The estimated cost to repair the property is \$20,738.10.

Mayor Dunn declared the public hearing open and solicited comments from the audience. There being none, the public hearing was declared closed.

Motion was made by Council Member Joyner and seconded by Council Member Glover to adopt the ordinance requiring the repair or the demolition and removal of the dwelling located at 1305 West Third Street. Motion carried unanimously. (Ordinance No. 09-83)

ORDINANCE REQUIRING THE REPAIR OR THE DEMOLITION AND REMOVAL OF THE DWELLING LOCATED AT 1311 WEST THIRD STREET – ADOPTED

Lieutenant Earl Phipps stated that the initial notice of violation on the property located at 1311 West Third Street was sent by certified mail on January 8, 2009 to the current property owner informing the owner of the condition of the abandoned structure and minimum housing violations cited by the Code Enforcement Officer and of the remedies necessary to bring the structure into compliance. Staff has attempted to work with the owner, but no repairs have been made. The most recent notice to the owner was sent on September 28, 2009, and it provided notice to the owner that the dwelling was considered as an abandoned structure. The dwelling has been vacated and closed for a period of at least six months. The utilities to the dwelling have been disconnected since August 1, 2006 for Side A and September 7, 2007 for Side B. There have been 15 code enforcement cases initiated on this property since 1998, and the Greenville Police Department has responded to 71 calls for service at this property since January 2000. The tax value on the property is \$20,689 (building value of \$18,144 and land value of \$2,545). The estimated cost to repair the property is \$23,187.

Mayor Dunn declared the public hearing open and solicited comments from the audience. There being none, the public hearing was declared closed.

Motion was made by Council Member Spell and seconded by Council Member Joyner to adopt the ordinance requiring the repair or the demolition and removal of the dwelling located at 1311 West Third Street. Motion carried unanimously. (Ordinance No. 09-84)

ORDINANCE REQUIRING THE REPAIR OR THE DEMOLITION AND REMOVAL OF THE DWELLING LOCATED AT 1313 WEST THIRD STREET – ADOPTED

Lieutenant Earl Phipps stated that the initial notice of violation on the property located at 1313 West Third Street was sent by certified mail on January 8, 2009 to the current property owner informing the owner of the condition of the abandoned structure and minimum housing violations cited by the Code Enforcement Officer and of the remedies necessary to bring the structure into compliance. Staff has attempted to work with the owner, but no repairs have been made. The most recent notice to the owner was sent on September 28, 2009, and it provided notice to the owner that the dwelling was considered as an abandoned structure. The dwelling has been vacated and closed for a period of at least six months. The utilities to the dwelling have been disconnected since February 4, 2008 for Side A and October 27, 2007 for Side B. There have been 17 code enforcement cases initiated on this property since 1998, and the Greenville Police Department has responded to 36 calls for service at this property since January 2000. The tax value on the property is \$16,336 (building value of \$14,300 and land value of \$2,036). The estimated cost to repair the property is \$22,010.90.

Mayor Dunn declared the public hearing open and solicited comments from the audience. There being none, the public hearing was declared closed.

Motion was made by Council Member Spell and seconded by Council Member Glover to adopt the ordinance requiring the repair or the demolition and removal of the dwelling located at 1313 West Third Street. Motion carried unanimously. (Ordinance No. 09-85)

ORDINANCE REQUIRING THE REPAIR OR THE DEMOLITION AND REMOVAL OF THE DWELLING LOCATED AT 209 CADILLAC STREET – ADOPTED

Lieutenant Earl Phipps stated that the initial notice of violation on the property located at 209 Cadillac Street was sent by certified mail on February 23, 2009 to the current property owner informing the owner of the condition of the abandoned structure and minimum housing violations cited by the Code Enforcement Officer and of the remedies necessary to bring the structure into compliance. Staff has attempted to work with the owner, but no repairs have been made. The most recent notice to the owner was sent on September 28, 2009, and it provided notice to the owner that the dwelling was considered as an abandoned structure. The dwelling has been vacated and closed for a period of at least six months. The utilities to the dwelling have been disconnected since March 6, 2008. There have been 26 code enforcement cases initiated on this property since 1998, and the Greenville Police Department has responded to 48 calls for service at this property since January 2000. The tax value on the property is \$14,457 (building value of \$11,912 and land value of \$2,545). The estimated cost to repair the property is \$39,256.20.

Mayor Dunn declared the public hearing open and solicited comments from the audience. There being none, the public hearing was declared closed.

Motion was made by Council Member Spell and seconded by Council Member Joyner to adopt the ordinance requiring the repair or the demolition and removal of the dwelling located at 209 Cadillac Street. Motion carried unanimously. (Ordinance No. 09-87)

ORDINANCE REQUIRING THE REPAIR OR THE DEMOLITION AND REMOVAL OF THE DWELLING LOCATED AT 707 CHERRY STREET – ADOPTED

Lieutenant Earl Phipps stated that the initial notice of violation on the property located at 707 Cherry Street was sent by certified mail on January 28, 2009 to the current property owner informing the owner of the condition of the abandoned structure and minimum housing violations cited by the Code Enforcement Officer and of the remedies necessary to bring the structure into compliance. Staff has attempted to work with the owner, but no repairs have been made. The most recent notice to the owner was sent on September 28, 2009, and it provided notice to the owner that the dwelling was considered as an abandoned structure. The dwelling has been vacated and closed for a period of at least six months. The utilities to the dwelling have been disconnected since January 29, 2007. There have been 11 code enforcement cases initiated on this property since 1998, and the Greenville Police Department has responded to 114 calls for service at this property since January 2000. The tax value on the property is \$15,357 (building

value of \$12,812 and land value of \$2,545). The estimated cost to repair the property is \$27,144.90.

Mayor Dunn declared the public hearing open and solicited comments from the audience. There being none, the public hearing was declared closed.

Motion was made by Council Member Joyner and seconded by Mayor Pro-Tem Council to adopt the ordinance requiring the repair or the demolition and removal of the dwelling located at 707 Cherry Street. Motion carried unanimously. (Ordinance No. 09-86)

ORDINANCE REQUESTED BY THE NEIGHBORHOOD ADVISORY BOARD TO AMEND TITLE 2, CHAPTER 3, ARTICLE H OF THE CITY CODE ENTITLED

Neighborhood Liaison Cori Hines explained to the Council that the mission statement the Board would like for the Council to consider is, "The Neighborhood Advisory Board works to preserve and strengthen neighborhoods in the City of Greenville. It will pursue this mission by increasing citizen participation in neighborhood organization and advocacy; by supporting the formation of new neighborhood associations; by creating and maintaining working relationships among neighborhoods and with the City of Greenville; by disseminating information important to sustaining secure, healthy, and vibrant neighborhoods; and by serving as a liaison between neighborhoods and the City of Greenville." The Board is also requesting that the City Code be amended as follows: (1) Increase the term of a board member from one to two years; (2) Create a method to stagger the terms of the members; (3) Create an alternate board member position to stand in for an absent board member of the same City Council district; (4) Require sixty percent of the liaison members within the respective City Council district being represented be present to elect board members from the specific district; and (5) Establish voting requirements for changes in the Rules of Procedures by the Neighborhood Advisory Board.

Motion was made by Council Member Spell and seconded by Council Member Joyner to amend Article H, Chapter 3, Title 2 of the City Code entitled "Neighborhood Advisory Board" and to approve the mission statement for the Neighborhood Advisory Board. Motion carried unanimously. (Ordinance No. 09-88)

AMENDMENT TO THE CITY OF GREENVILLE FIRST-TIME HOMEBUYER DOWN PAYMENT/LOAN ASSISTANCE PROGRAM – APPROVED

Director of Community Development Merrill Flood informed the Council that the First-Time Homebuyer Down Payment/Loan Assistance Program was funded by the 1992 Affordable Housing Bond and implemented in 1994. The original program provided a two percent no-interest loan amortized over five years to assist first-time homebuyers with down payment expenses associated with the purchase of a home. The maximum household income for a family participating in the program was capped at 100% of the Area Median Family Income (AMI). The Affordable Housing Loan Committee and City Council approved increasing the loan amount from two percent of the purchase price to five percent in 2005 and also amended the program to include first-time homebuyer loan assistance. In an effort to increase homeownership

opportunities for low to moderate income families, housing staff recommended to the Affordable Housing Loan Committee at the September 9, 2009 meeting to increase the loan amount from five percent to ten percent of the sales price and to increase the maximum income eligibility limit from 100% to 120% of the AMI. The Affordable Housing Loan Committee approved those recommended amendments and extending the loan payback from five years to a maximum of ten years. These amendments will provide additional assistance needed by families with incomes up to 120% of the AMI to purchase their first home. As a result, working families employed in a variety of occupations such as, but not limited to, teachers, police officers, and fire/rescue personnel will qualify for housing assistance. These changes also reflect the current income standards used by the North Carolina Housing Finance Agency, which also provides assistance to first-time low to moderate income homebuyers.

Upon being asked about the number of foreclosures of the City properties that had been sold, Mr. Flood responded that there have been nine foreclosures to date, which is low compared to the private sector. The housing bonds have been recycled three times thus far.

Motion was made by Council Member Joyner and seconded by Mayor Pro-Tem Council to approve the proposed program guideline amendments to (1) increase the five percent No-Interest Loan Program to 10% of the sales price, (2) amend the maximum AMI eligibility cap from 100% to 120%, and (3) extend the loan payback period from five years to a maximum of ten years. Motion carried unanimously.

#### COMMENTS FROM MAYOR AND CITY COUNCIL

The Council Members gave general comments.

Council Member Glover made a motion for the City of Greenville City Council and Mayor to use the authority granted in North Carolina General Statute 160A-80 to conduct a formal inquiry into the fiscal and financial operations of the Greenville Housing Authority. She expressed that the residents of the Housing Authority need a venue where they feel comfortable talking.

After being informed by City Attorney Holec that the item needed to be added to the agenda prior to being voted on, motion was made by Mayor Pro-Tem Council and seconded by Council Member Glover to add the item to the agenda.

Council Member Kittrell expressed that since this seems to be a deep issue and it is not in writing, he would prefer to wait until more factual information is presented. He is uncomfortable voting on a motion without having more information. He is the liaison to the Housing Authority and has seen all the motions made by the group, and they have all passed unanimously. He would welcome it if there are problems; however, he has not seen anything that makes him think there is a problem.

Council Member Spell agreed that if something needs to be on the agenda, it should be known a few days ahead of time so that they can have background information.



Council Member Mercer stated that he is willing to look at the original motion made by Council Member Glover to put this on the agenda; however, he would need to know more before taking a position. If there is some emergency, it would be different. Apparently this is ongoing and could have been put on the agenda earlier. Things are always more complicated than one thinks in the beginning. This may have implications. He expressed reluctance to put something like this on the agenda that is not an emergency without some information and background.

The motion made by Council Member Glover and seconded by Mayor Pro-Tem Council to add this item to the agenda was then voted on and failed with a 2:4 vote. Mayor Pro-Tem Council and Council Member Glover voted in favor of the motion. Council Members Kittrell, Mercer, Joyner and Spell voted in opposition.

Council Member Glover made a motion that this be added to the next meeting in November.

City Attorney Holec stated that he can give the City Council information on what their options are so they know what the options are in order to address the concerns at the next meeting in November.

Mayor Pro-Tem Council asked Council Member Glover if she was in favor of the motion with the City Attorney also providing the information which he stated he would provide, and Council Member Glover stated that she was. Mayor Pro-Tem Council then seconded the motion, which carried unanimously.

Council Member Joyner stated that the property managers have asked for a seat at the table on October 15 at 8:30 a.m. for the rental registry meeting. City Manager Bowers stated that part of the motion was to seek input from the property managers, and he is scheduled to appear at their meeting on October 21. He will invite someone to the October 15 meeting.

#### CITY MANAGER'S REPORT

Upon being told that there is not a need for the October 19, 2009 meeting, motion was made by Council Member Spell and seconded by Mayor Pro-Tem Council to cancel the meeting. Motion carried unanimously.

City Manager Bowers informed the Council that the Police Community Relations Committee will meet on October 14, 2009, at 7:00 in the City Council Chambers. The criminal probation system will be the topic.

City Manager Bowers informed the Council that this is the last Council meeting before the North Carolina League of Municipalities Conference from October 24-27. Staff is looking forward to a successful event.

ADJOURNMENT

Motion was made by Council Member Joyner and seconded by Council Member Spell to adjourn the meeting at 9:45 p.m. Motion carried unanimously.

Respectfully submitted,

Wanda T. Elks  
City Clerk



# City of Greenville, North Carolina

Meeting Date: 11/9/2  
Time: 6:00 PM

**Title of Item:** Resolution amending the Board and Commission Policy

**Explanation:** On August 13, 2009, City Council adopted a new "Board and Commission Policy for the City of Greenville" via Resolution No. 09-45. There have been resolutions adopted that address the membership of various boards and commissions that need to be incorporated into the policy. Suggested changes have also been included in areas of the Policy to ensure consistency throughout the Policy.

(1) Addition of "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" to the boards that did not include this language.

(2) Change in membership of Community Appearance Commission from 15 to 11 members in accordance with Ordinance No. 09-76 adopted by City Council on September 10, 2009.

(3) Change in membership of Environmental Advisory Commission in accordance with Ordinance No. 08-27 adopted by City Council on March 13, 2008.

(4) Change in name of Firemen's Relief Fund Committee to Firefighter's Relief Fund Committee in accordance with State Statutes.

(5) Addition of Greenville Bicycle and Pedestrian Committee created by Ordinance No. 09-77 adopted by City Council on September 10, 2009.

(6) Changing the appointment and terms of office of members of the Human Relations Council in accordance with Ordinance No. 09-31 adopted by City Council on April 9, 2009.

(7) Addition of the Neighborhood Advisory Board in accordance with Ordinance No. 08-53 adopted by City Council on May 8, 2008.

(8) Removal of two youth members from the Human Relations Council off of the Youth Council in accordance with Ordinance No. 09-31 adopted by City Council on April 9, 2009.

In order to make these changes to the Board and Commission Policy, a resolution will need to be adopted by City Council.


**Fiscal Note:** No direct cost.


**Recommendation:** Adopt the resolution amending the Board and Commission Policy for the City of Greenville.

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**Attachments / click to download**

 [Draft revised boards and commissions policy with marked up changes 847385](#)

 [Draft resolution amending the board and commission policy 847644](#)

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## 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 and the government access channel.

### 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 nominations for upcoming vacancies to the City Council liaison to the board or commission. City Council liaisons 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, City Council liaisons may request the City Clerk's assistance in obtaining the nominees' addresses and any pertinent background information. The City Council liaison 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.

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. Five 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. Two 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.

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

Firefighter's Relief Fund Committee. The committee shall consist of five trustees. The firefighters shall elect two members, the City Council shall elect two members, and the Commissioner of Insurance shall appoint one representative to serve as trustee and he shall serve at the pleasure of the Commissioner.

Greenville Bicycle and Pedestrian Commission. The Commission shall consist of 12 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.

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 board members with two board members 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.

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.

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.

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.

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-five members as follows: three representatives from each of the Pitt County public high schools; one

representative from each of the private schools located in Pitt County (Trinity Christian School, Greenville Christian Academy, Calvary Christian Academy, and The Oakwood School); one home schooled student; and two youth members from the Human Relations Council. 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 (see last sentence of this section). 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 upon approval by the City Council and in accordance with the following rotation. In the instance of only one alternate, when a vacancy becomes available to replace regular member, 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, 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, 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. The Housing Authority shall also be excepted.

### 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.

### Serving on Two Boards Simultaneously

With the exception of ad hoc committees, task forces, or other like groups created by the City Council for a specified length of time and for a specified purpose, individuals shall not serve on more than one city board or commission as a City Council appointment at the same time.

Individuals shall not hold more than two appointive offices or more than one appointive office and an elective office concurrently in violation of North Carolina General Statute 128-1.1.

### 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 recommendations of persons to City Council to fill the vacancies. The exception to this is Housing Authority and the Police Community Relations Committee.

#### 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 three or more consecutive regular meetings or fails to attend seventy-five percent of all regularly scheduled meetings, the staff liaison to the board or commission shall notify the City Clerk of the member's attendance record. The City Clerk's Office shall send a letter to the member asking to be notified about the person's ability to attend future meetings. A copy of the letter shall be sent to the City Council liaison. If, within 30 days, 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 a period of three months, at which time replacement or other appropriate action may occur if the attendance requirements are still not met. However, if the person either fails to respond to the letter within 30 days 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.

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

This policy adopted by the Greenville City Council via Resolution No. 09-45 on August 13, 2009 replaces previous board and commission policies that have been adopted by the Greenville City Council.



RESOLUTION NO. 09-\_\_\_\_\_  
RESOLUTION AMENDING THE BOARD AND COMMISSION POLICY  
FOR THE CITY OF GREENVILLE

WHEREAS, on August 13, 2009, the Greenville City Council adopted Resolution No. 09-45, which created a new "Board and Commission Policy for the City of Greenville";

WHEREAS, there have been resolutions adopted regarding the membership of several City boards and commissions that have an impact on the policy as adopted on August 13, 2009;

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

Section 1. That the Board and Commission Policy. for the City of Greenville is hereby amended by rewriting said Policy to read as follows:

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 and the government access channel.

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 nominations for upcoming vacancies to the City Council liaison to the board or commission. City Council liaisons 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, City Council liaisons may request the City Clerk's assistance in obtaining the nominees' addresses and any pertinent background information. The City Council liaison 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.

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. Five 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. Two 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.

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

Firefighter's Relief Fund Committee. The committee shall consist of five trustees. The firefighters shall elect two members, the City Council shall elect two members, and the Commissioner of Insurance shall appoint one representative to serve as trustee and he shall serve at the pleasure of the Commissioner.

Greenville Bicycle and Pedestrian Commission. The Commission shall consist of 12 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.

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 board members with two board members 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.

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.

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.

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.

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-five members as follows: three representatives from each of the Pitt County public high schools; one representative from each of the private schools located in Pitt County (Trinity Christian School, Greenville Christian Academy, Calvary Christian Academy, and The Oakwood School); one home schooled student; and two youth members from the Human Relations Council. 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 (see last sentence of this section). 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 upon approval by the City Council and in accordance with the following rotation. In the instance of only one alternate, when a vacancy becomes available to replace regular member, 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, 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, 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. The Housing Authority shall also be excepted.

### 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.

### Serving on Two Boards Simultaneously

With the exception of ad hoc committees, task forces, or other like groups created by the City Council for a specified length of time and for a specified purpose, individuals shall not serve on more than one city board or commission as a City Council appointment at the same time.

Individuals shall not hold more than two appointive offices or more than one appointive office and an elective office concurrently in violation of North Carolina General Statute 128-1.1.

### 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 recommendations of persons to City Council to fill the vacancies. The exception to this is Housing Authority and the Police Community Relations Committee.

#### 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 three or more consecutive regular meetings or fails to attend seventy-five percent of all regularly scheduled meetings, the staff liaison to the board or commission shall notify the City Clerk of the member's attendance record. The City Clerk's Office shall send a letter to the member asking to be notified about the person's ability to attend future meetings. A copy of the letter shall be sent to the City Council liaison. If, within 30 days, 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 a period of three months, at which time replacement or other appropriate action may occur if the attendance requirements are still not met. However, if the person either fails to respond to the letter within 30 days 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.

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

This policy adopted by the Greenville City Council via Resolution No. 09-\_\_\_\_ on November 9, 2009 replaces previous board and commission policies that have been adopted by the Greenville City Council.

Section 2. That all resolutions and clauses of resolutions in conflict with this resolution are hereby repealed.

Section 3. That this resolution shall become effective upon its adoption.

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Patricia C. Dunn, Mayor

ATTEST:

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Wanda T. Elks, City Clerk



# City of Greenville, North Carolina

Meeting Date: 11/9/2  
Time: 6:00 PM

- 
- Title of Item:** Resolution accepting dedication of rights-of-way and easements for Kittrell Farms Duplexes, Section 2; Augusta Trails, Section 4, Phase 1; Brook Hollow, Section Three; Relocation of Moye Boulevard; University Medical Park North, Lots 1 and 12; and Brighton Place (Cluster), Section 3, Phase 1
- Explanation:** In accordance with the City's Subdivision regulations, rights-of-way and easements have been dedicated for Kittrell Farms Duplexes, Section 2 (Map Book 71 at Pages 148-151); Augusta Trails, Section 4, Phase 1 (Map Book 72 at Page 105); Brook Hollow, Section Three (Map Book 71 at Pages 112-114); Relocation of Moye Boulevard (Map Book 68 at Pages 166-167 and Map Book 72 at Page 142); University Medical Park North, Lots 1 and 12 (Map Book 69 at Page 34); and Brighton Place (Cluster), Section 3, Phase 1 (Map Book 65 at Pages 39-41). A resolution accepting the dedication of 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 are included within the FY 2009-2010 budget.
- Recommendation:** Adopt the attached resolution accepting dedication of rights-of-way and easements for Kittrell Farms Duplexes, Section 2; Augusta Trails, Section 4, Phase 1; Brook Hollow, Section Three; Relocation of Moye Boulevard; University Medical Park North, Lots 1 and 12; and Brighton Place (Cluster), Section 3, Phase 1.

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

Attachments / [click to download](#)

- [Kittrell Farm Duplexes Section 2](#)
  - [Augusta Trails](#)
  - [Brook Hollow](#)
  - [Relocation of Moye Boulevard](#)
  - [University Medical Park North Lots 1 and 12](#)
  - [Brighton Place](#)
  - [November Right of Way Resolution 844475](#)
-

RESOLUTION NO. 09- \_\_\_\_\_

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:

Kittrell Farms Duplexes, Section 2	Map Book 71	Pages 148-151
Augusta Trails, Section 4, Phase 1	Map Book 72	Page 105
Brook Hollow, Section Three	Map Book 71	Pages 112-114
Relocation of Moye Boulevard	Map Book 68	Pages 166-167
Relocation of Moye Boulevard	Map Book 72	Page 142
University Medical Park North Lots 1 and 12	Map Book 69	Page 34
Brighton Place (Cluster), Section 3, Phase 1	Map Book 65	Pages 39-41

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 9<sup>th</sup> day of November, 2009.

\_\_\_\_\_  
Patricia C. Dunn, Mayor

ATTEST:

\_\_\_\_\_  
Wanda T. Elks, City Clerk

NORTH CAROLINA  
PITT COUNTY

I, Patricia A. Sugg, a Notary Public, do hereby certify that Wanda T. Elks, City Clerk, personally appeared 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 notarial seal this 9<sup>th</sup> day of November, 2009.

\_\_\_\_\_  
Notary Public

My Commission Expires: 9/4/2011



**SITE DATA**

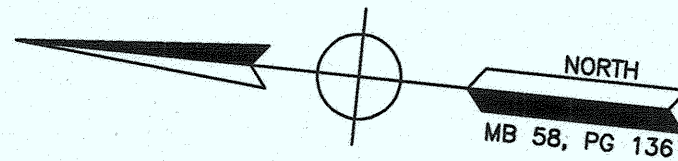
TOTAL AREA . . . . . 12.856 AC.  
 NUMBER OF LOTS CREATED . . . . . 82  
 AREA IN COMMON AREA . . . . . 60,980 S.F.  
 AREA IN PARKS, RECREATION AREAS  
 CEMETERIES AND THE LIKE. . . . . 0

**CURVE TABLE**

CURVE	RADIUS	CHORD	CH.BEARING
C-49	25.00'	3.89'	N 01°40'33"W
C-50	25.00'	30.05'	N 39°44'02"E
C-51	55.00'	44.81'	N 52°38'11"E
C-52	55.00'	32.84'	N 11°13'45"E
C-53	55.00'	19.61'	N 16°24'52"W
C-54	55.00'	21.09'	N 37°43'59"W
C-55	55.00'	20.07'	N 59°18'06"W
C-56	55.00'	20.64'	N 80°37'34"W
C-57	55.00'	22.81'	S 76°35'36"W
C-58	55.00'	22.81'	S 52°39'20"W
C-59	55.00'	27.41'	S 26°15'38"W
C-60	55.00'	17.18'	S 02°50'20"W

**LEGEND**

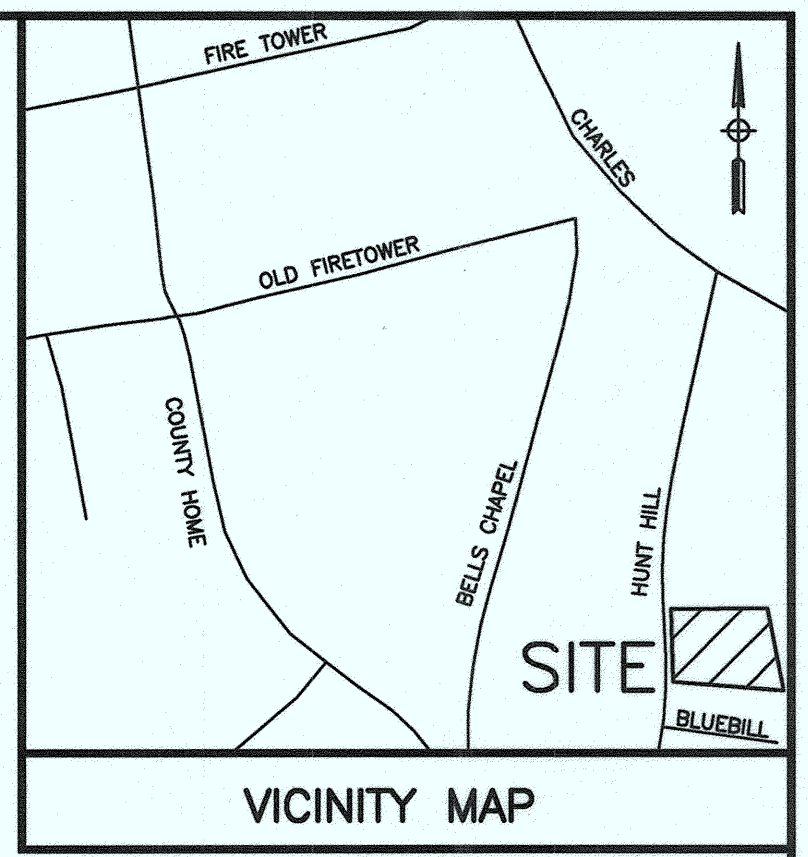
R/W = RIGHT-OF-WAY  
 B/B = BACK-OF CURB TO BACK OF CURB  
 R = RADIUS  
 CH = CHORD  
 PC = POINT OF CURVATURE  
 PT = POINT OF TANGENCY  
 EIP = EXISTING IRON PIPE  
 C/L = CENTERLINE  
 EPKN = EXISTING PARKER KALON NAIL  
 ○ = IRON PIPE SET, UNLESS OTHERWISE NOTED  
 — = NOT TO SCALE



**MATCH LINE "B"**  
 (SEE SHEET 2 OF 4)

**MATCH LINE "B"**  
 (SEE SHEET 2 OF 4)

Doc ID: 006798780004 Type: CRP  
 Recorded: 02/13/2009 at 11:04:15 AM  
 Fee Amt: \$84.00 Page 1 of 4  
 Pitt County, NC  
 Judy J. Tart Register of Deeds  
 BK 71 PG 148-151



**COPY**

**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 HAZARDOUS AREA AS DETERMINED BY FEDERAL EMERGENCY MANAGEMENT AGENCY. REF: 3720469600 J DATED JANUARY 2, 2004.
- 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 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.
- COMMON AREA TO BE MAINTAINED BY HOMEOWNERS ASSOCIATION.

MATCH LINE "A" (SEE SHEET 3 OF 4)

MATCH LINE "B" (SEE SHEET 2 OF 4)

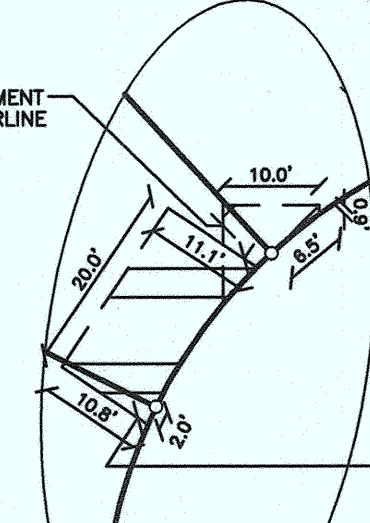
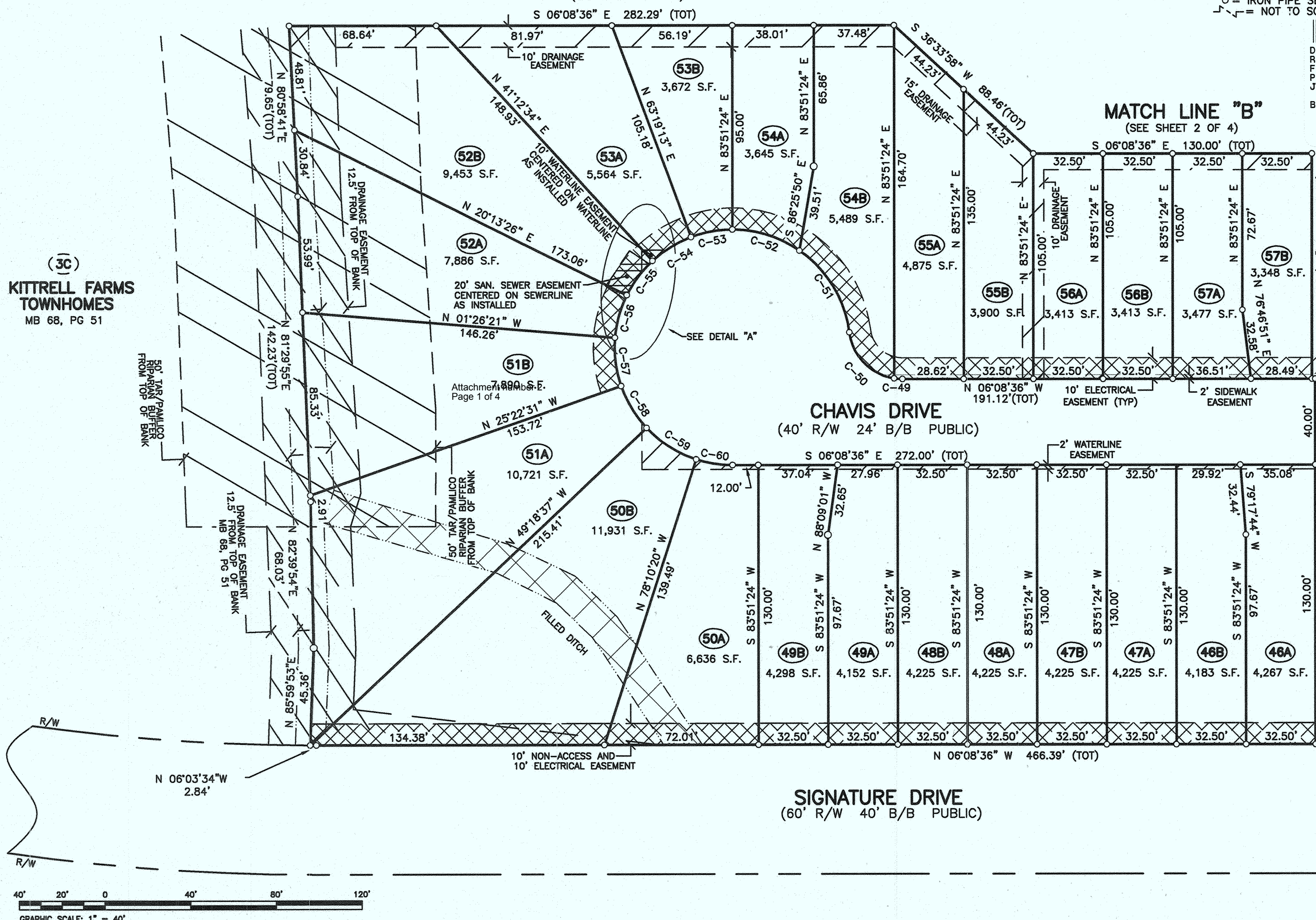
MATCH LINE "A" (SEE SHEET 3 OF 4)

MATCH LINE "A" (SEE SHEET 3 OF 4)

MATCH LINE "A" (SEE SHEET 3 OF 4)

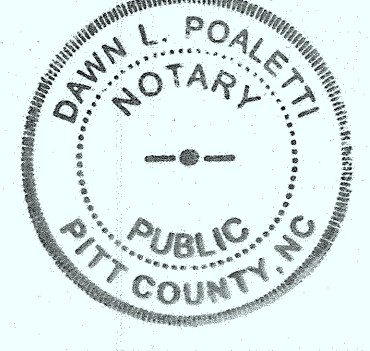
MATCH LINE "A" (SEE SHEET 3 OF 4)

MATCH LINE "A" (SEE SHEET 3 OF 4)



FINAL PLAT PARCEL #70965 SHEET 1 OF 4

**KITTRELL FARMS DUPLEXES**  
 SECTION 2  
 REFERENCE: BEING A PORTION OF THE PROPERTY DESCRIBED IN DEED BOOK 1998, PAGE 193 OF THE PITT COUNTY REGISTRY.  
 GREENVILLE, WINTERVILLE TWSP., PITT COUNTY, N.C.



OWNER: ROSEWOOD FARMS, LLC  
 ADDRESS: 105 C REGENCY BLVD. GREENVILLE, NC 27858  
 PHONE: (252) 756-4052

**Baldwin & Janowski, P.A.**  
 ENGINEERING - SURVEYING - PLANNING  
 1015 CONFERENCE DRIVE GREENVILLE NC, 27858 252.756.1390

**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 1998 PAGE 193  
 DEED BOOK PAGE  
 DEED BOOK PAGE

REGISTRATION NO. L-3082

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

*Ruffin C. Spivey*  
 SWORN AND SUBSCRIBED BEFORE ME THIS 30th DAY OF Oct, 2008.

*Dawn L. Poaletti*  
 NOTARY PUBLIC  
 MY COMMISSION EXPIRES: 03/28/2009

**APPROVAL**  
 THIS FINAL PLAT NO. 08-86 WAS APPROVED BY THE SUBDIVISION REVIEW BOARD IN ACCORDANCE WITH TITLE 9, CHAPTER 5 OF THE GREENVILLE CITY CODE THE 22nd DAY OF OCTOBER, 2008.

*Carl H. J.*  
 SIGNED CITY PLANNER

**DEDICATION**  
 THE UNDERSIGNED HEREBY ACKNOWLEDGES THIS PLAT AND ALLOTMENT TO BE HIS 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.

*Ruffin C. Spivey*  
 SIGNED  
*Dawn L. Poaletti*  
 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 GS 47-30 AS AMENDED. WITNESS MY HAND AND SEAL THIS 3rd DAY OF OCT. 2008.

SIGNED *[Signature]* REGISTRATION NO. L-3082

**REVIEW OFFICER'S CERTIFICATE**

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

*Carl H. J.* 2/11/09  
 REVIEW OFFICER DATE



MARY L.B. WORTHINGTON  
DB 2027, PG 111

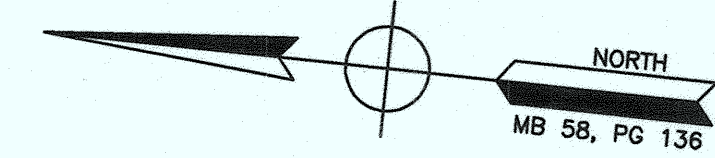
C/L CURVE DATA

CURVE "C"  
R = 132.50'  
Δ = 25°45'34"  
L = 59.57'  
T = 30.30'  
CH = N 08°44'08" E  
59.07'

Doc ID: 006798760004 Type: CRP  
Recorded: 02/11/2009 at 11:04:15 AM  
Fee Amt: \$84.00 Page 1 of 4  
Pitt County, NC  
Judy J. Tart Register of Deeds  
BK 71 PG 148-151

BILL CLARK HOMES OF GREENVILLE, LLC  
DB 2278, PG 228

COPY



(3B)  
KITTRELL FARMS TOWNHOMES  
MB 67, PG 194

(3C)  
KITTRELL FARMS TOWNHOMES  
MB 68, PG 51

COMMON AREA  
60,980 S.F.  
CONSTRUCTED WETLANDS TREATMENT AREA

CHAVIS DRIVE  
(40' R/W 24' B/B PUBLIC)

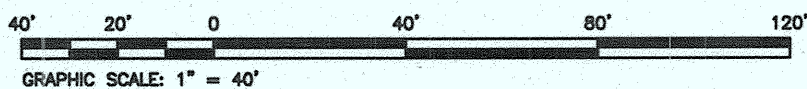
DIXIE COURT  
(40' R/W 24' B/B PUBLIC)

CURVE TABLE

CURVE	RADIUS	CHORD	CH.BEARING
C-19	152.50'	25.23'	N 14°52'01"E
C-20	152.50'	26.58'	N 05°07'39"E
C-21	152.50'	16.68'	N 03°00'32"W
C-22	55.00'	13.03'	N 12°56'47"W
C-23	55.00'	32.75'	N 37°04'20"W
C-24	55.00'	36.76'	N 73°54'51"W
C-25	55.00'	28.67'	S 72°25'35"W
C-26	55.00'	20.28'	S 47°39'36"W
C-27	55.00'	23.46'	S 24°43'36"W
C-28	55.00'	26.14'	S 01°20'14"E
C-29	55.00'	66.11'	S 52°01'20"E
C-30	25.00'	33.07'	S 47°33'11"E
C-31	25.00'	47.43'	S 65°25'18"W
C-32	50.00'	58.46'	N 78°47'17"W
C-33	50.00'	22.04'	S 52°42'27"W
C-34	50.00'	18.82'	S 29°07'29"W
C-35	50.00'	20.90'	S 08°13'09"W
C-36	50.00'	19.96'	S 17°21'55"E
C-37	50.00'	19.82'	S 40°18'24"E
C-38	50.00'	26.40'	S 67°03'15"E
C-39	50.00'	40.22'	N 73°55'15"E
C-40	50.00'	16.92'	N 40°28'07"E
C-41	25.00'	47.43'	S 77°42'30"E
C-42	112.50'	23.47'	S 00°09'22"E
C-43	112.50'	27.00'	S 12°43'21"W

CALL TABLE

L-1	N 35°36'26" E	9.86'
L-2	N 24°33'55" W	25.00'
L-3	S 06°08'36" E	45.83'(TOT)
L-4	S 27°20'25" E	24.68'



FINAL PLAT PARCEL #70965 SHEET 2 OF 4

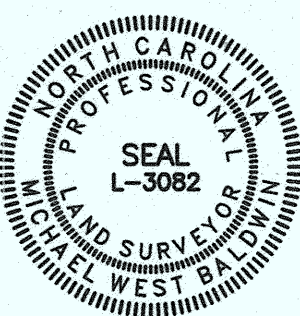
KITTRELL FARMS DUPLEXES

SECTION 2

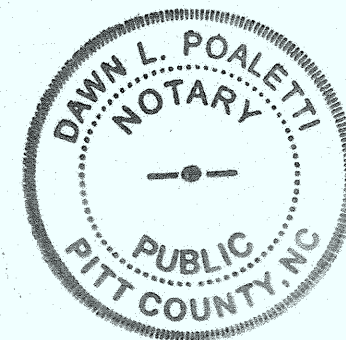
REFERENCE: BEING A PORTION OF THE PROPERTY DESCRIBED IN DEED BOOK 1998, PAGE 193 OF THE PITT COUNTY REGISTRY.

GREENVILLE, WINTERVILLE TWP., PITT COUNTY, N.C.

OWNER: ROSEWOOD FARMS, LLC  
ADDRESS: 105 C REGENCY BLVD.  
GREENVILLE, NC 27858  
PHONE: (252) 756-4052



DETAIL "B"  
SCALE: 1" = 20'



MATCH LINE "A"  
(SEE SHEET 1 OF 4)

MATCH LINE "A"  
(SEE SHEET 3 OF 4)

MATCH LINE "B"  
(SEE SHEET 3 OF 4)

MATCH LINE "B"  
(SEE SHEET 1 OF 4)

MATCH LINE "D"  
(SEE SHEET 3 OF 4)

MATCH LINE "D"  
(SEE SHEET 4 OF 4)

MATCH LINE "C"  
(SEE SHEET 4 OF 4)

MATCH LINE "C"  
(SEE SHEET 4 OF 4)

CERTIFICATION

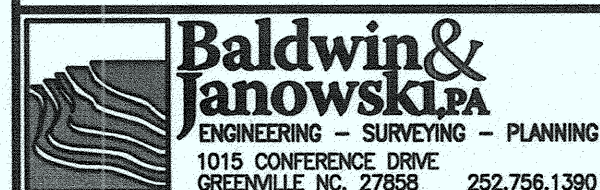
I, MICHAEL W. BALDWIN CERTIFY THAT UNDER MY DIRECT SUPERVISION FROM AN ACTUAL FIELD SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK PAGE (ETC.)(OTHER); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK PAGE (ETC.)(OTHER); THAT THE RATIO 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 3rd DAY OF OCT. 2008.

SIGNED: [Signature] REGISTRATION NO. L-3082



REVIEW OFFICER'S CERTIFICATE

I, Andrew Thomas, Jr., 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: 2/11/09



SURVEYED: JP APPROVED: MWB  
DRAWN: SCB DATE: 10/03/2008  
CHECKED: MWB SCALE: 1" = 40'

DEED BOOK 1998 PAGE 193  
DEED BOOK DEED BOOK  
DEED BOOK DEED BOOK  
PITT COUNTY 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:  
OWNERS STATEMENT  
THIS IS EVIDENCE THAT THIS SUBDIVISION IS MADE AT THE REQUEST OF  
SWORN AND SUBSCRIBED BEFORE ME THIS 22nd DAY OF OCTOBER, 2008.  
NOTARY PUBLIC  
MY COMMISSION EXPIRES: 03/28/2009

APPROVAL  
THIS FINAL PLAT NO. 08-86 WAS APPROVED BY THE SUBDIVISION REVIEW BOARD IN ACCORDANCE WITH TITLE 9, CHAPTER 5 OF THE GREENVILLE CITY CODE THE 22nd DAY OF OCTOBER, 2008.  
SIGNED: [Signature] CITY PLANNER

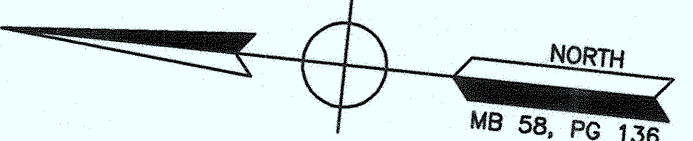
DEDICATION  
THE UNDERSIGNED HEREBY ACKNOWLEDGES THIS PLAT AND ALLOTMENT TO BE HIS FREE ACT AND DEED, AND HEREBY DEDICATES TO PUBLIC USE AS STREETS, PARKS, PLAYGROUNDS, OPEN SPACES AND EASEMENTS FOREVER ALL AREAS AS SHOWN OR SO INDICATED ON SAID PLAT.  
SIGNED: [Signature] ATTEST: [Signature]



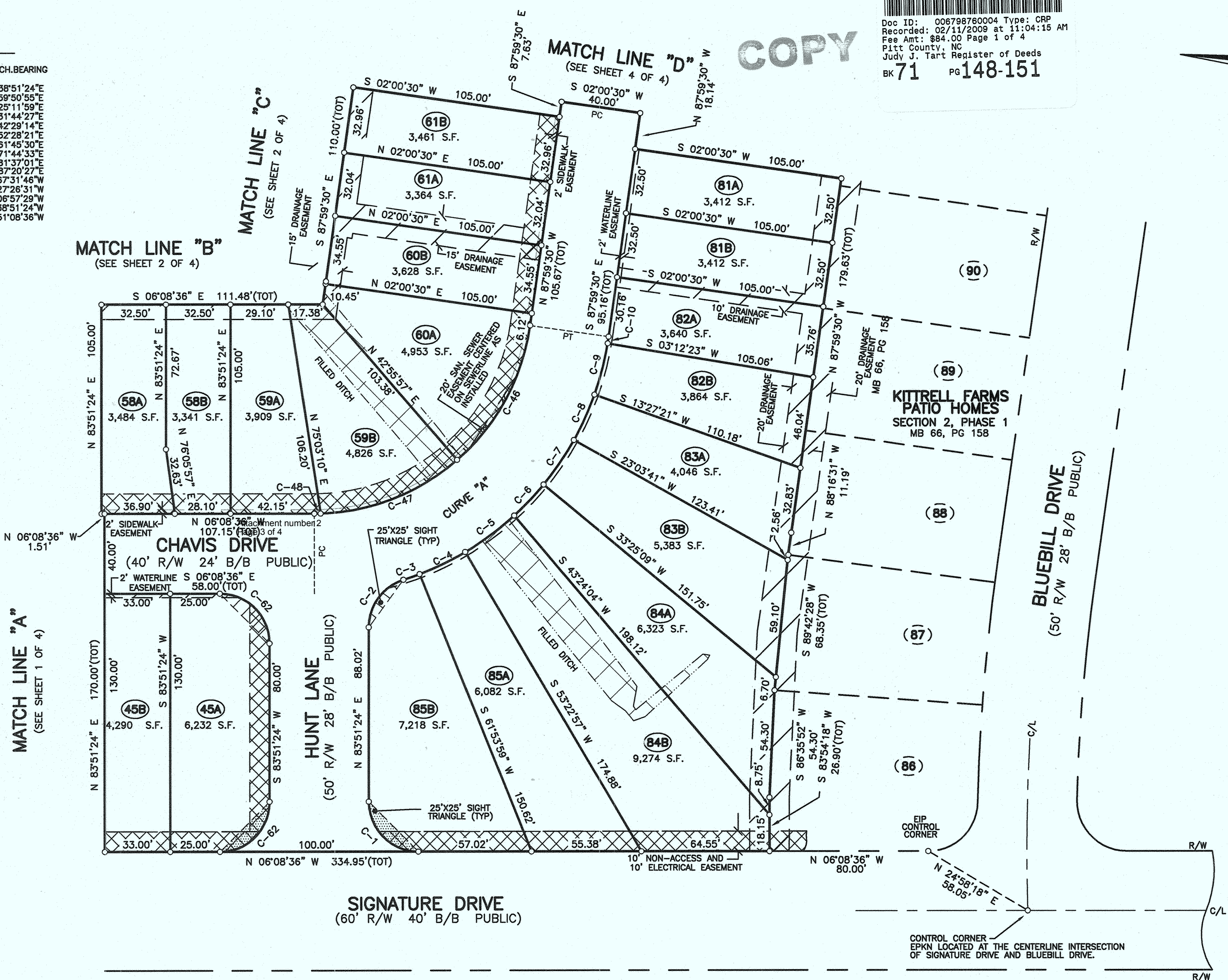
**CURVE TABLE**

CURVE	RADIUS	CHORD	CH. BEARING
C-1	25.00'	35.36'	N 38°51'24"E
C-2	25.00'	29.60'	S 59°50'55"E
C-3	150.00'	8.85'	S 25°11'59"E
C-4	150.00'	25.51'	S 31°44'27"E
C-5	150.00'	30.89'	S 42°29'14"E
C-6	150.00'	21.50'	S 52°28'21"E
C-7	150.00'	27.08'	S 61°45'30"E
C-8	150.00'	25.12'	S 71°44'33"E
C-9	150.00'	26.53'	S 81°37'01"E
C-10	150.00'	3.41'	S 87°20'27"E
C-46	110.00'	76.91'	N 67°31'46"W
C-47	110.00'	73.90'	N 27°28'31"W
C-48	110.00'	3.21'	N 06°57'29"W
C-61	25.00'	35.36'	S 38°51'24"W
C-62	25.00'	35.36'	N 51°08'36"W

Doc ID: 05798780004 Type: CRP  
 Recorded: 02/11/2009 at 11:04:15 AM  
 Fee Amt: \$84.00 Page 1 of 4  
 Pitt County, NC  
 Judy J. Tart Register of Deeds  
 BK 71 Pg 148-151

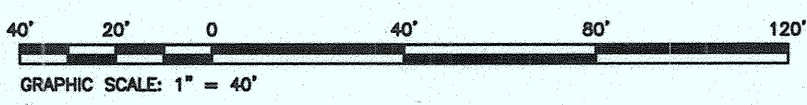


**COPY**



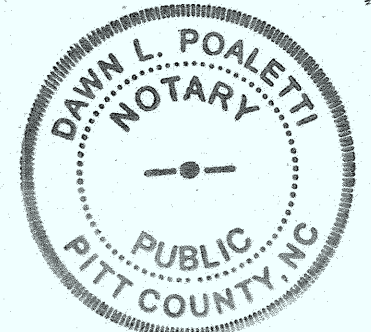
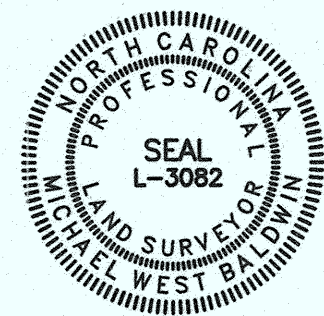
**C/L CURVE DATA**

**CURVE "A"**  
 R = 130.00'  
 Δ = 81°50'54"  
 L = 185.71'  
 T = 112.71'  
 CH = S 47°04'03" E 170.32'



FINAL PLAT PARCEL #70965 SHEET 3 OF 4

**KITRELL FARMS DUPLEXES**  
 SECTION 2  
 REFERENCE: BEING A PORTION OF THE PROPERTY DESCRIBED IN DEED BOOK 1998, PAGE 193 OF THE PITT COUNTY REGISTRY.  
 GREENVILLE, WINTERVILLE TWSP., PITT COUNTY, N.C.



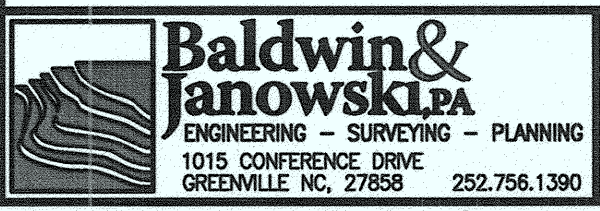
OWNER: ROSEWOOD FARMS, LLC  
 ADDRESS: 105 C REGENCY BLVD. GREENVILLE, NC 27858  
 PHONE: (252) 756-4052

**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 1998 PAGE 193  
 DEED BOOK \_\_\_\_\_ PAGE \_\_\_\_\_  
 DEED BOOK \_\_\_\_\_ PAGE \_\_\_\_\_  
 REGISTRATION NO. L-3082

**OWNERS STATEMENT**  
 THIS IS EVIDENCE THAT THIS SUBDIVISION IS MADE AT THE REQUEST OF  
 [Signature]  
 SWORN AND SUBSCRIBED BEFORE ME THIS 30th DAY OF Nov, 2008.  
 [Signature]  
 NOTARY PUBLIC  
 MY COMMISSION EXPIRES: 03/28/2009

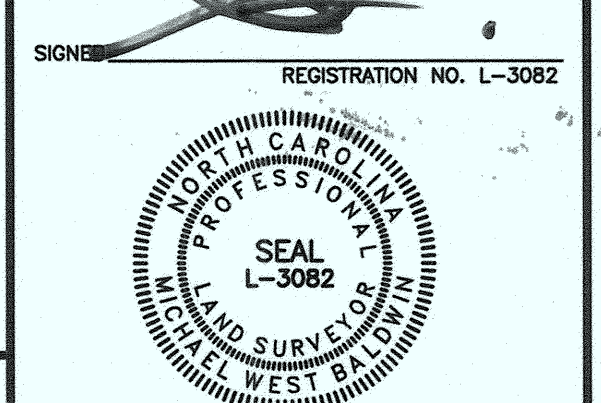
**APPROVAL**  
 THIS FINAL PLAT NO. 08-86 WAS APPROVED BY THE SUBDIVISION REVIEW BOARD IN ACCORDANCE WITH TITLE 9, CHAPTER 5 OF THE GREENVILLE CITY CODE THE 22nd DAY OF OCTOBER, 2008.  
 [Signature]  
 CITY PLANNER

**DEDICATION**  
 THE UNDERSIGNED HEREBY ACKNOWLEDGES THIS PLAT AND ALLOTMENT TO BE HIS 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.  
 [Signature]  
 ATTEST [Signature]



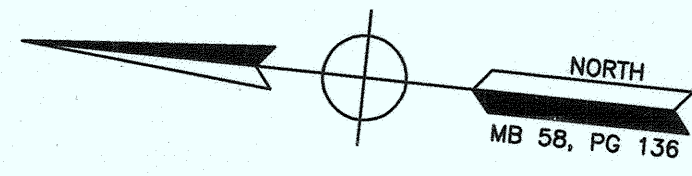
SURVEYED: JP APPROVED: MWB  
 DRAWN: SCB DATE: 10/03/2008  
 CHECKED: MWB SCALE: 1" = 40'  
 REGISTRATION NO. L-3082

**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 \_\_\_\_\_(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 3rd DAY OF OCT. 2008.

