



Agenda

Greenville City Council

November 6, 2008
7:00 PM
City Council Chambers
200 West Fifth Street

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

I. Call Meeting To Order

II. Invocation - Council Member Kittrell

III. Pledge of Allegiance

IV. Roll Call

V. Approval of Agenda

VI. Special Recognitions

- 2008 Citizens Academy Graduates
- Phillip Worthington - Police Department Retiree
- 2008 United Way Campaign Report

VII. Appointments

1. Appointments to the Bicycle Friendly Task Force
2. Appointments to Boards and Commissions
3. Nominations for the Pitt-Greenville Convention and Visitors Authority Chairman

VIII. Consent Agenda

4. Minutes of the September 30, October 6, October 9, and October 20, 2008 City Council meetings
5. Resolution accepting dedication of rights-of-way and easements for Emerald Park, Phase 1, Section 1; Davencroft, Phase 2, Section 1 and Phase 3; and Westpointe, Section 4, Phase 3
6. Design services contract for the Convention Center Business District Project
7. Resolution for a grant application to the North Carolina Department of Transportation for Bicycle and Pedestrian Grant funds to update the City of Greenville 2002 Bicycle Master Plan
8. Resolution designating applicant's agent for the All Hazards Mitigation Plan Grant
9. Authorization for Mayor to execute North Carolina Rural Center Grant Agreement for Aquifer Storage & Recovery Wellhead Facilities Project on behalf of Greenville Utilities Commission
10. Budget ordinance amendment #5 to the 2008-2009 City of Greenville budget
11. Fiscal Year 2009-2010 Budget Schedule
12. Report on bids awarded

IX. Old Business

13. Resolution consenting to the reinterment of graves from the Forbes Family Cemetery to Homestead Memorial Gardens

X. New Business

Public Hearings

14. Ordinance requested by WRS, Incorporated to amend the Future Land Use Plan Map for the area described as being located along the northern right-of-way of East 10th Street and the eastern right-of-way of Port Terminal Road containing 52± acres from "Office/Institutional/Multi-family", "Medium Density Residential", and "Conservation/Open Space" categories to a "Commercial" category
15. Ordinance requested by The Covengton Group, LTD to rezone 4.882 acres located along the southern right-of-way of West Fifth Street west of its intersection with B's Barbeque Road from MR (Medical-Residential [High Density Multi-family]) and MRS (Medical-Residential Single-Family [Low Density]) to MO (Medical-Office)
16. Ordinance to annex Langston Farms, Phase 10, containing 4.2594 acres located at the terminus of Stonebend Drive and Stonewood Drive
17. Ordinance requiring the repair or the demolition and removal of the dwelling located at 1115

West Fourth Street

18. Ordinance requiring the repair or the demolition and removal of the dwelling located at 1311 West Fourth Street
19. Ordinance requiring the repair or the demolition and removal of the dwelling located at 613 Ford Street
20. Ordinance requiring the repair or the demolition and removal of the dwelling located at 1303 South Greene Street

Public Comment Period

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

Other Items of Business

21. Greenville Convention Center naming rights
22. Resolution of intent to close an unimproved portion of Tripp Lane located west of Grace Avenue
23. Ordinance amending the Nuisances Regulations of the City Code
24. 2008 Comprehensive Recreation and Parks Master Plan
25. 2008-2009 Capital Reserve Fund designations and ordinance
26. Revenue Collections Policy
27. Revised Financial Policy Guidelines

XI. Comments from Mayor and City Council

XII. City Manager's Report

XIII. Adjournment



City of Greenville, North Carolina

Meeting Date: 11/6/2008
Time: 7:00 PM

Title of Item: Appointments to the Bicycle Friendly Task Force

Explanation: East Carolina University Chancellor Steve Ballard has recommended the appointment of Phillip Rogers to replace Karen Stokes and Bill Bagnell as the At-Large Member on the Bicycle Friendly Task Force.

Fiscal Note: None.

Recommendation: Appointment of Phillip Rogers to replace Karen Stokes and Bill Bagnell as the At-Large Member on the Bicycle Friendly Task Force.

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City of Greenville, North Carolina

Meeting Date: 11/6/2008
Time: 7:00 PM

Title of Item: Appointments to Boards and Commissions

Explanation: City Council appointments need to be made to the Community Appearance Commission, Police Community Relations Committee, Recreation and Parks Commission, Redevelopment Commission, Sheppard Memorial Library Board, and Youth Council, and a recommendation needs to be made to fill the County vacancy on the Pitt-Greenville Convention and Visitors Authority.

Fiscal Note: No fiscal impact.

Recommendation: Make appointments to the Community Appearance Commission, Police Community Relations Committee, Recreation and Parks Commission, Redevelopment Commission, Sheppard Memorial Library Board, and Youth Council, and make a recommendation to the County to fill the vacancy on the Pitt-Greenville Convention and Visitors Authority.

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

Appointments To Boards and Commissions

November 6, 2008

Community Appearance Commission

Council Liaison: Council Member Larry Spell

Name	Current Term	Reappointment Status	Expiration Date
Vacancy	Filling unexpired term	Eligible	April 2010

Pitt-Greenville Convention and Visitors Authority

Council Liaison: Mayor Pro-Tem Mildred A. Council

Name	Current Term	Reappointment Status	Expiration Date
Vacancy (1) (County)	Filling unexpired term	Eligible	July 2011

(1) Owners/operators of hotels/motels

Police Community Relations Committee

Council Liaison: Council Member Rose Glover

Name	Current Term	Reappointment Status	Expiration Date
Michael McCammon (District 3)	Second term	Ineligible	October 2008
Regina Wallace (District 2)	Second term	Ineligible	October 2008

Recreation and Parks Commission

Council Liaison: Council Member Larry Spell

Name	Current Term	Reappointment Status	Expiration Date
Vacancy	Filling unexpired term	Eligible	October 2009

Redevelopment Commission

Council Liaison: Council Member Max Joyner, Jr.

