



Agenda

Greenville City Council

March 25, 2019

6:00 PM

City Hall Council Chambers

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

- I. Call Meeting To Order**
- II. Invocation - Council Member Bell**
- III. Pledge of Allegiance**
- IV. Roll Call**
- V. Approval of Agenda**
- VI. Public Comment Period**

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

VII. Special Recognitions

1. Ms. Barbara Taft - JOY Soup Kitchen

VIII. Consent Agenda

2. Minutes from the December 13, 2018, January 7, 2019, and February 11, 2019 City Council meetings and the January 7, 2019 City Council workshop
3. Resolution establishing just compensation for acquisition of property located at 294 Millbrook Street through the North Carolina Hurricane Matthew Hazard Mitigation Grant Program
4. Resolution Accepting Dedication of Rights-of-Way and Easements for Parkside Bluffs Section 2, Phase 1A, Lot 4 and Blackwood Ridge - Phase One
5. Master Right-of-Way Encroachment Agreement with Cebridge Acquisition, L.P.
6. Municipal Agreement with the North Carolina Department of Transportation for Betterments for the Fire Tower Road Multi-Lane Improvement Project from west of East Arlington Boulevard to Fourteenth Street
7. Municipal Agreement with the North Carolina Department of Transportation for Betterments for the Fire Tower Road and Portertown Road Multi-Lane Improvement Project
8. Municipal Agreement with the North Carolina Department of Transportation for Additional Betterments for the Allen Road Multi-Lane Improvement Project
9. Report on Bids and Contracts Awarded
10. Various tax refunds greater than \$100

IX. New Business

11. Presentations by Boards and Commissions:
 - a. Greenville Bicycle and Pedestrian Commission
 - b. Recreation and Parks Commission
 - c. Redevelopment Commission
12. Resolution of commitment to participate in the public-private economic development partnership
13. Adoption of 2019 State Legislative Agenda
14. Adoption of 2019 City of Greenville Federal Agenda
15. Application for a North Carolina Parks and Recreation Trust Fund (PARTF) grant in support of the development of an "Adventure Park"

16. Ordinance Approving 2018-2019 Capital Reserve Fund Designations
17. Budget ordinance amendment #8 to the 2018-2019 City of Greenville budget (Ordinance #18-038) and Capital Projects Fund (Ordinance #17-024)

X. City Manager's Report

XI. Comments from Mayor and City Council

XII. Adjournment



City of Greenville, North Carolina

Meeting Date: 3/25/2019
Time: 6:00 PM

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- Title of Item:** Minutes from the December 13, 2018, January 7, 2019, and February 11, 2019 City Council meetings and the January 7, 2019 City Council workshop
- Explanation:** Proposed minutes from regular City Council meetings held on December 13, 2018, January 7, 2019, and February 11, 2019, and proposed minutes from a City Council workshop held on January 7, 2019 are presented for review and approval
- Fiscal Note:** There is no direct cost to the City
- Recommendation:** Review and approve proposed minutes from regular City Council meetings held on December 13, 2018, January 7, 2019, and February 11, 2019, and proposed minutes from a City Council workshop held on January 7, 2019
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ATTACHMENTS:

- ❑ **Proposed_Minutes_of_the_December_13,_2018_City_Council_Meeting_1093171**
- ❑ **Final_Proposed_Minutes_for_the_January_7,_2019_City_Council_Meeting_1103783**
- ❑ **Final_Proposed_Minutes_for_February_11_2019_City_Council_Meeting_1105886**
- ❑ **Proposed_January_7_2019_Workshop_Minutes_1103015**

PROPOSED MINUTES
MEETING OF THE CITY COUNCIL
CITY OF GREENVILLE, NORTH CAROLINA
THURSDAY, DECEMBER 13, 2018



A regular meeting of the Greenville City Council was held on Thursday, December 13, 2018 in the Council Chambers, located on the third floor at City Hall, with Mayor P. J. Connelly presiding. Mayor Connelly called the meeting to order at 6:00 pm. Council Member Smith gave the invocation, followed by the Pledge of Allegiance.

Those Present:

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

Those Absent:

None

Also Present:

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

APPROVAL OF THE AGENDA

City Manager Ann Wall advised the Council of a request to continue to Kenneth and Christine Lloyd rezoning to the January 10, 2019 meeting and that the item continued from Monday related to the agreement with Bode Cellmark Forensics, Inc. should be removed from the current agenda.

Council Member Smiley asked that discussion of funds donated for the purchase of City land on Albemarle Avenue be added to the agenda.

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

PUBLIC COMMENT PERIOD

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



Asia Gorham – 2209 Penncross Drive

Ms. Gorham stated she is 13 years old and an 8th grade student at Winterville Charter Academy. She is concerned about the Town Common liquor proposal and feels it will potentially cause problems in Greenville.

Stephanie Flores – 1106 Tracey Circle

Ms. Flores stated she is also an 8th grade student at Winterville Charter Academy. She founds the City's liquor proposal on WITN news while researching for an assignment on current events. She feels that allowing beer, wine and stronger beverages at Town Common will encourage aggressive behavior and will bring much negative attention to Greenville. Parents will be reluctant to take their children there, and ECU students will not be sufficiently focused on their work.

Keziah Worsley – 311 Lancelot Drive

Ms. Worsley, who is also an 8th grader at Winterville Charter Academy, said while she is fully aware that the liquor proposal would help bring more revenue into the community, but Town Common is a place for families to enjoy together. She understands there will be a designated area monitored by Police for the consumption of alcohol, but believes the Fair Grounds would be more appropriate for this as it is already a fenced-in area.

Rufus Huggins – 1509 W. 5th Street

Mr. Huggins referenced a recent Town Hall meeting, organized by Mayor Pro-Tem Glover, which was well-attended. Mayor Pro-Tem Glover brought City staff with her and he wanted to commend the Council for the very fine people working for this City. They were well-informed and able to address all the concerns of the people at this meeting. He stated he wanted to publically thank Mayor Pro-Tem Glover for having this meeting.

William E. Bagnell – 743 Christopher Drive

Mr. Bagnell registered, but did not speak

Rita Jackson Gilbert – No Address Given

Ms. Gilbert stated she is a seasoned educator and the mother of three young men. Two of her sons have been privileged to be involved with Pitt Community College in the programs they have for trades. She said she'd like to thank Council Member Smith and anyone else who has been involved in setting this up. Her sons are working now and will be able to give back to the community.

Hearing no one else who wished to speak during the Public Comment period, Mayor Connelly closed the public comment period at 6:19 pm.



SPECIAL RECOGNITIONS

JOHN STEPPS – FIRE-RESCUE DEPARTMENT RETIREE

City Manager Ann Wall, accompanied by Mayor Connelly and Fire-Rescue Chief Eric Griffin, recognized John Stepps on the occasion of his retirement from Greenville Fire-Rescue. She read and presented him with a plaque honoring his 30 years of service to the citizens of Greenville.

COUNCIL MEMBER KANDIE D. SMITH

Mayor Connelly recognized Council Member Kandie D. Smith, who was recently elected to represent District 8 in the North Carolina House of Representatives. She has been a huge advocate for District 1 and the City of Greenville, having served for nearly a decade.

While the City is very excited about Council Member Smith's opportunity to serve the Greenville community at the state level, this unfortunately means that she will be leaving her seat on the City Council.

A reception was held prior to tonight's meeting to wish Council Member Smith the best of luck in her future endeavors, but it is appropriate to take some time tonight to formally recognize her as part of this meeting and in this room where she has played a vital role in shaping the vision of Greenville for nearly a decade.

Mayor Connelly said he would like to take a few moments to discuss some of the accomplishments during Council Member Smith's time serving the City of Greenville.

- Council member Smith has been a proven leader with a strong commitment to engaging and serving the community since she was elected to the City Council in 2009.
- She has always fought for fiscal responsibility while balancing a focus on infrastructure, public safety, and recreational opportunities.
- She has worked tirelessly to ensure that the underprivileged and underserved areas of the community received the same services and have the same access to facilities as the more affluent areas.
- Some of her civic involvement includes:
 - Being a member of the National Public Safety and Crime Prevention Committee
 - Being a N.C. Assistant Regional Representative for the National Black Caucus of Elected Officials
 - Serving as a board member for the Pitt County Reentry Council



- Serving on the Economic Development Subcommittee and being a liaison to numerous City boards and commissions including the Greenville Utilities Commission, the Greenville Housing Authority, the Recreation and Parks Commission and the Historic Preservation Commission among others.
- She is also an active member of the Greenville Chapter of the Delta Sigma Theta Sorority.

Council member Smith also made history for this city in July of 2017 when she was appointed as the City’s first African American female mayor. During her six months in that role, Council member Smith was extremely active and played a significant part in a series of initiatives and projects including:

- Community Policing Week
- The City’s partnership with Pitt Community College on workforce training and development
- The planning for the new Westpointe Park
- She also demonstrated that she has what it takes to be successful at the state level by successfully lobbying legislators in Raleigh for the City’s \$16 million Clean Water State Revolving Loan to assist with funding for the Town Creek Culvert. That interest free loan was the largest ever awarded by the State for such a project.

As she stepped back into her role as a District 1 Council member last December, she did not let her run for the State House seat interfere with her responsibilities here in Greenville. In fact, as you will see by a couple of the items that she requested on tonight’s agenda, Council member Smith is doing everything she can to move Greenville forward up until her last day on the job.

On behalf of the rest of the City Council and the City of Greenville, Mayor Connelly thanked Council Member Smith for her service to the City of Greenville.

Council Member Smith expressed her appreciation for not only the accolades, but for the fellowship in service on the Council, and she thanked the citizens for having given her the opportunity to serve.

APPOINTMENTS

APPOINTMENTS TO BOARDS AND COMMISSIONS

Community Appearance Commission

Council Member Smiley continued the appointment for Byron Aynes’ seat.



Environmental Advisory Commission

Council Member Meyerhoeffer continued the appointments for Nathaniel Hamilton’s and Durk Tyson’s seats.

Historic Preservation Commission

Council Member Litchfield made a motion to appoint Scott Wells to fill an unexpired term that will expire January 2019 in replacement of Bernie Schulz, who had resigned. Council Member Smiley seconded the motion and it carried unanimously.

Human Relations Council

Mayor Pro-Tem Glover continued all appointments.

Investment Advisory Committee

Council Member Litchfield made a motion to appoint Dr. Robert Prati to a first three-year term that will expire October 31, 2021 in replacement of Scott Below. Council Member Bell seconded the motion and it carried unanimously.

Police Community Relations Committee

Council Member Bell reappointed Greg Rubel to a second two-year term that will expire October 2020.

All remaining appointments were continued.

Youth Council

Mayor Pro-Tem Glover continued all appointments.

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NEW BUSINESS
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PUBLIC HEARINGS

ORDINANCE REQUESTED BY HAPPY TRAIL FARMS, LLC TO REZONE A TOTAL OF 60.917 ACRES LOCATED BETWEEN BELVOIR HIGHWAY AND SUNNYBROOK ROAD AND AT THE NORTHEASTERN CORNER OF THE INTERSECTION OF BELVOIR HIGHWAY AND REDMOND LANE FROM RA20 (RESIDENTIAL-AGRICULTURAL) AND CG (GENERAL COMMERCIAL) TO R9 (RESIDENTIAL), I (INDUSTRY), IU (UNOFFENSIVE INDUSTRY), AND CH (HEAVY COMMERCIAL) – (Ordinance No. 18-063)

Planner Chantae Gooby stated Happy Trail Farms, LLC has requested to rezone a total of 60.917 acres located between Belvoir Highway and Sunnybrook Road at the northeastern corner of the intersection of Belvoir Highway and Redmond Lane from RA20 (Residential-Agricultural) and CG (General Commercial) to R9 (Residential), I (Industry), IU (Unoffensive Industry) and CH (Heavy Commercial).



Based on the possible uses permitted by the requested rezoning, the proposed rezoning classification could generate approximately 4,733 trips to and from the site on Belvoir Highway, which is a net increase of 1,214 trips per day. During the review process, measures to mitigate the traffic will be determined.

In 1972 the property was incorporated into the City's extra-territorial jurisdiction (ETJ) as part of a large-scale ETJ extension and was zoned RA20. In 1979, as part of a large-scale rezoning, the CG-zoned portion was rezoned at that time. Water is available, but sanitary sewer is not currently available. There are no known historical conditions/constraints on this property. The subject property is located in the Moyes Run / Cannon Swamp Watershed. Under stormwater rules, 10-year detention may apply.

Under the current zoning, Ms. Gooby stated Tract 1 could accommodate 20-25 single-family lots. Under the proposed zoning, the site could accommodate 20-22 duplex buildings (40-44 units). Tract 2 could accommodate 70-77 single-family lots under the current zoning, or 151,000+/- square feet of industrial/warehouse space under the proposed zoning. Tract 3 could accommodate 65-70 single-family lots under the current zoning, or 21,650 square feet of commercial space containing one convenience store with gasoline sales (3,600 square feet) mini-storage (14,000 square feet), one restaurant with drive-thru (2,000 square feet) and one restaurant without drive-thru (2,050 square feet). Under the current zoning, Tract 4 could accommodate 20 single-family lots and 25,000 square feet containing one convenience store with gasoline sales (3,600 square feet) and mini-storage (21,400 square feet). Under the proposed zoning, it could accommodate 67,700+/- square feet of industrial/warehouse space. The anticipated build-out time is within 2-5 years.

Surrounding land uses and zoning are as follows:

North: RA20 - Two (2) single-family residences and one (1) vacant lot (City-owned);
R9 - Woodlands

South: RA20 - Five (5) vacant lots, one (1) single-family residence and New Fleming OFWB Church; CH - One (1) commercial building; IU - One (1) industrial warehouse

East: RA20 and CG - One (1) vacant lot (City-owned)

West: RA20 - Four (4) duplex buildings, farmland and one (1) sand mine

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



Ms. Gooby stated the Planning and Zoning Commission voted 5 to 3 to recommend approval of the request at its October 16, 2018 meeting.

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

Mike Baldwin – No Address Given

Mr. Baldwin, speaking on behalf of applicant Woody Whichard, stated the item was presented in late summer with a much larger industrial zoning. Given response from the surrounding neighborhood, the request was revised as presented tonight. In November, Mr. Whichard met with three different residents in the area and had good dialogue. He requested the Council's favorable consideration.

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

Steve Nichols

Mr. Nichols states he owns two properties just North of Tract 1 – 2100 Sunnybrook and 2110 Sunnybrook. He lived there for about 40 years and has now lived on Staton House Road for about 10 years. Many neighbors in the area spoke against the original proposal to make all of the property Industry, primarily because it was discussed in the meeting that it would be mined for sand. While the Industrial zoning aligns with what is called for in Horizons: 2026, nowhere in that document does it call for sand mining in the ETJ. He outlined a number of potential concerns based on Horizons: 2026. He asked that the Council consider these concerns in making a decision.

Pat Nichols

Ms. Nichols stated they live in front of one of the man-made ponds that was dug to help create all the roadwork going on in the area. In total, she estimated there are 20 such ponds in the area. She is personally a bird lover, but and expressed concern about air traffic in the area since the ponds resulting from sand mining will attract Canadian Geese. She is not against industry in the area, but doesn't want to see anyone get hurt.

Hearing no one else wishing to speak, Mayor Connelly closed the public hearing at 6:59 pm.

Mayor Pro-Tem Glover moved to adopt the ordinance to rezone a total of 60.917 acres located between Belvoir Highway and Sunnybrook Road at the northeastern corner of the intersection of Belvoir Highway and Redmond Lane from RA20 (Residential-Agricultural) and CG (General Commercial) to R9 (Residential), I (Industry), IU (Unoffensive Industry) and CH (Heavy Commercial). Council Member Litchfield seconded the motion, which passed by unanimous vote.



ORDINANCE REQUESTED BY EAST CAROLINA INN, INC. TO REZONE 4.793 ACRES LOCATED AT THE SOUTHEASTERN CORNER OF THE INTERSECTION OF STANTONSBURG ROAD AND MOYE BOULEVARD FROM MS (MEDICAL-SUPPORT) TO MCH (MEDICAL-HEAVY COMMERCIAL) – (Ordinance No. 18-064)

Planner Chantae Gooby stated East Carolina Inn, Inc. has requested to rezone 4.793 acres located at the southeastern corner of the intersection of Stantonburg Road and Moye Boulevard from MS (Medical-Support) to MCH (Medical-Heavy Commercial).

Based on the possible uses permitted by the requested rezoning, the proposed rezoning classification could generate approximately 3,379 trips to and from the site on Stantonburg Road and 1,586 trips to and from the site on Moye Boulevard, which is a net increase of 1,282 and 854 trips per day respectively. During the review process, measures to mitigate the traffic will be determined.

In 1972 the property was incorporated into the City's extra-territorial jurisdiction (ETJ) and was zoned RA20. In 1985, the City Council established the Medical District, which included the subject site, and it was zoned to its current zoning. Water and Sanitary Sewer are available. There are no known historical conditions/constraints on this property. The subject property is located in the Green Mill Run Watershed. Stormwater rules require 25-year detention and nitrogen and phosphorus reduction.

Currently, a portion of the site is occupied by the East Carolina Inn. The remaining portion (2.89 acres) could accommodate 35,000-40,000 square feet of medical office space. Under the proposed zoning, the site could accommodate one convenience store with gasoline sales (3,600 square feet), One freestanding conventional restaurant (5,600 square feet) and one freestanding fast food restaurant (3,275 square feet). The anticipated build-out time is within 2-3 years.

Surrounding land uses and zoning are as follows:

North: MI - Vidant Medical Center

South: MCH - Medical Shopping Center and one (1) vacant lot

East: MCH - ABC Moving & Storage

West: MS - Vacant commercial building (formerly Rite Aid) and one (1) vacant lot

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



Ms. Gooby stated the Planning and Zoning Commission voted unanimously to recommend approval of the request at its November 20, 2018 meeting.

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

Bryan Fagundus – No Address Given

Mr. Fagundus, representing the applicant, stated he is available to answer any questions the Council may have.

Hearing no one else wishing to speak in favor of the proposed rezoning, Mayor Connelly invited comment in opposition. Hearing no one else wishing to speak, Mayor Connelly closed the public hearing at 7:21 pm.

Council Member Meyerhoeffer moved to adopt the ordinance to rezone 4.793 acres located at the southeastern corner of the intersection of Stantonsburg Road and Moye Boulevard from MS (Medical-Support) to MCH (Medical-Heavy Commercial). Council Member Bell seconded the motion, which passed by unanimous vote.

ORDINANCE REQUESTED BY SCOTLAND MANAGEMENT, LLC AND HAPPY TRAIL FARMS, LLC TO REZONE A TOTAL OF 7.362 ACRES LOCATED ALONG THE EASTERN RIGHT-OF-WAY OF FROG LEVEL ROAD AND 250+/- FEET NORTH OF DAVENPORT FARM ROAD FROM O (OFFICE) TO R6A (RESIDENTIAL [MEDIUM DENSITY]) FOR 6.410 ACRES (TRACT 1) AND CN (NEIGHBORHOOD COMMERCIAL) FOR 0.952 ACRES (TRACT 2). – (Ordinance No. 18-065)

Planner Chantae Gooby stated Scotland Management LLC and Happy Trail Farms, LLC have requested to rezone a total of 7.362 acres located along the eastern right-of-way of Frog Level Road and 250+/- feet north of Davenport Farm Road from O (Office) to R6A (Residential [Medium Density]) for 6.410 acres (Tract 1) and CN (Neighborhood Commercial) for 0.952 acres (Tract 2).

Based on the analysis comparing the existing zoning (495 trips) and requested zoning, the proposed rezoning could generate approximately 239 trips to and from the site on Frog Level Road, which is a net decrease of 256 less trips per day. Since the traffic analysis for the requested rezoning indicates that the proposal would generate less traffic than the existing zoning, a traffic volume report was not generated. During the review process, measures to mitigate the traffic will be determined.

In 1998 the property was incorporated into the City's extra-territorial jurisdiction (ETJ) and was rezoned to O (Office). Water and Sanitary Sewer are available. There are no known historical conditions/constraints on this property. The subject property is located in the Swift Creek Watershed. It is not located in the Special Flood Hazards Area. Therefore, development is not subject to the Flood Damage Prevention Ordinance.



Under the current zoning, Ms. Gooby stated the site could accommodate 40,000-45,000+/- square feet of office space. Under the proposed zoning (R6A), the site could accommodate 15-18 duplex buildings. The anticipated build-out time is within 2-3 years.

Surrounding land uses and zoning are as follows:

North: R6A - Augusta Trails duplexes

South: CN - Vacant (under common ownership of applicant)

East: R6A - Augusta Trails duplexes; O - Vacant (under common ownership of applicant)

West: R9S - Taberna Subdivision, Phase 4; O - Vacant; CN - Vacant

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

Ms. Gooby stated the Planning and Zoning Commission voted unanimously to recommend approval of the request at its November 20, 2018 meeting.

Mayor Connelly declared the public hearing for the proposed rezoning open at 7:24 pm and invited anyone wishing to speak in favor to come forward.

Mike Baldwin – No Address Given

Mr. Baldwin, representing the applicant, stated he is available to answer questions.

Hearing no one else wishing to speak in favor of the proposed rezoning, Mayor Connelly invited comment in opposition. Hearing no one else wishing to speak, Mayor Connelly closed the public hearing at 7:26 pm.

Mayor Pro-Tem Glover moved to adopt the ordinance to rezone a total of 7.362 acres located along the eastern right-of-way of Frog Level Road and 250+/- feet north of Davenport Farm Road from O (Office) to R6A (Residential [Medium Density]) for 6.410 acres (Tract 1) and CN (Neighborhood Commercial) for 0.952 acres (Tract 2). Council Member Meyerhoeffer seconded the motion, which passed by unanimous vote.

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

This item was continued to January 10, 2019.



ORDINANCE REQUESTED BY HAPPY TRAIL FARMS, LLC TO AMEND THE FUTURE LAND USE AND CHARACTER MAP FOR 10.066 ACRES FROM THE OFFICE/INSTITUTIONAL (OI) LAND USE CHARACTER TO THE INDUSTRY/LOGISTICS (IL) LAND USE CHARACTER FOR THE PROPERTY LOCATED BETWEEN STANTONSBURG ROAD AND THE NORFOLK SOUTHERN RAILROAD AND WEST OF THE SOUTHWEST BYPASS

Planner Chantae Gooby stated the City has received a request from Happy Trails Farms, LLC to amend the Future Land Use and Character Map for 10.666 acres from the Office/Institutional (OI) land use character to the Industry/Logistics (IL) land use character for the property located between Stantonsburg Road and the Norfolk Southern Railroad and west of the Southwest Bypass. The City Council adopted Horizons 2016: Greenville's Community Plan and the Future Land Use and Character Map on September 8, 2016.

Ms. Gooby explained that the Office/Institutional Land Use Character serves as a transition between more intense commercial areas and surrounding neighborhoods. The form of future development should take a more walkable pattern with shorter blocks, buildings near streets, shared parking, and connections to surrounding development. The Industrial/Logistics Land Use is characterized by warehouses and light manufacturing operations and related office uses.

Based on the analysis comparing the existing land use category (762 daily trips) and the requested land use category, the proposed land use category could generate approximately 410 trips to and from the site on Stantonsburg Road, which is a net decrease of 352 trips per day. Since the traffic analysis indicates that the proposal would generate less traffic than the existing land use category, a traffic volume report was not generated. During the review process, measures to mitigate the traffic will be determined.

Ms. Gooby stated that in staff's opinion, the current Future Land Use and Character Map recommendations for this area still fulfill the principles that guided the Comprehensive Plan Committee. There have been no unexpected changes in development patterns that would warrant an amendment to the Future Land Use and Character Map since its adoption; therefore, staff recommends denial. The Planning and Zoning Commission voted 7 to 1 to approve the request at its October 16, 2018 meeting.

Mayor Connelly declared the public hearing for the proposed rezoning open at 7:32 pm and invited anyone wishing to speak in favor to come forward.

Mike Baldwin – No Address Given

Mike Baldwin stated the Comprehensive Plan is a blueprint for the ETJ, but there is no way the people involved in its development could identify everything for every single site. A few years ago, before construction began on the bypass, he was assisting Woody Whichard



with another property and he went onto Mr. Whichard's property adjacent to the landfill. It was the noisiest piece of property he has ever been on. He does not feel that OI will work at this location due to the noise level, but also because it is a mile from a major thoroughfare and adjacent to the bypass. He feels that something like the IL classification that would allow something like a mini-storage or flex space would be more appropriate.

Hearing no one else wishing to speak in favor of the proposed rezoning, Mayor Connelly invited comment in opposition. Hearing no one else wishing to speak, Mayor Connelly closed the public hearing at 7:37 pm.

Council Member Smiley moved to deny the request; however, the motion died for lack of a second.

Mayor Pro-Tem Glover moved to approve the request, seconded by Council Member Litchfield.

Council Member Smiley stated he is opposed to this change because it is essentially one person asking to change the Land Use Character Map, when dozens of people and professionals were involved in creating the map. It doesn't make sense to throw away this input on the intuition of one person.

Council Member Bell asked if the parcel has been marketed for its intended use.

Mr. Baldwin stated it has not.

Mayor Connelly asked if staff could explain the differences between OI and IL.

Ms. Gooby stated for Office, you are typically looking at something service oriented – not manufacturing a product or retail. Operation is typically 8:00-5:00 Monday through Friday. Industrial is a wide range and long list of things than could go there. Industrial could be manufacturing a product and could potentially have a different kind of traffic associated with the use. Hours of operation are more varied. There are not many similarities between the two uses.

Council Member Smiley stated people need to come before Council with evidence when requesting a change. Mr. Baldwin has already acknowledged they have not even tried to make it work in the current zoning. If, in a couple years, he is able to demonstrate that the current character has not been a useful definition, he would have a better argument. With no evidence and no effort to make it work as is, he feels it would be a bad precedent for the Council to set in approving the change requested. He encouraged the Council to vote against this motion, then consider one to deny.



Council Member Litchfield stated he supports the Land Use and Character Map, but with the thousands of parcels in the City, it is plausible that some of the designations may not make sense. He feels this is one of them.

There being no additional discussion, the motion to approve failed by a vote of 2 to 4, with Mayor Pro-Tem Glover and Council Member Litchfield casting the only affirmative votes.

Upon motion by Council Member Smiley and second by Council Member Bell, the City Council voted 4 to 2 in favor of denying the request to amend the Future Land Use and Character Map for 10.666 acres from the Office/Institutional (OI) land use character to the Industry/Logistics (IL) land use character for the property located between Stantonsburg Road and the Norfolk Southern Railroad and west of the Southwest Bypass. Mayor Pro-Tem Glover and Council Member Litchfield cast the dissenting votes.

ORDINANCE TO DESIGNATE THE NAVIGATION LOCKS ON THE TAR RIVER, LOCATED AT THE NORTH END OF ASH STREET (EXTENDED) WHERE IT INTERSECTS THE TAR RIVER AND IS FURTHER LOCATED RUNNING APPROXIMATELY 200 FEET ALONG THE SOUTH BANK OF THE TAR RIVER AND IN THE TAR RIVER ROUGHLY BETWEEN OAK STREET (EXTENDED) AND WARREN STREET AND ALONG PITT COUNTY TAX PARCEL NUMBER 05511 AT AND IN THE TAR RIVER IN THE CITY OF GREENVILLE, AS A HISTORIC LANDMARK – (Ordinance No. 18-066)

Planner Domini Cunningham explained the location of the Navigation Locks on the Tar River, at the north end of Ash Street (extended) where it intersects the Tar River and is further located running approximately 200 feet along the south bank of the Tar River and in the Tar River roughly between Oak Street (extended) and Warren Street and along Pitt County Tax Parcel Number 05511 at and in the Tar River.

The designation as a Historic Landmark is an honor. It signifies recognition that the property is important to the heritage and character of the community and that its protection enriches all the community's residents. Mr. Cunningham explained the vetting process for designating a property as a Historic Landmark, noting that the following types of properties can be designated as such: Buildings, Sites, Areas and Objects.

On November 27, 2018, the Historic Preservation Commission voted unanimously to formally recommend to City Council that the Navigational Locks on the Tar River be designated a local historic landmark.

Mayor Connelly declared the public hearing for the proposed ordinance open at 7:52 pm and invited anyone wishing to speak in favor to come forward.

Hearing no one, Mayor Connelly invited comment in opposition. Also hearing no one, Mayor Connelly closed the public hearing at 7:53 pm.



Council Member Smiley moved to adopt the ordinance to designate the Navigation Locks on the Tar River, located at the north end of Ash Street (extended) where it intersects the Tar River and is further located running approximately 200 feet along the south bank of the Tar River and in the Tar River roughly between Oak Street (extended) and Warren Street and along Pitt County Tax Parcel Number 05511 at and in the Tar River in the City of Greenville, as a Historic Landmark. Council Member Bell seconded the motion, which passed by unanimous vote.

FIRST PUBLIC HEARING FOR THE 2019-2020 ANNUAL ACTION PLAN FOR THE CDBG AND HOME INVESTMENT PARTNERSHIPS FUNDS

Senior Planner Tiana Berryman stated as a requirement of receiving Community Development Block Grant (CDBG) and HOME Investment Partnerships funds, the City must prepare an Annual Action Plan every year of its 2018-2022 Consolidated Plan, outlining planned activities and funding amounts. The Community Development Department Housing Division is in the process of identifying activities for the 2019-2020 fiscal year. The Plan details all anticipated projects and their associated funding amounts. The following are the projects which the Housing Division proposes to deliver to the community:

- Planning and Administration
- Owner-Occupied Home Rehabilitation
- Down Payment Assistance
- New Construction
- Acquisition of Substandard Properties
- Public Service
- Public Facility Improvements
- Demolition and Clearance

Exact funding amounts have not been awarded. However, it has been standard practice to use the current year award amount as a base for the upcoming allocation. This year, the City of Greenville was notified of awards in the amount of \$906,560 and \$527,575 for CDBG and HOME, respectively. Once the U. S. Congress has approved a budget, the City will be notified of the program funding for the upcoming year.

Mayor Connelly declared the public hearing for the proposed action plan open at 8:06 pm and invited anyone wishing to speak in favor to come forward.

Hearing no one, Mayor Connelly invited comment in opposition. Also hearing no one, Mayor Connelly closed the public hearing at 8:07 pm.

No action was required at this time.



OTHER ITEMS OF BUSINESS

DISCUSSION OF DITCH CLEAN-UP NEXT TO ST. MARY’S

Public Works Director Kevin Mulligan stated this has been a unique small project that has had a great impact on Countryside Estates. Countryside Estates is in the City, but the stormwater ditch is in the ETJ and the City has not maintained outside of the city limits. St. Mary’s Church has allowed the City to access the ditch from their property. Sediment in the ditch has negatively impacted the flow of the ditch, thereby causing problems for the church and the neighborhood. The solution has been to rehab the ditch by removing trees and regrading the ditch. This will allow much-improved drainage for neighboring properties. Tree and stump removal is expected to be complete by December 14th, with the final ditch clean-out to be completed by the end of the month, to include fine grading, seeding and property repairs to the church.

UPDATE ON FUNDING FOR PITT COMMUNITY COLLEGE WORKFORCE DEVELOPMENT PROGRAM

Economic Developer Jared Stalling stated that earlier this year, the City entered into an agreement with Pitt Community College to provide \$15,000 in funding to their College of Continuing Education for job training programs. He then offered a summary highlighting key aspects of the Workforce Development Initiative as follows:



Workforce Development Initiative

- The City of Greenville entered into a partnership with the Pitt Community College Center for Continuing Education on April 21, 2018.
- The program would provide funds for tuition and fees, as well as money for marketing the workforce development initiative.
- The program, as of December 1, 2018, has resulted in:
 - Job-training for 68 Greenville residents
 - 23 of 68 are currently employed
- The job fields provided training for are as follows:
 - Electrician
 - MIG Welding
 - Framing and Carpentry
 - Arc Welding
 - Nurses Assistant I/II
 - HVAC
 - EMT
 - Electrical Wiring II

*PCC is currently adding a course in Heavy Equipment Operation

Find yourself in good company™



Due to the program's success, the hope is to enter into a long-term agreement with Pitt Community College, with the implementation of performance measures to ensure that the program remains effective. Additionally, marketing support should be offered to inform a larger number of City residents of the Workforce Development Initiative.

UPDATE ON FEDERAL FUNDS FOR RAPE KIT TESTING

Chief of Police Mark Holtzman thanked the Council for the opportunity to provide an update on the Greenville Police Department's (GPD) initiative to test their backlog of rape kits. Most police departments across the country have a backlog. For years, kits were not tested in many cases because a prosecutor didn't need it for court. Often, the offender is known to the victim. The DNA evidence would not be needed if the identity is not in question. In other cases, the kits may not be tested because the case is not moving forward to court. The victim may choose not to follow-through with the case. GPD applied for a Sexual Assault Kit Initiative (SAKI) grant offered by the Office of Justice Programs in early 2016. The purpose of the grant is to provide funding to assist the department with testing of untested Sexual Assault Evidence Collection Kits. In September 2016, the department received notice that the grant was awarded in the amount of \$219,496. The grant also provided funding to hire a part-time employee to serve as the SAKI Program Coordinator. Jay Tilley was identified to serve as Coordinator and initiated an inventory of untested kits. We had 318 untested kits, which had to be reviewed and checked to see if they would be of the quality that they could be submitted to a lab. 280 kits met the requirements for testing under the grant. The first batch of kits were submitted for testing in November and December 2017. About 18 have been entered into the DNA database. Some kits were resubmitted to the State Crime Lab because their standards have changed on what they will accept and processing is less expensive through the State Lab. Others were sent to private labs. So far, there have been 6 hits – unknown suspects for which GPD now has a name. The reason that their DNA might be in that system is that every time someone is charged a more serious crimes such as armed robberies or burglaries, GPD now takes DNA swabs of the inside of their cheek at the jail. For the 6 hits, GPD is reaching out to those victims to follow through. This first batch represents about 25% of the total.

UPDATE ON STATE THEATER

City Manager Ann Wall stated that Holton Wilkerson has indicated the HVAC system is running to bring heat into the building so that tile work can be complete. Plumbing fixtures with follow with bathrooms anticipated to be complete next week. All remaining work is minor, involving finishes. They are racing to the finish and anticipate having a temporary Certificate of Occupancy by the end of the month. He expects to set up needed equipment for the theater in the first couple weeks of 2019 and anticipates the first show will be in mid-January.



DISCUSSION OF SOLUTIONS TO RENTALS OF DINING AND ENTERTAINMENT ESTABLISHMENTS FOR PRIVATE PARTIES

Planner Elizabeth Blount gave a brief review of the history of Dining and Entertainment (D&E) establishments in Greenville.

History

April 9, 2009- City Council adopted definition, specific criteria and parking regulations for dining and entertainment establishments.

October 14, 2010 - City Council amended amplified sound for weekdays, weekends, and special holidays.

December 8, 2011- City Council extended the zoning district and the holidays for amplified sound.

Ms. Blount stated that the definition of Dining and Entertainment is an eating and entertainment establishment open to the general public that meets all of the following criteria:

- Food sales in excess of 30% of the total gross receipts during any month
- Sit-down dining area
- Complete menu offered on-premises not less than one hour prior to close
- May require membership, a cover charge, live or recorded music, a floor show, dance area, a full-service bar, servers, table ordering, busboy, disposable containers, carry-out, delivery, drive-through or over-the-counter

Ms. Blount stated a D&E is really a halfway point between a restaurant and a club. The purpose of the district was to create a compromise between the interests of businesses and the nearby residential neighborhoods. Under zoning regulations, D&Es are allowed outright in General Commercial, Heavy Commercial, Industry, Unoffensive Industry, Planned Industry and Unoffensive Planned Industry. With a Special Use Permit, D&Es are allowed in Downtown Commercial, Downtown Commercial Fringe, Neighborhood Commercial, Office Residential, Medical Support, Medical Office, Medical General Commercial and Medical Heavy Commercial.

The difference between a restaurant and a D&E is determined by the minimum percentage of total food sales to total receipts – 30% for D&Es and 50% for restaurants – and the use of a membership, cover or admittance charge. D&Es have the option to apply any of those, whereas restaurants do not.



D&Es would not be able to rent out their facilities for private parties because that use falls under Convention use, which means you can rent out to a third party. It is not limited to a facility like the one on Greenville Boulevard.

Community Development Director Thomas Barnett added that zoning ordinances are designed to prescribe what you can do, rather than attempt to list everything that cannot be done within a particular zoning classification. Look at the district that allows the activity, and if it's not mentioned in any other district, it is not allowed in those.

No action was taken.

DISCUSSION OF 500-FOOT SPACING RULE

Planner Elizabeth Blount gave a brief review of the history of Public and Private Clubs in Greenville, as well as separation requirements.

History

- August 1992 - City Council deleted the 500 ft spacing between clubs.
- February 2010 – City Council added a 500 ft spacing requirement between clubs
- August 2010 – City Council added a 500 ft spacing requirement between clubs and residential uses and residential zoning districts.

Ms. Blount displayed maps showing the locations of clubs and their corresponding 500-ft buffer City-wide and another depicting the heavy concentration in the uptown area and their overlapping buffers.

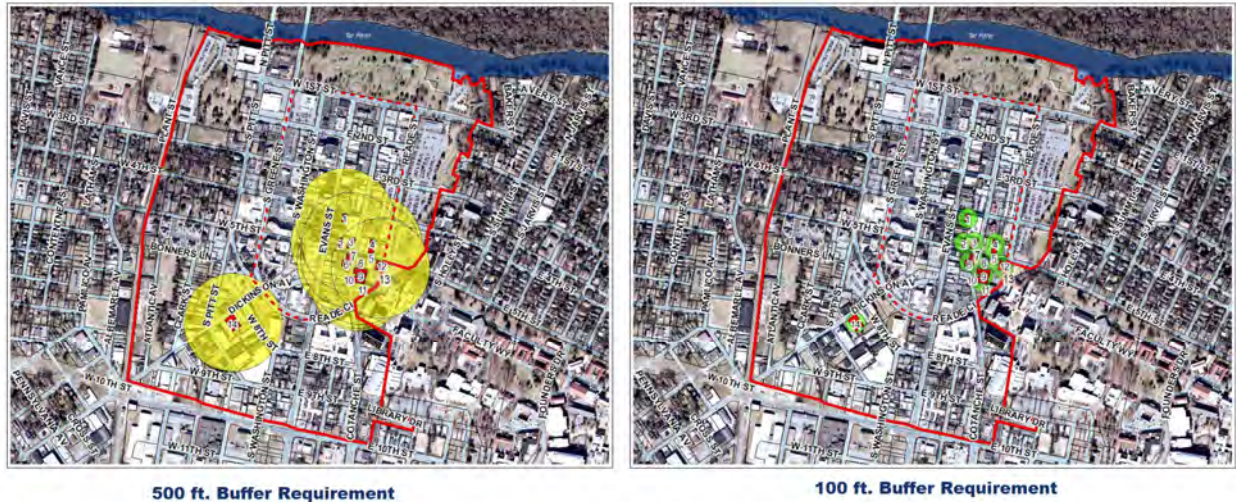
Community Development Director Thomas Barnett stated the occupancy is interesting because it offers an idea of how many people can actually be in these clubs at any one time. Some of the existing establishments fall under and older calculation because they've been around longer. The more modern facilities are under current standards which require a greater amount of square footage per person inside.