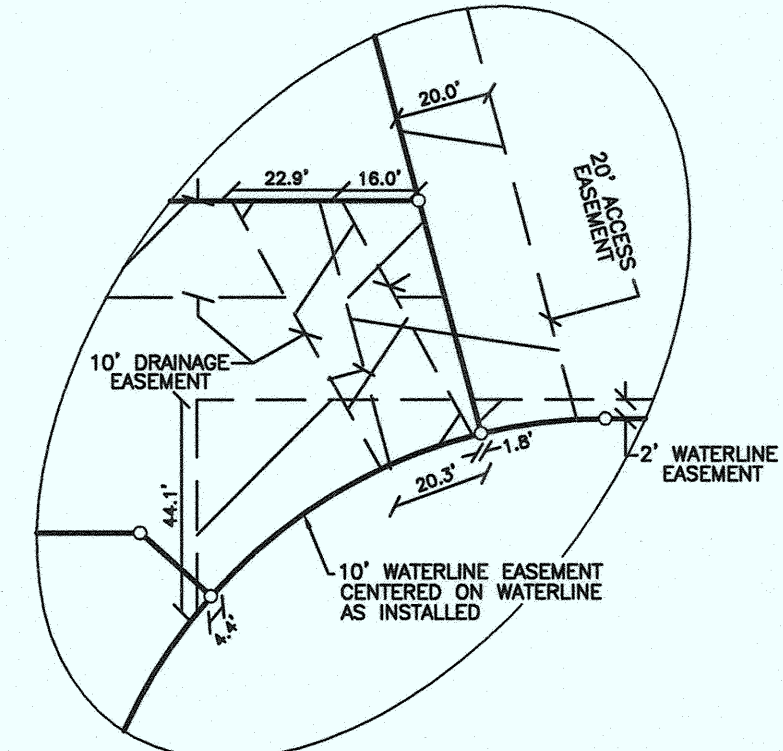


**REVIEW OFFICER'S CERTIFICATE**  
 [Signature]  
 REVIEW OFFICER OF PITT COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.  
 [Signature]  
 REVIEW OFFICER DATE





**COPY**



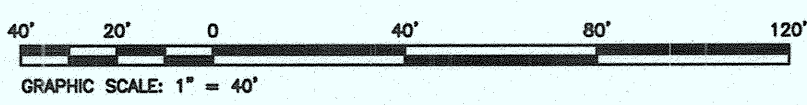
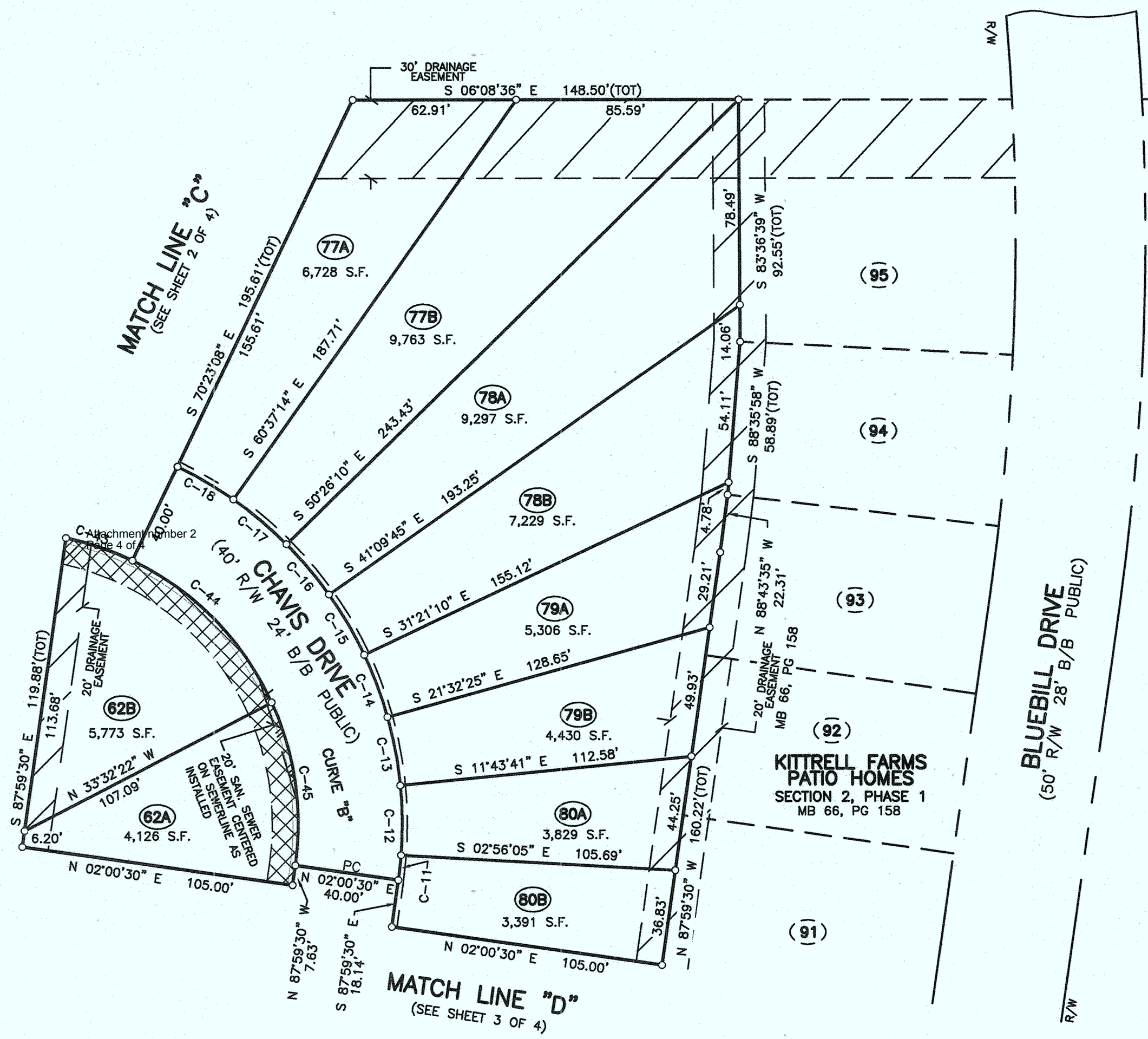
**DETAIL "C"**  
 SCALE: 1" = 20'  
 (SEE SHEET 2 OF 4)

**CURVE TABLE**

CURVE	RADIUS	CHORD	CH. BEARING
C-11	152.50'	9.59'	S 89°47'36"E
C-12	152.50'	26.93'	N 83°20'16"E
C-13	152.50'	26.68'	N 73°15'11"E
C-14	152.50'	25.49'	N 63°26'33"E
C-15	152.50'	26.81'	N 53°36'12"E
C-16	152.50'	25.35'	N 43°47'50"E
C-17	152.50'	26.70'	N 34°00'14"E
C-18	152.50'	24.91'	N 24°18'04"E
C-43	112.50'	27.00'	S 12°43'21"W
C-44	112.50'	76.33'	S 39°26'40"W
C-45	112.50'	63.40'	S 75°38'26"W

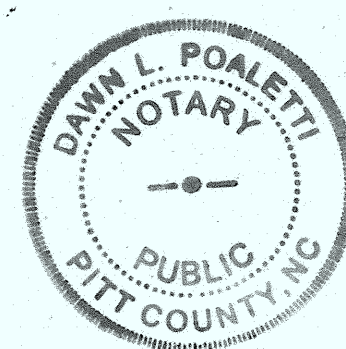
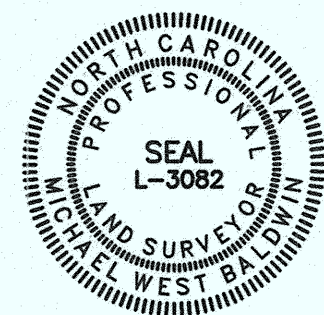
**BILL CLARK HOMES OF GREENVILLE, LLC**  
 DB 2278, PG 228

**C/L CURVE DATA**  
 CURVE "B"  
 R = 132.50'  
 Δ = 72°23'40"  
 L = 167.42'  
 T = 96.97'  
 CH = N 55°48'41" E 156.50'



FINAL PLAT PARCEL #70965 SHEET 4 OF 4

**KITIRELL FARMS DUPLEXES**  
 SECTION 2  
 REFERENCE: BEING A PORTION OF THE PROPERTY DESCRIBED IN DEED BOOK 1998, PAGE 193 OF THE PITT COUNTY REGISTRY.  
 GREENVILLE, WINTERVILLE TWSP., PITT COUNTY, N.C.



OWNER: ROSEWOOD FARMS, LLC  
 ADDRESS: 105 C REGENCY BLVD. GREENVILLE, NC 27858  
 PHONE: (252) 756-4052

**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:

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

*Michael West Baldwin*  
 SWORN AND SUBSCRIBED BEFORE ME THIS 22nd DAY OF NOV, 2008.

*Dawn L. Poaletti*  
 NOTARY PUBLIC  
 MY COMMISSION EXPIRES: 03/28/2009

**APPROVAL**  
 THIS FINAL PLAT NO. 08-86 WAS APPROVED BY THE SUBDIVISION REVIEW BOARD IN ACCORDANCE WITH TITLE 9, CHAPTER 5 OF THE GREENVILLE CITY CODE THE 22nd DAY OF OCTOBER, 2008.

*Andrew Thomas, Jr.*  
 SIGNED CITY PLANNER

**DEDICATION**  
 THE UNDERSIGNED HEREBY ACKNOWLEDGES THIS PLAT AND ALLOTMENT TO BE HIS 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.

*Michael West Baldwin*  
 SIGNED ATTEST

**Baldwin & Janowski, P.A.**  
 ENGINEERING - SURVEYING - PLANNING  
 1015 CONFERENCE DRIVE GREENVILLE, NC, 27858 252.756.1390

SURVEYED: JP	APPROVED: MWB
DRAWN: SCB	DATE: 10/03/2008
CHECKED: MWB	SCALE: 1" = 40'

REGISTRATION NO. L-3082

**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 3rd DAY OF OCT. AD 2008.

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

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

*Andrew Thomas, Jr.*  
 SIGNED REVIEW OFFICER  
 DATE: 2/11/09



**SITE DATA**

TOTAL AREA . . . . . 6.891 AC.  
NUMBER OF LOTS CREATED . . . . . 32  
AREA IN COMMON AREA . . . . . 0  
AREA IN PARKS, RECREATION AREAS  
CEMETERIES AND THE LIKE. . . . . 0

**CURVE TABLE**

CURVE	RADIUS	CHORD	CH BEARING
C-1	200.00'	83.04'	S 33°33'04"E
C-2	25.00'	43.27'	S 29°49'42"W
C-3	21.00'	28.70'	N 08°41'22"E
C-4	281.00'	35.78'	N 02°08'44"W
C-5	251.00'	32.81'	N 30°10'18"W
C-6	250.00'	25.05'	N 20°28'28"W
C-7	250.00'	30.83'	N 32°08'13"W
C-8	250.00'	43.18'	N 42°03'25"W
C-9	250.00'	43.18'	N 60°39'07"E
C-10	251.00'	37.81'	N 08°17'54"W
C-11	251.00'	75.40'	S 13°00'05"E
C-12	251.00'	82.11'	S 13°00'05"E

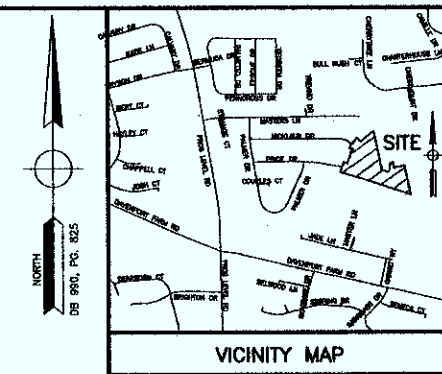
**C/L CURVE DATA**

**CURVE "A"**  
R = 225.00'  
Δ = 26°54'01"  
L = 105.64'  
T = 53.81'  
Ch = N 37°33'34" W  
104.67'

**CURVE "B"**  
R = 226.00'  
Δ = 28°52'49"  
L = 117.86'  
T = 60.30'  
Ch = N 05°10'08" W  
118.53'

**LOT AREAS**

LOT 30A	7,802 S.F.
LOT 30B	6,729 S.F.
LOT 31A	7,707 S.F.
LOT 31B	8,883 S.F.
LOT 32A	9,580 S.F.
LOT 32B	13,573 S.F.
LOT 34A	7,182 S.F.
LOT 34B	5,220 S.F.
LOT 35A	5,220 S.F.
LOT 35B	5,220 S.F.
LOT 37A	5,220 S.F.
LOT 37B	5,220 S.F.
LOT 38A	5,220 S.F.
LOT 38B	5,220 S.F.
LOT 38C	5,220 S.F.
LOT 38D	5,220 S.F.
LOT 38E	5,220 S.F.
LOT 38F	5,220 S.F.
LOT 38G	5,220 S.F.
LOT 38H	5,220 S.F.
LOT 38I	5,220 S.F.
LOT 38J	5,220 S.F.
LOT 38K	5,220 S.F.
LOT 38L	5,220 S.F.
LOT 38M	5,220 S.F.
LOT 38N	5,220 S.F.
LOT 38O	5,220 S.F.
LOT 38P	5,220 S.F.
LOT 38Q	5,220 S.F.
LOT 38R	5,220 S.F.
LOT 38S	5,220 S.F.
LOT 38T	5,220 S.F.
LOT 38U	5,220 S.F.
LOT 38V	5,220 S.F.
LOT 38W	5,220 S.F.
LOT 38X	5,220 S.F.
LOT 38Y	5,220 S.F.
LOT 38Z	5,220 S.F.
LOT 39A	5,220 S.F.
LOT 39B	5,220 S.F.
LOT 39C	5,220 S.F.
LOT 39D	5,220 S.F.
LOT 39E	5,220 S.F.
LOT 39F	5,220 S.F.
LOT 39G	5,220 S.F.
LOT 39H	5,220 S.F.
LOT 39I	5,220 S.F.
LOT 39J	5,220 S.F.
LOT 39K	5,220 S.F.
LOT 39L	5,220 S.F.
LOT 39M	5,220 S.F.
LOT 39N	5,220 S.F.
LOT 39O	5,220 S.F.
LOT 39P	5,220 S.F.
LOT 39Q	5,220 S.F.
LOT 39R	5,220 S.F.
LOT 39S	5,220 S.F.
LOT 39T	5,220 S.F.
LOT 39U	5,220 S.F.
LOT 39V	5,220 S.F.
LOT 39W	5,220 S.F.
LOT 39X	5,220 S.F.
LOT 39Y	5,220 S.F.
LOT 39Z	5,220 S.F.



**VICINITY MAP**

SCALE: 1" = 1000' ±

**GENERAL NOTES**

1. ALL AREAS CALCULATED BY COORDINATE GEOMETRY.
2. 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.
3. THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARDOUS AREA AS DETERMINED BY FEDERAL EMERGENCY MANAGEMENT AGENCY, REF. FIRM 3720486500 J, DATED 01/02/2004.
4. 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 ELECTRIC LINES WITHIN THOSE DESIGNATED WIDTHS.
5. 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 IMPROVED SURFACES SHALL ENCRUCH WITHIN ANY DESIGNATED EASEMENT WITHOUT PRIOR WRITTEN APPROVAL OF THE CITY OF GREENVILLE.

EDMONSON CONSTRUCTION  
COMPANY, INC.  
DB 990, PG 825

**LEGEND**

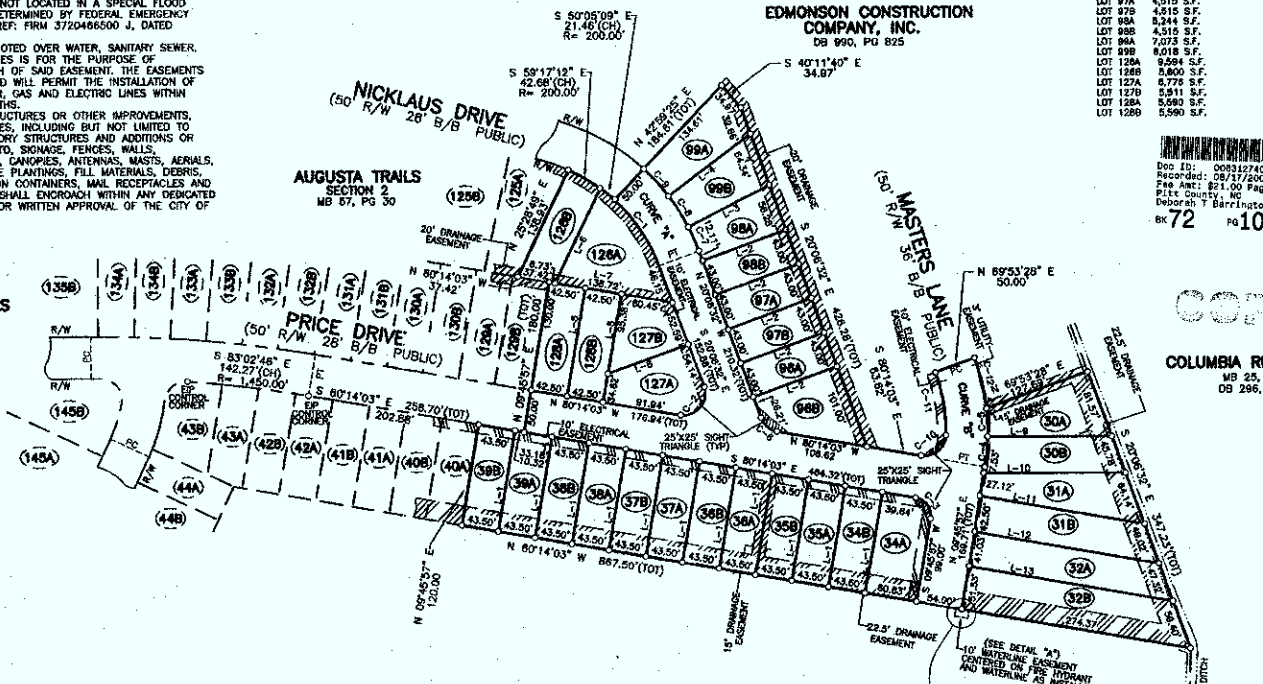
B/B = BACK OF CURB TO  
BACK OF CURB  
EIP = EXISTING IRON PIPE  
R/W = RIGHT-OF-WAY  
R = RADIUS  
CH = CHORD  
PT = POINT OF TANGENCY  
PC = POINT OF CURVATURE  
o = 3/4" DIA IRON PIPE SET AT ALL  
LOT CORNERS UNLESS OTHERWISE NOTED

**LINE TABLE**

L-1	S 09°45'57" W	120.00'
L-2	N 69°53'28" E	105.00'
L-3	N 62°47'55" E	107.74'
L-4	N 52°53'40" E	121.21'
L-5	N 02°45'57" E	130.00'
L-6	S 25°28'49" W	123.08'
L-7	N 80°14'03" W	145.45'(TOT)
L-8	N 69°53'28" W	99.93'
L-9	N 89°57'45" E	146.72'
L-10	N 89°57'45" E	167.28'
L-11	N 80°13'45" E	106.70'
L-12	N 80°13'45" E	221.21'
L-13	N 80°13'45" E	244.78'

Doc ID: 20122740001 Title: CDP  
Recorded: 08/31/2009 at 09:58:40 PM  
Fee Amt: \$61.00 Page 1 of 1  
Pitt County, NC  
Deborah T Barrington REG OF DEEDS  
BK 72 Pg 105

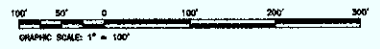
COLUMBIA RIM CONST. INC.  
DB 296, PG 547



COPY

(CONT.)  
OWNER: COLUMBIA RIM CONSTRUCTION, INC.  
ADDRESS: 13023 HWY 99, SUITE 7  
VANCOUVER, WA. 98686  
PHONE: (360) 571-5055

COLUMBIA RIM CONSTRUCTION, INC.  
EMERALD PARK  
NB 25, PG 88  
DB 2303, PG 141



FINAL PLAT PARCEL# 061445 TAX MAP# 4656.18-40-7276 SHEET 1 OF 1

**AUGUSTA TRAILS**

SECTION 4, PHASE 1

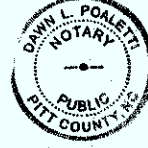
REFERENCE: BEING A PORTION OF THE PROPERTY DESCRIBED IN  
DEED BOOK 990, PAGE 825 OF THE PITT COUNTY REGISTRY

GREENVILLE, WINTERVILLE TOWNSHIP, PITT COUNTY, NORTH CAROLINA

OWNER: EDMONSON CONSTRUCTION COMPANY  
OF GREENVILLE, LLC  
ADDRESS: 2625 CHARLES BLVD.  
GREENVILLE, N.C. 27858  
PHONE: (252) 321-9904



*Dawn L. Poaletti*  
Dawn L. Poaletti  
NOTARY PUBLIC  
EDMONSON CONSTRUCTION COMPANY  
OF GREENVILLE, LLC



*Dawn Poaletti*  
Dawn Poaletti  
EDMONSON CONSTRUCTION COMPANY  
OF GREENVILLE, LLC

**CERTIFICATION**

I, MICHAEL WEST 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 NOW SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK PAGE THAT THE RATIO OF PRECISION AS CALCULATED BY LATITUDES AND DEPARTURES IS FULFILLED. THAT THIS DEED IS APPROVED IN ACCORDANCE WITH §§ 47-30 AS AMENDED. WITNESS MY HAND AND SEAL THIS 5th DAY OF JULY 2009.

SIGNED: *[Signature]* REGISTRATION NO. L-3082



**REVIEW OFFICER'S CERTIFICATE**

*Andrew Thomas, Jr.*  
Andrew Thomas, Jr.  
REVIEW OFFICER OF PITT COUNTY, CERTIFY THAT THE MAP OR PLAN TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.  
*[Signature]* 8/12/09  
REVIEW OFFICER DATE

**Baldwin & Janowski, P.A.**  
ENGINEERING - SURVEYING - PLANNING  
1015 CONFERENCE DRIVE  
GREENVILLE, NC 27606 252.755.1390

USER/DATE	SURVEYED	APPROVED	DEED BOOK	PAGE	DEED BOOK	PAGE
LIBRESE C-1136	AB	MWB	999	825		
	SCB					
	MWB					

CHECKED: MWB SCALE: 1" = 100'  
REGISTRATION NO. 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:

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

(SEE ABOVE SIGNATURES)

SWORN AND SUBSCRIBED BEFORE ME THIS 1st DAY OF July, 2009.  
*Dawn Poaletti*  
NOTARY PUBLIC  
MY COMMISSION EXPIRES: 03/28/2014

**APPROVAL**  
THIS FINAL PLAT NO. 89-23 WAS APPROVED BY THE SUBDIVISION REVIEW BOARD IN ACCORDANCE WITH TITLE 5, CHAPTER 5 OF THE GREENVILLE CITY CODE THE 10TH DAY OF JUNE 2009.

SIGNED: *[Signature]*  
CITY ITEM # 5

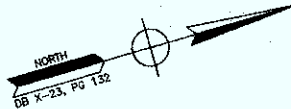
**DEDICATION**  
THE UNDERSIGNED HEREBY ACKNOWLEDGES THIS PLAN AND ALLOTMENT TO BE "JUS TITRE ACT AND DEED, AND HEREBY DEDICATES TO PUBLIC USE AS STREETS, PARKS, PLAYGROUNDS, OPEN SPACES AND EASEMENTS FOR ALL AREAS AS SHOWN OR SO INDICATED ON SAID PLAN.

SIGNED: (SEE ABOVE SIGNATURES)  
ATTEST: *Dawn Poaletti*

**SITE DATA**

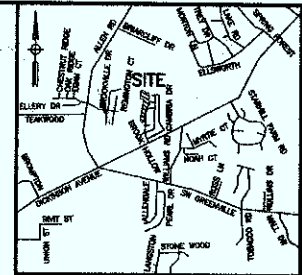
TOTAL AREA . . . . . 19.198 AC  
 NUMBER OF LOTS CREATED . . . . . 98  
 AREA IN COMMON AREA . . . . . 8,256 S.F.  
 AREA IN PARKS, RECREATION AREAS  
 CEMETERIES AND THE LIKE . . . . . 0

**CALL TABLE**  
 L-1 N 81°44'21" W 20.78'



**LEGEND**

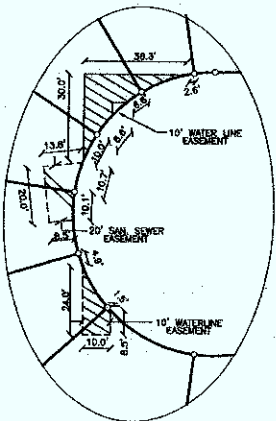
- R/W = RIGHT-OF-WAY
- B/B = BACK OF CURB TO BACK OF CURB
- R = RADIUS
- CH = CHORD
- PC = POINT OF CURVATURE
- PT = POINT OF TANGENCY
- PIP = EXISTING IRON PIPE
- C/L = CENTERLINE
- EPKN = EXISTING PARKER KALON NAIL
- ECM = EXISTING CONCRETE MONUMENT
- = IRON PIPE SET, UNLESS OTHERWISE NOTED



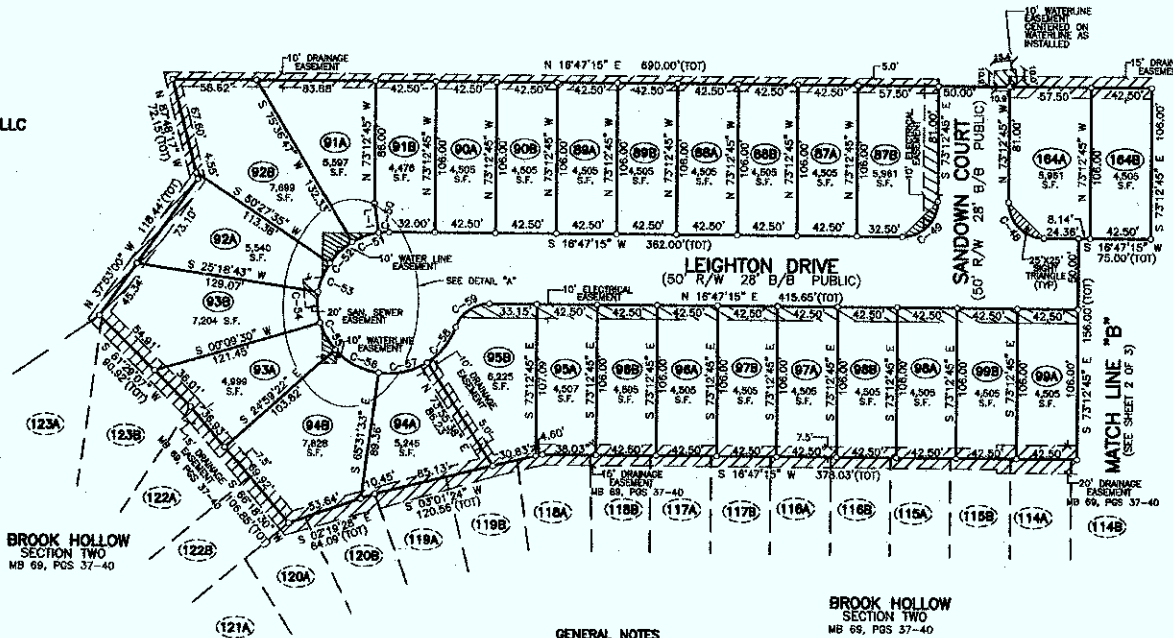
**VICINITY MAP**  
 SCALE: 1"=1000'±

**WHW & ASSOCIATES, LLC**  
 DB 1754, PG 640

**WHW & ASSOCIATES, LLC**  
 DB 1754, PG 640



**DETAIL "A"**  
 SCALE: 1" = 30'



**MATCH LINE "B"**  
 (SEE SHEET 2 OF 3)

**MATCH LINE "B"**  
 (SEE SHEET 2 OF 3)

**CURVE TABLE**

CURVE	RADIUS	CHORD	CH-BEARING
C-45	25.00'	33.36'	S 61°47'16" W
C-46	25.00'	35.36'	S 28°12'45" E
C-47	60.00'	17.44'	S 12°11'16" W
C-48	60.00'	18.83'	S 83°31'57" E
C-49	50.00'	21.77'	S 26°57'48" E
C-50	50.00'	21.77'	S 26°58'01" E
C-51	50.00'	21.77'	N 77°13'05" E
C-52	50.00'	21.77'	N 77°35'04" E
C-53	50.00'	34.64'	N 44°44'32" E
C-54	50.00'	34.62'	N 04°12'02" E
C-55	50.00'	32.28'	N 34°46'25" W
C-56	25.00'	26.87'	N 12°52'37" W

**COPY**

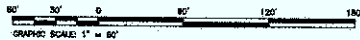
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 Fee Amt: \$65.00 Page 1 of 3  
 Pitt County, NC  
 Study of Tart Registrar of Deeds  
 BK 71 PG 112-114

**BROOK HOLLOW SECTION TWO**  
 MB 69, PGS 37-40

**BROOK HOLLOW SECTION TWO**  
 MB 69, PGS 37-40

**GENERAL NOTES**

1. ALL AREAS CALCULATED BY COORDINATE GEOMETRY.
2. 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.
3. THE DESIGNATION NOTED OVER WATER, SANITARY SEWER, GAS OR ELECTRIC 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 ELECTRIC LINES WITHIN THOSE DESIGNATED WIDTHS.
4. A PORTION OF THIS PROPERTY IS LOCATED IN A SPECIAL FLOOD HAZARDOUS AREA AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, ZONE AE, ELEV.=60.70-61.54(NAVD 1988) REF: 3720489700 J, DATED JANUARY 2, 2004.
5. DRAINAGE EASEMENTS ARE CENTERED ON LOT LINES UNLESS OTHERWISE NOTED.
6. HOMEOWNERS ASSOCIATION TO MAINTAIN ALL OPEN SPACE AND MEDIANS IN ROAD R/W.
7. NO POINTS SET ALONG DITCHES OR GREEN WILL RUN UNLESS OTHERWISE NOTED.
8. NO BUILDINGS, STRUCTURES, OR OTHER IMPROVEMENTS, MATERIALS AND SURFACES, INCLUDING BUT NOT LIMITED TO PRINCIPAL AND ACCESSORY STRUCTURES AND ADDITIONS OR APPURTENANCES THEREON, 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.



**FINAL PLAT** SHEET 1 OF 3

**BROOK HOLLOW**

**SECTION THREE**

REFERENCE: BEING A PORTION OF THE PROPERTY DESCRIBED IN DEED BOOK 1754, PAGE 640 OF THE PITT COUNTY REGISTRY.

GREENVILLE, GREENVILLE TOWNSHIP, PITT COUNTY, NORTH CAROLINA

OWNER: **WHW & ASSOCIATES, LLC.**  
 ADDRESS: 2217-D LOCKSLEY WOODS DR.  
 GREENVILLE, NC 27859

PHONE: (252) 756-9346

**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 1754 PAGE 640  
 DEED BOOK \_\_\_\_\_ PAGE \_\_\_\_\_  
 DEED BOOK \_\_\_\_\_ PAGE \_\_\_\_\_

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

SWORN AND SUBSCRIBED BEFORE ME THIS 21st DAY OF OCT, 2008.

NOTARY PUBLIC  
 MY COMMISSION EXPIRES: 03/28/09

**APPROVAL**

THIS FINAL PLAT NO. 08-75 WAS APPROVED BY THE SUBDIVISION REVIEW BOARD IN ACCORDANCE WITH TITLE 9, CHAPTER 5 OF THE GREENVILLE CITY CODE THE 25th DAY OF SEPTEMBER, 2008.

SIGNED: *[Signature]* #5  
 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]*

**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 \_\_\_\_\_ ET AL.) 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 JULY 2008.

SIGNED: *[Signature]* REGISTRATION NO. L-3082

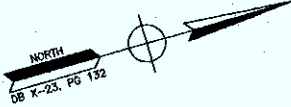


**REVIEW OFFICER'S CERTIFICATE**

REVIEW OFFICER OF PITT COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS APPLIED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.  
 REVIEW OFFICER: *[Signature]* DATE: 12/19/08





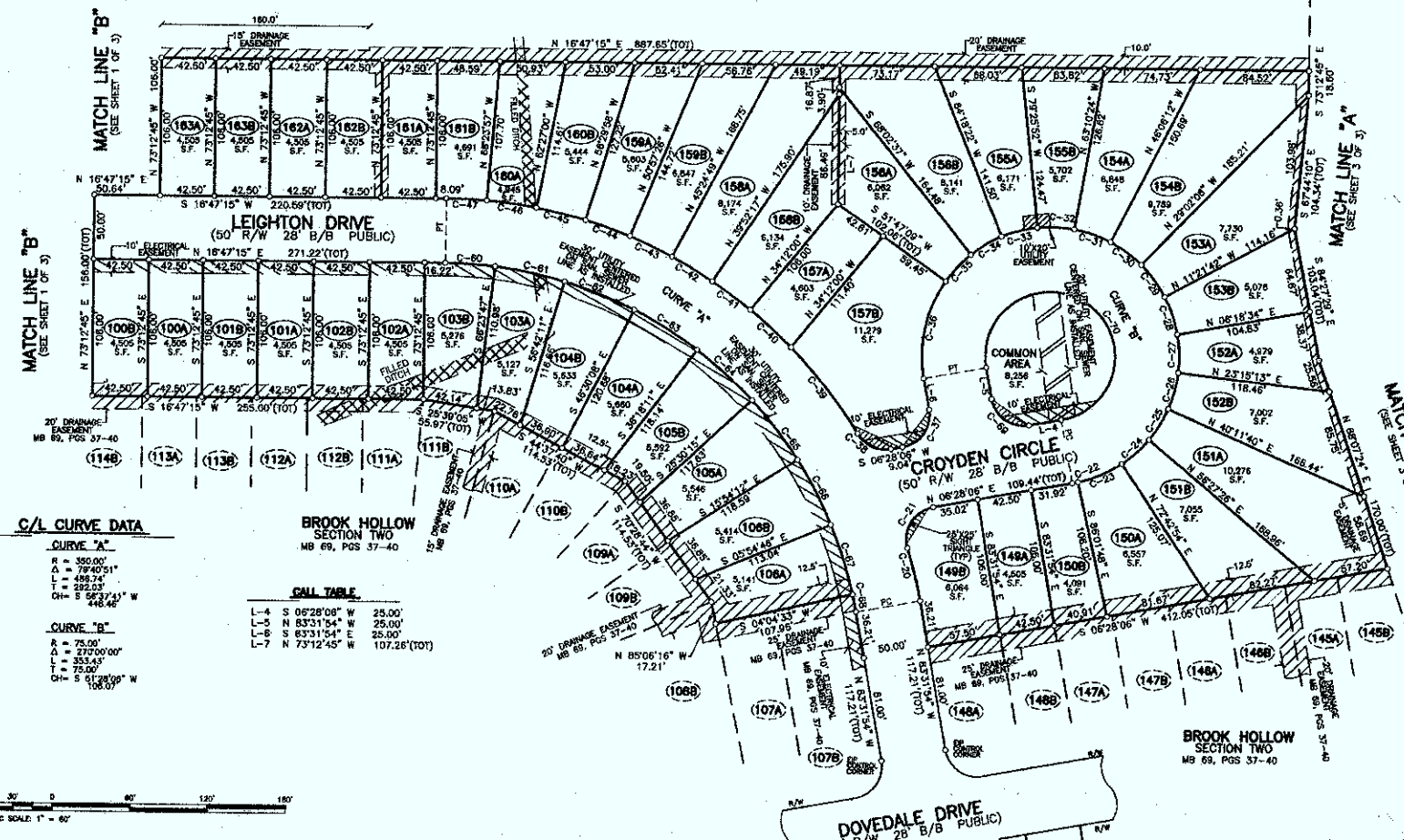


COPY

Doc ID: 00770203  
Recorded: 12/19/2008 at 11:18:28 AM  
Fee Amt: \$85.00 Page 1 of 3  
Pitt County, NC  
July 21, 2008  
Tart Register of Deeds  
Bk 71 Pg 112-114

WHW & ASSOCIATES, LLC  
DB 1754, PG 640

CURVE	RADIUS	CHORD	CH BEARING
C-20	375.00'	42.06'	N 86°44'47"W
C-21	32.00'	37.28'	N 41°44'47"W
C-22	100.00'	4.30'	N 05°15'00"E
C-23	100.00'	36.80'	N 08°39'27"W
C-24	100.00'	28.20'	N 29°24'50"W
C-25	100.00'	23.20'	N 41°40'27"W
C-26	100.00'	23.40'	N 08°15'35"W
C-27	100.00'	23.47'	N 73°13'00"W
C-28	100.00'	30.72'	S 07°28'28"W
C-29	100.00'	30.72'	S 89°48'09"W
C-30	100.00'	26.84'	S 52°25'51"W
C-31	100.00'	26.88'	S 35°21'42"W
C-32	100.00'	26.88'	S 18°41'02"W
C-33	100.00'	26.23'	S 02°28'15"W
C-34	100.00'	26.23'	S 13°49'30"E
C-35	100.00'	38.28'	S 39°58'07"W
C-36	100.00'	77.05'	S 60°52'23"E
C-37	325.00'	25.36'	S 38°31'26"E
C-38	25.00'	29.24'	S 40°51'22"W
C-39	375.00'	84.51'	S 89°48'58"W
C-40	375.00'	42.57'	S 29°03'13"W
C-41	375.00'	37.10'	S 52°57'00"W
C-42	375.00'	36.28'	S 47°21'27"W
C-43	375.00'	36.27'	S 41°48'53"W
C-44	375.00'	38.28'	S 38°16'18"W
C-45	375.00'	38.63'	S 30°31'31"W
C-46	375.00'	38.62'	S 24°54'37"W
C-47	375.00'	31.48'	S 19°11'39"W
C-48	325.00'	38.40'	S 20°17'50"E
C-49	325.00'	84.80'	S 82°27'07"E
C-50	325.00'	57.18'	N 48°35'49"E
C-51	325.00'	58.85'	N 08°04'02"E
C-52	325.00'	58.61'	N 09°08'01"E
C-53	325.00'	57.18'	N 48°35'49"E
C-54	325.00'	58.85'	N 08°04'02"E
C-55	325.00'	58.61'	N 09°08'01"E
C-56	325.00'	58.85'	N 08°04'02"E
C-57	325.00'	58.85'	N 08°04'02"E
C-58	25.00'	35.36'	N 51°28'08"E
C-59	50.00'	70.71'	N 51°28'08"E



C/L CURVE DATA

**CURVE "A"**  
 R = 350.00'  
 Δ = 79°40'51"  
 L = 488.74'  
 T = 282.03'  
 CH = S 56°37'41" W  
 418.46'

**CURVE "B"**  
 R = 75.00'  
 Δ = 273°00'00"  
 L = 353.43'  
 T = 75.00'  
 CH = S 61°28'59" W  
 108.00'

CALL TABLE

L-4	S 06°28'08" W	35.00'
L-5	N 83°31'54" W	25.00'
L-6	S 83°31'54" E	25.00'
L-7	N 73°12'45" W	107.26'(TOT)



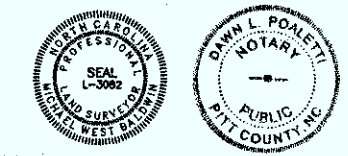
FINAL PLAT SHEET 2 OF 3

**BROOK HOLLOW**  
SECTION THREE  
 REFERENCE: BEING A PORTION OF THE PROPERTY DESCRIBED IN DEED BOOK 1754, PAGE 640 OF THE PITT COUNTY REGISTRY.  
 GREENVILLE, GREENVILLE TOWNSHIP, PITT COUNTY, NORTH CAROLINA

OWNER: WHW & ASSOCIATES, LLC.  
 ADDRESS: 2217-D LOOKSLEY WOODS DR. GREENVILLE, NC 27858  
 PHONE: (252) 756-9346

**Baldwin & Janowska**  
ENGINEERING - SURVEYING - PLANNING  
1015 CONFERENCE DRIVE, GREENVILLE, NC 27858 252.756.1300

SURVEYED: MHW APPROVED: MHW  
 DRAWN: SCB DATE: 07/02/2008  
 CHECKED: MHW SCALE: 1" = 60'



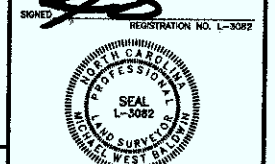
**SOURCE OF TITLE**  
 THIS IS TO CERTIFY THAT THE LAST INSTRUMENT(S) IN THE CHAIN OF TITLE(S) OF THIS PROPERTY AS RECORDED IN THE PITT COUNTY REGISTRY AT GREENVILLE, NORTH CAROLINA IS:  
 DEED BOOK 1754 PAGE 640  
 DEED BOOK PAGE  
 DEED BOOK PAGE  
 REGISTRATION NO. L-3082

**OWNERS STATEMENT**  
 THIS IS EVIDENCE THAT THIS SUBDIVISION IS MADE AT THE REQUEST OF  
 [Signature]  
 SWORN AND SUBSCRIBED BEFORE ME THIS 21 DAY OF JULY, 2008.  
 [Signature]  
 NOTARY PUBLIC  
 MY COMMISSION EXPIRES: 03/28/09

**APPROVAL**  
 THIS FINAL PLAT NO. 08-75 WAS APPROVED BY THE SUBDIVISION REVIEW BOARD IN ACCORDANCE WITH TITLE 9, CHAPTER 5 OF THE GREENVILLE CITY CODE THE 25th DAY OF SEPTEMBER 2008.  
 SIGNED: [Signature] #5  
 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]

**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.) (NOTHEX), 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. THIS MAP WAS PREPARED IN ACCORDANCE WITH OS 7-30 AS AMENDED. WITNESS MY HAND AND SEAL THIS 20th DAY OF JULY, 2008.  
 SIGNED: [Signature]  
 REGISTRATION NO. L-3082



**REVIEW OFFICER'S CERTIFICATE**  
 ANDREW THOMAS, JR.  
 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]  
 REVIEW OFFICER DATE

Doc ID: 2024080000  
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 Date: 2024-08-01 11:38:28 AM  
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 File ID: 112-114

**COPY**

**ROCKY RUSSELL DEVELOPMENT, LLC**  
 DB 2167, PG 246

**LEE H. BRADLEY**  
 ESTATE FILE 63-558

NOTE: PORTIONS OF THIS PROPERTY CONTAIN DELINEATED WETLANDS. WETLANDS ARE A VALUABLE NATURAL RESOURCE WHICH PROVIDE IMPORTANT ECOLOGICAL FUNCTIONS. BE ADVISED THAT WETLANDS ARE REGULATED BY THE FEDERAL GOVERNMENT UNDER SECTION 404 OF THE CLEAN WATER ACT. PRIOR TO COMMENCEMENT OF ANY LAND DISTURBING ACTIVITIES A FEDERAL AUTHORIZATION PERMIT MAY BE REQUIRED FROM THE US ARMY CORPS OF ENGINEERS. CONTACT THE NEAREST USACE FIELD OFFICE AT (252)975-1616 FOR ADDITIONAL INFORMATION AND PERMIT REQUIREMENTS.

**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 \_\_\_\_\_) THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK PAGE \_\_\_\_\_. THAT THE RATIO OF PRECISION IS CALCULATED BY LATITUDE AND DEPARTURES IS 1:20,000. THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH GS 42-20 AS AMENDED. WITNESS MY HAND AND SEAL THIS 26th DAY OF JULY, 2008.

SIGNED: *[Signature]* REGISTRATION NO. L-3082

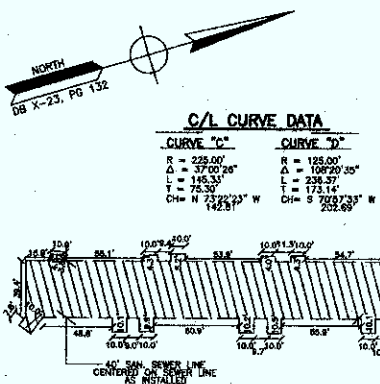


**REVIEW OFFICER'S CERTIFICATE**

I, *Andrew Thomas*, REVIEW OFFICER OF PITT COUNTY, CERTIFY THAT THE MAP OR PLAN TO WHICH THIS CERTIFICATION IS APPLIED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.  
 REVIEW OFFICER: *[Signature]* DATE: 14/19/08

**LEON R. HARDEE**  
 DB 734, PG 629

100 YEAR FLOOD BOUNDARY  
 SCALED FROM FIRM 3720466700 J,  
 DATED JAN. 2, 2004.



**C/L CURVE DATA**

CURVE "C"	CURVE "D"
R = 225.00'	R = 125.00'
Δ = 37°00'20"	Δ = 109°20'35"
T = 75.33'	T = 238.37'
Ch = 122.7237' W	Ch = 309.7237' W

**CALL TABLE**

L-2	S 16°47'15" W	7.00'
L-3	N 16°47'15" E	13.35'

**CURVE TABLE**

CURVE	RADIUS	CHORD	CHL BEARING
C-1	100.00'	113.53'	S 51°22'28" E
C-2	100.00'	67.04'	S 74°27'09" E
C-3	250.00'	15.37'	S 57°52'11" E
C-4	250.00'	36.76'	S 83°31'28" E
C-5	250.00'	66.72'	S 71°57'04" E
C-6	250.00'	37.13'	S 80°29'19" E
C-7	250.00'	71.11'	S 81°09'28" E
C-8	250.00'	31.39'	S 88°18'43" E
C-9	200.00'	71.11'	N 85°33'17" W
C-10	200.00'	47.13'	N 83°40'22" W
C-11	150.00'	32.33'	N 87°00'15" W
C-12	150.00'	32.33'	N 74°48'26" W
C-13	150.00'	32.33'	N 87°00'15" W
C-14	150.00'	30.15'	S 87°53'55" W
C-15	150.00'	30.15'	S 89°21'41" W
C-16	150.00'	30.15'	S 87°49'24" W
C-17	150.00'	34.61'	S 33°54'54" W
C-18	150.00'	30.15'	S 49°17'15" W
C-19	150.00'	27.51'	S 22°02'56" W

**WETLANDS CALL TABLE**

COURSE	BEARING	DISTANCE
W-10	S 78°51'53" W	77.22'(TOT)
W-11	S 89°47'43" W	92.70'
W-12	S 81°07'38" W	68.85'
W-13	N 84°77'08" W	48.80'
W-14	N 21°43'46" W	42.20'
W-15	N 56°04'08" W	61.01'
W-16	N 53°18'41" W	67.25'
W-17	N 81°09'15" W	61.83'
W-18	S 22°28'50" W	65.35'
W-19	S 80°07'39" W	24.31'
W-20	N 34°56'28" W	47.50'
W-21	N 01°45'58" W	28.89'
W-22	S 48°06'00" E	37.65'
W-23	N 07°51'02" E	48.77'
W-24	N 81°06'38" W	33.82'(TOT)

FINAL PLAT SHEET 3 OF 3

**BROOK HOLLOW SECTION THREE**

REFERENCE: BEING A PORTION OF THE PROPERTY DESCRIBED IN DEED BOOK 1754, PAGE 640 OF THE PITT COUNTY REGISTRY.  
 GREENVILLE, GREENVILLE TOWNSHIP, PITT COUNTY, NORTH CAROLINA

OWNER: **WHW & ASSOCIATES, LLC.**  
 ADDRESS: 2217-D LOCKSLEY WOODS DR. GREENVILLE, NC 27858  
 PHONE: (252) 755-9346

**Baldwin & Janowska**  
 ENGINEERING - SURVEYING - PLANNING  
 1016 CONFERENCE DRIVE GREENVILLE, NC 27858 252.756.1390



**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 1754 PAGE 640  
 DEED BOOK \_\_\_\_\_ PAGE \_\_\_\_\_  
 DEED BOOK \_\_\_\_\_ PAGE \_\_\_\_\_  
 REGISTRATION NO. L-3082

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

SWORN AND SUBSCRIBED BEFORE ME THIS 21st DAY OF JULY, 2008.  
*[Signature]*  
 NOTARY PUBLIC  
 MY COMMISSION EXPIRES: 05/28/09

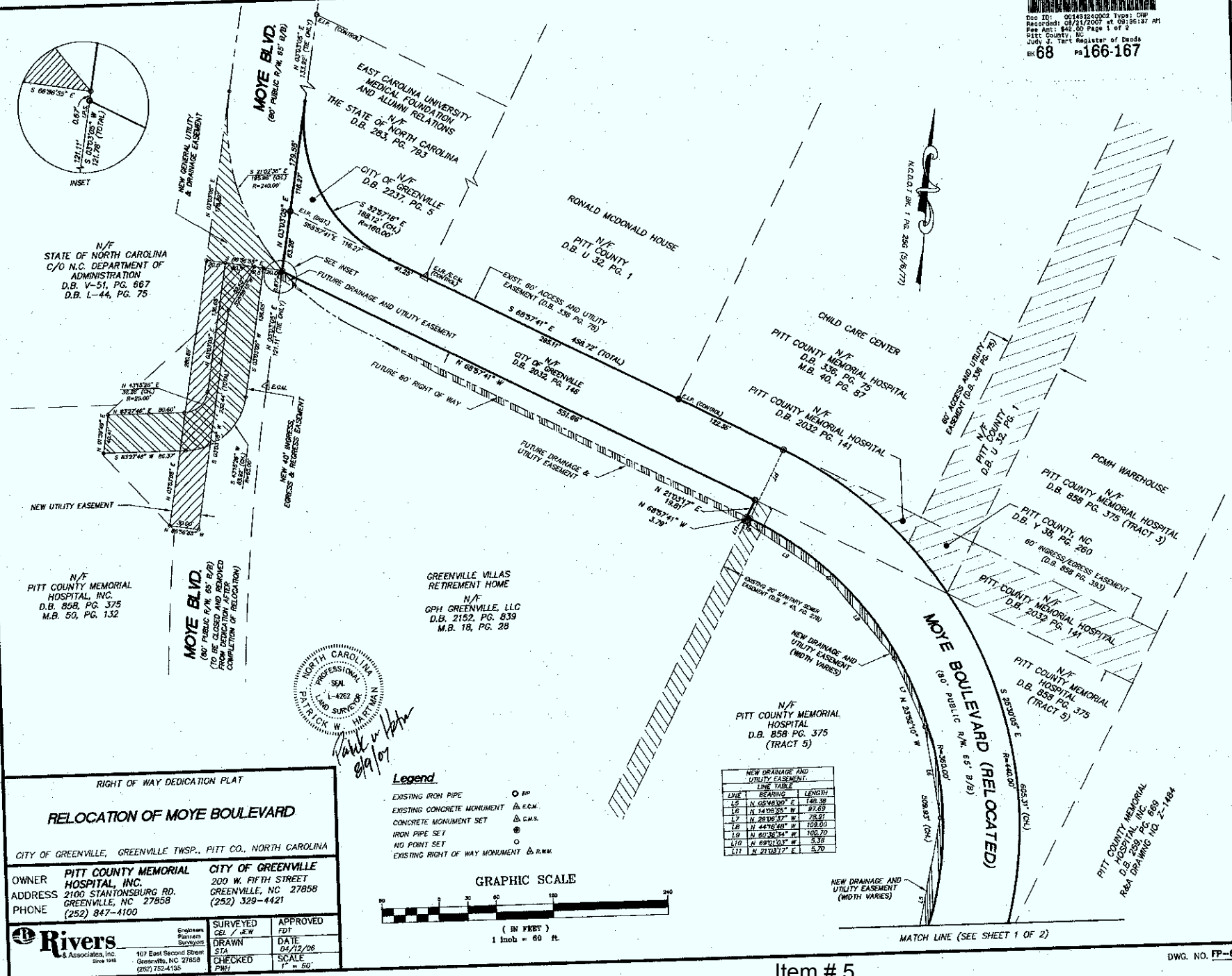
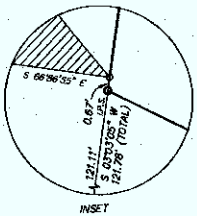
**APPROVAL**  
 THIS FINAL PLAT NO. 08-75 WAS APPROVED BY THE SUBDIVISION REVIEW BOARD IN ACCORDANCE WITH TITLE 9, CHAPTER 5 OF THE GREENVILLE CITY CODE THE 23rd DAY OF SEPTEMBER, 2008.

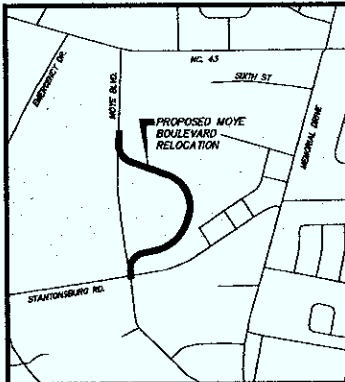
SIGNED: *[Signature]* #5  
 CITY PLANNER

**DEDICATION**  
 THE UNDERSIGNED HEREBY ACKNOWLEDGES THIS PLAT AND ALLOTMENT TO BE "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]*







**Site Summary:**

NUMBER OF LOTS CREATED \_\_\_\_\_ 0

ACREAGE IN TOTAL TRACT \_\_\_\_\_ 3.917 AC.

EXISTING MOYE BOULEVARD \_\_\_\_\_ 0.102 AC.

CITY OF GREENVILLE TRACT \_\_\_\_\_ 1.046 AC.

POH, INC. TRACT \_\_\_\_\_ 2.769 AC.

ACREAGE IN COMMON AREA(S) \_\_\_\_\_ NONE

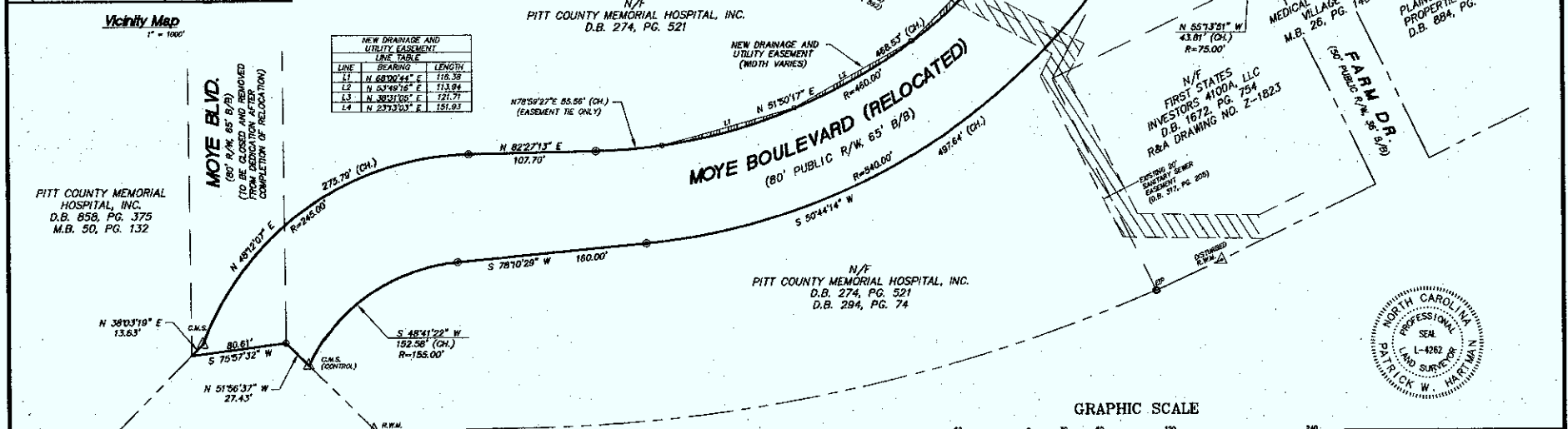
ACREAGE IN PARK AND RECREATION AREAS \_\_\_\_\_ NONE

**Legend**

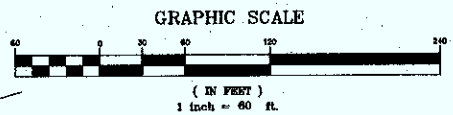
- EXISTING IRON PIPE ○ DP
- EXISTING CONCRETE MONUMENT △ E.C.M.
- CONCRETE MONUMENT SET △ C.M.S.
- IRON PIPE SET ○
- NO POINT SET ○
- EXISTING RIGHT OF WAY MONUMENT △ R.W.M.