<u>Name</u>	<u>Current Term</u>	<u>Reappointment Status</u>	<u>Expiration Date</u>
Britt Laughinghouse (Council Member Spell)	Final term	Ineligible	November 2008

Sheppard Memorial Library Board

Council Liaison: Council Member Rose Glover

<u>Name</u>	<u>Current Term</u>	<u>Reappointment Status</u>	<u>Expiration Date</u>
Don Marr	Second term	Ineligible	October 2008

Youth Council

Council Liaison: Mayor Pro-Tem Mildred A. Council

<u>Name</u>	<u>Current Term</u>	<u>Reappointment Status</u>	<u>Expiration Date</u>
Vacancy	First term	Eligible	September 2009
Vacancy	First term	Eligible	September 2009
Vacancy	First term	Eligible	September 2009
Vacancy	First term	Eligible	September 2009

Applicants for Community Appearance Commission

Justin Mullarkey
1509 East 5th Street
Greenville, NC 27858

Application 1/28/2008

364-1183

Applicants (City of Greenville)

Board/Commission: Pitt-Greenville Convention and Visitors Authority

Jennifer Brezina 608 Winstead Road Greenville, NC 27834	Application Date: 8/1/2007 355-5707	Occupation: Lecturer, ECU College of Business
Mary Fedash 3223 Meeting Place Greenville, NC 27858	Application Date: 10/20/2008	Occupation: Bookkeeper, Pitt County Schools
Joseph Flood 1919 Sherwood Drive Greenville, NC 27858	Application Date: 7/18/2007 353-9915	Occupation: Professor, ECU
Carlton Floyd 104 East Catawba Road Greenville, NC 27834	Application Date: 7/25/2008 757-3302	Occupation: Retired Teacher Pitt County Schools
Judith Havermann 2009-A Cambria Drive Greenville, NC 27834	Application Date: 11/19/2007 321-1655	Occupation: Licensed Optician, Dr. E. Mullett & Assoc.
Clifton Hickman 112 Roanoke Road Greenville, NC 27834	Application Date: 10/11/2007 756-3591	Occupation: Administrator, Edgecombe County DSS
J. Scott Johnson 2008 Pinecrest Drive Greenville, NC 27858	Application Date: 7/29/2008 355-0644	Occupation: Consultant, 4 C's Group, Inc.
Chad Reynolds 104 Marion Drive Greenville, NC 27858	Application Date: 9/18/2007 321-6311	Occupation: Financial Consultant, A.G. Edwards & Sons

Pitt-Greenville Convention & Visitors Authority (City of Greenville) cont.

Kay Swope
107 Valley Place
Greenville, NC 27834

Application Date: 10/17/2007

758-4692

Occupation: Occup. Therapy
Assistant, Cypress Glen Rehab
Department

Marcia Taylor
104-B2 Oaktowne Drive
Greenville, NC 27858

Application Date: 8/05/2007

756-9301

Occupation: Professor, ECU

Lisa Wagner
430 A Lake Road
Greenville, NC 27834

Application Date: 5/7/2007

902-7580

Occupation: Regional Sales Manager,
Convention Center

Richard Weir
2074-3 Old Fire Tower Road
Greenville, NC 27858

Application Date: 10/10/2008

531-8817

Occupation: Night Manager,
Travelodge of Greenville

Applicants (Pitt County)

Applicant Interest Listing

Convention & Visitors Authority

Brayom Anderson III
1624 Black Jack Simpson Road
Greenville NC 27858

Day (252) 439-0555
Evening Phone: (252) 341-2527
Fax:
E-mail: brayom@tie-breakers.com

Gender: M
Race: White
District: 3
Priority:

Applied for this board on: 1/25/2007

Application received/updated: 01/25/2007

Applicant's Attributes: County Planning Jurisdiction
District 3

Experience (Educ./Vol./Prof. Assoc./Military/Other Appointed Positions, etc.)

	Organization	Description	Date(s)
Education	JH Rose High		
Experience	Law enforcement/deputy		
Experience	Tie Breakers Sports Bar & Grill	Owner	
Experience	US Army & Coast Guard		

Joanne Askew
1944 Cornerstone Drive
Winterville NC 28590

Day (252) 756-5601
Evening Phone: (252) 814-6774
Fax:
E-mail: gobills10@suddenlink.net

Gender: F
Race: White
District: 5
Priority:

Applied for this board on: 2/21/2007

Application received/updated: 02/21/2007

Applicant's Attributes: Winterville City Limits
District 5

Experience (Educ./Vol./Prof. Assoc./Military/Other Appointed Positions, etc.)

	Organization	Description	Date(s)
Education	University of Pennsylvania	BS - Business	
Education	Internboro High		

Applicant Interest Listing

Experience	Onslow County	Retired HR Director
Experience	Alamance County	Retired HR Director
Volunteer/Prof. Associations	United Way	
Volunteer/Prof. Associations	Church Committees	
Volunteer/Prof. Associations	NC Symphony Board	
Volunteer/Prof. Associations	Meals on Wheels	

Ralph Hall Jr
111 Hardee Street
Greenville NC 27858

Day
Evening Phone: (252) 756-0262
Fax:
E-mail: bajhall@aol.com

Gender: M
Race: White
District: 6
Priority: 0

Applied for this board on: 2/26/2003

Application received/updated: 02/26/2003

Applicant's Attributes: District 6
Greenville ETJ

Experience (Educ./Vol./Prof. Assoc./Military/Other Appointed Positions, etc.)