Occupancy for Bars/Clubs (Uptown Only)

Map #	NAME	ADDRESS	OCCUPANCY	Heated Square Footage
1	Buggy's Bar	110 E. 4th Street	299	2720
2	Grumpy's Pub	111 E 5th Street	176	1848
3	Rafters Social Club	420 Cotanche St	300	3144
4	ECU Owned	207 E 5th Street	498	
5	ECU Owned	209 E 5th Street	680	13,430*
6	5th St. Distillery	120 E. 5th Street	250	
7	5th St. Annex	122 E. 5th Street	280	5146*
8	Still Life	511 S. Cotanche Street	250	8028
9	Pantana Bob's	513 S. Cotanche Street	800	2604
10	Mac Billiards	517 S. Cotanche Street	164	2970
11	Five 19	519 S. Cotanche Street	290	2726
12	The Way	218 E. 5th Street	325	3566
13	Vacant	222 E Fifth Street	0	4180
14	Trollingwood Brewery	707 Dickinson Ave.	54	6060*



Ms. Blount stated in an effort to determine the impact of decreasing buffering requirements, the same map shown earlier with the 500 ft. buffer was reduced to a 100 ft. requirement. This is how they compared:



Ms. Blount noted that the reduction of the buffer provides an opportunity for clubs on the west side of Evans Street in areas the 500 foot buffer does not.

Council Member Smith stated she'd asked for this information because, unfortunately, there are a number of people who feel they are unwelcome in the Uptown area. Not allowing options for any subset of people is unacceptable.

Following a general discussion of potential changes and resulting impacts, Council Member Smith moved to direct staff to investigate and provide a City-wide report on potential locations and impacts for establishing another Entertainment District. Council Member Bell seconded the motion, which passed by unanimous vote.

DISCUSSION OF HIRING/RECRUITING PROCESS FOR THE POLICE DEPARTMENT

Chief of Police Mark Holtzman stated he would turn the presentation over to the Greenville Police Department's (GPD's) new recruiting officer, Tyler Whaley, who will give an update on some new initiatives and the work he's been doing with Matt Davis, of the Human Resources (HR) Department, related to an innovative hiring and background process for the department.

Officer Whaley said he would first like to address the sponsorship letter. A sponsorship letter is required for attending the Basic Law Enforcement Training (BLET) in Pitt County. Sponsorship letters are provided by law enforcement agencies, after a preliminary database check, attesting to the applicant's character and integrity. Sponsorship is not the same as a conditional offer or a final offer of employment. Beginning this month, the City has launched a new system – one that Mr. Davis got started – called "Candidate Care" which



is designed to improve the candidate experience and decrease the time to hire. This is an app, which allows candidates to do much of their processing on their cell phone.

Officer Whaley stated his predecessor, Sgt. Barack, started a practice that he is trying to continue. It is for the City to have their own BLET program. The City had its own academy last year, but logistically, it was very difficult to maintain. This year, instead of having its own academy, the City will hire candidates and incorporate them into the program at Pitt Community College. That takes the burden off the City for getting them trained and will allow individuals who are in a job they can't afford to leave in order to go to BLET. They will be hired by the City and paid while going through BLET. Officer Whaley then discussed highlights of the process:

ADVERTISING & APPLICANT INTAKE

Increased exposure to online advertising, job search platforms

- “National Minority Update” (New as of Aug 2018) – recruits nationally and has upwards of 30k viewers per month
- “Greater Diversity”
- Governmentjobs.com
- Indeed.com
- Careerbuilder.com
- The Daily Reflector
- All major online career platforms
- City Website
- City Social Media Pages
- Formation of LinkedIn professional platform (in progress)

The slide also features a collage of images including a “NOW HIRING” sign for the City of Greenville Police Department and a “Police Officer Trainee” sign.

Officer Whaley stated the GPD has a strong social media presence and currently has more than 45,000 followers on various platforms such as Facebook, Twitter, Instagram and Nextdoor. Kristen Hunter, GPD’s Public Information Officer, has been working with Benz Productions to create a series of recruitment videos which are being advertised through social media, YouTube, GTV9, Vimeo and have been featured in both local and national media.

Officer Whaley said he met with Marketing Consultant Heather Wole two weeks prior to discuss other marketing efforts and goals:

MARKETING EFFORTS AND GOALS

- ▶ Exploring the utilization of advanced marketing techniques in 2019 to include:
 - ▶ Mass email marketing
 - ▶ Digital advertisements across local and regional news platforms
 - ▶ Television commercials
 - ▶ “Over the Top” (OTT) Marketing
 - ▶ Digital advertising through apps and streaming services such as Hulu, Amazon, Netflix, HBO NOW, Crackle, YouTube, etc.

The slide includes a 2x2 grid of streaming service logos: Netflix (red), Hulu (green), Amazon Prime (white), and HBO NOW (black).



A brief discussion period followed the presentation.

No action was taken.

DISCUSSION OF PLAN TO DEAL WITH EXCESSIVE LITTERING IN THE CITY

Public Works Director Kevin Mulligan stated that the City has a mowing contractor that also picks up litter. In September, four new areas were added to the contract as a means of addressing the City Council's goal on cleanliness and beautification. These areas include:

- Stantonsburg Road (Arlington to 264 interchange) and 264 Alternate East (Tar River to Whichard Road)
- MacGregor (Arlington to B's Barbeque) and Allen (MacGregor to Dickinson)
- 264 Interchange
- Hwy 11 N (Belvoir Hwy to 903)

Areas have been mowed and had litter removal every two weeks. Contracts will be re-bid in January 2019.

Mr. Mulligan stated that an employee has recently been hired to be responsible for the Adopt-A-Street Program and the reboot of that program has been very successful. New companies are signing up every week.

The City also has some synergy with the Sanitary Sunday program which Council Member Bell was instrumental in starting. Greek Life has reported there were 400 volunteers who participated in landscape improvements, litter collection, cigarette removal and storefront window cleaning at the most recent Sanitary Sunday event.

The City provides regular street sweeping as well as individuals who address litter on the sidewalks. There are three staff members who provide daily year-round activities, including weekends and holidays. Additionally, the City has installed more than 800 cameras and is evaluating current placement of cameras with current litter locations.

No action was taken following the presentation.

DISCUSSION OF REQUESTED CHANGE TO THE FUTURE LAND USE AND CHARACTER MAP

Planner Chantae Gooby stated in August, the City Council held a public hearing on a rezoning request from Jeff Daniels and Timothy McCarthy to rezone 0.25 acres from RS9 (Residential-Single Family) to OR (Office-Residential). The property is located on East 6th Street adjacent to the East Carolina (ECU) Main Campus. During the public hearing, there was significant opposition to the request and, after the hearing, Mr. Daniels requested that the request be withdrawn from consideration. The Council approved the request to withdraw and directed staff to make an assessment and/or recommendation on the



appropriateness of the adopted Future Land Use and Character Map (FLUCM) and to hold a stakeholder meeting to gather input. After several discussions with all interested parties, there does not seem to be support from either side toward reaching a compromise.

Ms. Gooby showed a map to identify the area in question (the blue area that extends into the beige area), along with the property owners of the included parcels.



A number of meetings were held by a wide range of City staff, and the bottom line was there was no consensus.

Mayor Connelly asked if an amendment to the FLUCM would require a public hearing.

Ms. Gooby stated that it would, and that the amendment could be initiated by the City Council or by a property owner. It would go first to the Planning and Zoning Commission for recommendation, then come before City Council for a public hearing and consideration of adoption.

Upon motion by Council Member Bell and second by Council Member Smith, the Council voted 4 to 2 to direct staff to prepare an amendment to the Future Land Use and Character



Map to change 0.25 acres on East Sixth Street adjacent to East Carolina University from UI (University-Institutional) to TNMH (Traditional Neighborhood-Medium to High Density). Council Members Litchfield and Meyerhoeffler cast the dissenting votes.

(ADDED) DISCUSSION ON FUNDS DONATED FOR PURCHASE OF CITY LAND ON ALBEMARLE.

During negotiation for the purchase of land on Albemarle for the fraternity house, the City was able to negotiate \$100,000 for West Greenville residents. The money has been in place for a period of time awaiting a determination on how to best be used. One of the recommendations is for energy efficiency grants to residents of West Greenville, with a maximum of \$10,000 and not to be combined with any other City-provided program. Additionally, applicants must go through an application process and would only be able to receive the grant once. Another recommendation is for grants to serve youth in West Greenville, with a \$5,000 annual maximum. Again, there would be an application process, and the grant would be available to non-profits established in West Greenville and/or service youth that predominantly reside in the West Greenville area. Grant funding could be used for educational programs and/or youth athletic programs as a one-time need rather than ongoing needs. Applicants may apply for multiple grants, but only once per year. In both cases, staff would develop the application process and bring back to the City Council for approval.

Upon motion by Council Member Smith and second by Council Member Smiley, the City Council voted unanimously to direct staff to develop a grant application process for consideration by City Council based on parameters discussed at this meeting.

CITY MANAGER’S REPORT

City Manager Wall gave no report.

COMMENTS FROM THE MAYOR AND CITY COUNCIL

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



ADJOURNMENT

Council Member Smith moved to adjourn the meeting, seconded by Council Member Smiley. There being no further discussion, the motion passed by unanimous vote and Mayor Connelly adjourned the meeting at 10:45 pm.

Respectfully submitted,

Carol L. Barwick, CMC
City Clerk

PROPOSED MINUTES
MEETING OF THE CITY COUNCIL
CITY OF GREENVILLE, NORTH CAROLINA
MONDAY, JANUARY 7, 2019



A regular meeting of the Greenville City Council was held at 6:00 pm, on Monday, January 7, 2019 in the Council Chambers, located on the third floor at City Hall, with Mayor P. J. Connelly presiding. The meeting was called to order, followed by the invocation and the Pledge of Allegiance by Council Member Will Bell.

Those Present:

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

Those Absent:

Council Member for District 1 Seat Due to Vacancy

Also Present:

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

APPROVAL OF THE AGENDA

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

PUBLIC COMMENT PERIOD

Shawan M. Barr – 903 Douglas Avenue

Ms. Barr made comments about her interest in being reappointed to the District 1 seat. Ms. Barr stated that she has the wisdom, knowledge, and understanding of the Greenville City Council. Her understanding is due to her previous experience of filling the seat temporarily as the Council Member for District 1 during 2018.

Mrs. Barr stated that she already understands the qualifications for holding an elected office, oath of office and composition of the Greenville City Council as outlined in North Carolina General Statute Chapter 160A, Article 5. She is aware of the duties of the Mayor and Mayor Pro-Tem. A true team player is familiar with their position and the positions of all the other players. Also, she is familiar with the importance of elected officials having a quorum and voting during City Council meetings, taking ethnics training, and adopting ordinances.



Kelly Darden, Jr. – 100 Trent Circle

Mr. Darden stated that tonight is not all about him and his accomplishments, but it is about the citizens of Greenville and the people of District 1. Mr. Darden highlighted his qualifications to fulfill the District 1 seat vacated by Council Member Kandie D. Smith.

Mr. Darden stated that he is a native of Greenville. He has appeared on national television and has conveyed to major corporations why his choice of television programming was relevant and beneficial to them. During his ten years of service with the North Carolina Wildlife Federation, he served in all capacities from a member of the Diversity Committee to the role of Vice-President. The Federation is the largest conservation agency in the State of North Carolina, having over 30,000 members. He has visited Capitol Hill to convey the importance of energy, conservation, and all of the entities that would be beneficial to North Carolinians.

Mr. Darden stated that he also served on the Marine Fisheries Commission for the State of North Carolina, being appointed by Governor Beverly Perdue. He administered decisions that affected all of the marine resources that were placed in North Carolina. Recently, he was appointed as a Commissioner to the Greenville Utilities Commission, which all citizens reap the benefits thereof and its service is a vital necessity of life.

Mr. Darden stated that District 1 is his home and Greenville is his family. There is an economic need for growth on that side of the City. Not a single district would trade places with those of us who live North of the River and in West Greenville, but that can change because there is opportunity for growth and prosperity in District 1. There is not a single drug store, bank, and nothing North of the River.

Mr. Darden stated that at the conclusion of this meeting, he invites the Mayor and City Council to go across the Tar River Bridge and notice the difference. All infrastructure to build and develop Greenville is there including the airport, which is constantly expanding. Highway 264 is soon to be an interstate, Highway 13 and Highway 11 bring in the traffic, and the closest thing that Greenville has to the Interstate is in District 1. If we utilize those things, we will bring about prosperity to the citizens on that side of the City.

Monica Daniels – 1013 Old Village Road

Ms. Daniels expressed her interest in being considered for the City Council seat for District 1. She shared when her love of Greenville began and how her service heart was created. Over 25 years ago, she provided transportation to a friend's client who needed a ride to the grocery store because public transportation was not available in Pitt County. It was both a pleasure to talk and to assist that individual, but it was heartbreaking to know that a citizen of Pitt County did not have the means even to go grocery shopping. From that moment, she decided to dedicate her time and resources to help make a better community for where she lives.

Ms. Daniels stated that during Hurricane Floyd, a time when many were without utilities, food, water, and shelter, she and her children knocked on doors to insure that their



neighbors were safe. They stood in lines to get water and ice for those who were unable to do so (the elderly, disabled, single mothers, and those without transportation). Needless to say, Hurricane Floyd made an impact on everyone's lives.

Ms. Daniels stated that aside from other natural disasters, she has delivered Meals on Wheels, cooked meals for East Carolina University students and for those who attend her church so that they could have hot home-cooked meals. She volunteered as a proxy at her children's school. As children, her kids were always given an extra snack or drink for others without any and they were instructed to quietly give to those who are in need, and God would give them the award.

Ms. Daniels stated that she and her children have visited nursing homes, volunteered at shelters, and packed meals to distribute to unfortunate individuals, who were unable to go to the shelter for a meal. These were the moments that instilled being hands-on in her community. She learned early on that we can never know what people need if we do not go where they are.

Ms. Daniels stated people have to listen to them speak and treat every individual with the dignity and respect that they deserve. It will never be enough to be a City Council Member – she must also be a voice. She looks forward to learning more about and helping to strengthen the City's programs. Programs that help families and our community to grow such as the Housing Division and a program that allows the citizens such as herself, a single mother of five beautiful girls, to become a homeowner. Also, such as the City's transit system that gives North of the River citizens the privilege to utilize transportation to places that they once did not have access to, including the local grocery store.

Ms. Daniels stated that if she is chosen as the candidate to represent District 1, she will also come with the knowledge that while the Members of the Greenville City Council may represent the different districts in which they live, they will also work in unity to make the best decisions for the City as a whole. Additionally, the City Council will make it known to everyone that Greenville means business.

Mayor Connelly stated that these first speakers are three of the four people who are applying for the District 1 City Council seat. One other individual, Mr. Christopher Dolan could not be present this evening because he has the flu.

Jenna Lee - 2303 Royal Drive

As the Vice-Chairperson of the Youth Council, Ms. Lee invited the Mayor and City Council to the Youth Council's "Letting Our Voices Be Heard" dialogue. Ms. Lee stated that this community dialogue will take place on Monday, January 28 from 5:30 p.m. to 7:30 p.m., in the Gallery area, located on the third floor of City Hall. Topics for discussion are Equity vs Equality, Schools Out, Home Sweet Home or Not, and A Different World, which cover matters such as mental health, peer pressure, colorism, gender bias, and sexual abuse.



Stephen Brand – 503 River Hill Drive

Mr. Brand reported the following unsafe issues on River Hill Drive:

- A speed bump is needed on River Hill Drive because there is one entrance to the neighborhood and bus drivers are the major people who are speeding down the hill.
- There is an issue with trucks travelling through the neighborhood with loud mufflers. Mr. Brand asked whether the City's noise ordinance applies to mufflers.
- A lot of noise is coming from guns fired by hunters on the other side of River Hill Drive.
- A sidewalk is needed because there is no safe way to get across Highway 33 without sidewalks.

Mr. Brand reported that the residents of River Hill Drive do not want their children or pets to die from someone speeding downhill or shooting random bullets in the woods. In addition, occasionally, the residents would like to walk instead of driving their cars to the stores in the neighborhood.

Council Member Bell asked Mr. Brand to leave his contact information with Assistant City Managers Michael Cowin or Ken Graves.

CONSENT AGENDA

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

- Minutes from the December 10, 2018 City Council workshop
- Resolution Designating the City's Agents for FEMA Funds for Hurricane Florence – (Resolution No. 001-19)
- Authorization to submit a North Carolina Housing Finance Agency Urgent Repair Grant
- Agreement with Bode Cellmark Forensics, Inc. for testing of Sexual Assault Kits (Contract No. 2263)
- *Removed for Separate Discussion* Supplemental Municipal Agreement with the North Carolina Department of Transportation for Construction of the Safe Routes to Schools Project



- *Removed for Separate Discussion* Contract award for the Safe Routes to Schools Project and resolution requesting concurrence in award from the North Carolina Department of Transportation - (Resolution No. 004-19)
- Resolution of Intent to Close an alleyway located on the east side of Cedar Lane and south of East Tenth Street – (Resolution No. 002-19)
- Resolution of Intent to Close an alleyway located on the east side of East Rock Spring Road and south of East Tenth Street – (Resolution No. 003-19)
- Various tax refunds greater than \$100

Mayor Connelly requested that two items be pulled from the Consent Agenda for separate discussion, including Supplemental Municipal Agreement with the North Carolina Department of Transportation for Construction of the Safe Routes to Schools Project and Contract award for the Safe Routes to Schools Project and resolution requesting concurrence in award from the North Carolina Department of Transportation

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

CONSENT AGENDA ITEMS FOR SEPARATE DISCUSSION

SUPPLEMENTAL MUNICIPAL AGREEMENT WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR CONSTRUCTION OF THE SAFE ROUTES TO SCHOOLS PROJECT

Mayor Connelly explained that he asked for this item to be removed from the Consent Agenda for separate discussion because he feels it is good for the public to know what is happening in the City. The City received a grant and is eligible to receive additional grant funding from the North Carolina Department of Transportation (NCDOT) to enhance and to add more to the Safe Routes to Schools Project.

City Engineer Scott Godefoy explained that the Safe Routes to Schools program provides funding for sidewalks within close proximity to schools. The NCDOT administers this federal program. Originally, the NCDOT informed staff that \$.5 million was available to be used towards City of Greenville projects. So staff looked for several projects within the City and identified three projects for funding.

City Engineer Godefoy explained that at the time, the extent of the projects was unknown, but it became apparent early on that the City would need more money and would go back to request more funding.



City Engineer Godefroy explained that the project involves construction of sidewalk improvements at 1) Memorial Drive, from Millbrook Street to Arlington Boulevard (There is an existing sidewalk along Arlington Boulevard that goes to J. H. Rose High School, which has approximately 1,500 students.), 2) Skinner Street/Norris Street, from Howell Street to Perkins Street (This section is adjacent to the South Greenville Elementary School, which has 503 students and a sidewalk will well serve them.), and 3) East Fifth Street, from Beech Street to existing sidewalk east of Green Mill Run.

City Engineer Godefroy explained that the section along East Fifth Street includes a 100 feet long, 8 feet wide pedestrian bridge, across Green Mill Run, which is separate from the bridge itself. Originally, staff considered funding for adding to the bridge, but the bridge needed to be replaced. So, staff requested additional funding for the pedestrian bridge instead.

City Engineer Godefroy explained bids were received in August 2018 and there were two bidders. A rebid was done and the one bidder's amount for the work was over the budget that the City had set aside. The \$503,000 allocated was for construction only. Staff had requested an addition to that is the same funding, but unfortunately it is set at 80/20% funding. The City would have to match 20% of that total, but the NCDOT allocated the additional funds for the City projects.

Council Member Smiley asked about the timeframe for the completion of the project, if the City signs the contract.

City Engineer Godefroy responded the timeframe for completion of the project would be 6-9 months.

City Engineer Godefroy stated that regarding the East Fifth Street improvement, the sidewalk will serve Wahl Coates School as well as St. Peter's Catholic Church. It is nice that the City finally got a connection from Beech Street out to the sidewalk on the other side of Arlington Boulevard.

Motion was made by Council Member Smiley and seconded by Council Member Bell to approve the supplemental agreement as well as the contract award and resolution associated with the Safe Routes to Schools Project. Motion carried unanimously.

CONTRACT AWARD FOR THE SAFE ROUTES TO SCHOOLS PROJECT AND RESOLUTION REQUESTING CONCURRENCE IN AWARD FROM THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION – (Resolution No. 004-19)

Motion was made by Council Member Smiley and seconded by Council Member Bell to approve the supplemental agreement as well as the contract award and resolution associated with the Safe Routes to Schools Project. Motion carried unanimously.



NEW BUSINESS

PRESENTATIONS BY BOARDS AND COMMISSIONS

Environmental Advisory Commission

Chairperson Durk Tyson reported that the Environmental Advisory Commission (EAC) is comprised of a diverse group of citizens with specialized knowledge and experience along with a genuine desire to improve the environment for all of the citizens of Greenville. As required by their charter, the EAC's makeup includes a professional engineer, a member of the local environmental group, a member with skills and environmental public help, a position for someone familiar with construction techniques, and an at-large member from the citizens of Greenville.

Chairperson Tyson gave a summary of the EAC's goals. Due largely to the efforts demonstrated by ECU and a number of other communities in North Carolina, the EAC hosted a discussion on sustainability issues and the possibility of the City of Greenville adding a Sustainability Manager or Coordinator. That meeting was very well attended by the citizens of Greenville and a lot of comments were received about those items. The EAC will continue gathering and reviewing this information and, hopefully, will bring back a report to the City Council.

Chairperson Tyson reported that another goal is to promote environmental education/sustainability through the engagement of citizens and students (grade and/or college students). The EAC closely followed the City's progress during the development of the Stormwater Master Plan. One of the EAC members sits on the City's Stormwater Advisory Committee as part of the EAC's environmental outreach. The EAC hosts the City's Environmental Advisory Commission Grant program, which provides a \$2,500 grant for citizens of the City for projects that minimize the effects of nonpoint sources pollution. Also, the EAC continually works with the City on its recycling initiatives and ways to implement the City's Horizon's Plan.

Chairperson Tyson reported that the EAC members continually look for ways to engage with the City's other boards and commissions on matters impacting the environment. The members are available to provide guidance and recommendations to the City Council on utilization of the Stormwater Master Plan. Additionally the members would like to review any water quality monitoring plans that are completed as part of the master planning process.

Chairperson Tyson reported that in the past years, the EAC has been actively involved in the City's adoption of the U. S. Mayors Cool Cities initiatives and creation of the City's climate protection partnership. In 2019, the EAC plans to revisit those initiatives and focus



on municipal operations to see if there are some recommendations that the City can implement for improvement.

Chairperson Tyson reported that two years ago the EAC and Cypress Group of the North Carolina Sierra Club co-sponsored a clean energy symposium. Speakers were brought in from across the State of North Carolina to share some of the best management practices for energy conservation and renewable energy production. That symposium was well attended and the EAC plans to repeat it.

Affordable Housing Loan Committee

Chairperson Ronita Jones reported that the Affordable Housing Loan Committee is dedicated to supporting the City of Greenville’s Housing Division by approving and publicizing their efforts for affordable housing in the City. The Committee evaluates nonprofit requests for funding to help improve the community overall. Also, the Committee provides assistance to the City to strengthen the public and private sector by providing affordable housing for the general public.

Chairperson Jones reported that the Affordable Housing Loan Committee approved 11 requests for Community Development Block Grant Program funding, totaling \$135,984 this past year. Each one of the organizations made a presentation to the Committee, and the members of the Committee were pleased with what they had to offer.

Public Service Funding

Fiscal Year 2018-2019	\$135,984.00
Pitt County Council on Aging	\$14,496.00
The Greenville Community Shelters DBA Community Crossroads Center	10,031.00
Center for Family Violence Prevention	\$24,154.00
Boys and Girls Clubs of the Coastal Plain	\$19,327.00
Habitat for Humanity	\$14,520.00
East Carolina University Lucille W. Gorham Intergenerational Community Center	\$24,159.00
East Carolina University Family Therapy Clinic	\$17,700.00
Literacy Volunteers of America – Pitt County	\$11,597.00

Chairperson Jones summarized the following major accomplishments of the Committee:

Accomplishments:



- Approved one (1) 10% No Interest Loan
- 2019-2020 Annual Action Plan Community Meeting
- Agreement Amendment Requests for Sub-recipients
- Reviewed Federal Program Plans
 - 2017 Consolidated Annual Performance & Evaluation Report (CAPER)
 - 2018-2022 Consolidated Plan
 - 2018 Annual Action Plan
- Homeownership Fair
 - Partnership with the Greenville Housing Development Corporation, NC Housing Coalition & Greenville Housing Authority

Investment Advisory Committee

Acting Chairperson Cameron Evans reported that Members of the Investment Advisory Committee (IAC) work in conjunction with the City of Greenville staff to direct and help guide the City investments. The IAC was established August 7, 2006. Its mission and mandate are to provide additional oversight, review investment results, to advise the City staff responsible for the day-to-day oversight of investments, and to report any occurrences that conflict with policy.

Acting Chairperson Evans reported that there are some strict parameters on how the City funds are invested. The City's investments are governed by North Carolina General Statutes § 159-30, which spells out what municipalities in the State are allowed to do and more specifically, what they are not allowed to do. That is layered with the City of Greenville's investment policy statement, which adds more definition and clarity to that section of the General Statutes. The federal government allows for governmental agencies and treasuries. The City's goals are safety, liquidity, and yield or the rate of return.

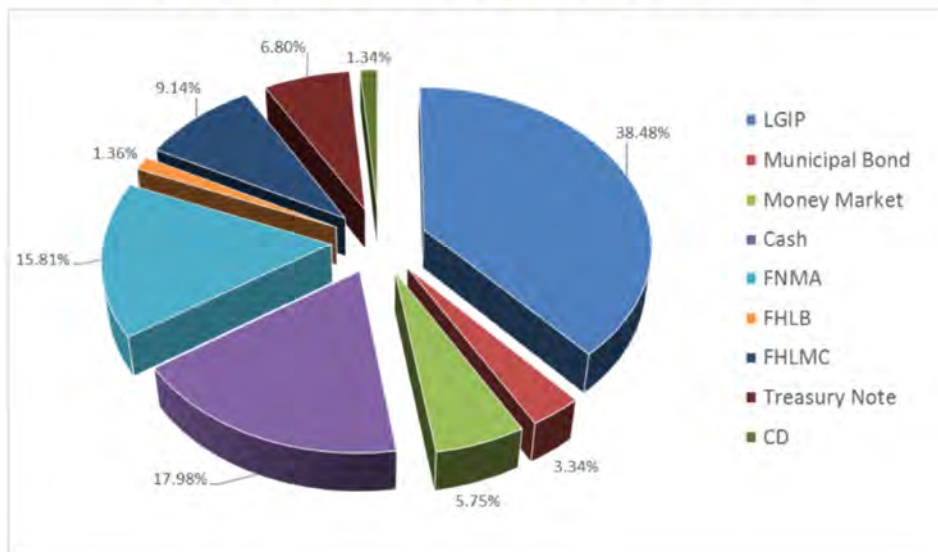
Acting Chairperson Evans reported that the objectives for the City's staff and the IAC are to systematically go through the objections available within those strict parameters to find out where the City can get the highest return within those parameters. The General Statutes and the City's investment statement eliminate anything with a hint of speculation. To maximize earnings is the objective of any public or private investor, but with the City's funds, the safety and liquidity mandates are numbers one and two.

Acting Chairperson Evans reported that at least annually, the Committee evaluates performance from any outside investment advice sources. A five-year cash history shows that the two noticeable spikes in revenue receipts are property tax receipts (in September 2018) and the street pedestrian bonds (in November 2017). The current balance is approximately \$65 million.



Acting Chairperson Evans reported that the following is a chart of the asset allocation of the approximately \$65 million current balance. The Local Government Investment Pool (LGIP) is at approximately 38.48%. The LGIP is managed by the State of North Carolina, and the North Carolina Capital Management Trust has a 48-hour liquidity option. If the City needs those funds, they are available within 48 hours. The Cash is very close to 18% and when those two are added together that is 56% plus that is liquid within a 48-hour period. The treasuries (the agencies that are also slivers of the pie chart) do not make up a large percentage.

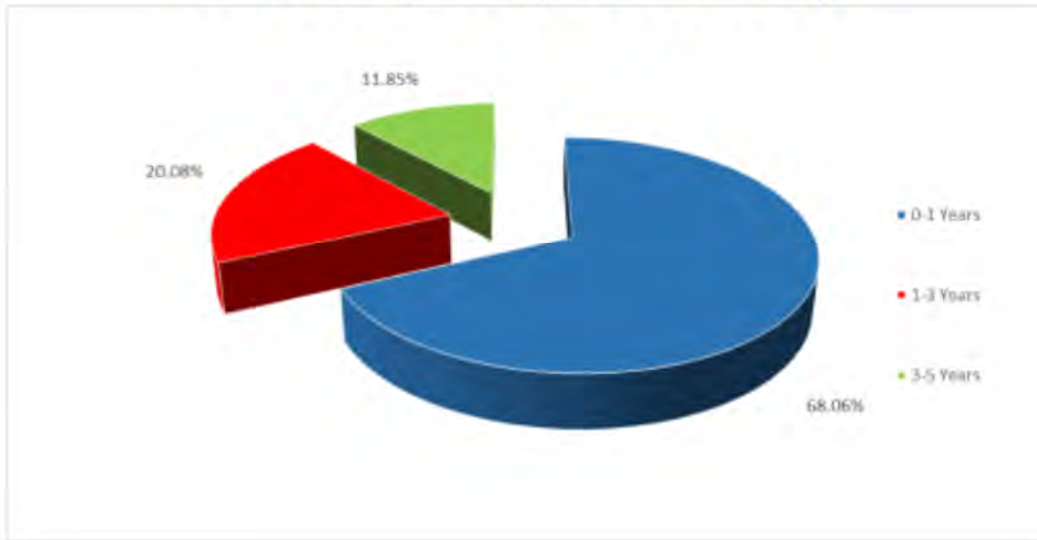
Portfolio Allocation





Acting Chairperson Evans reported that other than the liquid cash, the portfolio by maturity, the fixed income bonds have maturity lengths in years. Over 68% of the City's portfolio is within twelve months. That allows the City to be very nimble if rates spike because no one knows what the Federal Reserve will do with interest rates. The shorter maturities protect the City from spikes in rates and having the City locked into long term investments that it does not want to be locked up into in an adverse interest environment.

Portfolio by Maturity



Acting Chairperson Evans reported that the following is a simple comparison from June 2017 to June 2018, showing approximately the same amount of money in relative terms, but a substantial difference in the yield to maturity (YTM). Since June 2017, the Federal Reserve has raised rates several times and that is the difference between those two numbers.

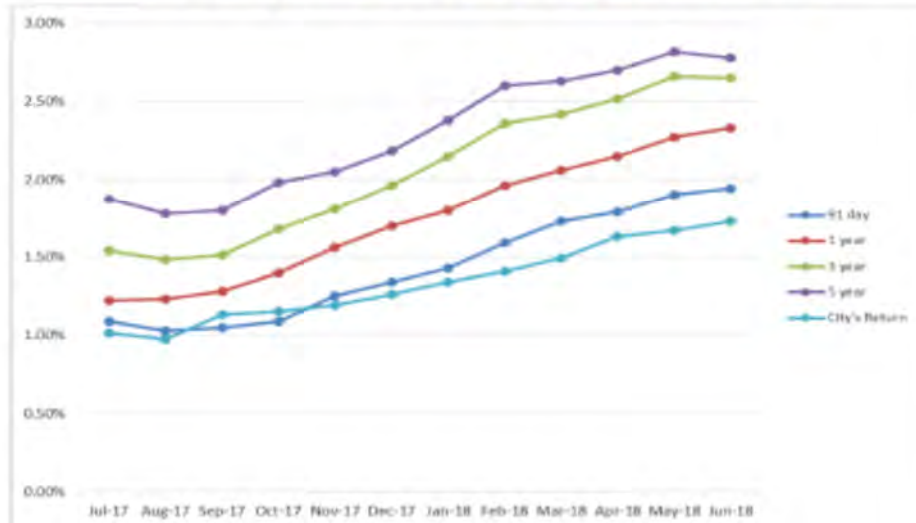
City of Greenville Rate Comparison

Investment Portfolio Update		
	June 30, 2018	June 30, 2017
Market	\$ 64.6 M	\$ 65.8 M
YTM Return @ Cost	1.69 %	.92 %



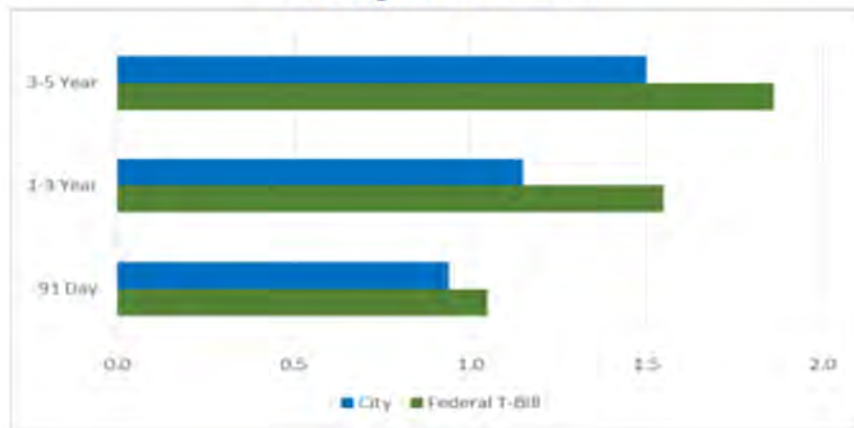
Acting Chairperson Evans reported the following is a bar chart that shows the City's investments versus the treasury yields that are widely quoted and followed in financial media. The City's is the bottom light blue shaded line. Given the mandate that safety and liquidity is number one, the lagging performance should not be a concern for anyone on the City Council.

City of Greenville Yield Quarterly Treasury Rate Comparisons



Interim Chairperson Evans reported the following chart shows that the shorter maturity of the City in blue versus the federal T-bills in green. The shorter maturities allows the City to be more nimble, if anything should happen that would warrant discussion about the City's investment philosophy.

City of Greenville YTM Comparison





Interim Chairperson Evans reported that the Committee has maintained a diverse portfolio, transitioned long term investments into shorter terms to manage that interest rate risk and to manage the investment of bond proceeds. For 2019, the Committee will continue to diversify the portfolio within the restrictions of the North Carolina General Statutes and the City's investment policy statement, continue to pay attention to the yield while maintaining liquidity and safety, and being mindful of the interest rate environment that exists.

COUNCIL TO CONSIDER APPLICATIONS FOR APPOINTMENT TO VACANCY IN THE OFFICE OF COUNCIL MEMBER FOR DISTRICT 1

City Attorney Emanuel McGirt explained that there is a vacancy in the Office of Council Member for District 1, and the City Council heard from the majority of the candidates this evening. The State law states a vacancy that occurs on an elected office of a city shall be filled by the appointment of the City Council. The City Council could take action on Thursday night or the City Council could wait until it is ready to take action on this agenda item.

Council Member Smiley stated that he has been pleased with the process that the City Clerk has gone through to collect the applications and the response. He feels that the candidates have all been generally reaching out and talking to the City Council Members. The candidates have come out to speak this evening. Council Member Smiley suggested that the City Council should plan to conclude the appointment to the vacancy on Thursday evening.

Council Member Litchfield expressed his appreciation of each individual who has applied for the position and the communication from them about their desire and passion for the City. It is a good problem to have several qualified candidates, but it is also a challenge for the City Council to make a choice.

Council Member Litchfield thanked the candidates who are present this evening for their willingness to serve District 1 and the City of Greenville. Also, he thanked the candidate who was unable to appear before the City Council this evening due to illness.

Council Member Meyerhoeffer thanked the applicants for their interest to serve, and he supported to move to a Thursday vote.

Mayor Pro-Tem Glover thanked the applicants and stated that she feels that all of the applicants are well qualified. The districts in Greenville are all unique. She is looking forward to Thursday night to find out who will fill the vacancy and she wished them good luck.

Motion was made by Council Member Smiley and seconded by Council Member Meyerhoeffer to vote on this matter at the January 10, 2019 meeting. Council Member Smiley stated that it is the City Council's intention to nominate and vote on someone to fill the vacancy on Thursday night. The selected individual should be prepared to take the oath and begin to vote.



Mayor Connelly stated that is correct and the City Clerk will be prepared to give the oath, if someone is appointed to the seat at that time.

There being no further discussion, the motion to vote on this matter at the January 10, 2019 meeting passed unanimously.

BUDGET ORDINANCE AMENDMENT #6 TO THE 2018-2019 CITY OF GREENVILLE BUDGET (ORDINANCE #18-038), THE SPECIAL REVENUE GRANT FUND (ORDINANCE #11-003), AND THE CAPITAL PROJECTS FUND (ORDINANCE #17-024) – (Ordinance No. 19-001)

Director of Financial Services Byron Hayes stated that Budget Ordinance Amendment #6 includes adjustments to the following funds:

- General Fund
- Stormwater Enterprise Fund
- Enterprise Capital Projects Fund
- Street Improvements Bond Fund
- Public Works Capital Projects Fund
- Grants Special Revenue Fund

Director Hayes summarized a breakdown of the requested Budget Ordinance Amendment #6:

**CITY OF GREENVILLE
BUDGET ORDINANCE AMENDMENT #6**

Description	Funds Impacted	Amount
Move funds from Contingency to cover cost of the Collaborative Economic Development Study as approved at December 10, 2018 Council meeting.	General Fund	\$ -
Recognize the transfer of funds budgeted in the 2018-19 Stormwater Utility budget to the Enterprise Capital Projects fund specifically earmarked for the Watershed Master Plan.	Stormwater Utility Fund Enterprise Capital Projects Fund	\$ 1,296,265
Recognize funding received for the Safe Routes to School (SRTS) project from NCDOT with the City match of \$198,556 being earmarked for SRTS within the Street Improvement Bond Capital Project Fund. This amendment also moves the original budgeted funds of \$503,000 from the Special Revenue Grant Fund to the Public Works Capital Project fund.	PW Capital Project Fund Street Imp. Bond Fund Grants Special Revenue Fund	\$ 1,297,223

Director Hayes reported that as a result of the amendment, there is no change to the City’s total operating budget, and the City’s Capital Projects Fund budget increases to \$152,231,756.