**Vicinity Map**  
1" = 1000'

LINE	BEARING	LENGTH
L1	N 68°02'44" E	116.39
L2	N 53°49'16" E	113.84
L3	N 38°12'06" E	121.71
L4	N 23°33'37" E	151.81



Doc ID: 001431240002 Type: DRP  
Recorded: 08/21/2007 at 08:36:37 AM  
Fee Amt: \$42.00 Page: 1 of 2  
Pitt County, NC  
Judge: Tort Registrar of Deeds  
#68 pg 166-167



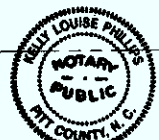
- NOTES:**
- IRON STAKES LOCATED AT ALL CORNERS, EXCEPT AS NOTED OTHERWISE.
  - PROPERTIES SUBJECT TO ANY AND ALL EASEMENTS, RIGHTS OF WAY, RESTRICTIVE COVENANTS WHICH MAY BE OF RECORD.
  - ALL DISTANCES ARE HORIZONTAL GROUND MEASURED UNLESS SHOWN OTHERWISE.
  - THE PROPERTY IS LOCATED IN FLOOD ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN), AS SHOWN ON FLOOD INSURANCE RATE MAP NUMBER 3720467700J AND 3720467800J DATED JANUARY 2, 2004.
  - 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.
  - THIS PLAT WAS PREPARED FOR RIGHT OF WAY DEDICATION ONLY AND IS NOT INTENDED TO BE A BOUNDARY SURVEY OF THE LOTS SHOWN HEREIN.

**CERTIFICATION**

NORTH CAROLINA      PITT COUNTY

I, PATRICK W. HARDMAN CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE BY CEL / JEW DEED DESCRIPTIONS RECORDED IN BOOK REFERENCED HEREON; THAT THE RATIO OF PRECISION IS 1:10,000; THAT BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION FOUND IN BOOKS REFERENCED HEREON; THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED; I FURTHER CERTIFY PURSUANT TO G.S. 47-30 (K)(1): THIS SURVEY CREATES A SUBDIVISION OF LAND WITHIN AN AREA REGULATED BY THE CITY OF GREENVILLE SUBDIVISION ORDINANCE. WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER, AND SEAL THIS 9TH DAY OF AUGUST 2007.

SIGNED: *Patrick W. Hardman*  
PROFESSIONAL LAND SURVEYOR  
LICENSE NUMBER L-4282



**OWNERS STATEMENT/DEDICATION**  
PITT COUNTY MEMORIAL HOSPITAL, INC. ACKNOWLEDGES THE OWNERS STATEMENT AND DEDICATION CERTIFICATION BELOW.

*Kelly Louise Phillips*  
NOTARY PUBLIC  
MY COMMISSION EXPIRES 6/27/2010

**OWNERS STATEMENT/DEDICATION**  
CITY OF GREENVILLE ACKNOWLEDGES THE OWNERS STATEMENT AND DEDICATION CERTIFICATION BELOW.

*Patricia A. Suggs*  
NOTARY PUBLIC  
MY COMMISSION EXPIRES 3-4-2011

**RIGHT OF WAY DEDICATION PLAT**

**RELOCATION OF MOYE BOULEVARD**

CITY OF GREENVILLE, GREENVILLE TWP., PITT CO., NORTH CAROLINA

<b>OWNER</b>	<b>PITT COUNTY MEMORIAL HOSPITAL, INC.</b>	<b>CITY OF GREENVILLE</b>
<b>ADDRESS</b>	2100 STANTONSBURG RD. GREENVILLE, NC 27858 (252) 847-4100	200 W. FIFTH STREET GREENVILLE, NC 27858 (252) 329-4421
<b>PHONE</b>		

**Engineers**  
**Rivers & Associates, Inc.**  
107 East Second Street  
Greenville, NC 27638  
(252) 752-4135

**Engineers**  
**Planners**  
**Surveyors**

**SURVEYED** CEL / JEW  
**APPROVED** FDT

**DRAWN** STA  
**DATE** 08/21/06

**CHECKED** PHH  
**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 2237 PAGE 5  
DEED BOOK 2032 PAGE 146  
DEED BOOK 858 PAGE 375  
DEED BOOK 294 PAGE 74

SWORN TO AND SUBSCRIBED BEFORE ME THIS 20th DAY OF August, 2007.

*Kelly Louise Phillips*  
NOTARY PUBLIC  
MY COMMISSION EXPIRES 6/27/2010

SWORN TO AND SUBSCRIBED BEFORE ME THIS 20th DAY OF August, 2007.

*Patricia A. Suggs*  
NOTARY PUBLIC  
MY COMMISSION EXPIRES 3-4-2011

**APPROVAL**

THIS FINAL PLAT NO. 66-39 WAS APPROVED BY THE SUBDIVISION REVIEW BOARD IN ACCORDANCE WITH TITLE 9, CHAPTER 5 OF THE GREENVILLE CITY CODE THE 10th DAY OF August, 2006.

SIGNED: *Al P. J.*  
Item # 5

**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.

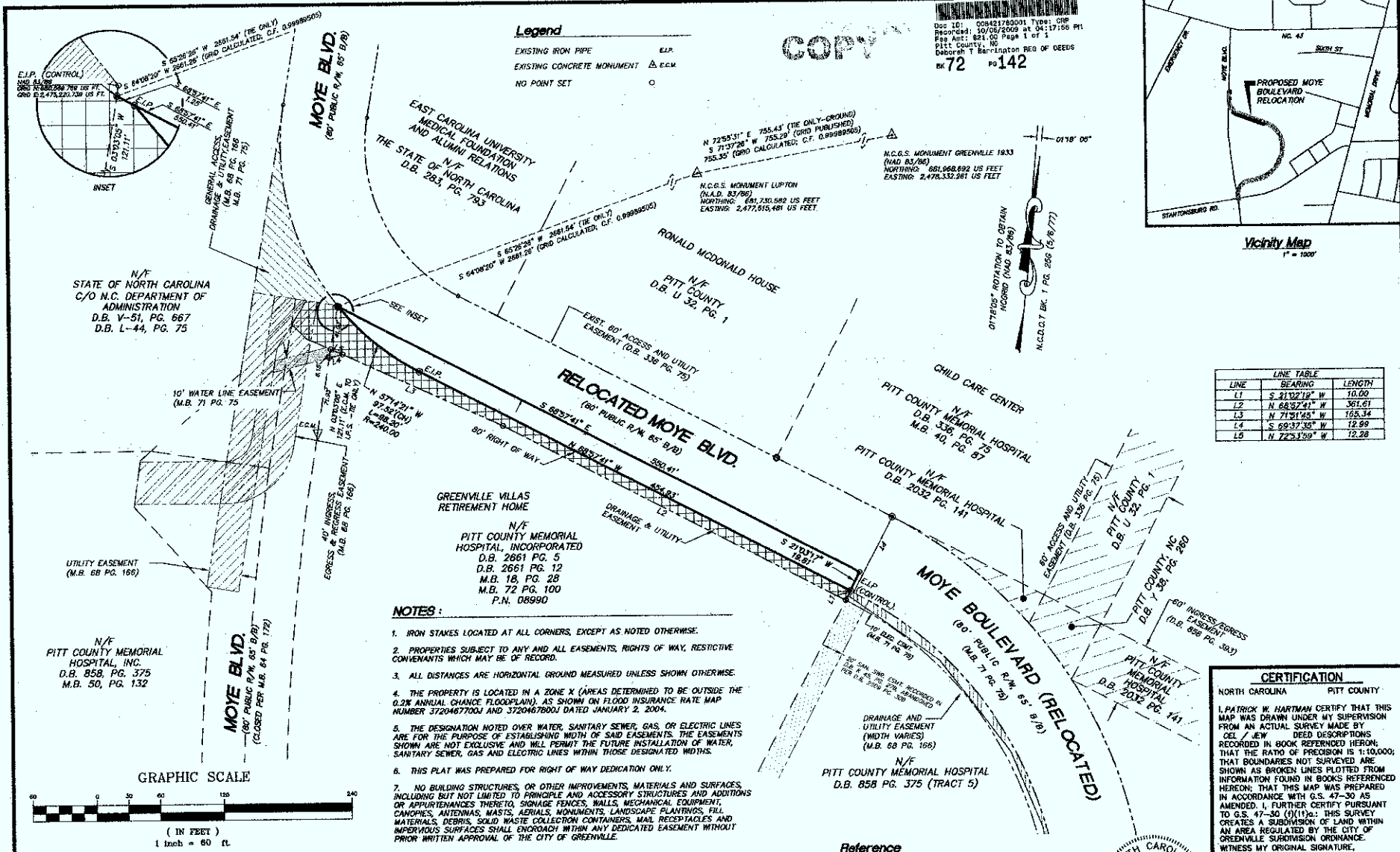
SIGNED: \_\_\_\_\_  
ATTEST: \_\_\_\_\_

NORTH CAROLINA      PITT COUNTY

I, *Andrew Thomas, Jr.*, a REVIEW OFFICER OF PITT COUNTY, NORTH CAROLINA, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS APPLIED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

BY: *Andrew Thomas, Jr.*  
REVIEW OFFICER

DATE: 8/20/07



**COPY**

Doc ID: 0042178001 Type: CHP  
 Recorded: 10/05/2009 at 04:17:50 PM  
 Fee Amt: \$21.00 Page 1 of 1  
 Pitt County, NC  
 Deborah T. Barrington REB OF CEEDS  
 BK 72 PG 142

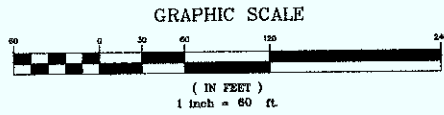
**Legend**  
 EXISTING IRON PIPE E.I.P.  
 EXISTING CONCRETE MONUMENT Δ E.C.M.  
 NO POINT SET ○

LINE	BEARING	LENGTH
L1	S 21°02'12" W	10.00
L2	N 83°32'4" W	361.61
L3	N 71°14'45" W	168.34
L4	S 69°37'35" W	12.89
L5	N 72°51'59" W	12.28

N/F  
 STATE OF NORTH CAROLINA  
 C/O N.C. DEPARTMENT OF  
 ADMINISTRATION  
 D.B. V-51, PG. 667  
 D.B. L-44, PG. 75

N/F  
 PITT COUNTY MEMORIAL  
 HOSPITAL, INC.  
 D.B. 858, PG. 375  
 M.B. 50, PG. 132

- NOTES:**
- IRON STAKES LOCATED AT ALL CORNERS, EXCEPT AS NOTED OTHERWISE.
  - PROPERTIES SUBJECT TO ANY AND ALL EASEMENTS, RIGHTS OF WAY, RESTRICTIVE CONVENANTS WHICH MAY BE OF RECORD.
  - ALL DISTANCES ARE HORIZONTAL GROUND MEASURED UNLESS SHOWN OTHERWISE.
  - THE PROPERTY IS LOCATED IN A ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) AS SHOWN ON FLOOD INSURANCE RATE MAP NUMBER 3720467700J AND 3720467800J DATED JANUARY 2, 2004.
  - 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.
  - THIS PLAT WAS PREPARED FOR RIGHT OF WAY DEDICATION ONLY.
  - NO BUILDING STRUCTURES, OR OTHER IMPROVEMENTS, MATERIALS AND SURFACES, INCLUDING BUT NOT LIMITED TO PRINCIPLE 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 ENROACH WITHIN ANY DEDICATED EASEMENT WITHOUT PRIOR WRITTEN APPROVAL OF THE CITY OF GREENVILLE.



**RIGHT OF WAY DEDICATION PLAT**

**RELOCATION OF MOYE BOULEVARD**

CITY OF GREENVILLE, GREENVILLE TWP., PITT CO., NORTH CAROLINA

OWNER **PITT COUNTY MEMORIAL HOSPITAL, INCORPORATED**  
 ADDRESS 2100 STANTONSBURG RD.  
 GREENVILLE, NC 27858  
 PHONE (252) 847-4100

	SURVEYED CEL / JEW	APPROVED FDT
	DRAWN SJA/PJH	DATE 0/15/09
	CHECKED PWJ	SCALE 1" = 60'
	North Carolina Lic. No. L-4262	

**Site Summary:**

NUMBER OF LOTS CREATED \_\_\_\_\_ 0

ACREAGE IN TOTAL TRACT \_\_\_\_\_ 0.24 AC.

ACREAGE IN COMMON AREA(S) \_\_\_\_\_ NONE

ACREAGE IN PARK AND RECREATION AREAS \_\_\_\_\_ NONE

**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 \_\_\_\_\_ PAGE \_\_\_\_\_

DEED BOOK \_\_\_\_\_ PAGE \_\_\_\_\_

DEED BOOK \_\_\_\_\_ PAGE \_\_\_\_\_

DEED BOOK \_\_\_\_\_ PAGE \_\_\_\_\_

NORTH CAROLINA LIC. NO. L-4262

**OWNERS STATEMENT**

THIS IS THE BEST OF MY KNOWLEDGE THAT THIS DEDICATION IS MADE AT THE REQUEST OF:

*SJA/PJH*

SWORN TO AND SUBSCRIBED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2009.

*Linda S. Tozier*  
 NOTARY PUBLIC  
 MY COMMISSION EXPIRES 2/28/14

**Reference**

D.B. 2661 PG. 5  
 D.B. 2661 PG. 12  
 D.B. 2192 PG. 639  
 M.B. 72 PG. 100  
 M.B. 71 PG. 75  
 M.B. 68 PG. 168  
 M.B. 64 PG. 172  
 M.B. 18 PG. 28

**APPROVAL**

THIS FINAL PLAT NO. 09-37, WAS APPROVED BY THE SUBDIVISION REVIEW BOARD IN ACCORDANCE WITH TITLE 9, CHAPTER 5 OF THE GREENVILLE CITY CODE THE \_\_\_\_\_ DAY OF \_\_\_\_\_ 2009.

MINOR ALTERATION

SIGNED *Andrew Thomas, Jr.*  
 ITEM #15

**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 INDICATED ON SAID PLAT.

SIGNED *Andrew Thomas, Jr.*  
 ATTEST *Sandra J. Yoder*

**CERTIFICATION**

NORTH CAROLINA PITT COUNTY

I, PATRICK W. HARTMAN CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE BY CEL / JEW DEED DESCRIPTIONS RECORDED IN BOOK REFERENCED HEREON; THAT THE RATIO OF PRECISION IS 1:10,000; THAT BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION FOUND IN BOOKS REFERENCED HEREON; THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED; I FURTHER CERTIFY PURSUANT TO G.S. 47-30 (1)(1a); THIS SURVEY CREATES A SUBDIVISION OF LAND WITHIN AN AREA REGULATED BY THE CITY OF GREENVILLE SUBDIVISION ORDINANCE. WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER, AND SEAL THIS 14TH DAY OF AUGUST 2009.

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

NORTH CAROLINA PITT COUNTY

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

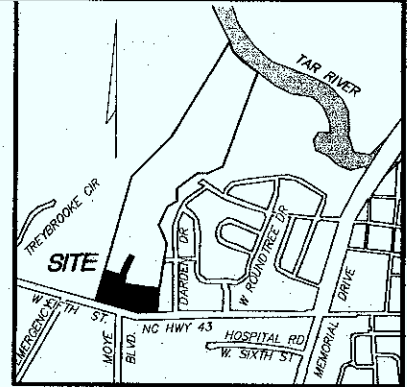
BY *Andrew Thomas, Jr.*  
 REVIEW OFFICER  
 DATE 10/15/09



**Notes:**

1. IRON STAKES LOCATED AT ALL CORNERS, EXCEPT AS NOTED OTHERWISE.
2. ALL DISTANCES ARE HORIZONTAL GROUND MEASURED UNLESS SHOWN OTHERWISE.
3. AREA BY COORDINATES.
4. THIS PROPERTY IS LOCATED IN ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD AS SHOWN ON FIRM COMMUNITY PANEL NO. 370372 4076 J DATED JANUARY 2, 2004).
5. 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.
6. PROPERTY SUBJECT TO ANY AND ALL EASEMENTS, RIGHTS-OF-WAY, RESTRICTIVE COVENANTS WHICH MAY BE OF RECORD.
7. THIS PROPERTY IS SUBJECT TO THE CITY OF GREENVILLE STORMWATER MANAGEMENT PROGRAM.
8. 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 ENCRUMPH WITHIN ANY DEDICATED EASEMENT WITHOUT PRIOR APPROVAL OF THE CITY OF GREENVILLE.

Doc ID: 0031448001 Type: CRP  
 Recorded: 10/09/2007 at 12:10:12 PM  
 Fee Amt: \$21.00 Page 1 of 1  
 Pitt County, NC  
 Judy J. Tori Registrar of Deeds  
**Br 69 PG 34**



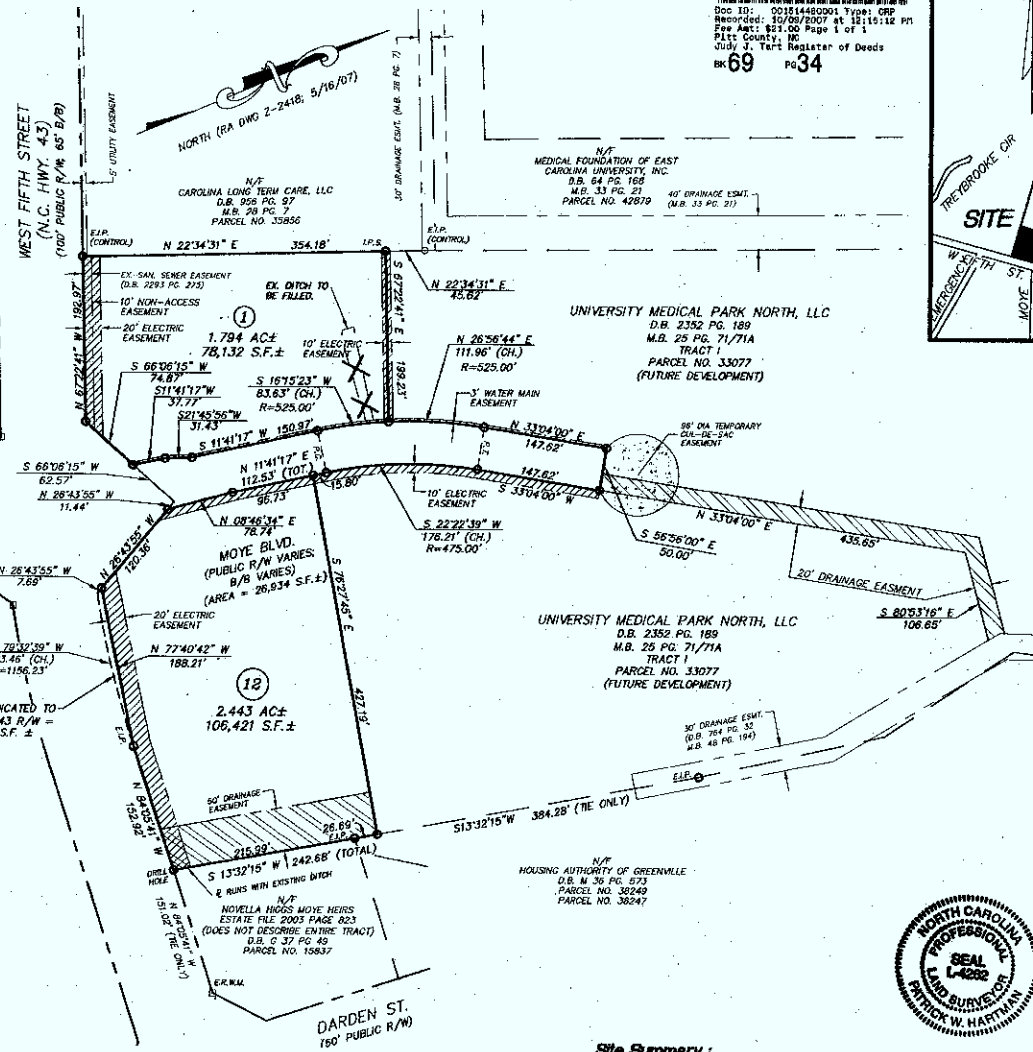
**Vicinity Map**  
1" = 100'

**References:**

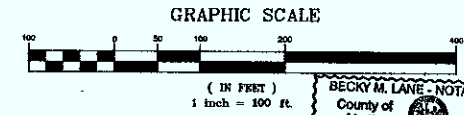
- PARCEL NO. 33077
- D.B. 2352, PG. 189
- D.B. 2064, PG. 123
- D.B. 2293, PG. 275
- D.B. 704, PG. 32
- D.B. J 43 PG. 40
- M.B. 48 PG. 194
- D.B. N 50, PG. 623
- D.B. K 45 PG. 272
- D.B. H 46 PG. 626
- STATE HIGHWAY BOOK 1, PG. 25
- M.B. 25 PG. 7171A
- RIVERS DRAWING 2-2418
- RIVERS DRAWING 2-2178
- RIVERS DRAWING 2-793

**Legend**

- O IRON PIPE SET
- E.I.P. EXISTING IRON PIPE
- P.G. PAGE
- M.B. MAP BOOK
- B/B BACK TO BACK
- R/W RIGHT OF WAY
- PARCEL NO. PARCEL NUMBER
- 12 LOT NUMBER
- B BLOCK NUMBER
- S.D. SIGHT DISTANCE TRIANGLE
- E.R.W.M. RIGHT OF WAY MONUMENT
- CH. CHORD
- RA RIVERS AND ASSOCIATES
- N/F NOW OR FORMERLY
- TOT. TOTAL



FINAL PLAT  
**University Medical Park North**  
**Lots 1 and 12**  
 GREENVILLE, GREENVILLE TOWNSHIP, PITT COUNTY, NORTH CAROLINA



BECKY M. LANE - NOTARY PUBLIC  
 County of Martin State of North Carolina

**Site Summary:**

NUMBER OF LOTS CREATED	2
ACREAGE IN LOTS	4.237 AC.
ACREAGE IN R/W	0.644 AC.
ACREAGE IN TOTAL TRACT	4.881 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 ME FROM DEED DESCRIPTIONS RECORDED IN BOOK 332, PAGE 822; THAT THE RATIO OF PRECISION IS 1:10,000 + ; THAT BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION FOUND IN BOOKS REFERENCED HEREON; THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED, I, FURTHER CERTIFY PURSUANT TO G.S. 47-30 (b)(1)(g); 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 AUGUST, 2007.  
 SIGNED: *Patrick W. Hartman*  
 PROFESSIONAL LAND SURVEYOR  
 LICENSE NUMBER L-4262

OWNER UNIVERSITY MEDICAL PARK NORTH, LLC  
 ADDRESS P.O. BOX 566 GREENVILLE, NC 27835  
 PHONE (252) 752-2000



SURVEYED M.C.C.	APPROVED P.H.
DRAWN S.T.A.	DATE 8/15/07
CHECKED P.H.	SCALE 1" = 100'

**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 2332 PAGE 189  
 DEED BOOK PAGE  
 DEED BOOK PAGE  
 NORTH CAROLINA LICENSE NO. L-4262

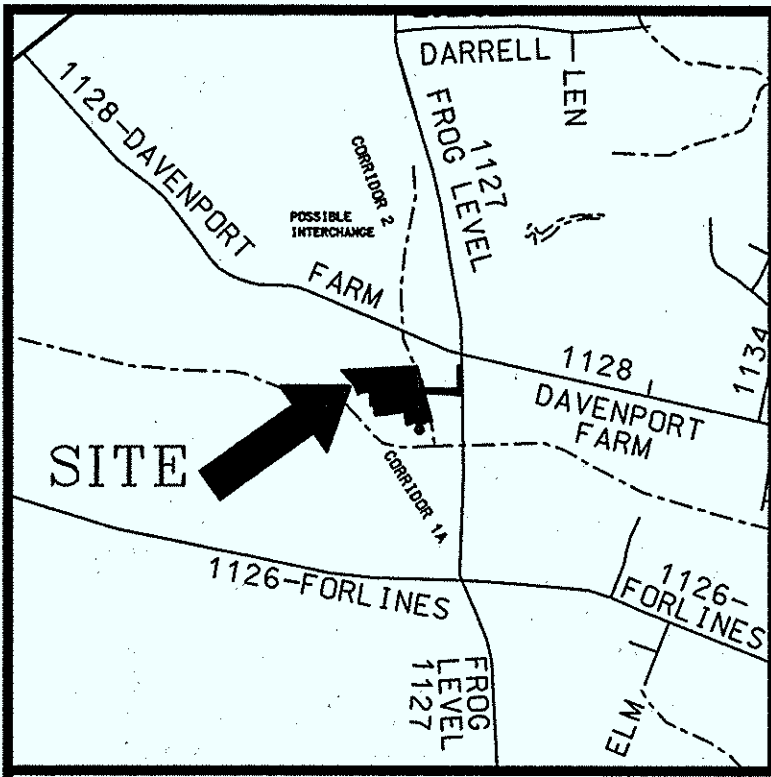
**OWNERS STATEMENT**  
 THIS IS EVIDENCE THAT THIS SUBDIVISION IS MADE AT THE REQUEST OF  
*[Signature]*  
 SWORN TO AND SUBSCRIBED BEFORE ME THIS 15th DAY OF August, 2007.  
 Becky M. Lane  
 NOTARY PUBLIC  
 MY COMMISSION EXPIRES 6-28-09

**APPROVAL**  
 THIS FINAL PLAT NO. 07-87 WAS APPROVED BY THE SUBDIVISION REVIEW BOARD IN ACCORDANCE WITH TITLE 9, CHAPTER 5 OF THE GREENVILLE CITY CODE THE 12TH DAY OF SEPTEMBER, 2007.  
 SIGNED: *[Signature]*  
 CITY MANAGER

**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: *[Signature]*  
 ATTEST: *[Signature]*

NORTH CAROLINA PITT COUNTY  
 Andrew Thomas, Jr.  
 I, Andrew Thomas, Jr., N.C. CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.  
 BY: *[Signature]*  
 REVIEW OFFICER  
 DATE 10/9/07





VICINITY MAP  
1" = 1000'

LOT CURVE DATA - PHASE 1

COURSE	RADIUS	ARC LENGTH	CHORD	CHORD BEARING
R-1	525.00'	10.61'	10.61'	N 04° 41' 07" W
R-2	20.00'	16.45'	15.99'	N 27° 39' 49" W
R-3	50.00'	244.22'	64.38'	S 88° 42' 16" W
R-4	20.00'	18.60'	17.94'	S 21° 59' 00" W
R-5	475.00'	30.60'	30.59'	S 06° 30' 31" E

Doc ID: 000355900003 Type: CRP  
Recorded: 02/22/2006 at 03:29:38 PM  
Fee Amt: \$65.00 Page 1 of 3  
Pitt County, NC  
Judy J. Tart Register of Deeds  
BK 65 PG 39-41

BRISTOLMOOR LLC  
DB 1435, P 513

LEGEND

- - IRON STAKE SET (UNLESS OTHERWISE NOTED)
- EIS - EXISTING IRON STAKE
- NPS - NO POINT SET
- CC - CONTROL CORNER

I HEREBY CERTIFY THAT THIS SURVEY CREATES A SUBDIVISION OF LAND WITHIN A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES SUBDIVISIONS.

GARY S. MILLER L-2562

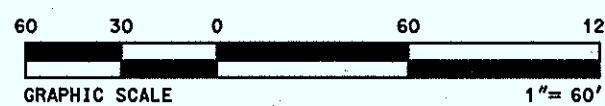


BRIGHTON PLACE OF GREENVILLE, LLC  
& FROG LEVEL, LLC  
DB 1841, P 407

Attachment number 2  
Page 1 of 3

CENTERLINE CURVE DATA - PHASE 1

COURSE	RADIUS	ARC LENGTH	CHORD	CHORD BEARING
BRIGHTON C-1	300.00'	156.91'	155.13'	S 80° 08' 17" W
BRIGHTON C-2	300.00'	136.49'	135.31'	S 76° 51' 41" W
DEARBORN C-1	150.00'	79.36'	78.44'	N 74° 44' 19" E
DEARBORN C-2	150.00'	205.19'	189.56'	S 50° 54' 59" E



SITE DATA

AREA IN TOTAL TRACT.....16.4943 ACRES  
NUMBER OF LOTS CREATED.....46  
AREA IN COMMON AREA.....5.44 ACRES  
RECREATION AND THE LIKE.....0:00 ACRES

NOTES:

- 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 DESIGNED WIDTHS.
- NO BUILDINGS, STRUCTURES, OR OTHER IMPROVEMENTS, MATERIALS AND SURFACES, INCLUDING BUT NOT LIMITED TO PRINCIPAL AND ACCESSORY STRUCTURES AND ADDITIONS OR APPURTENANCES THERE TO, 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 ENROACH WITHIN ANY DEDICATED EASEMENT WITHOUT PRIOR TO APPROVAL OF THE CITY OF GREENVILLE.
- COMMON AREA & MEDIANS TO BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION.
- NO SEWER SERVICE SHALL BE PROVIDED FOR LOTS WITHIN THIS PROJECT UNTIL ALL THE NECESSARY SEWER FACILITIES TO SERVE THIS PROPERTY HAVE BEEN INSTALLED, PLACED IN SERVICE, AND ACCEPTED FOR MAINTENANCE BY GREENVILLE UTILITIES COMMISSION.
- THIS PROPERTY IS NOT LOCATED WITHIN A 100 YEAR FLOOD PLAIN (FEMA PANEL NO. 370191 4665 J, DATED 1/02/02004).
- THIS PROPERTY MAY BE AFFECTED BY THE "THROUGHFARE PLAN" ADOPTED PURSUANT TO G.S. 136-66.2 AND A "ROADWAY CORRIDOR OFFICIAL MAP" ADOPTED PURSUANT TO G.S. 136-44.50.

LOT CURVE DATA - PHASE 1

COURSE	RADIUS	ARC LENGTH	CHORD	CHORD BEARING
LOT-1 C-1	20.00'	29.60'	26.97'	N 30° 40' 29" E
LOT-1 C-2	275.00'	105.80'	105.15'	N 84° 05' 59" E
LOT-5 C-1	525.00'	5.11'	5.11'	N 11° 26' 59" W
LOT-6 C-1	525.00'	54.13'	54.10'	N 08° 13' 04" W
LOT-14 C-1	475.00'	27.98'	27.97'	S 10° 02' 28" E
LOT-18 C-1	325.00'	23.31'	23.30'	N 65° 52' 56" E
LOT-18 C-2	20.00'	36.46'	31.62'	S 63° 57' 01" E
LOT-19 C-1	125.00'	49.98'	49.65'	S 23° 10' 59" E
LOT-19 C-2	20.00'	26.37'	24.50'	S 26° 02' 59" W
LOT-19 C-3	275.00'	10.57'	10.57'	S 64° 55' 45" W
LOT-100 C-1	175.00'	44.41'	44.30'	N 30° 47' 58" W
LOT-101 C-1	325.00'	107.94'	107.44'	S 83° 56' 59" W
LOT-101 C-2	20.00'	32.76'	29.22'	N 58° 38' 48" W
LOT-101 C-3	175.00'	36.04'	35.98'	N 17° 37' 43" W

TED L. & LINDA J. DAIL  
DB 223, PG 438

BESIE FAYE MCLAWHORN BAREFOOT  
DB 325, PG 459

KENNETH BUCK  
MB 61, PG 76

KENNETH M. & CYNTHIA BUCK  
DB 383, PG 543

SHEET 1 OF 3

MAP FOR RECORD

BRIGHTON PLACE (CLUSTER) - SECTION 3 (PHASE 1)

REFERENCE MAP BOOK 47, PAGE 101 OF THE PITT COUNTY REGISTRY

GREENVILLE GREENVILLE TWP. PITT COUNTY NORTH CAROLINA

OWNERS: BRIGHTON PLACE, LLC  
2361 PORTERTOWN ROAD  
GREENVILLE, 27858  
(252) 759-6148

GARY S. MILLER & ASSOCIATES, P.A. LAND SURVEYORS  
1803 S. CHARLES BLVD.  
GREENVILLE, NC 27858  
(919) 756-7878

SURVEYED: GSM APPROVED: GSM  
DRAWN: KCW DATE: 10/27/05  
CHECKED: GSM SCALE: 1" = 60'

SOURCE OF TITLE  
THIS IS TO CERTIFY THAT THE LAST INSTRUMENT(S) IN THE CHAIN OF TITLES OF THIS PROPERTY AS RECORDED IN THE PITT COUNTY REGISTRY AT GREENVILLE, NORTH CAROLINA IS:  
DEED BOOK 1841 PAGE 407  
DEED BOOK PAGE  
N.C. REGISTRATION NO. L-2562

OWNER'S STATEMENT  
THIS IS TO CERTIFY THAT THIS SUBDIVISION IS MADE AT THE REQUEST OF THE SUBDIVISION OWNER  
OWNER  
OWNER  
SWORN AND SUBSCRIBED BEFORE ME THIS DAY OF FEBRUARY 2006.  
MY COMMISSION EXPIRES 3/29/06

NORTH CAROLINA, PITT COUNTY FILED FOR REGISTRATION THIS DAY OF 2006, AT O'CLOCK, A.M., JUDY TART, REGISTER OF DEEDS.

BY: REGISTER OF DEEDS

APPROVAL  
THIS FINAL PLAT, NO. 05-118 WAS APPROVED BY THE SUBDIVISION REVIEW BOARD IN ACCORDANCE WITH TITLE 9, CHAPTER 5 OF THE GREENVILLE CITY CODE THE 23rd DAY OF NOVEMBER, 2005.  
SIGNED: CITY PLANNER

REVIEW OFFICER OF PITT COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.  
SIGNED: REVIEW OFFICER  
DATE: 2/21/06

DEDICATION  
THE UNDERSIGNED HEREBY ACKNOWLEDGE(S) THIS PLAT AND ALLOTMENT TO BE HIS FREE ACT AND DEED, AND HEREBY DEDICATES TO PUBLIC USE AS STREETS, PARKS, PLAYGROUNDS, OPEN SPACES AND EASEMENTS FOREVER, ALL AREAS AS SHOWN OR AS INDICATED ON SAID PLAT.  
SIGNED: GARY S. MILLER  
ATTEST:

I, GARY S. MILLER, CERTIFY THAT THIS MAP WAS DRAWN BY ME OR UNDER MY SUPERVISION FROM AN ACTUAL SURVEY BY ME OR UNDER MY SUPERVISION, THAT THE RATIO OF PRECISION AS CALCULATED FROM LATITUDES AND DEPARTURES IS 1:10,000+; THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION FOUND IN BOOK SEE PAGE REF.; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 8th DAY OF FEBRUARY A.D., 2006.  
SIGNED: GARY S. MILLER  
L-2562



Doc ID: 000355900003 Type: CRP  
 Recorded: 02/22/2006 at 03:29:38 PM  
 Fee Amt: \$83.00 Page 1 of 3  
 Pitt County, NC  
 Judy J. Tart Register of Deeds  
 Bk 65 Pg 39-41

CENTERLINE CURVE DATA - PHASE 1

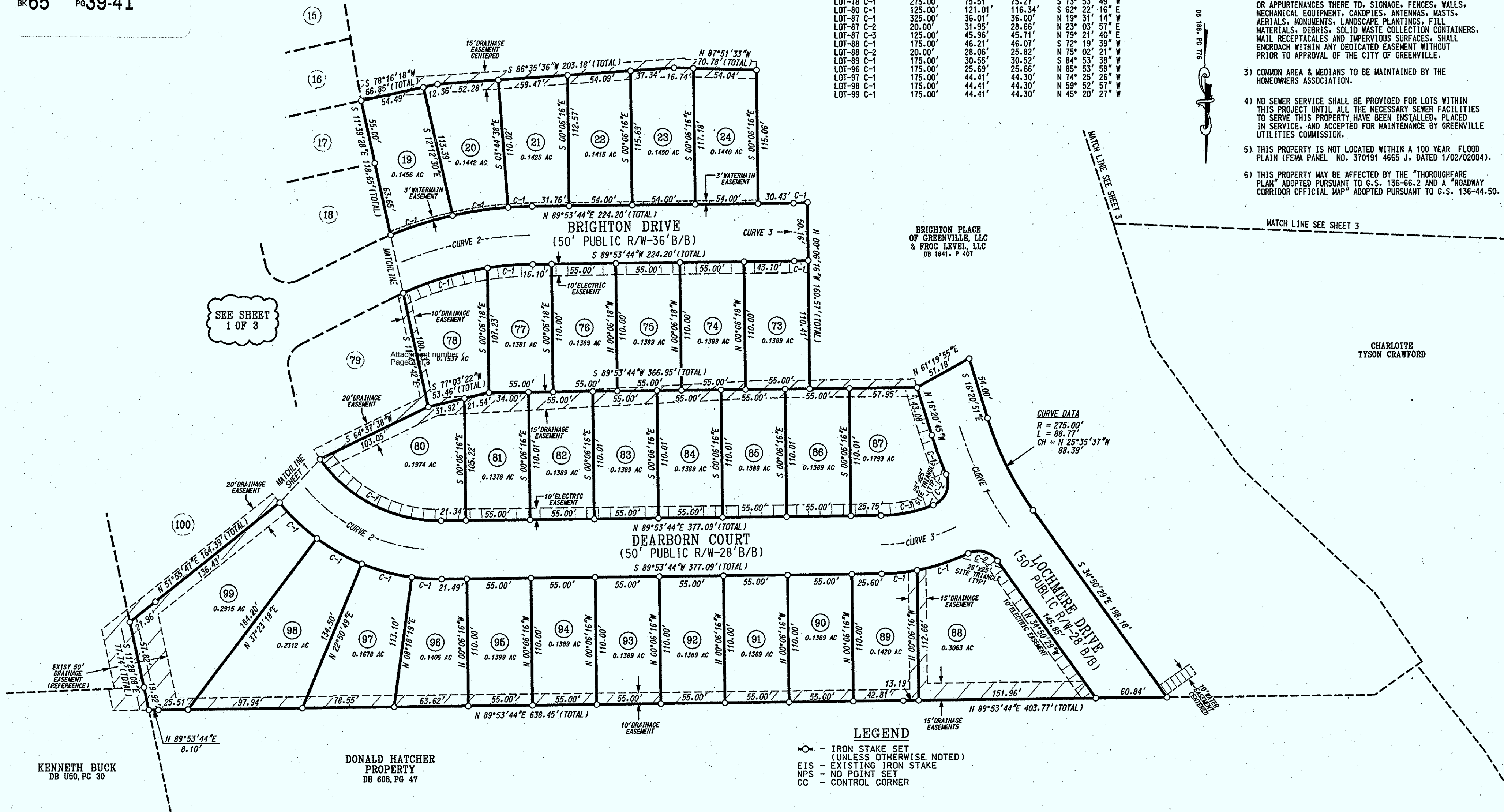
COURSE	RADIUS	ARC LENGTH	CHORD	CHORD BEARING
BRIGHTON C-2	300.00'	136.49'	135.31'	S 76° 51' 41" W
BRIGHTON C-3	150.00'	42.52'	42.38'	S 81° 46' 28" W
DEARBORN C-2	150.00'	205.19'	189.56'	S 50° 54' 59" E
DEARBORN C-3	150.00'	117.62'	117.62'	S 04° 58' 25" E
LOCHMERE C-1	300.00'	73.68'	73.50'	N 23° 22' 56" W

LOT CURVE DATA - PHASE 1

COURSE	RADIUS	ARC LENGTH	CHORD	CHORD BEARING
LOT-19 C-1	325.00'	55.90'	55.83'	N 72° 51' 51" E
LOT-20 C-1	325.00'	48.01'	47.97'	N 82° 01' 26" E
LOT-21 C-1	325.00'	20.64'	20.64'	N 88° 04' 32" E
LOT-FUT 25 C-1	125.00'	11.92'	11.91'	S 87° 09' 47" W
LOT-73 C-1	175.00'	11.91'	11.91'	S 87° 56' 43" W
LOT-71 C-1	275.00'	39.03'	39.00'	S 85° 49' 44" W
LOT-78 C-1	275.00'	75.51'	75.27'	S 73° 53' 49" W
LOT-80 C-1	125.00'	121.01'	116.34'	S 62° 22' 16" E
LOT-81 C-1	325.00'	36.01'	36.00'	N 19° 31' 14" W
LOT-81 C-2	20.00'	31.95'	28.66'	N 23° 03' 57" E
LOT-81 C-3	125.00'	45.96'	45.71'	N 79° 21' 40" E
LOT-88 C-1	175.00'	46.21'	46.07'	S 72° 19' 39" W
LOT-88 C-2	20.00'	28.06'	25.82'	N 75° 02' 21" W
LOT-89 C-1	175.00'	30.55'	30.52'	S 84° 53' 38" W
LOT-89 C-2	175.00'	25.63'	25.66'	N 85° 53' 58" W
LOT-97 C-1	175.00'	44.41'	44.30'	N 74° 25' 26" W
LOT-98 C-1	175.00'	44.41'	44.30'	N 59° 52' 57" W
LOT-99 C-1	175.00'	44.41'	44.30'	N 45° 20' 27" W

NOTES:

- 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 DESIGNED WIDTHS.
- NO BUILDINGS, STRUCTURES, OR OTHER IMPROVEMENTS, MATERIALS AND SURFACES, INCLUDING BUT NOT LIMITED TO PRINCIPAL AND ACCESSORY STRUCTURES AND ADDITIONS OR APPURTENANCES THERE TO, 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 ENCRDACH WITHIN ANY DEDICATED EASEMENT WITHOUT PRIOR TO APPROVAL OF THE CITY OF GREENVILLE.
- COMMON AREA & MEDIANS TO BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION.
- NO SEWER SERVICE SHALL BE PROVIDED FOR LOTS WITHIN THIS PROJECT UNTIL ALL THE NECESSARY SEWER FACILITIES TO SERVE THIS PROPERTY HAVE BEEN INSTALLED, PLACED IN SERVICE, AND ACCEPTED FOR MAINTENANCE BY GREENVILLE UTILITIES COMMISSION.
- THIS PROPERTY IS NOT LOCATED WITHIN A 100 YEAR FLOOD PLAIN (FEMA PANEL NO. 370191 4665 J, DATED 1/02/02004).
- THIS PROPERTY MAY BE AFFECTED BY THE "THOROUGHFARE PLAN" ADOPTED PURSUANT TO G.S. 136-66.2 AND A "ROADWAY CORRIDOR OFFICIAL MAP" ADOPTED PURSUANT TO G.S. 136-44.50.



SEE SHEET 1 OF 3

CURVE DATA  
 R = 275.00'  
 L = 88.77'  
 CH = N 25° 35' 37" W  
 88.39'

LEGEND  
 ○ - IRON STAKE SET (UNLESS OTHERWISE NOTED)  
 EIS - EXISTING IRON STAKE  
 NPS - NO POINT SET  
 CC - CONTROL CORNER



SHEET 2 OF 3

MAP FOR RECORD  
**BRIGHTON PLACE (CLUSTER) - SECTION 3 (PHASE 1)**  
 REFERENCE MAP BOOK 47, PAGE 101 OF THE PITT COUNTY REGISTRY  
 GREENVILLE GREENVILLE TWS. PITT COUNTY NORTH CAROLINA

OWNERS: BRIGHTON PLACE, LLC  
 2361 PORTERTOWN ROAD  
 GREENVILLE, 27858  
 (252) 759-6148

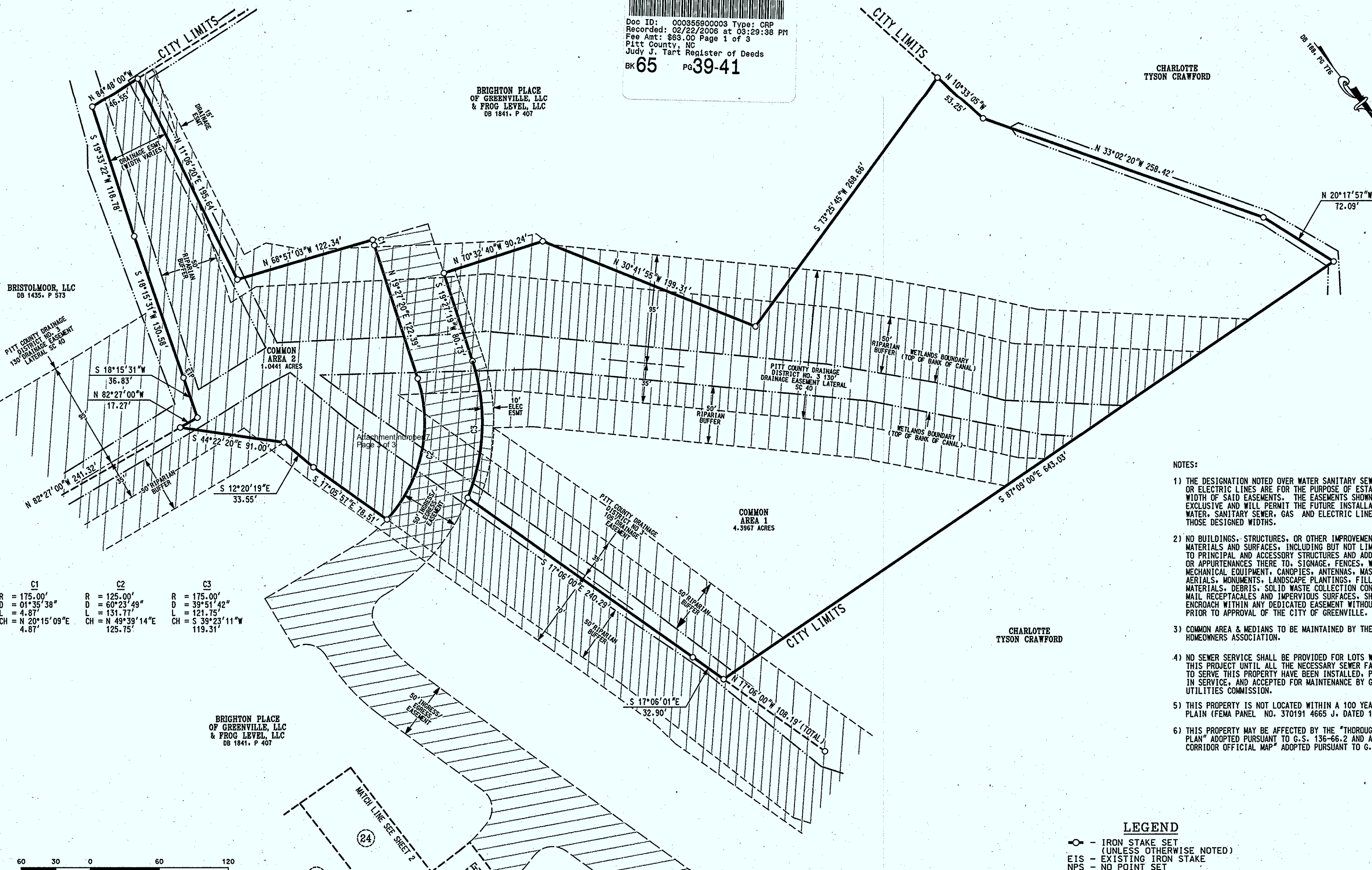
GARY S. MILLER & ASSOCIATES, P.A. LAND SURVEYORS 1803 S. CHARLES BLVD. GREENVILLE, NC 27858 (919) 756-7878	SURVEYED: GSM	APPROVED: GSM
	DRAWN: KCW	DATE: 10/27/05
	CHECKED: GSM	SCALE: 1" = 60'



Doc ID: 000355900003 Type: CRP  
 Recorded: 02/22/2006 at 03:29:38 PM  
 Fee Amt: \$63.00 Page 1 of 3  
 Pitt County, NC  
 Judy J. Tart Register of Deeds  
 BK 65 Pg 39-41

BRIGHTON PLACE  
 OF GREENVILLE, LLC  
 & FROG LEVEL, LLC  
 08 1841, P 407

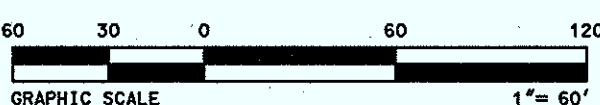
CHARLOTTE  
 TYSON CRAWFORD



<b>C1</b>	<b>C2</b>	<b>C3</b>
R = 175.00'	R = 125.00'	R = 175.00'
D = 01°35'38"	D = 60°23'49"	D = 39°51'42"
L = 4.87'	L = 131.17'	L = 121.75'
CH = N 20°15'09"E	CH = N 49°39'14"E	CH = S 39°23'11"W
4.87'	125.75'	119.31'

- NOTES:
- 1) 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 DESIGNED WIDTHS.
  - 2) NO BUILDINGS, STRUCTURES, OR OTHER IMPROVEMENTS, MATERIALS AND SURFACES, INCLUDING BUT NOT LIMITED TO PRINCIPAL AND ACCESSORY STRUCTURES AND ADDITIONS OR APPURTENANCES THERE TO, 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 TO APPROVAL OF THE CITY OF GREENVILLE.
  - 3) COMMON AREA & MEDIANS TO BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION.
  - 4) NO SEWER SERVICE SHALL BE PROVIDED FOR LOTS WITHIN THIS PROJECT UNTIL ALL THE NECESSARY SEWER FACILITIES TO SERVE THIS PROPERTY HAVE BEEN INSTALLED, PLACED IN SERVICE, AND ACCEPTED FOR MAINTENANCE BY GREENVILLE UTILITIES COMMISSION.
  - 5) THIS PROPERTY IS NOT LOCATED WITHIN A 100 YEAR FLOOD PLAIN (FEMA PANEL NO. 370191 4665 J, DATED 1/02/02004).
  - 6) THIS PROPERTY MAY BE AFFECTED BY THE "THOROUGHFARE PLAN" ADOPTED PURSUANT TO G.S. 136-66.2 AND A "ROADWAY CORRIDOR OFFICIAL MAP" ADOPTED PURSUANT TO G.S. 136-44.50.

- LEGEND**
- - IRON STAKE SET (UNLESS OTHERWISE NOTED)
  - EIS - EXISTING IRON STAKE
  - NPS - NO POINT SET
  - CC - CONTROL CORNER



SHEET 3 OF 3

**MAP FOR RECORD**  
**BRIGHTON PLACE (CLUSTER) - SECTION 3 (PHASE 1)**  
 REFERENCE MAP BOOK 47, PAGE 101 OF THE PITT COUNTY REGISTRY  
 GREENVILLE GREENVILLE TWSP. PITT COUNTY NORTH CAROLINA

**OWNERS:** BRIGHTON PLACE, LLC  
 2361 PORTERTOWN ROAD  
 GREENVILLE, 27858  
 (252) 759-6148

<b>GARY S. MILLER</b> & ASSOCIATES, P.A. LAND SURVEYORS 1803 S. CHARLES BLVD. GREENVILLE, NC 27858 (919) 756-7878	SURVEYED: GSM	APPROVED: GSM
	DRAWN: JHT	DATE: 10/27/05
	CHECKED: GSM	SCALE: 1" = 60'



# City of Greenville, North Carolina

Meeting Date: 11/9/2  
Time: 6:00 PM

---

**Title of Item:** Amendment 5 to the contract with Moser/Mayer/Phoenix Associates for the Intermodal Transportation Center Project

**Explanation:** Presented for City Council consideration is Amendment 5 to the professional services contract between the City and Moser/Mayer/Phoenix Associates for additional work associated with the requirements of the State Historic Preservation Office (SHPO) and the Federal Transit Administration (FTA). This project involves site selection, environmental assessment, and acquisition of properties for the Intermodal Transportation Center. The initial contract for \$103,814 was approved by the City Council during its May 10, 2007 meeting. Amendments 1-4 added an additional \$33,395 to the project. Amendment 5 is attached. The amendment details the additional scope of work and proposed fee adjustment. The fee associated with this amendment is \$12,175.

City staff and NCDOT have reviewed and concur with this amendment to the professional services contract between the City and Moser/Mayer/Phoenix Associates in order to complete additional work requirements associated with this phase of the project.

**Fiscal Note:** The project is being funded by FTA (80%), NCDOT (10%), and the City (10%).

**Recommendation:** Approve the attached amendment to the professional services contract with Moser/Mayer/Phoenix Associates in the amount of \$12,175 for completion of the FTA and SHPO requirements associated with this phase of the project.

---

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



**Attachments / click to download**

 [Amendment 5 to Intermodal Agreement](#)

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**MOSER  
MAYER  
PHOENIX**  
ASSOCIATES, PA

*Architecture*  
*Engineering*  
*Interior Design*  
*Site Services*

October 26, 2009

**Greenville Intermodal (Bus) Transfer Center  
Facility Program and Site Selection Study Contract  
Amendment 5**

The original contract, dated May 9, 2007, is hereby amended to include:

**Local Designation of Historic Structures**

1. Historical Background and Research
2. 2-day Greenville for additional research and field work on buildings
3. Post-trip Documentation
4. Final Report Preparation and Submission
5. Deliverables: hard and electronic copies
7. Miscellaneous:
  - One round trip for a two-day visit to Greenville
  - Travel costs (mileage, overnight per diem)
  - CD/reproduction allowance

Total estimate:

- 85 hours @ \$75/hour = \$6375
- Expenses = \$400
- Total = \$6775

**EA: FONSI and Supplemental Information**

1. FONSI Preparation (36 hours)
2. Supplemental EA information (24 hours)

Total estimate:

- 60 hours @ \$90/hour=\$5400

Agreed to:

MOSER MAYER PHOENIX ASSOCIATES, P.A.  
Kenneth C. Mayer, Jr., AIA, LEED AP  
Principal

Date: October 26, 2009

Agreed to:

CITY OF GREENVILLE, NC

By: \_\_\_\_\_  
Title: \_\_\_\_\_

3 2 8 E a s t  
M a r k e t S t r e e t  
S u i t e 2 0 0  
G r e e n s b o r o  
N o r t h C a r o l i n a  
2 7 4 0 1

P 336.373.9800  
F 336.373.0077

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# City of Greenville, North Carolina

Meeting Date: 11/9/2  
Time: 6:00 PM

**Title of Item:** Contract award for the Arlington Boulevard Turn Lane Improvements Project

**Explanation:** The City advertised to receive bids for the Arlington Boulevard Turn Lane Improvements Project (STIP Project No. U-5160) on October 22, 2009. Only one bid was received on this date. Per State statutes, a minimum of three bids are required to be able to open bids. Therefore, the single bid was not opened. The project was re-advertised with a second bid opening scheduled for October 30, 2009.