	Organization	Description	Date(s)
Education	University of South Carolina	Civil Engineering	1955-1957
Education	Edenton High		
Experience	Phillippines Construction	Project Manager	1962-1966
Experience	Foreign Service Staff Officer	Civil Engineer	1966-1969
Experience	Odell Associates	Hospital Construction Engineer	1969-1973
Experience	PCMH	Vice-President of Facilities	1973-2001
Volunteer/Prof. Associations	N.C. Bio-Medical Association		
Volunteer/Prof. Associations	N.C. Association of Health Care		
Volunteer/Prof. Associations	American Society of Health Care		
Volunteer/Prof. Associations	American Cancer Society		

Applicant Interest Listing

Volunteer/Prof. Associations State Board of Directors

Boards Assigned To

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

Steve Little

3314 NC 33 W
Greenville NC 27834

Day (910) 608-3724
Evening Phone: (252) 758-2040
Fax:
E-mail: slittle@nashfinch.com

Gender: M
Race: White
District: 2
Priority:

Applied for this board on: 1/5/2007 Application received/updated: 01/05/2007

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

Experience (Educ./Vol./Prof. Assoc./Military/Other Appointed Positions, etc.)

	Organization	Description	Date(s)
Education	East Carolina University		
Education	Belvoir Elementary		
Experience		NC Real Estate Broker License	
Experience	Nash Finch	Division Manager	
Volunteer/Prof. Associations	Pitt County Planning Board		6 years

Boards Assigned To

ABC Board	1/23/2007 to 6/30/2009
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Joseph Skinner

P.O. Box 30135

Day (252) 847-6843
Evening Phone: (252) 756-1966

Gender: M
Race: White

Convention & Visitors Authority
Wednesday, October 22, 2008

Applicant Interest Listing

Greenville NC 27833

Fax:
E-mail:

District: 4
Priority: 0

Applied for this board on: 12/20/2002

Application received/updated: 12/17/2007

Applicant's Attributes: District 4
Greenville City Limits

Experience (Educ./Vol./Prof. Assoc./Military/Other Appointed Positions, etc.)

	Organization	Description	Date(s)
Education	East Carolina University		
Education	Ralph L Fike		
Experience	S.T. Wooten Construction		
Experience	C.A. Lewis	General Contractor	15 years
Experience	Pitt County Memorial Hospital	Project Manager/Employer	2000
Volunteer/Prof. Associations	Advisory Board @ PCC		
Volunteer/Prof. Associations	University Kiwanis Club		
Volunteer/Prof. Associations	Planning & Zoning		

Boards Assigned To

Development Commission 12/18/2007 to 12/17/2010
Greenville Nominated

Linda Tripp

4817 NC 33 E
105 Oakmont Drive-work-use this one
Greenville NC 27858

Day (252) 355-4700
Evening Phone: (252) 758-3840
Fax: (252) 355-4707
E-mail: ltripp@greenvillenc.com

Gender: F
Race: White
District: 3
Priority: 0

Applied for this board on: 4/25/2003

Application received/updated: 04/25/2003

Applicant's Attributes: District 3

Applicant Interest Listing

Simpson ETJ
GUC Customer
Non Greenville Resident

Experience (Educ./Vol./Prof. Assoc./Military/Other Appointed Positions, etc.)

	Organization	Description	Date(s)
Education	South Georgia College		
Education	East Carolina University	BUED,MAED	
Education	Pitt Community College	Real Estate Broker's License	
Education	Patterson High		
Experience	Carolina Court Reporters, Inc.	President & CEO	1992-present
Experience	State of North Carolina	Division of Water Quality	1972-1979
Experience	Tripp Diet Centers, Inc.	President & CEO	1979-1992
Volunteer/Prof. Associations	East Carolina University	Pirate Club/Vice-President	
Volunteer/Prof. Associations	Pitt Community College		
Volunteer/Prof. Associations	Jockey Club Advisory Board		
Volunteer/Prof. Associations	East Carolina University	Network for Advancement	
Volunteer/Prof. Associations	Various Church Committees &		
Volunteer/Prof. Associations	East Carolina University	Performing Arts/Vice-President	
Volunteer/Prof. Associations	American Heart Association	Gala Chairperson	
Volunteer/Prof. Associations	American Cancer Society	Hope Gala Committee	
Volunteer/Prof. Associations	Greenville Museum of Art	Benefactor	
Volunteer/Prof. Associations	East Carolina University	Art Enthusiasts Committee	
Volunteer/Prof. Associations	East Carolina University	Chancellor's Society	
Volunteer/Prof. Associations	East Carolina University	Friends of Theater-Director	
Volunteer/Prof. Associations	Health Education Foundation		
Volunteer/Prof. Associations	Ironwood Golf Board		

Applicant Interest Listing

Boards Assigned To

Pitt - Greenville Airport Authority
County

7/9/2007 to 6/30/2011

Larry White

1804 Old Mill Court
Greenville NC 27858

Day (252) 328-2315
Evening Phone: (252) 353-2665
Fax: (252) 328-4368
E-mail: whitel@ecu.edu

Gender: M
Race: White
District: 3
Priority:

Applied for this board on: 5/24/2007

Application received/updated: 05/24/2007

Applicant's Attributes: Greenville City Limits
District 3

Experience (Educ./Vol./Prof. Assoc./Military/Other Appointed Positions, etc.)