CITY OF GREENVILLE
BUDGET ORDINANCE AMENDMENT #6 SUMMARY

City of Greenville Capital Projects Fund Budget per Amendment #6:

Fund	Budget	%
Enterprise Capital Project Fund	\$ 42,839,245	28.1%
Rec & Parks Capital Project Fund	9,315,712	6.1%
Public Works Capital Project Fund	53,375,167	35.1%
Greenways Capital Project Fund	2,983,857	2.0%
Street Bond Capital Project Fund	15,850,000	10.4%
Community Dev Capital Project Fund	18,591,285	12.2%
IT Capital Project Fund	2,500,000	1.6%
Police Capital Project Fund	6,776,490	4.5%
Total	\$ 152,231,756	100%

Mayor Connelly asked why the \$100,000 donation carryover is coming out of contingency. Mayor Connelly stated at its December 10, 2018 meeting, the City Council adopted an ordinance, which established the Donations Special Revenue Fund.

Assistant City Manager Cowin responded that the carryover actually represents a reduction in the contingency budget for the year in order to cover that transfer over to the special revenue. Originally, staff projected \$1 million as being above the fund balance threshold, but it was only \$850,000. So, an adjustment had to be made somewhere and it was made through contingency.

Motion was made by Council Member Bell and seconded by Mayor Pro-Tem Glover to adopt the Budget Ordinance #6. Motion carried unanimously.

REVIEW OF JANUARY 10, 2019 CITY COUNCIL MEETING

The Mayor and City Council reviewed the agenda for the January 10, 2019 City Council meeting.

CITY MANAGER'S REPORT



City Manager Ann Wall reported that a series of events are scheduled for the Martin Luther King, Jr. Holiday, which will be celebrated on January 21, 2019. City Offices will be closed, but the GREAT system as well as the City’s recreational and parks facilities will be open.

City Manager Wall reported that the City will sponsor the Community Unity Breakfast, which will be hosted with the Chamber of Commerce from 7:30 am – 9:00 am at the East Carolina University Murphy Center. Staff is asking members of the community to participate in a day of service with the City employees, including picking up trash along streets and greenways, neighborhoods, and along the river. Those who are interested in participating can contact the Code Enforcement Division or the City Manager’s Office to sign up.

City Manager Wall reported that a list of the other activities and events for the late Dr. Martin Luther King, Jr.’s birthday will be included in Notes To Council.

COMMENTS FROM MAYOR AND CITY COUNCIL

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

Mayor Pro-Tem Glover reported that in her neighborhood, the majority of the people who are playing loud music in their cars are those who are driving the elevated vehicles. It is very difficult for those drivers to see pedestrians, especially children and bicyclists. Mayor Pro-Tem Glover asked staff to investigate what the City could do to abate this problem.

Mayor Pro-Tem Glover reported that having three convenience stores on one street, such as West Fifth Street, is ridiculous plus those stores are selling the same things and creating the same problems. There are a lot of churches in the African-American community and some of them are in close proximity to these convenience stores, which are grandfathered in by the City’s ordinance.

Mayor Pro-Tem Glover reported that a separation for convenience stores was mentioned when the City Council adopted the ordinance for nightclubs. Mayor Pro-Tem Glover asked staff to revisit the separation for convenience stores. Also, she stated that when people apply to sell alcoholic beverages at the convenience stores, Council Members should be informed that this is happening in their districts.

CLOSED SESSION



Council Member Smiley moved to enter closed session in accordance with G.S. §143-318.11 (a)(4) to discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations, G.S. §143-318.11(a)(5) to establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating the price and other material terms of a contract or proposed contract for the acquisition of real property, said property being the building and land owned by Miracle Deliverance Church at 430 Bonners Lane, and G.S. §143-318.11(a)(5) to establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating the price and other material terms of a contract or proposed contract for the acquisition of real property, said property being the building and land owned by Hopf/Wells Co-Trustees, Rosa B. Wilson Heirs and Earl Rayfield Heirs. Council Member Bell seconded the motion, which passed by unanimous vote.

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

Upon conclusion of the closed session discussion, motion was made by Council Member Bell and seconded by Council Member Smiley to return to open session. Motion was approved unanimously, and Mayor Connelly returned the City Council to open session at 8:08 pm.

ADJOURNMENT

There being no further business before the City Council, motion was made by Council Member Bell and seconded by Council Member Smiley to adjourn the meeting. Motion carried unanimously, and Mayor Connelly declared the meeting adjourned at 8:09 p.m.

Respectfully Submitted

Polly Jones
Deputy City Clerk

PROPOSED MINUTES
MEETING OF THE CITY COUNCIL
CITY OF GREENVILLE, NORTH CAROLINA
MONDAY, FEBRUARY 11, 2019



A regular meeting of the Greenville City Council was held at 6:00 pm, on Monday, February 11, 2019 in the Council Chambers, located on the third floor at City Hall, with Mayor P. J. Connelly presiding. The meeting was called to order by Mayor Connelly and a moment of silence was held due to the passing away of Congressman Walter B. Jones and the mothers of Assistant City Manager Ken Graves and Convention & Visitors Bureau Director Andrew Schmidt. The invocation and Pledge of Allegiance followed by Council Member William F. Litchfield, Jr.

Those Present:

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

Those Absent:

None

Also Present:

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

APPROVAL OF THE AGENDA

City Manager Wall requested that the City Council consider the continuance of one item until the February 14 meeting, specifically, the resolution to close an alleyway located on the east side of East Rock Spring Road and south of East Tenth Street.

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

PUBLIC COMMENT PERIOD

Mike Fisher

Mr. Fisher stated that both he and Emanuel Sozzi are from the University of North Carolina at Chapel Hill. They have been looking at the impacts of extreme weather events similar to Hurricane Floyd that threaten the water quality for people, who own private wells in North Carolina and are concerned about E-coli in their private well systems.



Mr. Fisher stated they are offering free water quality testing kits that people can use at home and understand some of the factors that might contribute to contamination of private wells. With storms coming up this year, people who are concerned about their well water quality might be interested in knowing what can be done depending on the results of the testing kits.

Emanuel Sozzi

Mr. Sozzi made comments about some of the water quality testing kits that are available. The program being offered is trying to help the State to be prepared for the next extreme weather event. The collected water samples are analyzed at the University of North Carolina at Chapel Hill. He and Mike Fisher are here to sign up anyone who is interested in the testing kits and to connect with the community leaders, churches, and schools about the private wells in the City.

Messrs. Fisher and Sozzi asked the public to meet with them outside of the Council Chambers tonight or to contact them for the free water quality testing and to learn more about some of the issues that could affect water quality during extreme weather events.

CONSENT AGENDA

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

- Minutes from the December 10, 2018 and January 10, 2019 City Council meetings
- Adoption of Board and Commission Policy
- Resolution amending the Assignment of Classes to Pay Grades and Ranges (Pay Plan) – (Resolution No. 006-19)
- Resolution accepting dedication of rights-of-way and easements for Westhaven South, Section 2 & Lots 41 & 91, Westhaven South, Section 3 & Lots 16 & 19, Westhaven Section 7; Firetower Junction Block B Lot 4; Firetower Junction Block B Lot 4A, 4B, and 4C; and Firetower Junction Section One – (Resolution No. 007-19)
- Authorization to Submit Application for State Acquisition Relocation Funds for Hurricane Matthew
- Resolution supporting an application for a Rural Demolition Program grant through the North Carolina Department of Commerce Rural Economic Development Division – (Resolution No. 008-19)



- Resolution declaring Police Canine Bono JR as surplus and authorizing his disposition to Officer Tim McLaughlin – (Resolution No. 009-19)
- Report on Bids and Contracts Awarded
- Various tax refunds greater than \$100

Motion was made by Council Member Smiley and seconded by Council Member Litchfield to approve the items under the Consent Agenda. Motion carried unanimously.

NEW BUSINESS

PRESENTATIONS BY BOARDS AND COMMISSIONS

Board of Adjustment

Chairperson Bill Johnson reported that the Board of Adjustment (BOA) is a citizens board and appointments are made by the City Council and County Commissioners in accordance with the North Carolina General Statutes. The BOA is composed of eleven members (nine City of Greenville seats and two extraterritorial jurisdiction seats). The BOA receives City staff support, including Planner Elizabeth Blount, Staff Support Specialist Camillia Smith, and Assistant City Attorney Donald Phillips.

Chairperson Johnson reported that the BOA has specific defined powers and duties: to hear and decide appeals with administrative decisions and to hear and decide requests for listed special use permits, variances, and interpretations. A public meeting is held for each request and all persons are invited to attend these public hearings and are given an opportunity to speak, if they so desire. All case hearings are advertised, signs are posted, and notices are mailed to the property owners.

Chairperson Johnson reported that the BOA acts in a quasi-judicial capacity. This year the BOA had 21 requests for special use permits and performed an annual review of public and private clubs and dining/entertainment establishments that require a special use permit.

Community Appearance Commission

Chairperson William Wooten, III gave an overview of the responsibilities and actions by the Community Appearance Commission (CAC) over the past year. The CAC was established to improve the appearance of the community by developing ideas, reviewing ordinances and programs, and advising the City Council on matters related to community appearance and beautification of the City. The main responsibilities and duties of the CAC are the following:



Community Appearance Commission Responsibilities and Duties

- Initiate, promote and assist in the implementation of programs of general beautification and appearance
- Coordinate activities of individuals, agencies, organizations, and City departments tasked and concerned with the improved appearance of the City
- Encourage improved community appearance on public and private property
- Suggest the adoption of City ordinances that will help beautification and clean-up efforts
- Solicit the cooperation of City departments that have enforcement authority for areas of community appearance

Chairperson Wooten reported that the CAC is comprised of 11 members, who are appointed by the City Council. The Commissioners serve three-year terms and their meetings are held on the first Wednesday of every other month starting in February. Council Member Rick Smiley is the CAC's City Council Representative and Planner Jeff Huss is the Staff Liaison. The current members of the CAC are William Wooten, III, Chair, Michael Slocum, Vice-Chair, Thomas Alligood, Meredith Fisher, Kellie Gonzalez, J. Scott Johnson, Diane Kulik, Lettie Micheletto, and Jonathan Taft.

Chairperson Wooten reported that in 2018, the CAC provided four community appearance awards. These awards are given to acknowledge exemplary efforts to enhance the appearance of the City. The nominees are considered based on the overall appearance of the landscape and design, maintenance and variation of vegetation, and property and building upkeep.

Chairperson Wooten recognized the recipients of the 2018 Community Appearance Awards, and stated that each of them received a certificate and an onsite yard or window award winner signage.

2018 Community Appearance Awards

- Coastal Fog Market (improvement in its façade and curb appeal in the Uptown District)
- The Music House (outstanding landscape and appearance)
- Still Life (unique modern design, including a new roof top patio within the Uptown District)
- Brown Law Firm (appearance of the building and landscaping)

Chairperson Wooten reported that the CAC encourages improvement of neighborhoods through the Neighborhood Improvement Grant Program. Official neighborhood associations are eligible to apply for these grant funds, which are awarded in the fall and



spring in the maximum amount of \$750. Four awards were approved and distributed by the CAC during 2018:

Neighborhood Improvement Grant Recipients

- Carolina East Neighborhood Association (funding for pressure washing of bricks to their entrance, new lettering for signage, and landscaping)
- Cherry Oaks North (installation of a new sign and planted a tree within its park)
- Windy Ridge (installation of decorative unit numbers for its townhouses throughout the development)
- Treetops Home Owners Association (used funds to cover repair and painting of its neighborhood sign along with some landscaping).

Chairperson Wooten reported that the following are the CAC's 2019 goals:

- Encourage the use of Neighborhood Improvement Grant funds to improve neighborhood aesthetics
- Involvement with the City's Adopt-a-Street Program
- Participate in the development of City Corridor standards
- Continue to recognize and award exceptional community improvement activities

Neighborhood Advisory Board

Chairperson Ann Maxwell reported that the Neighborhood Advisory Board (NAB) was established by ordinance in 2009. The NAB works hard to fulfill its mission, but it does much more. Research has shown that relationships and human contact are critical to good mental health. Strong and active neighborhood associations can help the mental health of the citizens of Greenville.

Chairperson Ann Maxwell stated that the NAB is a very diverse board and the following are the current members of the NAB:

2019 Neighborhood Advisory Board Members:

Carolyn Glast, District 1 *Greenfield Terrace*
Garrie Moore, District 1 *Brookhaven*
Barbara Murray, District 2 *Oakdale*
Joyce Williams, District 2 *Cambridge*
Ann Maxwell, Chairperson, District 3 *TRUNA*
Ann Hamze, District 3 *College Court/Coghill*
Susan Vickery-Mercer, District 4 *Oakhurst*
Judy Bernhardt, District 4 *Forest Hill*
Sharon Stang, District 5 *Carolina East*



Brenda Diggs, District 5 *The Oaks*

Alternate Board Members:

Margaret Hrushesky, District 1 *Westpointe*

Joyce Staton, District 2 *Oakdale*

Vacant, District 3

Joe Busby, Vice Chairperson, District 4 *Quail Ridge*

Charles Martin, District 5 *Treetops*

Chairperson Maxwell reported that the NAB has three active committees, allowing all the members to be involved with the work of the Board. An insulated NAB lunch box is given to new people who move into a neighborhood, which increases citizen participation in their neighborhoods and the support of the formation of new homeowner's associations. This lunch box is filled with donations from neighborhood associations, information about Greenville, and various gifts from the City.

Chairperson Maxwell reported that the NAB held a picnic during the summer of 2018. An organizational meeting was held for the newly established Oakdale Neighborhood Association. In June 2019, the Greenville Police Department (GPD) held a Stakeholders Meeting and people from the various neighborhoods were invited and obtained information to take back to their neighborhood associations.

Chairperson Maxwell reported that another way that the NAB serves as a liaison between neighborhoods and City services is that each year one meeting is held in a City Council Member's District. This year the meeting was held in District 4 and it was well attended. A lot of questions were asked.

Chairperson Maxwell reported that to accomplish its mission, each year the NAB develops an annual work plan. The first step to developing the work plan is to have an input session where all the liaisons are invited to give their concerns. This past year Tad Caldwell, who is the sustainability manager at East Carolina University, served as the NAB's facilitator. He also helped the NAB during its retreat at Jaycee Park when the members had taken the input from that session and actually developed their goals for the year.

Chairperson Maxwell reported that the NAB's Land Use/City Services Committee's goals for the year are as follows:

- Address flooding and drainage issues which still seem to be a point of concern in all districts.
- Decrease the amount of litter in our city neighborhoods
- Improve citizen understanding of zoning and development
- Advocate for improved Code Enforcement compliance

Chairperson Maxwell reported that Recycling Coordinator Holly Parrott has done a very good job of revamping the Adopt-a-Street program. Council Member Will Bell along with



others have been working in District 3. The College Court/Coghill neighborhood has adopted all of their streets and cleaned storm drain covers. The Cambridge neighborhood cleaned up the pinecones in their neighborhood. NAB Member Diggs joined Keep Greenville Beautiful because she wanted to know more about that committee and to keep the NAB members involved and up-to-date.

Chairperson Maxwell reported that this month, the NAB will be focusing on questions generated by the NAB's Public Safety Committee. Last year, this Committee worked with the GPD and designed a community watch type brochure to reduce neighborhood crime. The GPD is working to get Next Door in all of the neighborhood associations. It makes it so much easier for them to get out information quickly.

Chairperson Maxwell reported that the NAB has been actively involved with the National Night Out. The NAB's Community Building Committee supports and develops neighborhood associations to improve the City of Greenville. The City Council Members could help with encouraging neighborhoods in their districts to become organized.

Chairperson Maxwell reported that having picnics at your home, such as the Cambridge Neighborhood Association has done, is certainly a way to build relationships. The Elmhurst/Englewood Neighborhood Association dedicated a bench in memory of Mr. Herb Carlton, a long time member of their neighborhood.

Chairperson Maxwell stated that without the City of Greenville staff willingly working with the NAB (including their projects, attending meetings, and answering inquiries), it would be difficult for the NAB to serve as a liaison between the neighborhoods and the City. She thanked the City Council Members for working with neighborhood associations in their districts to solve problems.

NEW BUSINESS

NORTH CAROLINA EASTERN MUNICIPAL POWER AGENCY (TAXPAYER) REQUEST FOR TAX REFUND

City Attorney Emanuel McGirt reported that the North Carolina Eastern Municipal Power Agency has filed a claim pursuant to North Carolina General Statutes § 105-381 stating it is entitled to a tax refund in the amount of \$185,936.79. After investigation and consultation with the City Attorney's Office, the City administration is of view that the tax refund is warranted because the taxpayer's property is not located within the City limits.

City Attorney McGirt explained that the State law provides that the General Assembly confers upon each city in the State the power to levy taxes on property having a site or location within the City. This property is not within the City. The taxpayer, a power






agency, is a public service company that sells wholesale power to the Greenville Utilities Commission (GUC).

City Attorney McGirt explained that the power agency built a facility on city-owned property for the benefit of GUC. The city-owned property where the facility sits is not located within the City limits, but instead it is located in an unincorporated portion of Pitt County. A parcel identification card shows that the property is located in the Winterville Rural Fire Service District:

12/12/2018

OPIS Print

 <p>Pitt County Government Greenville, North Carolina www.pittcountync.gov</p> 																																																																											
	<table border="0"> <tr><td>Parcel:</td><td>36048</td></tr> <tr><td>More Info:</td><td>36048</td></tr> <tr><td>Physical Address:</td><td>0 W FIRE TOWER RD</td></tr> <tr><td>Owner Name:</td><td>GREENVILLE CITY OF</td></tr> <tr><td>OwnerAddress1:</td><td>PO BOX 1847</td></tr> <tr><td>OwnerAddress2:</td><td></td></tr> <tr><td>OwnerAddress3:</td><td></td></tr> <tr><td>City / State / Zip:</td><td>GREENVILLE NC 27835</td></tr> <tr><td>NC PIN:</td><td>4675797523</td></tr> <tr><td>Subdivision / Section / Phase:</td><td></td></tr> <tr><td>Prior Legal Description:</td><td>GREENVILLE UTILITIES COMM</td></tr> <tr><td>Block / Lot:</td><td></td></tr> <tr><td>Tract:</td><td>1 & 2</td></tr> <tr><td>Building Number / Unit:</td><td></td></tr> <tr><td>Acres:</td><td>9.57</td></tr> <tr><td>Current Owner:</td><td>000J48 00349</td></tr> <tr><td>Deed/Document:</td><td></td></tr> <tr><td>Map Book:</td><td>28-85</td></tr> <tr><td>Deed / Document Date:</td><td>09/1979</td></tr> <tr><td>Deed / Document Sales Price:</td><td>\$50,000</td></tr> <tr><td>Building Type / Use:</td><td>COMMERCIAL(Other Municipal)</td></tr> <tr><td>Number of Buildings:</td><td>0</td></tr> <tr><td>Year Built:</td><td></td></tr> <tr><td>Total Living Area:</td><td></td></tr> <tr><td>Building Value:</td><td></td></tr> <tr><td>Extra Features Value:</td><td>\$6,450</td></tr> <tr><td>Land Value:</td><td>\$179,438</td></tr> <tr><td>Total Current Market Value:</td><td>\$185,888</td></tr> <tr><td>Total 2015 Market Value:</td><td>\$187,728</td></tr> <tr><td>Municipality:</td><td></td></tr> <tr><td>Township:</td><td>WINTERVILLE</td></tr> <tr><td>Fire Service District:</td><td>WINTERVILLE RURAL FIRE SERVICE DISTRICT</td></tr> <tr><td>Census Tract:</td><td>603</td></tr> <tr><td>Neighborhood:</td><td>7042GV</td></tr> <tr><td>Elementary School:</td><td>W H Robinson ES</td></tr> <tr><td>Middle School:</td><td>E B Aycock MS</td></tr> <tr><td>High School:</td><td>South Central HS</td></tr> </table>	Parcel:	36048	More Info:	36048	Physical Address:	0 W FIRE TOWER RD	Owner Name:	GREENVILLE CITY OF	OwnerAddress1:	PO BOX 1847	OwnerAddress2:		OwnerAddress3:		City / State / Zip:	GREENVILLE NC 27835	NC PIN:	4675797523	Subdivision / Section / Phase:		Prior Legal Description:	GREENVILLE UTILITIES COMM	Block / Lot:		Tract:	1 & 2	Building Number / Unit:		Acres:	9.57	Current Owner:	000J48 00349	Deed/Document:		Map Book:	28-85	Deed / Document Date:	09/1979	Deed / Document Sales Price:	\$50,000	Building Type / Use:	COMMERCIAL(Other Municipal)	Number of Buildings:	0	Year Built:		Total Living Area:		Building Value:		Extra Features Value:	\$6,450	Land Value:	\$179,438	Total Current Market Value:	\$185,888	Total 2015 Market Value:	\$187,728	Municipality:		Township:	WINTERVILLE	Fire Service District:	WINTERVILLE RURAL FIRE SERVICE DISTRICT	Census Tract:	603	Neighborhood:	7042GV	Elementary School:	W H Robinson ES	Middle School:	E B Aycock MS	High School:	South Central HS
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<p><small>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.</small></p> <p><small>Copyright © 2017, Pitt County, North Carolina.</small></p>	<p>PLEASE NOTE:</p> <p>The parcel information is updated nightly and reflects current property values.</p> <p>Printed: 12/12/2018 12:41:49 PM</p>																																																																										



City Attorney McGirt explained that in this case, the taxpayer submitted an annual report to the North Carolina Department of Revenue, listing the value of the property and jurisdiction of the facility. The Department of Revenue certified the value of the facility and identified the property as being located in Pitt County and, inadvertently, in the City of Greenville. An error was made at identifying the City as the recipient of the tax revenue. The City should have not received the tax revenue. The taxpayer was erroneously assessed \$185,936 during a four-year period.

City Attorney McGirt explained that the City's administration requests that the City Council authorize refunding the taxpayer in the amount of \$185,936.79. The City had no legal authority to levy the tax on the facility, which is not located within the City limits. Pursuant to State law the tax was imposed due to a clerical error and/or it was an illegal tax.

Council Member Meyerhoeffer asked whether the Department of Revenue has any liability for its error of identifying the property as being in Pitt County and Greenville.

City Attorney McGirt responded that it is probably difficult to sue the State that has the authority immunity. Also, in this case, the City was a recipient of money that it had no right to receive. There would probably be an appeal battle when trying to file a claim against the State. He has talked with the State officials and the County which collects taxes for the City to see if there is a way to make sure it does not happen again.

City Attorney McGirt stated that they said it was an unusual circumstance. The Department of Revenue does not know why it came to the conclusion that the property is in the City of Greenville. The property abuts right against the City limits so apparently some error was made.

Council Member Meyerhoeffer stated that maybe the next step would be to incorporate the property into the City.

City Attorney McGirt responded that there will be an agenda item for Thursday night asking that this property be annexed into the City.

Mayor Connelly asked whether it is important that this may not come up often, but the City should make sure that all of its properties need to be annexed into the City. Mayor Connelly asked whether City staff has done an analysis on that yet.

City Manager Wall responded that staff is working with the GUC to identify properties owned by the City on behalf of the GUC, which is much like this one being outside the City, but can provide service and there may be a taxable value.

Mayor Connelly asked whether staff will be doing parcels that are not tied in with the GUC.

City Manager Wall responded that staff is going to look at all city-owned parcels. The vast majority of the parcels that are outside the City are those that are owned due to the GUC.



Council Member Litchfield asked whether an analysis could be done to make sure that tax revenue is received on all the City’s entitled property.

City Manager Wall responded that staff discussed how is the best way to do that analysis and the best way to put it in place.

Council Member Litchfield asked, up to this point, whether any analysis like this has been done.

City Manager Wall responded that within the 18 months of her employment with the City, she is not familiar with staff doing an audit or an evaluation of the City’s tax collection. The City contracts with the County to do the billing for and collection of taxes on behalf of the City.

Motion was made by Council Member Smiley and seconded by Council Member Bell to authorize refunding the taxpayer in the amount of \$185,936.79. Motion carried unanimously.

CONTRACT AWARD FOR STATE LOBBYING SERVICES – Continued to Thursday

BUDGET ORDINANCE AMENDMENT #7 TO THE 2018-2019 CITY OF GREENVILLE BUDGET (ORDINANCE #18-038)

Director of Financial Services Byron Hayes stated that Budget Ordinance Amendment #7 includes adjustments to the following funds:

- General Fund
- Stormwater Enterprise Fund

Director Hayes summarized a breakdown of the requested Budget Ordinance Amendment #7:

CITY OF GREENVILLE BUDGET ORDINANCE AMENDMENT #7		
Description	Funds Impacted	Amount
· Move funds from Contingency to Recreation and Parks South Greenville budget to cover costs associated with the set-up of the Teen Lounge.	General Fund	\$ -
· Move funds from CMO to City Attorney's Office to cover costs associated with contracts provided by external sources for leased parking spaces owned by the City.	General Fund	\$ -
· Appropriate fund balance within the Stormwater Utility Fund to cover contracted services payback to the Pitt Greenville Airport as well as the purchase of new survey equipment.	Stormwater Enterprise Fund	\$ 141,000



Director Hayes stated that as a result of the amendment, the City of Greenville operating budget is increased to \$136,488,919. Staff recommends that the City Council approves Budget Ordinance Amendment #7 to the City of Greenville operating budget.

Motion was made by Council Member Smiley and seconded by Mayor Pro-Tem Glover to approve Budget Ordinance Amendment #7. Motion carried unanimously.

REVIEW OF FEBRUARY 11, 2019 CITY COUNCIL MEETING

The Mayor and City Council reviewed the agenda for the February 11, 2019 City Council meeting.

CITY MANAGER'S REPORT

No comments were made by City Manager Wall.

COMMENTS FROM MAYOR AND CITY COUNCIL

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

ADJOURNMENT

There being no further business before the City Council, motion was made by Council Member Bell and seconded by Council Member Smiley to adjourn the meeting. Motion carried unanimously, and Mayor Connelly declared the meeting adjourned at 7:11 p.m.

Respectfully Submitted

Polly Jones
Deputy City Clerk

PROPOSED MINUTES
CITY COUNCIL WORKSHOP
CITY OF GREENVILLE, NORTH CAROLINA
MONDAY, JANUARY 7, 2019



A workshop of the Greenville City Council was held on Monday, January 7, 2019, in Conference Room 337, located on the third floor at City Hall, with Mayor P.J. Connelly presiding. Mayor Connelly called the meeting to order at 4:10 p.m.

Those Present:

Mayor P.J. Connelly, Mayor Pro-Tem Rose Glover (joined at 4:25 p.m.), Council Member Will Bell, Council Member Rick Smiley, Council Member William Litchfield, Jr., and Council Member Brian Meyerhoeffer, Jr.

Those Absent:

District 1 Council Member (vacant)

Also Present:

City Manager Ann E. Wall, City Attorney Emanuel McGirt, Assistant City Manager Michael Cowin, Assistant City Manager Ken Wall, Administrative Assistant Valerie Shiuwegar

APPROVAL OF THE AGENDA

Council Member Bell made a motion to approve the agenda as presented. Council Member Smiley seconded the motion and it passed unanimously.

2018 YEAR IN REVIEW

Public Information Officer Brock Letchworth presented a video presentation highlighting the work done by the City and notable events in 2018. The City Council expressed their appreciation for the presentation and requested that the video be played on GTV9, the City's government channel.

PRESENTATION ON SPECIAL EVENTS APPLICATION ESTABLISHING A ONE-STOP PROCESS



City Manager Ann Wall stated that the current application process for special events that take place on City property and right-of-ways is broken down into several processes among different departments. She asked staff to look into ways to improve the process to make it easier for applicants and to give the City a more collaborative role in reviewing requests.

Assistant City Manager Michael Cowin stated that the proposed special events process will streamline the current procedure for events, creating a simpler and more efficient process for applicants and providing staff with a consistent framework of how events are approved or denied, as well as a consistent method of determining what services will be required for each event. He noted that the policy would not apply to the rental of Recreation & Parks facilities and the Bradford Creek Public Golf Course Clubhouse.

Under the current proposal, applications would be submitted with the following forms:

- Event descriptions, public benefit, and required City services
- Event site plan
- Event marketing plan
- Promoter and performing acts identification form
- Street closure/sidewalk impact notification & petition
- Outdoor amplified sound application
- Alcoholic beverages at Town Common authorization form
- Application for parade permit

A Special Events Coordinator position would be created to facilitate the process and a Special Events Committee would be established to review applications. Recommendations for approval or denial by the Committee would be reviewed by the City Manager's Office for final approval. Applications would be due a minimum 90 days prior to the event, reviews would be completed 60 days prior, and final forms would be due 30 days prior to the event.

Assistant City Manager Cowin presented a proposed schedule of fees including:

- Application/permit fees
- Refundable deposit
- Late fees
- Security services fees
- Fire/Rescue fees
- Recreation & Parks fees
- Public Works fees
- Clean-up/Additional expenses



Assistant City Manager Cowin stated that staff's next step would be to seek public input on the proposed process and then seek approval from the City Council for the proposed policy and fees.

Council Member Meyerhoeffer asked if the proposed fees were based off benchmarks from other cities.

Assistant Manager Cowin stated that staffing fees were based on the cost of staff time.

Council Member Litchfield requested that the policy address spray paint on streets and City property due to races.

Mayor Connelly asked if the City would have some discretion for events that do not occur under ordinary circumstances, such as the Hurricane Benefit concert or Batter Uptown.

Assistant City Manager stated that City-sponsored events are exempt from the policy.

Mayor Connelly expressed his support for an easier process for applicants.

**PRESENTATION ON 500 FT. SPACING RULE AND POTENTIAL LOCATIONS AND
ESTABLISHING ANOTHER ENTERTAINMENT DISTRICT**

City Manager Wall stated that staff is following up on a discussion from the December 2018 City Council Workshop about the 500 ft. spacing rule and the potential impacts of establishing an entertainment district.

City Planner Elizabeth Blount presented a comparison of zoning codes versus building/fire codes. She stated that zoning codes are based on a community's zoning ordinance and they determine how a building is used in its location. Zoning codes have the ability to be modified by the City Council based on standards and preferences. Building/fire codes are based on North Carolina (NC) State building and fire codes. They determine how a building functions internally and cannot be changed by the community.

She stated that a legal nonconformity is defined as a structure, lot, or land that does not meet current code requirements, but was legal at the time that it was originally established. Legal nonconformities may continue in its existing state under a grandfathered status. She stated that legal nonconformities are not allowed to increase or extend in space, volume, or frequency. She noted that legal nonconformities in the Uptown area are allowed to add on rooftop spaces, but they must meet and abide by specific criteria. She stated that if a legal



nonconformity is discontinued for 6 months, or 180 days, the original use cannot be re-established, and the new use must be compliant with existing standards in the district.

Chief Building Inspector Les Everett addressed the building code aspect of legal nonconformities. He stated that once buildings are constructed and receive a Certificate of Occupancy (C.O.), as long as they are maintained without any major alterations, they can continue to operate as long as they do not make any changes, and they are not subject to further building inspections but they are subject to fire inspections.

Council Member Smiley asked if buildings with certain elements such as asbestos and lead paint would still be allowed to operate under this standard.

Chief Building Inspector Everett noted that the State would be able to better address questions regarding hazardous materials like asbestos, but as long as the material is maintained and not airborne, the building meets the standards to remain operating. He stated that if something were to happen and it was brought to the City's attention, then the City would be able to take steps to have the building inspected to remediate those issues. Inspector Everett stated that "occupancy" is defined as the type of use, such as assembly, residential, industrial, etc.

Planner Blount defined "Special Use Permit" (SUP) as a permit that is required for a use that is allowed in a particular zoning district only under specific criteria. She stated that SUPs are issued by the Board of Adjustment (BOA) and do not have expiration dates.

Council Member Smiley asked how much discretion the BOA has to place reasonable conditions on a SUP.

Planner Blount stated that as long as the proposed use meets specific criteria, the BOA does not have the authority to deny the application, but the Board can add reasonable conditions.

City Attorney Emanuel McGirt advised the Council that the BOA is a quasi-judicial board that makes decisions based on evidentiary hearings. He stated that applicants must provide evidence to the Board that proves that all requirements are met.

Council Member Smiley asked what measures are in place to ensure that applicants continue to meet the requirements of the SUP.

Planner Blount stated that some applicants are required to come back before the boards,



such as churches and applicants in the industrial zoning district, but most of the time issues are addressed as staff receives complaints from the community.

Planner Blount addressed information provided to the City Council at their last presentation. She clarified that the property listed at 207 E. Fifth Street is currently leased, not owned, by East Carolina University (ECU). She stated that StillLife's occupancy load had been stated as 250, but it did not take the entire building into account. The occupancy load for the entire building is 815. She stated that the property at 220 E. Fifth Street is noted with an occupancy load of 0 because there is not a record for that property and it is currently vacant. She stated that the annotations by The Buccaneer, Tiebreakers, and Buckwild Tavern indicate that the square footage listed for those establishments are for the entire building and each establishment occupies one unit in those buildings.

Planner Blount stated that a map had been presented to the City Council in December 2018 outlining zoning districts for clubs citywide, but it did not reflect the three separations in place: 500 ft. separation from existing clubs, 500 ft. from a residential zoning district, and 500 ft. from a conforming single-family dwelling. She stated that while it would be easy to update the map to show the separations from existing clubs and residential zoning districts, it would take extensive work by staff to accurately inspect areas for single family dwellings.

Council Member Smiley stated that he understood the rules to mean that a nonconforming residence would not justify enforcing separation.

Planner Blount confirmed that he was correct. She stated that the area in the Uptown district is tight, with the possibility for 1 or 2 clubs, maximum.

Council Member Smiley asked there are zoning districts where you could automatically rule out residential dwellings.

Planner Blount stated that it would be possible, but for the sake of accuracy, staff would prefer to conduct site visits.

Chief Planner Gooby presented the possibility of an entertainment district to the City Council. She stated that she had examined Raleigh's entertainment district, which is divided into five districts: Glenwood South, Capital District, Warehouse District, Fayetteville Street, and Moore Square. She stated that the Moore Square District is a mixed-use district that is similar to Greenville, with an IMAX theater, Marbles Kids Museum, the Lincoln Theater, Shaw University, and some residential neighborhoods. She stated that each use in the



district has a required amount of parking and each can pay into a shared account that the City will use to pay for additional parking. She stated that restrictions are in place to encourage harmony and minimize potential impacts to nearby residents, including set hours of operation, limit on outdoor seating, and a noise ordinance. She stated that separations are in place between residential and non-residential uses, but not between like uses.

Chief Planner Gooby presented the proposed area and stated that staff is exploring a master plan for the Uptown and Dickinson Avenue area. She noted that there are transportation based funds available to help fund the master plan. She asked the Council to provide direction on how to proceed with an entertainment district.



Council Member Smiley stated that the current separations in place in the Uptown District seem to be negatively impacting density in that area.

Community Development Director Thomas Barnett stated that creating a district would provide built in controls that would allow growth and density in the area while providing the City with a way to ensure that the performance in that area benefits the community.

Council Member Smiley asked for an approximate timeline for the master plan.

Community Development Director Barnett stated that it could possibly be done within a year if the funding is in place. He stated that the approximate cost is around \$150k.



Council Member Litchfield requested that staff look into aspects of the plan that can be done internally to help reduce costs.

City Manager Wall stated that staff will look into creating a scope to lay out a hybrid of work done by staff and outside sources to reduce costs where possible and still deliver a quality product.

The City Council accepted City Manager Wall's suggestion and directed staff to proceed with the master plan.

ADJOURNMENT

There being no further business before the City Council, motion was made by Council Member Bell and seconded by Council Member Smiley to adjourn the meeting. Motion carried unanimously. Mayor Connelly adjourned the meeting at 5:35 p.m.

Prepared by:
Valerie P. Shiuwegar
Administrative Assistant

Respectfully submitted,

Carol Barwick, CMC
City Clerk



City of Greenville, North Carolina

Meeting Date: 3/25/2019
Time: 6:00 PM

Title of Item:

Resolution establishing just compensation for acquisition of property located at 294 Millbrook Street through the North Carolina Hurricane Matthew Hazard Mitigation Grant Program

Explanation:

Abstract: Staff requests City Council establish just compensation for property located at 294 Millbrook Street in order for City staff to prepare a written Statement of the Basis for the Determination of Just Compensation to be sent to the property owner with a written Offer to Purchase.

Explanation: North Carolina Hurricane Matthew Hazard Mitigation Grant Program (HMGP) guidelines require the City to conform to the rules and regulations of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA). Acquisition guidelines require the City to set just compensation of all properties being acquired through the HMGP buyout program. Once just compensation has been determined, City staff prepares a written Statement of the Basis for the Determination of Just Compensation to be sent to the property owner with a written Offer to Purchase. Participation in the buyout program is voluntary, and the property owner is not required to sell to the City.

The property owned by Clinton and Shirley Smith, located at 294 Millbrook Street, has been certified appraised and reviewed in accordance with State law, Uniform Standards for Professional Appraisal Practice guidelines, and HMGP guidelines, with the appraised value determined as \$75,000.

Fiscal Note:

The upfront cost to the City will be \$75,000. Once acquisition is complete, the City will request reimbursement from the North Carolina Hurricane Matthew Hazard Mitigation Grant Program for funds expended.

Recommendation: Establish just compensation for property located at 294 Millbrook Street at \$75,000 per North Carolina Hurricane Matthew Hazard Mitigation Grant Program guidelines.

ATTACHMENTS:

- ❏ **2019- HMGP_JC_Smith_1103085**
- ❏ **APPRAISAL_- 294_Millbrook_Street,_Greenville,_NC_27834_1103637**
- ❏ **294_Millbrook_SF_Review_2019_1103632**

RESOLUTION NO. _____

RESOLUTION ESTABLISHING JUST COMPENSATION FOR SELECTED REAL
PROPERTY IN THE CITY OF GREENVILLE'S NORTH CAROLINA HURRICANE
MATTHEW HAZARD MITIGATION GRANT PROGRAM (HMGP)

WHEREAS, the North Carolina Hurricane Matthew Hazard Mitigation Grant Program (HMGP) guidelines require the City to conform to the rules and regulations of Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA). Acquisition guidelines require the City to establish Just Compensation of all properties being acquired through the North Carolina Hurricane Matthew Hazard Mitigation Grant Program (HMGP) buyout program. Once Just Compensation has been determined, City staff will prepare a written Statement of the Basis for the Determination of Just Compensation to be sent to the property owner with a written Offer to Purchase;

WHEREAS, the acquisition of properties through the North Carolina Hurricane Matthew Hazard Mitigation Grant Program (HMGP) is voluntary and the property owner is not required to sell to the City;

WHEREAS, it has been certified that property located at 294 Millbrook Street has been appraised and reviewed in accordance with State law, Uniform Standards for Professional Appraisal Practice (USPAP) guidelines, and North Carolina Hurricane Matthew Hazard Mitigation Grant Program (HMGP) guidelines; and

WHEREAS, the City has copies of said appraisal reports in its possession that have been reviewed and found to be accurate and reliable;

NOW THEREFORE, BE IT RESOLVED by the Greenville City Council that Just Compensation be and is hereby established for Mary & Clinton Smith, 294 Millbrook Street at the appraised value of \$75,000.00.