Bids were received on October 30, 2009 for the Arlington Boulevard Turn Lane Improvements Project (STIP Project No. U-5160). Two bids were received and opened. Attached is the bid tabulation. The lowest responsive base bid was submitted by Carolina Earth Movers, Inc. of Greenville, NC, in the amount of \$79,327.75.

The project will involve widening the south approach of Arlington Boulevard at its intersection with Stantonsburg Road (SR1467) for the purpose of adding a second left turn lane.

In August 2009, the City Council approved an agreement with the North Carolina Department of Transportation (NCDOT) that set out the City's and NCDOT's responsibilities to accomplish this project. Under this agreement, the City is responsible for administration and management of project design and construction. NCDOT will administer the disbursement of funds to the City on a reimbursement basis.

**Fiscal Note:** Funding for this project will be provided from the American Recovery and Reinvestment Act of 2009. In accordance with the agreement with NCDOT for this project, the City shall be reimbursed one hundred percent (100%) of the costs up to the maximum amount of \$225,000.00. The proposed budget for this project is as follows:

Expenditures

Turn Lane Construction Contract	\$79,327.75
Contingency (15%)	<u>\$11,899.16</u>
Total Project Cost	\$91,226.91

Revenue

ARRA Funds	\$91,226.91
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**Recommendation:** Award a construction contract for the Arlington Boulevard Turn Lane Improvements Project to Carolina Earth Movers, Inc. of Greenville, NC, in the amount of \$79,327.75 and approve the attached resolution requesting a Concurrence in Award from NCDOT.

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

**Attachments / click to download**

- [Arlington Blvd Turn Lane Improvement Project Bid Tab Sheet](#)
  - [Arlington Blvd Turn Lane Improvement Project Resolution 847787](#)
-

RESOLUTION NO. 09-\_\_\_\_

WHEREAS, the North Carolina Department of Transportation and the City of Greenville have entered into a municipal agreement for a locally administered project – federal to design and construct the Arlington Boulevard Turn Lane Improvements Project, STIP Project No. U-5160; and,

WHEREAS, the City has prepared the project construction documents and received bids from contractors in accordance with the City’s formal bid process; and,

WHEREAS, the City has reviewed and identified Carolina Earth Movers, Inc. as the lowest responsible bidder;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Greenville that the contract for the construction of Project No. U-5160 in Pitt County is hereby awarded to Carolina Earth Movers, Inc. and that the Mayor of the City of Greenville is hereby authorized to execute an agreement with Carolina Earth Movers, Inc. for the construction of said project in the amount of \$79,327.75 provided that a Concurrence in Award for the project is received from the North Carolina Department of Transportation.

ADOPTED this 9<sup>th</sup> day of November, 2009.

\_\_\_\_\_  
Patricia C. Dunn, Mayor

ATTEST:

\_\_\_\_\_  
Wanda T. Elks, City Clerk





# City of Greenville, North Carolina

Meeting Date: 11/9/2  
Time: 6:00 PM

**Title of Item:** Contract award for the Arlington Boulevard Sidewalk Construction Project

**Explanation:** Bids were received on October 21, 2009 for the Arlington Boulevard Sidewalk Construction Project (STIP Project No. U-5161 BA). Five bids were received and opened. Attached is the bid tabulation. The lowest responsive base bid was submitted by ASJ Wilson Construction LLC of Greensboro, NC, in the amount of \$94,692.75. There was a lower bid submitted; however, this bid was determined as non-responsive due to not meeting the Disadvantaged Business Enterprise requirements identified in the project specifications.

This project will involve the installation of approximately 4,700 linear feet of sidewalk along Arlington Boulevard from Dickinson Avenue to Stantonsburg Road.

In August 2009, the City Council approved an agreement with the North Carolina Department of Transportation (NCDOT) that set out the City's and NCDOT's responsibilities to accomplish this project. Under this agreement, the City is responsible for administration and management of project design and construction. NCDOT will administer the disbursement of funds to the City on a reimbursement basis.

**Fiscal Note:** Funding for this project will be provided through the American Recovery and Reinvestment Act of 2009. In accordance with the agreement with NCDOT for this project, the City shall be reimbursed one hundred percent (100%) of the costs up to the maximum amount of \$178,000.00. The proposed budget for this project is as follows:

Expenditures

Sidewalk Construction Contract	\$ 94,692.75
Contingency (15%)	\$ <u>14,203.92</u>

Total Project Cost	\$108,896.67
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Revenue

ARRA Funds	\$108,896.67
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**Recommendation:** Award a construction contract for the Arlington Boulevard Sidewalk Construction Project to ASJ Wilson Construction LLC of Greensboro, NC, in the amount of \$94,692.75 and approve the attached resolution requesting a Concurrence in Award from NCDOT.

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[Arlington Blvd Sidewalk Construction Project Bid Tab Sheet](#)

[Arlington Blvd Sidewalk Construction Project STIP Number U5161BA Resolution 847578](#)

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RESOLUTION NO. 09-\_\_\_\_

WHEREAS, the North Carolina Department of Transportation and the City of Greenville have entered into a municipal agreement for a locally administered project – federal to design and construct the Arlington Boulevard Sidewalk Construction Project, STIP Project No. U-5161 BA; and,

WHEREAS, the City has prepared the project construction documents and received bids from contractors in accordance with the City’s formal bid process; and,

WHEREAS, the City has reviewed and identified ASJ Wilson Construction LLC as the lowest responsible bidder;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Greenville that the contract for the construction of Project No. U-5161 BA in Pitt County is hereby awarded to ASJ Wilson Construction LLC and that the Mayor of the City of Greenville is hereby authorized to execute an agreement with ASJ Wilson Construction LLC for the construction of said project in the amount of \$94,692.75 provided that a Concurrence in Award for the project is received from the North Carolina Department of Transportation.

ADOPTED this 9<sup>th</sup> day of November 2009.

\_\_\_\_\_  
Patricia C. Dunn, Mayor

ATTEST:

\_\_\_\_\_  
Wanda T. Elks, City Clerk





# City of Greenville, North Carolina

Meeting Date: 11/9/2  
Time: 6:00 PM

**Title of Item:** Contract award for the Charles Boulevard Sidewalk Construction Project

**Explanation:** Bids were received on October 22, 2009 for the Charles Boulevard Sidewalk Construction Project (STIP Project No. U-5161 BB). Six bids were received and opened. Attached is the bid tabulation. The lowest responsive base bid was submitted by ASJ Wilson Construction LLC of Greensboro, NC, in the amount of \$52,252.00.

This project will involve the installation of approximately 2,800 linear feet of sidewalk along Charles Boulevard from Greenville Boulevard to Red Banks Road.

In August 2009, the City Council approved an agreement with the North Carolina Department of Transportation (NCDOT) that set out the City's and NCDOT's responsibilities to accomplish this project. Under this agreement, the City is responsible for administration and management of project design and construction. NCDOT will administer the disbursement of funds to the City on a reimbursement basis.

**Fiscal Note:** Funding for this project will be provided through the American Recovery and Reinvestment Act of 2009. In accordance with the agreement with NCDOT for this project, the City shall be reimbursed one hundred percent (100%) of the costs up to the maximum amount of \$101,000.00. The proposed budget for this project is as follows:

**Expenditures**

Sidewalk Construction Contract	\$52,252.00
Contingency (15%)	<u>\$ 7,837.80</u>

Total Project Cost	\$60,089.80
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Revenue

ARRA Funds	\$60,089.80
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**Recommendation:** Award a construction contract for the Charles Boulevard Sidewalk Construction Project to ASJ Wilson Construction LLC of Greensboro, NC, in the amount of \$52,252.00 and approve the attached resolution requesting a Concurrence in Award from NCDOT.

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[Charles Blvd Sidewalk Construction Project Bid Tab](#)

[Resolution for Charles Blvd Sidewalk Project STIP Project Number U5161BB 847576](#)

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RESOLUTION NO. 09-\_\_\_\_

WHEREAS, the North Carolina Department of Transportation and the City of Greenville have entered into a municipal agreement for a locally administered project – federal to design and construct the Charles Boulevard Sidewalk Construction Project, STIP Project No. U-5161 BB; and,

WHEREAS, the City has prepared the project construction documents and received bids from contractors in accordance with the City’s formal bid process; and,

WHEREAS, the City has reviewed and identified ASJ Wilson Construction LLC as the lowest responsible bidder;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Greenville that the contract for the construction of Project No. U-5161 BB in Pitt County is hereby awarded to ASJ Wilson Construction, LLC and that the Mayor of the City of Greenville is hereby authorized to execute an agreement with ASJ Wilson Construction LLC for the construction of said project in the amount of \$52,252.00 provided that a Concurrence in Award for the project is received from the North Carolina Department of Transportation.

ADOPTED this 9<sup>th</sup> day of November 2009.

\_\_\_\_\_  
PATRICIA C. DUNN, MAYOR

ATTEST: \_\_\_\_\_  
WANDA T. ELKS, CITY CLERK

**CHARLES BLVD. SIDEWALK PROJECT**  
**BID TABULATION SHEET**  
**CITY OF GREENVILLE, NORTH CAROLINA**  
**ENGINEERING DIVISION**

**BID OPENING: OCTOBER 22, 2009 2:00 PM**

CONTRACTOR	ADDRESS	5% BID BOND	Adden. #1	NCA Received	BASE BID	DBE
ASJ Wilson Construction LLC	415 Pisgah Church Rd, PMB 128 Greensboro, NC 27455	Certified Check	X	X	\$52,252.00	X
David Vaughn Construction of Pitt County, Inc.	1025 Director Court, Suite E Greenville, NC 27858	Certified Check	X	X	\$58,789.50	X
Carolina Earth Movers, Inc.	2252 Alpine Taylor Rd. Greenville, NC 27834	X	X	X	\$62,313.00	X
ECON International Corp.	5533 Monroe Rd. Charlotte, NC 28212	X	X	X	\$69,860.00	X
JMR Investments, LLC.	804 Rhem St. Kinston, NC 28501	X	X	X	\$80,767.75	X
Hine Sitework, Inc.	P.O. Box 1275 Goldsboro, NC 27533	X	X	X	\$106,996.00	X

*David T. Brown*  
 David T. Brown, PE, City Engineer  
10-21-09  
 Date



# City of Greenville, North Carolina

Meeting Date: 11/9/2  
Time: 6:00 PM

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**Title of Item:** Municipal Agreement with the North Carolina Department of Transportation for biennial bridge inspections

**Explanation:** Every two years, the City of Greenville is required to have all bridges and large culverts maintained by the City inspected for safety and sufficiency. In order to comply with these requirements, City staff recommends that the City partner with the North Carolina Department of Transportation (NCDOT) for the inspection of the City's 11 bridge structures. In this arrangement, NCDOT pays 80 percent of the inspection costs and the City pays 20 percent.

Attached is a Municipal Agreement as proposed by NCDOT, which outlines the conditions of this cooperative effort.

**Fiscal Note:** The total anticipated cost of the inspection is \$5,800 and is budgeted as part of the City's Powell Bill Fund.

**Recommendation:** Approve the attached Municipal Agreement to partner with NCDOT for inspection of bridge structures.

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Attachments / click to download

[Municipal Agreement for Bridge Inspections](#)

North Carolina  
Pitt County

North Carolina Department of Transportation and the City of Greenville  
Municipal Agreement  
Inspection of Bridges on the Municipal Street System  
F.A. Project BRZ-NBIS (15)

THIS AGREEMENT is made and entered into on the last date executed below, by and between the DEPARTMENT OF TRANSPORTATION, an agency of the State of North Carolina, hereinafter referred to as the DEPARTMENT, and the City of Greenville, a municipal corporation hereinafter referred to as the MUNICIPALITY;

Witnesseth:

WHEREAS, 23 U.S.C. 144, Sections 1101, 1114 and 1805 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act – A legacy for Users (SAFETEA – LU), which require that federal funds be available for certain specified Federal-Aid Highway Bridge Replacement and Rehabilitation program; and

WHEREAS, the Highway Bridge Replacement and Rehabilitation portion of the law requires that all structures defined as bridges located on public roads must be inspected on a cycle, not to exceed two years in accordance with National Bridge Inspection Standards (NBIS); and

WHEREAS, the Municipality has requested the Department or a Consultant retained by the Department to inspect and analyze all public bridges located on its Municipal Street System in compliance with the National Bridge Inspection Standards; and

WHEREAS, the Department and the Municipality are authorized to enter into an agreement for such work under the provisions of G.S. 136-18(12), G.S. 136-41.3, and G.S. 136-66.1; and,

WHEREAS, the City Council of the Municipality has approved the herein above referenced inspections and has agreed to participate in certain costs thereof in the manner and to the extent as hereinafter set out.

NOW, THEREFORE, the Department and the Municipality agree as follows:

1. The Department or a Consulting Engineering firm retained by the Department shall inspect, analyze, and prepare the necessary inspection reports for all bridges on the Municipal Street System in accordance with the National Bridge Inspection Standards.
2. All work shall be done in compliance with the following documents.
  - a. National Bridge Inspection Standards (23 CFR, Chapter 1 Part 650)
  - b. AASHTO Manual for Bridge Evaluation-2008 including all Interim Revisions.
  - c. Recording and Coding Guide for the Structure Inventory and Appraisal of the Nation's Bridges – December, 1988
3. The Municipality shall be responsible for providing any required traffic control personnel during the work period.



4. The Municipality shall furnish all data in the possession of the Municipality that can be released that will help the Department or its Consultant in the accomplishment of the work including but not limited to appropriate municipal maps showing the location of the bridges, plans for the bridges when available, and any prior inspection reports.
5. During the inspection process, some repairs may be discovered that require immediate attention or repair, or a regulatory sign may be missing, damaged, or incorrect. A Critical Finding Notice, Priority Maintenance Notice or Regulatory Sign Notice will be issued in these cases. It is required that the Municipality resolve or notify the Department of their plans to resolve Regulatory Sign Notice within one hundred and twenty (120) days of issuance. Critical Findings require a response within seven (7) days.
6. The Municipality shall designate a responsible Municipal official with whom the Department or its Consultant will coordinate the work.
7. It is understood by the parties hereto that the Federal Highway Administration, through the Department, is to participate in the costs of the work to the extent of eighty (80) percent of actual costs, subject to compliance with all applicable federal policy and procedural rules and regulations. All costs not participated in by the Federal Highway Administration shall be borne by the Municipality.
8. Upon completion of the bridge inspection, and analysis work, the Department shall invoice the municipality for accumulated project costs not participated in by the Federal Highway Administration. Upon FHWA final audit, the Department shall invoice/refund the Municipality any differences in the amount previously invoiced and the actual costs not participated in by the Federal Highway Administration. Reimbursement shall be made by the Municipality within sixty (60) days of the invoice date. After the due date, a late payment penalty and interest shall be charged on any unpaid balance due in accordance with G.S. 147-86.23 and G.S. 105-241.21 (I).
9. In the event the Municipality fails for any reason to pay the Department in accordance with the provisions for payment hereinabove provided, the Municipality hereby authorizes the Department to withhold so much of the Municipality's share of funds allocated to said Municipality by the General Statutes of North Carolina, Section 136-41.1, until such a time as the Department has received payment in full.
10. Upon completion of the work the Department shall maintain all books, documents, papers, accounting records, and such other evidence as may be appropriate to substantiate costs incurred under this agreement. Further, the Department shall make such materials available at its office for five (5) years from the date of payment of the Final Voucher by the Federal Highway Administration under this agreement, for inspection and audit by the Federal Highway Administration, or any authorized representatives of the Federal Government.

IT IS UNDERSTOOD AND AGREED that the approval of the work by the Department is subject to the conditions of this agreement, and that no expenditure of funds on the part of the Department will be made until the terms of this agreement have complied with on the part of the Municipality.

L.S Attest

City of Greenville

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Mayor

Seal of Municipality

Date: \_\_\_\_\_

Approved by \_\_\_\_\_ of the \_\_\_\_\_ as the attested to by the

Signature of \_\_\_\_\_ Clerk of the \_\_\_\_\_ on

\_\_\_\_\_ (Date)

L.S. Attest

Department of Transportation

\_\_\_\_\_  
Secretary to the Board

\_\_\_\_\_  
State Highway Administrator

Board of Transportation Seal

Date: \_\_\_\_\_



# City of Greenville, North Carolina

Meeting Date: 11/9/2  
Time: 6:00 PM

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**Title of Item:** Resolution to support the Washington-Greenville Greenway planning activities

**Explanation:** As part of the planning and development related to a bicycle trail from the City of Greenville to the City of Washington, the Washington-Greenville Greenway Planning Committee will submit a grant application to the North Carolina Department of Transportation (NCDOT) on December 6, 2009. If approved, funds from the grant will be used to develop a comprehensive greenway master plan for the trail project. Staff from the City of Greenville, Pitt County, East Carolina University, the City of Washington, and the Town of Chocowinity have already dedicated time and effort in planning the routes and maps for the submittal of the grant application.

As a requirement of the grant application, each municipality designated in the project scope must submit a resolution of support of the greenway. The City of Washington and the Town of Chocowinity have both passed resolutions of support for the Washington-Greenville Greenway. The resolution of support from the City of Greenville will make the grant application complete and thereby improve the chances of the project receiving NCDOT funding.

**Fiscal Note:** There are no costs to the City of Greenville associated with this resolution.

**Recommendation:** Adopt the resolution to support the Washington-Greenville Greenway planning activities.

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

**Attachments / click to download**

 [Washington Greenville Support Resolution Final 847685](#)

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**RESOLUTION NO. 09-\_\_\_\_**  
**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GREENVILLE**  
**IN SUPPORT OF THE WASHINGTON-GREENVILLE**  
**GREENWAY PLANNING ACTIVITIES**

WHEREAS, there is an intent of the Washington-Greenville Planning Committee to develop a greenway system between the City of Washington, the City of Greenville, and the Town of Chocowinity and the Cypress Landing neighborhood;

WHEREAS, the Washington-Greenville Planning Committee will request financial assistance from the North Carolina Department of Transportation to develop a comprehensive greenway master plan;

WHEREAS, the North Carolina Department of Transportation recommends that local government bodies support the development of projects within their jurisdiction;

WHEREAS, the City of Greenville supports intergovernmental partnerships; and

WHEREAS, the City of Greenville has made the development of a bicycle system of interconnecting roadway, routes and greenway trails a high priority, thereby providing convenient, easily accessible, healthy and environmentally positive routes;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Greenville that it does hereby express its support of the planning process to guide the Greenway Trails system between the City of Washington, the City of Greenville, the Town of Chocowinity, and the Cypress Landing neighborhood along with the implementation of said greenway system.

Adopted this the 9<sup>th</sup> of November, 2009.

\_\_\_\_\_  
Patricia C. Dunn, Mayor

Attest:

\_\_\_\_\_  
Wanda T. Elks, City Clerk



# City of Greenville, North Carolina

Meeting Date: 11/9/2  
Time: 6:00 PM

**Title of Item:** Resolutions authorizing the agreement for replacement of the current golf cart fleet at Bradford Creek Golf Course

**Explanation:** As part of the normal replacement of the golf course's golf carts, a new lease agreement needs to be signed. The current fleet is at the end of its useful life.

E-Z-Go (a division of Textron Inc.) will provide Bradford Creek with all new 2010 golf carts with no price increase from the previous lease. This is a four-year agreement. New carts will be under warranty for three years, and the City will be given the option to lease new carts after the third year of the contract. This process has been occurring at the Bradford Creek Golf Course for the past ten years.

Informal bid pricing is included as an attachment.


<b><u>Fiscal Note:</u></b>	Four (4) year lease for 65 new golf carts:	\$3,328.30/month
	Four (4) year lease for 7 utility vehicles:	<u>669.01/month</u>
	TOTAL LEASE AMOUNT:	\$3,997.31/month

Funds are available in the current Golf Course budget for the 2009-2010 lease payments.


**Recommendation:** Adopt the attached resolutions to complete the lease transaction with Textron Inc. for 72 EZ-Go vehicles for \$3,997.31/month.

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

**Attachments / click to download**

 [Resolution and Certificate of Incumbancy Lease Number 127652000 846165](#)

 [RESOLUTION AND CERTIFICATE OF INCUMBANCY LEASE NUMBER 127624000 846054](#)

 [Golf cart lease bids 2009 847811](#)

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**RESOLUTION NO. 09-  
RESOLUTION APPROVING LEASING FROM TEXTRON INC.  
SEVEN UTILITY VEHICLES FOR BRADFORD CREEK GOLF COURSE**

WHEREAS, City of Greenville (“Lessee”), a body politic and corporate duly organized and existing as a municipal corporation of the State of North Carolina (“State”), is authorized by the laws of the State to purchase, acquire and lease certain equipment and other property for the benefit of the Lessee and its inhabitants and to enter into contracts with respect thereto;

WHEREAS, pursuant to applicable law, the City Council of the City of Greenville (“Governing Body”) is authorized to acquire, dispose of and encumber real and personal property, including, without limitation, rights and interest in property, leases and easements necessary to the functions or operations of the Lessee;

WHEREAS, the Governing Body hereby finds and determines that the execution of a Lease Agreement (“Lease”) in an amount not exceeding the amount of \$32,112.48 for the purpose of leasing seven utility vehicles (“Equipment”) is appropriate and necessary to the functions and operations of the Lessee; and

WHEREAS, Textron Inc. (“Lessor”) shall act as Lessor under said Lease.

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

Section 1. The lease of seven utility vehicles for Bradford Creek Golf Course from Textron Inc. for an amount not to exceed \$32,112.48 is hereby approved. Wayne Bowers, City Manager, (“Authorized Representative”) acting on behalf of the Lessee, is hereby authorized to negotiate, enter into, execute, and deliver a Lease relating to the lease of seven utility vehicles for Bradford Creek Golf Course. The Authorized Representative acting on behalf of the Lessee is hereby authorized to negotiate, enter into, execute, and deliver such other documents relating to the Lease as the Authorized Representative deems necessary and appropriate. All other related contracts and agreements necessary and incidental to the Lease are hereby authorized.

Section 2. By a written instrument signed by the Authorized Representative, said Authorized Representative may designate specifically identified officers or employees of the Lessee to execute and deliver agreements and documents relating to the Lease on behalf of the Lessee.

Section 3. The Lessee’s obligations under the Lease shall be subject to annual appropriation or renewal by the Governing Body as set forth in the Lease and the Lessee’s obligations under the Lease shall not constitute general obligations of the Lessee or indebtedness under the Constitution or laws of the State.



Section 4. This resolution shall take effect immediately upon its adoption and approval.

This the 9th day of November, 2009.

\_\_\_\_\_  
Patricia C. Dunn, Mayor

ATTEST:

\_\_\_\_\_  
Wanda T. Elks, City Clerk

**RESOLUTION NO. 09-  
RESOLUTION APPROVING LEASING FROM TEXTRON INC.  
SIXTY FIVE GOLF CARS FOR BRADFORD CREEK GOLF COURSE**

WHEREAS, the City of Greenville (“Lessee”), a body politic and corporate duly organized and existing as a municipal corporation of the State of North Carolina (“State”), is authorized by the laws of the State to purchase, acquire and lease certain equipment and other property for the benefit of the Lessee and its inhabitants and to enter into contracts with respect thereto;

WHEREAS, pursuant to applicable law, the City Council of the City of Greenville (“Governing Body”) is authorized to acquire, dispose of and encumber real and personal property, including, without limitation, rights and interest in property, leases and easements necessary to the functions or operations of the Lessee;

WHEREAS, the Governing Body hereby finds and determines that the execution of a Lease Agreement (“Lease”) in an amount not exceeding \$159,806.40 for the purpose of leasing sixty five golf cars (“Equipment”) is appropriate and necessary to the functions and operations of the Lessee;

WHEREAS, Textron Inc. (“Lessor”) shall act as Lessor under said Lease.

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

Section 1. The lease of sixty five golf cars for Bradford Creek Golf Course from Textron Inc. for an amount not to exceed \$159,806.40 is hereby approved. Wayne Bowers, City Manager, (“Authorized Representative”) acting on behalf of the Lessee, is hereby authorized to negotiate, enter into, execute, and deliver a Lease relating to the lease of sixty five golf cars for Bradford Creek Golf Course. The Authorized Representative acting on behalf of the Lessee is hereby authorized to negotiate, enter into, execute, and deliver such other documents relating to the Lease as the Authorized Representative deems necessary and appropriate. All other related contracts and agreements necessary and incidental to the Lease are hereby authorized.

Section 2. By a written instrument signed by the Authorized Representative, said Authorized Representative may designate specifically identified officers or employees of the Lessee to execute and deliver agreements and documents relating to the Lease on behalf of the Lessee.

Section 3. The Lessee’s obligations under the Lease shall be subject to annual appropriation or renewal by the Governing Body as set forth in the Lease and the Lessee’s obligations under the Lease shall not constitute general obligations of the Lessee or indebtedness under the Constitution or laws of the State.

Section 4. This resolution shall take effect immediately upon its adoption and approval.

This the 9th day of November, 2009.

\_\_\_\_\_  
Patricia C. Dunn, Mayor

ATTEST:

\_\_\_\_\_  
Wanda T. Elks, City Clerk

<b>BID TABULATION for Golf Cars</b>			
<b>DUE DATE: October, 2009</b>			
	<b>BIDDERS</b>		
	<b>E-Z-GO</b>	<b>Club Car</b>	<b>Yamaha</b>
1. Gasoline Golf Carts w/ Maintenance & 4 yr Lease			
a. Monthly Lease Amount per Cart	\$56.81	\$58.50	\$65.68
b. Annual Lease Amount per Cart	\$681.72	\$702.00	\$788.16
c. Total Lease per Cart	\$2,726.88	\$2,808.00	\$3,152.64
MFG & MODEL	E Z GO	CLUB CAR	YAMAHA
MPG	23-28 mpg	11-28 MPG	28.88 MPG
E-Z-GO will allow club to pay \$51.22 per car per month as their service technician lives less than 10 minutes from club and will continue to perform warranty service and help save the club an additional \$5+ per car per month.	\$51.22		



# City of Greenville, North Carolina

Meeting Date: 11/9/2  
Time: 6:00 PM

**Title of Item:** Resolution abandoning a Greenville Utilities Commission electrical easement on property located off Oakley Road

**Explanation:** Greenville Utilities Commission (GUC) has received a request from a property owner to abandon a 30' wide existing utility easement across private property off North Carolina State Road 1517 (Oakley Road). GUC staff has reviewed the request and has no need for the easement.

The GUC Board, at their meeting on October 20, 2009, adopted a resolution to abandon the easement and recommend a similar resolution and deed of release be executed by the City.

**Fiscal Note:** No cost to the City of Greenville.

**Recommendation:** Adopt the attached resolution abandoning the easement and authorize the Mayor to execute a deed of release.

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

**Attachments / click to download**

[Resolution for Easement Abandonment](#)

[Attachments A & B](#)

RESOLUTION \_\_\_\_\_

RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF GREENVILLE, NORTH CAROLINA, ABANDONING  
AN EXISTING THIRTY FOOT (30') WIDE ELECTRICAL EASEMENT OFF OAKLEY ROAD  
(N.C.S.R. 1517) ACROSS PROPERTY OF LOUIS HENRY WALLACE  
ACROSS PARCEL #023210, AS SHOWN ON  
MB 5, PG 179, PITT COUNTY PUBLIC REGISTRY,  
AND AUTHORIZING EXECUTION OF DEED OF RELEASE

Attachment number 1  
Page 1 of 2

WHEREAS, Greenville Utilities Commission of the City of Greenville, North Carolina (hereinafter referred to as "Commission") heretofore obtained a thirty foot (30') wide Electrical Easement across property now owned by Louis Henry Wallace in the Carolina Township, Pitt County North Carolina, which said property is denominated Tax Parcel #023210, according to the records in the office of the Tax Assessor and Tax Collector of Pitt County, NC; and

WHEREAS, such thirty foot (30') wide Electrical Easement heretofore granted to Commission is no longer needed by the Commission; and

WHEREAS, the Commission anticipates no future use for such thirty foot (30') wide Electrical Easement, hereinafter to be abandoned; and

WHEREAS, the Commission desires to abandon such thirty foot (30') wide Electrical Easement more particularly described on that certain map marked Exhibit "A" entitled "Final Plat for Louis Henry Wallace, Carolina Township - Pitt County North Carolina", dated December 23, 2002, prepared by Randolph P. Nicholson, Professional Land Surveyor, No. L-2740, Roanoke Land Surveying. PO Box 1193 Williamston, NC, telephone (252)792-2276, and to which reference is hereby made for a more particular and accurate description of the thirty foot (30') wide Electrical Easement to be abandoned; and

WHEREAS the current owner of such property, Louis Henry Wallace has requested that the City of Greenville and the Greenville Utilities Commission abandon such thirty foot (30') wide Electrical Easement all is shown on Exhibit "A", and is more particularly described in Exhibit "B" which are attached hereto; and

WHEREAS Greenville Utilities Commission deems such abandonment to be reasonable and in the best interest of the Commission and all parties and hereby requests that the City of Greenville acknowledge such abandonment and release of such thirty foot (30') wide Electrical Easement, all as is shown on such plat as to be abandoned as hereinabove described and to execute a Deed of Release in favor of the current property Owners.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Greenville, in Regular Session held in the Council Chambers of City Hall in the City of Greenville, North

Carolina, on the \_\_\_\_ day of \_\_\_\_\_, 2009, as follows:

1. That the City Council of the City of Greenville does hereby abandon the thirty foot (30') wide Electrical Easement all as is shown on map entitled "Final Plat for Louis Wallace and wife, Kim Wallace, Carolina Township - Pitt County, North Carolina", dated December 23, 2002, prepared by Randolph P. Nicholson, Professional Land Surveyor No. L-2740, Roanoke Land Surveying. PO Box 1193 Williamston, NC, telephone (252)792-2276, a copy of which is marked Exhibit "A," and is attached hereto, and to which reference is hereby made for a more particular and accurate description of the thirty foot (30') wide Electrical Easement to be abandoned and which such Easement is more particularly described in correspondence from Berry Gray, Planner I, with the Pitt County Planning Department, dated April 16, 2002, addressed to William C. Laughinghouse which marked Exhibit "B" and attached and made a part hereof.

Attachment number 1  
Page 2 of 2

2. That the appropriate City officials be and they hereby are empowered to make execute and deliver to Louis Henry Wallace, the current owner of the property encumbered by such thirty foot (30') wide Electrical Easement to be abandoned, an instrument in a form suitable for recording, releasing whatever interest the City and Greenville Utilities Commission might have in and to the portion of their property encumbered by the thirty foot (30') wide Electrical Easement to be abandoned as herein above described.

Adopted this the \_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
PATRICIA C. DUNN, MAYOR

ATTEST:

\_\_\_\_\_  
WANDA T. ELKS, CITY CLERK

[SEAL]

**References**

W.B. 96-E PG. 650  
D.B. 1095 PG. 230  
M.B. 5 PG. 179  
TRACT 2

**Note**

Subject to  
regs. and/or  
record and  
TAX PARCEL IN  
STATION HOUSE  
4 1/2 MILES TO  
NO COUNTY WA  
THE PROPERTY  
COMMUNITY PA  
EFFECTIVE DATE  
ELECTRIC PROV  
WATER - WELL  
SEPTIC TANK IN  
COUNTY ENVIR  
TOTAL NUMBER  
146,602 +/- S

**SETBACKS**

FRONT - 40'  
SIDES - 10'  
REAR - 10'

I certify that:

- The survey creates a subdivision of land not or municipality that has an ordinance II
- The survey is located in a portion of a town unregulated as to an ordinance that reg
- The survey is of an existing parcel or parcel not create a new street or change on a
- The survey is of an existing building or other natural feature, such as a watercourse
- The survey is a control survey.
- The survey is of another category, such as existing parcels, a court-ordered survey, the definition of subdivision.
- The information available to the surveyor's survey is unable to make a determination surveyor's professional ability, or to pro

**ACCURACY:**

I, Randy J. Nichols, Surveyor, do hereby certify that this map was prepared under my direction in accordance with the provisions of the laws of North Carolina, and that the same are true and correct to the best of my knowledge and belief, and that I am a duly licensed Surveyor in the State of North Carolina.

*Randy J. Nichols*  
Surveyor

North Carolina County

I, a duly qualified and sworn Surveyor, do hereby certify that this map was prepared under my direction in accordance with the provisions of the laws of North Carolina, and that the same are true and correct to the best of my knowledge and belief, and that I am a duly licensed Surveyor in the State of North Carolina.

DECEMBER 23, 2002

FINAL PLAT FOR  
**LOUIS WALI**  
AND WIFE  
**KIM WALI**  
CAROLINA TOWNSHIP - PIT

**ROANOKE**  
**LANE**

P.O. BOX 1193  
WILLIAMSTON, N.C. WINDSOR, N.C.

**CALVIN EARL BRILEY**  
M.B. 5 PG. 179

146,602 +/- SQ. FT.  
3.37 +/- ACRES

TYSON ESTATE  
PG. 650  
79  
2

CIS TYSON ESTATE  
PG. 650  
17

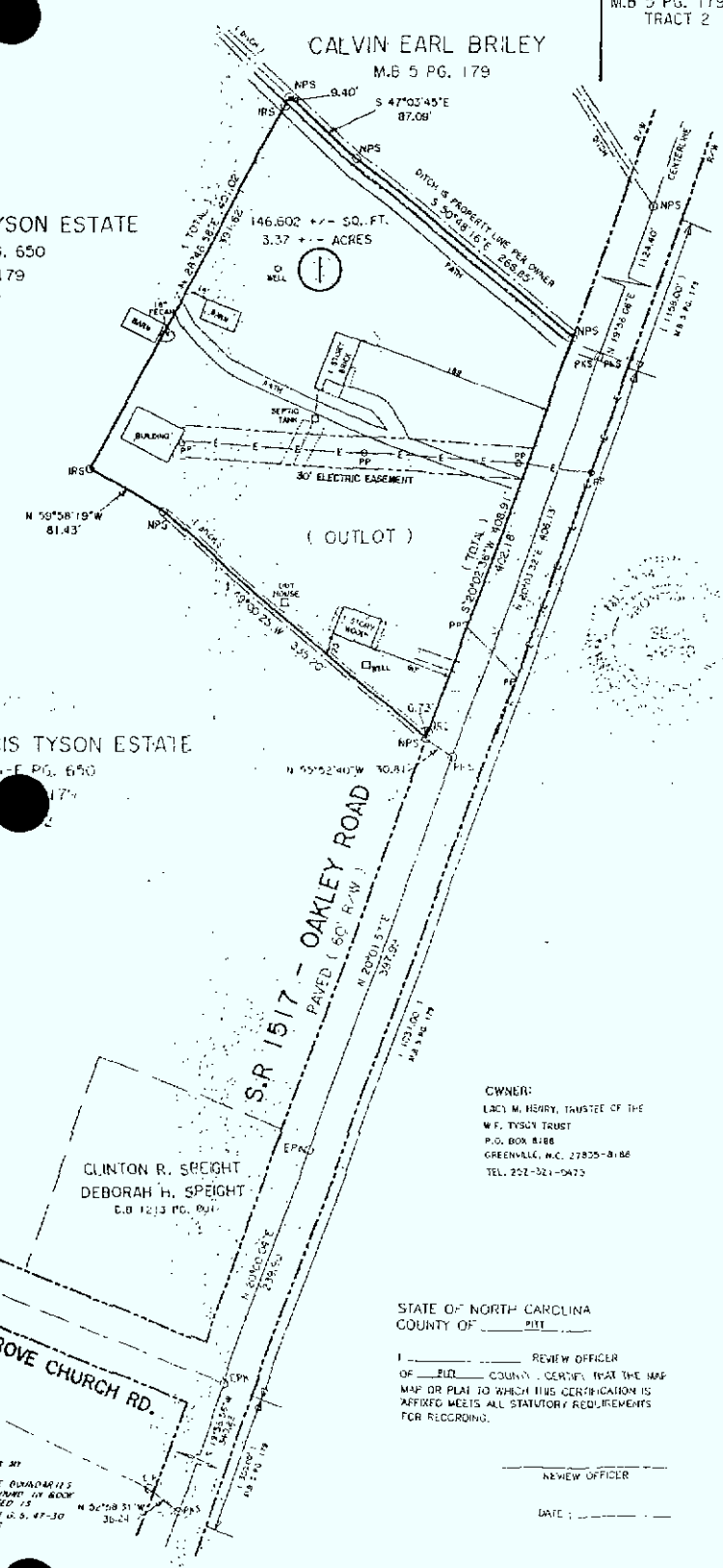
OWNER:  
LACI M. HENRY, TRUSTEE OF THE  
W.F. TYSON TRUST  
P.O. BOX 8186  
GREENVILLE, N.C. 27825-8186  
TEL. 252-521-9423

STATE OF NORTH CAROLINA  
COUNTY OF \_\_\_\_\_

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

REVIEW OFFICER

DATE: \_\_\_\_\_





**References**

096-E PG. 650  
096 PG. 280  
096 PG. 179  
TRACT 2

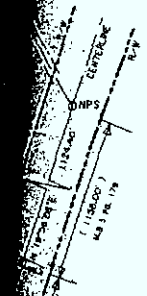
**Notes**

*Subject to all R/W's, easements, zoning  
regs. and/or restrictive covenants of  
record and not shown, hereon.*

TAX PARCEL # 023210  
STATION HOUSE FIRE DISTRICT  
4 +/- MILES TO FIRE STATION AND FIRE HYDRANT  
NO COUNTY WATER AVAILABLE - NO FIRE HYDRANTS  
THE PROPERTY IS LOCATED IN FLOOD ZONE A  
COMMUNITY PANEL # 370372 0150 B  
EFFECTIVE DATE: SEPTEMBER 14, 1990  
ELECTRIC PROVIDER - GREENVILLE UTILITIES COMMISSION  
WATER - WELL WATER  
SEPTIC TANK INFORMATION AND LOCATION PER PITT.  
COUNTY ENVIRONMENTAL HEALTH DIVISION; PERMIT # 864-79  
TOTAL NUMBER OF LOTS: \* 1  
146,602 +/- SQ. FT. - 3.37 +/- ACRES

**SETBACKS**

FRONT - 40'  
SIDES - 10'  
REAR - 10'



I certify that:

- The survey creates a subdivision of land within the area of a county or municipality that has an ordinance that regulates land.
- The survey is located in a portion of a county or municipality that is unregulated as to an ordinance that regulates parcels of land.
- The survey is of an existing parcel or parcels of land and does not create a new street or change an existing street.
- The survey is of an existing building or other structure, or natural feature, such as a watercourse.
- The survey is a control survey.
- The survey is of another category, such as the recombination of existing parcels, a court-ordered survey, or other exception to the definition of subdivision.
- The information available to the surveyor is such that the surveyor is unable to make a determination in the best of the surveyor's professional ability as to provisions listed above.

**AGREEMENT**

I, the undersigned, certify that this and past surveys were made under oath and were true and correct to the best of my knowledge and belief at the time the same were made. I further certify that the boundaries and areas shown on this and past surveys are true and correct to the best of my knowledge and belief at the time the same were made.

*Handwritten signature of the surveyor*

North Carolina, \_\_\_\_\_ County

I, a duly sworn and qualified surveyor, certify that \_\_\_\_\_ is a true and correct copy of a plat of a subdivision of land as shown on the original land survey, previously approved before me and registered in the records of the proper authority. Witness my hand and official stamp, at \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

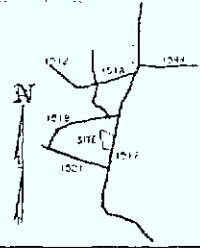
DECEMBER 23, 2002

SCALE: 1" = 100 FEET

FINAL PLAT FOR:  
**LOUIS WALLACE**  
AND WIFE  
**KIM WALLACE**  
CAROLINA TOWNSHIP - PITT COUNTY, NORTH CAROLINA

**ROANOKE**  
**LAND**  
**SURVEYING**

P.O. BOX 1193  
WILLIAMSTON, N.C. WINDSOR, N.C. GREENVILLE NC (NIGHTS)



**LEGEND**

AC - AREA  
 ESM - EXISTING CURB ETE MONUMENT  
 EP - EXISTING 6" R PIPE  
 EPM - EXISTING 10" R PIPE  
 ES - EXISTING SW MANHOLE  
 EMS - EXISTING SW MANHOLE  
 ER - EXISTING 8" R MANHOLE  
 ER - EXISTING 10" R MANHOLE  
 S - SIGHT OF WAY  
 SP - SQUARE PLOT  
 SM - EXISTING MANHOLE  
 ESM - EXISTING MANHOLE SYMBOL  
 CUB - CURB MONUMENT SET  
 EUBCAP - EXISTING SW MANHOLE CUP  
 CL - CENTER LINE  
 PP - POWER POLE  
 TP - TELEPHONE POLE  
 LP - LIGHT POLE  
 LL - LEGAL LINE  
 TL - TELEPHONE LINES  
 WPS - WIDE POINT SET  
 HS - MAIL SET  
 IS - IRON STAKE FOUND  
 ST - STOP MARKER  
 MM - MANHOLE  
 WM - WATER METER  
 CO - CONTRAIL OTHER

**Area by DMD**

146,602 +/- SQ. FT.  
3.37 +/- ACRES

VICINITY MAP  
(NOT TO SCALE)

WILLIAM FRANCIS TYSON ESTATE  
W.B. 96-E PG. 650  
M.B 5 PG. 179  
TRACT 2

**APPROVAL FOR RECORDING:**

I certify that the subdivision plot shown herein has been found to comply with the subdivision regulations of Pitt County, North Carolina, and is approved for recording by the Pitt County Register of Deeds.

Subdivision Administrator

DATE

**OWNERSHIP AND DEDICATION**

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED BY THIS PLOT AND THAT I HAVE ADOPTED THIS ADDITION PLAN WITH WITHOUT RESERVE CONCERNING ALL EASEMENTS, SETBACKS, AND OTHER ASPECTS OF THE SUBDIVISION AND DEDICATE ALL STREETS, WALKS, PARKS, AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS SHOWN.

**NOTICE TO RECORDERS**

A TRUE AND CORRECT COPY OF THE COUNTY ORDINANCES PERTAINING TO THE SUBDIVISION OF LAND IS AVAILABLE FOR PUBLIC INSPECTION AT THE COUNTY REGISTER'S OFFICE AND MAY BE OBTAINED BY REQUESTING THE CLERK OF THE REGISTER'S OFFICE. WITNESS MY HAND AND OFFICIAL SEAL ON THIS DAY OF \_\_\_\_\_ 19\_\_.

NOTARY PUBLIC

BY COMMISSION EXPIRES

**COUNTY ACCEPTANCE OF DEDICATION:**

I hereby certify that Pitt County has accepted this dedication as a public street, easements, rights-of-way, and parks shown herein, but assuming no responsibility to users of such public streets. (If B. The County has no authority to maintain streets.)

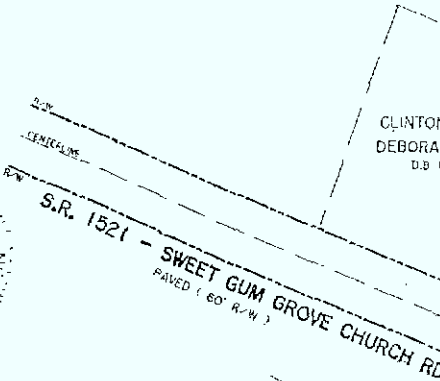
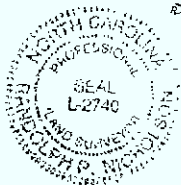
Pitt County Manager

DATE

**NOTE:**

EVERY DOCUMENT OF RECORD REVIEWED AND CONSIDERED AS PART OF THIS SURVEY IS NOTED HEREIN AND ABSTRACT OF TITLE, NOT TRILL COMMITMENT, NOR RESULTS OF TITLE SEARCHES WERE FURNISHED THE SURVEYOR, THERE MAY BE OTHER DOCUMENTS OF RECORD THAT WOULD AFFECT THIS PARCEL.

- 1. RECD BY MON ... PAGE ...
- 2. AS NOTED



RANDOLPH P. MICHAELSON CERTIFIES THAT THIS PLOT WAS DRAWN UNDER HIS SUPERVISION FROM AN ORIGINAL SURVEY MADE UNDER HIS SUPERVISION UNDER DESIGNATION ASSIGNED IN MON. SEC. PAGE 186-187 THAT THE DOCUMENTS NOT SURVEYED ARE CLEARLY INDICATED BY SHOWN IN BLUE IN INFORMATION SHOWN IN MON. SEC. PAGE ... THAT THE RATIO OF PRECISION AS CALCULATED IS ... THIS PLOT WAS PREPARED IN ACCORDANCE WITH G.S. 87-30 AS REVISED ... WITNESS MY ORIGINAL SIGNATURE AND STAMP HEREON THIS ... DAY OF ... 19\_\_.

RANDOLPH P. MICHAELSON  
L-2740

EXHIBIT "B"



PITT COUNTY  
PLANNING DEPARTMENT  
DEVELOPMENT SERVICES BUILDING  
1717 W. 5TH STREET  
GREENVILLE, NORTH CAROLINA 27834-1696  
TELEPHONE: (252) 902-3250  
FAX: (252) 830-2576

JAMES F. RHODES, AICP  
DIRECTOR

April 16, 2002

William C. Laughinghouse  
PO Box 7221  
Greenville, NC 27835

Dear Mr. Laughinghouse:

This letter is to advise you that your preliminary plat for BARRY FURLOUGH was conditionally approved by the Pitt County Planning Department on April 16, 2002. Enclosed please find a copy of the conditionally approved plat and the review agencies' requirements and conditions placed on the approval. Also included are general comments concerning the site.

Conditional approval of the plat authorizes you to begin the preparation of a construction plan, if needed, or a final plat. If the lots have not been evaluated, the results of such evaluation may make necessary the submittal of a construction plan prior to the final plat, especially when substantial drainage improvements are needed. It is the developer's responsibility to contact the Pitt County Planning Department to determine if a construction plan is required, once the lots have been evaluated.

Information required for a Sedimentation and Erosion Control Plan should be included on the construction plan if more than one acre of land-disturbing activity is anticipated or if the Pitt County Planning Department has indicated that such information is needed. Contact the Pitt County Planning Department at (252) 902-3250 regarding this matter.

A final plat, or construction plan, if required, must be submitted within twenty-four (24) months after preliminary plat approval or such approval is null and void. Procedures and requirements relative to the final plat are outlined in the Subdivision Ordinance. The following items are specifically called to your attention and must be completed prior to final plat submittal:

- OWNER**
- 1) Each lot shown on the final plat must be evaluated by the Environmental Health Section of the Pitt County Health Department;
  - 2) All requirements and conditions placed on the preliminary plat must be met; *RLS*
  - 3) Any off-site easements must be acquired and evidence of such acquisition shall be *RLS*

*dis. 5/15/02 04/13 1-16-02 RLS*

BARRY FURLOUGH, located on SR 1517 (Oakley Road) north of its intersection with SR 1521 (Sweet Gum Grove Church Road) in Carolina Township.

Site Data: 2.13 acres, 1 lots

CONDITIONS AND REQUIREMENTS

[Environmental Health Division]

1. Needs to show the existing septic tank system on final plat.

[Greenville Utilities Commission]

2. Add 30' electric easement centered along existing electric line. **RLS**

[Planning Department]

3. Add name, address and telephone number of landowner to final plat. **RLS**

4. Add tax parcel number to final plat. **RLS**

5. Add fire district and distance to nearest fire hydrant and fire department to final plat. **RLS**

6. Number the lot and show square footage on final plat. **RLS**

7. List the flood designation of the property to final plat. **RLS**

8. Summary site data needed on final plat (total number of lots, total acreage of subdivision). **RLS**

9. List electric and water provider on final plat. **RLS**

**OWNER NEEDS PERMIT TO US**



GENERAL COMMENTS

- \* Soil types for this development possesses the following characteristics:
  - a. seasonal high water table; and
  - b. shrink-swell potential (high or moderate).
- \* Soil types on this site are:
  - a. Exum fine sandy loam; and
  - b. Ocilla loamy fine sand.
- \* Soils are prime farmland or have statewide importance for farming. Development will remove the site from agricultural production.
- \* This development is located within the 100-year floodplain. **X**
- \* Erosion control plan is not required unless an acre or more of land is disturbed.
- \* The following agencies have reviewed the preliminary plat for BARRY FURLOUGH and have no comments to make:

Pitt County Engineering Department  
 Pitt County Emergency Services  
 NC Department of Transportation

EXHIBIT "B"

- 4) submitted separately in writing or on the final plat; and  
A financial guarantee shall be submitted in accordance with Section 2.9.B. of the Subdivision Ordinance for any incomplete improvements.

If you have any questions concerning the submittal requirements or the enclosed requirements and conditions, please contact the Pitt County Planning Department or the respective review agency.

Sincerely,



Berry Gray  
Planner I

Enclosure

cc: Roanoke Land Surveying

9 : 84 278:01 60-21-00

EXHIBIT



# City of Greenville, North Carolina

Meeting Date: 11/9/2  
Time: 6:00 PM

**Title of Item:** Water and sewer capital project budget ordinances for Greenville Utilities Commission's Portertown Road Bridge Replacement Project

**Explanation:** The North Carolina Department of Transportation (NCDOT) has plans to replace the existing bridge over Hardee Creek on Portertown Road (State Road 1726). As a result of the bridge replacement work, it will be necessary for the NCDOT to relocate certain utility lines and make bridge design adjustments in order to avoid conflict with other existing utility lines located within the road right-of-way.

In accordance with NCDOT policy, the cost for the relocation of the utilities is the responsibility of the utility owner. The cost to Greenville Utilities for relocation of the water line is estimated to be \$90,000. To avoid actual relocation of the sewer, estimated to cost \$200,000, NCDOT has offered GUC the option to pay for modifications in the bridge construction that will not require actual relocation of the sewer line. The additional construction cost for the bridge modification is \$145,000.

Funds for this project will come from:

\$90,000 Water Fund Interest Earnings on Series 2008A Bonds

\$105,000 Sewer Fund Interest Earnings on Series 2008A Bonds

\$40,000 Sewer Fund Capital Projects Fund Balance

The GUC Board, at their meeting on October 20, 2009, adopted the Water & Sewer Capital Projects Budgets for this work and recommended similar action by the City Council.

**Fiscal Note:** No cost to the City of Greenville.

**Recommendation:** Adoption of attached Water & Sewer Capital Projects Budget Ordinances.

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

**Attachments / click to download**

 [Water Capital Projects Budget Ordinance](#)

 [Sewer Capital Projects Budget Ordinance](#)

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ORDINANCE NO. 09-\_\_\_\_\_

FOR WATER CAPITAL PROJECT BUDGET  
PORTERTOWN ROAD BRIDGE REPLACEMENT PROJECT

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

Section 1. Revenues. Revenues of Water Capital Project Budget, Portertown Road Bridge Replacement Project, is hereby established to read as follows:

Revenue:

Interest Income - Series 2008A Bonds	<u>\$90,000</u>	
Total Revenue		<u>\$90,000</u>

Section 2. Expenditures. Expenditures of the Water Capital Project Budget, Portertown Road Bridge Replacement Project, is hereby established to read as follows:

Expenditures:

Project Cost	<u>\$90,000</u>	
Total Expenditures		<u>\$90,000</u>

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

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

Adopted this the \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Patricia C. Dunn, Mayor

ATTEST:

\_\_\_\_\_  
Wanda T. Elks, City Clerk



ORDINANCE NO. 09-\_\_\_\_\_

FOR SEWER CAPITAL PROJECT BUDGET  
PORTERTOWN ROAD BRIDGE REPLACEMENT PROJECT

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

Section 1. Revenues. Revenues of Sewer Capital Project Budget, Portertown Road Bridge Replacement Project, is hereby established to read as follows:

Revenue:

Capital Project Fund Balance	\$40,000	
Interest Income - Series 2008A Bonds	<u>\$105,000</u>	
Total Revenue		<u><u>\$145,000</u></u>

Section 2. Expenditures. Expenditures of the Sewer Capital Project Budget, Portertown Road Bridge Replacement Project, is hereby established to read as follows:

Expenditures:

Project Cost	<u>\$145,000</u>	
Total Expenditures		<u><u>\$145,000</u></u>

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

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

Adopted this the \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Patricia C. Dunn, Mayor

ATTEST:

\_\_\_\_\_  
Wanda T. Elks, City Clerk



# City of Greenville, North Carolina

Meeting Date: 11/9/2  
Time: 6:00 PM

**Title of Item:** Various tax refunds

**Explanation:** The Director of Financial Services reports the refund of the following taxes:

<u>Payee</u>	<u>Description</u>	<u>Amount</u>
Bavarian Motor Works Financial Services	Refund of City Taxes Paid	\$ 111.40
Mable M. Flake Life Estate	Refund of City Taxes Paid	\$ 433.93

**Fiscal Note:** The total amount to be refunded is \$545.33.

**Recommendation:** Approval of the listed tax refunds.

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

Attachments / click to download

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# City of Greenville, North Carolina

Meeting Date: 11/9/2  
Time: 6:00 PM

**Title of Item:** Status report on the ordinance requiring the repair or the demolition and removal of the dwelling located at 609 Wyatt Street

**Explanation:** During the June 8, 2009 City Council meeting, Mr. Jeff Savage, who represented the family members, requested that the Council grant a 90-day extension to the demolition order for the property at 609 Wyatt Street to allow time for him to secure the exterior of the dwelling so that it will not present a public hazard.

The house is slated for demolition. The original order was approved and adopted by Council June 14, 2007.

Utilities were disconnected to this property on June 27, 2000. A temporary utility pole was disconnected on March 19, 2009.

The current land value of the property is \$2,100 and the building value is \$575, for a total tax value of \$2,675.