	Organization	Description	Date(s)
Education	Florida State University	MLS	1993
Education	University of Florida	BA	1988
Education	Wildwood High		
Experience	East Carolina University	Assistant Professor, Library Program	2005-present
Experience	Washington County Public	Library Director	2002-2005
Experience	Levy County Public Library	Director of Library Operations	1999-2000
Experience	Bureau of Library Development	Library Program Specialist	1998-1999
Experience	Leon County Public Library	Library Service Supervisor	1995-1998
Volunteer/Prof. Associations	Association of Library Inf.	Member since 2005	
Volunteer/Prof. Associations	Association of Rural & Small	Member	2005-2006
Volunteer/Prof. Associations	Pitt County Citizens Academy		
Volunteer/Prof. Associations	College of Education	Member	2005-present
Volunteer/Prof. Associations	Library Admin. & Management	Member since 2003	
Volunteer/Prof. Associations	Library Science & Instructional	Member	2005-present

Convention & Visitors Authority
Wednesday, October 22, 2008

Applicant Interest Listing

Volunteer/Prof. Associations	Florida Library Association	Member	2000-2002
Volunteer/Prof. Associations	North Carolina Library	Member since 2005	
Volunteer/Prof. Associations	Ohio Library Council	Member	2002-2005
Volunteer/Prof. Associations	Public Library Association	Member since 2003	
Volunteer/Prof. Associations	American Libraries Association	Member since 1993	

Applicants for Police Community Relations Committee

Tawanda Boone 3338 Tobacco Road Greenville, NC 27834	Application Date: 12/20/2007 Home Phone: 414-2454 District: 2
Rodney Coles 411-L15 Beasley Drive Greenville, NC 27834	Application Date: 1/21/2008 Home Phone: 364-1100 District: 1
Terry King 1310 Thomas Langston Road, Unit 7 Winterville, NC 28590	Application Date: 09/10/2007 Home Phone: 321-6996 District: 5
Bari Muhammed 302 Sedgefield Drive Greenville, NC 27834	Application Date: 09/24/2007 Home Phone: 301 367-3690 District: 2
Chad Reynolds 104 Marion Drive Greenville, NC 27858	Application Date: 9/18/2007 Home Phone: 321-6311 District: 5
Mary Rogers 3529 Providence Place Winterville, NC 28590	Application Date: 12/20/2007 Home Phone: 756-9403 District: 5
Wayne Whipple 3102 Cleere Court Greenville, NC 27858	Application Date: 07/18/2007 Home Phone: 321-0611 District: 4

Applicants for Recreation and Parks Commission

Martha Brown 2780 Stantonsburg Rd., Apt 2C Greenville, NC 27834	551-9921	Application Date: 6/28/2007
Mary Fedash 3223 Meeting Place Greenville, NC 27858		Application Date: 10/20/2008
Joseph P. Flood 1919 Sherwood Drive Greenville, NC 27858	353-9915	Application Date: 7/18/2007
Carlton Floyd 104 East Catawba Road Greenville, NC 27834	757-3302	Application Date: 7/25/2008
Theodore Arthur Graepel 317 Baytree Drive Greenville, NC 27834	756-9172	Application Date: 6/10/2006
Clifton Bell Hickman 112 Roanoke Place Greenville, NC 27834	756-3591	Application Date: 10/11/2007
Mitchell Jones 94 Tuckahoe Drive Greenville, NC 27858	756-7660	Application Date: 8/11/2006
Chad Reynolds 104 Marion Drive Greenville, NC 27858	321-6311	Application Date: 9/18/2007
Don M. Wilkerson, Jr. 3714 Cantata Drive Greenville, NC 27834	355-7331	Application Date: 2/28/2007
L. H. Zincone, Jr. 1730 Beaumont Drive Greenville, NC 27858	756-0071	Application Date: 8/15/2008

Applicants for Redevelopment Commission

Ann Eleanor 102 Lindenwood Drive Greenville, NC 27834	848-4257	Application Date: 12/1/2007
Zeke Jackson 3226 Meeting Place Greenville, NC 27858	750-1420	Application Date: 12/10/2007
Justin Mullarkey 1509 East 5th Street Greenville, NC 27858	364-1183	Application Date: 1/28/2008
Corey Rhodes 3911 Sterling Pointe Drive, #006 Winterville, NC 28590	756-7776	Application Date: 5/11/2008
Wayne M. Whipple 3102 Cleere Court Greenville, NC 27858	321-0611	Application Date: 7/18/2007

Applicants for Sheppard Memorial Library Board

Tawanda Boone 3338 Tobacco Road Greenville, NC 27834	414-2454	Application Date: 12/20/2007
Jennifer Brezina 608 Winstead Road Greenville, NC 27834	355-5707	Application Date: 8/1/2007
Judith Havermann 2009-A Cambria Drive Greenville, NC 27834	321-1655	Application Date: 11/19/2007
J. Scott Johnson 2008 Pinecrest Drive Greenville, NC 27858	355-0644	Application Date: 7/29/2008
Chad Reynolds 104 Marion Drive Greenville, NC 27858	321-6311	Application Date: 9/18/2007
Stuart Rosenstein 407 Winchester Drive Greenville, NC 27834	321-8436	Application Date: 11/18/2006
Ralph Lee Scott 309 South Library Street Greenville, NC 27858	830-0263	Application Date: 8/21/2007

Applicants for Youth Council

J. H. Rose High School:

Karen Hardy

Jacob Subach

Michael Law



City of Greenville, North Carolina

Meeting Date: 11/6/2008
Time: 7:00 PM

Title of Item: Nominations for the Pitt-Greenville Convention and Visitors Authority Chairman

Explanation: On September 18, 1997, the City of Greenville, Pitt County, and the Pitt-Greenville Convention and Visitors Authority entered into an interlocal agreement. Section 7 of that agreement states that "The Chairman of the Authority (meaning Pitt-Greenville Convention and Visitors Authority Board) shall be designated by the Board of Commissioners of the County from a list of three (3) members of the Board of Directors nominated by the City Council of the City." Thus, the City Council needs to nominate three members of the Board of the Pitt-Greenville Convention and Visitors Authority to the Pitt County Commissioners. A membership listing is attached.

Mayor Pro-Tem Council, as liaison to the Pitt-Greenville Convention and Visitors Authority, will make a recommendation to the Council at the meeting.