ADOPTED this the ____ day of March, 2019.

P. J. Connelly, Mayor

ATTEST:

Carol L. Barwick, City Clerk

#1103085

APPRAISAL OF REAL PROPERTY



LOCATED AT

294 Millbrook St
Greenville, NC 27834
Lot 8, Block 1, Greenbriar Subdivision, Deed Book 383, Page 355 Pitt County Registry

FOR

Gloria Kesler
City of Greenville
Community Development Department - Housing Division
Greenville, NC 27858

AS OF

10/01/2016

BY

Collice Moore, Jr.
State Certified General Appraiser
4300 Sapphire Court, Suite 116
Greenville, NC 27834
252-231-2588
info@collicemoore.com

Uniform Residential Appraisal Report

File # 10002000

The purpose of this summary appraisal report is to provide the lender/client with an accurate, and adequately supported, opinion of the market value of the subject property.

SUBJECT

Property Address	294 Millbrook St	City	Greenville	State	NC	Zip Code	27834
Borrower	Clinton and Shirley Smith	Owner of Public Record	Clinton and Shirley Smith	County	Pitt		
Legal Description	Lot 8, Block 1, Greenbriar Subdivision, Deed Book 383, Page 355 Pitt County Registry						
Assessor's Parcel #	28923	Tax Year	2016	R.E. Taxes \$	735		
Neighborhood Name	Greenbriar	Map Reference	24780	Census Tract	0007.02		
Occupant	<input checked="" type="checkbox"/> Owner <input type="checkbox"/> Tenant <input type="checkbox"/> Vacant	Special Assessments \$	0	<input type="checkbox"/> PUD HOA \$	0	<input type="checkbox"/> per year <input type="checkbox"/> per month	
Property Rights Appraised	<input checked="" type="checkbox"/> Fee Simple <input type="checkbox"/> Leasehold <input type="checkbox"/> Other (describe)						
Assignment Type	<input type="checkbox"/> Purchase Transaction <input type="checkbox"/> Refinance Transaction <input checked="" type="checkbox"/> Other (describe) Buyout						
Lender/Client	City of Greenville		Address Greenville, NC 27858				
Is the subject property currently offered for sale or has it been offered for sale in the twelve months prior to the effective date of this appraisal?							<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Report data source(s) used, offering price(s), and date(s).							N/A

CONTRACT

I did did not analyze the contract for sale for the subject purchase transaction. Explain the results of the analysis of the contract for sale or why the analysis was not performed.

Contract Price \$	Date of Contract	Is the property seller the owner of public record?	<input type="checkbox"/> Yes <input type="checkbox"/> No	Data Source(s)
Is there any financial assistance (loan charges, sale concessions, gift or downpayment assistance, etc.) to be paid by any party on behalf of the borrower?				
<input type="checkbox"/> Yes <input type="checkbox"/> No				
If Yes, report the total dollar amount and describe the items to be paid.				

NEIGHBORHOOD

Note: Race and the racial composition of the neighborhood are not appraisal factors.

Neighborhood Characteristics			One-Unit Housing Trends			One-Unit Housing			Present Land Use %		
Location	<input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban <input type="checkbox"/> Rural	Property Values	<input type="checkbox"/> Increasing <input checked="" type="checkbox"/> Stable <input type="checkbox"/> Declining	PRICE	AGE	One-Unit	40 %				
Built-Up	<input type="checkbox"/> Over 75% <input checked="" type="checkbox"/> 25-75% <input type="checkbox"/> Under 25%	Demand/Supply	<input type="checkbox"/> Shortage <input checked="" type="checkbox"/> In Balance <input type="checkbox"/> Over Supply	\$ (000)	(yrs)	2-4 Unit	10 %				
Growth	<input type="checkbox"/> Rapid <input checked="" type="checkbox"/> Stable <input type="checkbox"/> Slow	Marketing Time	<input type="checkbox"/> Under 3 mths <input checked="" type="checkbox"/> 3-6 mths <input type="checkbox"/> Over 6 mths	32	Low 0	Multi-Family	10 %				
Neighborhood Boundaries			The subject neighborhood is bound by Arlington Blvd to the north, Greenville Blvd to the south, Hooker Road to the east and Highway 903 to the west.			137	High 100	Commercial	30 %		
Neighborhood Description			The neighborhood includes a mixture of single family homes and multi family developments. Other land uses in the area include houses of worship, retail uses, and office uses.			101	Pred. 20	Other	10 %		

Market Conditions (including support for the above conclusions) From January 01, 2015 to September 30, 2016, there were 137 MLS reported single-family sales in the subject's market area. These range in sales prices from \$16,000 to \$1,425,000 and have a DOM range from 0 to 1518.

SITE

Dimensions	200 x 85	Area	17000 sf	Shape	Rectangular	View	N;Res;		
Specific Zoning Classification	R6S	Zoning Description	Residential						
Zoning Compliance	<input checked="" type="checkbox"/> Legal <input type="checkbox"/> Legal Nonconforming (Grandfathered Use) <input type="checkbox"/> No Zoning <input type="checkbox"/> Illegal (describe)								
Is the highest and best use of subject property as improved (or as proposed per plans and specifications) the present use?							<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	If No, describe	See attached addenda.
Utilities		Public		Other (describe)		Off-site Improvements - Type		Public	Private
Electricity	<input checked="" type="checkbox"/>	Water	<input checked="" type="checkbox"/>	Street	Paved	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
Gas	<input checked="" type="checkbox"/>	Sanitary Sewer	<input checked="" type="checkbox"/>	Alley	None	<input type="checkbox"/>	<input type="checkbox"/>		
FEMA Special Flood Hazard Area	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	FEMA Flood Zone	AE	FEMA Map #	37147C4677K	FEMA Map Date	07/07/2014		
Are the utilities and off-site improvements typical for the market area?							<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	If No, describe	
Are there any adverse site conditions or external factors (easements, encroachments, environmental conditions, land uses, etc.)?							<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If Yes, describe	

IMPROVEMENTS

General Description	Foundation	Exterior Description	materials/condition	Interior	materials/condition
Units <input checked="" type="checkbox"/> One <input type="checkbox"/> One with Accessory Unit	<input type="checkbox"/> Concrete Slab <input checked="" type="checkbox"/> Crawl Space	Foundation Walls	Masonry/Good	Floors	Typical
# of Stories 1	<input type="checkbox"/> Full Basement <input type="checkbox"/> Partial Basement	Exterior Walls	Masonry/Good	Walls	Typical
Type <input checked="" type="checkbox"/> Det. <input type="checkbox"/> Att. <input type="checkbox"/> S-Det./End Unit	Basement Area 0 sq.ft.	Roof Surface	AS/Good	Trim/Finish	Typical
<input checked="" type="checkbox"/> Existing <input type="checkbox"/> Proposed <input type="checkbox"/> Under Const.	Basement Finish 0 %	Gutters & Downspouts	Yes / Good	Bath Floor	Typical
Design (Style) Trad	<input type="checkbox"/> Outside Entry/Exit <input type="checkbox"/> Sump Pump	Window Type	DH/good	Bath Wainscot	Typical
Year Built 1986	Evidence of <input type="checkbox"/> Infestation	Storm Sash/Insulated	Yes/Good	Car Storage	<input type="checkbox"/> None
Effective Age (Yrs) 10	<input type="checkbox"/> Dampness <input type="checkbox"/> Settlement	Screens	Yes/Good	<input checked="" type="checkbox"/> Driveway	# of Cars 2
Attic <input type="checkbox"/> None	Heating <input checked="" type="checkbox"/> FWA <input type="checkbox"/> HWBB <input type="checkbox"/> Radiant	Amenities	<input type="checkbox"/> Woodstove(s) # 0	Driveway Surface	Concrete
<input checked="" type="checkbox"/> Drop Stair <input type="checkbox"/> Stairs	<input type="checkbox"/> Other Fuel Gas/Elec.	<input type="checkbox"/> Fireplace(s) # 0	<input type="checkbox"/> Fence None	<input type="checkbox"/> Garage	# of Cars 0
<input checked="" type="checkbox"/> Floor <input type="checkbox"/> Scuttle	Cooling <input checked="" type="checkbox"/> Central Air Conditioning	<input type="checkbox"/> Patio/Deck None	<input checked="" type="checkbox"/> Porch Stoop	<input type="checkbox"/> Carport	# of Cars 0
<input type="checkbox"/> Finished <input type="checkbox"/> Heated	<input type="checkbox"/> Individual <input type="checkbox"/> Other	<input type="checkbox"/> Pool None	<input type="checkbox"/> Other None	<input type="checkbox"/> Att.	<input type="checkbox"/> Det. <input type="checkbox"/> Built-in
Appliances <input checked="" type="checkbox"/> Refrigerator <input checked="" type="checkbox"/> Range/Oven <input checked="" type="checkbox"/> Dishwasher <input type="checkbox"/> Disposal <input type="checkbox"/> Microwave <input type="checkbox"/> Washer/Dryer <input type="checkbox"/> Other (describe)					
Finished area above grade contains: 5 Rooms 3 Bedrooms 2.0 Bath(s) 1,121 Square Feet of Gross Living Area Above Grade					
Additional features (special energy efficient items, etc.) Typical					
Describe the condition of the property (including needed repairs, deterioration, renovations, remodeling, etc.). C3;No updates in the prior 15 years;C3;The dwelling is on overall good condition.					
Are there any physical deficiencies or adverse conditions that affect the livability, soundness, or structural integrity of the property? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, describe					
Does the property generally conform to the neighborhood (functional utility, style, condition, use, construction, etc.)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe					

Uniform Residential Appraisal Report

File # 10002000

There are 0 comparable properties currently offered for sale in the subject neighborhood ranging in price from \$ 0 to \$ 0					
There are 27 comparable sales in the subject neighborhood within the past twelve months ranging in sale price from \$ 32,000 to \$ 137,000					
FEATURE	SUBJECT	COMPARABLE SALE # 1	COMPARABLE SALE # 2	COMPARABLE SALE # 3	
Address	294 Millbrook St Greenville, NC 27834	105 Burrington Rd Greenville, NC 27834	98 Lancaster Dr Greenville, NC 27834	203 Patrick St Greenville, NC 27834	
Proximity to Subject		0.61 miles SE	0.45 miles SE	0.85 miles NW	
Sale Price	\$	\$ 79,900	\$ 75,500	\$ 76,000	
Sale Price/Gross Liv. Area	\$ 95.90 sq.ft.	\$ 60.48 sq.ft.	\$ 69.52 sq.ft.	\$ 71.03 sq.ft.	
Data Source(s)		GPARG#120827;DOM 4	FlexMLS#50122816;DOM 30	FlexMLS#50118030;DOM 282	
Verification Source(s)		Pitt Co. Tax Records/Deeds	Pitt Co. Tax Records/Deeds	Pitt Co. Tax Records/Deeds	
VALUE ADJUSTMENTS	DESCRIPTION	DESCRIPTION	+(-) \$ Adjustment	DESCRIPTION	+(-) \$ Adjustment
Sales or Financing Concessions		ArmLth FHA;2700		ArmLth Conv;0	
Date of Sale/Time		s09/15;c08/15		s03/16;c01/16	
Location	N;Res;	N;Res;		N;Res;	
Leasehold/Fee Simple	Fee Simple	Fee Simple		Fee Simple	
Site	17000 sf	12632 sf	0	9148 sf	0
View	N;Res;	N;Res;		N;Res;	
Design (Style)	DT1;Trad	DT1;ranch	0	DT1;ranch	0
Quality of Construction	Q4	Q4		Q4	
Actual Age	30	23	0	35	0
Condition	C3	C3		C3	
Above Grade	Total Bdrms. Baths	Total Bdrms. Baths		Total Bdrms. Baths	
Room Count	5 3 2.0	9 4 2.0	0	6 3 2.0	0
Gross Living Area	1,121 sq.ft.	1,321 sq.ft.	-1,000	1,086 sq.ft.	0
Basement & Finished Rooms Below Grade	Osf	Osf		Osf	
Functional Utility	Average	Average		Average	
Heating/Cooling	FWA/CAC	FWA/CAC		FWA/CAC	
Energy Efficient Items	Thermal Doors	Thermal Doors		Thermal Doors	
Garage/Carport	2dw	1ga2dw	-4,000	2dw	
Porch/Patio/Deck	Stoop	Porch	0	Porch	0
Detached Storage	Storage Bldg	Inferior	+2,500	Similar	0
Net Adjustment (Total)		<input type="checkbox"/> + <input checked="" type="checkbox"/> - \$ -2,500		<input type="checkbox"/> + <input type="checkbox"/> - \$ 0	
Adjusted Sale Price of Comparables		Net Adj. 3.1 % Gross Adj. 9.4 % \$ 77,400		Net Adj. 0.0 % Gross Adj. 0.0 % \$ 75,500	

SALES COMPARISON APPROACH

I did did not research the sale or transfer history of the subject property and comparable sales. If not, explain

My research did did not reveal any prior sales or transfers of the subject property for the three years prior to the effective date of this appraisal.

Data Source(s) **Public Record**

My research did did not reveal any prior sales or transfers of the comparable sales for the year prior to the date of sale of the comparable sale.

Data Source(s) **Public Record**

Report the results of the research and analysis of the prior sale or transfer history of the subject property and comparable sales (report additional prior sales on page 3).

ITEM	SUBJECT	COMPARABLE SALE #1	COMPARABLE SALE #2	COMPARABLE SALE #3
Date of Prior Sale/Transfer	09/01/1992			
Price of Prior Sale/Transfer	\$48,500			
Data Source(s)	DB 383/355	Pitt Co. Public Record	Pitt Co. Public Record	Pitt Co. Public Record
Effective Date of Data Source(s)	02/05/2019	02/05/2019	02/05/2019	02/05/2019

Analysis of prior sale or transfer history of the subject property and comparable sales The subject nor Comparables report prior sales within a year of the effective date of this appraisal.

Summary of Sales Comparison Approach See attached addenda.

Indicated Value by Sales Comparison Approach \$ **75,000**

Indicated Value by: Sales Comparison Approach \$ 75,000 Cost Approach (if developed) \$ 80,060 Income Approach (if developed) \$

These sales reflect and average adjusted sales price of \$75,680 and a median adjusted sales price of \$75,500. Comparables 1, 2, & 5 reflect the lowest net and gross adjustments. It is my opinion that the SALES COMPARISON APPROACH supports a value to the subject of \$75,000.

RECONCILIATION

This appraisal is made "as is", subject to completion per plans and specifications on the basis of a hypothetical condition that the improvements have been completed, subject to the following repairs or alterations on the basis of a hypothetical condition that the repairs or alterations have been completed, or subject to the following required inspection based on the extraordinary assumption that the condition or deficiency does not require alteration or repair. The value estimate is "as-is" as of

10/01/2016

Based on a complete visual inspection of the interior and exterior areas of the subject property, defined scope of work, statement of assumptions and limiting conditions, and appraiser's certification, my (our) opinion of the market value, as defined, of the real property that is the subject of this report is

\$ **75,000**, as of **10/01/2016**, which is the date of inspection and the effective date of this appraisal.

Uniform Residential Appraisal Report

File # 10002000

The subject's estimated value is below the predominant value for the neighborhood but this does not adversely affect the marketability of the subject. The estimated value is within the range of property values in this market area.

A reasonable exposure time for the subject property developed independently from the stated marketing time is: 60 days.

USPAP 3 Year Disclosure:

I have not performed a prior appraisal of the subject property within the 3-year period immediately preceding acceptance of this appraisal assignment.

The subject of this report was flooded in October 8-9, 2016 as a result of the effects of Hurricane Matthew. Per your request, the estimate of value reported herein is RETROSPECTIVE to that time. I have utilized a retrospective date of value of 10/01/2016. It is assumed at that time that the dwelling was in average to good condition and all mechanical, electrical, and plumbing systems were operational.

According to the owners, the HVAC system was lifted in 2011 and a portion was put in the attic. Also, new kitchen cabinets were added in 2000. New windows were installed in 2000 and a new roof in 2001.

ADDITIONAL COMMENTS

COST APPROACH TO VALUE (not required by Fannie Mae)

Provide adequate information for the lender/client to replicate the below cost figures and calculations.

Support for the opinion of site value (summary of comparable land sales or other methods for estimating site value) Retained in my work file are a number lot sales that have occurred in the subject's immediate market area between January of 2015 and September of 2016. These sales range in size from 0.14-acres to 1-acre and they range in sales prices from \$5,350 to \$28,500. These lot sales reflect an average sales price of \$16,021. I have valued the subject site at \$10,000.

COST APPROACH

ESTIMATED <input checked="" type="checkbox"/> REPRODUCTION OR <input type="checkbox"/> REPLACEMENT COST NEW	OPINION OF SITE VALUE	=\$	10,000
Source of cost data Marshall Swift	DWELLING 1,121 Sq.Ft. @ \$ 75.00	= \$	84,075
Quality rating from cost service Good Effective date of cost data 09/31/2016	0 Sq.Ft. @ \$	= \$	
Comments on Cost Approach (gross living area calculations, depreciation, etc.)		= \$	
Cost estimates for the single-family dwelling have been analyzed using data from Marshall & Swift. I have also discussed building costs with local builders. A cost analysis for the single-family dwelling is located in the addenda.	Garage/Carport Sq.Ft. @ \$	= \$	
	Total Estimate of Cost-New	= \$	84,075
	Less Physical Functional External		
	Depreciation 14,015	= \$(14,015)
	Depreciated Cost of Improvements	= \$	70,060
	"As-is" Value of Site Improvements	= \$	
Estimated Remaining Economic Life (HUD and VA only) 50 Years	INDICATED VALUE BY COST APPROACH	= \$	80,060

INCOME APPROACH TO VALUE (not required by Fannie Mae)

INCOME

Estimated Monthly Market Rent \$ **X** Gross Rent Multiplier = \$ Indicated Value by Income Approach
 Summary of Income Approach (including support for market rent and GRM)

PROJECT INFORMATION FOR PUDs (if applicable)

PUD INFORMATION

Is the developer/builder in control of the Homeowners' Association (HOA)? Yes No Unit type(s) Detached Attached
 Provide the following information for PUDs ONLY if the developer/builder is in control of the HOA and the subject property is an attached dwelling unit.

Legal Name of Project

Total number of phases Total number of units Total number of units sold

Total number of units rented Total number of units for sale Data source(s)

Was the project created by the conversion of existing building(s) into a PUD? Yes No If Yes, date of conversion.

Does the project contain any multi-dwelling units? Yes No Data Source

Are the units, common elements, and recreation facilities complete? Yes No If No, describe the status of completion.

Are the common elements leased to or by the Homeowners' Association? Yes No If Yes, describe the rental terms and options.

Describe common elements and recreational facilities.

Uniform Residential Appraisal Report

File # 10002000

This report form is designed to report an appraisal of a one-unit property or a one-unit property with an accessory unit; including a unit in a planned unit development (PUD). This report form is not designed to report an appraisal of a manufactured home or a unit in a condominium or cooperative project.

This appraisal report is subject to the following scope of work, intended use, intended user, definition of market value, statement of assumptions and limiting conditions, and certifications. Modifications, additions, or deletions to the intended use, intended user, definition of market value, or assumptions and limiting conditions are not permitted. The appraiser may expand the scope of work to include any additional research or analysis necessary based on the complexity of this appraisal assignment. Modifications or deletions to the certifications are also not permitted. However, additional certifications that do not constitute material alterations to this appraisal report, such as those required by law or those related to the appraiser's continuing education or membership in an appraisal organization, are permitted.

SCOPE OF WORK: The scope of work for this appraisal is defined by the complexity of this appraisal assignment and the reporting requirements of this appraisal report form, including the following definition of market value, statement of assumptions and limiting conditions, and certifications. The appraiser must, at a minimum: (1) perform a complete visual inspection of the interior and exterior areas of the subject property, (2) inspect the neighborhood, (3) inspect each of the comparable sales from at least the street, (4) research, verify, and analyze data from reliable public and/or private sources, and (5) report his or her analysis, opinions, and conclusions in this appraisal report.

INTENDED USE: The intended use of this appraisal report is for the lender/client to evaluate the property that is the subject of this appraisal for a mortgage finance transaction.

INTENDED USER: The intended user of this appraisal report is the lender/client.

DEFINITION OF MARKET VALUE: The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby: (1) buyer and seller are typically motivated; (2) both parties are well informed or well advised, and each acting in what he or she considers his or her own best interest; (3) a reasonable time is allowed for exposure in the open market; (4) payment is made in terms of cash in U. S. dollars or in terms of financial arrangements comparable thereto; and (5) the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions* granted by anyone associated with the sale.

*Adjustments to the comparables must be made for special or creative financing or sales concessions. No adjustments are necessary for those costs which are normally paid by sellers as a result of tradition or law in a market area; these costs are readily identifiable since the seller pays these costs in virtually all sales transactions. Special or creative financing adjustments can be made to the comparable property by comparisons to financing terms offered by a third party institutional lender that is not already involved in the property or transaction. Any adjustment should not be calculated on a mechanical dollar for dollar cost of the financing or concession but the dollar amount of any adjustment should approximate the market's reaction to the financing or concessions based on the appraiser's judgment.

STATEMENT OF ASSUMPTIONS AND LIMITING CONDITIONS: The appraiser's certification in this report is subject to the following assumptions and limiting conditions:

1. The appraiser will not be responsible for matters of a legal nature that affect either the property being appraised or the title to it, except for information that he or she became aware of during the research involved in performing this appraisal. The appraiser assumes that the title is good and marketable and will not render any opinions about the title.
2. The appraiser has provided a sketch in this appraisal report to show the approximate dimensions of the improvements. The sketch is included only to assist the reader in visualizing the property and understanding the appraiser's determination of its size.
3. The appraiser has examined the available flood maps that are provided by the Federal Emergency Management Agency (or other data sources) and has noted in this appraisal report whether any portion of the subject site is located in an identified Special Flood Hazard Area. Because the appraiser is not a surveyor, he or she makes no guarantees, express or implied, regarding this determination.
4. The appraiser will not give testimony or appear in court because he or she made an appraisal of the property in question, unless specific arrangements to do so have been made beforehand, or as otherwise required by law.
5. The appraiser has noted in this appraisal report any adverse conditions (such as needed repairs, deterioration, the presence of hazardous wastes, toxic substances, etc.) observed during the inspection of the subject property or that he or she became aware of during the research involved in performing the appraisal. Unless otherwise stated in this appraisal report, the appraiser has no knowledge of any hidden or unapparent physical deficiencies or adverse conditions of the property (such as, but not limited to, needed repairs, deterioration, the presence of hazardous wastes, toxic substances, adverse environmental conditions, etc.) that would make the property less valuable, and has assumed that there are no such conditions and makes no guarantees or warranties, express or implied. The appraiser will not be responsible for any such conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. Because the appraiser is not an expert in the field of environmental hazards, this appraisal report must not be considered as an environmental assessment of the property.
6. The appraiser has based his or her appraisal report and valuation conclusion for an appraisal that is subject to satisfactory completion, repairs, or alterations on the assumption that the completion, repairs, or alterations of the subject property will be performed in a professional manner.

Uniform Residential Appraisal Report

File # 10002000

APPRAISER'S CERTIFICATION: The Appraiser certifies and agrees that:

1. I have, at a minimum, developed and reported this appraisal in accordance with the scope of work requirements stated in this appraisal report.
2. I performed a complete visual inspection of the interior and exterior areas of the subject property. I reported the condition of the improvements in factual, specific terms. I identified and reported the physical deficiencies that could affect the livability, soundness, or structural integrity of the property.
3. I performed this appraisal in accordance with the requirements of the Uniform Standards of Professional Appraisal Practice that were adopted and promulgated by the Appraisal Standards Board of The Appraisal Foundation and that were in place at the time this appraisal report was prepared.
4. I developed my opinion of the market value of the real property that is the subject of this report based on the sales comparison approach to value. I have adequate comparable market data to develop a reliable sales comparison approach for this appraisal assignment. I further certify that I considered the cost and income approaches to value but did not develop them, unless otherwise indicated in this report.
5. I researched, verified, analyzed, and reported on any current agreement for sale for the subject property, any offering for sale of the subject property in the twelve months prior to the effective date of this appraisal, and the prior sales of the subject property for a minimum of three years prior to the effective date of this appraisal, unless otherwise indicated in this report.
6. I researched, verified, analyzed, and reported on the prior sales of the comparable sales for a minimum of one year prior to the date of sale of the comparable sale, unless otherwise indicated in this report.
7. I selected and used comparable sales that are locationally, physically, and functionally the most similar to the subject property.
8. I have not used comparable sales that were the result of combining a land sale with the contract purchase price of a home that has been built or will be built on the land.
9. I have reported adjustments to the comparable sales that reflect the market's reaction to the differences between the subject property and the comparable sales.
10. I verified, from a disinterested source, all information in this report that was provided by parties who have a financial interest in the sale or financing of the subject property.
11. I have knowledge and experience in appraising this type of property in this market area.
12. I am aware of, and have access to, the necessary and appropriate public and private data sources, such as multiple listing services, tax assessment records, public land records and other such data sources for the area in which the property is located.
13. I obtained the information, estimates, and opinions furnished by other parties and expressed in this appraisal report from reliable sources that I believe to be true and correct.
14. I have taken into consideration the factors that have an impact on value with respect to the subject neighborhood, subject property, and the proximity of the subject property to adverse influences in the development of my opinion of market value. I have noted in this appraisal report any adverse conditions (such as, but not limited to, needed repairs, deterioration, the presence of hazardous wastes, toxic substances, adverse environmental conditions, etc.) observed during the inspection of the subject property or that I became aware of during the research involved in performing this appraisal. I have considered these adverse conditions in my analysis of the property value, and have reported on the effect of the conditions on the value and marketability of the subject property.
15. I have not knowingly withheld any significant information from this appraisal report and, to the best of my knowledge, all statements and information in this appraisal report are true and correct.
16. I stated in this appraisal report my own personal, unbiased, and professional analysis, opinions, and conclusions, which are subject only to the assumptions and limiting conditions in this appraisal report.
17. I have no present or prospective interest in the property that is the subject of this report, and I have no present or prospective personal interest or bias with respect to the participants in the transaction. I did not base, either partially or completely, my analysis and/or opinion of market value in this appraisal report on the race, color, religion, sex, age, marital status, handicap, familial status, or national origin of either the prospective owners or occupants of the subject property or of the present owners or occupants of the properties in the vicinity of the subject property or on any other basis prohibited by law.
18. My employment and/or compensation for performing this appraisal or any future or anticipated appraisals was not conditioned on any agreement or understanding, written or otherwise, that I would report (or present analysis supporting) a predetermined specific value, a predetermined minimum value, a range or direction in value, a value that favors the cause of any party, or the attainment of a specific result or occurrence of a specific subsequent event (such as approval of a pending mortgage loan application).
19. I personally prepared all conclusions and opinions about the real estate that were set forth in this appraisal report. If I relied on significant real property appraisal assistance from any individual or individuals in the performance of this appraisal or the preparation of this appraisal report, I have named such individual(s) and disclosed the specific tasks performed in this appraisal report. I certify that any individual so named is qualified to perform the tasks. I have not authorized anyone to make a change to any item in this appraisal report; therefore, any change made to this appraisal is unauthorized and I will take no responsibility for it.
20. I identified the lender/client in this appraisal report who is the individual, organization, or agent for the organization that ordered and will receive this appraisal report.

Uniform Residential Appraisal Report

File # 10002000

21. The lender/client may disclose or distribute this appraisal report to: the borrower; another lender at the request of the borrower; the mortgagee or its successors and assigns; mortgage insurers; government sponsored enterprises; other secondary market participants; data collection or reporting services; professional appraisal organizations; any department, agency, or instrumentality of the United States; and any state, the District of Columbia, or other jurisdictions; without having to obtain the appraiser's or supervisory appraiser's (if applicable) consent. Such consent must be obtained before this appraisal report may be disclosed or distributed to any other party (including, but not limited to, the public through advertising, public relations, news, sales, or other media).

22. I am aware that any disclosure or distribution of this appraisal report by me or the lender/client may be subject to certain laws and regulations. Further, I am also subject to the provisions of the Uniform Standards of Professional Appraisal Practice that pertain to disclosure or distribution by me.

23. The borrower, another lender at the request of the borrower, the mortgagee or its successors and assigns, mortgage insurers, government sponsored enterprises, and other secondary market participants may rely on this appraisal report as part of any mortgage finance transaction that involves any one or more of these parties.

24. If this appraisal report was transmitted as an "electronic record" containing my "electronic signature," as those terms are defined in applicable federal and/or state laws (excluding audio and video recordings), or a facsimile transmission of this appraisal report containing a copy or representation of my signature, the appraisal report shall be as effective, enforceable and valid as if a paper version of this appraisal report were delivered containing my original hand written signature.

25. Any intentional or negligent misrepresentation(s) contained in this appraisal report may result in civil liability and/or criminal penalties including, but not limited to, fine or imprisonment or both under the provisions of Title 18, United States Code, Section 1001, et seq., or similar state laws.

SUPERVISORY APPRAISER'S CERTIFICATION: The Supervisory Appraiser certifies and agrees that:

1. I directly supervised the appraiser for this appraisal assignment, have read the appraisal report, and agree with the appraiser's analysis, opinions, statements, conclusions, and the appraiser's certification.
2. I accept full responsibility for the contents of this appraisal report including, but not limited to, the appraiser's analysis, opinions, statements, conclusions, and the appraiser's certification.
3. The appraiser identified in this appraisal report is either a sub-contractor or an employee of the supervisory appraiser (or the appraisal firm), is qualified to perform this appraisal, and is acceptable to perform this appraisal under the applicable state law.
4. This appraisal report complies with the Uniform Standards of Professional Appraisal Practice that were adopted and promulgated by the Appraisal Standards Board of The Appraisal Foundation and that were in place at the time this appraisal report was prepared.
5. If this appraisal report was transmitted as an "electronic record" containing my "electronic signature," as those terms are defined in applicable federal and/or state laws (excluding audio and video recordings), or a facsimile transmission of this appraisal report containing a copy or representation of my signature, the appraisal report shall be as effective, enforceable and valid as if a paper version of this appraisal report were delivered containing my original hand written signature.



APPRAISER
 Signature *C. C. Moore, Jr.*
 Name Collice Moore, Jr.
 Company Name State Certified General Appraiser
 Company Address 4300 Sapphire Court, Suite 116
Greenville, NC 27834
 Telephone Number 252-231-2588
 Email Address info@collicemoore.com
 Date of Signature and Report 02/05/2019
 Effective Date of Appraisal 10/01/2016
 State Certification # A6508
 or State License # _____
 or Other (describe) _____ State # _____
 State NC
 Expiration Date of Certification or License 06/30/2019

SUPERVISORY APPRAISER (ONLY IF REQUIRED)
 Signature _____
 Name _____
 Company Name _____
 Company Address _____
 Telephone Number _____
 Email Address _____
 Date of Signature _____
 State Certification # _____
 or State License # _____
 State _____
 Expiration Date of Certification or License _____

ADDRESS OF PROPERTY APPRAISED
294 Millbrook St
Greenville, NC 27834
APPRAISED VALUE OF SUBJECT PROPERTY \$ 75,000

LENDER/CLIENT
 Name Gloria Kesler
 Company Name City of Greenville
 Company Address Greenville, NC 27858
 Email Address _____

SUBJECT PROPERTY
 Did not inspect subject property
 Did inspect exterior of subject property from street
 Date of Inspection _____
 Did inspect interior and exterior of subject property
 Date of Inspection _____

COMPARABLE SALES
 Did not inspect exterior of comparable sales from street
 Did inspect exterior of comparable sales from street
 Date of Inspection _____

Uniform Residential Appraisal Report

File # 10002000

FEATURE	SUBJECT	COMPARABLE SALE # 4	COMPARABLE SALE # 5	COMPARABLE SALE # 6
Address	294 Millbrook St Greenville, NC 27834	1213 Cotanche St Greenville, NC 27858	101 Holliday Ct Greenville, NC 27834	
Proximity to Subject		1.58 miles NE	1.67 miles SW	
Sale Price	\$	\$ 68,000	\$ 82,500	\$
Sale Price/Gross Liv. Area	\$ 95.90 sq.ft.	\$ 57.87 sq.ft.	\$ 60.00 sq.ft.	\$ sq.ft.
Data Source(s)		FlexMLS#50122073;DOM 2	MLS#50122039;DOM 124	
Verification Source(s)		Public Record	Tax records/Deeds	
VALUE ADJUSTMENTS	DESCRIPTION	DESCRIPTION	+(-) \$ Adjustment	DESCRIPTION
Sales or Financing		ArmLth		Listing
Concessions		Conv;0		FHA;0
Date of Sale/Time		s11/15;c10/15		s04/16;c02/16
Location	N;Res;	N;Res;		N;Res;
Leasehold/Fee Simple	Fee Simple	Fee Simple		Fee Simple
Site	17000 sf	5227 sf	0	14811 sf
View	N;Res;	N;Res;		N;Res;
Design (Style)	DT1;Trad	DT1;Trad		DT1;ranch
Quality of Construction	Q4	Q4		Q4
Actual Age	30	85	+3,000	46
Condition	C3	C3		C3
Above Grade	Total Bdrms. Baths	Total Bdrms. Baths		Total Bdrms. Baths
Room Count	5 3 2.0	6 3 1.0	+1,000	6 3 1.1
Gross Living Area	1,121 sq.ft.	1,175 sq.ft.	0	1,375 sq.ft.
Basement & Finished Rooms Below Grade	Osf	Osf		Osf
Functional Utility	Average	Average		Average
Heating/Cooling	FWA/CAC	FWA/CAC		FWA/CAC
Energy Efficient Items	Thermal Doors	Thermal Doors		Thermal Doors
Garage/Carport	2dw	1cp1dw	-2,500	1dw
Porch/Patio/Deck	Stoop	Porch	0	Porch
Detached Storage	Storage Bldg	Similar	0	Similar
Net Adjustment (Total)		<input checked="" type="checkbox"/> + <input type="checkbox"/> - \$ 1,500	<input type="checkbox"/> + <input checked="" type="checkbox"/> - \$ -1,500	<input type="checkbox"/> + <input type="checkbox"/> - \$
Adjusted Sale Price of Comparables		Net Adj. 2.2% Gross Adj. 9.6% \$ 69,500	Net Adj. 1.8% Gross Adj. 3.0% \$ 81,000	Net Adj. % Gross Adj. % \$

SALES COMPARISON APPROACH

Report the results of the research and analysis of the prior sale or transfer history of the subject property and comparable sales (report additional prior sales on page 3).

ITEM	SUBJECT	COMPARABLE SALE # 4	COMPARABLE SALE # 5	COMPARABLE SALE # 6
Date of Prior Sale/Transfer	09/01/1992			
Price of Prior Sale/Transfer	\$48,500			
Data Source(s)	DB 383/355	Pitt Co. Public Record	Pitt Co. Public Record	
Effective Date of Data Source(s)	02/05/2019	02/05/2019	02/05/2019	

Analysis of prior sale or transfer history of the subject property and comparable sales. The subject nor Comparables report prior sales within a year of the effective date of this appraisal.

Analysis/Comments

ANALYSIS / COMMENTS

Supplemental Addendum

File No. 10002000

Borrower	Clinton and Shirley Smith						
Property Address	294 Millbrook St						
City	Greenville	County	Pitt	State	NC	Zip Code	27834
Lender/Client	City of Greenville						

• URAR: Site - Highest and Best Use

The subject site has few restrictions and the site meets all current requirements of the R6S zoning jurisdiction in Greenville. Single-family homes are allowed in this area, making the current use physically possible and maximally productive. The property is subject to typical local and state building code ordinances, regulations regarding the treatment of drainage, water and sewer, public road right-of-way access regulations, drainage, and utility easements, etc., as would be more accurately identified on a current as-built survey. No opinion of title has been performed or submitted for use with this report, and this is beyond the scope of the appraisal assignment and my level of expertise. To the best of my knowledge, I am unaware of any existing or proposed public or private restrictions which would adversely impact the use or marketability of the subject, and it is assumed none are present.

• URAR: Sales Comparison Analysis - Summary of Sales Comparison Approach

These Comparables are considered the best available in the local market area due to their age, locations, style, conditions, quality, etc.

No adjustments have been made for differences in site conditions. Even though there are differences in site areas and specific locations, the subject and comparables sites are basically similar regarding overall land value contribution and no adjustments are considered necessary.

Comparables 1 & 4 have been adjusted for dwelling size based on a factor of 10% applied to the comps price per square foot and then applied to the difference in size between the comps and the subject. The 10% adjustment is based in comparing a number of similar sales from within the subject's market area over the past year. These adjustments are derived based on this market area and have been applied based on size and for site areas independently. I have applied 10% to each of the Comparables price per square foot and multiplied that amount by the difference in square footage between each Comparable and the subject. The size adjustment is based on a 10% ratio of each of the Comparables price per square foot (not the same price per square foot for each adjustment). Comparables 2, 3, & 5 are similar to the subject regarding size.

Comparable 4 is significantly older than the subject. Therefore, this sale has been adjusted upward for age based on a difference in effective age from the subject of 3 years. The estimated total economic life expectancy of the subject is 60 years. This reveals an adjustment of 5% ($3/60=5\%$). The remaining comparables are considered similar to the subject regarding age.

The subject and the comparables differ regarding specific, porches/decks/patios, etc. However, any differences in these amenities are considered to offset due to overall similarity of form and function. Also, the comparables have been adjusted for car storage as deemed necessary.

After making all adjustments considered necessary, the range in adjusted sales prices from \$69,500 to \$81,000.