The estimated cost to repair the dwelling is \$66,931.85. Taxes are current. Judgments against the property as of May 26, 2009 were \$11,309.99.

A code enforcement history was presented to Council during the June 8, 2009 meeting that indicated 16 code enforcement issues at the address since 2001, ranging from public nuisance, minimum housing violations, weeded lots, and abandoned structure.

The first minimum housing case on this property was initiated on June 10, 2005. Notification letters were sent to the property owner advising of the case and a hearing date was set for June 21, 2005. The second notification was sent on June 20, 2005. At the property owner's request, the preliminary hearing was waived. In the second notification letter, it was noted that the cost of repairs required were estimated to be more than 50% of the total value of the home. The findings

of fact revealed that the owner agreed to make repairs to the property and confirmed that the property was currently vacant. The findings of fact further ordered the owner of the dwelling to either bring the property into compliance with minimum housing standards or demolish the property by September 20, 2005.

On October 7, 2005, the Chief Building Inspector condemned the property. There is no record of any action or attempts for compliance by the property owner during the year 2006.

On February 23, 2007, Code Enforcement initiated a case for abandoned structure on this property. A hearing date was set for March 19, 2007. Notification was sent to the property owner, and the owner failed to appear at the hearing. On March 19, 2007, the finding of fact revealed that the structure violated the minimum standards of fitness and the requirements of Sections 9-1-71 through 9-1-79 of the Greenville City Code by reason of the following conditions existing in and about the structure—the roof had caved in, the exterior walls needed painting, and the house was ruled as unsafe. The owner was ordered by Code Enforcement to bring the structure into compliance by May 23, 2007, and he did not do so.

On June 14, 2007, the City Council adopted an ordinance requiring the repair or demolition of the property within 90 days. In order for the owners of the property to bring the structure into compliance with the ordinance, the property would have to have been improved or demolished by September 14, 2007.

On June 10, 2008, a building permit was issued for the property, but it expired on December 11, 2008. According to the Chief Building Inspector, there have been no requests for inspections for any work conducted on the property. There are currently no active building permits for the property.

At the June 8, 2009 meeting, the City Council gave the owners 90 days to come up with a plan on how they are going to proceed with the rehabilitation of the home and to have the owners work with Code Enforcement and Community Development to bring back the plan and to have the dwelling secured immediately.

On September 2, 2009, Code Enforcement conducted a follow-up inspection of this property. This inspection revealed the property was still not in compliance as directed by ordinance and no discernible work has been completed to comply with the ordinance.

At the September 10, 2009 City Council meeting, following the expiration of the 90-day extension, Code Enforcement staff reported that no plan for compliance had been submitted by the owner. Attached are recent photographs of the property. Mr. Savage, representing the owner, presented the attached letter indicating the proposed plans for bringing the house into compliance with

City codes.

On September 10, 2009, a motion was approved by the City Council to continue this item to the November 9, 2009 meeting and ask Mr. Savage to work with staff to come up with a concrete plan and Ms. Council work with Mr. Savage to help him come up with the funds.

**Fiscal Note:** Approximate costs for asbestos inspection abatement and demolition of the dwelling will be between \$6,500 and \$7,000.

**Recommendation:** Proceed with the demolition and removal of the dwelling located at 609 Wyatt Street.

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

Attachments / click to download

 [Letters re 609 Wyatt St](#)

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DATE: September 10, 2009

FROM: Jeffrey E. Savage (On behalf of property owner, Mrs. Billie P. Savage)  
POB 632, Greenville, North Carolina 27835 (252)347-5620

TO: Greenville Mayor Pat Dunn, Council Members Mildred Council, Rose  
Glover, Max Joyner, Bryant Kittrell, Calvin Mercer and Larry Spell

REFERENCE: Savage Family Property Restoration  
609 Wyatt Street  
Greenville, NC 27834

Thank you for the review of the above mentioned property. Our family's desire to restore our home place remains a fervent goal shared by all family members. While each of us has our own individual family matters, the ability to devote resources necessary toward its restoration is an idea to which we are committed in the near term.

Immediately, as we previously discussed, we secured the property and blocked unauthorized access to the property consistent with the City's guidelines. This property, while boarded, will initially need painting to improve the exterior's appearance and poses neither a threat to the public's health, nor to its safety.

To this date, we have drawn plans to renovate the interior and exterior of the property. There are three stages: 1) Strengthen the foundation; 2) complete roofing repairs; and 3) install electrical wiring and plumbing. Initial cost estimates are approximately \$31,500.00. We will first strengthen the foundation and complete the roofing repairs. Required permits will be secured upon submission of these plans. Our initial goal is to bring the house in compliance with city code and to have the property no longer considered for demolition.

Our family looks forward to our mother moving in as soon as possible. Our goal is to have the property in compliance and occupied by next summer, if not sooner.

Thank you, Mayor and City Council Members for your leadership. We further thank the city staff for their professionalism and for their sensitivity to my family and to this property. We remain very proud to call Greenville home.

DATE: September 10, 2009

FROM: Mrs. Wilma Ward, 1605 Henry Street, Greenville, NC

TO: Greenville Mayor Pat Dunn, Council Members Mildred Council, Rose Glover, Max Joyner, Bryant Kittrell, Calvin Mercer and Larry Spell

REFERENCE: Savage Family Property Restoration  
609 Wyatt Street  
Greenville, NC 27834

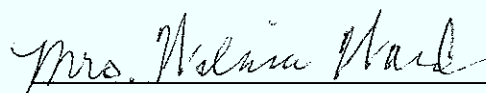
Thank you for considering my opinion on the above mentioned property.

I am a longtime resident at 1605 Henry Street. I was born and raised in this community. We have a mostly quiet and peaceful neighborhood. I am very familiar with the house in questioned located at 609 Wyatt Street. In the interest of full disclosure, Mrs. Savage is my sister and I love her dearly. I can assure you the property does not impose any concerns to me whatsoever. I am aware that it is presently unoccupied and I am aware of its present condition.

I support my sister's efforts to restore the dwelling and look forward to it enhancing our already peaceful and quiet neighborhood and to having her as my neighbor.

Should further information be required of me, kindly contact me at the above address or call 252-367-1045.

Respectfully submitted,



Owner/resident

Mrs. Wilma Ward

DATE: September 10, 2009

FROM: Mr. Jasper Payton, 701 Wyatt Street, Greenville, NC

TO: Greenville Mayor Pat Dunn, Council Members Mildred Council, Rose Glover, Max Joyner, Bryant Kittrell, Calvin Mercer and Larry Spell

REFERENCE: Savage Family Property Restoration  
609 Wyatt Street  
Greenville, NC 27834

Thank you for considering my opinion on the above mentioned property.

I am a longtime resident at 701 Wyatt Street. We have a mostly quiet and peaceful neighborhood. I am familiar with the house in questioned located at 609 Wyatt Street. The property does not impose any concerns to me whatsoever. I am aware that it is presently unoccupied and I am aware of its present condition.

I support the Savage family's efforts to restore the dwelling and look forward to it enhancing our already peaceful and quiet neighborhood.

Should further information be required of me, kindly contact me at the above address or call 252-355-6391.

Respectfully submitted,



Owner/resident

Mr. Jasper Payton



# City of Greenville, North Carolina

Meeting Date: 11/9/2  
Time: 6:00 PM

**Title of Item:** Potential actions to address downtown crime issues

**Explanation:** At its August 24, 2009, meeting, City Council was presented information by City staff on fifteen potential actions to consider in order to address issues resulting from the concentration of public or private clubs in the downtown area. City Council directed that City staff prepare the necessary ordinances for consideration by City Council relating to three of the potential actions and to pursue a fourth potential action of an agreement with the Pitt County ABC Board relating to City law enforcement officers assisting local ABC officers in the enforcement of ABC laws. City Council also directed that City staff solicit input from all of the owners and managers of the public or private clubs located in the city.

At its October 5, 2009, meeting, City Attorney Holec reviewed the proposed ordinances. He also advised City Council of the efforts to solicit input from the owners and managers of the public or private clubs located in the city and that the Pitt County ABC Board determined to not enter into a mutual aid agreement with the City.

City Council continued until its November 9, 2009, meeting consideration of the proposed ordinances. City Council also directed that the owners and managers of the public or private clubs be given the opportunity to submit suggestions and comments to the City. Additionally, City Council directed that the East Carolina University Student Government Association be given an opportunity to provide suggestions and comments. City Council established an October 30, 2009, deadline for submitting the suggestions and comments so that they would be available for Council's consideration at the November 9, 2009, meeting.

On October 7, 2009, a written request to submit by October 30, 2009, written suggestions and comments was mailed to the owners and managers of the 25 public or private clubs located in Greenville's planning and zoning jurisdiction.

A similar request was made to ECU SGA President Brad Congleton.

As of the date of the agenda deadline, the attached written suggestions and comments were received:

- (1) Letter and attachment from JJ McLamb

A brief evaluation of the recommendations contained in the above listed letter and attachment is attached.

### **Proposed Ordinances**

The proposed ordinances are attached and are the following:

1) Proposed ordinance which establishes safety regulations for public or private clubs including a requirement that public or private clubs, in certain circumstances, provide security personnel (either off-duty law enforcement or security officers licensed by the State) for the establishment and a requirement that prohibits the employment by public or private clubs of bouncers who have been convicted of certain crimes. The proposed ordinance establishes requirements, in certain circumstances, for public or private clubs located in the downtown area and outside the downtown area.

2) Proposed ordinance amending the Zoning Ordinance which establishes a minimum separation requirement for the location of public or private clubs in order to reduce the adverse impact which is caused by the concentration of such clubs and which incorporates the provisions of the ordinance establishing the safety regulations into the Zoning Ordinance.

### **Next Step**

City Council could determine to not further consider the proposed ordinances.

City Council could direct that modifications be made to the proposed ordinances.

If Council determines to proceed with consideration of the proposed ordinance relating to a security requirement and employment of bouncers, it is recommended that a public hearing be held in connection with its consideration. Council could also direct that modifications be made to the proposed ordinance which will be the subject of the public hearing.

If Council determines to proceed with consideration of the proposed zoning ordinance relating to a separation requirement between public or private clubs, then it could vote to initiate the amendment and refer it to the Planning and Zoning Commission for review and recommendation. The Planning and Zoning Commission would conduct a hearing on the proposed ordinance and a public

hearing would be held by City Council. Council could also direct that modifications be made to the proposed ordinance which it refers to the Planning and Zoning Commission.

**Fiscal Note:** There is no fiscal impact relating to the consideration of the proposed ordinances.

**Recommendation:** Direction from Council is sought.

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

**Attachments / click to download**

- [Letter from JJ McLamb](#)
  - [Brief Evaluation of Recommendations Contained in Written Suggestions 847843](#)
  - [AN ORDINANCE AMENDING TITLE 11 OF THE GREENVILLE CITY CODE BY ESTABLISHING CERTAIN SAFETY REGULATION](#)
  - [ORD Public or private club spacing requirement and Title 11 Chapter 12 reference 841377](#)
-

## **Brief Evaluation of the Recommendations Contained in the Letter and Attachment from JJ McLamb**

- 1) The first recommendation contained in the attachment to JJ McLamb's letter recommends the deletion of the provision that the criminal record check of bouncers be "based upon fingerprints from the North Carolina State Bureau of Investigation." In the opinion of Police Chief Anderson, an acceptable criminal background check can be completed without it being based upon fingerprints from the North Carolina State Bureau of Investigation.
  
- 2) The second recommendation contained in the attachment to JJ McLamb's letter recommends that there be an alternative method for clubs to provide security - - the clubs would have the option of meeting the security requirement by participating in a pool arrangement whereby the City receives payment for the expense of having a certain number of law enforcement officers assigned to the downtown area. In the opinion of City Attorney Holec, an ordinance can be crafted which would make such an arrangement legally defensible. The ordinance would be in substantially the form of the proposed ordinance but would provide another alternative for meeting the security requirement. Each club would have an alternative of, instead of hiring off duty law enforcement or State licensed security officers, participating in a pool arrangement whereby the club pays to a separate entity (not the City) a pre-determined share of the expense of providing a certain number of law enforcement officers in the downtown area. This separate entity would then contract with the City on behalf of the participating clubs for the provision of a certain number of law enforcement officers in the downtown area. The clubs which chose this optional method of providing security would not be invoiced by the City and their payment would not be made directly to the City. However, if the club stopped making its payment to the separate entity and, therefore, the City does not receive the payment attributable to the club from the separate entity, then the club would be in violation of the ordinance unless it, instead, met its security requirement by hiring security in the form of off duty law enforcement or State licensed security. If the club did not meet the security requirement by either hiring or participating in the pool arrangement, it would be in violation of the ordinance and be subject to citations, fines and injunctive relief.
  
- 3) The third recommendation contained in the attachment to JJ McLamb's letter recommends that the ordinance would read "any establishment that is open for Business after 11:00 p.m. that has live music or amplified sound is required to meet the city ordinance." Although not specified in the recommendation, it is presumed that this

recommendation is meant to apply only to the requirement to provide security and not to the restriction on the hiring of bouncers. Based upon this, this recommendation would result in an expansion of the establishments which are required to provide security. The recommendation would result in the requirement to provide security to apply not only to certain public or private clubs but to any business (including restaurants) that provide amplified sound or live entertainment after 11:00 p.m. The proposed ordinance only requires the provision of security by public or private clubs located in the downtown area and public or private clubs located within 500 feet of residentially zoned property if the club has amplified sound or live entertainment after 11:00 p.m. and the club has an approved occupancy of at least 50 total persons.

- 4) The fourth recommendation contained in the attachment to JJ McLamb's letter recommends that any business which hires bouncers or security and has live music or amplified sound should be required to have semi-annual training with the Greenville Police Department at the discretion of the Chief of Police. In the opinion of City Attorney Holec, the training of bouncers and security could be legally required.
- 5) The fifth recommendation contained in the attachment to JJ McLamb's letter recommends the 500 foot separation ordinance as long as the current owner can sell their business and the new owner has a six month grace period to reopen. It is presumed that this recommendation is a reaffirmation that the standard rules relating to a nonconforming use and the loss of nonconforming status would apply. The proposed ordinance does not alter the standard rules. Therefore, the proposed ordinance would result in existing clubs being allowed to continue as legal nonconforming uses which means that the clubs could be sold and a club would lose its legal nonconforming status only if it ceases activity as a public or private club for a period of six months (willful abandonment rule applies).



ORDINANCE NO. 09-

AN ORDINANCE AMENDING TITLE 11 OF THE GREENVILLE CITY CODE BY  
ESTABLISHING SAFETY REGULATIONS FOR PUBLIC OR PRIVATE CLUBS

WHEREAS, the City Council of the City of Greenville has determined that there is a need to implement measures which will promote a safe environment in the areas where public or private clubs are located, particularly when the public or private clubs are concentrated in an area or when the public or private clubs are located near residential areas;

WHEREAS, there are sixteen (16) public or private clubs located in approximately a four (4) block area in the downtown area and this concentration of public or private clubs has created issues such as crowd control, noise, public intoxication, altercations, and potential violence;

WHEREAS, public or private clubs located near residential areas also have created a quality of life concern for the nearby neighborhoods as a result of issues such as crowd control, noise, public intoxication, altercations and potential violence;

WHEREAS, the City of Greenville has deployed a significant amount of law enforcement resources to address the issues created by public or private clubs concentrated in the downtown area and by public or private clubs located near residential areas;

WHEREAS, establishing reasonable safety regulations for public or private clubs is in the public interest to protect the health, safety, and welfare of the patrons of the public or private clubs, the citizens of the city, and surrounding neighborhoods; and

WHEREAS, North Carolina General Statute §160A-194 authorizes the City of Greenville, by ordinance, to regulate and license occupations, businesses, trades and professions and to prohibit those which may be inimical to the public health, welfare, safety, order, or convenience and North Carolina General Statute §160A-174 authorizes the City of Greenville, by ordinance, to define, prohibit, regulate, or abate acts, omissions, or conditions detrimental to the health, safety, or welfare of its citizens and the peace and dignity of the city;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENVILLE, NORTH CAROLINA:

Section 1: That Title 11 of the Code of Ordinances, City of Greenville is hereby amended by adding a Chapter 12 entitled “PUBLIC OR PRIVATE CLUBS SAFETY REGULATIONS,” said chapter to read as follows:

CHAPTER 12. PUBLIC OR PRIVATE CLUBS SAFETY REGULATIONS.

### Section 11-12-1. Purpose

In order to protect the health, safety, and welfare of the city and its citizens, it is the purpose of this chapter to establish reasonable and uniform requirements in order to address the harmful effects associated with establishments for which entertainment is the principal use and which a large number of patrons congregate late at night.

### Section 11-12-2. Definitions

As used in this chapter the following terms shall have the following meanings unless the context clearly indicates that a different meaning is intended:

*Amplified audio entertainment* means any type of music or other entertainment delivered through and by an electronic system, provided however televisions operating with no amplification other than their internal speakers or televisions connected to a master sound system operating at low amplification and indoor background music systems operating at a low amplification shall not be deemed amplified audio entertainment.

*Bouncer* means a person employed by a public or private club as an employee or contractor to perform the function of maintaining order, removing disorderly or disruptive patrons, checking identification cards or providing general security for the public or private club but not including a person who is employed for the primary and substantial purpose (greater than 90% of duties) to perform the functions of a bartender, waiter, or waitress and not including a person who is employed as a uniformed off-duty law enforcement officer or a uniformed security guard provided by a security guard and control profession licensed in accordance with the provisions of Chapter 74C of the North Carolina General Statutes.

*Conviction* and *convicted* mean a finding of guilt for a violation of a state or federal law, an adjudication withheld on such a finding of guilt, an adjudication of guilt on any plea of guilty or nolo contendere, or the forfeiture of a bond or bail when charged with a violation of a state or federal law.

*Downtown area* means the geographic area within the CD zoning district as defined by the Zoning Ordinance for Greenville, North Carolina.

*Low amplification* means sound level which is not either (i) above a decibel level of sixty (60) dB measured at least five (5) feet from the source of the sound or (ii) audible at a distance of fifteen (15) feet or more from any entrance to the public or private club.

*Public or private club* means an establishment which the principal use is a public or private club as defined by the Zoning Ordinance for Greenville, North Carolina.

*Residential zoning district* means the RA20, R6MH, R6, R6A, R6A-RU, R6N, R6S, R9, R9S, R15S, PUD, MR, and MRS zoning districts as defined by the Zoning Ordinance for Greenville, North Carolina.

### Section 11-12-3. Security Requirement

A public or private club which provides or utilizes amplified audio entertainment or any form of live entertainment on any day at any time during the period between 11:00 PM to the close of business shall be subject to a security requirement during and after such period of amplified audio entertainment or live entertainment as follows:

- a. A public or private club located in the downtown area that has an approved occupancy of more than 50 total persons but not more than 300 total persons as determined by the building inspector shall employ not less than one (1) uniformed off-duty law enforcement officer, or not less than one (1) uniformed security guard provided by a security guard and control profession licensed in accordance with the provisions of Chapter 74C of the North Carolina General Statutes, to patrol inside the public or private club or the area outside the public or private club near the main entrance to the public or private club during the period between 11:00 PM to the close of business and later to such time that all patrons and other persons, other than employees, have vacated the premises. The required security personnel shall remain on duty and visible either inside or outside the public or private club and shall be accessible to law enforcement officers at all time. This requirement shall apply regardless of the number of patrons actually within the public or private club.
- b. A public or private club located in the downtown area that has an approved occupancy of more than 300 total persons as determined by the building inspector shall employ not less than two (2) uniformed off-duty law enforcement officers, or not less than two (2) uniformed security guards provided by a security guard and control profession licensed in accordance with the provisions of Chapter 74C of the North Carolina General Statutes, to patrol inside the public or private club or the area outside the public or private club near the main entrance to the public or private club during the period between 11:00 PM to the close of business and later to such time that all patrons and other persons, other than employees, have vacated the premises. The required security personnel shall remain on duty and visible either inside or outside the public or private club and shall be accessible to law enforcement officers at all time. This requirement shall apply regardless of the number of patrons actually within the public or private club.
- c. A public or private club not located in the downtown area that (i) is located within a five hundred (500) foot radius, including street rights-of-way, of a residential zoning district as measured from the building or structure containing the public or private club to the nearest residential zoning district boundary and (ii) has an approved occupancy of more than 50 total persons but less than 200 total persons as determined by the building inspector shall employ not less than one (1) uniformed off-duty law enforcement officer, or not less than one (1) uniformed security guard provided by a security guard and control profession licensed in accordance with the provisions of Chapter 74C of the North Carolina General Statutes, to patrol the parking lot, and to disperse the crowd, and to direct traffic during the period between 11:00 PM to the close of business and later to such time that all patrons and other persons, other than employees, have vacated the premises and associated parking area. The required security personnel shall remain on duty and visible outside the public or private club and shall be accessible to law enforcement officers at all time. This requirement shall apply regardless of the number of patrons actually within the public or private club.

- d. A public or private club that (i) is located within a five hundred (500) foot radius, including street rights-of-way, of a residential zoning district as measured from the building or structure containing the public or private club to the nearest residential zoning district boundary and (ii) has an approved occupancy of 200 or more total persons as determined by the building inspector shall employ not less than two (2) uniformed off-duty law enforcement officers, or not less than two (2) uniformed security guards provided by a security guard and control profession licensed in accordance with the provisions of Chapter 74C of the North Carolina General Statutes, to patrol the parking lot, and to disperse the crowd, and to direct traffic during the period between 11:00 p.m. to the close of business and later to such time that all patrons and other persons, other than employees, have vacated the premises and associated parking area. The required security personnel shall remain on duty and visible outside the public or private club and shall be accessible to law enforcement officers at all time. This requirement shall apply regardless of the number of patrons actually within the public or private club.

#### Section 11-12-4. Bouncers

(a) No public or private club shall employ a person as a bouncer who has been convicted of a crime relating to either (1) the sale, manufacture, distribution, or possession of controlled substances as made unlawful by the provisions of North Carolina General Statute §90-95, or (2) criminal street gang activity as made unlawful by the provisions of the North Carolina Street Gang Suppression Act as provided in Article 13A of Chapter 14 of the North Carolina General Statutes, or (3) prostitution or assignation as made unlawful by the provisions of North Carolina General Statute §14-204 or (4) homicide, assault, affray, communicating threats, unlawful possession of dangerous or deadly firearms, or discharge of a dangerous or deadly firearm as made unlawful by the provisions of Chapter 14 of the North Carolina General Statutes.

(b) Notwithstanding the provisions of subsection (a), a public or private club is not prohibited from employing a person as a bouncer as a result of the conviction of an offense listed in subsection (a) when the following time period has elapsed:

1. More than two years has elapsed since the date of conviction or the date of release from confinement imposed for the conviction, whichever is the later date, if the conviction is for a misdemeanor offense;
2. More than five years has elapsed since the date of conviction or the date of release from confinement for the conviction, whichever is the later date, if the conviction is for a felony offense; or
3. More than five years has elapsed since the date of the last conviction or the date of release from confinement for the conviction, whichever is the later date, if the convictions are for two or more misdemeanor offenses or combination of misdemeanor offenses occurring within any 24-month period.

(c) A public or private club shall submit to the chief of police or designee on a monthly basis no later than the fifth day of the current month a list of all persons employed as a bouncer at the public or private club during the previous month. The list shall indicate the date of initial employment of each person as a bouncer and shall be on a form provided by the police

department. The public or private club shall submit to the chief of police or designee no later than thirty (30) days after the date of initial employment of a person as a bouncer and, annually thereafter, a criminal record check based upon fingerprints from the North Carolina State Bureau of Investigation for each person employed as a bouncer by the public or private club.

#### Section 11-12-5. Enforcement

(a) A police officer or other person authorized by the city manager to enforce the provisions of this chapter may issue a written citation for a violation of the provisions of this chapter.

(b) The owner and the manager of the public or private club are responsible for compliance with the provisions of this chapter. A written citation for a violation of the provisions of this chapter may be issued to the owner or the manager of the public or private club and the owner or the manager who is issued the citation will suffer the penalties and be subject to the remedies as set forth in section 11-12-6.

(c) An owner or a manager who has been issued a citation may appeal the citation to the chief of police or designee. Written notice of appeal must be filed within ten (10) days of the date of the issuance of the citation.

#### Section 11-12-6. Penalties

(a) Any violation of the provisions of this chapter or a failure to comply with any of its requirements shall subject the offender to a civil penalty as follows:

- (1) In the amount of fifty dollars (\$50.00) for each offense on the first day of such offense; and
- (2) In the amount of one hundred dollars (\$100.00) for each offense either (i) on the second day of such offense or (ii) when the offense is a second offense within a twelve (12) month period; and
- (3) In the amount of two hundred and fifty dollars (\$250.00) for each offense either (i) on the third day and on each subsequent day of such offense or (ii) when the offense is the third or subsequent offense within a twelve (12) month period.

(b) Violators shall be issued a written citation which must be paid within seventy-two (72) hours. If a person fails to pay the civil penalty within seventy-two (72) hours, the city may recover the penalty, together with all costs and reasonable attorneys' fees, by filing a civil action in the general court of justice in the nature of a suit to collect a debt.

(c) This chapter may also be enforced by any appropriate equitable action.

(d) Each day that any violation continues shall be considered a separate offense for purposes of the penalties and remedies specified in this section. Notwithstanding the foregoing, the escalating civil penalties authorized by subsection (a) may be invoked whenever the violation continues and there has been sufficient time for the violation to be corrected after notification that such violation exists or whenever the violation has occurred previously during a twelve (12) month period.

(e) Any one, all, or any combination of the foregoing penalties and remedies may be used to enforce this chapter.

(f) Any violations of the provisions of this chapter shall be deemed a non-criminal violation and shall not be a misdemeanor or infraction pursuant to North Carolina General Statute 14-4.

Section 11-12-7. No Effect on ABC Permits

The provisions of this chapter are not intended or designed to establish rules on the manufacture, sale, purchase, transportation, possession, consumption or other use of alcoholic beverages. The provisions of this chapter apply to a public or private club whether or not the public or private club has been issued an ABC permit by the North Carolina Alcoholic Beverage Control Commission. Any violation of the provisions of this chapter shall not affect any ABC permit issued to the public or private club by the North Carolina Alcoholic Beverage Control Commission.

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

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

Section 4. This ordinance will become effective on the \_\_\_\_\_ day of \_\_\_\_\_, 2009.

This the \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Patricia C. Dunn, Mayor

ATTEST:

\_\_\_\_\_  
Wanda T. Elks, City Clerk



ORDINANCE NO. 09-\_\_  
AN ORDINANCE AMENDING THE ZONING ORDINANCE  
OF THE CITY OF GREENVILLE, NORTH CAROLINA

WHEREAS, the City Council of the City of Greenville, North Carolina, in accordance with Article 19, Chapter 160A, of the General Statutes of North Carolina, caused a public notice to be given and published once a week for two successive weeks in The Daily Reflector setting forth that the City Council would, on \_\_\_\_\_, 2009 at 7:00 p.m., in the City Council Chambers of City Hall in the City of Greenville, NC, conduct a public hearing on the adoption of an ordinance amending the City Code; and

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

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

Section 1: That Title 9, Chapter 4, Article E, Section 9-4-86(f), of the City Code, is hereby amended to include a new subsection (6) to read as follows:

“(6) No public or private club located in any district shall be located within a five-hundred (500) foot radius of an existing or approved public or private club as measured from the nearest lot line in accordance with the following. When a public or private club is located or to be located on a lot exclusive to itself, the measurement shall be from the perimeter lot line of the exclusive lot. When a public or private club is located or to be located in a separate structure exclusive to itself on a lot containing multiple uses, the measurement shall be from the perimeter lot line of the lot containing multiple uses. When a public or private club is located or to be located in a common structure with other uses such as a shopping center on a common lot, the measurement shall be from the perimeter lot line of the common lot.”

Section 2: That Title 9, Chapter 4, Article E, Section 9-4-86(f), of the City Code, is hereby amended to include new subsections (7) and (8) to read as follows:

“(7) Public or private clubs shall be subject to the requirements and regulations set forth in Title 11, Chapter 12 Public or Private Clubs Safety Regulations of the City Code.

(8) In addition to subsection (7) above, the board of adjustment may establish specific and reasonable safety and nuisance mitigation standards or requirements.”

Section 3: That Title 9, Chapter 4, Article D, Section 9-4-78(f)(6)m, of the City Code, is hereby amended to delete the use title “Public or private club” in its entirety and substitute the following:

“Public or private club (see also Title 11, Chapters 9 and 12 and Section 9-4-103)”

Section 4: That Title 9, Chapter 4, Article F Section 9-4-103, of the City Code, is hereby amended to include a new section (u) to read as follows:

“(u) Public or private clubs shall be subject to the applicable requirements and regulations set forth in Title 9, Chapter 4 Zoning, Title 11, Chapter 9 Litter Control in Parking Lots, and Title 11, Chapter 12 Public or Private Clubs Safety Regulations, of the City Code.”

Section 5: That all ordinances and sections of ordinances in conflict with this ordinance are hereby repealed.

Section 6: That this ordinance shall become effective upon its adoption.

ADOPTED this \_\_\_\_<sup>th</sup> day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Patricia C. Dunn, Mayor

ATTEST:

\_\_\_\_\_  
Wanda T. Elks, City Clerk

Mr. Bowers,

Hope all is well and we would like to thank you for taking time to work with us on the drafting of proposed city ordinances. We look forward to working with the city and city council members to keep downtown Greenville an enjoyable and safe entertainment district.

Attached you will find a list of recommendations put forth by the bar owners with our thoughts for public and private club's responsibilities. Although our ideas are put in place, this is merely a draft of our general thoughts. We as bar owners have hired legal counsel to represent us in any possible legal matter therefore we desire for legal representation to be involved with all communication regarding these issues. Our Legal council is Mr. Fred Mattox and Mark W. Owens III, who should be included in correspondence as it relates to any changes in the city ordinances' which affect our private and public clubs.

We look forward to continuing our working relationship with you and the city's administration. Please let me know if you have any questions about these proposed ideals.

Thanks



Handwritten signature of JJ McLamb in cursive script.

JJ McLamb

A public or private club shall submit to the chief of police or designee on a monthly basis no later than the fifth day of the current month a list of any persons employed as a bouncer at the public or private club during the previous month. The list shall indicate the date of initial employment of each person as a bouncer and shall be on a form provided by the police department. The public or private club shall also submit to the chief of police or designee no later than thirty (30) days after the date of initial employment of a person as a bouncer and, annually thereafter, a criminal record check for each person employed as a bouncer by the public or private club.

Clubs providing security by participating in a pool whereby the City receives payment for the expense of having a certain number of law enforcement officers assigned to the downtown area. Each Club would have an alternative of, instead of hiring off duty law enforcement or State licensed security officers, participating in a pool arrangement whereby the Club pays to a separate entity (not the City) a pre-determined share of the expense of providing a certain number of law enforcement officers in the downtown area. This separate entity would then contract with the City on behalf of the participating clubs for the provision of a certain number of law enforcement officers in the downtown area. The Clubs which chose this optional method of providing security would not be invoiced by the City and their payment would not be made directly to the City. However, if the Club stopped making its payment to the separate entity and, therefore the City does not receive the payment attributable to the Club from the separate entity, then the Club would be in violation of the ordinance unless it, instead, met its security requirement by hiring security in the form of off duty law enforcement or State licensed security. If the Club did not meet the security requirement by either hiring or participating in the pool arrangement, it would be in violation of the ordinance and be subject to citations, fines and injunctive relief.

Change the proposed ordinance so it would read any establishment that is open for Business after 11:00 pm that has live music or amplified sound is required to meet the city ordinance.

Any business that hires bouncers / security; that has live music or amplified sound be required to have semi annually training with Greenville police department at the discretion of the chief of Police.

500 foot separation ordinance, as long as the current business owner can sell their business and the new owner has a six month grace period to reopen.



# City of Greenville, North Carolina

Meeting Date: 11/9/2  
Time: 6:00 PM

**Title of Item:** Crime-free rental housing program

**Explanation:** During the September 10, 2009 City Council meeting, after hearing the presentation from Kathy Harrington concerning the crime-free rental house program, a motion was approved for City staff to review this proposal and meet with Ms. Harrington to come up with a recommendation. A suggestion was made to receive input also from the Greenville Area Property Management Association (GAPMA).

A meeting was conducted on October 15, 2009 with Ms. Harrington, City Manager Wayne Bowers, City Attorney Dave Holec, Police Chief William Anderson, Police Captain Ted Sauls, Community Development Director Merrill Flood, and Randy Cox representing GAPMA.

The group reviewed the crime-free rental housing program and information from other cities. Specifically, a proposed City of Charlotte ordinance was reviewed. City staff conducted research and could not find a crime-free rental housing program ordinance that has been adopted by a North Carolina city.

After discussing the program and reviewing ordinances from cities outside North Carolina, the group identified several policy issues that will require City Council direction before an ordinance or resolution is prepared. The first issue is whether the proposed crime-free rental house program should be voluntary or mandated. The potential components of the program listed below also raise policy issues.

1. Background criminal records check for prospective tenants.
2. Not renting to prospective tenants who have been convicted within the past five years of a violent crime, a drug-related offense, or breaking and entering.
3. Landlords to include a crime-free lease addendum in all leases (example from another city attached).

4. Property managers or landlords to attend a training course on crime-free rental housing provided by the Police Department.
5. Each property owner to designate a local representative.
6. All rental properties to be registered either by completing a form or providing information on the building near the electric meter box.  
Registration to be required of all rental units or only those where violations have occurred.
7. City charging a registration fee to cover the costs of administering the program.
8. Providing a process for revoking the rental registration including an appeal procedure.

These crime-free rental housing program issues were presented to the GAPMA by the Association's representative Randy Cox during the monthly GAPMA meeting on October 21, 2009.

**Fiscal Note:** No direct cost to consider the program.

**Recommendation:** Review the crime-free rental housing program and provide policy guidance to City staff.

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 [Lease Addendum](#)

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## LEASE ADDENDUM FOR DRUG-FREE AND CRIME-FREE HOUSING

In consideration of the execution or renewal of a lease of the dwelling unit identified in the lease, Owner and Resident agree as follows:

1. No Resident or member of the Resident's household or a guest or other person under the Resident's control shall engage in illegal activity, including drug-related illegal activity, on or near the said premises. "Drug-related illegal activity" means the illegal manufacture, sale, distribution, purchase, use or possession with intent to manufacture, sell, distribute, or use of a controlled substance (as defined in Section 102 of the Controlled Substance Act [21 U.S.C. 802]) or possession of drug paraphernalia.

2. No Resident or member of the Resident's household or a guest or other person under the Resident's control shall engage in any act intended to facilitate illegal activity, including drug-related illegal activity, on or near the said premises.

3. No Resident or members of the Resident's household will permit the dwelling unit to be used for, or to facilitate illegal activity, including drug-related illegal activity, regardless of whether the individual engaging in such activity is a member of the household.

4. No Resident or members of the Resident's household will engage in the manufacture, sale, or distribution of illegal drugs at any location, whether on or near the dwelling unit premises or otherwise.

5. No Resident or member of the Resident's household, or a guest or other person under the Resident's control shall engage in acts of violence or threats of violence, including but not limited to the unlawful discharge of firearms, prostitution, criminal street gang activity, intimidation, or any other breach of the rental agreement that otherwise jeopardizes the health, safety or welfare of the landlord, his agents or tenants.

6. **VIOLATION OF THE ABOVE PROVISIONS SHALL BE A MATERIAL VIOLATION OF THE LEASE AND GOOD CAUSE FOR TERMINATION OF TENANCY.**

A single violation of any of the provisions of this added addendum shall be deemed a serious violation and material non-compliance with the lease.

**It is understood and agreed that a single violation shall be good cause for termination of the lease. Unless otherwise provided by law, proof of violation shall not require criminal conviction, but shall be by the preponderance of the evidence.**

7. In case of conflict between the provisions of this addendum and any other provisions of the lease, the provisions of the addendum shall govern.

8. This LEASE ADDENDUM is incorporated into the lease executed or renewed this day between Owner and Resident.

\_\_\_\_\_  
Resident Signature

\_\_\_\_\_  
Resident Signature

\_\_\_\_\_  
Resident Signature

\_\_\_\_\_  
Resident Signature

\_\_\_\_\_  
Property Manager/Owner Signature

\_\_\_\_\_  
Date

**Resident(s) acknowledge receipt of this addendum by signature of this document.**



# City of Greenville, North Carolina

Meeting Date: 11/9/2  
Time: 6:00 PM

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**Title of Item:** Special task force on public safety

**Explanation:** During the September 10, 2009 City Council meeting, after reviewing the attached letter from the Greenville-Pitt County Chamber of Commerce encouraging the formation of a Special Task Force on Public Safety, a motion was approved for staff, in consultation with the Police Community Relations Committee (PCRC), to come up with a proposal for the make-up of the task force and recommendations on the task force's duties, and to present the proposal as soon as possible. A meeting was conducted on October 21, 2009 with Chamber President Susanne Sartelle, Chamber Senior Vice President Allen Smith, PCRC Chair Diane Kulik, Chief of Police William Anderson, and City Manager Wayne Bowers. This group produced the attached Proposed Special Task Force on Public Safety recommendations that include a mission statement and task force composition.

**Fiscal Note:** No direct cost to consider formation of the task force.

**Recommendation:** Review the attached recommendations for the Proposed Special Task Force on Public Safety and take action deemed appropriate.

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 [Letter from Chamber](#)



## Proposed Special Task Force on Public Safety

### **Mission Statement**

The Task Force will be charged with studying crime in Greenville and making recommendations to the City Council to improve public safety in the community.

Specifically, the Task Force will:

1. Identify areas that have a high incidence of crime, violence, and quality of life issues utilizing recent crime statistics.
2. Analyze any zoning regulations that may impact crime.
3. Study the perception of crime and how that perception impacts the community's image.
4. Review the alcohol laws that apply in the City.
5. Study crime reduction strategies that have worked in other communities.

### **Composition**

The recommended composition of the Task Force:

1. Two Co-Chairs appointed by the City Council
2. Seven members with the Mayor and each City Council Member making one appointment
3. Eight members selected to represent the following:
  - Citizens United Against Violence
  - East Carolina University
  - ECU Student Government Association
  - Faith community (2)
  - Greenville-Pitt County Chamber of Commerce
  - Neighborhood Advisory Board
  - Police Community Relations Committee

### **General Information**

Staffing to be provided by the Police Department with resources from other City departments such as Planning to be made available as needed.

The work of the Task Force should be limited to one year. Three quarterly reports should be made to the City Council prior to the final report being completed.

Greenville-Pitt County



August 12, 2009

The Honorable Pat Dunn, Mayor  
and the Greenville City Council  
200 West Fifth St.  
Greenville, NC 27834

Dear Mayor Dunn and Members of City Council:

We are writing to ask for action on the part of you and City Council to appoint a **Special Task Force on Public Safety** to address the issue of crime and public safety in Greenville.

As you know, we surveyed Chamber members recently and received 204 responses in just four days. Our members are concerned and quite passionate about this issue. The information we have reported to our members regarding the survey results is included with this letter.

The Chamber's Executive Committee and Issues Committee have had two joint meetings to review the survey results and to gain input from local business owners. This request to you for the formation of the Special Task Force results from those meetings.

We hope you will act on this request and consider the following points in creating this important task force.

- Task Force members should be key decision makers within the groups, organizations, churches or businesses they represent. They should have the authority to commit their groups, organizations, churches or businesses to decisions that are good for the entire community without consideration for "politics" or repercussions. The Task Force should have staff support from city staff leaders who are knowledgeable about public safety, law enforcement and planning and zoning.
- With the expectation of creating an effective, powerful and influential task force, our joint committee strongly endorses the specific inclusion of leaders representing East Carolina University, Uptown Greenville, the Greenville-Pitt County Chamber of Commerce, Citizens United Against Violence and the Faith Community.
- The task force should be presented at the beginning with factual crime data about Greenville.

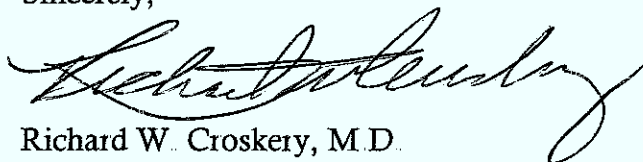


- The task force should be presented with legal information regarding planning and zoning issues which have an impact on public safety and should be empowered to study and recommend ordinance and/or zoning changes related to public safety.
- The task force should hold regularly scheduled meetings and have timelines for submitting recommendations.
- The task force should be empowered to look at other communities – including travel if necessary or bringing in leaders from those cities – to learn how other communities have dealt with similar issues.

While the work of this task force is underway – because such in-depth work will not likely be a short term project – it is important for the City Council and the business community to show public support for the Police Department and their work in preventing and solving crime. This task force should not be perceived as getting in the way of law enforcement officers doing their jobs. We should fund and support whatever it takes to be strong in law enforcement. This task force should not be seen as questioning the ability of the local police but rather looking at all the “issues” that are encompassed within the issue that is labeled as “crime.” That includes business safety, planning and zoning, and neighborhood safety.

In order to mitigate the serious issue of local crime, we, as a collective body of concerned citizens, must band together and take a pragmatic approach. Criminals need to understand that they are not welcome in our community while our citizens and out of town visitors must feel secure as they enjoy our city. We strongly encourage you to form the Special Task Force on Public Safety as soon as possible and appreciate your ongoing commitment to the safety and security of the citizens of Greenville.

Sincerely,



Richard W. Croskery, M.D.  
Chairman



Dan Nichols  
Vice Chairman  
Governmental Affairs

c: Wayne Bowers, Greenville City Manager



# City of Greenville, North Carolina

Meeting Date: 11/9/2  
Time: 6:00 PM

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**Title of Item:** Presentations by boards and commissions

- a. Recreation and Parks Commission
- b. Historic Preservation Commission
- c. Pitt-Greenville Airport Authority

**Explanation:** The Recreation and Parks Commission, Historic Preservation Commission, and Pitt-Greenville Airport Authority are scheduled to make their annual presentations to City Council at the November 9, 2009 meeting.

**Fiscal Note:** N/A

**Recommendation:** For information only; no action requested

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# City of Greenville, North Carolina

Meeting Date: 11/9/2  
Time: 6:00 PM

**Title of Item:** Ordinance requested by WLA Enterprises, Incorporated (James K. Price) to rezone 28.9+ acres located between East 10th Street (NC 33) and the Norfolk Southern Railroad and east of Portertown Road from RA20 (Residential-Agricultural) and OR (Office-Residential [High Density Multi-family]) to CG (General Commercial)

**Explanation:** **Required Notice:**  
Planning and Zoning Commission meeting notice (property owners and adjoining property owner letters) mailed on October 6, 2009.  
On-site sign(s) posted on October 6, 2009.  
City Council public hearing notice (property owners and adjoining property owners) mailed on October 27, 2009.  
Public Hearing Legal Advertisement published on October 26 and November 5, 2009.

**Comprehensive Plan:**

The subject site is located in Vision Area C.

East 10th Street (NC 33) is considered a gateway corridor from its intersection with Greenville Boulevard and continuing east. Gateway corridors serve as primary entranceways into the City and help define community character.

The Future Land Use Plan Map recommends large scale commercial (C) development along the southern right-of-way of East 10th Street (NC 33) between Portertown Road and L.T. Hardee Road.

Further, the Future Land Use Plan Map recommends transitional use between the commercial component of the designated commercial focus area and the single-family residential neighborhoods in the Portertown Road corridor to the south.

If a non-residential transition option is chosen for this purpose, the plan recommends office development – restricted to the area north of the railroad to discourage additional linear non-residential (business use) along the Portertown Road corridor. The plan's intent in this regard is for non-residential uses to be oriented predominantly to the NC 33 corridor – the railroad is a convenient physical barrier and in this case clearly defines the limits of the non-residential area. The inability to obtain a direct street crossing over the railroad, to access the intervening vacant land separating Lake Glenwood from the rezoning area, also effectively prevents commercial expansion on interior sites located south of the railroad.

The medium density residential category, recommended by the Future Land Use Plan Map for the area south of the railroad, may also satisfy the transition objective if medium density multi-family is utilized in the abutting roadway corridor immediately south of the railroad. Single-family residential complementary to the Lake Glenwood neighborhood would be encouraged on the balance of the interior intervening area south of the railroad.

See the **History** section below for information regarding the 2000 amendment to the Future Land Use Plan Map involving the subject and additional properties.

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

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 5,150 trips to and from the site on East 10th Street (NC 33), which is a net increase of 4,326 additional trips per day. This comparison is based on the current zoning (OR and RA20) and proposed zoning (CG) - see the Note below.

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 3,434 trips to and from the site on Portertown Road, which is a net increase of 2,884 additional trips per day. This comparison is based on the current zoning (OR and RA20) and proposed zoning (CG) - see the Note below.

During the review process, measures to mitigate traffic impacts will be determined. Prior to development approval, a Traffic Impact Study and analysis for the East 10th Street (NC 33)/Portertown Road intersection will be required to assess the impacts. Mitigation measures may include limiting access onto East 10th Street (NC 33) and/or Portertown Road, constructing turn lanes into the development, and intersection improvements at Portertown Road and East 10th Street (NC 33), such as the construction of additional turn and/or through lanes.

*Detailed Report Attached*

Note: In 2000, the Future Land Use Plan Map was amended (for the subject and

additional properties) from office/institutional/multi-family (OIMF) and high density residential (HDR) to commercial (C). If the subject area were developed as multi-family, as was the recommended land use in 2000, the net increase in traffic would have been 4,127 (total) additional trips per day, if the area was developed as multi-family instead of commercial. The attached traffic report compared the change in traffic from the current zoning and use (single-family and multi-family) and the proposed zoning (commercial). See **History** section.

**History:**

In 1989, the subject property was part of an extra-territorial jurisdiction (ETJ) extension and zoned RA20.

In 2000, City Council approved an amendment to the Future Land Use Plan Map affecting the properties located to the east of the intersection of East 10th Street (NC 33) and Portertown Road. At that time, the Future Land Use Plan Map recommended limited commercial at the southeast corner of the intersection of East 10 Street (NC 33) and Portertown Road with office/institutional/multi-family (OIMF) to the south and east to act as transitional zoning. The purpose of the OIMF designation at this location was to specifically limit the scale of commercial development at this intersection. Also at that time, high density residential (HDR) was recommended to the east of the OIMF area, south of 10th Street (NC 33) and north of the railroad.

The 2000 amendment changed the Future Land Use Plan Map to its current form.

In 1990, the portion of the subject site located to the south of the Hardee Square Shopping Center was rezoned from RA20 to O&I (now OR).

In 2002, the eastern part of the rezoning request (Gupton tract) was rezoned from RA20 to OR.

**Present Land Use:**

There are 11 single-family residences (party to the rezoning request), vacant OR-zoned property and farmland.

**Water/Sewer:**

Water is available from Eastern Pines Water Corporation. GUC sanitary sewer is located in the right-of-way of Portertown Road.

**Historic Sites:**

There are no known effects on designated sites.

**Environmental Conditions/Constraints:**

There are no known environmental constraints.

**Surrounding Land Uses and Zoning:**

North: RA20 - one (1) single-family residence; O - vacant; OR -

vacant, Greenville Mobile Estates (MHP) and Eastbend Estates (MHP)

South: RA20 - farmland (portion under common ownership of some of the property owners of the subject site) and the Norfolk Southern Railroad

East: CH - Gupton Center (under common ownership of one of the property owners of the subject site); RA20 - farmland

West: CG - Hardee Square Shopping Center and vacant lot (under ownership of one of the property owners of subject site); RA20 - Pinewood Memorial Park

**Density Estimates:**

Currently, there are 11 single-family residences, farmland, and vacant OR-zoned property on the subject site. Under the current zoning (portion zoned RA20), staff would anticipate the site could yield an additional 40-50 single-family lots. Under the current zoning (portion zoned OR), staff would anticipate the site to yield 100-110 multi-family units (1, 2 and 3 bedrooms). At maximum density, the portion zoned OR could yield 125-135 multi-family units (1, 2 and 3 bedrooms).

If the entire subject site was developed as multi-family, which was the recommended land use on the Future Land Use Plan Map prior to 2000, staff would anticipate the site to yield approximately 460-470 multi-family units (1, 2 and 3 bedrooms).

The rezoning area is 30.08 acres, but it is anticipated that the CG-zoned property, south of the Hardee Square Shopping Center, and the CH-zoned Gupton Center may be included in a common development. The density estimates are only for the rezoning site.

Under the requested zoning (CG), staff would anticipate the site to yield 200,000± square feet of retail/restaurant/office space that would consist of an anchor store with multiple outparcels. The outparcels would likely contain some combination of fast food restaurant, conventional restaurant, bank, and/or retail activities.

The anticipate build-out time is within 2-3 years.

**Additional Staff Comments:**

The subject site has frontage along East 10th Street (NC 33) and Portertown Road, which will provide north/south and east/west connections that would



provide the development ingress/egress from multiple directions.

The railroad right-of-way provides a physical separation between the future commercial area and the medium density residential neighborhoods located to the south. No additional railroad street crossings are anticipated between the commercial area and the residential areas.

**Fiscal Note:** No cost to the City.

**Recommendation:** In staff's opinion, the request is in compliance with Horizons: Greenville's Community Plan and the Future Land Use Plan Map.

"In compliance with the comprehensive plan" should be construed as meaning the requested rezoning 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.

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

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

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

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Attachments / [click to download](#)

- [📁 Location Map](#)
  - [📁 Survey](#)
  - [📁 Bufferyard and Residential Charts](#)
  - [📁 Corrdor And Focus Area, Thoroughfare Plan, and Future Land Use Plan Maps](#)
  - [📁 Ordinance WLA Enterprises Inc. James K. Price 844515](#)
  - [📁 Rezoning Case 09\\_08 WLA Enterprises 844310](#)
  - [📁 WLA Rezoning Minutes 847183](#)
  - [📁 List RA20 OR to CG 844511](#)
-

ORDINANCE NO. 09-  
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GREENVILLE  
REZONING TERRITORY LOCATED WITHIN THE PLANNING AND ZONING  
JURISDICTION OF THE CITY OF GREENVILLE, NORTH CAROLINA

WHEREAS, the City Council of the City of Greenville, North Carolina, in accordance with Article 19, Chapter 160A, of the General Statutes of North Carolina, caused a public notice to be given and published once a week for two successive weeks in The Daily Reflector setting forth that the City Council would, on November 9, 2009, at 6:00 p.m., in the City Council Chambers of City Hall in the City of Greenville, NC, conduct a public hearing on the adoption of an ordinance rezoning the following described territory;

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

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

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

Section 1. That the following described territory is rezoned from RA20 (Residential-Agricultural) and OR (Office-Residential) to CG (General Commercial).

TO WIT: TMBH Holdings, LLC, Karl Wayne Hardee and Travis Oscar Hardee et al, Claudie E. Stocks, James I. and Hannelore Deal, and Ollie Joseph Gupton, Jr. Properties.

LOCATION: Located between East 10<sup>th</sup> Street (NC 33) and the Norfolk Southern Railroad and east of Portertown Road.

DESCRIPTION: Beginning at a point located at the intersection of the northern right-of way of Norfolk Southern Railroad and the eastern right-of-way of Portertown Road; thence with said eastern right-of-way N 37°38'45" E, 224.42 feet to a point; thence leaving said eastern right-of-way S 74°20'20" E, 880.86 feet to a point; thence N 37°53'56" E, 690.90 feet to a point located along the southern right-of-way of NC Highway 33 (East 10<sup>th</sup> Street); thence with said southern right-of-way S 63°52'17" E, 141.93 feet to a point; thence S 62°32'17" E, 190.42 feet to a point; thence S 63°12'15" E, 118.66 feet to a point; thence S 63°16'16" E, 264.09 feet to a

point; thence S 62°45'10" E, 199.87 feet to a point; thence S 63°04'00" E, 90.61 feet to a point; thence S 63°34'28" E, 119.26 feet to a point; thence S 63°45'49" E, 59.96 feet to a point; thence leaving said southern right-of-way S 14°38'32" W, 307.30 feet to a point; thence S 65°41'17" E, 155.63 feet to a point; thence S 07°51'28" W, 308.44 feet to a point located along said northern right-of-way of Norfolk Southern Railroad; thence with said northern right-of-way N 74°00'00" W, for 2,591.05 feet to the Beginning. Said tract contains 28.9± acres.

Section 2. That the Director of Community Development is directed to amend the zoning map of the City of Greenville in accordance with this ordinance.

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

Section 4. That this ordinance shall become effective upon its adoption.

ADOPTED this 9<sup>th</sup> day of November, 2009.

\_\_\_\_\_  
Patricia C. Dunn, Mayor

ATTEST:

\_\_\_\_\_  
Wanda T. Elks, City Clerk

**Case No:** 09-08

**Applicant:** WLA Enterprises, Inc

**Property Information**

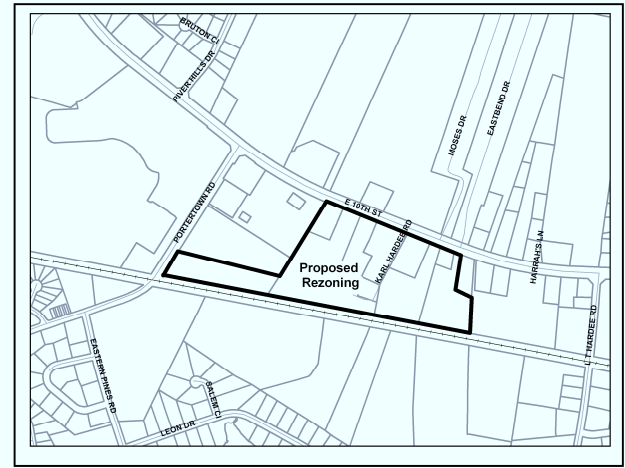
**Current Zoning:** 21.83 ac--RA20 (Residential-Agricultural)  
8.25 ac -- OR (Office-Residential [HDMF])

**Proposed Zoning:** CG (General Commercial)

**Current Acreage:** 30.08 total acres

**Location:** Southeast of E. 10th Street and Portertown Road

**Points of Access:** E. 10th Street, Portertown Road



**Location Map**

**Transportation Background Information**

**1.) E. 10th Street- State maintained**

	<u>Existing Street Section</u>	<u>Ultimate Thoroughfare Street Section</u>
Description/cross section	4 travel lanes	no change
Right of way width (ft)	100	100
Speed Limit (mph)	55	55
<b>Current ADT:</b>	20,000 (*)	UltimateDesign ADT: 35,000 vehicles/day (**)
<b>Design ADT:</b>	33,500	
<b>Controlled Access</b>	<b>No</b>	
<b>Thoroughfare Plan Status:</b>	Major Thoroughfare	
<b>Other Information:</b>	There are no sidewalks along E. 10th Street that service this property.	