Fiscal Note: None.

Recommendation: Select three nominees for Chairman of the Pitt-Greenville Convention and Visitors Authority to be considered by the Pitt County Commissioners.

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 [CVA Members](#)

Members of Pitt-Greenville Convention and Visitors Authority

Member Type: Regular		Term Expires
Marion Blackburn 802 River Hill Drive Greenville, NC 27834	Type County Business Phone Home Phone 931-0728	July 2010
Dawn Boyd Cribari 2310 NE Greenville Blvd Greenville, NC 27834	Type County Business Phone 752-2378 Home Phone 353-4108	July 2008
Joseph D Fridgen 4002 Wyneston Road Greenville, NC 27834	Type City Business Phone 328-4640 Home Phone 756-9972	July 2009
Thomas R Hines 2647 MacGregor Downs Road #J Greenville, NC 27834	Type County Business Phone 752-3969 Home Phone 756-0101	July 2011
Candace Hollingsworth 2452 Hunter Chase Lane Greenville, NC 27858	Type County Business Phone 317-1503 Home Phone 341-7395	July 2010
Linda Pleasants 1452 West Rock Drive Greenville, NC 27858	Type City Business Phone 754-8300 Home Phone 754-8300	July 2011
Terry Shank 1215 Drexel Lane Greenville, NC 27858	Type City Business Phone Home Phone 756-3108	July 2011
Robert Sheck 3541 Brick Kiln Road Greenville, NC 27858	Type County Business Phone Home Phone 830-1833	July 2009
Bob Simon 400 St Andrews Dr Greenville, NC 27834	Type Chamber Business Phone 756-3445 Home Phone 756-1161	July 2009

Pitt-Greenville Convention and Visitors Authority

James R. Streeter	Type	City	July 2010
104 Pearl Drive	Business Phone		
Greenville, NC 27834	Home Phone	355-2397	

John Van Coutren	Type	City	July 2010
500 Hensington Drive	Business Phone	355-5000	
Greenville, NC 27858	Home Phone	355-4743	



City of Greenville, North Carolina

Meeting Date: 11/6/2008
Time: 7:00 PM

Title of Item: Minutes of the September 30, October 6, October 9, and October 20, 2008 City Council meetings

Explanation: A draft of the minutes of the September 30, 2008 joint meeting with the County Commissioners, the October 6 and 9, 2008 City Council meetings, and the October 20, 2008 diversity training session have been prepared and are ready for consideration by City Council.

Fiscal Note: None.

Recommendation: Approval of the September 30, October 6, October 9, and October 20, 2008 City Council minutes.

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- [September 30 2008 Minutes of the Joint City Council County Commissioner Meeting 792841](#)
- [October 6 2008 City Council Meeting Minutes 789960](#)
- [October 9 2008 City Council Minutes 790837](#)
- [October 20 2008 City Council Minutes 792807](#)

MINUTES PROPOSED FOR ADOPTION BY CITY COUNCIL

September 30, 2008
Greenville, NC

The Greenville City Council met in a joint meeting with the Pitt County Commissioners on the above date at 5:30 p.m. in the Greenville Convention Center. The meeting was called to order by Mayor Dunn and Chairman Owens. The invocation was offered by Vice-Chairman McLawhorn, and the Pledge of Allegiance was led by Council Member Glover. The following were present.

City

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

County

Chairman Mark W. Owens, Jr.
Vice-Chairman Melvin McLawhorn
Commissioner Tom Coulson
Commissioner Jimmy Garris
Commissioner David Hammond
Commissioner Tom Johnson, Sr.
Commissioner Beth Ward
County Manager Scott Elliott
County Attorney JoAnne Borgdorff
County Clerk Patricia Staton

Council Member Larry Spell and Commissioners Eugene James and Kenneth Ross were absent.

New Business

Convention Center Update

Ms. Rhesa Tucker, Chief Executive Officer of the Greenville Convention Center (GCC), spoke about the convention center campus being minutes away from many activities, such as art, music, sports, shopping and a vibrant nightlife. There are 85 restaurants and 13 shopping complexes within a 1.5 mile radius of the campus. The 32-acre Greenville Convention Center campus is located southwest of Uptown Greenville, minutes from US 264 and the Pitt Greenville

Airport, East Carolina University, Pitt Community College, Pitt County Memorial Hospital and most major corporations. Ms. Tucker stated the Greenville Convention Center's flexible design affords the planner a variety of meeting styles to complement any agenda. The Greenville Convention Center is one of the most technologically advanced facilities in the state, with fiber modems, fiber to fiber connection between campus hotels, wireless internet, on-site video capabilities, surround sound and videoconferencing ability.

Ms. Tucker stated that the local tourism economic indicators for FY 2007 were \$176.66 million spent by tourists, a 4.68 percent increase from 2006. The local tax receipts of \$12.96 million generated represent an \$85.23 tax savings to each county resident and 2,000 local jobs created. Tourism jobs generated \$35.62 million in payroll and Pitt County ranked 21 in travel impact among North Carolina's 100 Counties. Day conference attendees spend an average of \$68 per day, while overnight conference attendees spend an average of \$160 per day. By booking more conferences and increasing exposure in the conference market, Pitt County can create more local jobs. Ms. Tucker gave examples of the impact of conferences on the local economy:

- The 2009 NC United Methodist Conference is expected to have 1,800 attendees and 2,400 room nights, having an estimated economic impact of \$924,000
- The 2009 Shriners' Spring Ceremonial is expected to have 500 attendees with 750 room nights, having an estimated economic impact of \$219,750
- The 2009 NC Library Association is expected to have 500 attendees with 530 room nights, having an estimated economic impact of \$203,520
- The 2009 NC Health Information Management Association is expected to have 500 attendees with 800 room nights, having an estimated economic impact of \$307,200