Subject Photo Page

Borrower	Clinton and Shirley Smith						
Property Address	294 Millbrook St						
City	Greenville	County	Pitt	State	NC	Zip Code	27834
Lender/Client	City of Greenville						



Subject Front

294 Millbrook St
Sales Price
Gross Living Area 1,121
Total Rooms 5
Total Bedrooms 3
Total Bathrooms 2.0
Location N;Res;
View N;Res;
Site 17000 sf
Quality Q4
Age 30



Subject Rear



Subject Street

Subject Photo Page

Borrower	Clinton and Shirley Smith				
Property Address	294 Millbrook St				
City	Greenville	County	Pitt	State	NC Zip Code 27834
Lender/Client	City of Greenville				



294 Millbrook St
Sales Price
Gross Living Area 1,121
Total Rooms 5
Total Bedrooms 3
Total Bathrooms 2.0
Location N;Res;
View N;Res;
Site 17000 sf
Quality Q4
Age 30



Interior Photos

Borrower	Clinton and Shirley Smith						
Property Address	294 Millbrook St						
City	Greenville	County	Pitt	State	NC	Zip Code	27834
Lender/Client	City of Greenville						



Comparable Photo Page

Borrower	Clinton and Shirley Smith						
Property Address	294 Millbrook St						
City	Greenville	County	Pitt	State	NC	Zip Code	27834
Lender/Client	City of Greenville						



Comparable 1

105 Burrington Rd
 Prox. to Subject 0.61 miles SE
 Sale Price 79,900
 Gross Living Area 1,321
 Total Rooms 9
 Total Bedrooms 4
 Total Bathrooms 2.0
 Location N;Res;
 View N;Res;
 Site 12632 sf
 Quality Q4
 Age 23



Comparable 2

98 Lancaster Dr
 Prox. to Subject 0.45 miles SE
 Sale Price 75,500
 Gross Living Area 1,086
 Total Rooms 6
 Total Bedrooms 3
 Total Bathrooms 2.0
 Location N;Res;
 View N;Res;
 Site 9148 sf
 Quality Q4
 Age 35



Comparable 3

203 Patrick St
 Prox. to Subject 0.85 miles NW
 Sale Price 76,000
 Gross Living Area 1,070
 Total Rooms 5
 Total Bedrooms 3
 Total Bathrooms 1.0
 Location N;Res;
 View N;Res;
 Site 17424 sf
 Quality Q4
 Age 53

Comparable Photo Page

Borrower	Clinton and Shirley Smith						
Property Address	294 Millbrook St						
City	Greenville	County	Pitt	State	NC	Zip Code	27834
Lender/Client	City of Greenville						



Comparable 4

1213 Cotanche St
 Prox. to Subject 1.58 miles NE
 Sale Price 68,000
 Gross Living Area 1,175
 Total Rooms 6
 Total Bedrooms 3
 Total Bathrooms 1.0
 Location N;Res;
 View N;Res;
 Site 5227 sf
 Quality Q4
 Age 85



Comparable 5

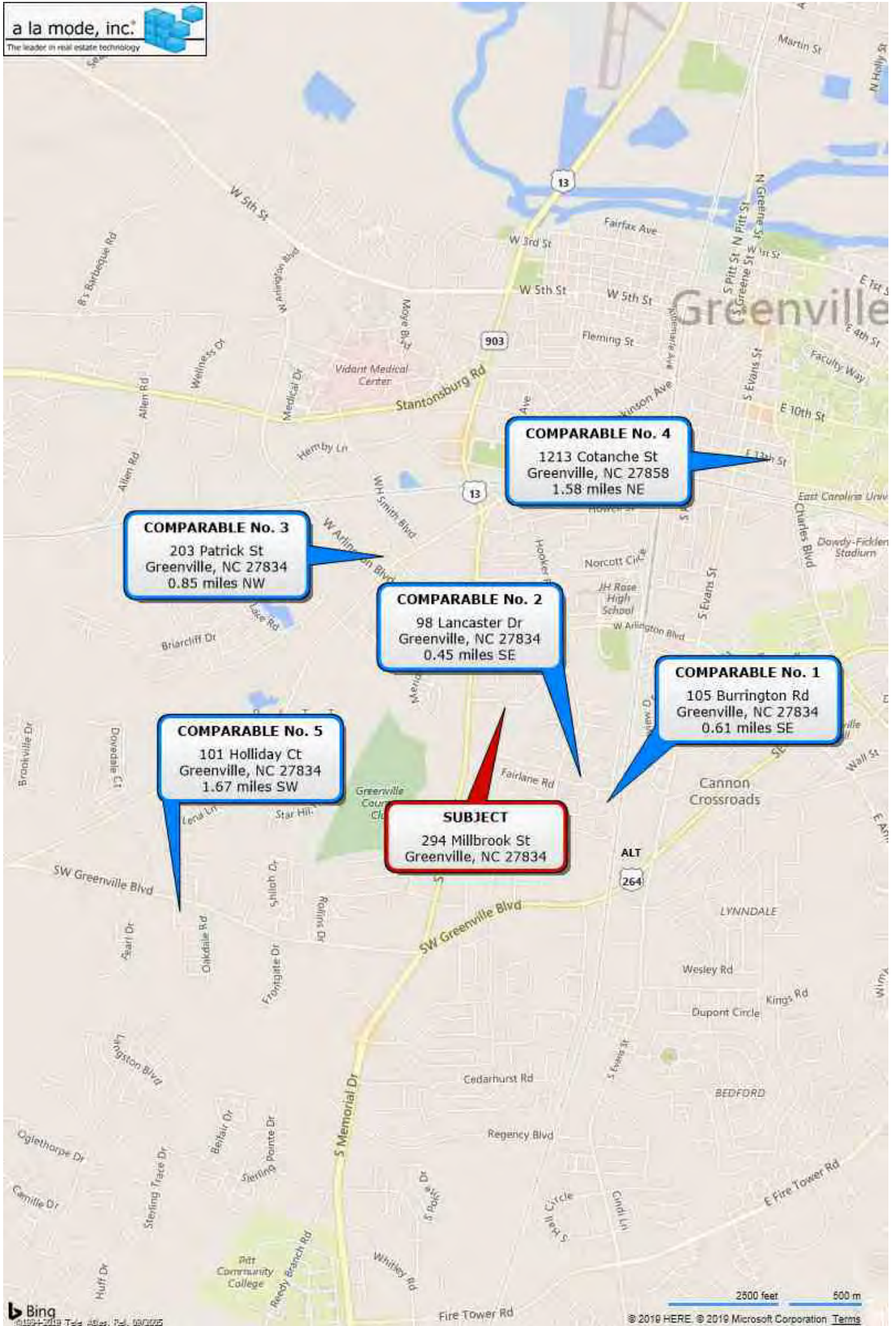
101 Holliday Ct
 Prox. to Subject 1.67 miles SW
 Sale Price 82,500
 Gross Living Area 1,375
 Total Rooms 6
 Total Bedrooms 3
 Total Bathrooms 1.1
 Location N;Res;
 View N;Res;
 Site 14811 sf
 Quality Q4
 Age 46

Comparable 6

Prox. to Subject
 Sale Price
 Gross Living Area
 Total Rooms
 Total Bedrooms
 Total Bathrooms
 Location
 View
 Site
 Quality
 Age

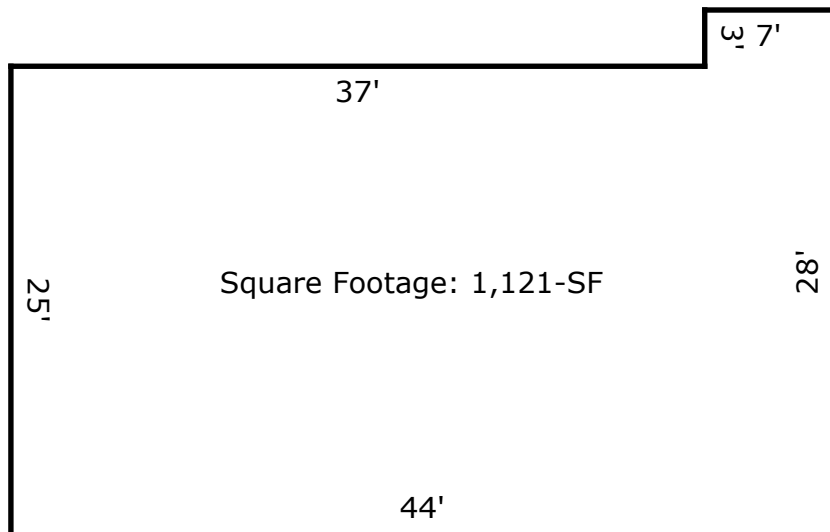
Comparable Sales Map

Borrower	Clinton and Shirley Smith			
Property Address	294 Millbrook St			
City	Greenville	County Pitt	State NC	Zip Code 27834
Lender/Client	City of Greenville			



Building Sketch

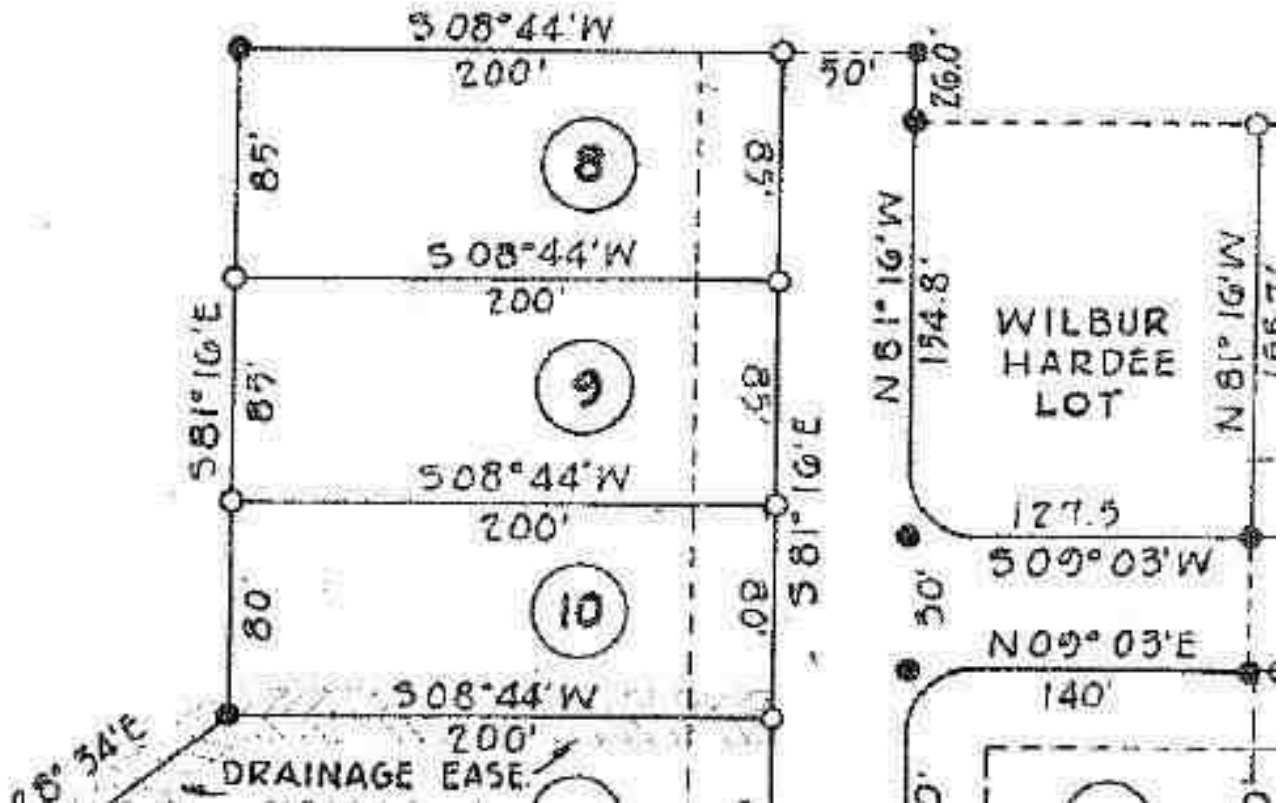
Borrower	Clinton and Shirley Smith				
Property Address	294 Millbrook St				
City	Greenville	County	Pitt	State	NC Zip Code 27834
Lender/Client	City of Greenville				



TOTAL Sketch by a la mode, inc.

Survey

BOOK 14 PAGE 78



Deed

97.00

BOOK 383 PAGE 355

~~BOOK 367 PAGE 100~~

STATE OF NORTH CAROLINA
Real Estate Excise Tax
97.00

FILED
ANNIE G. HOLDER
REGISTER OF DEEDS

'92 JUN 4 PM 4 11
PITTSBOROUGH, NC
Recording Time, Book and Page

Excise Tax

Tax Lot No. Parcel Identifier No.
Verified by County on the day of , 19
by

Mail after recording to Stephen F. Horne, II, P.A.

This instrument was prepared by Stephen F. Horne, II, P.A.

Brief description for the Index

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this day of May, 19 92, by and between

GRANTOR

GRANTEE

NORTH CAROLINA HOUSING FINANCE AGENCY

CLINTON E. SMITH AND WIFE,
SHIRLEY P. SMITH

Tax Card



Pitt County Tax Department

[Bill Search](#)
 [Special Assessment Search](#)
 [Delinquent Bill Search](#)
 [Property Search](#)

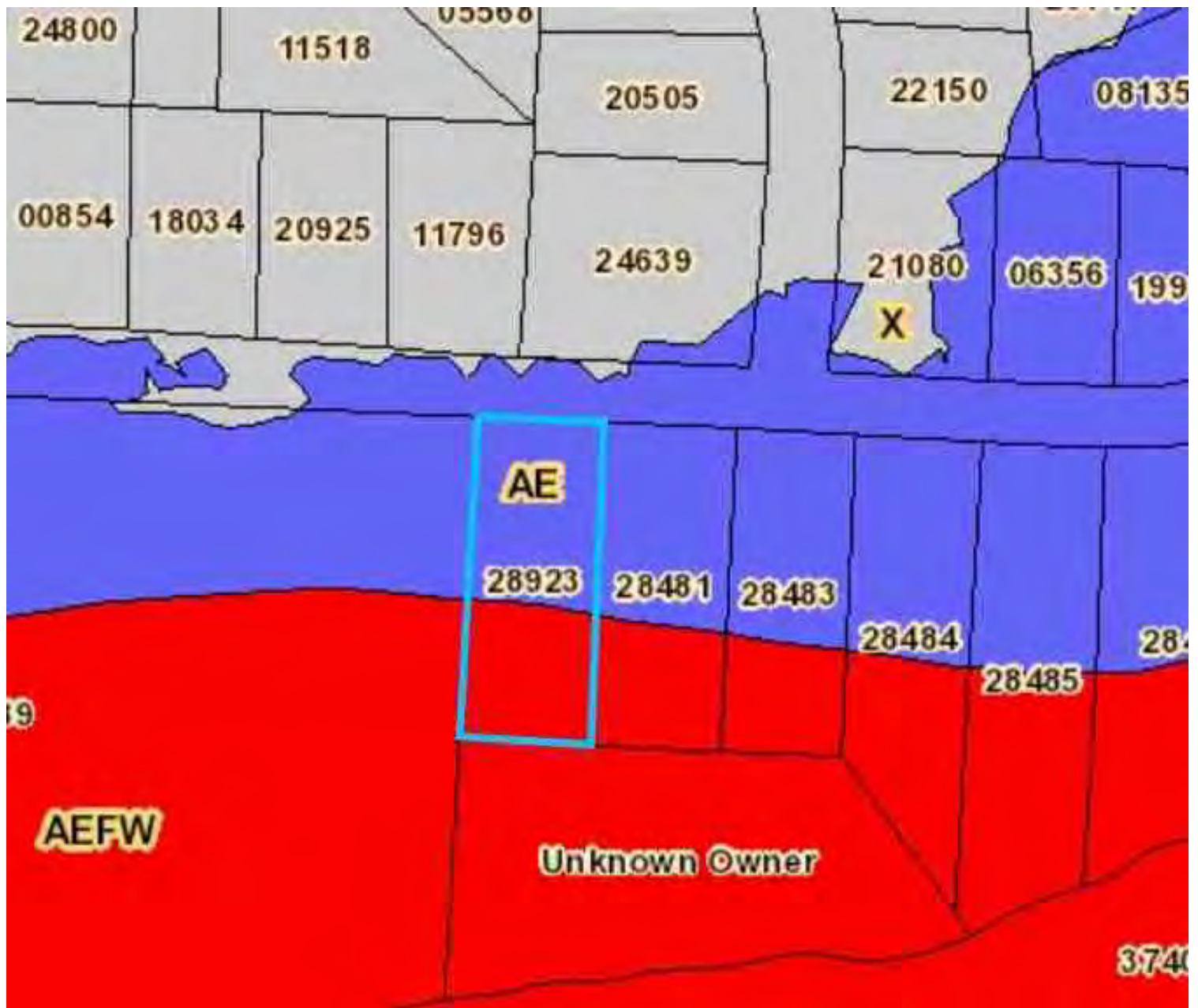
[Go To Abstract](#)
 [New Search](#)
 [Return](#)

Property Tax Collections Bill Detail

	SMITH, CLINTON E	Property Tax	Real Property
	SMITH, SHIRLEY P	Bill Status:	PAID
Description:	294 MILLBROOK ST(I8) BMDB14-78	Bill Flag:	
		Bill #:	0000325712-2016-2016-0000-00
		Old Bill #:	
Location:	294 MILLBROOK ST GREENVILLE NC 27834	Old Account #:	
		Due Date:	9/1/2016
		Interest Begins:	1/6/2017
Mailing Address:	294 MILLBROOK ST. GREENVILLE NC 27834-5648		
Parcel #:	0028923		
Lender:			

	Value	Rate	Tax Districts	Description	Amount
Real	\$55,063	.6860	PITT	Tax	\$377.73
Deferred	\$0		PITT	Single Family Solid Waste Fee	\$71.00
Use	\$55,063	.5200	GREENVILLE	Tax	\$286.33
Personal Exempt & Exclusion	\$0				
				Interest:	\$0.00
				Total Billed:	\$735.06
Total Assessed Value	\$55,063				

Pitt County GIS Floodplain Information



License

NORTH CAROLINA APPRAISAL BOARD
APPRAISER QUALIFICATION CARD
Expires June 30, 2019

REGISTRATION / LICENSE / CERTIFICATE HOLDER

18

COLLICE C MOORE JR

19

A6508

APPRAISER NUMBER

G

TYPE

Y

NATIONAL REGISTRY

CC Moore, Jr.

APPRAISER'S SIGNATURE

[Signature]

EXECUTIVE DIRECTOR



LIA Administrators & Insurance Services



**APPRAISAL AND VALUATION
PROFESSIONAL LIABILITY INSURANCE POLICY**

DECLARATIONS

ASPEN AMERICAN INSURANCE COMPANY

(A stock insurance company herein called the "Company")
175 Capitol Blvd, Suite 100
Rocky Hill, CT 06067

Date Issued	Policy Number	Previous Policy Number
09/17/2018	AAI007513-03	AAI007513-02

THIS IS A CLAIMS MADE AND REPORTED POLICY. COVERAGE IS LIMITED TO LIABILITY FOR ONLY THOSE CLAIMS THAT ARE FIRST MADE AGAINST THE INSURED DURING THE POLICY PERIOD AND THEN REPORTED TO THE COMPANY IN WRITING NO LATER THAN SIXTY (60) DAYS AFTER EXPIRATION OR TERMINATION OF THIS POLICY, OR DURING THE EXTENDED REPORTING PERIOD, IF APPLICABLE, FOR A WRONGFUL ACT COMMITTED ON OR AFTER THE RETROACTIVE DATE AND BEFORE THE END OF THE POLICY PERIOD. PLEASE READ THE POLICY CAREFULLY.

Item

<p>1. Customer ID: 168988 Named Insured: MOORE, COLLICE PROPERTIES Collice Clyde Moore, Jr. 4300 Sapphire Court, Suite 116 Greenville, NC 27858</p>	
<p>2. Policy Period: From: 12/02/2018 To: 12/02/2019 12:01 A.M. Standard Time at the address stated in 1 above.</p>	
<p>3. Deductible: \$1,000 Each Claim</p>	
<p>4. Retroactive Date: 12/02/2016</p>	
<p>5. Inception Date: 12/02/2016</p>	
<p>6. Limits of Liability: A. \$1,000,000 Each Claim B. \$1,000,000 Aggregate</p>	
<p>7. Mail all notices, including notice of Claim, to: LIA Administrators & Insurance Services 1600 Anacapa Street Santa Barbara, California 93101 (800) 334-0652; Fax: (805) 962-0652</p>	
<p>8. Annual Premium: \$1,436.00</p>	
<p>9. Forms attached at issue: LIA002 (12/14) LIA NC (02/16) LIA NC NOT (11/15) LIA012 (12/14) LIA013 (10/14) LIA018 (10/14) LIA021NC (02/16) LIA023 (10/14) LIA025A (11/14) LIA122 (10/14) LIA140 (10/14)</p>	

This Declarations Page, together with the completed and signed Policy Application including all attachments and exhibits thereto, and the Policy shall constitute the contract between the Named Insured and the Company.

09/17/2018
Date
LIA-001 (12/14)

By 
Authorized Signature
Aspen American Insurance Company

USPAP Compliance Addendum

Loan #
File # 10002000

Borrower	Clinton and Shirley Smith		
Property Address	294 Millbrook St		
City	Greenville	County Pitt	State NC Zip Code 27834
Lender/Client	City of Greenville		

APPRAISAL AND REPORT IDENTIFICATION

This Appraisal Report is one of the following types:

Appraisal Report This report was prepared in accordance with the requirements of the Appraisal Report option of USPAP Standards Rule 2-2(a).

Restricted Appraisal Report This report was prepared in accordance with the requirements of the Restricted Appraisal Report option of USPAP Standards Rule 2-2(b). The intended user of this report is limited to the identified client. This is a Restricted Appraisal Report and the rationale for how the appraiser arrived at the opinions and conclusions set forth in the report may not be understood properly without the additional information in the appraiser's workfile.

ADDITIONAL CERTIFICATIONS

I certify that, to the best of my knowledge and belief:

- The statements of fact contained in this report are true and correct.
- The report analyses, opinions, and conclusions are limited only by the reported assumptions and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- I have no (or the specified) present or prospective interest in the property that is the subject of this report and no (or specified) personal interest with respect to the parties involved.
- I have no bias with respect to the property that is the subject of this report or the parties involved with this assignment.
- My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- My analyses, opinions, and conclusions were developed and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.
- This appraisal report was prepared in accordance with the requirements of Title XI of FIRREA and any implementing regulations.

PRIOR SERVICES

I have NOT performed services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.

I HAVE performed services, as an appraiser or in another capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment. Those services are described in the comments below.

PROPERTY INSPECTION

I have NOT made a personal inspection of the property that is the subject of this report.

I HAVE made a personal inspection of the property that is the subject of this report.

APPRAISAL ASSISTANCE

Unless otherwise noted, no one provided significant real property appraisal assistance to the person signing this certification. If anyone did provide significant assistance, they are hereby identified along with a summary of the extent of the assistance provided in the report.

ADDITIONAL COMMENTS

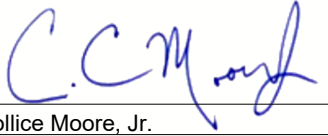
Additional USPAP related issues requiring disclosure and/or any state mandated requirements:

MARKETING TIME AND EXPOSURE TIME FOR THE SUBJECT PROPERTY

A reasonable marketing time for the subject property is 30 day(s) utilizing market conditions pertinent to the appraisal assignment.

A reasonable exposure time for the subject property is 60 day(s).

APPRAISER

Signature 

Name Collice Moore, Jr.

Date of Signature 02/05/2019

State Certification # A6508

or State License # _____

State NC

Expiration Date of Certification or License 06/30/2019

Effective Date of Appraisal 10/01/2016



SUPERVISORY APPRAISER (ONLY IF REQUIRED)

Signature _____

Name _____

Date of Signature _____

State Certification # _____

or State License # _____

State _____

Expiration Date of Certification or License _____

Supervisory Appraiser Inspection of Subject Property

Did Not Exterior-only from Street Interior and Exterior

Appraisal Review

Client

This appraisal review is a desk review made for the sole and exclusive use of the Housing Division of the City of Greenville. It is not to be distributed to or relied upon by any third parties for any purpose, whatsoever.

Property Identification

The subject property is identified as Tax Parcel 28923 located at 294 Millbrook Street, Greenville, North Carolina. The property is a single family residence that was flooded in 2016 when Hurricane Matthew struck the area. It is valued prior to the damage caused by the hurricane.

Tax Parcel: 28923 (Total Tax Value = \$54,573) The tax value is based on mass appraisal techniques and is seldom reflective of market value.

Property Owner: Smith, Clinton E. and Shirley P.

Appraiser: Collice Moore, Jr.

Property Rights Appraised: Fee Simple

Recommended Value: **\$75,000.** My analyses indicate that the appraiser's final value conclusion of \$75,000 tends toward the lower end, but is within the range of values indicated by the comparable sales.

Effective Date of Appraisal: October 1, 2016 (Retroactive Value)

Effective Date of Review: February 14, 2019

Review Appraiser: S. Ann McRoy, MAI, ARA

The purpose of this review is to determine the completeness and accuracy of the data in an appraisal report and to verify the accuracy of the market value estimate as of the effective date of the original appraisal. The appraisal review must address all factual, judgmental, and appraisal technique discrepancies. This review is a spot check on the original appraisal report and is not intended to be used as a new appraisal. The following items were analyzed in the appraisal review process:

**Appraisal Review Report
Single-Family Residential Property
294 Millbrook Street
Greenville, North Carolina**

- The appraisers' overall description of the neighborhood is adequate.
- The appraisers' overall description of the site is adequate.
- The appraisers' overall description of the improvements is adequate.
- The design and appeal, age, and quality of construction of the subject building improvements are similar to others in the market area. I agree with the appraiser's description and assessment of the improvements.
- The comparable sales used in this report are representative of the subject market. My survey found no sales that are more similar in size and condition or more appropriate than the ones cited in the appraisal.
- The date of sale and sales price can be confirmed through the data sources indicated by the appraiser. The comparable sales data and computations appear to be accurate. The adjustments appear to be reasonable and necessary.
- The comparable sales are closed or settled sales as of the effective date of the appraisal.
- The appraisal is acceptable and the estimate of market value for the subject property is reasonable as of the effective date of the appraisal. As stated previously, the appraiser's value conclusion is at the lower end of the indicated range. Nevertheless, the retrospective value estimate provided is reasonable.

Recommended Value \$75,000

I certify that I have no present or contemplated future interest in the subject property. In addition, this report was prepared in conformity with the Uniform Standards of Professional Appraisal Practice.

S. Ann McRoy, MAI, ARA

February 14, 2019

Date

DEFINITION OF MARKET VALUE: The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby: (1) buyer and seller are typically motivated; (2) both parties are well informed or well advised, and each acting in what they consider their own best interest; (3) a reasonable time is allowed for exposure in the open market; (4) payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and (5) the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

SCOPE OF REVIEW: The scope of this review is limited to the information being provided by the original appraiser, and is to form an opinion as to the apparent adequacy and relevance of the data and the propriety of any adjustments to the data; form an opinion as to the appropriateness of the appraisal methods and techniques used and develop the reasons for any disagreement; form an opinion as to whether the analyses, opinions, and conclusions in the report under review are appropriate and reasonable, and develop the reasons for any disagreement.

CERTIFICATION AND STATEMENT OF LIMITING CONDITIONS

CERTIFICATION: The reviewer certifies and agrees that, to the best of his/her knowledge and belief:

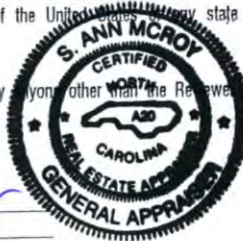
1. The facts and data reported by the Reviewer and used in the review process are true and correct.
2. The analyses, opinions, and conclusions in this review report are limited only by the assumptions and limiting conditions stated in this review report, and are my personal, unbiased professional analyses, opinion, and conclusions.
3. Unless stated elsewhere, I have no present or prospective interest in the property that is the subject of this report and I have no personal interest or bias with respect to the parties involved.
4. My compensation is not contingent on an action or event resulting from the analyses, opinions, or conclusions in, or the use of, this review report.
5. My analyses, opinions, and conclusions were developed and this review report was prepared in conformity with the Uniform Standards of Professional Appraisal Practice.
6. Unless stated elsewhere in this report, I did not personally inspect the exterior subject property.
7. No one provided significant professional assistance to the person signing this review report.

CONTINGENT AND LIMITING CONDITIONS: The certification of the Reviewer appearing in the review report is subject to the following conditions and to such other specific and limiting conditions as are set forth by the Reviewer in the review report.

1. The Reviewer assumes no responsibility for matters of a legal nature affecting the property which is the subject of this review or the title thereto, nor does the Reviewer render an opinion as to the title, which is assumed to be good and marketable.
2. The Reviewer is not required to give testimony or appear in court because of having made the review, unless arrangements have been previously made therefor.
3. The Reviewer assumes that there are no hidden or unapparent conditions of the property, subsoil, or structures, which would render it more or less valuable. The Reviewer assumes no responsibility for such conditions, or for engineering which might be required to discover such factors.
4. Information, estimates, and opinions furnished to the Reviewer, and contained in the review report, were obtained from sources considered reliable and believed to be true and correct. However, no responsibility for accuracy of such items furnished the Reviewer can be assumed by the Reviewer.
5. Disclosure of the contents of the report is governed by the Uniform Standards of Professional Appraisal Practice and the Bylaws and Regulations of the professional appraisal organizations with which the Reviewer is associated.
6. Neither all, nor any part of the content of the review report, or copy thereof (including the conclusions of the review, the identity of the Reviewer, professional designations, reference to any professional appraisal organizations, or the firm with which the Reviewer is connected), shall be used for any purpose by anyone but the client specified in the review report, its successors and assigns, professional appraisal organizations, any state or federally approved financial institution, any department, agency, or instrumentality of the United States, any state or the District of Columbia, without the previous written consent and approval of the Reviewer.
7. No change of any item in the review report shall be made by anyone other than the Reviewer, and the Reviewer shall have no responsibility for any such unauthorized change.

Reviewer's Signature: S. Ann McRoy

Reviewer's Name: S. Ann McRoy





City of Greenville, North Carolina

Meeting Date: 3/25/2019
Time: 6:00 PM

Title of Item: Resolution Accepting Dedication of Rights-of-Way and Easements for Parkside Bluffs Section 2, Phase 1A, Lot 4 and Blackwood Ridge - Phase One

Explanation: **Abstract:** This item proposes a resolution to accept the dedication of rights-of-way and easements for Parkside Bluffs Section 2, Phase 1A, Lot 4 and Blackwood Ridge - Phase One.

Explanation: In accordance with the City's Subdivision regulations, rights-of-way and easements have been dedicated for Parkside Bluffs Section 2, Phase 1A, Lot 4 (Map Book 82 at Page 135); Blackwood Ridge - Phase One (Map Book 81 at Page 141). A resolution accepting the dedication of the aforementioned rights-of-way and easements is attached for City Council consideration. The final plat showing the rights-of-way and easements is also attached.

Fiscal Note: Funds for the maintenance of these rights-of-way and easements are included within the fiscal year 2018-2019 budget.

Recommendation: City Council adopt the attached resolution accepting dedication of rights-of-way and easements for Parkside Bluffs Section 2, Phase 1A, Lot 4 and Blackwood Ridge - Phase One.

ATTACHMENTS:

- ▣ **March_2019_Right_of_Way_Resolution_1103619**
- ▣ **Parkside Bluffs Map**
- ▣ **Blackwood Ridge Phase One**

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

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

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

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

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

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

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

Parkside Bluffs Section 2, Phase 1A, Lot 4	Map Book 83	Page 135
Blackwood Ridge – Phase One	Map Book 81	Page 141

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 25th day of March, 2019.

P. J. Connelly, Mayor

ATTEST:

Carol L. Barwick, City Clerk

#1103619

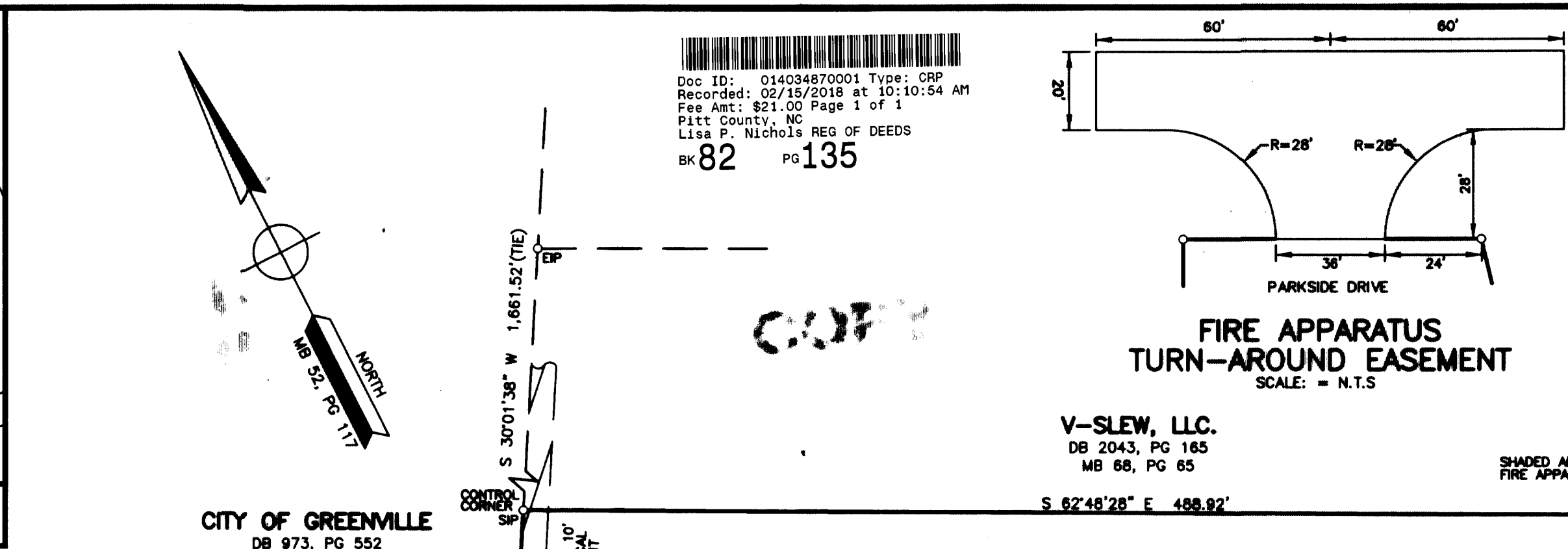
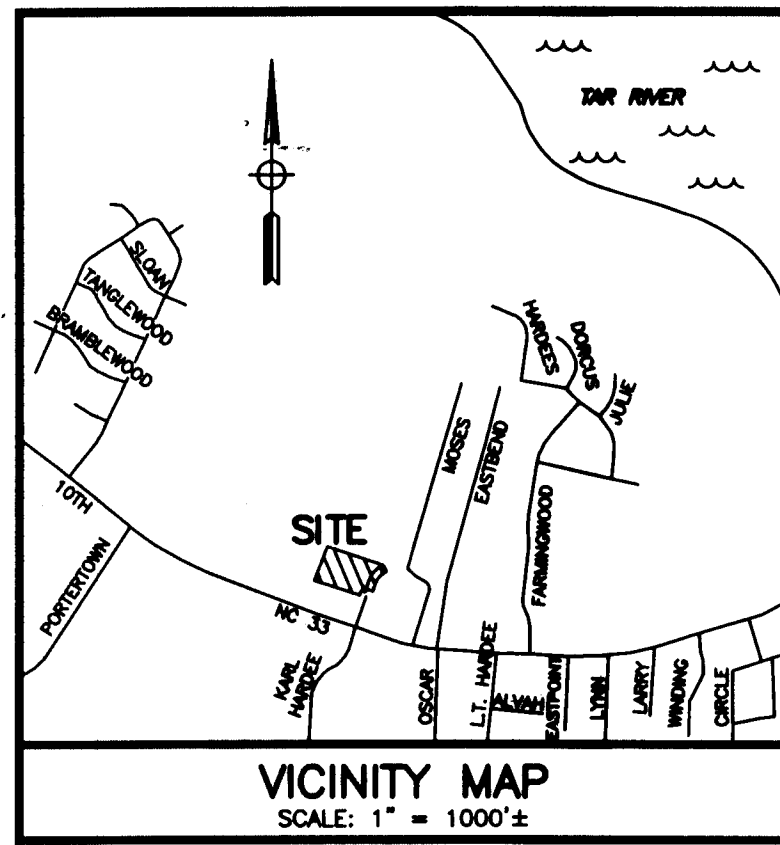
NORTH CAROLINA
PITT COUNTY

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

WITNESS my hand and official seal this the 25th day of March, 2019.

Notary Public

My Commission Expires:



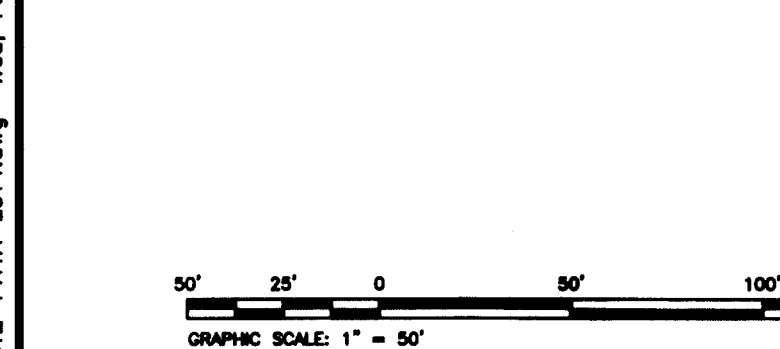
SITE DATA

TOTAL AREA	3.322 ACRES
NUMBER OF LOTS CREATED	1
AREA IN COMMON AREA	0
AREA IN PARKS, RECREATION AREAS, CEMETERIES AND THE LIKE	0

- GENERAL NOTES**
- ALL AREAS CALCULATED BY COORDINATE GEOMETRY.
 - THIS MAP IS A SURVEY THAT CREATES A SUBDIVISION OF LAND WITHIN A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.
 - THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. REF: FIRM 3720580700J, 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 ENCROACH WITHIN ANY DEDICATED EASEMENT WITHOUT PRIOR WRITTEN APPROVAL FROM THE CITY OF GREENVILLE.
 - IRON PIPES SET AT ALL CORNERS UNLESS OTHERWISE NOTED.
 - REFERENCE: DEED BOOK 2043, PAGE 165 AND MAP BOOK 68, PAGE 65 OF THE PITT COUNTY REGISTER OF DEEDS.