**Notes:** (\*) 2009 City count  
(\*\*) Traffic volume based an operating Level of Service D for existing geometric conditions  
ADT – Average Daily Traffic volume

**Transportation Improvement Program Status:** No Planned Improvements.

**2.) Portertown Road- State maintained**

	<u>Existing Street Section</u>	<u>Ultimate Thoroughfare Street Section</u>
Description/cross section	2-lane	4-lane
Right of way width (ft)	90	90
Speed Limit (mph)	45	45
<b>Current ADT:</b>	13,300 (*)	Ultimate Design ADT: 33,500 vehicles/day (**)
<b>Design ADT:</b>	14,000	
<b>Controlled Access</b>	<b>No</b>	
<b>Thoroughfare Plan Status:</b>	Major Thoroughfare	
<b>Other Information:</b>	There are no sidewalks along Portertown Road that service this property.	

**Notes:** (\*) 2009 City count  
(\*\*) Traffic volume based an operating Level of Service D for existing geometric conditions  
ADT – Average Daily Traffic volume

**Transportation Improvement Program Status:** On MPO's Priority List (#13): Widen to a multi-lane facility.

**Trips generated by proposed use/change****Current Zoning: 1,374** -vehicle trips/day (\*)**Proposed Zoning: 8,584** -vehicle trips/day (\*)**Estimated Net Change: increase of 7210 vehicle trips/day (assumes full-build out)**

(\*) - These volumes are estimated and based on an average of the possible uses permitted by the current and proposed zoning.)

**Impact on Existing Roads****The overall estimated trips presented above are distributed based on current traffic patterns. The estimated ADTs on E. 10th Street and Portertown Road are as follows:**

- 1.) E. 10th Street, West of Site: "No build" ADT of 20,000**
- |   |                             |
|---|-----------------------------|
| Estimated ADT with Proposed Zoning (full build) – | 22,575                      |
| Estimated ADT with Current Zoning (full build) –  | <u>20,412</u>               |
| <b>Net ADT change =</b>                           | <b>2,163 (10% increase)</b> |
- 2.) E. 10th Street, East of Site: "No build" ADT of 20,000**
- |   |                             |
|---|-----------------------------|
| Estimated ADT with Proposed Zoning (full build) – | 22,575                      |
| Estimated ADT with Current Zoning (full build) –  | <u>20,412</u>               |
| <b>Net ADT change =</b>                           | <b>2,163 (10% increase)</b> |
- 3.) Portertown Road, South of Site: "No build" ADT of 13,300**
- |   |                             |
|---|-----------------------------|
| Estimated ADT with Proposed Zoning (full build) – | 16,734                      |
| Estimated ADT with Current Zoning (full build) –  | <u>13,850</u>               |
| <b>Net ADT change =</b>                           | <b>2,884 (17% increase)</b> |

**Staff Findings/Recommendations**

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 5150 trips to and from the site on E. 10th Street, which is a net increase of 4326 additional trips per day.

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 3434 trips to and from the site on Portertown Road, which is a net increase of 2884 additional trips per day.

During the review process, measures to mitigate traffic impacts will be determined. Prior to development approval, a Traffic Impact Study and analysis for the NC 33 / Portertown Road intersection will be required to assess the impacts. Mitigation measures may include limiting access onto NC 33 and/or Portertown Road, constructing turn lanes into the development, and intersection improvements at Portertown Road and NC 33, such as the construction of additional turn and/or through lanes.



**Excerpt from the draft Planning and Zoning Commission meeting minutes (10/20/09)**

REQUEST BY THE WLA ENTERPRISES, INC. (JAMES K. PRICE) - APPROVED

Ordinance requested by WLA Enterprises, Incorporated (James K. Price) to rezone 30.08 acres located between East Tenth Street (NC 33) and the Norfolk Southern Railroad and east of Portertown Road from RA20 (Residential-Agricultural) and OR (Office-Residential [High Density Multi-family]) to CG (General Commercial).

Ms. Chantae Gooby stated the rezoning was located in the eastern section of the city between East 10th Street and the Norfolk Southern Railroad and east of Portertown Road. She said the property wraps around the Hardee Square Shopping Center and Pinewood Cemetery is located to the west. The property contains approximately 30 acres of single-family residences and farmland with some vacant office and multi-family space. Lake Glenwood, a single-family subdivision, is located south of the property. Ms. Gooby stated East 10th Street is a gateway corridor with a designated focus area where intensive uses are expected. Ms. Gooby stated this rezoning could generate a net increase of 7,200 trips. She said in 2000, the Future Land Use Plan Map was amended from office/institutional/multi-family (OIMF) and high density residential (HDR) to commercial (C). If the subject area was developed as multi-family, as was the recommended land use in 2000, the net increase in traffic would have been 4,127 (total) additional trips per day. When City Council approved the amendment to the Future Land Use Plan Map in 2000, it affected the properties located to the east of the intersection of East 10th Street and Portertown Road. At that time, the Future Land Use Plan Map recommended limited commercial at the southeast corner of the intersection of East Tenth Street and Portertown Road with office/institutional/multi-family (OIMF) to the south and east to act as transitional zoning. The purpose of the OIMF designation at this location was to specifically limit the scale of commercial development at this intersection. Also at that time, high density residential (HDR) was recommended to the east of the OIMF area, south of 10th Street and north of the railroad. The Future Land Use Plan Map recommends large scale commercial (C) development along the southern right-of-way of East 10th Street between Portertown Road and L.T. Hardee Road. She said transitional zoning is recommended between the commercial to the north of the railroad and the residential neighborhood south of the railroad. Ms. Gooby said there could be a non-residential transition for this rezoning, such as office, just north of the railroad tracks. She said you could also have residential transition to the south of the railroad tracks. Ms. Gooby said since the property was recommended to be developed as multi-family on the prior Future Land Use Plan Map, staff would have anticipated the site to yield approximately 460-470 multi-family units. Under the requested zoning, staff would anticipate the site to yield 200,000± square feet of retail/restaurant/office space that would consist of an anchor store with multiple outparcels. The outparcels would likely contain some combination of fast food restaurant, conventional restaurant, bank and/or retail activities. Ms. Gooby said the request is in compliance with Horizons: Greenville's Community Plan and the Future Land Use Plan Map and staff recommends approval of the requested rezoning.

Mr. Tozer asked if the traffic reported indicated that it meets within the guidelines.

Ms. Gooby said it did and that a traffic impact study would also be required to determine any mitigation measures necessary.

Mr. Bell asked about the differences in the numbers for the net increase in traffic.

Mr. Gooby said what is there now is not what was anticipated to be there in 2000. In 2000 it was anticipated to be multi-family and when you look at multi-family verses commercial, its nets out to be about 4,000 trips instead of 7,000.

Jim Price, Vice President of WRS, Inc., spoke in favor of the request. Mr. Price said they were excited to be able to come to Greenville and find a location that could meet with the City's Future Land Use Plan. He said the project would bring jobs to the area, increase the tax base and provide goods and services to the eastern part of Greenville.

Mr. Tozer asked if the design would be similar to the previous design.

Mr. Price said it would be scaled back due to the size of the lot. He said they anticipated having an anchor store with about twelve national and regional tenants and four or five outparcels.

City Attorney Dave Holec reminded the board that they could not rely upon any representation as to the manner in which the property is to be developed. Property can be developed for any use as permitted in the zoning classification which applies to the property and the development may occur so long as it complies with the development guidelines established by the City's ordinances.

Mr. Randall said he had heard a lot of concerns about the location of a possible shopping center of this type on the northern side of the city. He asked Mr. Price if they had any plans to pursue that.

Mr. Price said they did not.

Mr. Randall asked why they chose this location.

Mr. Price said the city recommended complying with the land use plan and this location met that requirement and fit their needs as well.

Jon Day spoke in favor of the request. He said this rezoning request would fill in the land that is not zoned commercial between the two sites that are zoned commercial. He felt it was a unique planning opportunity for one developer to buy 36 acres of land.

Mr. Mark Taggart, resident of the Lake Glenwood subdivision, spoke in opposition to the request. He felt the lake would not be able to handle the runoff from this property and would cause tremendous flooding in their neighborhood. He said it was not equipped to handle the rain and runoff and he fears the dam will not be able to hold up.

Mr. Maxwell asked if they were located within the city limits.

Mr. Taggart said they were in the ETJ.

Mr. Bell asked if they received services from Pitt County with the dam.

Mr. Taggart said they had been trying for years to get help from all over and haven't been successful.

Mr. Randall said the railroad track was raised and asked how the water got over that.

Mr. Taggart said there was a pipe underneath Leon Drive and a trench and they filled up very quickly with water. He said it was noticeably more severe after Food Lion went up.

Mr. Tozer said state law would require the developer to do an engineering study of the parking lot and put in detention ponds to contain the water. He said they also require there be an entity to take care of those ponds and designated areas for wetland plants and grasses to help maintain the pond.

Mr. Chad Rouse, Arbor Hills subdivision, spoke in opposition to the request. He felt the development would affect his quality of life. He said the increase in traffic would make it unrealistic to use Portertown Road. He said he was not opposed to jobs, but thought north Greenville would be a better location for the project.

Mr. Ramey said they were not voting on jobs, they were only voting on rezoning the property.

Ms. Betty Wheatley , Lake Glenwood Subdivision, spoke in opposition to the request. Ms. Wheatley had concerns with traffic and flooding as well as crime and the value of her property.

Mr. Billy Battles, Lake Glenwood subdivision, spoke in opposition to the request. He stated he had concerns with flooding, traffic and the decrease of property value.

Mr. Mike Tart, Lake Glenwood subdivision, spoke in opposition to the request. Mr. Tart said there was a migratory bird flyway in that area every year and felt the impact to that should be considered. He felt putting the development north of the river would be more beneficial to the citizens of Greenville.

Ms. Charlotte Summerfield, Lake Glenwood subdivision, spoke in opposition to the request. She felt Wal-Mart would be in her back yard and was concerned with crime, lights, congestion and traffic. She said Wal-Mart had a bad reputation.

Mr. Bell asked what she meant by them having a bad reputation.

Ms. Summerfield said they were on the news for robberies and people being attacked. She said she had worked there and they were not a family oriented business.

Mr. Jeff Bayer, president of the Lake Glenwood Property Association, spoke in opposition to the request. He said the neighborhood had flooding problems with just a little rainfall and wanted the board to do more research on what they could do to fix it before more development went up.

Mr. Gordon said they were only talking about rezoning tonight and once any type of development is decided it would be presented to the appropriate boards and further studies would be done.

Mr. Bayer said his concern was with rezoning to commercial because that mean a lot of asphalt and concrete where there used to be farmland. He said because they were outside the city limits they didn't have a voice on City Council.

Ms. Jill Schwarz, Cardinal Drive, spoke in opposition to the request. She said traffic was already bad and didn't feel 2,000 more trips along Portertown Road would be feasible.

Ms. Claire Edwards spoke in opposition to the request. She stated she went to college in Savannah Georgia where they had zoning to keep commercial chains outside of the city and it had rejuvenated their whole city. She said a mixed-use zoning would be the most positive thing for the community.

Mr. Zeke Jackson spoke in opposition to the request. Mr. Jackson stated he was a resident of the Meeting Place subdivision and wanted to let the citizens know that he was running for City Council and could be a voice for them.

Mr. Nathan Carson, Rolling Meadows subdivision, spoke in opposition to the request. He said his concern was with the decisions the City Council was making and the repercussions that he sees happening to his neighbors. He said his neighborhood didn't flood, but he wondered how the City Council would respond to it if it did.

Mr. Jim Price spoke in favor in rebuttal. He said they would have to comply with both city and state law regarding storm water management.

Ms. Charlotte Summerfield spoke in opposition in rebuttal. She said Mr. Ramey said they were just considering the rezoning, not what was going to be built there. She said they knew what was being built there and they should all be opposed to it.

Mr. Bell said he felt most of the concerns were with storm water management and felt those would be handled through state and local laws.

Mr. Randall said they didn't want to overlook the concerns with the quality of life, traffic or migratory birds. He said the request was in compliance with the Land Use Plan and adjacent to commercial property. The traffic report shows the roads are designed to

handle additional traffic. He said no one seemed to be opposed to growth, just growth in that area. He said they were not there to pass judgment on particular things that may be built there, only whether or not they comply with the Land Use Plan.

Mr. Ramey said he could understand the concerns of the citizens but development was inevitable for a growing city.

Mr. Parker stated this request falls in the Land Use Plan and cautioned the board to continue to follow the plan and not make mistakes in this area in the future.

Mr. Tozer said the Land Use Plan was adjusted periodically as the city grows.

Motion was made by Mr. Bell, seconded by Mr. Ramey to recommend approval of the proposed amendment, to advise that it is consistent with the comprehensive plan and other applicable plans, and to adopt the staff report which addresses plan consistency and other matters. Motion carried unanimously.

## **EXISTING ZONING**

### **RA20 (Residential-Agricultural)**

#### ***Permitted Uses***

##### *(1) General:*

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

##### *(2) Residential:*

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

##### *(3) Home Occupations (see all categories):*

\*None

##### *(4) Governmental:*

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

##### *(5) Agricultural/ Mining:*

- a. Farming; agriculture, horticulture, forestry (see also section 9-4-103)
- c. Wayside market for farm products produced on site
- e. Kennel (see also section 9-4-103)
- f. Stable; horse only (see also section 9-4-103)
- g. Stable; per definition (see also section 9-4-103)
- h. Animal boarding not otherwise listed; outside facility, as an accessory or principal use

##### *(6) Recreational/ Entertainment:*

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

##### *(7) Office/ Financial/ Medical:*

\* None

##### *(8) Services:*

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

##### *(9) Repair:*

\* None

##### *(10) Retail Trade:*

\* None

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

\* None

##### *(12) Construction:*

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

##### *(13) Transportation:*

\* None

##### *(14) Manufacturing/ Warehousing:*

\* None



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

\* None

**RA20 (Residential-Agricultural)**

***Special Uses***

*(1) General:*

\* None

*(2) Residential:*

- b. Two-family attached dwelling (duplex)
- g. Mobile Home
- n. Retirement center or home
- o. Nursing, convalescent center or maternity home; major care facility

*(3) Home Occupations (see all categories):*

- a. Home occupation; including barber and beauty shops
- c. Home occupation; including manicure, pedicure or facial salon

*(4) Governmental:*

- a. Public utility building or use

*(5) Agricultural/ Mining:*

- b. Greenhouse or plant nursery; including accessory sales

*(6) Recreational/ Entertainment:*

- a. Golf course; regulation
- c.(1). Tennis club; indoor and outdoor facilities

*(7) Office/ Financial/ Medical:*

\* None

*(8) Services:*

- a. Child day care facilities
- b. Adult day care facilities
- d. Cemetery
- g. School; junior and senior high (see also section 9-4-103)
- h. School; elementary (see also section 9-4-103)
- i. School; kindergarten or nursery (see also section 9-4-103)

*(9) Repair:*

\* None

*(10) Retail Trade:*

\* None

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

\* None

*(12) Construction:*

\* None

*(13) Transportation:*

\* None

*(14) Manufacturing/ Warehousing:*

\* None

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

\* None

**OR (Office-Residential)**

***Permitted Uses***

*(1) General:*

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

*(2) Residential:*

- b. Two-family attached dwelling (duplex)
- c. Multi-family development per Article 1
- k. Family care home (see also section 9-4-103)
- n. Retirement center or home
- o. Nursing, convalescent center or maternity home; major care facility
- p. Board or rooming house
- q. Room renting

*(3) Home Occupations (see all categories):*

\*None

*(4) Governmental:*

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

*(5) Agricultural/ Mining:*

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

*(6) Recreational/ Entertainment:*

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

*(7) Office/ Financial/ Medical:*

- a. Office; professional and business, not otherwise listed
- b. Operational/processing center
- c. Office; customer service not otherwise listed, including accessory service delivery vehicle parking and indoor storage
- d. Bank, savings and loan or other savings or investment institutions
- e. Medical, dental, ophthalmology or similar clinic, not otherwise listed

*(8) Services:*

- c. Funeral home
- e. Barber or beauty shop
- f. Manicure, pedicure, or facial salon
- g. School; junior and senior high (see also section 9-4-103)
- h. School; elementary (see also section 9-4-103)
- i. School; kindergarten or nursery (see also section 9-4-103)
- j. College or other institutions of higher learning

- k. Business or trade school
- n. Auditorium
- o. Church or place of worship (see also section 9-4-103)
- p. Library
- q. Museum
- r. Art Gallery
- u. Art studio including art and supply sales
- v. Photography studio including photo and supply sales
- w. Recording studio
- x. Dance studio
- bb. Civic organizations
- cc. Trade or business organizations

*(9) Repair:*

\* None

*(10) Retail Trade:*

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

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

\* None

*(12) Construction:*

- a. Licensed contractor; general, electrical, plumbing, mechanical, etc. excluding outside storage
- c. Construction office; temporary, including modular office (see also section 9-4-103)

*(13) Transportation:*

\* None

*(14) Manufacturing/ Warehousing:*

\* None

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

\* None

**OR (Office-Residential)**

***Special Uses***

*(1) General:*

\* None

*(2) Residential:*

- d. Land use intensity multifamily (LUI) development rating 50 per Article K
- e. Land use intensity dormitory (LUI) development rating 67 per Article K
- i. Residential quarters for resident manager, supervisor or caretaker; excluding mobile home
- o.(1). Nursing, convalescent center or maternity home; minor care facility
- r. Fraternity or sorority house

*(3) Home Occupations (see all categories):*

\* None

*(4) Governmental:*

- a. Public utility building or use

*(5) Agricultural/ Mining:*

\* None

*(6) Recreational/ Entertainment:*

- c.(1). Tennis club; indoor and outdoor facilities
- h. Commercial recreation; indoor only, not otherwise listed

*(7) Office/ Financial/ Medical:*

- f. Veterinary clinic or animal hospital (also see animal boarding; outside facility, kennel and stable)

*(8) Services:*

- a. Child day care facilities
- b. Adult day care facilities
- l. Convention center; private
- s. Hotel, motel, bed and breakfast inn; limited stay lodging (see also residential quarters for resident manager, supervisor  
or caretaker and section 9-4-103)
- ff. Mental health, emotional or physical rehabilitation center

*(9) Repair:*

\* None

*(10) Retail Trade:*

- h. Restaurant; conventional
- j. Restaurant; regulated outdoor activities

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

\* None

*(12) Construction:*

\* None

*(13) Transportation:*

- h. Parking lot or structure; principle use

*(14) Manufacturing/ Warehousing:*

\* None

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

- a. Other activities; personal services not otherwise listed
- b. Other activities; professional services not otherwise listed

## **PROPOSED ZONING**

### **CG (General Commercial)**

#### ***Permitted Uses***

##### *(1) General:*

- a. Accessory use or building
- b. Internal service facilities
- c. On- premise signs per Article N
- e. Temporary uses; of listed district uses
- f. Retail sales; incidental
- g. Incidental assembly of products sold at retail or wholesale as an accessory to principle use

##### *(2) Residential: \* None*

##### *(3) Home Occupations (see all categories):*

\*None

##### *(4) Governmental:*

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

##### *(5) Agricultural/ Mining:*

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

##### *(6) Recreational/ Entertainment:*

- f. Public park or recreational facility
- h Commercial recreation; indoor only, not otherwise listed
- j. Bowling alleys
- n. Theater; movie or drama, indoor only
- q. Circus, carnival or fair, temporary only (see also section 9-4-103)
- s. Athletic Club; indoor only

##### *(7) Office/ Financial/ Medical:*

- a. Office; professional and business, not otherwise listed
- b. Operation/processing center
- d. Bank, savings and loan or other savings or investment institutions
- e. Medical, dental, ophthalmology or similar clinic, not otherwise listed
- g. Catalogue processing center

##### *(8) Services:*

- c. Funeral home
- e. Barber or beauty shop
- f. Manicure, pedicure, or facial salon
- o. Church or place of worship (see also section 9-4-103)
- q. Museum
- r. Art Gallery
- s. Hotel, motel, bed and breakfast inn; limited stay lodging (see also residential quarters for resident manager, supervisor or caretaker and section 9-4-103)
- u. Art studio including art and supply sales
- v. Photography studio including photo and supply sales

- y.(1) Television and/or radio broadcast facilities including receiving and transmission equipment and towers not exceeding 200 feet in height or cellular telephone and wireless communication towers not exceeding 200 feet in height  
(see also section 9-4-103)
- z. Printing or publishing service including graphic art, map, newspapers, magazines and books
- aa. Catering service including food preparation (see also restaurant; conventional and fast food)
- hh. Exercise and weight loss studio; indoor only
- kk. Launderette; household users
- ll. Dry cleaners; household users
- oo. Clothes alteration or shoe repair shop
- pp. Automobile wash

*(9) Repair:*

- g. Jewelry, watch, eyewear or other personal item repair

*(10) Retail Trade:*

- a. Miscellaneous retail sales; non-durable goods, not otherwise listed
- c. Grocery; food or beverage, off premise consumption (see also Wine Shop)
- c.1 Wine shop (see also section 9-4-103)
- d. Pharmacy
- e. Convenience store (see also gasoline sales)
- f. Office and school supply, equipment sales
- g. Fish market; excluding processing or packing
- h. Restaurant; conventional
- i. Restaurant; fast food
- k. Medical supply sales and rental of medically related products
- l. Electric; stereo, radio, computer, television, etc. sales and accessory repair
- m. Appliance; household use, sales and accessory repair, excluding outside storage
- p. Furniture and home furnishing sales not otherwise listed
- q. Floor covering, carpet and wall covering sales
- r. Antique sales; excluding vehicles
- s. Book or card store, news stand
- t. Hobby or craft shop
- u. Pet shop (see also animal boarding; outside facility)
- v. Video or music store; records, tape, compact disk, etc. sales
- w. Florist
- x. Sporting goods sales and rental shop
- y. Auto part sales (see also major and minor repair)
- aa. Pawnbroker
- bb. Lawn and garden supply and household implement sales and accessory sales
- ee. Christmas tree sales lot; temporary only (see also section 9-4-103)

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

- b. Rental of home furniture, appliances or electronics and medically related products (see also (10)k.)
- c. Rental of cloths and accessories; formal wear, etc.

*(12) Construction:*

- c. Construction office; temporary, including modular office (see also section 9-4-103)
- e. Building supply; lumber and materials sales, plumbing and/or electrical supply excluding outside storage
- f. Hardware store

*(13) Transportation:*

- c. Taxi or limousine service
- h. Parking lot or structure; principal use



*(14) Manufacturing/ Warehousing:*

\* None

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

\* None

**CG (General Commercial)**

***Special Uses***

*(1) General:*

\* None

*(2) Residential:*

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

*(3) Home Occupations (see all categories):*

\* None

*(4) Governmental:*

a. Public utility building or use

*(5) Agricultural/ Mining:*

\* None

*(6) Recreational/ Entertainment:*

d. Game center

l. Billiard parlor or pool hall

m. Public or private club

t. Athletic club; indoor and outdoor facilities

*(7) Office/ Financial/ Medical:*

c. Office; customer services, not otherwise listed, including accessory service delivery vehicle parking and indoor storage

f. Veterinary clinic or animal hospital (see also animal boarding; outside facility, kennel and stable)

*(8) Services:*

a. Child day care facilities

b. Adult day care facilities

l. Convention center; private

*(9) Repair:*

a. Major repair; as an accessory or principal use

b. Minor repair; as an accessory or principal use

*(10) Retail Trade:*

b. Gasoline or automotive fuel sales; accessory or principal use, retail

j. Restaurant; regulated outdoor activities

n. Appliances; commercial use, sales and accessory repair, excluding outside storage

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

d. Rental of automobiles, noncommercial trucks or trailers, recreational vehicles, motorcycles and boats

f. Automobile, truck, recreational vehicle, motorcycle and boat sales and service (see also major and minor repair)

*(12) Construction:*

\* None

*(13) Transportation:*

\* None

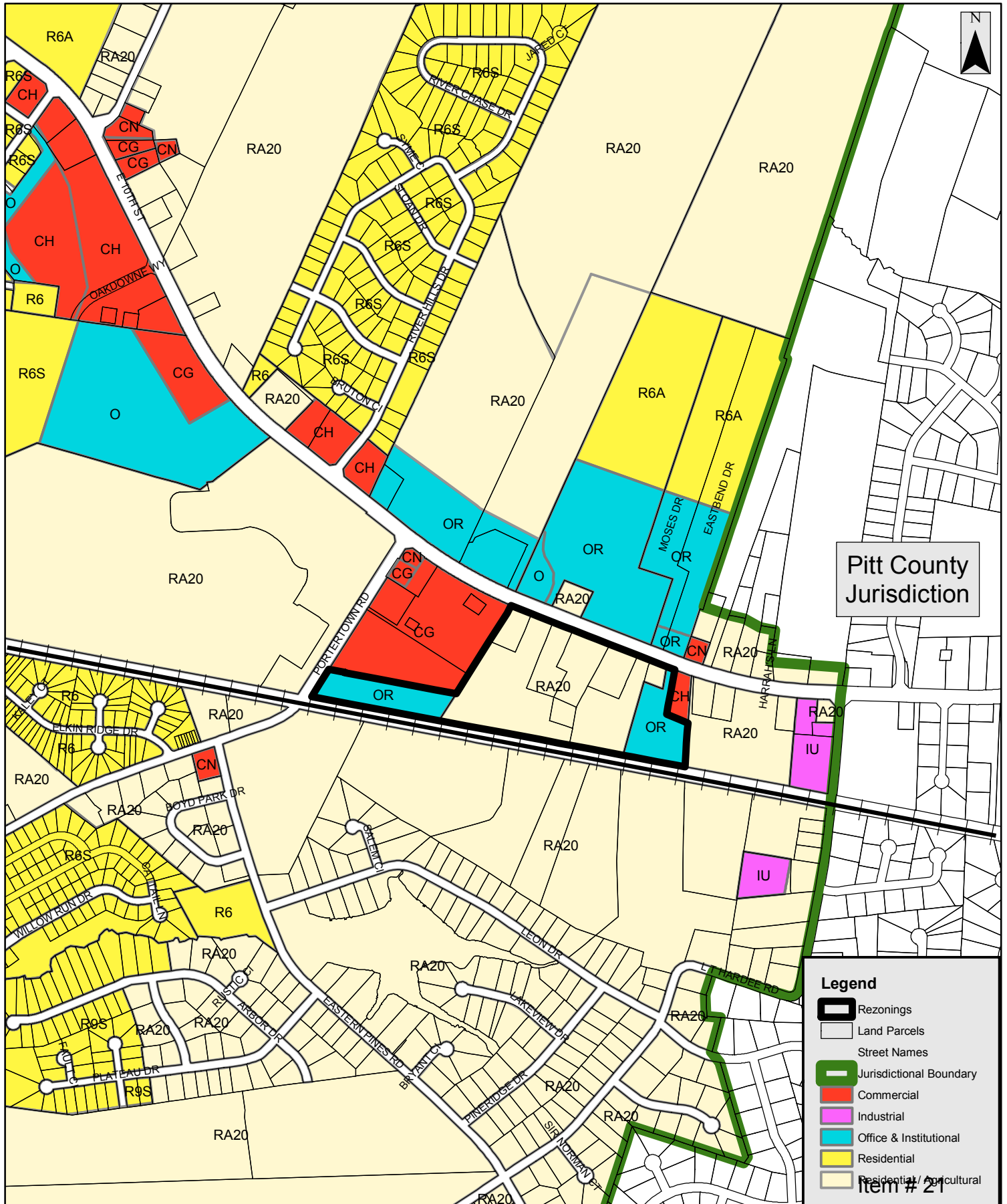
*(14) Manufacturing/ Warehousing:*

k. Mini-storage warehouse, household; excluding outside storage

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

- a. Other activities; personal services not otherwise listed
- b. Other activities; professional activities not otherwise listed
- c. Other activities; commercial services not otherwise listed
- d. Other activities; retail sales not otherwise listed

WLA Enterprises, Inc. - James K. Price  
From RA20 (20.6 acres) & OR (8.3 acres) to CG (28.9 acres)  
October 21, 2009  
REVISED

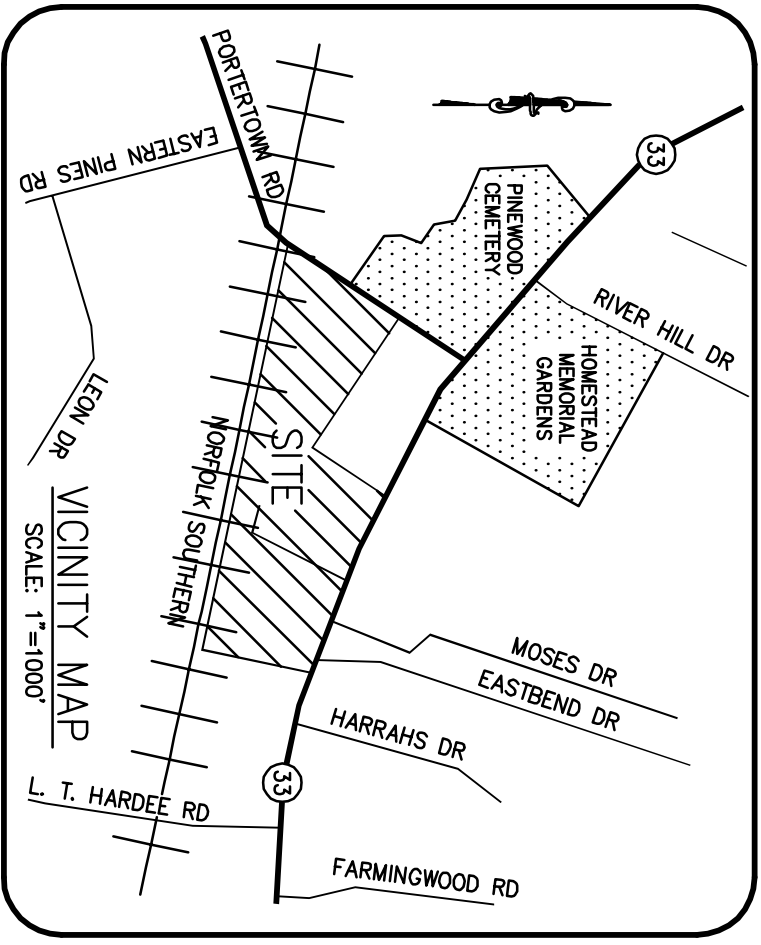


LINE	LENGTH	BEARING
L1	90.81'	S 63°04'00" E
L2	143.20'	N 37°33'56" E
L3	129.69'	N 37°33'56" E
L4	141.93'	S 63°34'17" E
L5	131.15'	S 27°56'29" W
L6	140.98'	S 27°56'29" W
L7	164.33'	N 62°28'56" W
L8	189.13'	N 62°28'56" W
L9	118.98'	S 63°12'15" E
L10	119.28'	S 63°34'28" E
L11	59.98'	S 63°45'49" E
L12	149.75'	N 14°58'32" E
L13	159.69'	N 14°58'32" E
L14	118.03'	S 63°45'37" E
L15	153.63'	N 65°41'17" W
L16	59.58'	N 65°41'17" W
L17	136.50'	N 65°08'54" W
L18	150.86'	N 21°18'59" E
L19	168.43'	N 28°01'59" E
L20	200.66'	S 33°49'33" W
L21	188.49'	N 62°44'50" W
L22	200.49'	N 33°23'09" E
L23	163.09'	S 33°23'09" W
L24	166.67'	N 56°35'57" W
L25	62.03'	N 33°24'03" E
L26	81.68'	N 60°54'37" W
L27	110.06'	N 33°24'03" E
L28	187.65'	N 28°30'53" E
L29	116.02'	S 33°23'09" W
L30	14.79'	S 16°48'03" W
L31	170.79'	N 56°42'38" W
L32	130.05'	N 33°24'03" E
L33	136.68'	S 16°48'03" W
L34	166.33'	N 63°18'45" E
L35	182.46'	N 18°48'03" E
L36	163.36'	N 65°12'35" E
L37	230.43'	N 37°33'56" E
L38	147.32'	N 37°33'56" E
L39	224.42'	N 37°38'45" E

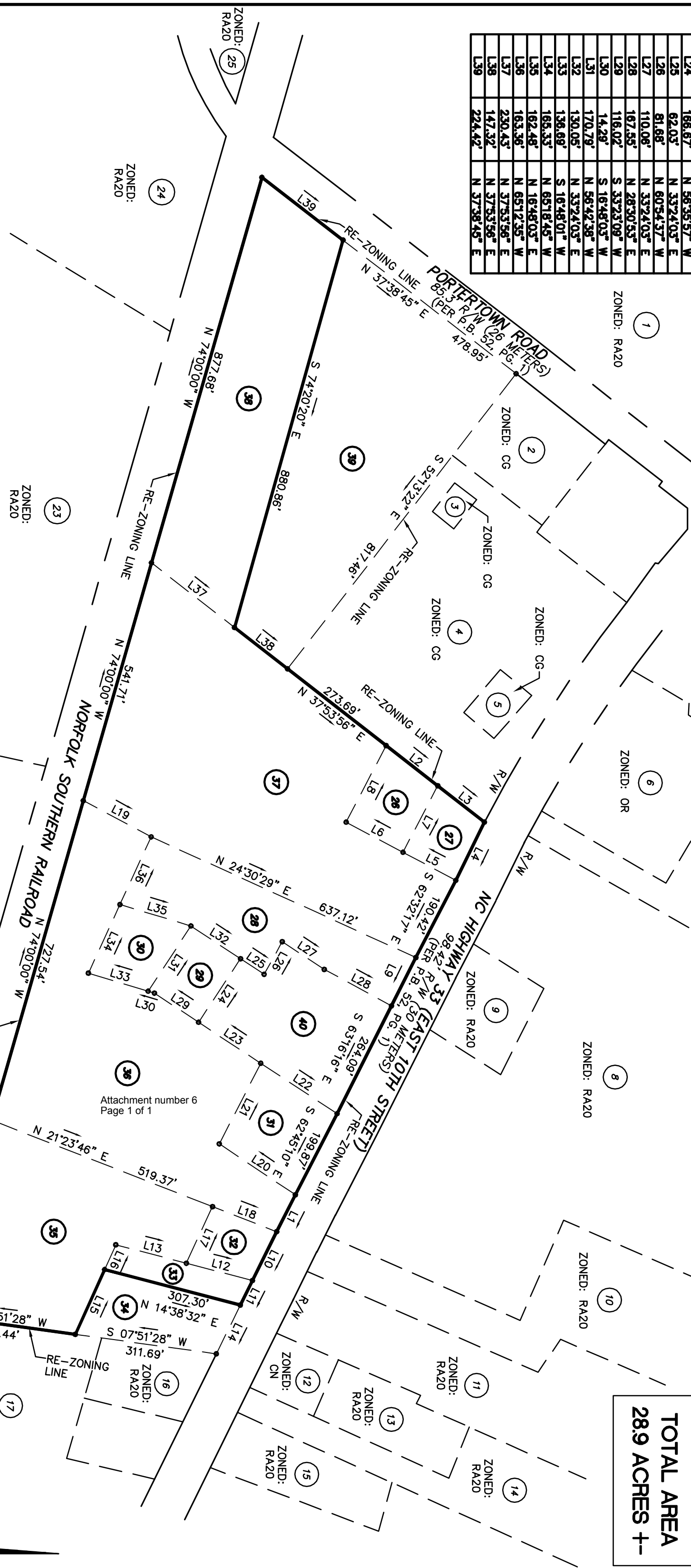
REZONING BOUNDARY					
NO.	PARCEL ID #	PROPERTY OWNER	CURRENT ZONING	PROPOSED ZONING	ACREAGE
01	32902	CLAIRE E. STOCKS	RA20	CG	4.06 ACRES
02	32902	CLAIRE E. STOCKS	RA20	CG	4.05 ACRES
03	51081	WAYNE HARDEE	RA20	CG	31.9 ACRES
04	51082	KARL E. HARDEE	RA20	CG	4.05 ACRES
05	47497	KARL E. HARDEE	RA20	CG	4.06 ACRES
06	59472	THOMAS G. AND ELLEN R. HARDEE	RA20	CG	4.04 ACRES
07	06837	JAMES L. AND MARGARET DEAN	RA20	CG	4.04 ACRES
08	44139	QULE T. GORTON	OR	CG	4.04 ACRES
09	44138	QULE T. GORTON	RA20	CG	4.06 ACRES
10	08785	KARL E. HARDEE	RA20	CG	43.9 ACRES
11	08789	KARL E. HARDEE	RA20	CG	47.4 ACRES
12	24890	THOMAS HOLDINGS, LLC	OR	CG	44.3 ACRES
13	51082	KARL E. HARDEE	RA20	CG	41.9 ACRES

**LEGEND:**  
 R/W RIGHT-OF-WAY

**TOTAL AREA**  
 28.9 ACRES +-



**SURVEYOR'S NOTES:**  
 THIS IS NOT A FIELD RUN BOUNDARY SURVEY. THIS DRAWING WAS MADE COMPILED THE MOST RECENT DEEDS AND PLATS FOUND ON THE PITT COUNTY WEB SITE AND COURT HOUSE RESEARCH BY OTHERS SUPPLIED TO THIS FIRM. THIS PLAT IS FOR REZONING PURPOSES ONLY AND SHOULD NOT BE USED FOR ANY LEGAL PURPOSE SUCH AS PROPERTY TRANSFER, SURVEYING OR DEED DESCRIPTIONS. THIS SURVEYOR DOES NOT WARRANT ANY OF THE BOUNDARY INFORMATION SHOWN HEREON.



ADJOINING PROPERTIES			
NO.	PARCEL ID #	PROPERTY OWNER	CURRENT ZONING
01	071081	PINEWOOD MEDICAL PARK, INC.	RA20
02	089656	THE EAST CAROLINA BANK	CG
03	070654	RAMS & ASSOC. DEV. CO., LLC	CG
04	086442	RAMS INC.	CG
05	088187	CHARLES C. MCALPIN	CG
06	043764	SHADOW BLVD	OR & RA20
07	028564	5111 OF GREENVILLE	OR & RA20
08	010412	V. STEW, LLC	RA20
09	009791	DARBELL V. & JANET A. ELKS	RA20
10	030723	REUBEN P. TURNER	RA20
11	017280	CENTURY FINANCIAL SERVICES GROUP, LLC	RA20
12	023333	JOYCE H. MCGOY	CG
13	067735	JOHNNIE E. MCGOINS	CG
14	033069	V. STEW, LLC	RA20
15	030916	82897 GENIE HARDEE	RA20
16	058442	WILLIAM CLAUDE HARDEE	RA20
17	008710	JAMES LEWIS HARDEE	RA20
18	008710	JAMES LEWIS HARDEE	RA20
19	008774	CONNIE A. & MONA G. HARDEE	RA20
20	050523	JAMES LEWIS HARDEE	RA20
21	050520	KARL E. HARDEE	RA20
22	009729	KARL E. HARDEE	RA20
23	024660	TIMOTHY HOLDINGS, LLC	RA20
24	014114	MARY BOUD MANN	RA20
25	043817	BENJAMIN D. KITCHEN	RA20
26	24890	THOMAS HOLDINGS, LLC	CG
27	44139	QULE T. GORTON	CG

**FREELAND & ASSOCIATES, INC.**  
 SURVEYORS • ENGINEERS

323 WEST STONE AVE.  
 GREENVILLE S.C. 29609  
 TEL. (864) 271-4924 FAX: (864) 233-0315  
 EMAIL: info@freeland-associates.com

DRAWN: JMP PARTY CHIEF: N/A CHECKED: JCC  
 REF. PLAT BOOK: N/A  
 REF. DEED BOOK: N/A  
 TAX MAP: SEE INDIVIDUAL PARCELS  
 DATE OF SURVEY: N/A  
 DATE DRAWN: 10-9-09  
 DRAWING NO.: 62162  
 DATE OF LAST REVISION:

0' 200' 400' 600'  
 SCALE: 1" = 200'

STATE OF NORTH CAROLINA  
 PITT COUNTY

RE-ZONING PLAT  
 FOR  
 WLA ENTERPRISES, INC  
 JAMES K. PRICE  
 1415 STUART ENGALS BLVD  
 MT. PLEASANT, SC 29464



04/30/07

## BUFFERYARD SETBACK AND VEGETATION SCREENING CHART

For Illustrative Purposes Only

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

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

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

Street trees may count toward the minimum acreage.

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

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

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

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

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

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

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

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

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

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

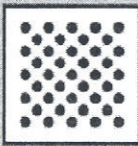
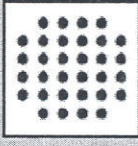
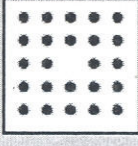
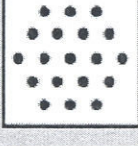
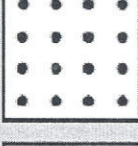
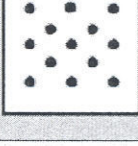
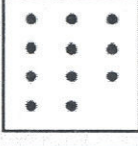
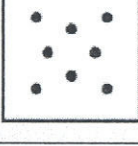
Residential Density		
Maximum density allowed by Zoning District based on average of 2.67 persons per dwelling unit		
<b>High Density</b>		
R6 R6-N R6-MH OR CDF	17 units per acre yields 45 persons per acre	
PUD	12 units per acre yields 32 persons per acre	
<b>Medium Density</b>		
R6-A	9 units per acre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

Illustration: Maximum allowable density in Residential Zoning Districts

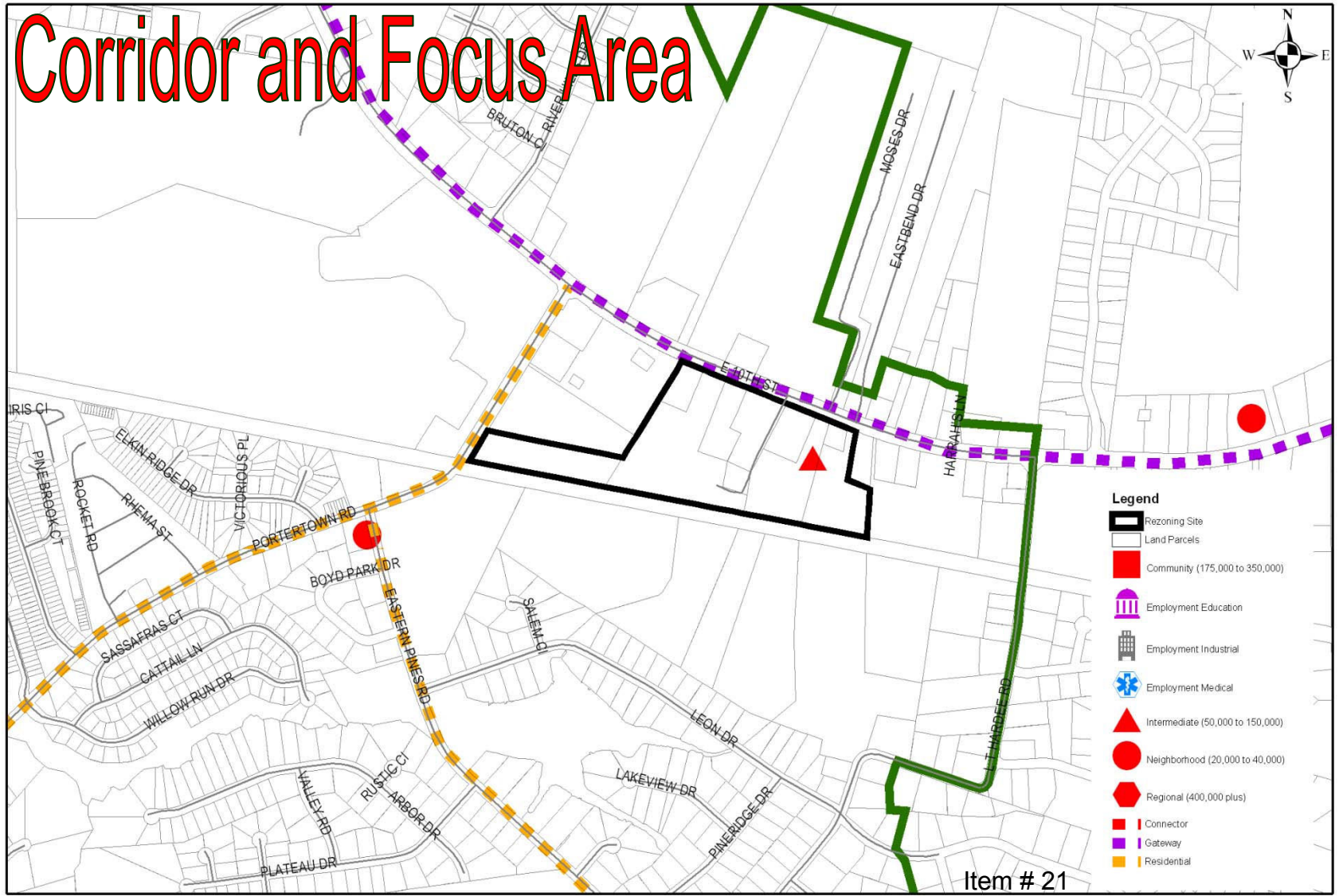




# CITY OF GREENVILLE, NC

## PLANNING & ZONING COMMISSION

# Corridor and Focus Area



- Legend**
- Rezoning Site
  - Land Parcels
  - Community (175,000 to 350,000)
  - Employment Education
  - Employment Industrial
  - Employment Medical
  - Intermediate (50,000 to 150,000)
  - Neighborhood (20,000 to 40,000)
  - Regional (400,000 plus)
  - Connector
  - Gateway
  - Residential

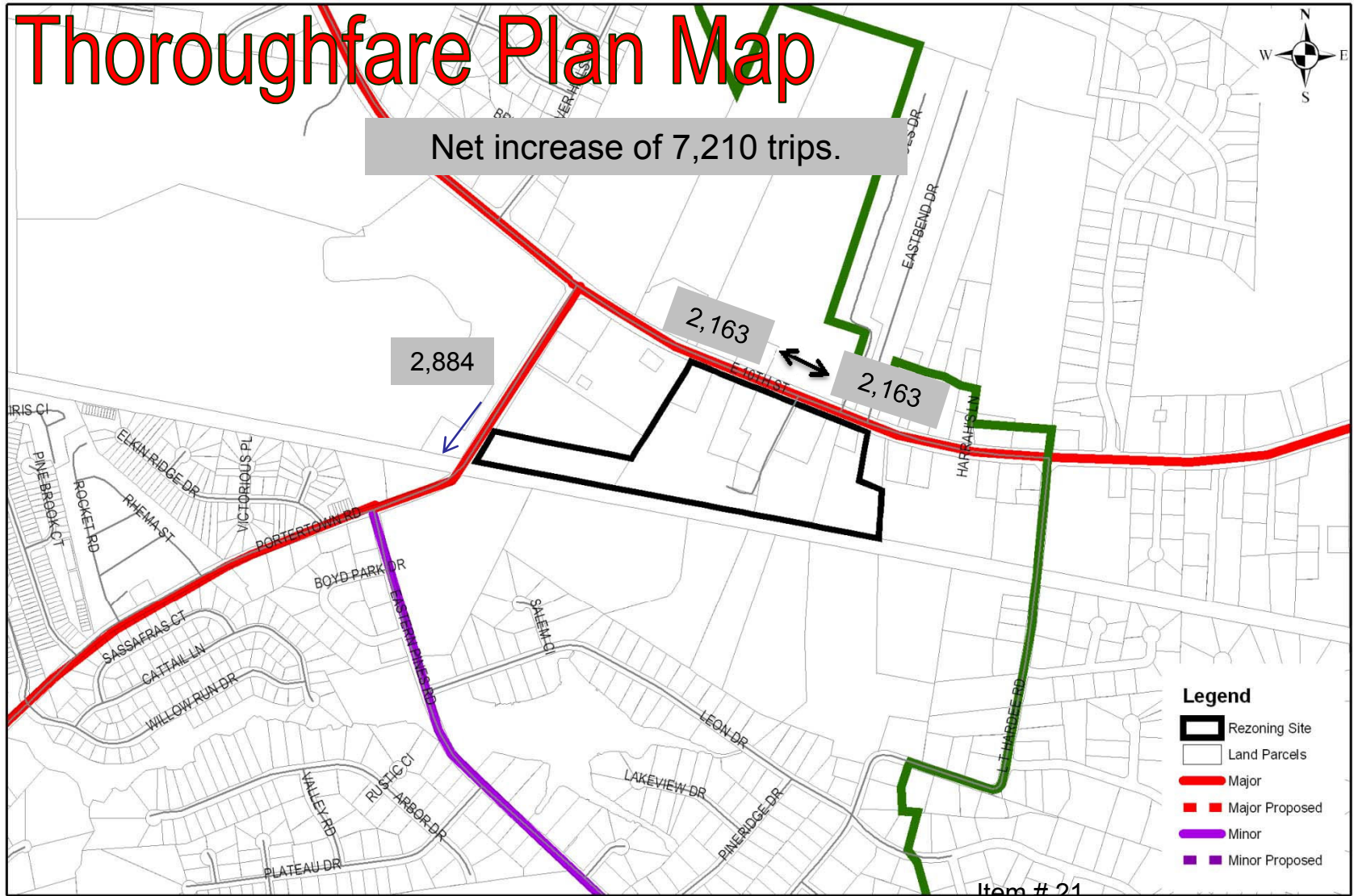
Item # 21





# Thoroughfare Plan Map

Net increase of 7,210 trips.



### Legend

- Rezoning Site
- Land Parcels
- Major
- Major Proposed
- Minor
- Minor Proposed

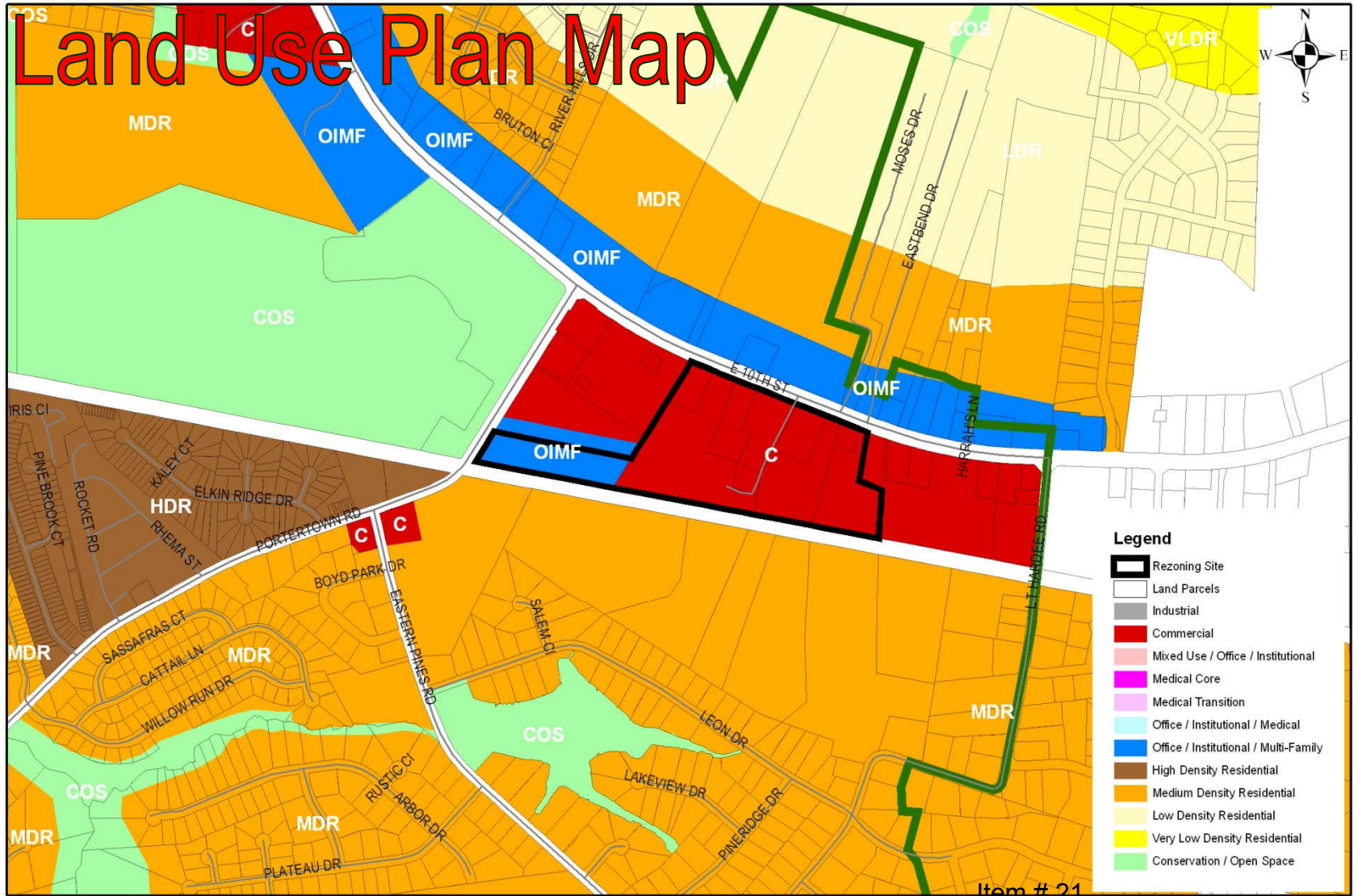
Item # 21



# CITY OF GREENVILLE, NC

## PLANNING & ZONING COMMISSION

# Land Use Plan Map



Item # 21





# City of Greenville, North Carolina

Meeting Date: 11/9/2  
Time: 6:00 PM

**Title of Item:** Ordinance to annex Lynndale East, Section 8, Block H, Lot 2 involving 2.831 acres located north of Stonehenge Office Park, west of Arlington Place at Stonehenge, Sections One and Two, and east of Lynndale East, Section 9

**Explanation:** ANNEXATION PROFILE  
A. SCHEDULE

1. Advertising date: October 26, 2009
2. City Council public hearing date: November 9, 2009
3. Effective date: December 31, 2009

B. CHARACTERISTICS

1. Relation to Primary City Limits: Contiguous
2. Relation to Recognized Industrial Area: Outside
3. Acreage: 2.831 acres
4. Voting District: 5
5. Township: Winterville
6. Vision Area: D
7. Zoning District: OR- Office-Residential
8. Land Use: Existing: Vacant Anticipated: 3 Office buildings  
(a 14,000 sq. ft. building, a 10,000 sq. ft. building, a 9,600 sq. ft. building)

9. Population:

	Formula	Number of People
Total Current	N/A	N/A
Estimated at full development	N/A	N/A
Current Minority	N/A	N/A
Estimated Minority at full development	N/A	N/A
Current White	N/A	N/A
Estimated White at full development	N/A	N/A

10. Rural Fire Tax District: Winterville

11. Greenville Fire District: Station #3 (Distance of 1.16 miles)

12. Present Tax Value: \$445,356  
Estimated Future Tax Value: \$4,645,356

**Fiscal Note:** The total estimated tax value at full development is \$4,645,356.

**Recommendation:** Approve the attached ordinance to annex Lynndale East, Section 8, Block H, Lot 2.

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

**Attachments / click to download**

[Lynndale East, Section 8, Block H, Lot 2 Annexation Map](#)

[Lynndale Est Section 8 Block H Lot 2 Annexation Ordinance 846811](#)

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ORDINANCE NO. 09-\_\_\_\_\_  
AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF  
THE CITY OF GREENVILLE, NORTH CAROLINA

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

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

WHEREAS, the City Clerk has certified the sufficiency of said petition and a public hearing on the question of this annexation was held at City Hall at 6:00 p.m. on the 9<sup>th</sup> day of November, 2009 after due notice by publication in The Daily Reflector on the 26th day of October, 2009; and

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

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

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

TO WIT:                    Being all that certain property as shown on the annexation map entitled "Lynndale East, Section 8, Block H, Lot 2" involving 2.831 acres as prepared by Rivers & Associates, Inc.