Gangs in Greenville/Pitt County

Pitt County Sheriff Mac Manning provided an update on the Pitt County Sheriff's Office Gang Unit, which began its awareness efforts in 2000. The PCSO Gang Unit has conducted training for Law Enforcement, Pitt County Schools, Civic Organizations, Churches, Neighborhood Watch Programs and the G.R.I.P. Program. The overlap of three crime (gangs, guns, drugs) issues is often observed by law enforcement as a modern day form of organized crime. Sheriff Manning stated that there are 43 identified gangs in Pitt County. There are 22 gang sets, which are branches of different gangs (such as branches of the Bloods, Crips, etc.). In Greenville, there are 183 gang members with the Blood affiliation, 112 with the Crip affiliation, 12 with the Sureno 13 affiliation, 8 with the White Supremacist affiliation, 2 with the 5% affiliation, 1 with the Latin Kings affiliation and 20 that are other or unknown affiliation. Gangs are responsible for crime throughout the world, including violent crime, alien smuggling, mortgage fraud, guns, major thefts, internet crimes, border issues, traditional organized crime, sex trafficking, drugs, money laundering, identity theft, and public corruption. Approximately 195 cases tried in Pitt County from August 2006 until September 2008 were gang related.

The Greenville Police Department has a gang unit, and the mission of that unit is to prevent, interdict, and combat criminal gang activity in the City of Greenville and Pitt County on every front possible and with every tool lawfully available including civil remedies. The mission will be fulfilled through the tactical integration of presence, deterrence, partnership, intervention,

education, suppression, enforcement, prosecution, and incarceration. Gang prevention is a collaborative effort between law enforcement, school officials, school resource officers, mental health agencies, Division of Social Services and other organizations. The Pitt County Sheriff's Office has begun the GRIP (Gang Resistance, Intervention & Prevention) Program, which is designed to prevent and intervene with youth who may be lured to gang activity as a result of a lack of constructive activities during school breaks. By creating an interaction between youth and law enforcement, this program seeks to positively affect the problem of gang activity by suppressing any efforts to engage in such activities.

Radio/Communication System Update

Chief of Police William Anderson provided an update on a COPS Technology 2007 grant that was received in September 2007 in the amount of \$2.977 million. The purpose of the grant was to provide communications equipment to the Greenville Police Department, Pitt County Sheriff's Office, Greenville Fire/Rescue, all other law enforcement agencies within Pitt County including East Carolina University and Pitt County Memorial Hospital, EastCare, and the Pitt County 911 Center. Greenville and Charlotte-Mecklenburg were the only locations in North Carolina approved for funding in 2007. The 25% local match is \$744,334. Total funding was \$3.72 million to provide access to the VIPER Communications Network. VIPER stands for Voice Interoperability Plan for Emergency Responders and it is owned by the State of North Carolina. The North Carolina Highway Patrol maintains the system and acts as the primary contractor for the VIPER system infrastructure, which does the following:

- Allows public safety agencies to communicate with one another via radio communications systems in real time when needed
- Provides a common operating platform to facilitate interoperable voice communications for first responders in all branches of public safety
- Allows point-to-point communications from anywhere in the state and provides users access to State and Federal communications through the use of certain talk groups
- Allows agencies throughout Pitt County to communicate directly with each other
- Provides county Event Talk Groups that users from different agencies can use as needed
- Provides for access to State Emergency Management Talk Groups to facilitate communications for large-scale operations
- Provides for multi-agency communications in real time, which are beneficial for small and large-scale events.

All equipment has been delivered and inventoried. Agencies will receive their equipment when their matching funds have been received. Contracts have been signed to provide for communication lines to provide needed connections to the VIPER Master Site in Raleigh, and required software upgrades to facilities maintained by the North Carolina State Highway Patrol have been completed. Agencies are finalizing their programming templates, and they are getting final approval for all Talk Group requests from the North Carolina State Highway Patrol. The expected cutover date is December 15, 2008.

Mr. Noel Lee, Emergency Management Services Director, informed the Council and Commissioners that the COPS Tech Grant that was recently received will provide the

infrastructure for interoperability between all communications centers in Pitt County. It will not, however, provide funding for County Fire and EMS. The 911 Center is a part of the Division of Pitt County Emergency Management, and is the main public safety answering point for fire and EMS in the County. All 911 calls go to the center, from where law enforcement calls are transferred to the proper agency. It also provides emergency medical dispatch (EMD) for all EMS calls. There are 20 volunteer fire departments in the County and 8 non-profit EMS squads, 2 County Operated EMS Squads, and 1 QRV, and they still operate on the VHF Radio System for paging capabilities and day-to-day communications. The COPS Tech Grant is mainly for law enforcement. Pitt County has needs for County Fire and EMS day-to-day multi-agency response and multi-agency response for disasters or special events. Future needs for interoperability include additional consoles for the 911 Center, six portables for each fire department, three portables for each EMS squad, and ten portables for cache of portables. Emergency Management Services will work to obtain additional grants and additional funding, and requests the elected officials' continued efforts to complete the interoperability needs of Pitt County

Overview of Greenville Utilities Commission Ratemaking Process

Greenville Utilities Commission's General Manager, Ron Elks, stressed the importance of having a not-for-profit utility company that is locally controlled by a board of commissioners made up of local citizens representing the interests of all Greenville Utilities Commission customers that makes decisions that support local needs and values. As a not-for-profit, the revenues go back into each fund to provide safe and reliable services, maintain operations and service levels, and support the ongoing economic growth of Greenville. The business enterprise principles of Greenville Utilities are that each enterprise fund operates as a separate business unit, to have continued investment in utility infrastructure, to preserve bond ratings, to fund support functions, to have reserves for emergencies and opportunities, and to meet Local Government Commission requirements. Greenville Utilities is financially sound, having recently been upgraded from A2 to A1 by Moody's Corporation and having affirmed A+ with a stable outlook and been upgraded business position from a 5 to a 4 (based on 10-point scale with 1 being excellent and 10 vulnerable) by Standard and Poors. Greenville Utilities has become a regional service provider in the water, sewer, gas and electric areas.