LEGEND

EIP	=	EXISTING IRON PIPE
EIS	=	EXISTING IRON STAKE
SIP	=	SET IRON PIPE
R/W	=	RIGHT-OF-WAY
B/B	=	BACK OF CURB TO BACK OF CURB
CH	=	CHORD
R	=	RADIUS
L	=	LENGTH
EX	=	EXISTING
PC	=	POINT OF CURVATURE
PT	=	POINT OF TANGENCY



A PORTION OF TAX PARCEL #10412
TAX MAP #5607-32-5198
FINAL PLAT

SHEET 1 OF 1

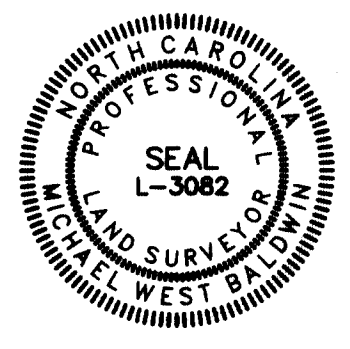
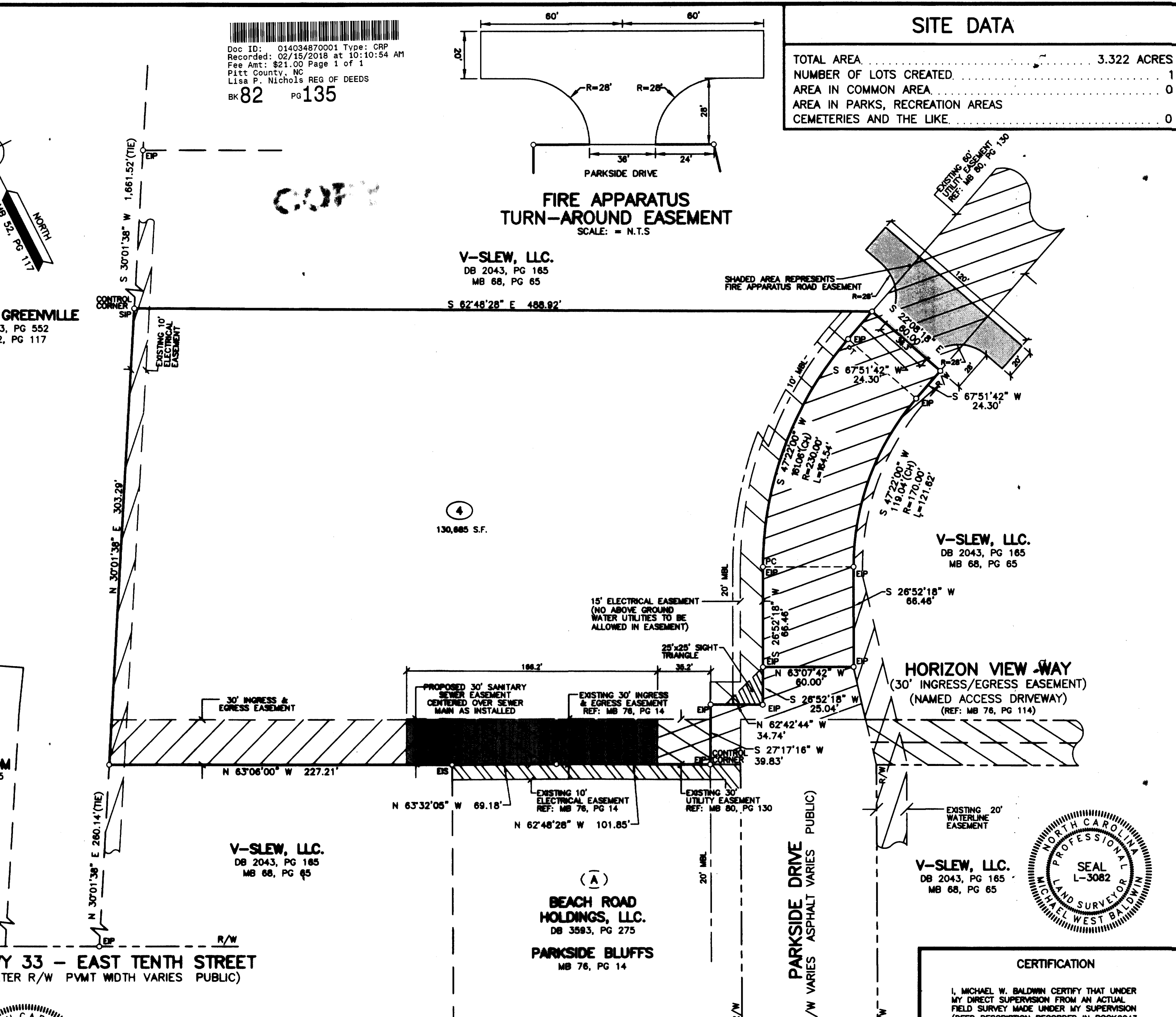
PARKSIDE BLUFFS
SECTION 2, PHASE 1A, LOT 4

REFERENCE: DEED BOOK 2043, PAGE 165
OF THE PITT COUNTY REGISTER OF DEEDS

GREENVILLE, GRIMESLAND TOWNSHIP, PITT COUNTY, NORTH CAROLINA

OWNER: V-SLEW, LLC
ADDRESS: 1528 EVANS STREET ANNEX 2
GREENVILLE, N.C. 27834
PHONE: 252-355-6622

	SURVEYED: XX	APPROVED: MWB
	DRAWN: JGG	DATE: 10/10/17
	CHECKED: MWB	SCALE: 1" = 50'
	NC 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 2043, PAGE 165, 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 G.S. 17-30 AS AMENDED. WITNESS MY HAND AND SEAL THIS 10th DAY OF OCTOBER, 2017.

SIGNED:

REGISTRATION NO. L-3082

SOURCE OF TITLE

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

DEED BOOK 2043 PAGE 165
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 10th DAY OF February, 2017.

NOTARY PUBLIC
MY COMMISSION EXPIRES: 03/28/19

APPROVAL

THIS FINAL PLAT NO. 18-04 WAS APPROVED BY THE SUBDIVISION REVIEW BOARD IN ACCORDANCE WITH TITLE 9, CHAPTER 5 OF THE GREENVILLE CITY CODE THE 14th DAY OF FEBRUARY, 2018.

SIGNED:

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:

ATTEST:

REVIEW OFFICER'S CERTIFICATE

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

REVIEW OFFICER DATE 2/15/18

SITE DATA

AREA IN TOTAL TRACT.....17.6351 ACRES
 NUMBER OF LOTS CREATED.....26
 AREA IN COMMON AREA.....3.6790 ACRES
 AREA IN PARKS, RECREATION AND THE LIKE.....0.00 ACRES

NOTES:

- 1) THE DESIGNATION NOTED OVER WATER, SANITARY SEWER, GAS OR ELECTRIC LINES ARE LINES FOR THE PURPOSE OF ESTABLISHING THE 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) THIS PROPERTY IS NOT LOCATED WITHIN A 100 YEAR FLOOD PLAIN AS PER FEMA PANEL NUMBER 3720468500K, DATED JULY 7, 2014.
- 3) 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 ENCRANCH WITHIN ANY DEDICATED EASEMENT WITHOUT PRIOR WRITTEN APPROVAL OF THE CITY OF GREENVILLE.
- 4) THE WETLAND DELINEATION WAS COMPLETED BY ENVIRONMENTAL AND SOIL SERVICE INC. AND WAS APPROVED BY THE US ARMY CORPS OF ENGINEERS USACE ACTION ID NO SAW-2015-00326 BY KYLE BARNES DATED 4/02/2015.
- 5) MAINTENANCE OF COMMON AREA BY HOME OWNERS ASSOCIATION.
- 6) ALL EASEMENTS ARE CENTERED ON UTILITIES AS INSTALLED.

Doc ID: 013813760001 Type: CRP
 Recorded: 05/08/2017 at 08:55:19 AM
 Fee Amt: \$21.00 Page 1 of 1
 Pitt County, NC
 Lisa P. Nichols REG OF DEEDS
 BK 81 PG 141

FARRINGTON
 M.B. 62, PG. 61

FAITH ASSEMBLY
 CHURCH OF GOD, INC.
 D.B. 828, PG. 816

LILA W. MOYE
 D.B. 665, PAGE 283
 TRACT 4
 MB 28, P. 293

BLACKWOOD, PARROTT & ROBERSON, LLC
 D.B. 3380, PG. 280

LOT CURVE DATA				WETLANDS		
NAME	RADIUS	LENGTH	DIRECTION	CHORD LENGTH	WETLANDS LINE "A"	WETLANDS LINE "B"
C-1	38.00'	40.55'	N 64°31'22"E	38.65'	L-1	N 46°08'40"W
C-2	162.00'	12.16'	S 87°03'22"E	12.15'	L-2	N 26°00'59"W
C-3	317.15'	53.52'	S 84°23'21"E	53.46'	L-3	N 15°24'07"W
C-4	138.00'	14.77'	S 76°29'20"E	14.76'	L-4	N 14°38'05"W
C-5	580.00'	16.93'	S 74°15'35"E	16.93'	L-5	N 27°49'51"W
C-6	580.00'	96.78'	S 79°23'34"E	96.67'	L-6	N 33°52'53"W
C-7	580.00'	96.78'	S 89°26'12"E	96.67'	L-7	N 21°41'42"E
C-8	580.00'	96.78'	N 81°00'11"E	96.67'		
C-9	580.00'	95.93'	N 71°29'05"E	95.82'		
C-10	25.00'	37.20'	S 70°37'25"E	33.86'		
C-11	175.00'	11.13'	N 29°48'58"W	11.13'		
C-12	125.00'	7.95'	N 29°48'58"W	7.95'		
C-13	25.00'	37.20'	N 14°38'09"E	33.86'		
C-14	580.00'	73.75'	N 53°37'22"E	73.70'		
C-15	120.00'	140.39'	N 83°29'43"E	132.53'		
C-16	180.00'	57.93'	N 72°12'35"W	57.68'		
C-17	180.00'	83.41'	S 85°17'41"W	82.67'		
C-18	180.00'	69.24'	S 60°59'58"W	68.81'		
C-19	520.00'	56.53'	S 53°05'40"W	56.50'		
C-20	25.00'	41.80'	N 75°53'33"W	37.10'		
C-21	175.00'	50.15'	N 19°47'05"W	49.98'		
C-22	175.00'	93.56'	N 03°44'27"E	92.45'		
C-23	25.00'	34.66'	N 58°46'21"E	31.95'		
C-24	59.50'	47.67'	N 73°32'01"E	46.41'		
C-25	59.50'	51.70'	N 27°41'12"E	50.09'		
C-26	59.50'	25.19'	N 09°20'00"W	25.00'		
C-27	59.50'	54.67'	N 47°46'58"W	52.77'		
C-28	59.50'	66.04'	S 74°05'47"W	62.71'		
C-29	59.50'	24.13'	S 30°40'39"W	23.97'		
C-30	225.00'	61.57'	S 11°13'04"W	61.38'		
C-31	225.00'	90.49'	S 08°08'37"E	89.88'		
C-32	225.00'	32.71'	S 23°49'46"E	32.68'		
C-33	25.00'	41.80'	S 19°54'17"W	37.10'		
C-34	520.00'	125.34'	S 74°42'30"W	125.03'		
C-35	520.00'	133.01'	S 88°56'28"W	132.64'		
C-36	520.00'	93.55'	N 78°34'38"W	93.43'		
C-37	138.00'	12.41'	N 70°50'52"W	12.40'		
C-38	365.76'	62.68'	N 73°10'52"W	62.60'		
C-39	162.00'	19.27'	N 81°29'55"W	19.26'		
C-40	38.00'	19.55'	N 70°10'10"W	19.33'		
C-41	4.50'	14.14'	N 05°05'36"E	9.00'		
C-42	4.50'	14.14'	S 05°05'36"W	9.00'		

LINE DATA		
NAME	BEARING	DISTANCE
L-1	S 84°54'24"E	54.14'
L-2	N 84°54'24"W	54.14'

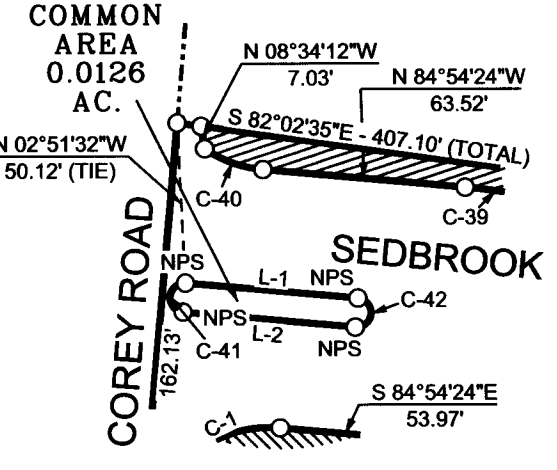
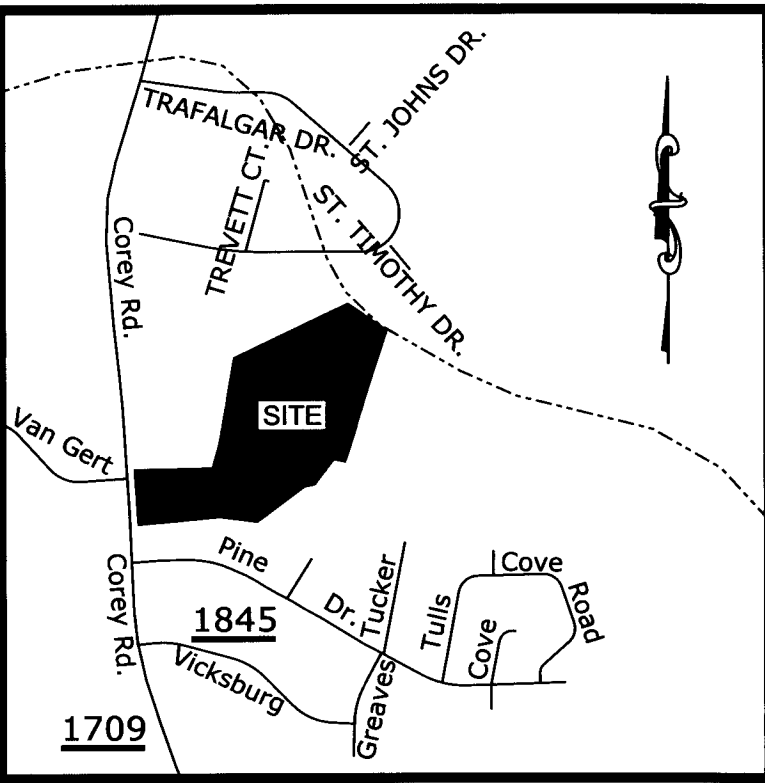
FAITH ASSEMBLY
 CHURCH OF GOD, INC.
 D.B. 828, PG. 816

VARIABLE WIDTH
 DRAINAGE EASEMENT
 (A MINIMUM OF 20'
 FROM TOP OF BANK
 OF EXISTING DITCH)

COMMON AREA
 0.2055 AC.

NCSR 1709 - COREY ROAD
 (70' PUBLIC R/W - PVMT. VARIES)

VICINITY MAP
 1"=1000'



LEGEND

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

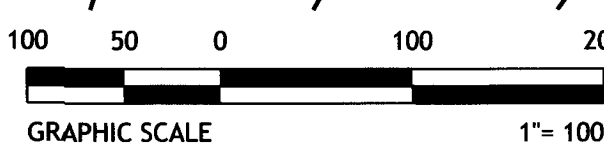
SHEET 1 OF 1

MAP FOR RECORD

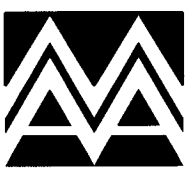
BLACKWOOD RIDGE - PHASE ONE

A PORTION OF THE PROPERTY RECORDED IN DEED BOOK 3380, PAGE 280 AND MAP BOOK 28, PAGE 293 OF THE PITT COUNTY REGISTRY

GREENVILLE WINTERVILLE TOWNSHIP PITT COUNTY NORTH CAROLINA



OWNER: BLACKWOOD, PARROTT & ROBERSON, LLC
 ADDRESS: P.O. BOX 20157 GREENVILLE, NC 27858
 PHONE: (252) 531-5824



MALPASS & ASSOCIATES
 (NC LICENSE NUMBER C-1289)
 1645 E. ARLINGTON BLVD., SUITE D
 GREENVILLE, N.C. 27858
 (252) 756-1780

SURVEYED: CEP APPROVED: CEP
 DRAWN: WCO DATE: 08/29/16
 CHECKED: CEP SCALE: 1"= 100'

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 REGISTRY AT GREENVILLE, NORTH CAROLINA IS:

DEED BOOK 3380 PAGE 280
 DEED BOOK PAGE
 NC REGISTRATION NUMBER L-2980

OWNER'S STATEMENT

THIS IS EVIDENCE THAT THIS SUBDIVISION WAS MADE AT THE REQUEST OF

OWNER SWORN AND SUBSCRIBED BEFORE ME THIS 4th DAY OF May, 2017.
 William C. Oving's
 NOTARY PUBLIC
 MY COMMISSION EXPIRES: 01/18/2022

APPROVAL

THIS FINAL PLAT NUMBER 17-24 WAS APPROVED BY THE SUBDIVISION REVIEW BOARD IN ACCORDANCE WITH TITLE 9, CHAPTER 5 OF THE GREENVILLE CITY CODE ON THE 4th DAY OF April, 2017.
 SIGNED: M. J. [Signature]
 CITY PLANNER

DEDICATION

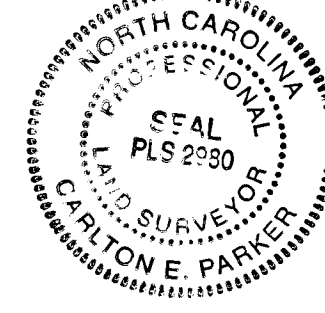
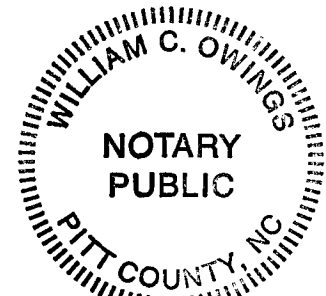
THE UNDERSIGNED HEREBY ACKNOWLEDGE(S) THIS PLAT AND ALLOTMENT TO BE HIS FREE ACT AND DEED, AND HEREBY DEDICATES TO PUBLIC USE AS STREETS, PARKS, PLAYGROUNDS, OPEN SPACES AND EASEMENTS FOREVER, ALL AREAS AS SHOWN OR AS INDICATED ON SAID PLAT.
 SIGNED: [Signature]
 ATTEST: William C. Oving's

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

CARLTON E. PARKER

I, CARLTON E. PARKER CERTIFY THAT THIS MAP WAS DRAWN BY ME OR UNDER MY SUPERVISION FROM AN ACTUAL SURVEY BY ME OR UNDER MY SUPERVISION, THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000+; THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION AS SHOWN ON PLAT. THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS

5th DAY OF MAY A.D., 2017.
 CARLTON E. PARKER L-2980
 REVIEW OFFICER OF PITT COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED, MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.
 REVIEW OFFICER DATE





City of Greenville, North Carolina

Meeting Date: 3/25/2019
Time: 6:00 PM

Title of Item: Master Right-of-Way Encroachment Agreement with Cebridge Acquisition, L.P.

Explanation: **Abstract:** The City has received a request from Cebridge Acquisition, L.P., to encroach over and upon the public street right-of-ways of the City for installation, operation, and maintenance of communication facilities.

Explanation: For City Council's consideration is the Master Right of Way Encroachment Agreement setting out the terms by which Cebridge Acquisition, L.P., can encroach over and upon the public street rights-of-ways of the City. Cebridge Acquisition, L.P. is the parent company of Suddenlink Communications. Staff takes no exception to this request. Road opening permits will still be required before work in the rights-of-way is undertaken. Prior to the installation of new facilities within the rights-of-way, construction plans are to be submitted and approved.

Fiscal Note: No fiscal impact is anticipated with this action.

Recommendation: City Council approve the right-of-way encroachment agreement permitting Cebridge Acquisition, L.P., to encroach over and upon the public street right-of-ways of the City for installation, operation, and maintenance of communication facilities.

ATTACHMENTS:

- ☐ Agreement

-----[SPACE ABOVE THIS LINE IS RESERVED FOR RECORDATION DATA]-----

STATE OF NORTH CAROLINA
COUNTY OF PITT

Prepared by: City of Greenville
Mail to: City of Greenville PWD
PO Box 7207
Greenville, NC 27834

Master Rights of Way Encroachment Agreement

THIS AGREEMENT made and entered into this the ____ of _____, ____ by and between the **CITY OF GREENVILLE**, a municipal corporation created under the laws of the State of North Carolina, P.O. Box 7207, Greenville, NC 27835, party of the first part and hereinafter referred to as the “City”, **Cebridge Acquisition, L.P.** Corporation authorized to do business in North Carolina, party of the second part, and hereinafter referred to as “**PERMITTEE.**”

W I T N E S S E T H

WHEREAS, PERMITTEE, party of the second part, desires to encroach upon the public rights of way of the public streets within the corporate limits of the City of Greenville for the installation, operation, and maintenance of a communications Facilities; and

WHEREAS, it is to the material advantage of PERMITTEE to effect this encroachment, and the CITY, in the exercise of authority conferred upon it by North Carolina General Statute § 160A-296, is willing to permit the encroachment within specific locations within the City public rights of way of the public streets within the corporate limits of Greenville as approved by the Director of Public Works, subject to the terms and conditions of this Agreement, the provisions of the Code of Ordinances, City of Greenville, North Carolina; and

NOW, THEREFORE, in consideration of the execution of this Agreement by the City, the benefits flowing to PERMITTEE , and the covenants and agreements herein contained with respect to the obligations of PERMITTEE hereunder, the CITY does hereby give and grant unto PERMITTEE the right and privilege to make the encroachment as shown on all permits to construct the encroachment, subject to the conditions contained in this Agreement; and

TO HAVE AND TO HOLD said encroachment rights under this Agreement unto PERMITTEE, provided, however, that PERMITTEE performs and abides by the covenants and agreements herein contained.

The covenants and agreements by and between the CITY and PERMITTEE as a part of the consideration for this encroachment agreement are as follows:

SECTION 1. DEFINITIONS

For the purposes of this agreement the following terms, phrases, words and their derivations shall have the meaning given herein unless otherwise defined by Federal or State law. When not inconsistent with the context, words used in the present tense include the future; words in the plural number include the singular number. The word "shall" is mandatory and "may" is permissive. Words not defined shall be given their common and ordinary meaning.

Communications Services means all services that PERMITTEE is authorized to provide under Law.

GUC means Greenville Utilities Commission.

Facilities includes, without limitation, cables, conduits, converters, splice boxes, cabinets, handholds, manholes, vaults, equipment, surface location markers, utility poles, appurtenances, and related facilities to be located by the PERMITTEE in the Public Rights of Way of the CITY and used or useful for the provision of communications services it is authorized by law to provide.

NCDOT means North Carolina Department of Transportation.

LAW means any local, state or federal legislative, judicial or administrative order, certificate, decision statute, constitution, ordinance, resolution, regulation, rule, tariff, guideline or other requirement, as amended, now in effect or subsequently enacted or issued during the term of this Agreement, including, but not limited to, the Communications Act of 1934, as amended by the Telecommunications Act of 1996, Pub.L. No. 104-104, 110 Stat. 70, codified at 47 U.S.C., and all orders, rules, tariffs, guidelines and regulations issued by the Federal Communications Commission or the North Carolina Utilities Commission pursuant thereto.

PUBLIC RIGHTS OF WAY or PUBLIC WAY means the surface, the airspace above the surface and the area below the surface of any public street, highway, lane, path, alley, sidewalk, boulevard, drive, bridge, tunnel, park, parkway, waterway, utility easement hereafter held by the City or other public rights of way now or which shall entitle the CITY and PERMITTEE to the use thereof for the purpose of installing and maintaining Facilities owned by the Permittee. No reference herein to the "public way" shall be deemed to be a representation or guarantee by the CITY that its title to any property is sufficient to permit its use for such purpose, and PERMITTEE shall, by its use of such terms, be deemed to gain only such rights to use property in the CITY as the CITY may have the undisputed right and power to give or as granted by Federal or State law.

STATE means the State of North Carolina.

SECTION 2. GENERAL PROVISIONS

- a. **Use of Public Rights of Way.** For the purpose of installation, operation and maintenance of Facilities PERMITTEE may erect, install, construct, repair, replace, reconstruct and retain in, on, over, under, upon, across and along the public streets and ways within the corporate limits of Greenville such cables, conduits, splice boxes, cabinets, hand holes, manholes, vaults, equipment, surface location markers, and other appurtenances as are necessary to the operation of the Facilities provided, however, that, subject to applicable Law, PERMITTEE shall comply with all design, construction, safety, and performance provisions contained in this Agreement and other applicable local ordinances. The PERMITTEE accepts the City right-of-way "as is" and "where is" and assumes all risks related to the use. The City is not liable for any damage to Facility Equipment due to an event causing damage to the Facility Equipment except where such damage is caused by the sole negligence or willful misconduct of the City.
- b. **Location of Public Rights of Way and Existing Utilities.** It is the responsibility of PERMITTEE to determine the location of the public rights of way and utilities located thereof and to show the same on construction drawings. PERMITTEE shall notify other utility owners and provide protection and safeguards to prevent damage or interruption to existing facilities and to maintain accessibility to existing utilities. Cost to repair, restore, or relocate existing facilities due to this encroachment shall be the responsibility of PERMITTEE. To the extent applicable, PERMITTEE agrees to fully comply with Underground Utility Safety and Damage Prevention Act, Article 8A of Chapter 87 of the NCGS.
- c. **Use of Areas Outside the Public Rights of Way.** This Agreement only covers the encroachment over and upon the public rights of way of the public streets maintained by the CITY within the corporate limits of Greenville. PERMITTEE shall secure all necessary easements, permits, permission, or approval for encroachment or other use of property outside the CITY maintained right of ways. Upon request, PERMITTEE shall provide to the CITY documentation of the above mentioned easements, permits, permissions and encroachments or use of properties outside the public street rights of way maintained by the CITY.
- d. **Police Powers.** PERMITTEE's rights are subject to the police powers of the CITY to adopt and enforce ordinances for the health, safety and welfare of the public to extent allowed by law. Subject to applicable law, PERMITTEE shall comply with all applicable general laws and ordinances enacted by the CITY pursuant to that power (for instance, City's noise ordinance).
- e. **E-verify.** If this agreement is subject to NCGS § 143-133.3, the PERMITTEE and its subcontractors shall comply with the requirements of Article 2 of Chapter 64 of the NCGS.
- f. **Permittee acknowledges that City may impose a right-of-way charge to the extent permitted by law.**

SECTION 3. TERM

Term. The term of this Agreement is twenty (20) years (the "First Term"). At the end of the First Term, the Agreement shall automatically renew for successive one-year terms unless terminated by either party as provided herein or unless superseded by a new or amended agreement. Notwithstanding the foregoing, the grant of Permission to encroach shall become void, and this Agreement terminated, if the Applicant does not begin installation of the Facilities within one (1) year of the date of this Agreement (unless mutually agreed upon in writing by the parties) and thereafter diligently pursue installation to completion.

SECTION 4. CONSTRUCTION AND TECHNICAL STANDARDS

- a. Compliance with Construction and Technical Standards. PERMITTEE shall construct, install and maintain its Facilities in an orderly and workmanlike manner and in a manner consistent with all laws, City ordinances, construction standards, current technological standards and governmental requirements, which standards are incorporated by reference herein.
- b. Tree Trimming Plan for Overhead Lines. After approval by the CITY of the Facilities, PERMITTEE shall submit to the CITY a tree trimming plan if required by the Director of Public Works for review and approval by the City Arborist.
- c. Structural Engineering Analysis. If PERMITTEE's Facilities include a pole or other structure that is proposed to support Small Wireless Facilities, the Permittee shall submit a structural engineering analysis by a North Carolina registered professional engineer certifying that the pole or other structure that is proposed to support the Small Wireless Facility Equipment can reasonably support the proposed Small Wireless Facility Equipment considering the conditions of the street and the anticipated hazards from traffic to be encountered at the location. The Permittee shall inspect the City right-of-way on which the Permittee's Small Wireless Facility Equipment will be placed and shall base its determination of the suitability of the City right-of-way for Permittee's purposes on such inspection, on a structural engineering analysis by a North Carolina registered professional engineer certifying that the pole or other structure that is proposed to support the Small Wireless Facility Equipment can reasonably support the proposed Small Wireless Facility Equipment considering the conditions of the street and the anticipated hazards from traffic to be encountered at the location.
- d. Approval of Construction Plans. Prior to the placement or installation of any part of the PERMITTEE's facilities within public rights of way, PERMITTEE shall first submit to the Director of Public Works a Construction Plan, sealed by a Professional Engineer and/or Land Surveyor licensed in the State, including a concise description of the facilities proposed to be erected or installed, specifications, engineering drawings, and detailed plans indicating the proposed location of all such facilities and their relationship with existing utilities including the location of the right of way and all above and below ground structures located within the right of way. All permits issued by the City shall become part of this agreement.
- e. Pole Attachment. PERMITTEE shall provide the CITY with written verification of PERMITTEE's right to attach to poles along the path of the fiber optic cable when said poles are to be utilized, and that there is sufficient clearance for attachment.
- f. Identification of Facilities. All above ground structures shall be marked to identify the owner of the structure and emergency contact for the same.
- g. NCDOT Approval. PERMITTEE shall submit to the CITY written verification of approval of the PERMITTEE's final construction plans from the North Carolina Department of Transportation (NCDOT) where NCDOT right of ways are involved, and evidence of the coordination of construction with other utilities along PERMITTEE's facilities route. No placement or installation of any part of the PERMITTEE'S facilities shall be commenced by any person until construction permits and written approval has been issued by the Director of Public Works; provided further, that such permits and approval shall not be unreasonably withheld and action thereon shall be taken within a reasonable period of time as allowed by law.

- h. PERMITTEE shall provide the following to the Director of Public Works at least three (3) working days before the start of construction.
- (1) Application for a Right-of-Way Excavation & Restoration Permit
 - (2) Proposed schedule of operations.
 - (3) The name(s) and phone numbers of the project contact person(s).
 - (4) Tree trimming plan for overhead lines.
- i. Traffic Control Plan. PERMITTEE shall submit with the original application and coordinate with the City Traffic Engineer, a traffic control plan prepared in accordance with the Manual on Uniform Traffic Control Devices and amendments or supplements thereto (MUTCD) as published by the Federal Highway Administration at least forty eight (48) hours prior to the start of construction. PERMITTEE shall install and maintain all traffic control devices in accordance with the plan and MUTCD. Street or lane closures shall be limited to the hours between 8:30AM and 4:30 PM, Monday-Friday or as approved by the CITY Traffic Engineer.
- j. Record Drawings. Within sixty (60) days after the completion of any construction activities of the Facilities within the encroachment areas, PERMITTEE shall provide to the Director of Public Works copies of the record drawings, being two (2) printed copies along with a PDF file of the same, and a digital version compatible with ESRI GIS software.
- k. Requirement for Underground Installations. All installations that can practicably be placed underground shall be underground where feasible and shall be underground in those areas of the CITY where all utilities serving the area are underground at the time of installation. In areas where other utility facilities are above ground at the time of installation, PERMITTEE may install its service above ground on such facilities. All cables shall be installed, where possible, parallel with electric and telephone lines. Multiple cable configurations shall be arranged in parallel and bundled with due respect for engineering considerations. At such time as all utilities and cable serving the area are required to be placed underground by the CITY or are placed underground, PERMITTEE shall likewise place its services underground without cost to the CITY.
- l. Applicable Standards. PERMITTEE shall at all times comply with the (1) applicable Federal, State and local regulations; and (2) the standards as set forth in this Agreement.
- m. Interference with Persons, Improvements, Public and Private Property and Utilities. PERMITTEE's Facilities shall be located, erected and maintained so that such system shall:
- (1) Not endanger or interfere with the health, safety or lives of persons;
 - (2) Not interfere with the utilization of the right of way by the CITY or utilization by the GUC of the right of way or facilities maintained by GUC;
 - (3) Not interfere with the free and proper use of public streets, alleys, bridges, easements or other public ways, places or property, except to the minimum extent possible during actual construction, repair or removal;
 - (4) Not interfere with the rights and reasonable convenience of private property owners, except to the minimum extent possible during actual construction, repair or removal; and

- (5) Not obstruct, hinder or interfere with any gas, electric, water or other utilities, cable, telecommunication or telephone facilities located within the CITY.

n. Excavation and Work in Public Streets; Application; Restoration; Damage.

- (1) Prior to the start of any permitted work under this agreement, the PERMITTEE shall make application for a Right-of-Way Excavation and Restoration Permit.
- (2) PERMITTEE shall install the cable by directional boring. PERMITTEE may excavate or disturb pavement, curb, gutters, sidewalks, driveways, or other surfacing in or on any street, right-of-way, or public place as necessary for directional boring. Manholes and handholes shall not be visible in residential areas unless approved by the Director of Public Works who may require a route change. If authorized in writing by the Director of Public Works, sidewalks may be excavated for the placement of manholes and handholes.
- (3) Excavations or borings made by PERMITTEE under the public streets, rights-of-way or public places of the CITY, pursuant to this Agreement, shall be made in compliance with the ordinances and regulations of the CITY in effect at the time of such excavation.
- (4) Prior to any excavation in or boring under the public streets or rights-of-way of the CITY, PERMITTEE shall notify all utilities that may be affected by such excavation in or boring under the street, rights-of-way or property upon which the work is to be done, and the nature of the work to be performed. Additionally, the services of North Carolina One-Call may be used to notify its member utilities.
- (5) In situations deemed by the PERMITTEE to constitute an emergency involving a danger to the public health, safety and welfare, PERMITTEE shall notify the Director of Public Works of the nature and the location and of the potential hazard.
- (6) During the installation, repair or removal of PERMITTEE's facilities in or on any street, right of way or public place, PERMITTEE agrees to provide at all times proper signs, signal lights, flagmen, barricades, and other warning devices for the protection of pedestrian and vehicular traffic in conformance with the approved Traffic Control Plan and MUTCD.
- (7) PERMITTEE shall exercise due care in the operation, installation, alteration, repair or removal of its system. If any utility or property of the CITY or GUC, real or personal, is damaged, impaired or destroyed as a result of either the negligent or intentional acts of PERMITTEE, its employees, agents or persons operating under its direction, supervision or control, PERMITTEE shall be liable to the CITY for such damages, including but not limited to the cost to repair or replace the utility or property.
- (8) Immediately after PERMITTEE installs or repairs its system, PERMITTEE shall refill any excavations according to the technical specifications of the CITY. PERMITTEE shall restore and replace landscaping destroyed, disturbed, or damaged by such work in accordance with the technical specifications of the CITY and subject to the inspection of the Director of Public Works.
- (9) If the installation, alteration, repair or removal of the facilities in or on any street, right of way or public place requires the temporary removal of bricks, grates, trees or other property or

materials belonging to the CITY, PERMITTEE shall, until such materials are reinstalled, and in the exercise of due care, store said property or materials in a safe place satisfactory to the CITY to minimize the risk of damage or theft.

- (10) PERMITTEE shall preserve and protect all trees and shrubbery located within the streets, rights of way, and public places of the CITY from damage by PERMITTEE. PERMITTEE shall comply with the regulations of the CITY concerning the preservation and protection of trees and shrubs. PERMITTEE shall pay to the CITY the cost of treating, removing and replacing any tree or shrub on the streets, rights-of-way and public places of the CITY which has been damaged or destroyed as a result of the work of PERMITTEE.
- (11) Whenever the CITY, GUC, or NCDOT, or their successors or assigns, within the exercise of reasonable police power, for the benefit of the public safety, plan to widen, modify, close, relocate, grade or regrade any public street, sidewalk, or other public way, in, along, under or across, which PERMITTEE shall have installed any of its facilities, it shall be the duty of PERMITTEE, upon reasonable notice by the proper authority, and at no cost to the CITY, GUC, or NCDOT to remove or relocate as necessary its facilities.
- (12) PERMITTEE shall, on the request of any person holding a building moving permit issued by the CITY, temporarily raise or lower its lines to permit the moving of buildings. The expense of such temporary removal, raising or lowering of lines shall be paid by the person requesting the same, and PERMITTEE shall have the authority to require such payment in advance. PERMITTEE shall be given not less than fifteen (15) working days advance notice to arrange for such temporary line changes.
- (13) All necessary easements over and under private property, or encroachments upon NCDOT rights of ways, or railroad rights of way shall be acquired by PERMITTEE. The CITY neither promises nor contracts to obtain or acquire rights of way for the construction, installation, maintenance or operation of the PERMITTEE's system. PERMITTEE shall provide the CITY upon demand and within fifteen (15) days written verification of NCDOT's approval for the facility which encroaches upon NC's rights of way and owner approval for encroachments along any railroad or other rights of way or on private property.
- (14) Any damage to PERMITTEE's encroaching structure caused by the CITY's or GUC's use of its rights of way for construction or maintenance work in the ordinary course of its business, shall be borne by PERMITTEE except where such damage is caused by the sole negligence or willful misconduct of the City.
- (15) Removal and Abandonment.
 - a) If this Agreement is terminated and if PERMITTEE has no other legal right to keep its facilities in place, PERMITTEE agrees to promptly vacate and remove its above-ground facilities at its own expense, provided that the Director of the Department of Public Works may, at that time, agree in writing, upon the written request of PERMITTEE to allow abandonment of some or all of its above-ground facilities in place, if PERMITTEE will transfer ownership of any abandoned facilities to the City. PERMITTEE may abandon underground facilities in place.

- b) Should any removal or abandonment of facilities in place be approved by the Director of Public Works, PERMITTEE shall thereafter apply for and obtain any necessary permits.
- c) If any portion of the above-ground facilities covered under this Agreement are no longer used by the PERMITTEE, or are abandoned for a period in excess of 180 days, the PERMITTEE shall notify the CITY and shall vacate and remove the facilities at its own expense within a reasonable time.

SECTION 5. EMERGENCY CONTACTS

- a. Coordination of Emergency Events: In case of an emergency, CITY will act to protect the public health and safety of its citizens and to protect public and private property, notwithstanding any provision in this Agreement. In the event addressing the emergency impacts the Permittee's Facility Equipment, the CITY will make every reasonable effort to coordinate its emergency response with the PERMITTEE. PERMITTEE shall post on all Small Wireless Facility poles the emergency contact information of the Permittee.
- b. Notice of Changes: Permittee will keep emergency contact information current, and provide the Director of Public Works with information as to changes within a reasonable time.
- c. Response to Network Emergency: In case of a network emergency, Permittee may access its Facilities without first obtaining a permit to disturb the City right-of-way provided Permittee has conducted network trouble-shooting and diagnostic tests and has reasonably identified the point or points of network failure or malfunction. While acting under this provision to address a network emergency, Permittee shall conduct its activities within the City right-of-way in such a manner as to protect public and private property. Permittee will make every reasonable effort to coordinate its emergency response with the City. To that end, prior to entering the City right-of-way, Permittee will contact the Director and give notice to City of the network emergency and an estimated time period to address the situation.