LOCATION:                Lying and being situated in Winterville Township, Pitt County, North Carolina, located north of Stonehenge Office Park, west of Arlington Place at Stonehenge Sections One and Two and east of Lynndale East, Section 9. This annexation involves 2.831 acres.

GENERAL DESCRIPTION:

All that certain tract or parcel of land lying and being situated in Winterville Township, Pitt County, North Carolina, bounded on the north by Forbes Woods Condominiums, on the east by Arlington Place At Stonehenge, on the south by Stonehenge Drive and on the west by Greenbrier Realty Co., Inc. (Lynndale East, Section Nine) and being described by metes and bounds as follows:

BEGINNING at a point in the northern right of way line of Stonehenge Drive, said point being the southwest corner of Lot 1, Block H, Lynndale East, Section Eight, recorded in Map Book 49, page 5, thence from said POINT OF BEGINNING and with the northern right of way line of Stonehenge Drive S 68858'03" W 87.06 feet to a point of curve, thence continuing with the northern right of way line of Stonehenge Drive along a curve in a clock-wise direction, said curve having a radius of 600.00 feet, a chord bearing of S 83807'47 W and a chord distance of 293.60 feet to a point in said right of way, said point being the southeast corner of Lot 3, Block H, Lynndale East, Section Nine, recorded in Map Book 54, page 123, thence leaving Stonehenge Drive and with the eastern line of Lot 3, Block H, Lynndale East, Section Nine N 14819'52" E 365.63 feet to a point in the southern line of Forbes Woods Condominiums, Section Eight, recorded in Condominium Book 2, page 40, said point further being the northeast corner of Lot 3, Block H as heretofore mentioned, thence with the southern line of Forbes Woods Condominiums, Section Eight N 68857'30" E 360.07 feet to the southeast corner of Forbes Woods Condominiums, Section Four, recorded in Condominium Book 2, page 25, said point also being in the eastern line of Lot 4, Block B Arlington Place At Stonehenge, Section Two, recorded in Map Book 49, page 97, thence leaving Forbes Woods Condominiums and with the western line of Arlington Place At Stonehenge, Section Two, Lots 4 and 3, Block B, S 21802'30" E 120.06 feet to a point on the western line of Arlington Place At Stonehenge, Section Two, Lot 3, Block B cornering, thence S 68° 58' 03" W 200.00 feet along the northern property line of Lynndale East Section Eight, Lot 1, Block H recorded in Map Book 49, Page 5 cornering, thence S 21° 02' 30" E 250.00 feet along the western property line of Lynndale East Section Eight, Lot 1, Block H to the POINT OF BEGINNING containing 2.831 acres, more or less.

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

Section 3. The territory annexed and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Greenville and shall be entitled to the same privileges and benefits as other territory now within the City of Greenville. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 4. The Mayor of the City of Greenville, North Carolina, shall cause a copy of the map of the territory annexed by this ordinance and a certified copy of this ordinance to be recorded in the office of the Register of Deeds of Pitt County and in the Office of the Secretary of State in Raleigh, North Carolina. Such a map shall also be delivered to the Pitt County Board of Elections as required by G.S. 163-288.1.

Section 5. This annexation shall take effect from and after the 31<sup>st</sup> day of December, 2009.

ADOPTED this 9<sup>th</sup> day of November, 2009.

\_\_\_\_\_  
Patricia C. Dunn, Mayor

ATTEST:

\_\_\_\_\_  
Wanda T. Elks, City Clerk



NORTH CAROLINA  
PITT COUNTY

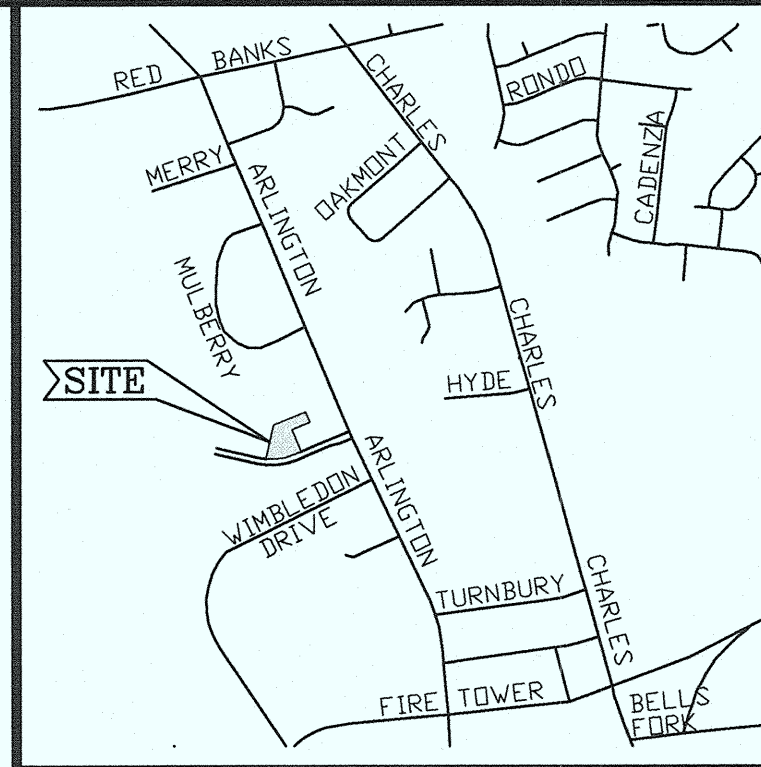
I, Patricia A. Sugg, Notary Public for said County and State, certify that Wanda T. Elks personally came before me this day and acknowledged that she is City Clerk of the City of Greenville, a municipality, and that by authority duly given and as the act of the municipality, the foregoing instrument 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 \_\_\_\_\_ day of \_\_\_\_\_, 2009.

Attachment number 1  
Page 3 of 3

\_\_\_\_\_  
Patricia A. Sugg, Notary Public

My Commission Expires: September 4, 2011

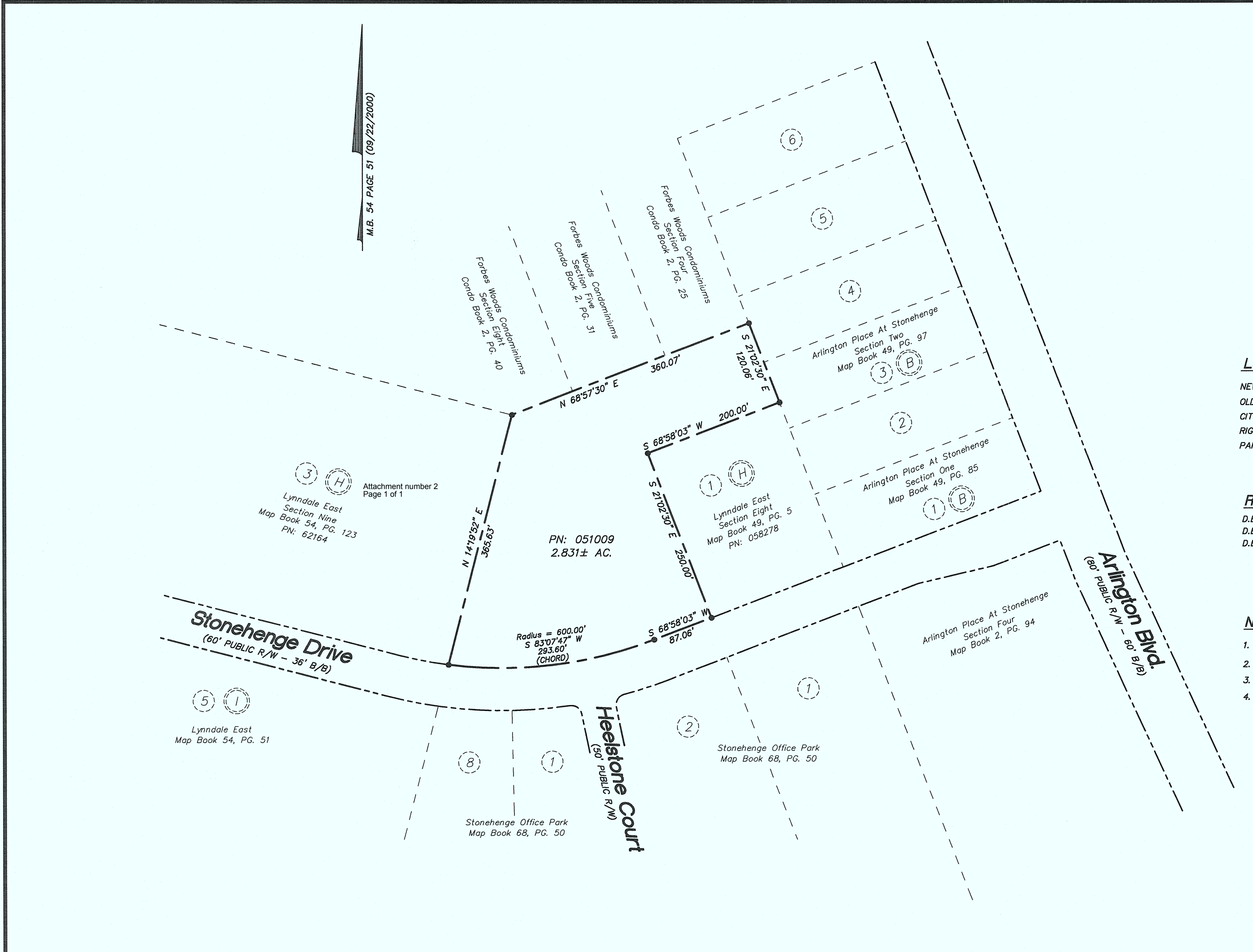
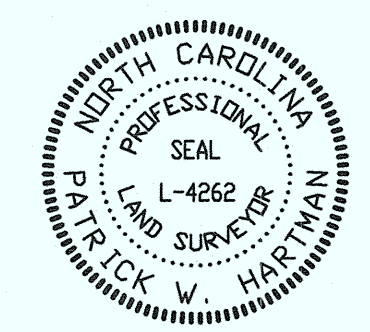


**Location Map**  
SCALE: 1" = 2000'

- Legend**
- NEW CITY LIMIT -----
  - OLD CITY LIMIT -----
  - CITY LIMIT -----
  - RIGHT OF WAY -----
  - PARCEL NUMBER PN

- References**
- D.B. 2657, PG. 402
  - D.B. 737, PG. 438
  - D.B. 2073, PG. 730

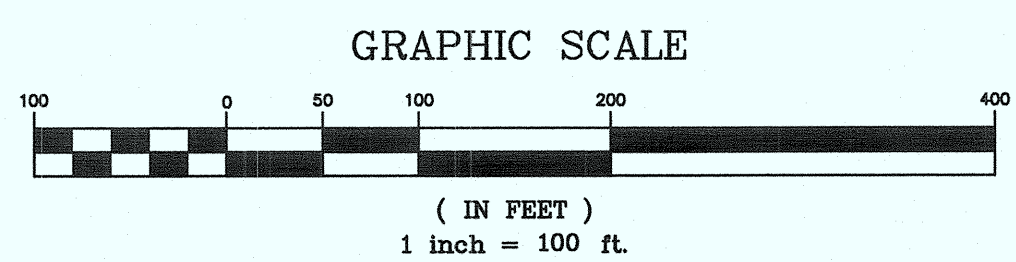
- Notes :**
1. AREA DETERMINED BY COORDINATES.
  2. ALL DISTANCES ARE HORIZONTAL GROUND MEASUREMENTS.
  3. NO POINT SET AT CORNERS UNLESS OTHERWISE NOTED.
  4. THIS MAP WAS PREPARED FOR ANNEXATION PURPOSES ONLY AND IS NOT A BOUNDARY SURVEY OF THE PROPERTIES SHOWN HEREON.



**ANNEXATION MAP**  
**LYNNDALE EAST**  
**LOT 2, BLOCK H, SECTION EIGHT**  
WINTERVILLE TOWNSHIP, PITT COUNTY, NORTH CAROLINA

OWNER SIDUS FINANCIAL, LLC  
ADDRESS 1905 TURNBURY DRIVE GREENVILLE, NC. 27858  
PHONE (252) 353-6222

MAP NO.	PLATS RECORDED	BOOK	PAGE
	LYNNDALE EAST, SEC. NINE	54	51
	LYNNDALE EAST, SEC. EIGHT	49	13



MAP SHOWING AREA ANNEXED BY  
**THE CITY OF GREENVILLE, N.C.**

**Rivers & Associates, Inc.**  
107 East Second Street  
Greenville, NC 27858 (252) 752-4135

Engineers  
Planners  
Surveyors  
Landscape Architects  
License No. F - 0334

8131 Falls of Neuse Road, Suite 300  
Raleigh, NC 27609 (919) 946-3347

SURVEYED	APPROVED
DRAWN A.A.S.	F.D.T.
CHECKED P.W.H.	DATE 07/06/09
	SCALE 1" = 100'

EFFECTIVE DATE \_\_\_\_\_ ORDINANCE NO. \_\_\_\_\_ AREA 2.831 AC.  
WINTERVILLE TOWNSHIP, PITT COUNTY, N.C.

**CERTIFICATION**  
NORTH CAROLINA PITT COUNTY

I, PATRICK W. HARTMAN, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM INFORMATION REFERENCED HEREON, SUPPLEMENTED WITH FIELD SURVEYS; THAT THE RATIO OF PRECISION IS 1:10,000; THAT BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION FOUND AND 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)(d) AS TO THE FOLLOWING THAT THIS SURVEY IS OF ANOTHER CATEGORY (ANNEXATION MAP), SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY, OR OTHER EXCEPTION TO THE DEFINITION OF SUBDIVISION. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER, AND SEAL THIS 20th DAY OF AUGUST, 2009.

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



# City of Greenville, North Carolina

Meeting Date: 11/9/2  
Time: 6:00 PM

**Title of Item:** Ordinance directing the enforcement officer to remove or demolish the nonresidential building or structure located at 1600 South Greene Street

**Explanation:** The nonresidential building at 1600 South Greene Street was found to be out of compliance with the Nonresidential Building or Structure Code for the City of Greenville. The initial Notice of Violation and hearing was sent by certified mail on May 15, 2009 to the property owner(s) informing the owner(s) of the nonresidential structure violations cited by the enforcement officer. A hearing was held, and Doris Paige, Kizzey Paige, and Idrisa Paige were notified of the violations and of the remedies necessary to bring the structure into compliance. Pursuant to the enforcement action of the Nonresidential Building or Structure Code for the City of Greenville, the owner has not performed measures needed to repair or demolish the structure located at 1600 South Greene Street within the time established by the enforcement officer.

The current tax value on the property is \$24,076 (the building value is \$17,476 and the land value is \$6,600). The estimated cost to repair the property is in excess of \$30,000.

The structure has been vacated, closed, and utilities disconnected.

**Fiscal Note:** The estimated cost to test and abate asbestos (if present) and demolish the building is \$15,000 due to the materials and size of the structure. The cost of demolition and removal shall constitute a lien against the real property upon which the cost was incurred. The lien shall be filed, have the same priority, and be collected in the same manner as the lien for special assessment established by Article 10 of Chapter 160A of the North Carolina General Statutes.


**Recommendation:** Approve the attached ordinance allowing the City to abate the nonresidential

structure at 1600 South Greene Street by means of demolition.

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

**Attachments / click to download**

 [1600 S Greene Street Photos](#)

 [Abatement Ordinance for 1600 S Greene Street 844933](#)

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ORDINANCE NO. 09-\_\_\_\_\_  
ORDINANCE DIRECTING THE ENFORCEMENT OFFICER TO  
REMOVE OR DEMOLISH THE NONRESIDENTIAL BUILDING OR STRUCTURE  
LOCATED AT 1600 SOUTH GREENE STREET

WHEREAS, pursuant to the enforcement of the Nonresidential Building or Structure Code contained in Article G of Chapter 1 of Title 9 of the Code of the City of Greenville, North Carolina, as authorized by the provisions of North Carolina General Statute 160A-439, the owner of the nonresidential building or structure described below has failed to comply with an Order to either (i) repair, alter or improve the nonresidential building or structure to bring it into compliance with the minimum standards established by the Nonresidential Building or Structure Code or (ii) remove or demolish the nonresidential building or structure;

WHEREAS, the City Council of the City of Greenville does hereby find and determine that the owner of the nonresidential building or structure described below has been given a reasonable opportunity to bring the nonresidential building or structure in conformity with the minimum standards established by the Nonresidential Building or Structure Code contained in Section 9-1-125 of the Code of the City of Greenville, North Carolina; and

WHEREAS, North Carolina General Statute 160A-439(f) and Section 9-1-129(d) of the Code of the City of Greenville, North Carolina, empower the City Council of the City of Greenville to enact this ordinance to authorize and direct the Enforcement Officer to remove or demolish a nonresidential building or structure when the owner has failed to comply with an Order of the Enforcement Officer issued pursuant to the provisions of the Nonresidential Building or Structure Code;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Greenville that:

Section 1. The Enforcement Officer is hereby authorized and directed to proceed to demolish and remove the nonresidential building or structure located at 1600 South Greene Street in the City of Greenville, North Carolina, and owned by Van Paige, Kizzey Paige, Samis Paige, Idrisa Paige (a.k.a. Idrisa Mercer), Gregory Paige, and Doris Paige. The real property upon which such nonresidential building or structure is located being described as follows:

Being the property described in the Deed dated May 20, 1981, and recorded in Book Z49, at Page 393 in the Office of the Register of Deeds of Pitt County, said description being herein incorporated by reference.



Section 2. The cost of demolition and removal shall constitute a lien against the real property described above. The lien shall be filed, have the same priority, and be enforced and the costs collected in the same manner as the lien for special assessment established by Article 10 of Chapter 160A of the North Carolina General Statutes. The amount of the costs shall also be a lien on any other real property of the owner located within the corporate limits of the City of Greenville except for the owner's primary residence, said additional lien to be inferior to all prior liens and shall be collected as a money judgment.

Section 3. Any recoverable materials of the building or structure demolished or removed and any personal property, fixtures, or appurtenances found in or attached to the building or structure shall be offered for sale by the Enforcement Officer and the proceeds shall be credited against the cost of removal or demolition and any balance remaining shall be deposited in superior court where it shall be secured and disbursed in the manner provided by North Carolina General Statute 160A-439 (i)(3).

Section 4. This ordinance shall be recorded in the Office of the Register of Deeds of Pitt County and shall be indexed in the name of the property owner in the grantor index.

Section 5. This ordinance shall become effective upon its adoption.

Adopted the 9<sup>th</sup> day of November, 2009.

\_\_\_\_\_  
Patricia C. Dunn, Mayor

ATTEST:

\_\_\_\_\_  
Wanda T. Elks, City Clerk

NORTH CAROLINA  
PITT COUNTY

I, Patricia A. Sugg, a Notary Public, do hereby certify that Wanda T. Elks, City Clerk, personally appeared 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 notarial seal this 9<sup>th</sup> day of November, 2009.

\_\_\_\_\_  
Patricia A. Sugg, Notary Public

My Commission Expires: 9/4/2011

844933







# City of Greenville, North Carolina

Meeting Date: 11/9/2  
Time: 6:00 PM

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**Title of Item:** Ordinance directing the enforcement officer to repair, alter, or improve or to vacate and close the nonresidential building or structure located at 1500 North Greene Street

**Explanation:** The nonresidential building at 1500 North Greene Street was found to be out of compliance with the Nonresidential Building or Structure Code for the City of Greenville. The initial Notice of Violation and hearing was sent by certified mail on April 7, 2009 to the property owner(s) informing the owner(s) of the Nonresidential structure violations cited by the Enforcement Officer. A hearing was held, and Mr. Don Lancaster, owner's agent, was notified of the violations and of the remedies necessary to bring the structure into compliance. Pursuant to the enforcement action of the Nonresidential Building or Structure Code for the City of Greenville, the owner has not performed measures needed to repair the structure located at 1500 North Greene Street within the time established by the enforcement officer. No information has been provided as to why the repairs have not been performed.

The current tax value of the property is \$49,981 (the building value is \$37,690, the land value is \$11,761, and there is an extra feature value of \$530). The estimated cost to repair the property is \$10,000.

The structure has been vacated and utilities disconnected.

**Fiscal Note:** The estimated cost to secure and weatherize the structure is \$5,000. The cost of securing and weatherizing shall constitute a lien against the real property upon which the cost was incurred. The lien shall be filed, have the same priority, and be collected in the same manner as the lien for special assessment established by Article 10 of Chapter 160A of the North Carolina General Statutes.


**Recommendation:** Approve the ordinance allowing the City to abate the nonresidential structure at

1500 North Greene Street by means of properly weatherizing the exposed roof area and to officially vacate and secure the structure as needed per the City Code for nonresidential structures in which cost of repairs is not valued at more than 50% of value of the property.

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

**Attachments / click to download**

 [1500 N Greene Street Photos](#)

 [Abatement Ordinance for 1500 N Greene Street 844928](#)

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ORDINANCE 09-\_\_\_\_  
ORDINANCE DIRECTING THE ENFORCEMENT OFFICER TO  
REPAIR, ALTER, OR IMPROVE; OR TO VACATE AND CLOSE THE NONRESIDENTIAL BUILDING  
OR STRUCTURE LOCATED AT 1500 NORTH GREENE STREET

WHEREAS, pursuant to the enforcement of the Nonresidential Building or Structure Code contained in Article G of Chapter 1 of Title 9 of the Code of the City of Greenville, North Carolina, as authorized by the provisions of North Carolina General Statute 160A-439, the owner of the nonresidential building or structure described below has failed to comply with an Order to either (i) repair, alter or improve the nonresidential building or structure to bring it into compliance with the minimum standards established by the Nonresidential Building or Structure Code or (ii) vacate and close the nonresidential building or structure for any use; and

WHEREAS, North Carolina General Statute 160A-439(f) and Section 9-1-129(d) of the Code of the City of Greenville, North Carolina, empower the City Council of the City of Greenville to enact this ordinance to authorize and direct the Enforcement Officer to cause a nonresidential building or structure to be repaired, altered, or improved in order to bring it into compliance with the minimum standards of a Nonresidential Building or Structure Code contained in Section 9-1-125 of the City Code of the City of Greenville, North Carolina, or to be vacated and closed for any use when the owner has failed to comply with an Order of the Enforcement Officer issued pursuant to the provisions of the Nonresidential Building or Structure Code;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Greenville that:

Section 1. The Enforcement Officer is hereby authorized and directed to proceed to cause the nonresidential building or structure located at 1500 North Greene Street in the City of Greenville, North Carolina, and owned by Magdalene H. Lancaster, to be repaired, altered, or improved in order to bring it into compliance with the minimum standards of a Nonresidential Building or Structure Code contained in Section 9-1-125 of the Code of the City of Greenville, North Carolina, or to be vacated and closed for any use. The real property upon which such nonresidential building or structure is located being described as follows:

Being the property described in the Deed dated January 13, 1984, and recorded in Book P52, at Page 181 in the Office of the Register of Deeds of Pitt County, said description being herein incorporated by reference.

Section 2. The cost of repair, alterations, or improvements or vacating and closing shall constitute a lien against the real property described above. The lien shall be filed, have the same priority, and be enforced and the costs collected in the same manner as the lien for special assessment established by Article 10 of Chapter 160A of the North Carolina General Statutes. The amount of the costs shall also be a lien on any other

real property of the owner located within the corporate limits of the City of Greenville except for the owner's primary residence, said additional lien to be inferior to all prior liens and shall be collected as a money judgment.

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

Section 4. This ordinance shall be recorded in the Office of the Register of Deeds of Pitt County and shall be indexed in the name of the property owner in the grantor index.

Section 5. This ordinance shall become effective upon its adoption.

Adopted the 9<sup>th</sup> day of November, 2009.

\_\_\_\_\_  
Patricia C. Dunn, Mayor

ATTEST:

\_\_\_\_\_  
Wanda T. Elks, City Clerk

NORTH CAROLINA

**PITT COUNTY**

I, Patricia A. Sugg, a Notary Public, do hereby certify that Wanda T. Elks, City Clerk, personally appeared 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 notarial seal this 9<sup>th</sup> day of November, 2009.

\_\_\_\_\_  
Notary Public

My Commission Expires: 9/4/2011









# City of Greenville, North Carolina

Meeting Date: 11/9/2  
Time: 6:00 PM

---

**Title of Item:** Focus Group for North of the River

**Explanation:** Attached is a request from Mr. Ben Johnson on behalf of the Focus Group for North of the River. Mayor Pro-Tem Council, Council Member Glover, City staff, and Pitt County representatives have been meeting with this group. Mayor Pro-Tem Council and Council Member Glover have both requested that this item be placed on the November 9, 2009 City Council agenda.

**Fiscal Note:** No cost to hear presentation. The estimated cost of any projects requested by the Group can be provided by the City staff.

**Recommendation:** Hear presentation from the Focus Group for North of the River and take action deemed appropriate.

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Attachments / click to download

 [Ben Johnson Letter](#)

Focus Group  
For  
North of the River  
P.O. Box 1262  
Winterville, NC 28590

The Honorable Mayor Patricia C. Dunn & The City Council:

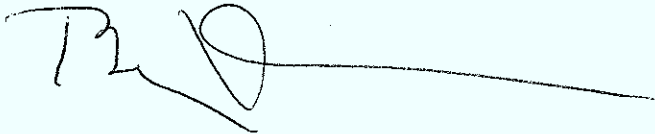
We the Focus Group, Area Group of Pitt County Resident that have been meeting for the past three months with persons from the County and City Offices and staff. Which have proven very beneficial on behalf of the residents north of the river to include the town of Bethel.

We would like to come to the council meeting and present these concerns. Hopefully the 9<sup>th</sup> of November 2009. The main concerns that we hope can be on the agenda are:

- 1) Walking trail, Greenfield Terrace
- 2) Recreation Parks
  - a. Greenfield Terrace
  - b. West Meadow Brooks
  - c. Trailer Parks on Mumford Road

We thank you for all the cooperation that has been given. If you have any questions please do not hesitate to call me on my cell phone at 252-258-6827 or my house phone at 252-353-5510.

Ben Johnson

A handwritten signature in black ink, appearing to read 'BJ', followed by a long horizontal line extending to the right.

***FOCUS GROUP  
FOR  
NORTH OF THE RIVER***

***“CAN THESE BONES LIVE”***

- (1) TRANSPORTATION/BUS SERVICE**
- (2) RECREATION AND PARKS**
- (3) COMMUNITY GARDENS**
- (4) CITY HOUSING**
- (5) BRANCH BANK**

**FOOTNOTES:**

**SUGGESTED LOCATIONS FOR PARKS**

- (1) WEST MEADOWBROOKS**
- (2) GREENFIELD TERRACE**
- (3) MUMFORD ROAD (TRAILER PARK LOCATION)**



# City of Greenville, North Carolina

Meeting Date: 11/9/2  
Time: 6:00 PM

---

**Title of Item:** Sewer service for S & S Realty property

**Explanation:** On October 8, 2009, the City received the attached request from S & S Realty of Pitt County, LLC to allow Greenville Utilities Commission (GUC) to provide sewer service to property located on North Carolina Highway 903 west of Stokes. Service would be provided from the sewer line being constructed to serve Stokes Elementary School. Section 6 of the GUC Charter requires that the City Council must approve any sewer service beyond the City's extraterritorial jurisdiction (ETJ). This property is located approximately six miles from the City's ETJ.

A letter summarizing the GUC position on this project is also attached.

**Fiscal Note:** The GUC charges for this sewer service are provided in the attached letter from GUC. There will be no cost to the City.

**Recommendation:** Approve GUC providing sewer service to this property subject to compliance with all GUC requirements and execution of a future annexation agreement with the City.

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

Attachments / click to download

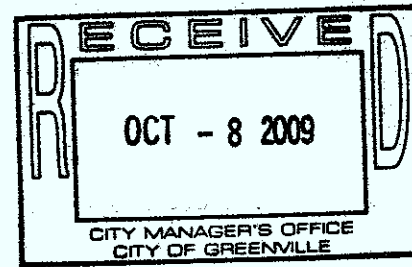
 [Rivers Letter](#)



Engineers  
Planners  
Surveyors

October 7, 2009

Mr. Wayne Bowers City Manager  
City of Greenville  
P.O. Box 7207  
Greenville, NC 27835-7207



Subject: Request for Sewer Services Outside City Limits  
to serve S&S Realty of Pitt County, LLC Property  
Pitt County Tax Parcel 075073

Dear Mr. Bowers:

On behalf of our client Mr. Kenneth L. Smith, President of S&S Realty of Pitt County, LLC, please accept this letter as his request to have the City of Greenville provide sewer service to Pitt Country Mart No. 2 located on NC Highway 903 just west of Stokes and his remaining property, Pitt County Tax Parcel 75073, totaling 9.68 acres. This being the same property described in Deed Book 2374, page 836-839 and Lots 1 and 3 Caddo Subdivision recorded in Map Book 69, page 1.

Mr. Smith has had preliminary discussions with Greenville Utilities as is evident from the enclosed letter dated September 24, 2009.

Should you have any questions or require further information, you may contact me at the address below or you may contact Mr. Smith at: S&S Realty of Pitt County, LLC, P.O. Box 965, Bethel, NC 27812, or by phone at 252 714-4467

Sincerely yours,  
RIVERS AND ASSOCIATES, INC.



James M. Walker, Vice President

Enclosures: DB2374, pg. 836-839  
MB 69, pg. 1  
GUC letter 9/24/09  
Pitt Co. Tax Parcel 75073

cc.: Mr. Kenneth L. Smith  
Mr. Randall D. Emory, P.E. GUC

P:\PRIVATE\Smith Kenneth L\tr to Bowers Sewer Ser to Country Mart II from JW.doc

Doc ID: 001353940003 Type: CRP  
 Recorded: 07/17/2007 at 02:53:38 PM  
 Fee Amt: \$350.00 Page 1 of 3  
 Excise Tax: \$330.00  
 Pitt County, NC  
 Judy J. Tart Register of Deeds  
~~2354~~ ~~137-139~~

Doc ID: 001427020004 Type: CRP  
 Recorded: 08/20/2007 at 11:36:07 AM  
 Fee Amt: \$21.00 Page 1 of 4  
 Excise Tax: \$0.00  
 Pitt County, NC  
 Judy J. Tart Register of Deeds  
 BK 2374 PG 836-839

NORTH CAROLINA  
 PITT COUNTY

*Copy*  
 Prepared by James A. Nelson, Jr.  
 Return to Grantor: 4787 NC 11 NORTH  
 Bethel, NC 27812

This DEED, made this 17th day of July, 2007, by and between Barbara James Hagan and husband, Charles H. Hagan, hereinafter called "GRANTORS"; and S & S Realty, L.L.C., a North Carolina Limited Liability Company, hereinafter called "GRANTEE";

W I I N E S S E T H:

THAI GRANTORS, in consideration of Ten Dollars and other good and valuable consideration to GRANTORS in hand paid, the receipt of which is hereby acknowledged, have bargained and sold and by these presents do hereby bargain, sell, grant, and convey, to GRANTEE, its successors and assigns, in fee simple, all that lot or parcel of land lying and being in Pitt County, North Carolina, and more particularly described as follows:

Beginning at NCGS GRAMMAR (NAD 83/86) N: 719,640.470 US FEET; E: 2,513,755.182 US FEET, located S 33-55-12 W 1811.59 feet from NCGS SEABOARD (NAD 83/86) N: 721,243.784 US FEET; E: 2,514,598.396 US FEET; thence from NCGS GRAMMAR proceeding S 41-07-46 W 101.30 feet to an iron pipe (NAD 83/86 COORDINATES) GRID N: 719,557.449 US FEET; GRID E: 2,513,697.158 US FEET, said iron pipe set in the southern right-of-way line of NC 903 North; thence proceeding S 62-36-41 W 110.45 feet to an existing iron rod in the southern right of way line of NC 903 North; thence proceeding S 61-59-20 W 64.54 feet to a point in the southern right-of-way of NC 903 N, the TRUE POINT OF BEGINNING; thence proceeding S 25-02-13 E 2.60 feet to a point; thence with the arc of a curve to the right, said curve having a radius of 250.00 feet, an arc length of 153.07 feet, a chord bearing of NS07-29-48 E, a chord length of 150.69 feet, and a delta = 35 degrees, 04 minutes, 52 seconds, to an iron; thence proceeding S 10-02-38 W 94.81 feet to an iron, thence proceeding S 79-57-22 E 160.02 feet to a point in the line of Leonard Nicky Taylor and wife, Deborah Taylor; thence proceeding S 01-05-26 E 436.42 feet to a point, said point being located N 00-53-03 W 127.09 feet from an existing iron pipe; thence proceeding S 83-25-29 W 196.00 feet along the Annie Mae Hayes line to an existing iron rod; thence proceeding S 09-12-46 W 94.93 feet with the Annie Mae Hayes line to an existing iron rod set in the northern right-of-way of an existing gravel road; thence proceeding N 89-12-54 W 509.96 feet along said gravel road to an existing iron rod; thence proceeding N 10-38-01 E 605.93 feet along the line of John W. James, III and wife, Kathryn M. James, to a point in the southern right-of-way of NC 903 North; said point being located S 10-38-01 W 49.95 feet from an existing P.K. nail and N 63-24-34 E 144.00 feet from an



existing iron rod; thence proceeding N 63-24-34 E 354.33 feet to a point in the southern right-of-way line of NC 903 North; thence proceeding N 61-59-20 E 137.12 feet to the TRUE POINT OF BEGINNING; containing 9.680 acres more or less, and being shown on that Survey for Kenneth Smith - Property of Barbara James Hagan and husband, Charles H. Hagan, Jr. by Rivers & Associates, Inc. incorporate herein by reference. Also conveyed is a 15 feet wide utility easement, as shown on said survey, with a western right of way line described as follows: Beginning at NCGS GRAMMAR (NAD 83/86) N: 719,640.470 US FEET; E: 2,513,755.182 US FEET, located S 33-55-12 W 1811.59 feet from NCGS SEABOARD (NAD 83/86) N: 721,243.784 US FEET; E: 2,514,598.396 US FEET; thence from NCGS GRAMMAR proceeding S 41-07-46 W 101.30 feet to an iron pipe (NAD 83/86 COORDINATES) GRID N: 719,557.449 US FEET; GRID E: 2,513,697.158 US FEET, said iron pipe set in the southern right-of-way line of NC 903 North; thence proceeding S 62-36-41 W 110.45 feet to an existing iron rod in the southern right of way line of NC 903 North; thence proceeding S 61-59-20 W 64.54 feet to a point in the southern right-of-way of NC 903 N, the TRUE POINT OF BEGINNING OF THE EASEMENT WESTERN RIGHT OF WAY LINE; thence proceeding S 25-02-13 E 2.60 feet to a point; thence with the arc of a curve to the right, said curve having a radius of 250.00 feet, an arc length of 153.0 feet, a chord bearing of N 07-29-48 E, a chord length of 150.69 feet, and a delta = 35 degrees, 04 minutes, 52 seconds, to an iron; thence proceeding S 10-02-38 W 94.81 feet to an iron, the TRUE POINT OF TERMINATION OF THE EASEMENT WESTERN RIGHT OF WAY LINE. Also conveyed is a 10 feet by 70 feet sight distance easement as shown on said Survey, with the westernmost corner of said triangle being the TRUE POINT OF BEGINNING of the 9.680 acre tract described above

TO HAVE AND TO HOLD the aforesaid tract or parcel and all privileges and appurtenances thereto belonging to GRANTEE, its successors and assigns, to their only use and behoof, in fee simple forever.

And the GRANIORS, for themselves, their heirs, executors and administrators, covenant with the GRANTEE, that the GRANIORS are seized of the premises in fee simple, have the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that GRANIORS do hereby warrant and will forever defend the title to the same against the claims of all persons whomsoever except for the exceptions hereinafter stated.

1. Ad Valorem taxes and assessments.
2. General utility easements of record.

The plural number as used herein shall equally include the singular and vice versa. The masculine or feminine gender as used herein shall equally include the neuter.

IN TESTIMONY WHEREOF, GRANIORS have adopted the word "SEAL" as their seal and have hereunto set their hands and seals, this the day and year first above written.

Barbara James Hagan (SEAL)  
Barbara James Hagan

Charles H. Hagan (SEAL)  
Charles H. Hagan

PITI COUNTY

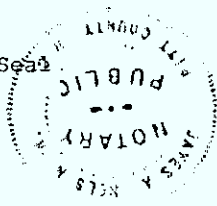
I, James A. Nelson Jr., a Notary Public in and for the  
aforesaid County and State, do hereby certify that Barbara James  
Hagan and husband, Charles H. Hagan personally appeared before me  
this day and acknowledged the due execution of the foregoing  
instrument.

Witness my hand and Notarial Seal, this the 17<sup>th</sup> day of  
July, 2009.

James A. Nelson Jr.  
Notary Public

My Commission Expires: 7-28-09

Notary Seal



Unofficial

EXPLANATION STATEMENT TO CORRECT OBVIOUS MINOR ERROR(S) MADE IN  
AN INSTRUMENT AS ORIGINALLY RECORDED

BOOK 2354  
PAGE 137

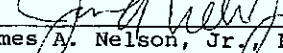
STATE OF NORTH CAROLINA

COUNTY OF PITT

I/WE, the undersigned, hereby certify that the following corrections are made in the  
above named recorded instrument in accordance with the provisions of G S 47-36 1 ratified  
June 30, 1986

DESCRIPTION OF CORRECTION(S): Add "of Pitt County" to name of GRANTEE,  
amend "N" to "S" in first chord bearing in description and add "7"  
to the hundredths place in the first arc length of the description.

This the 14th day of August, 20 07.

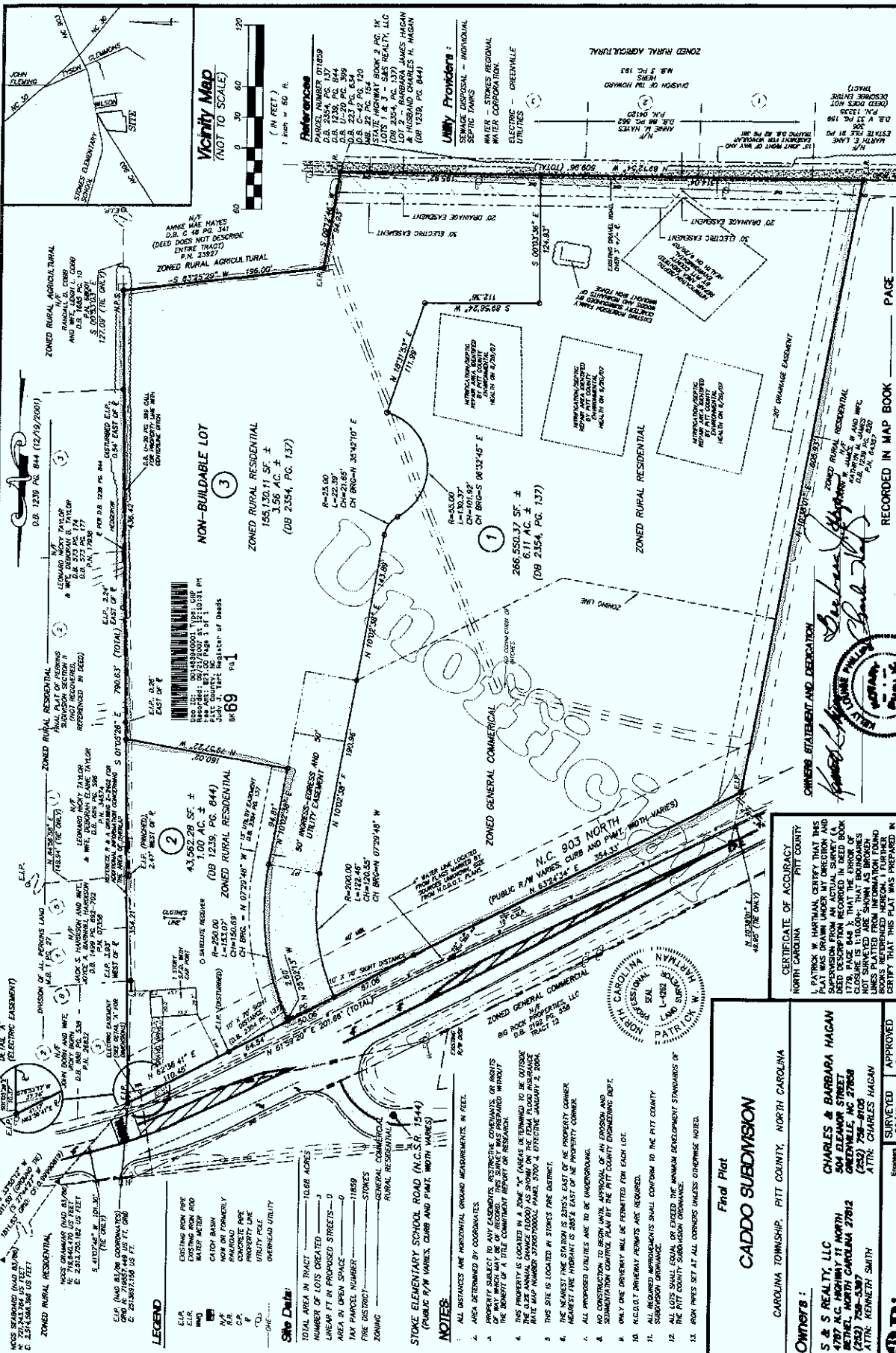
 (SEAL)  
James A. Nelson, Jr., Preparer

This explanation statement together with the attached instrument duly re-recorded at  
— o'clock — in this the — day of —, 20 — in the Book  
and Page shown on the first page hereof.

BY: —  
Deputy/Assistant  
Register of Deeds

Register of Deeds

Official



**APPROVAL FOR RECORDING**

I CERTIFY THAT THE SUBDIVISION PLAT SHOWS HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION ACT OF NORTH CAROLINA AND IS APPROVED FOR RECORDING BY THE PITT COUNTY REGISTER OF DEEDS.

*Matthew S. Spivey*  
SUBDIVISION MANAGER  
DATE: 9/16/07

**COUNTY ACCEPTANCE OF DEDICATION**

I CERTIFY THAT PITT COUNTY HAS APPROVED THIS PLAT AND ANY PUBLIC NEW STREETS, EASEMENTS, BUT ASSUMES NO RESPONSIBILITY FOR MAINTAINING THE SAME. (N.B. THE COUNTY HAS NO AUTHORITY TO MAINTAIN STREETS.)

*Matthew S. Spivey*  
PITT COUNTY MANAGER  
DATE: 9/16/07

**OWNERS STATEMENT AND DEDICATION**

WE, THE UNDERSIGNED, OWNERS OF THE PROPERTY SHOWN AND DESCRIBED BY THIS PLAT, AND THAT WE HEREBY ADOPT THIS ESTIMATE OF THE VALUE OF THE PROPERTY AND OTHER ASPECTS OF THE SUBDIVISION, AND OCEANIC STREETS, WALKS, PARKS, AND USE AS NOTED.

*Charles & Barbara Hagan*  
DATE: 9/16/07

**CERTIFICATE OF ACCURACY**

PITTSBURGH SURVEYING, INC. HAS CONDUCTED A SURVEY OF THE PROPERTY SHOWN AND DESCRIBED BY THIS PLAT, AND THAT WE HEREBY ADOPT THIS ESTIMATE OF THE VALUE OF THE PROPERTY AND OTHER ASPECTS OF THE SUBDIVISION, AND OCEANIC STREETS, WALKS, PARKS, AND USE AS NOTED.

*Patrick J. Rivers*  
REGISTERED PROFESSIONAL LAND SURVEYOR  
REGISTRATION NUMBER L-2462  
DATE: 9/16/07

**APPROVAL FOR RECORDING**

I CERTIFY THAT THE SUBDIVISION PLAT SHOWS HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION ACT OF NORTH CAROLINA AND IS APPROVED FOR RECORDING BY THE PITT COUNTY REGISTER OF DEEDS.

*Matthew S. Spivey*  
SUBDIVISION MANAGER  
DATE: 9/16/07

**Final Plat**  
**CADDO SUBDIVISION**  
CAROLINA TOWNSHIP, PITT COUNTY, NORTH CAROLINA

**OWNERS :**  
S & S REALTY, LLC  
7201 ALG. HIGHWAY 17 NORTH  
GREENVILLE, NC 27608  
(252) 758-2347  
ATTN: KENNETH SMITH

**CHARLES & BARBARA HAGAN**  
504 ELEANOR STREET  
GREENVILLE, NC 27608  
(252) 758-2347  
ATTN: CHARLES HAGAN

**APPROVED**  
DATE: 06/27/07  
DRAWN BY: [Signature]  
CHECKED BY: [Signature]

**APPROVED**  
DATE: 09/16/07  
DRAWN BY: [Signature]  
CHECKED BY: [Signature]

**STATE OF NORTH CAROLINA**  
COUNTY OF PITT  
I, MATTHEW S. SPIVEY, REGISTERED PROFESSIONAL LAND SURVEYOR, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

*Matthew S. Spivey*  
REVIEW OFFICER  
DATE: 9/16/07

DWG. NO. FP-678 SHEET NO. 06



Greenville  
Utilities

September 24, 2009

Mr. Kenneth L. Smith  
President  
Pitt Country Mart, Inc.  
4787 NC 11 North  
Bethel, NC 27812

Subject: Sanitary Sewer Service Request  
Tax Parcel 75073  
Pitt Country Mart  
2630 Hwy 903 North, Stokes, NC

Dear Mr. Smith:

In response to your letter dated August 28, 2009, wherein, you have requested sanitary sewer service to the subject property, we offer the following comments:

1. Greenville Utilities' is currently constructing a sanitary sewer force main from Stokes Elementary School to GUC's existing system on NC Hwy 11 North. The force main will be installed in the road right of way fronting the subject property.
2. Sewer service tie-ins to force mains are limited, due to the hydraulic parameters involved in force main operations. Each sewer service tie-in requires a separate pumping system and each pumping system affects the capacity of all other pumping systems tied into the force main.
3. The expected flow and pressure from a sewer service to the subject facility is not expected to cause any operational issues with the force main. Therefore, GUC is agreeable to providing the requested sewer service at the subject facility.
4. The subject parcel is outside the extraterritorial jurisdiction of the City of Greenville. Therefore, you will need to obtain approval for sewer service to be provided to the subject parcel from the Greenville City Council prior to GUC processing an application for service. In the event City Council approval is granted, the property owner(s) may be required to submit a Petition of Voluntary Annexation to the City of Greenville prior to receipt of sewer service.

801 Mumford Road  
Greenville, NC  
27835  
www.guc.com

Your Local  
Advantage

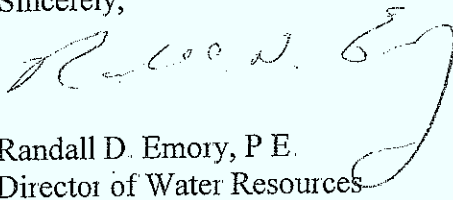
Item # 26

Mr. Kenneth L. Smith  
September 24, 2009  
Page 2

5. A Sewer Outfall Acreage Fee and Connection fee will be applicable to the proposed sewer service. Currently, the Sewer Outfall Acreage Fee is assessed at \$1,800 per acre. The sewer outfall acreage fee, for the subject 9.68 acre parcel, will be \$17,424.00. The sewer connection fee, based on the facilities 1 1/2" metered water service, will be \$5,707.00. Therefore, the total fees due for sewer service will be \$23,131.00.
6. Stokes Regional Water Corporation (SRWC) is the water purveyor to the subject facility. Since sewer billings are based on water meter volumes used, GUC will be billing for sewer based on meter readings received from the Stokes Regional Water Corporation.
7. In the event the Greenville City Council approves your request for sewer service outside of the City's extraterritorial jurisdiction, the application for the sewer service can be made at our Main Office at 401 S. Greene Street or our GUC Express Office at 509 SE Greenville Boulevard.

Should you have any questions, please give us a call at 551-1551.

Sincerely,



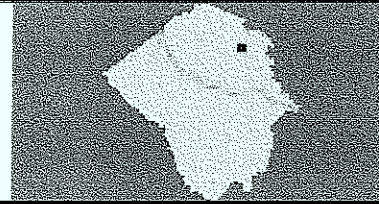
Randall D. Emory, P.E.  
Director of Water Resources

cc: Mr. Ronald D. Elks, General Manager/CEO  
Mr. Anthony C. Cannon, Assistant General Manager/COO  
Mr. Clifton H. Cahoon, PE, Water Resources Construction/Contracts Engineer  
Mr. David Springer, P.E., Planning/ Programs Engineer  
Mr. George Reel, Interim Customer Relations Director  
Mr. Merrill P. Flood, Director of City of Greenville Planning Department





**Pitt County Government**  
 Greenville, North Carolina  
[www.pittcountync.gov](http://www.pittcountync.gov)



Parcel	075073
Physical Address	2630 N NC 903
OwnerName	S & S REALTY OF PITT COUNTY LLC
OwnerAddress1	PO BOX 965
OwnerAddress2	
OwnerAddress3	
City / State / Zip	BETHEL NC 27812
NC PIN	5711383917
Subdivision / Section / Phase	
Prior Legal Description	CADDO
Block Lot	1 & 3
Tract	
Building Number / Unit	
Acres	9.68
Current Owner Deed/Document	002354 00137
Map Book	MB69-1
Deed/Document Date	07/2007
Deed/Document Sales Price	\$165,000
Building Type / Use	GC COMM CONST (CONVST)
Number of Buildings	1
Year Built	2007
Heated Square Feet	4000
Building Value	\$275,324
Extra Features Value	\$168,370
Land Value	\$51,963
Total Current Market Value	\$495,657
Total 2007 Market Value	\$0
Revaluation Year	2008
Municipality	
Township	STOKES
Fire Tax District	STOKES
Census Tract	9
Neighborhood	006100
Elementary School	STOKES
Middle School	STOKES
High School	NORTH PITT HIGH

**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.

**PLEASE NOTE:**  
 The parcel ownership information is updated nightly and reflects current property values.



# City of Greenville, North Carolina

Meeting Date: 11/9/2  
Time: 6:00 PM

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**Title of Item:** Agreement for federal lobbying services with The Ferguson Group and consideration of the City's FY 2011 Federal Agenda

**Explanation:** Since 2002, the City has contracted on an annual basis with The Ferguson Group to act as the City's representative with the federal government in Washington, DC. The most recent agreement expired on October 31, 2009. The attached proposed agreement extends the services of The Ferguson Group for another year to October 31, 2010, under the same terms and conditions as contained in the recently expired agreement.

Melissa Hyman of The Ferguson Group will review the lobbying accomplishments of the past year and propose items for the City's Fiscal Year 2011 Federal Agenda.

**Fiscal Note:** The annual cost to the City for the services of The Ferguson Group included in the proposed agreement is \$94,500 payable in monthly installments of \$7,875. This amount is the same as in the agreement that expired on October 31, 2009. The 2009-2010 Mayor and City Council budget contains the funds to pay for these services.

**Recommendation:** Hear a report from Melissa Hyman of The Ferguson Group, approve the attached agreement to extend federal lobbying services with The Ferguson Group, and consider items for the City's Fiscal Year 2011 Federal Agenda.

**Attachments / click to download**

 [2009\\_10\\_Contract\\_with\\_The\\_Ferguson\\_Group\\_848103](#)

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AGREEMENT  
CITY OF GREENVILLE, NORTH CAROLINA AND  
THE FERGUSON GROUP, L.L.C.