General Manager Elks stated that there are 62,196 electric connections, covering the entire City and 75% of Pitt County. In partnership with 31 other cities in eastern North Carolina, Greenville Utilities purchases electric power for customers through membership in the North Carolina Eastern Municipal Power Agency (NCEMPA), which owns a portion of five electrical generation units (three nuclear; two coal-fired), which are owned and operated by Progress Energy (the majority owner). Electric generation cost increases are due to an increase in coal costs from \$30/ton to \$100/ton, the cost to produce nuclear power (increase in uranium from \$20/pound to \$135/pound), operation and maintenance costs at power generating plants, financing costs for power generating plants, and transmission costs. Nationwide increases have ranged from 15.5% to 113%. Greenville Utilities' purchased power costs increased 14% effective August 1, 2008, which had a nearly \$20 million annual impact. Greenville Utilities passed this through as an 11.2% retail increase, effective August 1, 2008 and will adjust the energy rider language in Greenville Utilities Commission's regulations to recover system line losses. A monthly electricity bill comparison was displayed for the winter and summer months

using 1,000 kWh with LM credits as the base. For the winter months, those rates ranged from \$159.40 in Farmville to \$102.02 for Dominion Power, with a median of \$125.06. Greenville Utilities' rate is \$110.74, below the median. For the summer months, those rates ranged from \$145.50 in Kinston to \$114.95 from Dominion NC Power, with the median being \$129.15. The rate from Greenville Utilities is \$121.31, and that does reflect the recent rate increase. Since 2002, Greenville Utilities has absorbed nearly \$3.7 million in wholesale power costs and nearly \$10.4 million in increased costs for poles, transformers, labor, meters, fuel, etc. Out of every dollar received by Greenville Utilities, \$.78 goes to purchase power and \$.03 goes for debt service and turnover to the City, leaving \$.19 for operations, maintenance, annual construction projects, strategic initiatives, and personnel.

General Manager Elks stated that there are 21,522 customer connections for natural gas. There are 562 miles of pipeline and 394 miles of service lines. Greenville Utilities has its own liquefied natural gas system. A typical natural gas bill using 50 ccf ranges from \$154.96 in Bessemer City to \$84.15 in Lexington, with the median being at \$102.86. The rate for Greenville Utilities would be \$95.57.

General Manager Elks continued by explaining that there are 33,308 customer connections for water. There are 593 miles of pipeline. The water treatment plant on Old River Road has a 22.5 million gallons per day (mgd) capacity, and there are deep wells that can produce two mgd. The average treatment is 10.8 mgd, and the maximum daily usage is 16.12 mgd. For wastewater collection/treatment, there are 26,814 customer connections, and the wastewater treatment plant has a 17.5 mgd capacity. The average treatment is 9.13 mgd. There are 459 miles of pipeline and 33 pump stations. Effective May 1, 2008, there was a 4.4% or \$1 increase in water rates for a typical residential customer and a 14% or \$3.47 increase in sewer rates for a typical residential customer. Combined, the water/sewer adjustments add approximately \$4.47 per month to the typical residential water/sewer customer's bill. The water rates for a typical residential customer, using 6,000 gallons of water per month, range from \$45.41 in Bell Arthur to \$13.56 in Charlotte, with a median charge of \$24.03. The charge from Greenville Utilities Commission would be \$23.49. The sewer rates for a typical residential customer, based on 6,000 gallons per month, range from \$62.62 in Jacksonville to \$12.83 in Winston-Salem, with the median being \$32.37. The charge for Greenville Utilities would be \$28.19.

General Manager Elks stated that it is essential for Greenville Utilities to have capacity in place to meet all customers' needs, to ensure that regulations are met, and to allocate the associated costs equitably. The Commissioners approved changes to the fees charged by Greenville Utilities effective October 1, 2008. Currently, Greenville Utilities charges a tap fee for the physical connection to the system that is two-tiered to recognize the cost differences in Greenville Utilities--developed and developer developed. Greenville Utilities also provides sewer main fees and service refunds for water/sewer. A review of these rates was begun in January 2007, and changes were recommended. Those were recently implemented, including the establishment of a new capacity fee to cover the cost of capacity in the water and wastewater treatment plants and other core system assets, to establish development service fees to cover the cost for engineering and inspection services for new development, and to eliminate sewer main fees and continue service refunds for water/sewer until June 30, 2009. Cost-of-service principles were applied to determine the amounts for those fees. To apply cost-of-service principles, it has to allocate a

proportional cost of existing system capacity and Greenville Utilities' engineering and inspection costs to new development, increase equity of cost recovery between new and existing customers, and provide for new customers to pay a proportional share. This has to be done in order to maintain competitive water/sewer rates and fees, to minimize future increases in rates/fees, to avoid rate/fee shock, and to provide an equitable method to address financial needs associated with growth and system capacity. The fees were announced and, listening to the concerns of some of the developers, the Commissioners voted to reduce some of those fees. Those being proposed are in line with other cities and investor-owned utilities. In 2007-2008, Greenville Utilities installed 10% of the new water lines and 2% of the new sewer lines, while the remainder were developer installed.

General Manager Elks concluded by stating that the Utilities has state-of-the-art facilities and equipment, with reserve capacity facilities in place for electric (125 MVA distribution), water (11.73 mgd), sewer (8.37 mgd), and gas (pipeline supply; LNG). It also has the flexibility to meet specific needs and to provide for economic development, thus job creation. Greenville Utilities has a strong and diverse service territory; experienced and forward-looking management team with proven results and proactive business plans; diverse resources that continue to meet customer requirements, including wholesale partnerships, of Eastern North Carolina; solid financial results with good debt service coverage and competitive retail rates; solid political support for Greenville Utilities Commission among the Board, City Council and community; and public-private partnerships.