SECTION 6. TRANSFER OF OWNERSHIP OR CONTROL

- a. No transfer of ownership or control of the facility shall occur unless approved by the CITY. A transfer of ownership or control of the facility shall comply with all applicable Federal, State and Local Laws. The PERMITTEE shall promptly notify the CITY of its intent to transfer ownership or control of the facility and shall provide the CITY with a true copy of all the documents relating to ownership transfer. The transferee is required to accept this Agreement and all of its terms, provisions, and any amendments at the time of transfer. Performance bond and letter of credit, insurance are required from the transferee before the transfer is complete. Notification to the CITY shall be as outlined herein. Notwithstanding anything herein to the contrary, PERMITTEE shall be permitted to transfer ownership and control of its facilities to any other entity with which it is affiliated through ownership (for example, a corporate parent, a subsidiary, or a subsidiary of a corporate parent) providing that such other entity undertakes all the obligations of PERMITTEE under this Agreement.
- b. Grant of Third Party Rights. Notwithstanding any provision in this Agreement to the contrary, the CITY agrees and acknowledges that PERMITTEE shall have the right to grant to third parties

indefeasible rights of use and/or a right to use its facilities, which are subject to the rights that have been granted to PERMITTEE under this Agreement and that such actions by PERMITTEE shall not constitute a transfer of ownership or control of the facilities or require the prior approval by the CITY.

- c. **Restoration of Property.** In removing its facilities, PERMITTEE shall not excavate or disturb pavement, curb, gutters, sidewalks, driveways, or other surfaces in or on any street, right-of-way or public place. PERMITTEE shall refill, at its own expense, any excavation and boring that shall be made by it and shall leave all public ways and places in as good a condition or better as that prevailing prior to PERMITTEE's removal of its facilities without affecting the electrical, television, telephone or other telecommunication cable, wires or attachments or the utilities. The CITY shall inspect and approve the condition of the public ways and public places and cables, wires, attachments, and poles after removal. The liability, indemnity, insurance, performance bond and letter of credit as provided herein shall continue in full force and effect during the period of removal until full compliance by PERMITTEE with the terms and conditions of this paragraph and this Agreement.
- d. **Restoration by CITY; Reimbursement of Costs.** In the event of a failure by PERMITTEE to complete any work required by c. above, or any other work required by CITY ordinance within the time as may be established and to the satisfaction of the CITY, the CITY may cause such work to be done and PERMITTEE shall reimburse the CITY the cost thereof within fifteen (15) days after receipt of an itemized list of such costs or the CITY may recover such costs through the performance bond provided by PERMITTEE. The CITY shall be permitted to seek legal and equitable relief to enforce the provisions of this section.

SECTION 7. PERFORMANCE BOND, LETTER OF CREDIT, INSURANCE, AND INDEMNIFICATION.

a. Performance Bond or Letter of Credit.

- (1) At the time this Agreement is accepted, PERMITTEE shall deliver to the CITY:
 - a) Letter of credit issued by a federally-insured banking institution in the amount of one hundred thousand dollars (\$100,000) or
 - b) Performance bond issued by a surety licensed in North Carolina in the amount of \$100,000

The bond or letter of credit shall be a security fund. Failure to timely obtain, file and maintain said bond or letter of credit shall constitute a substantial violation within the meaning of this section.

- (2) The security fund shall serve as security for:
 - a) The faithful performance by PERMITTEE of all the terms and conditions of the Agreement;
 - b) Any expenditure, damage or loss incurred by the CITY occasional by PERMITTEE's unexcused or uncured failure to comply with all lawful rules, regulations, orders, permits and other directives of the CITY issued pursuant to this Agreement; and

- c) The payment by PERMITTEE of all liens and taxes, and all damages, claims, costs or expenses which the CITY has been compelled to pay or incur by reason of any act or default of PERMITTEE, and all other payments due the CITY from PERMITTEE pursuant to this Agreement.
 - d) The costs and expenses incurred by the CITY as a result of PERMITTEE's abandonment of the Facility at any time during the term of the Agreement or any extension thereto; or
- (3) If PERMITTEE fails to repay to the CITY any damages, costs or expenses which the CITY shall be compelled to pay by reason of any act or default of PERMITTEE in connection with this Agreement, the CITY may then demand payment from the security fund.
 - (4) The letter of credit shall be issued to the City of Greenville and shall be made payable upon a draft submitted by the CITY and accompanied by the written statement of an appropriately authorized official for the CITY that payment is due the CITY under the terms of this Agreement as a result of a default by PERMITTEE. The CITY shall be the beneficiary under the performance bond. PERMITTEE shall not use the security fund for other purposes and shall not assign, pledge or otherwise use this security fund as security for any purpose. During the term of the Agreement, the letter of credit shall be maintained in the amount of one hundred thousand dollars (\$100,000), or the performance bond shall be maintained in the amount of one hundred thousand dollars (\$100,000).

b. Insurance.

- (1) All Certificates of Insurance must be furnished before work begins. A Certificate of Insurance (COI) must be issued by an authorized representative of the insurance carrier(s). Certificates of Insurance must have the Insurance Company name and NAIC number clearly identified.
- (2) PERMITTEE shall immediately advise the CITY of any litigation arising out of this Agreement that may develop that would affect this insurance.
- (3) Neither the provisions of this section nor any damages recovered by the CITY hereunder, shall be construed or limit the liability of PERMITTEE under the Agreement or for damages.
- (4) Permittee shall provide at least 30 days' prior written notice to City of cancellation or non-renewal of any required coverage that is not replaced.
- (5) All insurance policies provided under the provisions of this ordinance or the Agreement shall be written by companies authorized to do business in the State of North Carolina and approved by the State Commissioner of Insurance.
- (6) Permittee shall include the City of Greenville as an Additional Insured to the General Liability and Automobile Liability policies including those of its subcontractors while working hereunder.

(7) **Commercial General Liability:**

Limits:

Each Occurrence:	\$1,000,000
General Aggregate Limit	\$2,000,000
Products and Completed Operations Aggregate	\$2,000,000

The form of coverage must be the ISO CG 00 01 policy or equivalent as approved by the State of North Carolina Department of Insurance. Certificates evidencing ongoing completed operations coverage shall be provided for at least two years following the termination or expiration of this Agreement.

(8) **Commercial Automobile Liability:**

Limits:

\$1,000,000 combined single limit.

The City of Greenville must be added as an Additional Insured on the Commercial Auto Liability policy.

(9) **Workers' Compensation Insurance:**

Limits:

Workers Compensation: Statutory for the State of North Carolina

Employers Liability: Bodily Injury by Accident \$1,000,000 each accident

Bodily Injury by Disease \$1,000,000 policy limit

Bodily Injury by Disease \$1,000,000 each employee.

Workers Compensation must include all employees.

(10) **Umbrella Liability**

An Umbrella or excess Liability policy covering General Liability, Automobile Liability and Employers Liability with a minimum limit of \$10,000,000 is required. PERMITTEE may use any combination of primary and excess to meet required total limits.

Notwithstanding the forgoing, PERMITTEE may, in its sole discretion, self-insure any of the required insurance under the same terms as required by this Agreement. In the event PERMITTEE elects to self-insure its obligation under this Agreement to include City as an additional insured, the following conditions apply: (i) City shall promptly and no later than thirty (30) days after notice thereof provide PERMITTEE with written notice of any claim, demand, lawsuit, or the like for which it seeks coverage pursuant to this Section and provide

PERMITTEE with copies of any demands, notices, summonses, or legal papers received in connection with such claim, demand, lawsuit, or the like; (ii) City shall not settle any such claim, demand, lawsuit, or the like without the prior written consent of PERMITTEE; and (iii) City shall fully cooperate with PERMITTEE in the defense of the claim, demand, lawsuit, or the like.

c. Indemnification

- (1) To the maximum extent allowed by law, the Permittee shall defend, indemnify, and save harmless Indemnitees from and against all Charges that arise in any manner from, in connection with, or out of this agreement as a result of acts or omissions of the Permittee or subcontractors or anyone directly or indirectly employed by any of them or anyone for whose acts any of them may be liable. In performing its duties under this subsection (1) the Permittee shall at its sole expense defend Indemnitees with legal counsel reasonably acceptable to the City.
- (2) Definitions. As used in subsections (1) above and (3) below, "Charges" means claims, judgments, costs, damages, losses, demands, liabilities, duties, obligations, fines, penalties, royalties, settlements, and expenses (included without limitation within "Charges" are (1) interest and reasonable attorneys' fees assessed as part of any such item, and (2) amounts for alleged violations of sedimentation pollution, erosion control, pollution, or other environmental laws, regulations, ordinances, rules, or orders -- including but not limited to any such alleged violation that arises out of the handling, transportation, deposit, or delivery of the items that are the subject of this agreement). "Indemnitees" means City and GUC, and their officers, officials, independent contractors, agents, and employees, excluding the Permittee.
- (3) Other Provisions Separate. Nothing in this section shall affect any warranties in favor of the City that are otherwise provided in or arise out of this agreement. This section is in addition to and shall be construed separately from any other indemnification provisions that may be in this agreement.
- (4) Survival. This section shall remain in force despite termination of this agreement (whether by expiration of the term or otherwise) and termination of the services of the Permittee under this agreement.
- (5) Limitations of the Permittee's Obligation. If this section is in, or is in connection with, a contract or agreement relative to the design, planning, construction, alteration, repair or maintenance of a building, structure, highway, road, appurtenance or appliance, including moving, demolition and excavating connected therewith, then subsection (1) above shall not require the Permittee to indemnify or hold harmless Indemnitees against liability for damages arising out of bodily injury to persons or damage to property proximately caused by or resulting from the negligence, in whole or in part, of Indemnitees.

SECTION 8. NOTICES.

Except as otherwise provided herein, all notices from PERMITTEE to the CITY pursuant to this Agreement shall be to the City Manager or his/her designee as follows:

City of Greenville
P.O. Box 7207
Greenville, NC 27835
Attention: City Manager

And to PERMITTEE

Paul Corona
Altice USA
1111 Stewart Avenue, Bethpage NY 11714

With a copy to

Altice Legal Department
1 Court Square
Long Island City, NY11101

PERMITTEE shall maintain with the CITY a telephone number and an address for service of notices by mail. PERMITTEE shall be required to advise the CITY of such addresses and telephone numbers and any changes thereof.

SECTION 9. FAILURE OF CITY TO ENFORCE THIS AGREEMENT, NO WAIVER OF THE TERMS THEREOF

PERMITTEE shall not be excused from complying with any of the terms and conditions of this Agreement by any failure of the CITY upon any one or more occasions to insist upon or to seek compliance with any such terms or conditions.

SECTION 10. SEVERABILITY

- a. **Invalidity.** If any term, condition or provision of this Agreement or the application thereof to any person or circumstance shall, to any extent, be held to be invalid or unenforceable by a court of competent jurisdiction, the remainder hereof and the application of such term, condition or provision to persons or circumstances other than those as to whom it shall be held invalid or unenforceable shall not be affected thereby, and this Agreement and all the terms, provisions and conditions hereof shall, in all other respects, continue to be effective and to be complied with. In the event that such law, rule or regulation is subsequently repealed, rescinded, amended or otherwise changed so that the provision which had been held invalid or modified is no longer in conflict with the law, rules and regulations then in effect, said provision shall thereupon return to full force and effect and shall thereafter be binding on PERMITTEE and the CITY.
- b. **Court Action.** Notwithstanding anything to the contrary, in the event that any court, agency, commission, legislative body or other authority of competent jurisdiction (i) declares any section,

deemed by the CITY to be material, invalid, in whole or in part, or (ii) requires PERMITTEE either to (a) perform any act which is inconsistent with any section deemed by the CITY to be material; or (b) cease performing any act deemed by the CITY to be material, the CITY shall so notify PERMITTEE and the CITY and PERMITTEE shall, in good faith, renegotiate that term or those terms of this Agreement.

SECTION 11. RIGHTS CUMULATIVE

All rights and remedies given to the CITY and PERMITTEE by this Agreement shall be in addition to and cumulative with any and all other rights or remedies, -existing or implied, now or hereafter available to the CITY and PERMITTEE, at law or in equity, and such rights and remedies shall not be exclusive, but each and every right and remedy specifically given by this Agreement or otherwise existing or given may be exercised from time to time and as often and in such order as may be deemed expedient by the CITY and PERMITTEE and the exercise of one or more rights or remedies shall not be deemed a waiver of the right to exercise at the same time or thereafter any other right or remedy.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed in duplicate originals as of the day and year first above written.


CITY OF GREENVILLE

By: _____
P.J. Connelly, Mayor

ATTEST

Carol L. Barwick, City Clerk

Cebridge Acquisition, L.P.

By:  _____
Paul Corona, VP Construction

APPROVED AS TO FORM:

Emanuel D. McGirt, City Attorney

PRE-AUDIT CERTIFICATION:

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

Byron Hayes, Director of Financial Services

Account Number _____

Project Code (if applicable) _____

RECOMMENDED:

Kevin Mulligan, Public Works Director

**State of North Carolina
County of Pitt**

I, _____, a Notary Public of said County and State, do hereby certify that Carol L. Barwick personally appeared before me this day and acknowledged that she is the City Clerk of the City of Greenville, a municipal corporation, and that by authority duly given and as the act of the City of Greenville through and by the City Council, its governing body, the foregoing instrument was signed in its name by the Mayor, P.J. Connelly, sealed with corporate seal, and attested by herself as its City Clerk.

WITNESS my hand and Notarial Seal, this the ____ day of _____, 2018.

_____, Notary Public

(Print or Type Name of Notary Here)

My Commission Expires: _____

State of New York

County of Suffolk

I, CATHERINE A. GRABOWSKI notary public in and for the aforesaid county and state, certify that Paul Corona. personally (1) appeared before me this day, (2) stated that he is a Vice President of Construction of Cebridge Acquisition, L.P., a Corporation organized and existing under the laws of the State of North Carolina, (3) acknowledged that the foregoing agreement with the City of Greenville carries on in the usual way the Corporations business, and (4) acknowledged the due execution of the contract on behalf of the Corporation.

WITNESS my hand and Notarial Seal, this the 14th day of FEBRUARY, 2019.

CATHERINE A. GRABOWSKI
Notary Public - State of New York
No. 01GR6306058
Qualified in Suffolk County
My Commission Expires June 16, 2022

Catherine A. Grabowski, Notary Public

CATHERINE A. GRABOWSKI
(Print or Type Name of Notary Here)

My Commission Expires: JUNE 16, 2022



City of Greenville, North Carolina

Meeting Date: 3/25/2019
Time: 6:00 PM

Title of Item: Municipal Agreement with the North Carolina Department of Transportation for Betterments for the Fire Tower Road Multi-Lane Improvement Project from west of East Arlington Boulevard to Fourteenth Street

Explanation: **Abstract:** The City is entering into a Municipal Agreement with the North Carolina Department of Transportation (NCDOT) for betterments for Project No. U-5785, Roadway Improvements on Fire Tower Road from west of East Arlington Boulevard to Fourteenth Street. At the request of the City of Greenville, and in accordance with the NCDOT's Pedestrian Policy Guidelines, NCDOT will include provisions in its construction contract for the construction of new sidewalks on both sides of the road throughout the limits of the project.

Explanation: NCDOT has programmed roadway improvements on Fire Tower Road from west of East Arlington Boulevard to Fourteenth Street. At the request of the City of Greenville, and in accordance with the NCDOT's Pedestrian Policy Guidelines, NCDOT shall include provisions in its contract for the construction of new five foot sidewalk on both sides of the road within the Municipal/County throughout the project limits. Work will be performed in accordance with NCDOT's policies, procedures, standards, specifications, and the following provisions: NCDOT will prepare the environmental and/or planning document, obtain any environmental permits required, prepare the project plans and specifications, acquire any needed right-of-way required, construct the project in accordance with the plans and specifications as approved by NCDOT, and administer the construction contract.

Upon completion of the project, the City of Greenville will assume all maintenance responsibilities for the betterments and release NCDOT from all liability relating to such maintenance. In accordance with the Pedestrian Policy Guidelines, at the completion of this project, the City of Greenville will reimburse NCDOT 40% of the actual cost, including administrative costs, for the work associated with the construction of the pedestrian facilities both in and out of the City limits. NCDOT shall participate in 60% of the actual cost of the pedestrian facilities for that portion of the project within the corporate limits and Pitt County where new pedestrian

facilities are to be installed. The estimated cost of the pedestrian facilities is \$482,215. The estimated cost to the City of Greenville is \$192,886. Both parties understand that this is an estimated cost and is subject to change. Construction is scheduled to begin in FY 2019 and be completed in FY 2021.

Fiscal Note:

The City will be responsible for 40% of the actual cost (estimated at \$192,886) of all requested betterments, which will be paid for from the Capital Improvement Funds and due to be invoiced to the City in FY 2021. Annual maintenance cost is estimated to be \$7,620.

Recommendation:

City Council approve the Municipal Agreement with NCDOT for betterments on Fire Tower Road from west of East Arlington Boulevard to Fourteenth Street.

ATTACHMENTS:

- ▣ **U-5785 Municipal Agreement**

NORTH CAROLINA

**TRANSPORTATION IMPROVEMENT PROJECT –
MUNICIPAL AGREEMENT WITH BETTERMENTS**

PITT COUNTY

DATE: 2/4/2019

NORTH CAROLINA DEPARTMENT OF
TRANSPORTATION

TIP #: U-5785

AND

WBS Elements: 44357.3.1

CITY OF GREENVILLE

AND

PITT COUNTY

THIS MUNICIPAL AGREEMENT is made and entered into on the last date executed below, by and between the North Carolina Department of Transportation, an agency of the State of North Carolina, hereinafter referred to as the “Department” and the City of Greenville, a local government entity, hereinafter referred to as the “Municipality”, and Pitt County, a local government entity, hereinafter referred to as the “County”.

WITNESSETH:

WHEREAS, the Department has plans to make certain street and highway constructions and improvements within the Municipality/County under Project U-5785, in Pitt County; and,

WHEREAS, the Department and the Municipality have agreed that the municipal limits, as of the date of the awarding of the contract for the construction of the above-mentioned project, are to be used in determining the duties, responsibilities, rights and legal obligations of the parties hereto for the purposes of this Agreement; and,

WHEREAS, this Agreement is made under the authority granted to the Department by the North Carolina General Assembly, including but not limited to, the following legislation: General Statutes of North Carolina (NCGS), Section 136-66.1, Section 160A-296 and 297, Section 136-18, and Section 20-169, to participate in the planning and construction of a Project approved by the Board of Transportation for the safe and efficient utilization of transportation systems for the public good; and,

WHEREAS, the parties to this Agreement have approved the construction of said Project with cost participation and responsibilities for the Project as hereinafter set out.

NOW, THEREFORE, the parties hereto, each in consideration of the promises and undertakings of the other as herein provided, do hereby covenant and agree, each with the other, as follows:

SCOPE OF THE PROJECT

1. The Project consists of improvements on SR 1708 (Firetower Road) from west of East Arlington Boulevard to SR 1704 (Fourteenth Street); widen to multi-lanes.
2. .At the request of the Municipality, and in accordance with the Department's *Pedestrian Policy Guidelines*, the Department shall include provisions in its construction contract for the construction of new sidewalk on both sides of SR 1708 (Firetower Road). Said work shall be performed in accordance with the Department's policies, procedures, standards, and specifications, and the following provisions.

PLANNING AND DESIGN

3. The Department shall prepare the environmental and/or planning document, and obtain any environmental permits needed to construct the Project, and prepare the Project plans and specifications needed to construct the Project. All work shall be done in accordance with departmental standards, specifications, policies and procedures.

RIGHT OF WAY

4. The Department shall be responsible for acquiring any needed right of way required for the Project. Acquisition of right of way shall be accomplished in accordance with the policies and procedures set forth in the North Carolina Right of Way Manual.
5. It is understood by all parties that all work for the betterments shall be performed within the existing right of way. However, should it become necessary, the Municipality, at no expense or liability whatsoever to the Department, shall provide any needed right of way and or construction easements for the construction of the betterments, and remove from said rights of way all obstructions and encroachments of any kind or character. Acquisition of any needed right of way shall be performed in accordance with the following state and federal policies and procedures, "Right of Way Acquisition Policy and Land Acquisition Policy, contained in the Federal-Aid Policy Guide, Part 712, Subpart B", and the North Carolina Right of Way Manual (Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970). The Department shall be indemnified and held harmless from any and all damages and claims for damages associated with the acquisition of any construction easements and/or right of way.

UTILITIES

6. It is understood that there are no municipally-owned water and sewer lines to be adjusted or relocated at this time. If during the project it becomes necessary to adjust or relocate municipally-owned water and/or sewer lines a separate Utility Agreement will be prepared at the appropriate time.

CONSTRUCTION

7. The Department shall construct, or cause to be constructed, the Project in accordance with the plans and specifications of said Project as filed with, and approved by, the Department. The Department shall administer the construction contract for said Project.

MAINTENANCE

8. Upon completion of the Project:
 - A. The Department shall be responsible for all traffic operating controls and devices which shall be established, enforced, and installed and maintained in accordance with the North Carolina General Statutes, the latest edition of the Manual on Uniform Traffic Control Devices for Streets and Highways, the latest edition of the "Policy on Street and Driveway Access to North Carolina Highways", and departmental criteria.
 - B. The roadway improvement(s) shall be a part of the State Highway System and owned and maintained by the Department.
9. The Municipality, at no expense to the Department, shall assume all maintenance responsibilities for the sidewalk within the Municipal limits and for those portions within the County limits and release the Department from all liability relating to such maintenance. .

BETTERMENT COSTS AND FUNDING

10. The Municipality shall participate in the Betterment costs of the Project as follows:
 - A. In accordance with the *Pedestrian Policy Guidelines*, the Municipality shall reimburse the Department forty percent (40%), of the actual cost, including administrative costs, of the work associated with the construction of the pedestrian facilities. The Department shall participate in sixty percent (60%) of the actual cost of the pedestrian facilities for that portion of the project, where new pedestrian facilities are to be installed. The estimated

cost of the pedestrian facilities is \$482,215. The estimated cost to the Municipality is \$192,886. Both parties understand that this is an estimated cost and is subject to change.

- B. Upon completion of the Project, the Department will invoice the Municipality for their share of the actual costs of the Betterments. Reimbursement to the Department shall be made in one final payment within sixty days of invoicing by the Department. A late payment penalty and interest shall be charged on any unpaid balance due in accordance with NCGS § 147-86.23.
- C. In the event the Municipality fails for any reason to pay the Department in accordance with the provisions for payment herein above provided, NCGS § 136-41.3 authorizes the Department to withhold so much of the Municipality's share of funds allocated to said Municipality by NCGS § 136-41.1 until such time as the Department has received payment in full under the reimbursement terms set forth in this Agreement

ADDITIONAL PROVISIONS

- 11. It is the policy of the Department not to enter into any agreement with another party that has been debarred by any government agency (Federal or State). The Municipality certifies, by signature of this agreement, that neither it nor its agents or contractors are presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by any Federal or State Department or Agency.
- 12. To the extent authorized by state and federal claims statutes, each party shall be responsible for its respective actions under the terms of this agreement and save harmless the other party from any claims arising as a result of such actions.
- 13. All terms of this Agreement are subject to available departmental funding and fiscal constraints.
- 14. This Agreement contains the entire agreement between the parties and there are no understandings or agreements, verbal or otherwise, regarding this Agreement except as expressly set forth herein.
- 15. The parties hereby acknowledge that the individual executing the Agreement on their behalf is authorized to execute this Agreement on their behalf and to bind the respective entities to the terms contained herein and that he has read this Agreement, conferred with his attorney, and fully understands its contents.

16. A copy or facsimile copy of the signature of any party shall be deemed an original with each fully executed copy of the Agreement as binding as an original, and the parties agree that this Agreement can be executed in counterparts, as duplicate originals, with facsimile signatures sufficient to evidence an agreement to be bound by the terms of the Agreement.

17. By Executive Order 24, issued by Governor Perdue, and N.C. G.S. § 133-32, it is unlawful for any vendor or contractor (i.e. architect, bidder, contractor, construction manager, design professional, engineer, landlord, offeror, seller, subcontractor, supplier, or vendor), to make gifts or to give favors to any State employee of the Governor's Cabinet Agencies (i.e., Administration, Commerce, Environmental Quality, Health and Human Services, Information Technology, Military and Veterans Affairs, Natural and Cultural Resources, Public Safety, Revenue, Transportation, and the Office of the Governor).

IT IS UNDERSTOOD AND AGREED upon that the approval of the Project by the Department is subject to the conditions of this Agreement.

APPROVED AS TO FORM:

BY: _____
Emanuel D. McGirt, City Attorney

PRE-AUDIT CERTIFICATION:

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

Byron Hayes, Director of Financial Services

Account Number _____

Project Code (if applicable) _____

IN WITNESS WHEREOF, this Agreement has been executed, in triplicate, the day and year heretofore set out, on the part of the Department, the Municipality and the County by authority duly given.

L.S. ATTEST: CITY OF GREENVILLE

BY: _____ BY: _____

TITLE: _____ TITLE: _____

DATE: _____ DATE: _____

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

Approved by _____ of the local governing body of the City of Greenville as attested to by the signature of Clerk of said governing body on _____(Date)

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

(SEAL)

BY: _____ (FINANCE OFFICER)

Federal Tax Identification Number

Remittance Address:
City of Greenville

L.S. ATTEST:

PITT COUNTY

BY: _____ BY: _____

TITLE: _____ TITLE: _____

DATE: _____ DATE: _____

Approved by _____ of the local governing body of the Pitt County as
attested to by the signature of Clerk of said governing body on _____ (Date)

Remittance Address:

Pitt County

DEPARTMENT OF TRANSPORTATION

BY: _____
(CHIEF ENGINEER)

DATE: _____

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



City of Greenville, North Carolina

Meeting Date: 3/25/2019
Time: 6:00 PM

Title of Item: Municipal Agreement with the North Carolina Department of Transportation for Betterments for the Fire Tower Road and Portertown Road Multi-Lane Improvement Project

Explanation: **Abstract:** The City of Greenville is entering into a Municipal Agreement with the North Carolina Department of Transportation (NCDOT) for Betterments for Project No. U-5870, Roadway Improvements on Fire Tower Road from Fourteenth Street to NC 33. At the request of the City of Greenville, and in accordance with the NCDOT's Pedestrian Policy Guidelines, NCDOT will include provisions in its construction contract for the construction of new sidewalks on both sides of Fire Tower Road from Fourteenth Street to Portertown Road and on Portertown Road from Fire Tower Road to NC 33.

Explanation: NCDOT has programmed roadway improvements on Fire Tower Road from Fourteenth Street to Portertown Road and on Portertown Road from Fire Tower Road to NC 33. At the request of the City of Greenville, and in accordance with NCDOT's Pedestrian Policy Guidelines, NCDOT shall include provisions in its construction contract for the construction of new five foot sidewalk within the Municipal/County limits throughout the project. Work will be performed in accordance with NCDOT's policies, procedures, standards, specifications, and the following provisions: NCDOT will prepare the environmental and/or planning document, obtain any environmental permits required, prepare the project plans and specifications, acquire any needed right-of-way required, construct the project in accordance with the plans and specifications as approved by NCDOT, and administer the construction contract.

Upon completion of the project, the City of Greenville will assume all maintenance responsibilities for the betterments and release NCDOT from all liability relating to such maintenance. In accordance with the Pedestrian Policy Guidelines, at the completion of the project, the City of Greenville will reimburse NCDOT 40% of the actual cost, including administrative costs, for the work associated with the construction of the pedestrian facilities both in and out of the City limits. NCDOT

shall participate in 60% of the actual cost of the pedestrian facilities for that portion of the project within the corporate limits and Pitt County where new pedestrian facilities are to be installed. The estimated cost of the pedestrian facilities is \$556,597. The estimated cost to the City of Greenville is \$222,639. Both parties understand that this is an estimated cost and is subject to change. Construction is scheduled to begin in FY 2019 and be completed in FY 2021.

Fiscal Note:

The City will be responsible for 40% of the actual cost (estimated at \$222,639) of all requested betterments, which will be paid for from the Capital Improvement Funds and due to be invoiced to the City in FY 2021. Annual maintenance cost is estimated to be \$8,795.

Recommendation:

City Council approve the Municipal Agreement with NCDOT for betterments on Fire Tower Road from Fourteenth Street to Portertown Road and on Portertown Road from Fire Tower Road to NC 33.

ATTACHMENTS:

- ▣ **U-5870 Municipal Agreement**

NORTH CAROLINA

**TRANSPORTATION IMPROVEMENT PROJECT –
MUNICIPAL AGREEMENT WITH BETTERMENTS**

PITT COUNTY

DATE: 2/4/2019

NORTH CAROLINA DEPARTMENT OF
TRANSPORTATION

TIP #: U-5870

AND

WBS Elements: 54046.3.1

CITY OF GREENVILLE

AND

PITT COUNTY

THIS MUNICIPAL AGREEMENT is made and entered into on the last date executed below, by and between the North Carolina Department of Transportation, an agency of the State of North Carolina, hereinafter referred to as the “Department” and the City of Greenville, a local government entity, hereinafter referred to as the “Municipality”, and Pitt County, a local government entity, hereinafter referred to as the “County”.

WITNESSETH:

WHEREAS, the Department has plans to make certain street and highway constructions and improvements within the Municipality/County under Project U-5870, in Pitt County; and,

WHEREAS, the Department and the Municipality have agreed that the municipal limits, as of the date of the awarding of the contract for the construction of the above-mentioned project, are to be used in determining the duties, responsibilities, rights and legal obligations of the parties hereto for the purposes of this Agreement; and,

WHEREAS, this Agreement is made under the authority granted to the Department by the North Carolina General Assembly, including but not limited to, the following legislation: General Statutes of North Carolina (NCGS), Section 136-66.1, Section 160A-296 and 297, Section 136-18, and Section 20-169, to participate in the planning and construction of a Project approved by the Board of Transportation for the safe and efficient utilization of transportation systems for the public good; and,

WHEREAS, the parties to this Agreement have approved the construction of said Project with cost participation and responsibilities for the Project as hereinafter set out.

NOW, THEREFORE, the parties hereto, each in consideration of the promises and undertakings of the other as herein provided, do hereby covenant and agree, each with the other, as follows:

SCOPE OF THE PROJECT

1. The Project consists of improvements on SR 1708 (Firetower Road) from SR 1704 (Fourteenth Street) to NC 33; widen to multi-lanes.
2. At the request of the Municipality, and in accordance with the Department's *Pedestrian Policy Guidelines*, the Department shall include provisions in its construction contract for the construction of new sidewalk on both sides of SR 1708 (Firetower Road) from SR 1704 (Fourteenth Street) to SR 1726 (Portertown Road) and SR 1726 (Portertown Road) from SR 1708 (Firetower Road) to NC 33. Said work shall be performed in accordance with the Department's policies, procedures, standards, and specifications, and the following provisions.

PLANNING AND DESIGN

3. The Department shall prepare the environmental and/or planning document, and obtain any environmental permits needed to construct the Project, and prepare the Project plans and specifications needed to construct the Project. All work shall be done in accordance with departmental standards, specifications, policies and procedures.

RIGHT OF WAY

4. The Department shall be responsible for acquiring any needed right of way required for the Project. Acquisition of right of way shall be accomplished in accordance with the policies and procedures set forth in the North Carolina Right of Way Manual.
5. It is understood by all parties that all work for the betterments shall be performed within the existing right of way. However, should it become necessary, the Municipality, at no expense or liability whatsoever to the Department, shall provide any needed right of way and or construction easements for the construction of the betterments, and remove from said rights of way all obstructions and encroachments of any kind or character. Acquisition of any needed right of way shall be performed in accordance with the following state and federal policies and procedures, "Right of Way Acquisition Policy and Land Acquisition Policy, contained in the Federal-Aid Policy Guide, Part 712, Subpart B", and the North Carolina Right of Way Manual (Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970). The Department shall be indemnified and held harmless from any and all damages and claims for damages associated with the acquisition of any construction easements and/or right of way.

UTILITIES

6. It is understood that there are no municipally-owned water and sewer lines to be adjusted or relocated at this time. If during the project it becomes necessary to adjust or relocate municipally-owned water and/or sewer lines a separate Utility Agreement will be prepared at the appropriate time.

CONSTRUCTION

7. The Department shall construct, or cause to be constructed, the Project in accordance with the plans and specifications of said Project as filed with, and approved by, the Department. The Department shall administer the construction contract for said Project.

MAINTENANCE

8. Upon completion of the Project:
 - A. The Department shall be responsible for all traffic operating controls and devices which shall be established, enforced, and installed and maintained in accordance with the North Carolina General Statutes, the latest edition of the Manual on Uniform Traffic Control Devices for Streets and Highways, the latest edition of the "Policy on Street and Driveway Access to North Carolina Highways", and departmental criteria.
 - B. The roadway improvement(s) shall be a part of the State Highway System and owned and maintained by the Department.
9. The Municipality, at no expense to the Department, shall assume all maintenance responsibilities for the sidewalk within the Municipal limits and for those portions within the County limits and release the Department from all liability relating to such maintenance.

BETTERMENT COSTS AND FUNDING

10. The Municipality shall participate in the Betterment costs of the Project as follows:
 - A. In accordance with the *Pedestrian Policy Guidelines*, the Municipality shall reimburse the Department forty percent (40%), of the actual cost, including administrative costs, of the work associated with the construction of the pedestrian facilities. The Department shall participate in sixty percent (60%) of the actual cost of the pedestrian facilities for that portion of the project, where new pedestrian facilities are to be installed. The estimated

cost of the pedestrian facilities is \$556,597. The estimated cost to the Municipality is \$222,639. Both parties understand that this is an estimated cost and is subject to change.

- B. Upon completion of the Project, the Department will invoice the Municipality for their share of the actual costs of the Betterments. Reimbursement to the Department shall be made in one final payment within sixty days of invoicing by the Department. A late payment penalty and interest shall be charged on any unpaid balance due in accordance with NCGS § 147-86.23.
- C. In the event the Municipality fails for any reason to pay the Department in accordance with the provisions for payment herein above provided, NCGS § 136-41.3 authorizes the Department to withhold so much of the Municipality's share of funds allocated to said Municipality by NCGS § 136-41.1 until such time as the Department has received payment in full under the reimbursement terms set forth in this Agreement

ADDITIONAL PROVISIONS

- 11. It is the policy of the Department not to enter into any agreement with another party that has been debarred by any government agency (Federal or State). The Municipality certifies, by signature of this agreement, that neither it nor its agents or contractors are presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by any Federal or State Department or Agency.
- 12. To the extent authorized by state and federal claims statutes, each party shall be responsible for its respective actions under the terms of this agreement and save harmless the other party from any claims arising as a result of such actions.
- 13. All terms of this Agreement are subject to available departmental funding and fiscal constraints.
- 14. This Agreement contains the entire agreement between the parties and there are no understandings or agreements, verbal or otherwise, regarding this Agreement except as expressly set forth herein.
- 15. The parties hereby acknowledge that the individual executing the Agreement on their behalf is authorized to execute this Agreement on their behalf and to bind the respective entities to the terms contained herein and that he has read this Agreement, conferred with his attorney, and fully understands its contents.

16. A copy or facsimile copy of the signature of any party shall be deemed an original with each fully executed copy of the Agreement as binding as an original, and the parties agree that this Agreement can be executed in counterparts, as duplicate originals, with facsimile signatures sufficient to evidence an agreement to be bound by the terms of the Agreement.

17. By Executive Order 24, issued by Governor Perdue, and N.C. G.S. § 133-32, it is unlawful for any vendor or contractor (i.e. architect, bidder, contractor, construction manager, design professional, engineer, landlord, offeror, seller, subcontractor, supplier, or vendor), to make gifts or to give favors to any State employee of the Governor's Cabinet Agencies (i.e., Administration, Commerce, Environmental Quality, Health and Human Services, Information Technology, Military and Veterans Affairs, Natural and Cultural Resources, Public Safety, Revenue, Transportation, and the Office of the Governor).

IT IS UNDERSTOOD AND AGREED upon that the approval of the Project by the Department is subject to the conditions of this Agreement.

APPROVED AS TO FORM:

BY: _____
Emanuel D. McGirt, City Attorney

PRE-AUDIT CERTIFICATION:

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

Byron Hayes, Director of Financial Services

Account Number _____

Project Code (if applicable) _____

IN WITNESS WHEREOF, this Agreement has been executed, in triplicate, the day and year heretofore set out, on the part of the Department, the Municipality and the County by authority duly given.

L.S. ATTEST: CITY OF GREENVILLE

BY: _____ BY: _____

TITLE: _____ TITLE: _____

DATE: _____ DATE: _____

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

Approved by _____ of the local governing body of the City of Greenville as attested to by the signature of Clerk of said governing body on _____ (Date)

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

(SEAL)

BY: _____ (FINANCE OFFICER)

Federal Tax Identification Number

Remittance Address:
City of Greenville

L.S. ATTEST:

PITT COUNTY

BY: _____

BY: _____

TITLE: _____

TITLE: _____

DATE: _____

DATE: _____

Approved by _____ of the local governing body of the Pitt County as attested to by the signature of Clerk of said governing body on _____ (Date)

Remittance Address:

Pitt County

DEPARTMENT OF TRANSPORTATION

BY: _____
(CHIEF ENGINEER)

DATE: _____

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



City of Greenville, North Carolina

Meeting Date: 3/25/2019
Time: 6:00 PM

Title of Item: Municipal Agreement with the North Carolina Department of Transportation for Additional Betterments for the Allen Road Multi-Lane Improvement Project

Explanation: **Abstract:** This is an amended municipal agreement with the North Carolina Department of Transportation (NCDOT) for betterments for the Allen Road widening project, Project No. U-5875, from Stantonsburg Road to Dickinson Avenue Extension. At the request of the City, NCDOT will include provisions in its construction contract for the addition of street lighting and upgrades to the traffic signal poles.

Explanation: NCDOT has programmed roadway improvements on SR 1203 (Allen Road) from SR 1467 (Stantonsburg Road) to US 13 (Dickinson Avenue Extension) to widen to multi-lanes. The first municipal agreement for betterments approved on July 11, 2018 included provisions in the construction contract for approximately 7,595 linear feet of sidewalk along the east side and 6,705 linear feet of sidewalk along the west side of Allen Road (SR 1203), with a portion of the sidewalk project being outside the municipal limits. The attached amended municipal agreement will include the addition of street lighting on the traffic signal steel poles and for the black powder coating on the steel signal poles at 3 signalized intersections (10 poles).

Fiscal Note: The estimated cost to the City of Greenville is \$35,000. Reimbursement to NCDOT shall be made in one final payment within 60 days of invoicing by NCDOT and will be paid for from the Capital Improvement Funds. It is anticipated that the payment will be made in FY 2023.

Recommendation: City Council approve the Amended Municipal Agreement with NCDOT for betterments along Allen Road.