Pursuant to this Agreement, the City of Greenville, North Carolina (hereinafter referred to as "the City ") and The Ferguson Group, L.L.C. (hereinafter referred to as "the Washington Representative"), agree to assume the following obligations:

1. OBLIGATIONS OF THE FERGUSON GROUP

- A. The Washington Representative will act as the representative of the City in Washington, D.C.
- B. The Washington Representative will confer with the City Manager and such other personnel as the City Manager may designate at the times and places mutually agreed to by the City Manager and the Washington Representative. This will be done on all organizational planning and program activity that has a bearing on the ability of the City to make the best use of federal programs and develop strategies consistent with federal agendas for accomplishing the City's goals and objectives. In addition, the Washington Representative will coordinate with the City to develop a joint, comprehensive strategic plan for legislative appropriations and other federal issues.
- C. The Washington Representative will review federal executive proposals, legislation under consideration, proposed and adopted administrative rules and regulations and other Washington developments for the purpose of advising the City, on the representative's own initiative, of those items that may have a bearing on the City's policies or programs. And, the Washington Representative will notify the City in advance of opportunities for federal funding prior to formal publication and obtain applications upon request.
- D. The Washington Representative will secure and furnish such detailed information as may be available on federal issues in which the City indicates an interest.
- E. The Washington Representative will review and comment on proposals of the City, which are being prepared for submission to federal agencies, when requested to do so by the City Manager.
- F. The Washington Representative will maintain liaison with the City's Congressional Delegation and assist the delegation in any matter that is in the best interest of the City and in the same manner as any other member of the City's staff might render assistance.
- G. The Washington Representative will counsel with the City and prepare briefing materials and/or conduct briefings for City representatives who are preparing to meet with Members of Congress, testify before Congressional committees and administrative agencies, and conduct

other City business, or attend national conferences.

- H. The Washington Representative will arrange appointments (and accommodations when requested) for City officials to facilitate the efficient and effective performance of City business while in Washington, D.C.
- I. The Washington Representative will contact federal agencies on the City's behalf when applications are under consideration by such agencies and otherwise take whatever steps necessary to obtain the most favorable consideration of such applications.
- J. The Washington Representative will submit periodic reports providing the latest information on issues of interest to the City; and provide an annual report giving an overview of The Ferguson Group's work over the past year and a forecast of issues to be faced in the upcoming year.
- K. In fulfilling the responsibilities under this Agreement, the Washington Representative will act in the name of the City and with the title Washington Representative of the City of Greenville, North Carolina.

2. OBLIGATIONS OF THE CITY OF GREENVILLE, NORTH CAROLINA

- A. The City will contract with the Washington Representative for a period of twelve months.
- B. The contract will be \$94,500 payable in advance in equal monthly installments of \$7,875. This figure includes fees for professional services described under paragraph 1, subparagraphs A-K, and travel expenses, telephone charges, document production costs, and other expenses incurred in the course of conducting the City's business.
- C. The City, through the City Manager, will advise the Washington Representative of the name or names of persons other than the City Manager authorized to request service by the Washington Representative and the person or persons to be kept advised by the Representative.
- D. The City will supply the Washington Representative with a summary of all federal issues in which the City has interests and advise the Washington Representative of any new developments, together with the pertinent details as to the substance of such developments.
- E. The City will supply the Washington Representative with copies of budgets, planning documents and regular reports of the City Manager, the City's agenda and proceedings, newspapers and other materials to assist the Washington Representative in keeping current on the City's policies and programs.

3. THE CITY OF GREENVILLE, NORTH CAROLINA AND THE FERGUSON GROUP CONCUR THAT THE FOLLOWING EXCLUSIONS SHALL APPLY TO THIS

AGREEMENT.

The Washington Representative assigned to the City:

- A. will not represent the City before formal congressional committee hearings or in any judicial or quasi-judicial hearing conducted by boards or examiners of federal agencies or commissions; and
  - B. will not perform any legal, engineering, accounting or other similar professional services.
4. Either party may terminate this Agreement at any time by giving the other at least thirty-days notice in writing of such termination. From and after said termination date as herein provided all further monthly installments shall cease notwithstanding the contract amount set out in paragraph 2, subparagraph B.

This Agreement shall take effect on November 1, 2009 and terminate on October 31, 2010.

THE FERGUSON GROUP, L.L.C.

CITY OF GREENVILLE, NORTH CAROLINA

\_\_\_\_\_  
WILLIAM FERGUSON, JR.  
Chief Executive Officer

\_\_\_\_\_  
WAYNE BOWERS  
City Manager

APPROVED AS TO FORM:

\_\_\_\_\_  
David A. Holec, City Attorney

PRE-AUDIT CERTIFICATION

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

\_\_\_\_\_  
Bernita W. Demery, Director of Financial Services





# City of Greenville, North Carolina

Meeting Date: 11/9/2  
Time: 6:00 PM

**Title of Item:** Greenville Downtown Intermodal Transportation Center Memorandum of Agreement

**Explanation:** Attached is a four-party Memorandum of Agreement (MOA) based on the federal requirements that federally funded projects take steps to mitigate the effect a project may have on historic properties. The Intermodal Transportation Center (ITC) is to be funded using an 80%-10%-10% funding formula, wherein the federal government contributes 80% of the project costs and the North Carolina Department of Transportation (NCDOT) and City of Greenville pay 10%.

The presence of historic properties on the ITC site or in close proximity of the site triggers the National Historic Preservation Act, Section 106, Part 800.1 (a) requirement. That section of the Act requires federal agencies to take into account the effects of a project and requires consultation with the Advisory Council on Historic Preservation (ACHP). The ACHP has been consulted and has chosen not to participate in the agreement based on the mitigative efforts addressed in the MOA.

City staff and representatives from the U.S. Department of Federal Transit Administration (FTA), NCDOT, and North Carolina State Historic Preservation Officer (SHPO) have worked collectively to mitigate the concerns about the project's effect on historical structures. Those efforts are laid out in the MOA. The Jones-Lee House is listed on the National Register of Historic Places and is situated on the City's chosen site. Two other properties that are near the site have historic value and are within such proximity that they are considered by FTA to be in the area of potential effects.

The pre-construction regulatory process is nearing completion. Staff continues to make progress on satisfying all regulatory issues so that construction of the ITC may be realized. For the better part of 2009, staff has worked with the

City's consultants, Moser/Mayer/Phoenix, and Bill Boyd, NFT Technologies, to prepare and present for the FTA approval of the Environmental Assessment (EA) report. A copy of the draft EA can be found on the project Internet website at [www.greatnc.com](http://www.greatnc.com) under "Reports + Graphics" section. The executed MOA will become part of the City's draft EA submission to FTA.

Staff presented the MOA at the Greenville Historic Preservation Commission's regular meeting on Tuesday, October 27. The Historic Preservation Commission unanimously approved authorizing the Commission's chair to execute the agreement. Staff has met with the owners and/or representatives of the Greenville Museum of Art and the A & B Auto Service Center.

Staff received notification from the Greenville Museum of Art expressing its support of the historic preservation assessment work to be done. That letter is attached. The owner of A & B Auto is not opposed to the assessment work outlined in the MOA; however, the owner wants to be assured that he is not responsible for any of the related expenses and that his property will not be designated a local landmark.

**Fiscal Note:**

Funds are available to complete the work specified in the Memorandum of Agreement. Under a separate City Council agenda item, there will be a proposed amendment to the Moser/Mayer/Phoenix contract. Relocation of the Jones-Lee House would be part of the City's overall property acquisition activities.

**Recommendation:**

Authorize the City Manager to sign the Memorandum of Agreement between the Federal Transit Administration, North Carolina Department of Historic Preservation Officer, City of Greenville, and the Greenville Historic Preservation Commission.

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

**Attachments / click to download**

- [📎 Greenville Downtown ITC MOA Draft](#)
- [📎 GMA Letter re ITC](#)
- [📎 Recordation Requirements for ITC](#)
- [📎 Jones-Lee House Covenants](#)
- [📎 Peter Sandbeck Letter](#)

**Draft 10-13-09**

**MEMORANDUM OF AGREEMENT  
BETWEEN THE FEDERAL TRANSIT ADMINISTRATION,  
NORTH CAROLINA DEPARTMENT OF TRANSPORTATION,  
CITY OF GREENVILLE  
AND  
NORTH CAROLINA STATE HISTORIC PRESERVATION OFFICER  
FOR  
GREENVILLE DOWNTOWN INTERMODAL TRANSPORTATION CENTER  
GREENVILLE, NORTH CAROLINA**

**WHEREAS**, the Federal Transit Administration (FTA) plans to fund an Intermodal Bus Transportation Center in downtown Greenville, North Carolina (the Undertaking); and

**WHEREAS**, the FTA has determined that the Undertaking will affect the Jones-Lee House, a property listed in the National Register of Historic Places (NRHP), the Greenville Art Museum and former Pure Oil Service Station, properties eligible for listing in the NRHP; and

**WHEREAS**, the FTA has consulted with the North Carolina State Historic Preservation Officer (SHPO) pursuant to 36 C.F.R. § 800, of the regulations implementing Section 106 of the National Historic Preservation Act (16 U.S.C. § 470f); and

**WHEREAS**, the FTA has consulted with the North Carolina Department of Transportation (NCDOT) and the City of Greenville (City), both of which are providing additional funding for the Undertaking, and has invited them to sign this Memorandum of Agreement (MOA) as signatories; and

**WHEREAS**, the FTA has invited the Greenville Historic Preservation Commission (Commission) to participate in the consultation and invited it to concur in this MOA; and

**WHEREAS**, in accordance with 36 C.F.R. § 800.6(a)(1), FTA has notified the Advisory Council on Historic Preservation (ACHP) of its adverse effect determination with specified documentation and the ACHP has chosen not to participate in the consultation pursuant to 36 C.F.R. § 800.6(a)(1)(iii);

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

**STIPULATIONS**

FTA shall ensure that the following measures are carried out:

## **I. RECORDATION OF HISTORIC PROPERTIES**

A. Prior to any construction taking place, the City shall record the current condition of the Jones-Lee House, Greenville Art Museum and former Pure Oil Service Station using the Recordation Plan attached to this MOA as Appendix A. The results of the recordation shall be provided to the SHPO for review and acceptance prior to any work taking place on the site of the Undertaking. The City will provide a set of the accepted results to the SHPO, the Eastern Office of Archives and History, and the Greenville Historic Preservation Commission so that there is a permanent record of the historic properties prior to construction of the Undertaking.

B. The Commission shall cause to be prepared, in accordance with the local regulations and guidance for such reports, a local designation report for the Greenville Art Museum building and the former Pure Oil Service Station. The reports shall be provided to the SHPO and Eastern Office of Archives and History for their records. The Commission, after consultation with the owners of the properties, may or may not move forward with the local designation process. The Commission shall inform the SHPO as to the City's decision on local designation.

## **II. MOVE AND REUSE OF JONES-LEE HOUSE**

A. The original/current location of the Jones-Lee House no longer conveys the sense of place or residential neighborhood in which the house was built. Rather, it is isolated from comparable residences by a mixture of institutional and commercial buildings and vacant/parking lots. To mitigate this situation as well as avoid demolition of the property, the City shall purchase and move the Jones-Lee House to a new location that is comparable to its original/historic setting and stabilize the house in such a way as to protect it from vandalism and structural damage. The proposed new location and stabilization plan will be submitted to the SHPO for review and comment prior to the removal of the Jones-Lee House from its foundation.

B. A Preservation Covenant that runs with the land to which the Jones-Lee House is moved shall be incorporated into the Deed of Transfer to the City to ensure that the house is rehabilitated in accord with the *Secretary of the Interior's Standards and Guidelines for Rehabilitation* and that the property is preserved in perpetuity. The covenant shall contain, at a minimum, the language found in Appendix B to this MOA and be reviewed by the SHPO prior to incorporation into the deed.

C. No part of this MOA is intended to require the sale of the Jones-Lee House by the City. However, if the City determines to sell the house, the City shall inform the SHPO as to the name(s) and address of any new owner(s). The Preservation Covenant shall be made a part of any Deed of Transfer as a result of such a sale.

## **III. DESIGN AND LANDSCAPING OF NEW BUS TRANSFER CENTER**

A. The design and layout of the new bus transfer center shall take into consideration the proximity of the Greenville Art Museum and former Pure Oil Service Station. Plans for the facility will provide for a landscaped buffer along Evans Street and the routing of bus traffic so

as to reduce noise and pollution to these properties.

B. The SHPO will be afforded an opportunity to review and comment on the plans for the new facility and its landscaping as they are developed through the planning and design process, including schematics, design development, and final plans and specifications. The SHPO will provide comments on each design phase within thirty (30) days of receipt of a review package.

#### **IV. TREATMENT OF HUMAN REMAINS AND FUNERARY OBJECTS**

The City, in consultation with SHPO, NCDOT and FTA, shall ensure that the treatment of any human remains and associated funerary objects discovered within the project area complies with all applicable state and federal laws. Should human remains be encountered during post-review discovery, all ground disturbing activities within 50 feet of the discovery will be ceased immediately. The remains will be treated with respect to the deceased, and shall be protected from the time of discovery from further construction activities pending consultation to resolve treatment of such remains.

The City shall immediately notify NCDOT, FTA, the North Carolina State Archaeologist and the Pitt County Medical Examiner should any human remains and/or associated funerary objects be encountered in connection with any activity covered by this Agreement.

To satisfy the FTA's responsibilities under Section 106 of the National Historic Preservation Act, as amended, the FTA shall consult with the other parties to this MOA concerning the treatment and disposition of these remains

If appropriate, the State Archaeologist shall consult with the Executive Director of the North Carolina Commission of Indian Affairs regarding the treatment and disposition of the remains, as required by North Carolina General Statute (G.S.) 70, Article 3 (The Unmarked Human Burial and Human Skeletal Remains Protection Act). When feasible, human remains may be preserved in place.

The City, in consultation with FTA, NCDOT and the SHPO, shall ensure that those remains and artifacts are treated in a manner consistent with the Advisory Council of Historic Preservation's "Policy Statement Regarding Treatment of Burial Sites, Human Remains and Funerary Objects" (2007). Further, discovery and treatment of human remains and graves other than those reasonably identified as Native American may require application of North Carolina General Statutes (G.S.) 14-148 (Defacing or desecrating grave sites); G.S. 14-149, (Desecrating, plowing over or covering up graves; desecrating human remains); G.S. 65-106 (Removal of graves; who may disinter, move, and reinter; notice; certificate filed; reinterment expenses; due care required); in addition to G.S. 70, Article 3, (The Unmarked Human Burial and Human Skeletal Remains Protection Act).

#### **V. UNANTICIPATED DISCOVERIES**

If, during the implementation of the project, a previously unidentified historic property is encountered, or a previously identified historic property is affected in an unanticipated manner, the District will consult with the other parties to this MOA, and will ensure that all work shall cease in the area of the discovery until the previously unidentified historic property or unanticipated effect

can be evaluated, and an appropriate treatment plan developed, pursuant to 36CFR800. If human remains are discovered, consultation shall proceed as outlined in Stipulation IV, above.

## **VI. DURATION**

This MOA will be null and void if its terms are not carried out within five (5) years from the date of its execution. Prior to such time, the FTA may consult with the other signatories to reconsider the terms of the MOA and amend it in accordance with Stipulation VI below.

## **VII. DISPUTE RESOLUTION**

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

A. Forward all documentation relevant to the dispute, including the FTA's proposed resolution, to the ACHP. The ACHP shall provide the FTA with its advice on the resolution of the objection within thirty (30) days of receiving adequate documentation. Prior to reaching a final decision on the dispute, the FTA shall prepare a written response that takes into account any timely advice or comments regarding the dispute from the ACHP, signatories and concurring parties, and provide them with a copy of this written response. The FTA will then proceed according to its final decision.

B. If the ACHP does not provide its advice regarding the dispute within the thirty (30) day time period, the FTA may make a final decision on the dispute and proceed accordingly. Prior to reaching such a final decision, the FTA shall prepare a written response that takes into account any timely comments regarding the dispute from the signatories and concurring parties to the MOA, and provide them and the ACHP with a copy of such written response.

The FTA's responsibility to carry out all other actions subject to the terms of this MOA that are not the subject of the dispute remain unchanged.

## **VIII. AMENDMENTS**

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



**IX. TERMINATION**

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

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

Execution of this MOA by the FTA, NCDOT, City and North Carolina SHPO, and implementation of its terms evidence that the FTA has taken into account the effects of the Undertaking on historic properties and afforded the ACHP an opportunity to comment.

**SIGNATORIES:**

**Federal Transit Administration**

\_\_\_\_\_ Date  
**Yvette Taylor, Ph.D., Regional Administrator**

**North Carolina State Historic Preservation Officer**

\_\_\_\_\_ Date  
**Jeffrey J. Crow**

**INVITED SIGNATORIES:**

**North Carolina Department of Transportation**

\_\_\_\_\_ Date  
**[insert name and title]**

**City of Greenville**

\_\_\_\_\_ Date  
**Wayne Bowers, City Manager**

**CONCURRING PARTY:**

**Greenville Historic Preservation Commission**

\_\_\_\_\_ Date  
**Ryan Webb, Chairman**

**APPROVED AS TO FORM:**

\_\_\_\_\_ Date  
**David A. Holec, City Attorney**

**PREAUDIT CERTIFICATION:** This instrument has been pre-audited in the manner approved by the Local Government Budget and Fiscal Control Act.

\_\_\_\_\_ Date  
**Bernita Demery**  
**Director of Financial Services**

**FILED BY THE ADVISORY COUNCIL ON HISTORIC PRESERVATION:**

\_\_\_\_\_ Date

*Letter Received via Email from Peter Sandbeck, Deputy State Preservation Office,  
North Carolina Department of Cultural Resources, State Historic Preservation Office*

June 18, 2009

Thomas M. Moton, Jr.  
Assistant City Manager  
PO Box 7207  
Greenville, NC 27835-7207

RE: Intermodal Bus Transportation Center, Greenville, Pitt County, ER 09-1371

Dear Mr. Moton:

This letter is to summarize our June 12, 2009, meeting with you, your consultants, and other members of the City's staff to discuss the above-referenced undertaking, which is to be funded in-part by the Federal Transit Administration (FTA) and North Carolina Department of Transportation (NCDOT). The purpose of the meeting was to review the project's effects on historic properties, better understand the Section 106 compliance process, and determine how best to move forward so as to meet the July 15, 2009 deadline for the federal funds.

Having reviewed the draft Environmental Assessment (EA) for the project, we determined that the National Register-listed Jones-Lee House is located on the preferred site and that there are two other historic properties within the project's area of potential effects (APE). The Jones-Lee House is listed in the National Register under Criterion C for Architecture. The nomination notes that the house is an isolated reminder of a neighborhood that was characterized by similar style residences, demolished as part of an urban renewal program. The proposed project will adversely affect the Jones-Lee House whether it remains on the site or is moved from the site.

The other two properties are the building that houses the Greenville Art Museum and the Pure Oil Service Station (aka A & B Auto Service). We believe that the museum building is likely to be eligible for listing in the National Register under Criterion C for Architecture as is the Pure Oil Service Station. The museum is at the northwest corner of Evans and Eighth Streets, directly opposite the preferred site. The service station is on the northwest corner of Evans and Ninth Street, diagonally across from the preferred site. We believe that, with certain conditions on the proposed bus transfer center, the project will affect these eligible properties, but that the affect will not be adverse.

To mitigate the adverse effect to the Jones-Lee House and ensure that the conditions to avoid adversely affecting the other two properties are carried out, we agreed that the FTA, City of Greenville, NCDOT, and State Historic Preservation Officer (SHPO) should enter into consultation to develop a four-party Memorandum of Agreement (MOA) for the undertaking. Our initial thoughts on mitigative measures are as follows.

- Photo documentation of the Jones-Lee House on its current site.
- Preparation of local historic landmark designation reports for the Greenville Art Museum building and the Pure Oil Station by the Greenville Historic Preservation

***Letter Received via Email from Peter Sandbeck, Deputy State Preservation Office,  
North Carolina Department of Cultural Resources, State Historic Preservation Office***

Commission. The designation reports would serve as the means to thoroughly document the properties and would not necessarily result in the Commission's landmarking them.

- The City's moving and stabilizing the Jones-Lee House on a new site within an appropriate area. (The Skinnerville National Register Historic District may be such an area.) Sale of the house with historic preservation covenants to ensure its continued existence and reuse.
- Review of the plans for the new bus transfer center, by the SHPO, to ensure that its layout and landscaping minimize traffic and its associated effects, such as noise and air pollution, on the museum and service station.

While these measures may not be all that are needed to mitigate the effects of the proposed undertaking, they do serve as a starting point in our consultation and should help the FTA and NCDOT recognize that we are working together for the best possible preservation solution for the three properties.

To keep the project and compliance process moving forward, either the FTA or the City needs to notify the Advisory Council on Historic Preservation of the adverse effect of the undertaking and invite it to participate in the consultation process. The information needed in the notification can be found in the Council's regulations at 36 CFR 800.11 (e). You should, to the greatest extent possible, use the materials already prepared for the project, including the draft EA, a copy of the Jones-Lee House nomination form, photos of the two eligible buildings, and this letter. It is very likely that the Council will chose not to participate in the consultation and direct FTA to further consult with the parties and draft a MOA for the project to submit to them for filing.

We look forward to working with you and the other consulting and/or concurring parties in the development of a MOA for the project and will be pleased to prepare a draft for everyone's consideration in the coming week. If there are any other mitigation measures you think should be included, please provide them to us as soon as possible as we are aware of your tight deadline for completing the review and compliance process for this phase of the project.

The above comments are made pursuant to Section 106 of the National Historic Preservation Act and the Advisory Council on Historic Preservation's Regulations for Compliance with Section 106 codified at 36 CFR Part 800.

Thank you for your cooperation and consideration. If you have questions concerning the above comment, contact Renee Gledhill-Earley, environmental review coordinator, at 919-807-6579. In all future communication concerning this project, please cite the above referenced tracking number.

Sincerely,

*Letter Received via Email from Peter Sandbeck, Deputy State Preservation Office,  
North Carolina Department of Cultural Resources, State Historic Preservation Office*

Peter Sandbeck

cc: Keith Melton, FHWA/Atlanta  
Nancy Harrington, Greenville Transit  
Ken Mayer, Moser Mayer Phoenix  
Bill Boyd, NFE Technologies  
Scott Power, HPO/Greenville

bc: DOT  
County

APPENDIX A

DOCUMENTATION/RECORDATION PLAN  
FOR  
JONES-LEE HOUSE, GREENVILLE ART MUSEUM & FORMER PURE OIL SERVICE STATION  
EVANS STREET, GREENVILLE, NORTH CAROLINA

I. Historical Background: A brief historical and physical narrative/description of each of the buildings should be prepared to include the following:

- Date of construction
- Architect/builder, if known
- Owners and uses of the building since construction
- Size and sketch plan of building
- Materials and any significant architectural details or elements

II. Photographic Requirements: Photographic views of the buildings and associated facilities, including:

- Overall views.
- Each visible elevation.
- Exterior and interior details of construction or design including architecturally significant elements.
- Streetscapes showing the relationship of the buildings to the street and adjoining properties, if possible.
- Sketch site plan keyed to photographs listed above.

III. Format: Traditional or Digital

Digital Images on CD, (must be accompanied with prints of each image):

- Use at least a 3 megapixel camera
- May be jpeg format
- Must be at least 2100 pixels x 1500 pixels (300 ppi for a 5" x 7")
- Label files as follows: County Name, Property Name, Describe View/ Image, Photographer Name, Photo Date, Photo Number jpg.
- Prints – 5" x 7" in color, on good quality photo paper.

Traditional

- 35mm. or larger black and white negatives (all views).
- 8 x 10 black and white prints (all views). Color slides (all views).
- All processing to be done to archival standards. Fiber based paper is the traditional archival standard. According to Kodak, however, their resin-coated paper meets archival standards if it is stored in total darkness (in an envelope) and at low humidity.
- All photographs, negatives, and slides to be labeled according to Division of Archives and History standards (County Name, Property Name, Describe View/ Image, Photographer Name, Photo Date).

IV. Copies and Curation:

- One (1) set of all CD's, negatives, prints, slides, and historical background will be deposited with the North Carolina State Historic Preservation Office to be made a permanent part of the statewide survey and iconographic collection. Copies of all prints and written information will be provided to the Eastern Office of Archives & History and Greenville Historic Preservation Commission.



**APPENDIX B**

**HISTORIC PRESERVATION COVENANT**

**For**

**The Jones-Lee House on its New Site**

The City of Greenville (City) covenants for itself, its successors, and assigns and every successor in interest to the property hereby conveyed, or any part thereof that the real property above described (the Jones-Lee House on its new lot) is hereby conveyed subject to the conditions, restrictions, and limitations hereinafter set forth which are covenants running with the land; that the City, its successors, and assigns, covenants and agrees, that in the event the property is sold or otherwise disposed of, these covenants and restrictions shall be inserted in the instrument of conveyance.

1. The historic structure situated on said real property will be preserved and maintained in accordance with *The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (Standards)* and approved in writing by the North Carolina State Historic Preservation Officer (SHPO), 4617 Mail Service Center, Raleigh, North Carolina, 27699-4617.
2. No physical or structural changes or changes of color or surfacing will be made to the exterior of the structure and architecturally or historically significant interior features, as determined by the SHPO, without the written approval of the SHPO.
3. In the event of violation of the above restrictions, the Federal Transit Administration (FTA) and/or the SHPO may institute a suit to enjoin such violation or for damages by reason of any breach thereof.
4. These restrictions shall be binding on the Parties hereto, their successors, and assigns in perpetuity; however, the SHPO may for good cause, and with the concurrence of the Advisory Council on Historic Preservation (ACHP) modify or cancel any or all of the foregoing restrictions upon written application of the City, its successors or assigns.
5. The acceptance of the delivery of this Deed shall constitute conclusive evidence of the agreement of the City to be bound by the conditions, restrictions, and limitations, and to perform the obligations herein set forth.
6. Development of the property shall be in compliance with the *Standards*. The development plans shall be approved by the SHPO for guidance in planning the development of the property. If the Owner and the SHPO are unable to agree on the proposed development, the Owner shall forward all documentation relevant to the dispute to the ACHP. The Owner, SHPO, and the ACHP shall reach an agreement regarding the proposed development. If such an agreement cannot be reached the ACHP shall forward all relevant project materials with comments to FTA. FTA will consider such comments; and, if necessary, take action in accordance with the terms and conditions of these covenants.



October 29, 2009

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

Dear Sir :

Please be advised that, at this time, the Board of Trustees of the Greenville Museum of Art, Inc. does not oppose the Multimodal Bus Transfer Center referenced in your letter to Charlotte Fitz dated September 4, 2009. We look forward to working with the North Carolina State Historic Preservation Office as they prepare the historic property assessment of the Greenville Museum of Art. If I can be of further assistance, please do not hesitate to call.

Sincerely,

Heather M. Stepp  
President, Board of Trustees

Cc: Charlotte Fitz

Item # 28





# City of Greenville, North Carolina

Meeting Date: 11/9/2  
Time: 6:00 PM

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**Title of Item:** Proposed City Council inquiry of Housing Authority

**Explanation:** At its October 8, 2009, meeting, City Council approved a motion to have placed on the agenda for the November 9, 2009, City Council meeting the consideration of whether the City of Greenville City Council and Mayor will use the authority granted in North Carolina General Statute 160A-80 to conduct a formal inquiry into the fiscal and financial operations of the Greenville Housing Authority.

Attached is a memo from City Attorney Holec which provides information relating to this request including options.

**Fiscal Note:** There is no known fiscal impact of an inquiry at this time.

**Recommendation:** Consideration of whether to have a City Council inquiry of the Housing Authority.

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[Statute 160A-80](#)

[Memo to Mayor and CCM re Investigation 847299](#)

## MEMORANDUM

**TO:** Mayor and City Council Members

**FROM:** David A. Holec, City Attorney

**DATE:** November 3, 2009

**SUBJECT:** Proposed City Council Inquiry of Housing Authority

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North Carolina General Statute 160A-80 provides that City Council has the “power to investigate the affairs of the city, and for that purpose may subpoena witnesses, administer oaths, and compel the production of evidence.” A copy of this statute is attached.

\* \* \*

The Housing Authority of the City of Greenville is a North Carolina public body and body corporate organized pursuant to North Carolina law. The Housing Authority receives federal funds in order to implement a federal program of providing safe and sanitary dwelling accommodations to persons of low income. The Housing Authority is autonomous in that, in accordance with the provisions of North Carolina law, it is a separate legal entity and the Board of Commissioners of the Housing Authority is the decision making authority for the management and operation of the Housing Authority.

Although the decision making authority resides with the Board of Commissioners of the Housing Authority, City Council has an interest in the Housing Authority. In addition to the fact that the Housing Authority provides services to the citizens of the City of Greenville, the interest of City Council is legal in nature. In accordance with the provisions of North Carolina law, the Housing Authority was able to be incorporated as a result of a resolution which was adopted by City Council in 1961. North Carolina law also gives City Council the authority to abolish the Housing Authority by the adoption of a resolution and, if abolished, the Housing Authority’s functions would be performed by either the City or the Redevelopment Commission. North Carolina law provides that the determination as to which entity would perform the functions would be made by City Council. The Commissioners of the Housing Authority are appointed by the Mayor and City Council in accordance with the provisions of a 2009 Session Law of the North Carolina General Assembly. In accordance with the provisions of North Carolina law, the Mayor has the authority, after notice and hearing, to remove Commissioners of the Housing Authority for inefficiency or neglect or misconduct in office. And, North Carolina law requires the Housing Authority to file an annual report with the Mayor.

Although City Council has an interest in the Housing Authority, City Council does not have the authority to reverse, modify, or affirm any decision made by the Board of Commissioners of the Housing Authority relating to the operation and management of the Housing Authority. This would include any decision on personnel related matters, tenant selection or eviction matters, and any other matter relating to the operation and management of the Housing Authority. This is due to the fact that, in accordance with the provisions of North Carolina law, the Housing Authority

is a separate legal entity and the Board of Commissioners of the Housing Authority is the decision making authority for the management and operation of the Housing Authority.

In my opinion, City Council has the authority, pursuant to the provisions of North Carolina General Statute 160A-80, to conduct a formal inquiry (investigation) into the fiscal and financial operations of the Housing Authority of the City of Greenville.

Some other options, rather than conducting an inquiry pursuant to N.C.G.S. 160A-80, include:

- 1) Let the federal review of the Housing Authority serve as the inquiry.
- 2) Seek information from the Housing Authority utilizing requests pursuant to North Carolina public records law.
- 3) Seek information from the Housing Authority residents by allowing public comment to occur either at a public hearing at a City Council meeting or a public forum established for this purpose.
- 4) Seek information from the Housing Authority by requesting the Chair of the Board of Commissioners of the Housing Authority to make a presentation to City Council.
- 5) Seek information from the Housing Authority by having a joint meeting between City Council and the Board of Commissioners of the Housing Authority.
- 6) Seek information from the Housing Authority by requesting that Housing Authority staff meet with City staff.

cc: Wayne Bowers, City Manager

**§ 160A-80. Power of investigation; subpoena power.**

(a) The council shall have power to investigate the affairs of the city, and for that purpose may subpoena witnesses, administer oaths, and compel the production of evidence.

(b) If a person fails or refuses to obey a subpoena issued pursuant to this section, the council may apply to the General Court of Justice for an order requiring that its order be obeyed, and the court shall have jurisdiction to issue these orders after notice to all proper parties. No testimony of any witness before the council pursuant to a subpoena issued in exercise of the power conferred by this section may be used against him on the trial of any civil or criminal action other than a prosecution for false swearing committed on the examination. If any person, while under oath at an investigation by the council, willfully swears falsely, he is guilty of a Class 1 misdemeanor.

(c) Repealed by Session Laws 1991, c. 512, s. 1. (1971, c. 698, s. 1; 1991, c. 512, s. 1; 1993, c. 539, s. 1083; 1994, Ex. Sess., c. 24, s. 14(c).)





# City of Greenville, North Carolina

Meeting Date: 11/9/2  
Time: 6:00 PM

**Title of Item:** 2009-2010 Capital Reserve Fund calculation and designations

**Explanation:** Attached is a computation illustrating the General Fund monies available for the annual capital reserve transfer process. Historically, the City Council approves a transfer along with recommended capital improvement designations. Because of the current economic recession, staff recommends delaying consideration of any recommendations on unfunded capital needs until later. The Capital Reserve designations will be identified during the Capital Improvement Process budget development, which will be presented to City Council in March 2010. When current fiscal year transfer designations are identified, staff will return with recommendations to the City Council for March 2010 consideration.

The only capital projects that are recommended for approval at this time represent previously approved projects that are continuing into the current fiscal year. The 2008-2009 budget included a capital project appropriation of \$200,000 to install air conditioning in the gymnasiums at the Eppes Recreation Center, and the Aquatics and Fitness Center. The engineering design of the two systems has been completed. Due to the age of the Eppes gym, substantial electrical system upgrades and some structural changes will be necessary in order to complete the air conditioning installation. After deducting some of the costs for engineering design services, the original capital project budget has remaining \$196,382. The revised cost estimate for the Eppes air conditioning project is \$499,000. Thus a new appropriation of \$302,618 will be needed to complete this project.

The approved Capital Improvement Program for 2009-2010 includes a Capital Reserve appropriation of \$300,000 to complete the local funding share of the Intermodal Transportation Center.

When the Capital Reserve designations were made on November 6, 2008 the amount of \$634,104 was retained for future designation. Since this amount is still available, staff recommends that the City Council designate from the 2008-

2009 Capital Reserve \$334,104 (\$302,618 plus contingency of \$31,486) to complete the Eppes air conditioning project and \$300,000 for the Intermodal Transportation Center. This will designate the full 2008-2009 Capital Reserve undesignated amount.

The attached report shows the available General Fund monies that can be used for operating and/ or capital improvement needs in the amount of \$2,476,295. Additionally, there are Capital Reserve Fund interest earnings in the amount of \$36,939.

The following documents are attached:

1. Computation of General Fund Monies Available for Transfer to Capital Reserve – This report was done based on transferring unreserved/undesignated General Fund balance monies in excess of the 14% reserve amount established by the City Council policy, of the approved 2009-2010 General Fund budget expenditures, excluding Powell Bill (gas tax) funds. This amount is the starting point for calculating the available General Fund monies that can be used for operating and/or capital improvement needs. Under ordinary budget cycles, staff recommends transferring the entire adjusted amount of available funds to the Capital Reserve Fund. The amount of General Fund monies available for transfer to the Capital Reserve Fund has been reduced by the fiscal year 2009/2010 General Fund budget amendments occurring through November.
2. Capital Reserve Fund - Detail of Changes in Designations – This report shows the Capital Reserve Fund with the designations that City Council approved on November 6, 2008, and the changes over the past 12 months. Since staff has not proposed any new capital projects, there is a total of \$2,476,295 available for operating and/or capital reserve needs; \$36,939 of Capital Reserve earned interest income that is retained to address potential 2009-2010 budget revenue shortfalls or other capital projects identified during the 2010-2011 budget process.

**Fiscal Note:**


Recommend postponement of consideration to make \$2,476,295 transfer from the General Fund to the Capital Reserve Fund. This amount when combined with the unallocated Capital Reserve interest (\$36,939) will remain unallocated until a future date (Total = \$2,513,234).

**Recommendation:**

Approve 2009-2010 Capital Reserve Fund calculation, retain \$2,513,234 as undesignated Capital Reserve for 2009-2010, and designate 2008-2009 undesignated Capital Reserve funds (\$634,104) for the Eppes air conditioning and Intermodal Transportation Center projects.

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 [Capital Reserve Update Caculation 652347](#)

 [Capital Reserve Designations 606168](#)

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**Computation of General Fund Monies Available for Transfer to Capital Reserve  
Fiscal Year 2009-2010**

2009-2010** General Fund Budget	Percent	Total Balance Required	Unreserved* Undesignated Fund Balance	Amount Available For Transfer
67,922,364	<b>14%</b>	<b>9,509,131</b>	<b>13,033,004</b>	<b>3,523,873</b>

\$ **3,523,873** Amount Available for Transfer to Capital Reserve Fund

(1,047,578) Budget Ordinance Amendments (2009/2010), including  
November 2009 Meeting

\$ 2,476,295 Amount Available for Operating and Capital Improvement Needs

36,939 Capital Reserve Interest (Unallocated)

\$ 2,513,234 Total Unallocated Funds that May Be Used for CIP

\* 2008-2009 Audit, Exhibit C

\*\* Excluding Powell Bill (gas tax) funds

**CAPITAL RESERVE FUND**  
Detail of Changes in Designations

Purpose	November 6, 2008 Recommended Designations	Increase	Decrease	November 9, 2009 Recommended Designations
Parking Deck	\$ 1,779,565	\$ -	\$ -	\$ 1,779,565
River Hills Area Annexation Infrastructure	\$ 202,942		(202,942)	\$ -
Transportation				
Sidewalk Construction - DOT projects	\$ 573,250		(64,000)	\$ 509,250
Intermodal Transportation Center		300,000	(300,000)	-
Highway 43 Widening	250,000	-	-	250,000
Brownlea Drive Ext. Phase II	245,195	-	-	245,195
Subtotal Transportation	\$ 1,068,445			\$ 1,004,445
CSX Railroad Switching Yard	\$ 315,254	-	(51,000)	\$ 264,254
Public Safety				
Fire/Rescue Land Acquisition	\$ 440,000	-	(440,000)	\$ -
Fire/Rescue Ambulance	250,000	-	(250,000)	-
Take Home Police Cars	120,750	-	(120,750)	-
Subtotal Public Safety	\$ 810,750			\$ -
Recreation & Parks				
Eppes Alumni Center	27,000	-	(27,000)	\$ -
Eppes HVAC System	-	334,104	(334,104)	-
Subtotal Recreation	\$ 27,000			\$ -
Open Space for Land Banking	\$ 124,153	-	(2,000)	\$ 122,153
<b>Total</b>	\$ 4,328,109	\$ 634,104	\$ (1,791,796)	\$ 3,170,417



# City of Greenville, North Carolina

Meeting Date: 11/9/2  
Time: 6:00 PM

**Title of Item:** Budget ordinance amendment #4 to the 2009-2010 City of Greenville General Fund, amendment to ordinance 05-127 Center City Revitalization Capital Project Fund, and ordinance establishing the COPS Hiring Recovery Program Grant Special Revenue Project Fund

**Explanation:** 1) Attached is an amendment to the 2009-2010 budget ordinance for consideration at the November 9, 2009 City Council meeting. For ease of reference, a footnote has been added to each line item of the budget ordinance amendment, which corresponds to the explanation below:

**A** To appropriate Capital Reserve funds to transfer to the General Fund to pay the City's share on the River Hills Sewer Project (Total - \$202,942).

**B** To appropriate Capital Reserve funds to transfer to the General Fund for the installation of a water service stub and sanitary sewer in preparation of Fire Station #7 (Total - \$20,000).

**C** To appropriate Capital Reserve funds to transfer to the General Fund for the purchase of the land for Fire Station #7. A remaining balance of this purchase price was transferred into the the General Fund during prior year and carried forward into current year's appropriations (Total - \$220,000).

**D** To appropriate Capital Reserve funds to transfer to the General Fund to add luminaries arms for overhead street lights and a black powder coating to the traffic signal mast arms and support poles installed at certain intersections that were part of the Fire Tower Road Widening Project (Total - \$44,000).

**E** To appropriate Capital Reserve funds to transfer to the General Fund to purchase an additional Fire/Rescue ambulance unit to support the peak unit that was put into place during March of prior year and the SAFER grant employees hired during the summer months (Total - \$250,000).



**F** To appropriate Capital Reserve funds for the Public Works complex to be used for landscaping, painting and the relocation of the automatic entrance gate (Total - \$17,800).

**G** To appropriate funds awarded by the North Carolina Urban and Community Forestry Program to enhance the sustainability of Greenville's urban forest (Total - \$13,500).

**H** To appropriate funds granted by the Rural Economic Development Center, Inc. to conduct a study to reuse the State Theater in downtown Greenville (Total - \$25,000).

**I** To appropriate funds awarded by the Governor's Crime Commission for domestic violence. The funds will be used to offset travel needs and forensic equipment for the program. The City's match is \$17,800, which will be absorbed within the Police Department's budget (Total - \$53,400).

**J** To carry over unused funds from prior year to replace deteriorated aluminized pipe within the Publics Work yard and under the CSX Railroad (Total - \$420,000).

**K** To allocate Capital Reserve Funds to be used to complete the Eppes Recreation Center HVAC system installation and other related improvements (Total - \$334,104).

**L** To appropriate Federal Forfeiture funds to assist with purchasing a vehicle for the Special Investigations unit. The total cost of the vehicle is \$39,303, of which the Marshall Service will pay \$25,000 (Total - \$14,303).

**M** To allocate grant funds awarded by the Department of Justice to purchase a mobile police substation with antenna systems and surveillance equipment to enhance community response and communications (Total - \$175,000).

**N** To carryover unused funds from fiscal year 2008-2009 for the Intermodal Transportation Center. Design and land acquisition is estimated to cost \$3,348,000, which the city is responsible for 10% match. In fiscal year 2008-2009, \$335,000 was budgeted. A portion of the \$335,000 was used in fiscal year 2008-2009 to complete project activities; thus leaving a total of \$329,507 to be carried over (Total - \$329,507).

**2)** Attached is a three-year Special Revenue project budget ordinance to establish a fund for the COPS Hiring Recovery Program (CHRP) grant project. This grant was awarded through CHRP to support the salaries of eight police officers. The budget includes four School Resource Officers (SROs) and four patrol officers. Over the three-year term of this grant, it is estimated that approximately \$409,377 will need to be paid from the General Fund to cover the gap between the funds allocated by the grant for the SROs and the actual costs paid.

**Fiscal Note:**

The budget ordinance amendment affects the following funds: increase General Fund by \$1,674,556; increase the Stormwater Utility Fund by \$420,000; increase the Capital Reserve Fund by \$1,088,846; increase the Center City Revitalization Capital Project Fund by \$25,000; and increase the COPS Hiring Recovery Program Grant Special Revenue Fund by \$1,621,180.

<u>Fund Name</u>	<u>Adjusted Budget</u>	<u>Proposed Amendment</u>	<u>Adjusted Budget</u>
General Fund	\$ 72,164,745	\$ 1,674,556	\$73,839,301
Stormwater Utility Fund	\$ 6,081,259	\$ 420,000	\$ 6,501,259
Capital Reserve Fund	\$ 545,195	\$ 1,088,846	\$ 1,634,041
Center City Revitalization Project Fund	\$ 5,000,000	\$ 25,000	\$ 5,025,000
COPS Hiring Recovery Program Grant Special Revenue Fund	\$ -	\$ 1,621,180	\$ 1,621,180

**Recommendation:**

Approve ordinance amendment #4 to the 2009-2010 City of Greenville Budget, amendment to ordinance 05-127 Center City Revitalization Capital Project Fund, and the ordinance establishing the COPS Hiring Recovery Program Grant Special Revenue Project Fund

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[Budget Amendments FY 2009 2010 838154](#)

[COPS Hiring Recovery Program Grant Special Revenue Fund 847241](#)

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ORDINANCE NO. 09-\_\_\_\_\_  
CITY OF GREENVILLE, NORTH CAROLINA  
ORDINANCE (#4) AMENDING ORDINANCE NO. 09-53 AND AMENDMENT TO ORDINANCE 05-127, CENTER CITY  
REVITALIZATION CAPITAL PROJECT FUND

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

Section I: Estimated Revenues and Appropriations. General Fund, of Ordinance 09-53, is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

	<b>ORIGINAL 2009-2010 BUDGET</b>		<b>#4 Amended 11/9/09</b>	<b>Total Amendments</b>	<b>Amended 2009-2010 Budget</b>
<b><u>ESTIMATED REVENUES</u></b>					
Property Tax	\$ 29,641,438		\$ -	\$ -	\$ 29,641,438
Sales Tax	13,736,686		-	-	13,736,686
Utilities Franchise Tax	5,338,099		-	-	5,338,099
Other Unrestricted Intergov't Revenue	2,634,640		-	(223,205)	2,411,435
Powell Bill	1,901,793		-	-	1,901,793
Restricted Intergov't Revenues	847,977	<b>G,I,L,M</b>	256,203	778,107	1,626,084
Building Permits	730,735		-	-	730,735
Other Licenses, Permits and Fees	2,269,768		-	-	2,269,768
Rescue Service Transport	2,409,670		-	-	2,409,670
Other Sales & Services	1,738,944		-	(262,313)	1,476,631
Other Revenues	287,502		-	-	287,502
Interest on Investments	1,464,348		-	-	1,464,348
Transfers In GUC	5,250,135		-	1,606	5,251,741
Other Financing Sources	805,041	<b>A,B,C,D,E,F,K</b>	1,088,846	1,363,846	2,168,887
Appropriated Fund Balance	2,076,906	<b>N</b>	329,507	1,047,578	3,124,484
<b>TOTAL REVENUES</b>	<b>\$ 71,133,682</b>		<b>\$ 1,674,556</b>	<b>\$ 2,705,619</b>	<b>\$ 73,839,301</b>
<b><u>APPROPRIATIONS</u></b>					
Mayor/City Council	\$ 428,288		\$ -	\$ -	\$ 428,288
City Manager	1,086,153		-	51,461	1,137,614
City Clerk	275,445		-	-	275,445
City Attorney	435,459		-	-	435,459
Human Resources	2,101,831		-	-	2,101,831
Information Technology	2,907,322		-	-	2,907,322
Fire/Rescue	12,127,343		-	198,302	12,325,645
Financial Services	2,218,950		-	-	2,218,950
Recreation & Parks	6,197,166		-	73,393	6,270,559
Police	20,677,674	<b>I,L,M</b>	242,703	269,496	20,947,170
Public Works	9,653,824	<b>G</b>	13,500	22,126	9,675,950
Community Development	1,628,898		-	374,843	2,003,741
Contingency	828,687		-	(241,224)	587,463
Capital Improvements	4,099,961	<b>A,B,C,D,E,F,K</b>	1,088,846	1,627,716	5,727,677
Total Appropriations	\$ 64,667,001		\$ 1,345,049	\$ 2,376,112	\$ 67,043,113
<b><u>OTHER FINANCING SOURCES</u></b>					
Debt Service	\$ 4,270,892		\$ -	\$ -	\$ 4,270,892
Transfers to Other Funds	2,195,789	<b>N</b>	329,507	329,507	2,525,296
	\$ 6,466,681		\$ 329,507	\$ 329,507	\$ 6,796,188
<b>TOTAL APPROPRIATIONS</b>	<b>\$ 71,133,682</b>		<b>\$ 1,674,556</b>	<b>\$ 2,705,619</b>	<b>\$ 73,839,301</b>

Section II: Estimated Revenues and Appropriations. Stormwater Utility Fund, of Ordinance 09-53, is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

	ORIGINAL 2009-2010 BUDGET		Amended 11/9/09	Total Amendments	Amended 2009-2010 Budget
<b>ESTIMATED REVENUES</b>					
Utility Fee	\$ 2,898,243		\$ -	\$ -	\$ 2,898,243
Interest on Investments	60,616		-	-	60,616
Appropriated Fund Balance	1,927,400	J	420,000	1,615,000	3,542,400
<b>TOTAL REVENUES</b>	<b>\$ 4,886,259</b>		<b>\$ 420,000</b>	<b>\$ 1,615,000</b>	<b>\$ 6,501,259</b>
<b>APPROPRIATIONS</b>					
Stormwater Utility Fund	\$ 4,886,259	J	\$ 420,000	\$ 1,615,000	\$ 6,501,259
Total Expenditures	\$ 4,886,259		\$ 420,000	\$ 1,615,000	\$ 6,501,259
<b>TOTAL APPROPRIATIONS</b>	<b>\$ 4,886,259</b>		<b>\$ 420,000</b>	<b>\$ 1,615,000</b>	<b>\$ 6,501,259</b>

Section III: Estimated Revenues and Appropriations. Capital Reserve Fund, of Ordinance 09-53, is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

	ORIGINAL 2009-2010 BUDGET		Amended 11/9/09	Total Amendments	Amended 2009-2010 Budget
<b>ESTIMATED REVENUES</b>					
Appropriated Fund Balance	\$ 545,195	A,B,C,D,E,F,K	\$ 1,088,846	\$ 1,088,846	\$ 1,634,041
<b>TOTAL REVENUES</b>	<b>\$ 545,195</b>		<b>\$ 1,088,846</b>	<b>\$ 1,088,846</b>	<b>\$ 1,634,041</b>
<b>APPROPRIATIONS</b>					
Capital Reserve Fund	\$ 545,195	A,B,C,D,E,F,K	\$ 1,088,846	\$ 1,088,846	1,634,041
Total Expenditures	\$ 545,195		\$ 1,088,846	\$ 1,088,846	\$ 1,634,041
<b>TOTAL APPROPRIATIONS</b>	<b>\$ 545,195</b>		<b>\$ 1,088,846</b>	<b>\$ 1,088,846</b>	<b>\$ 1,634,041</b>

Section IV: Estimated Revenues and Appropriations. Center City Revitalization Capital Project Fund, of Ordinance 05-127, is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

	<b>ADJ. BUDGET</b>		<b>Amended 11/9/09</b>	<b>Total Amendments</b>	<b>Amended 2009-2010 Budget</b>
<b><u>ESTIMATED REVENUES</u></b>					
State/Loc/Federal Grants	\$ -	<b>H</b>	\$ 25,000	\$ 25,000	\$ 25,000
Other Financing Sources	5,000,000		-	-	5,000,000
<b>TOTAL REVENUES</b>	<b>\$ 5,000,000</b>		<b>\$ 25,000</b>	<b>\$ 25,000</b>	<b>\$ 5,025,000</b>
<b><u>APPROPRIATIONS</u></b>					
Acquisition	\$ 2,250,000		\$ -	\$ -	\$ 2,250,000
Demolition Services	140,050		-	-	140,050
Infrastructure	1,809,950		-	-	1,809,950
Business Retention & Relocation	500,000	<b>H</b>	25,000	25,000	525,000
Development Financing	300,000		-	-	300,000
Total Expenditures	\$ 5,000,000		\$ 25,000	\$ 25,000	\$ 5,025,000
<b>TOTAL APPROPRIATIONS</b>	<b>\$ 5,000,000</b>		<b>\$ 25,000</b>	<b>\$ 25,000</b>	<b>\$ 5,025,000</b>

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

Section VI: This ordinance will become effective upon its adoption.

Adopted this 9th day of November, 2009.

\_\_\_\_\_  
Patricia C. Dunn, Mayor

ATTEST:

\_\_\_\_\_  
Wanda T. Elks, City Clerk

ORDINANCE NO. 09-\_\_\_\_  
CITY OF GREENVILLE, NC  
COPS HIRING RECOVERY PROGRAM GRANT SPECIAL REVENUE FUND  
BUDGET ORDINANCE

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

Section I: Estimated Revenues. It is estimated that the following revenues will be available for the COPS Hiring Recovery Program Grant Project

<b><u>ESTIMATED REVENUES</u></b>	<b><u>ORIGINAL 2009-2010 BUDGET</u></b>
Loc / State / Federal Grant	\$ 1,211,803
Transfer from General Fund	409,377
<b>TOTAL REVENUES</b>	<b><u><u>\$ 1,621,180</u></u></b>

Section II: Appropriations. The following amounts are hereby appropriated for the COPS Hiring Recovery Program Grant Project

<b><u>APPROPRIATIONS</u></b>	
Permanent Salaries	\$ 1,127,707
FICA	86,270
Retirement	55,032
Health Insurance	309,370
401K	42,801
Total Appropriations	<b><u><u>\$ 1,621,180</u></u></b>
<b>TOTAL APPROPRIATIONS</b>	<b><u><u>\$ 1,621,180</u></u></b>

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

Section IV: This ordinance will become effective upon its adoption.

Adopted this 9th day of November, 2009.

\_\_\_\_\_  
Patricia C. Dunn, Mayor

ATTEST:

\_\_\_\_\_  
Wanda T. Elks, City Clerk



# City of Greenville, North Carolina

Meeting Date: 11/9/2  
Time: 6:00 PM

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**Title of Item:** Fiscal years 2010-2011 budget and 2011-2012 financial plan schedule

**Explanation:** Attached is a budget preparation schedule for the fiscal years 2010-2011 budget and 2011-2012 financial plan. The schedule sets out information to be prepared, collected, and presented to the City Council for public comment on the budget and plan.

A City Council Planning Retreat has been recommended and included in the proposed schedule. Please note that only the items listed in bold letters involve direct City Council participation.

**Fiscal Note:** No direct cost to adopt the schedule.

**Recommendation:** Adopt the proposed fiscal years 2010-2011 budget and 2011-2012 financial plan schedule.

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[Draft Budget Schedule FY 2011 and FY 2012 847003](#)



**City of Greenville, NC**  
**Budget and Capital Improvement Program (CIP) Schedule**  
**Fiscal Year(s) 2010-2011 and 2011-2012**  
**BUDGET SCHEDULE**

<b>Monday</b>	<b>November 9, 2009</b>	<b>Budget and CIP schedule presented to City Council.</b>
Monday	November 16, 2009	Revenue projections finalized.
Monday	November 30, 2009	Department Mission Statement & Goals due to Financial Services.
Monday	December 14, 2009	New position and Information Technology requests due to Financial Services.
Tuesday	December 22, 2009	Budget targets distributed to Departments.
<b>Saturday</b>	<b>January 23, 2010</b>	<b>City Council planning retreat and Draft CIP Presentation finalized.</b>
Monday	February 8, 2010	Department budget requests due back to Financial Services.
Two-Days	February 15-16, 2010	Reserved for CIP Follow-Up meetings with Departments.
<b>Monday</b>	<b>March 8, 2010</b>	<b>CIP presentation to City Council.</b>
Week	March 15-19, 2010	Department Head budget meetings with City Manager, Assistant City Manager, and Financial Services Director.
<b>Monday</b>	<b>April 5, 2010</b>	<b>City Council preview of proposed City budget.</b>
Friday	April 23, 2010	Complete work on proposed City budget.
Monday	April 26, 2010	Proposed GUC, SML, and CVA budgets due to Financial Services.
Wednesday	May 5, 2010	Proposed City, GUC, SML, and CVA budgets distributed to City Council.
<b>Monday</b>	<b>May 10, 2010</b>	<b>Proposed City, GUC, SML, and CVA budgets presented to City Council.</b>
<b>Thursday</b>	<b>May 13, 2010</b>	<b>Further discussion of proposed budgets by City Council.</b>
<b>Monday</b>	<b>May 24, 2010</b>	<b>City Council budget review.</b>
Monday	May 24, 2010	Public display of balanced budgets prior to the Public Hearing.
<b>Monday</b>	<b>June 7, 2010</b>	<b>Public Hearing - Fiscal Year 2010 - 2011 Budget and 2011 - 2012 Plan.</b>
<b>Thursday</b>	<b>June 10, 2010</b>	<b>Consideration of adoption of the Fiscal Year 2010 - 2011 Budget and 2011 - 2012 Plan.</b>