ATTACHMENTS:

- ▣ **Allen Road Municipal Agreement**

NORTH CAROLINA
PITT COUNTY

SUPPLEMENTAL AGREEMENT

DATE: 2/6/2019

NORTH CAROLINA DEPARTMENT OF
TRANSPORTATION

TIP #: U-5875

AND

WBS ELEMENTS: 44677.3.1

CITY OF GREENVILLE

AND

PITT COUNTY

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

WITNESSETH:

WHEREAS, the Department and the Municipality on 7/11/2018, entered into a certain Project Agreement for the original scope: Construction of approximately 7595 linear feet of sidewalk along the east side and 6705 linear feet of sidewalk along the west side of Allen Road (SR 1203), portion of the sidewalk project will be outside the municipal limits; programmed under Project U-5875; and,

WHEREAS, the Municipality/County have requested the addition of street lighting and upgrades to the traffic signal poles.

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

2. SCOPE

The Municipality/County have requested betterments to include the addition of street lighting on the traffic signal steel poles and for the black powder coating on the steel signal poles at 3 signalized intersections: Stantonsburg Road at Allen Road (02-0500), Allen Road at Briarcliff Drive (02-0918) and Dickinson Avenue at Allen Road (02-0029) for a total of 10 poles.

The City shall be responsible for maintenance of the street lighting/traffic signal pole improvements.

11. COSTS AND FUNDING

The Municipality shall participate in the Betterment costs of the Project as follows:

- | | | |
|---|------|-------------------------|
| • Furnish/Install 12 ft. Luminaire Arm | 100% | \$1,500 X 10 = \$15,000 |
| • Black Powder Coating to Luminaire Arm | 100% | \$500 X 10 = \$5,000 |
| • Black Powder Coating to Steel Poles | 100% | \$1,500 X 10 = \$15,000 |

TOTAL ESTIMATED COST TO THE MUNICIPALITY: \$35,000

Upon completion of the Project, the Department will invoice the Municipality for their share of the actual costs of the Betterments. Reimbursement to the Department shall be made in one final payment within sixty days of invoicing by the Department. A late payment penalty and interest shall be charged on any unpaid balance due in accordance with NCGS § 147-86.23.

Except as hereinabove provided, the Agreement heretofore executed by the Department and the Municipality on 7/11/2018, is ratified and affirmed as therein provided.

IN WITNESS WHEREOF, this Agreement has been executed, in triplicate, the day and year heretofore set out, on the part of the Department, the Municipality and the County by authority duly given.

L.S. ATTEST:

CITY OF GREENVILLE

BY: _____

BY: _____

TITLE: _____

TITLE: _____

DATE: _____

DATE: _____

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

Approved by _____ of the local governing body of the City of Greenville as attested to by the signature of said Clerk of said governing body on _____ (Date)

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

(SEAL)

(FINANCE OFFICER)

Federal Tax Identification Number

Remittance Address:

City of Greenville

L.S. ATTEST:

PITT COUNTY

BY: _____

BY: _____

TITLE: _____

TITLE: _____

DATE: _____

DATE: _____

Approved by _____ of the local governing body of Pitt County as attested to by the signature of said Clerk of said governing body on _____ (Date)

DEPARTMENT OF TRANSPORTATION

BY: _____

(CHIEF ENGINEER)

DATE: _____

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

APPROVED AS TO FORM:

BY: _____
Emanuel D. McGirt, City Attorney

PRE-AUDIT CERTIFICATION:

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

Byron Hayes, Director of Financial Services

Account Number _____

Project Code (if applicable) _____



City of Greenville, North Carolina

Meeting Date: 3/25/2019
Time: 6:00 PM

Title of Item: Report on Bids and Contracts Awarded

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

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

Date Awarded	Description	Vendor PO Number	Amount	MWBE Vendor?	Does Local Preference Apply?
1/30/2019	Police 2019 Citywide Camera Expansion Phase I	East Carolina Communications PO# 19000307	\$57,928.56	No	No

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

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

ATTACHMENTS:

PO# 19000307



Request for Verbal/Written Quotations

City of Greenville
Financial Services/Purchasing
P.O. Box 7207
201 West Fifth Street
Greenville, NC 27835
Telephone: 252-329-4664
Fax: 252-329-4464

Requestor	Vendor 1	Vendor 2	Vendor 3
	Local <input type="checkbox"/> MWBE <input type="checkbox"/>	Local <input type="checkbox"/> MWBE <input type="checkbox"/>	Local <input type="checkbox"/> MWBE <input type="checkbox"/>
Department: Information Technology	STEP CG	East Carolina Communications	Anixter
Requestor: Freddie Wilkins			
Date: 1.30.2019			

No.	Description	Total Cost	Total Cost	Total Cost
1	GPD 2019 Phase 1 Citywide Camera Expansion	\$60,413.58	\$57,928.56	\$89,531.65
2				
3				
4				
5				

Subtotal	\$60,413.58	\$57,928.56	\$89,531.65
Tax			
Total			

Note: All pricing shall include all discounts and freight. Additionally, all pricing should be FOB Destination to the City of Greenville. A copy of this Request for Verbal Quotes Form shall be forwarded to the Purchasing Division as an attachment to the purchase order requisition and will be filed with applicable purchase order for proper documentation of award and compliance with all City policies and procedures.

Doc#971358



City of Greenville, North Carolina

Meeting Date: 3/25/2019
Time: 6:00 PM

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

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

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

<u>Payee</u>	<u>Adjustment Refunds</u>	<u>Amount</u>
Adams & Longino Advertising, Inc.	Registered Motor Vehicle	284.35
Altuner, John Osman	Registered Motor Vehicle	102.39
Atkinson Sales, Inc.	Registered Motor Vehicle	359.30
Bonds, James Jansen	Registered Motor Vehicle	197.06
Castro Montoya, Blanca Estela	Registered Motor Vehicle	102.01
Cooke, James Coffield Jr.	Registered Motor Vehicle	281.20
Danak, Andrew Zachary	Registered Motor Vehicle	112.69
Daniels, Shirley Rasberry	Registered Motor Vehicle	105.72
DPD Leasing Company, Inc.	Registered Motor Vehicle	152.60
Dubis, Gabriel Stevon	Registered Motor Vehicle	175.98
Gardner, John Anthony	Registered Motor Vehicle	111.90
Greene County Tax Assessor	Registered Motor Vehicle	178.74
Grover, Gregory Paul	Registered Motor Vehicle	161.70

Gurkin, Thomas Wynne	Registered Property Taxes	219.06
Hawley, Samuel Dean	Registered Motor Vehicle	205.78
Hopkins, Alexis Delray	Registered Motor Vehicle	163.40
Kawaguchi, Masanori	Registered Motor Vehicle	155.07
Kehler, William David	Registered Motor Vehicle	130.33
Lyons, Olive Baker	Registered Property Taxes	133.35
Mayo, Chester Stanley III	Registered Motor Vehicle	125.45
McDaniel, Floyd Earl	Registered Motor Vehicle	131.43
McLawhorn, Karl Wesley	Registered Property Taxes	100.17
Medich, Sally Elizabeth	Registered Motor Vehicle	126.84
Nichols, Margie	Registered Motor Vehicle	122.35
Santhuff, Eric	Registered Motor Vehicle	419.05
Shaw Industries Group, Inc	Registered Motor Vehicle	183.12
Snyder, Daniel Wayne	Registered Motor Vehicle	175.71
Walker, Bobby	Registered Motor Vehicle	297.51
Walston, Spencer Reed	Registered Motor Vehicle	191.65
Wasek, Ann	Registered Motor Vehicle	163.92
Wasek, Michael Joseph	Registered Motor Vehicle	112.15
	REFUND TOTAL:	5,481.98

Fiscal Note: The total to be refunded is \$5,481.98.

Recommendation: Approval of tax refunds by City Council.



City of Greenville, North Carolina

Meeting Date: 3/25/2019
Time: 6:00 PM

Title of Item: Presentations by Boards and Commissions:

- a. Greenville Bicycle and Pedestrian Commission
- b. Recreation and Parks Commission
- c. Redevelopment Commission

Explanation: The Bicycle and Pedestrian Commission, Recreation and Parks Commission, and Redevelopment Commission will make their annual presentations to City Council at the March 25, 2019 City Council meeting.

Fiscal Note: No direct cost

Recommendation: Hear the presentations from the Bicycle and Pedestrian Commission, Recreation and Parks Commission, and Redevelopment Commission



City of Greenville, North Carolina

Meeting Date: 3/25/2019
Time: 6:00 PM

Title of Item: Resolution of commitment to participate in the public-private economic development partnership

Explanation: **Abstract:** The proposed resolution indicates the City of Greenville's commitment to participate in the public-private economic development partnership.

Explanation: In February 2018, the City of Greenville, along with Pitt County, Greenville Utilities Commission (GUC), and the Committee of 100, engaged Convergent to conduct a feasibility study. Convergent conducted roundtable discussions with 100 people and interviews with 69 leaders. Themes from these discussions include:

- economic growth could be stronger
- economic development efforts are fractionalized
- collaboration would create more success

Following this work, an economic development working group was formed with representatives of the City, County, Committee of 100, GUC, Pitt County Development Commission, East Carolina University, Vidant, and business and industry. The working group has met five times to discuss the public-private partnership and its development.

The attached resolution indicates the City's commitment to participate in the public-private partnership as a sustaining member. With the creation of a public-private partnership, the City will consider a contract for economic development activities, and the City will make a budgetary appropriation commensurate with the services to be provided.

Fiscal Note: The City will make a contribution to the new public-private partnership to reflect services provide to the City.

Recommendation: Adopt the resolution of commitment to participate in the public-private economic development partnership.

ATTACHMENTS:

- ▣ **Resolution_of_Commitment_for_Public-Private_Economic_Development_Partnership_1102945**

RESOLUTION NO.
RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GREENVILLE
COMMITTING TO PARTICIPATION IN THE PUBLIC-PRIVATE ECONOMIC
DEVELOPMENT PARTNERSHIP

WHEREAS, economic development is beneficial to the City of Greenville, Pitt County and its residents;

WHEREAS, there is a desire to improve the economic development efforts in the City of Greenville and throughout Pitt County;

WHEREAS, there is a desire to create a more collaborative approach to delivering economic development services;

WHEREAS, the creation of a public-private partnership will bring parties together to lead economic development efforts for the region;

WHEREAS, the economic development working group endorsed the collaborative economic development organization that represents Pitt County, municipalities, private sector, and economic development ally organizations;

WHEREAS, the program of work for the public-private partnership will include:

- Existing business retention and expansion
- External marketing and business recruitment
- Product development (sites, business parks, and buildings)
- Talent retention, development, and attraction
- Small business and entrepreneurship development
- Retail/commercial development
- Support for municipal strategies
- Business advocacy and legislative relations
- Internal marketing and investor relations; and

WHEREAS, the governance structure will include sustaining members, municipal members, and investors;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Greenville that it does hereby express its commitment for the creation of a public-private economic development partnership and to participate as a sustaining member to promote the growth of the City of Greenville and all of Pitt County.

This 25th day of March, 2019.

P.J. Connelly, Mayor

Attest:

Carol L. Barwick, City Clerk

#1102945



City of Greenville, North Carolina

Meeting Date: 3/25/2019
Time: 6:00 PM

Title of Item: Adoption of 2019 State Legislative Agenda

Explanation: **Abstract:** The firm of Ward and Smith has been retained to represent the City of Greenville's interests with the General Assembly and agencies of the State of North Carolina. Each year, it is customary for the City Council and City staff to identify key legislation and priority projects that will be pursued by Ward and Smith on behalf of the City. A proposed 2019 State Legislative Agenda is attached.

Explanation: On February 28, 2019, Whitney Christenson of Ward and Smith visited Greenville and met with available City Council Members and City staff. The attached document represents the anticipate legislative focus initiatives.

Fiscal Note: The adoption of the legislative initiatives will not have a fiscal impact.

Recommendation: Adopt the City's 2019 State Legislative Agenda.

ATTACHMENTS:

▣ 2019_State_Legislative_Agenda_1106448

City of Greenville 2019 State Legislative Agenda

Priority Legislation

- Seek legislation to make recurring state appropriations to State Search and Rescue Program funds.
- Seek legislation to make the use of a wireless communication device while operating a motor vehicle on a public street, highway or public vehicular area in North Carolina unlawful.
- Seek legislation to provide a regulatory framework for scooter and bike sharing platforms.
- Seek legislation to create additional revenue sources for the City to be used on special projects.
- Seek legislation to appropriate funds to expand and improve the Brody School of Medicine.
- Oppose any legislation to reallocate sales tax revenue that would decrease the City's current sales tax distribution.
- Oppose any unfunded mandates.

Advocacy Positions

- Advocate for sustained or increased state appropriations to the Parks and Recreation Trust Fund.
- Support changes to the law governing the disclosure and release of law enforcement recordings to clarify that disclosure to a municipal manager is allowed and to allow disclosure to a city or town council.
- Support Vidant Health and its role as a rural health care provider.
- Support a system of spirituous liquor sales that enhances local control over the location and density of retail outlets.
- Support legislation to ensure that the amount of Powell Bill funds appropriated by the state is sustained and that distributions to municipalities are maintained or increased despite the trend of decreasing gas tax revenue.
- Support addition of a new funding stream for the DOT Complete Streets Program to complete the county based portion of sidewalks that have been funded by municipalities under the program.
- Support an increase in state appropriated funds for local transit projects.
- Support legislation to expand city eligibility for Clean Water State Revolving fund dollars.
- Support legislation that promotes economic development in Eastern North Carolina.
- Support additional statewide investment in local stormwater projects.



City of Greenville, North Carolina

Meeting Date: 3/25/2019
Time: 6:00 PM

Title of Item: Adoption of 2019 City of Greenville Federal Agenda

Explanation: **Abstract:** The Ferguson Group has been retained to represent the City of Greenville's interests by assisting with the identification of federal funding opportunities that further the strategic plans of the City of Greenville. Each year it is customary for the City Council to adopt a list of priority projects that will be pursued by The Ferguson Group in Congress on behalf of the City. A proposed 2019 Federal Agenda is attached for consideration and adoption.

Explanation: The attached document represents the items that The Ferguson Group will seek for funding and legislative actions and that are determined to be beneficial to the City of Greenville. The items presented represent projects and programs that will be matched to upcoming federal grant programs and anticipated legislative focus initiatives.

The 2018 Federal Agenda as adopted by City Council on May 7, 2018, has been aggressively pursued by The Ferguson Group and is attached for reference.

The Ferguson Group has been instrumental in securing funds from grants including COPS and Lead-Based Paint Abatement. The Ferguson Group also assisted the City with the development of the application for the BUILD Grant.

Fiscal Note: There is no impact to the current budget with the adoption of the proposed 2019 City of Greenville Federal Agenda.

Recommendation: Approval of the proposed 2019 City of Greenville Federal Agenda.

ATTACHMENTS:

- ☐ **Draft_2019_Federal_Agenda_1106487**
- ☐ **Approved_2018_Federal_Agenda_1106457**



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2019 Draft Federal Agenda

Mayor

P.J. Connelly

Mayor Pro Tem

Rose H. Glover

Council Member At-Large

Brian Meyerhoeffer

Council Member, District 1

Monica Daniels

Council Member, District 3

Will Bell

Council Member, District 4

Rick Smiley

Council Member, District 5

Will Litchfield

Adopted by Mayor and City Council on **DATE**

Prepared in coordination with The Ferguson Group, LLC

GREENVILLE CITY HALL
200 WEST FIFTH STREET
GREENVILLE, NC 27858
(252) 329-2489

2019 Federal Priorities

Community and Economic Development	Action Item:
West Greenville Neighborhood Revitalization Strategy Area	<p>Support efforts to advance the West Greenville Neighborhood Revitalization Strategy Area, including administration of the City’s grant award from HUD’s Office of Healthy Homes and Lead Hazard Control for lead-based paint abatement and education.</p> <p>Pursue funding for sidewalks through DOT’s Safe Routes to School Program (through NCDOT) and Congestion Mitigation and Air Quality Program (through MPO).</p> <p>Support federal funding for HUD’s Community Development Block Grant and HOME programs.</p>
Imperial Tobacco Site	<p>Pursue federal funds to address infrastructure needs to develop the 6 acres of property off Dickinson Avenue.</p>
Industrial/Office Park Development	<p>Explore funding opportunities to fund infrastructure and/or property purchase to develop an Industrial/Office Park.</p>
A Time for Science	<p>Explore funding opportunities for programs and exhibits at the Science Center.</p> <p>Consult with Institute of Museum and Library Sciences on relevant opportunities.</p>
HOME Funds in Grifton, NC	<p>Work with HUD on recovery of HOME funds from projects in Grifton for which documentation no longer exists.</p>
Transportation and Infrastructure	Action Item:
West Greenville Multimodal Safety and Accessibility Improvements Project	<p>Pursue BUILD grant funds.</p>
Pitt-Greenville Airport	<p>Support efforts to expand flight options and infrastructure improvements at Pitt-Greenville Airport.</p>

Energy and Environment	
	Action Item:
Tar River Legacy Plan	Work with the U.S. Army Corps of Engineers to identify funding opportunities to address various aspects of the Plan, including bulk head removal and replacement and creating a living shoreline at the Town Common.
Watershed Master Plan	Identify funding opportunities for implementation of the Greenville Watershed Master Plan.
Flood-Prone Properties	Explore federal funding opportunities to acquire properties subject to recurring flooding (repetitive loss properties).
Brownfields	Work with the City and East Carolina University to secure brownfields clean-up grant funds from the EPA.

Public Safety	
	Action Item:
Police Department	<p>Pursue assistance for technology and equipment needs, such as mobile radios, gunshot detection and predictive policing, latent fingerprint examiner and digital scanner for use at crime scenes.</p> <p>Monitor funding opportunities for diversion programs and pre-trial services.</p>
Fire-Rescue Department	<p>Pursue assistance for department needs, such as hiring support (SAFER grant), and burn room equipment for training (AFG, FP&S grants).</p> <p>Support firefighter cancer registry and other health and wellness legislation.</p> <p>Support technical correction to Fire Sprinkler Incentive Act.</p>
Police and Fire	Monitor and report on legislative and regulatory initiatives of interest to Greenville, such as the roll out of FirstNet and potential funding opportunities.

Labor and Workforce Development	Action Item:
Workforce Development Initiative	Greenville is working to support workforce development initiatives particularly with Pitt Community College. The City also wants to expand to medical patenting.
Small Business Development	The City will continue to support upstarts with funding and small business resources. Explore funding options with the Small Business Administration.

Recreation and Parks	Action Item:
Historic Preservation	Explore funding opportunities for Historic Drill Tower Preservation Project (in Dream Park) and Sycamore Hill Missionary Baptist Church Memorial.
Greenfield Terrace Park	Support the City’s efforts to secure a grant through the NC Division of Parks and Recreation’s National Park Service’s Outdoor Recreation Legacy Program.
Public Arts Projects	Working with the local arts council, support efforts to secure assistance for public arts projects.
STE(A)M Initiatives at Youth Facilities	Monitor funding opportunities within the U.S. Department of Education, National Endowment for the Arts, and private foundations for STE(A)M initiatives.
Health and Wellness	Support the legislation that would expand the IRS definition of medical expenditures to include physical activity as preventative medicine, and allow individuals to use the pre-tax dollars in Flexible Spending Accounts and Health Savings Accounts on expenditures such as gym memberships, sport league fees, exercise classes, and other physical activities.
Park and Recreation Infrastructure	Support the legislation that would provide federal grants for park and recreation infrastructure in metropolitan areas. Previous legislation would authorize HUD to provide funding to local park and recreation agencies, through three grant programs: <i>Rehabilitation and Construction</i> , the <i>Innovation and Recreation Program</i> and the <i>Recovery Action Program</i> . Support legislation that includes innovative financing for park infrastructure (“PIFIA”). Support permanent authorization of the Land and Water Conservation Fund.

Other Priorities	Action Item:
Broadband	<p>Monitor and report on legislative and Administrative (FCC) efforts to accelerate broadband deployment and preempt local authority on ROW and land use decisions, as well as fees for pole attachments.</p> <p>Support H.R. 530, which would nullify the FCC Order on small cell deployment.</p>
Financing	<p>Support tax-exempt municipal bonds and advance refunding bonds.</p>
Infrastructure Package	<p>Monitor and report on Administration's infrastructure package and resulting legislation.</p>
FY 2020 Budget and Appropriations	<p>Support full funding for priority federal programs.</p>



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**CITY OF GREENVILLE, NORTH CAROLINA
APPROVED 2018 FEDERAL AGENDA**

PROJECT/ISSUE	ACTION ITEM
PUBLIC SAFETY	
Police Department	<p>Pursue assistance for technology and equipment needs, diversion programs, and pre-trial services.</p> <p>Potential funding opportunities:</p> <ul style="list-style-type: none"> • DOJ's Edward Byrne JAG (formula and competitive grant) for mobile radios. • DOJ's Smart Policing Initiative to address gun violence (gunshot detection and predictive policing). • NIJ's Paul Coverdell Grant for a latent print examiner to reduce backlog of weapons processing, and digital scanner to efficiently process crime scenes. • Firehouse Subs for small equipment grants (applications due quarterly; apply in coordination with the Fire Department). • American Police and Sheriffs Association Equipment Grant program. • Spirit of Blue Safety Grants.
Fire-Rescue Department	<p>Pursue assistance for various equipment needs.</p> <p>Potential funding opportunities:</p> <ul style="list-style-type: none"> • FEMA's Assistance to Firefighters Grant Program for burn room equipment for training. • Firehouse Subs for smoke alarms (applications due quarterly; apply in coordination with Police Department).
Police and Fire	<p>Monitor and report on legislative and regulatory initiatives of interest to Greenville.</p> <ul style="list-style-type: none"> • Roll out of FirstNet and potential funding opportunities. • Fire-related tax incentives, such as the Fire Sprinkler Incentive Act, which was included comprehensive tax reform.

COMMUNITY AND ECONOMIC DEVELOPMENT

<p>West Greenville Neighborhood Revitalization Strategy Area</p>	<p>Support efforts to advance the West Greenville Neighborhood Revitalization Strategy Area.</p> <p>Potential funding opportunities:</p> <ul style="list-style-type: none"> • HUD’s Office of Healthy Homes and Lead Hazard Control for lead-based paint abatement and education. • HUD’s CDBG and HOME Programs. • DOT’s Safe Routes to School Program (through NCDOT) for sidewalks. • DOT’s Grant Program; • Private/foundation grant opportunities.
<p>Industrial/Office Park Development</p>	<p>Explore funding opportunities to fund infrastructure and/or property purchase to develop an Industrial/Office Park.</p> <p>Potential funding opportunities:</p> <ul style="list-style-type: none"> • Economic Development Administration’s Economic Adjustment Assistance Program/Public Works Program. • Private/foundation grant opportunities.
<p>A Time for Science</p>	<p>Explore funding opportunities for programs and exhibits at the Science Center.</p> <p>Potential funding opportunities:</p> <p>Institute of Museum and Library Sciences. Private/foundation grant opportunities.</p>

LABOR AND WORKFORCE DEVELOPMENT

<p>Workforce Development Initiative</p>	<p>Greenville is working to support workforce development initiatives particularly with Pitt Community College. The City also wants to expand to medical patenting.</p> <p>Explore funding options with U.S. Departments of Labor and Health and Human Services.</p>
<p>Small Business Development</p>	<p>The City will continue to support upstarts with funding and small business resources.</p> <p>Explore funding options with the Small Business Administration.</p>

ENERGY AND ENVIRONMENT

<p>Tar River Legacy Plan</p>	<p>Work with the U.S. Army Corps of Engineers to identify funding opportunities to address various aspects of the Plan, including bulk head replacement, stream restoration, overlook/river access, and dredging.</p>
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Watershed Master Plan	Identify funding opportunities for implementation of the Greenville Watershed Master Plan
Flood-Prone Properties	Secure federal assistance to acquire properties subject to recurring flooding (repetitive loss properties). Potential funding opportunities: FEMA's Hazard Mitigation Program, Pre-Disaster Mitigation Program, and Flood Mitigation Assistance Program.
Brownfields	Help the City and East Carolina University secure a brownfields clean-up grant from the EPA.
TRANSPORTATION AND INFRASTRUCTURE	
Pitt - Greenville Airport	Support efforts to expand flight options and infrastructure improvements at Pitt-Greenville Airport.
Greene Street Bridge Improvements	Explore funding opportunities to add a bike/pedestrian lane to the Greene Street bridge to connect Town Common Park to River Park North.
West Greenville Multimodal Safety and Accessibility Improvements Project	DOT's BUILD Transportation Grant Program. Explore additional funding opportunities with DOT.
RECREATION AND PARKS	
Historic Preservation	Explore funding opportunities for Historic Drill Tower Preservation Project (in Dream Park) and Sycamore Hill Missionary Baptist Church Memorial. Potential funding opportunities: National Trust for Historic Preservation programs, including the African American Cultural Heritage Action Fund.
Greenfield Terrace Park	Apply for a grant under the National Park Service's Outdoor Recreation Legacy Program (through NC Division of Parks and Recreation). Secure debrief of previous application.
Public Arts Projects	Working with the local arts council, support efforts to secure assistance for public arts projects. Potential funding opportunities: National Endowment for the Arts (NEA) Our Town and Art Works Grant Programs.

STE(A)M Initiatives at Youth Facilities	Monitor funding opportunities within the U.S. Department of Education, NEA and private foundations.
Health and Wellness	Support the <i>Personal Health Investment Today Act (H.R. 1276/S. 482)</i> , which would expand the IRS definition of medical expenditures to include physical activity as preventative medicine, and allow individuals to use the pre-tax dollars in Flexible Spending Accounts and Health Savings Accounts on expenditures such as gym memberships, sports league fees, exercise classes, and other physical activities.
Social Equity	Support the <i>Community Parks Revitalization Act (H.R. 343)</i> , which would provide matching federal grants for park and recreation infrastructure in metropolitan areas. The bill would authorize HUD to provide funding to local park and recreation agencies, through three grant programs: <i>Rehabilitation and Construction</i> , the <i>Innovation and Recreation Program</i> and the <i>Recovery Action Program</i> . The bill also includes innovative financing for park infrastructure (“PIFIA”).
OTHER PRIORITIES	
Financing	Support H.R. 1624/S. 828, which would classify municipal securities as high quality liquid assets. H.R. 1624 passed the House on October 3, 2017.
Online Sales Tax Legislation	Monitor and report on legal action regarding state and local governments’ authority to collect taxes on Internet and mail-order sales; support legislative efforts to do the same.
FY 2019 Budget and Appropriations	Support full funding for the federal programs included on the City’s Federal Agenda.
Grants	Pursue relevant federal, state and foundation grant opportunities and secure congressional support for same.



City of Greenville, North Carolina

Meeting Date: 3/25/2019
Time: 6:00 PM

Title of Item: Application for a North Carolina Parks and Recreation Trust Fund (PARTF) grant in support of the development of an “Adventure Park”

Explanation: **Abstract:** The Tar River Legacy Plan recommends acquiring riverside lake lands to expand recreational opportunities. The first of such lands will be used to create a unique “adventure park,” and staff wishes to apply for a NC Parks and Recreation Trust Fund grant in support of this initiative.

Explanation: The Tar River Legacy Plan, completed in 2014, included recommended actions intended to promote interactions with the Tar River and increase the benefits Greenville receives from its proximity to the river. Two recommendations relate to the development of a riverside “adventure park.”

Recreation and Parks Department staff requests Council’s approval to apply for a 2019 NC Parks and Recreation Trust Fund (PARTF) grant in support of the development of such a riverside park on the north banks of the Tar River. Permission is requested to apply for a 50/50 matching grant of up to \$500,000 in support of the creation of this park.

At their meeting on March 13, 2019, the Recreation and Parks Commission approved applying for a 2019 PARTF grant for this project, and recommends similar action by the Greenville City Council.

Fiscal Note: Matching funds have been identified within the City’s budget.

Recommendation: Approve applying for a North Carolina Parks and Recreation Trust Fund grant in support of the development of an adventure park.



City of Greenville, North Carolina

Meeting Date: 3/25/2019
Time: 6:00 PM

Title of Item: Ordinance Approving 2018-2019 Capital Reserve Fund Designations

Explanation: **Abstract:** An update on the Capital Reserve Fund will be provided, and Council is asked to consider an ordinance approving 2018-2019 Capital Reserve Fund designations based on budget ordinance amendment #8, which will also be considered at the March 25, 2019 City Council meeting.

Explanation: Attached for Council consideration is an ordinance approving the 2018-2019 Capital Reserve Fund designations as included in Budget Ordinance Amendment #8.

Budget Ordinance Amendment #8 includes the transfer of \$800,751 from the Capital Reserve Fund to the Public Works Capital Project Fund for three additional parking lot construction projects in the Dickinson Avenue corridor. Construction on the additional lots is anticipated to begin in the spring of 2019.

The following documents are attached:

1. Capital Reserve Fund - Detail of Designations –
 - This report shows the Capital Reserve Fund balance that was approved by City Council on December 10, 2018, changes to those designations, and the proposed designations as of the March 25, 2019 City Council meeting.
2. Ordinance Amending the Fund -
 - This document reflects the proposed projects that have been included in the Capital Reserve Fund at this time. The Local Budget and Fiscal Control Act requires that a transfer to the Capital Reserve Fund state (i) the approximate periods of time during which the monies are to be accumulated for each purpose, (ii) the approximate amounts to be accumulated for each purpose, and (iii) the sources from which monies for each purpose will be derived.

Fiscal Note: The Capital Reserve Fund balance stands at approximately \$4,237,216 and reflects the capital project priorities of the City Council as included in Budget Ordinance Amendment #8.

Recommendation: Approve 2018-2019 Capital Reserve Fund designations and amend the Capital Reserve Fund ordinance.

ATTACHMENTS:

- ☐ **Capital_Reserve_Designations_606168**
- ☐ **Update_to_Capital_Reserve_Fund_Ordinance_612543**

Capital Reserve Fund - Detail of Designations - March, 2019

Purpose	Approved Designations December 10, 2018	Inc/(Dec)	Interest	Proposed Designations March 25, 2019
Convention Center Project(s)	\$ 140,487	\$ -	\$ -	\$ 140,487
Dickinson Avenue Project(s)				
Dickinson Parking	\$ 800,751	A \$ (800,751)	\$ -	\$ -
Dickinson Avenue Streetscape	1,702,860	-	-	1,702,860
Subtotal Dickinson Avenue Project(s)	<u>\$ 2,503,611</u>	<u>\$ (800,751)</u>	<u>\$ -</u>	<u>\$ 1,702,860</u>
Transportation				
Sidewalk Construction - DOT projects	\$ -	\$ -	\$ -	\$ -
DOT Project - Firetower NC43 to 14th Street	187,480	-	-	187,480
DOT Project - Firetower 14th Street to NC33	594,389	-	-	594,389
DOT Project - Evans Street Widening	-	-	-	-
DOT Project - 14th Street Widening	-	-	-	-
Street Signal Conversion	912,000	-	-	912,000
Subtotal Transportation	<u>\$ 1,693,869</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 1,693,869</u>
Community Development				
Parking Station Reserves	\$ -	\$ -	-	\$ -
Industrial Site	700,000	-	-	700,000
Subtotal Community Development	<u>\$ 700,000</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 700,000</u>
Total	<u><u>\$ 5,037,967</u></u>	<u><u>\$ (800,751)</u></u>	<u><u>\$ -</u></u>	<u><u>\$ 4,237,216</u></u>

A Transfer to pay for parking lot construction in the Dickinson Avenue Corridor

ORDINANCE NO. 19-
AN ORDINANCE AMENDING THE CAPITAL RESERVE FUND
FOR THE CITY OF GREENVILLE

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

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

<u>Amount</u>	<u>Sources of Monies</u>	<u>Purpose</u>	<u>Accumulation Period</u>
\$ 187,480	General Fund	DOT - Firetower NC43 to 14th St	5 years
140,487	CVA Fund	Convention Center Project (s)	10 years
594,389	General Fund	DOT - Firetower 14th St to NC33	5 years
1,702,860	General Fund	Dickinson Avenue Streetscape	5 years
912,000	General Fund	Street Signal Conversion	10 years
700,000	General Fund	Industrial Site	5 years
<u>\$ 4,237,216</u>			

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

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

Adopted this 25th day of March, 2019.

P.J. Connelly, Mayor

ATTEST:

Carol L. Barwick, City Clerk



City of Greenville, North Carolina

Meeting Date: 3/25/2019
Time: 6:00 PM

Title of Item: Budget ordinance amendment #8 to the 2018-2019 City of Greenville budget (Ordinance #18-038) and Capital Projects Fund (Ordinance #17-024)

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

Explanation: Attached for consideration at the March 25, 2019 City Council meeting is an ordinance amending the 2018-2019 City of Greenville budget (Ordinance #18-038) and Capital Projects Fund (Ordinance #17-024).

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

<u>Item</u>	<u>Justification</u>	<u>Funds Amended</u>	<u>Net Adjustment</u>
A	Recognize additional funds received from the Department of Housing and Urban Development for the City's HOME and CDBG Programs.	Housing	\$146,786
B	Reappropriate \$800k for Dickinson Parking lot and recognize Capital Reserve funding of \$800,751 for other Dickinson parking lots.	Capital Reserve PW Cap Project	\$(399,249)

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

<u>Fund Name</u>	2018-19 Revised <u>Budget</u>	<u>Amend #8</u>	2018-19 Budget per <u>Amend #8</u>
General	\$84,829,739		- \$84,829,739

Debt Service	5,463,492	-	5,463,492
Public Transportation (Transit)	3,256,977	-	3,256,977
Fleet Maintenance	4,431,156	-	4,431,156
Sanitation	7,843,096	-	7,843,096
Stormwater Utility	6,408,592	-	6,408,592
Housing	1,677,619	146,786	1,824,405
Health Insurance	13,562,600	-	13,562,600
Vehicle Replacement	4,332,161	-	4,332,161
Facilities Improvement	3,870,765	-	3,870,765
Capital Reserve	812,722	1,600,751	2,413,473
Rec & Parks Capital Projects	9,315,712	-	9,315,712
Greenway Capital Projects	2,983,857	-	2,983,857
Public Works Capital Projects	53,375,167	(399,249)	52,975,918
CD Capital Projects	18,591,285	-	18,591,285
Enterprise Capital Projects	42,839,245	-	42,839,245
Red Light Camera Program	1,300,000	-	1,300,000
Donations	203,288	-	203,288
Special Revenue Grants	7,215,575	-	7,215,575
Street Improvement Bond	15,580,000	-	15,580,000

Recommendation: Approve budget ordinance amendment #8 to the 2018-2019 City of Greenville budget (Ordinance #18-038) and Capital Projects Fund (Ordinance #17-024).

ATTACHMENTS:

☐ **Bud_Ordinance_Amend__8_1105030**

ORDINANCE NO. 19-
CITY OF GREENVILLE, NORTH CAROLINA
Ordinance (#8) Amending the 2018-19 Budget (Ordinance #18-038) and the
Capital Projects Fund (Ordinance #17-024)

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

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

	2018-19 Original Budget	A.	Total Amend #8	2018-19 Budget per Amend #8
ESTIMATED REVENUES				
CDBG Grant Income	\$ 872,246	\$ 34,314	\$ 34,314	\$ 906,560
HOME Grant Income	415,103	112,472	112,472	527,575
Program Income	80,440	-	-	80,440
Transfer from General Fund	309,830	-	-	309,830
Total Revenues	<u>\$ 1,677,619</u>	<u>\$ 146,786</u>	<u>\$ 146,786</u>	<u>\$ 1,824,405</u>
APPROPRIATIONS				
Personnel	\$ 500,225	\$ -	\$ -	\$ 500,225
Operating	1,177,394	146,786	146,786	1,324,180
Total Appropriations	<u>\$ 1,677,619</u>	<u>\$ 146,786</u>	<u>\$ 146,786</u>	<u>\$ 1,824,405</u>

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

	2018-19 Budget per Amend #7	B.	Total Amend #8	2018-19 Budget per Amend #8
ESTIMATED REVENUES				
Transfers from General Fund	\$ 812,722	\$ -	\$ -	\$ 812,722
Appropriated Fund Balance	-	1,600,751	1,600,751	1,600,751
Total Revenues	<u>\$ 812,722</u>	<u>\$ 1,600,751</u>	<u>\$ 1,600,751</u>	<u>\$ 2,413,473</u>
APPROPRIATIONS				
Increase in Reserve	\$ 562,722	\$ -	\$ -	\$ 562,722
Transfer to FIP	250,000	-	-	250,000
Transfer to Public Works Capital Proj	-	1,600,751	1,600,751	1,600,751
Total Appropriations	<u>\$ 812,722</u>	<u>\$ 1,600,751</u>	<u>\$ 1,600,751</u>	<u>\$ 2,413,473</u>

Section III: Estimated Revenues and Appropriations. Public Works Capital Projects Fund, of Ordinance #17-024 is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

	2018-19 Revised Budget	B.	Total Amend #8	2018-19 Budget per Amend #8
ESTIMATED REVENUES				
Occupancy Tax	\$ 118,000	\$ -	\$ -	\$ 118,000
Transfers from Other Funds	14,968,989	800,751	800,751	15,769,740
Other Income	2,742,685	-	-	2,742,685
Spec Fed/State/Loc Grant	24,454,467	-	-	24,454,467
Spec Fed/State/Loc Grant	794,223	-	-	794,223
Bond Proceeds	10,296,803	(1,200,000)	(1,200,000)	9,096,803
Total Revenues	<u>\$ 53,375,167</u>	<u>\$ (399,249)</u>	<u>\$ (399,249)</u>	<u>\$ 52,975,918</u>
APPROPRIATIONS				
Stantonsburg Rd./10th St Con Project	\$ 6,194,950	\$ -	\$ -	\$ 6,194,950
Computerized Traffic Signal System	8,883,151	-	-	8,883,151
Thomas Langston Rd. Project	3,980,847	-	-	3,980,847
Sidewalk Development Project	2,015,550	(399,249)	(399,249)	1,616,301
GTAC Project	9,336,917	-	-	9,336,917
Energy Efficiency Project	777,600	-	-	777,600
King George Bridge Project	1,341,089	-	-	1,341,089
Energy Savings Equipment Project	2,591,373	-	-	2,591,373
Convention Center Expansion Project	4,718,000	-	-	4,718,000
Pedestrian Improvement Project	210,761	-	-	210,761
Street Lights & Cameras	1,276,225	-	-	1,276,225
F/R Station 3 Parking Lot	139,551	-	-	139,551
F/R Station 2 Bay Expansion	244,655	-	-	244,655
Parking Lot Enhancements	81,903	-	-	81,903
Street Improvements Project	10,285,372	-	-	10,285,372
Safe Routes to Schools	1,297,223	-	-	1,297,223
Total Appropriations	<u>\$ 53,375,167</u>	<u>\$ (399,249)</u>	<u>\$ (399,249)</u>	<u>\$ 52,975,918</u>

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

Adopted this 25th day of March, 2019

P. J. Connelly, Mayor

ATTEST:

Carol L. Barwick, City Clerk