ADJOURN

Motion was made by Council Member Joyner and seconded by Council Member Mercer to adjourn the meeting at 8:20 p.m. Motion carried unanimously.

Chairman Owens declared the County Commissioners adjourned.

Respectfully submitted,

Wanda T. Elks

Wanda T. Elks, MMC
City Clerk

MINUTES PROPOSED FOR ADOPTION BY CITY COUNCIL

Greenville, NC
October 6, 2008

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

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

APPROVAL OF AGENDA

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

CONSENT AGENDA - APPROVED

Motion was made by Council Member Spell and seconded by Mayor Pro-Tem Council to approve the consent agenda. Motion carried unanimously.

- 1) Minutes for the September 8 and September 11, 2008 City Council meetings
- 2) Resolution accepting dedication of rights-of-way and easements for Tull's Cove, Section 1 (Resolution No. 08-52)
- 3) Lease agreement for Roses Parking Lot located at the corner of Evans and Fourth Streets (Contract No. 1724)
- 4) Ordinance establishing Section 12-1-21 of the City Code relating to the Extreme Park (Ordinance No. 08-104)
- 5) Resolution of assurances for State Revolving Fund loan for Greenville Utilities Commission's Water Treatment Plant Raw Water Pump Station Improvements Project (Resolution No. 08-53)
- 6) Water system capital project budget ordinance for Greenville Utilities Commission's Aquifer Storage and Recovery Wellhead Facilities Project (Ordinance No. 08-105)
- 7) Water system capital projects budget ordinance for Greenville Utilities Commission's Tar River Temporary Dam Drought Mitigation Project (Ordinance No. 08-106)

- 8) Water system capital projects budget ordinance for Greenville Utilities Commission's Eastside Water Tank Rehabilitation Project (Ordinance No. 08-107)
- 9) Sewer system capital projects budget ordinance for Greenville Utilities Commission's Westside Pump Station and Force Main Project (Ordinance No. 08-108)
- 10) Budget ordinance amendment #4 to the 2008-2009 City of Greenville Budget (Ordinance No. 08-109)
- 11) Various tax refunds

ORDINANCE REQUESTED BY JEREMY SPENGE MAN TO AMEND DEFINITION OF "CONVENTIONAL RESTAURANT", FOR PURPOSES OF QUALIFYING AS A PRINCIPAL USE RESTAURANT UNDER THE ZONING REGULATIONS, TO REDUCE THE MINIMUM SALES REQUIREMENT OF PREPARED AND/OR PACKAGED FOODS, IN A READY-TO-CONSUME STATE, DURING ANY MONTH, FROM MORE THAN FIFTY (50) PERCENT OF TOTAL GROSS RECEIPTS IN ALL CASES TO EITHER (I) MORE THAN FIFTY (50) PERCENT OF TOTAL GROSS RECEIPTS OR (II) HAS MONTHLY SALES OF PREPARED AND/OR PACKAGED FOOD IN A READY-TO-CONSUME STATE IN EXCESS OF THIRTY (30) PERCENT OF THE TOTAL GROSS RECEIPTS FOR SUCH ESTABLISHMENT AND SUCH SALES ARE NOT LESS THAN SEVENTY-FIVE THOUSAND DOLLARS (\$75,000.00) FOR SUCH ESTABLISHMENT FOR EACH QUARTER-YEAR PERIOD OF EACH YEAR, AND TO INCLUDE SPECIFIC CRITERIA FOR DETERMINING WHICH SALES CAN BE ATTRIBUTED IN THE PORTION OF SALES OF PREPARED AND/OR PACKAGED FOOD IN A READY-TO-CONSUME STATE IN THE DEFINITIONS FOR CONVENTIONAL RESTAURANT AND FAST FOOD RESTAURANT – CONTINUED TO DECEMBER 11, 2008

City Manager Bowers reminded the Council that this item has been before the Council several times and there have been two public hearings. Staff has provided information and is ready for questions or action by Council.

Motion was made by Council Member Kittrell and seconded by Council Member Glover to continue this matter until the December 11, 2008 City Council meeting and to request that staff prepare for City Council review at the December 11, 2008 meeting a new City-wide ordinance which will establish a new land use category for a restaurant/club-type use which is Option #5 of the options presented to City Council at the September 11, 2008 meeting.

City Attorney Holec stated that, if this motion passes, the ordinance would be presented in December. At that time, if the Council finds it acceptable, Council would initiate the ordinance amendment, which would go to the Planning and Zoning Commission for public comment and recommendation to Council. After they have had an opportunity to make a recommendation, it would go to the City Council for public hearing and possible approval after the public hearing. This would be the first step in having staff to prepare the ordinance and bring it back to Council in December for review.

Council Member Glover asked that they take into consideration the State's ABC law that directs the City and preempts the previous ordinance, as she wants to make sure that the Council is business-friendly in order to keep the businesses open.

Council Member Kittrell asked for the involvement of the Chamber of Commerce, Tar River Neighborhood Association and others to provide input. He encouraged TRUNA; the Tar River Neighborhood Association; and Mr. Spengemen, the applicant, to meet to try to reach common ground.

Council Member Joyner indicated that since this will affect all of Greenville, all representatives of the City need to be included. He stated that he had asked for information on restaurants in Greenville, and the information received indicated that there are 4 restaurants that don't meet the food sales requirement and 44 that don't report on a regular basis. He expressed his desire for the law to be applied fairly.

Mayor Pro-Tem Council asked if the City had enough staff to monitor the additional restaurants. She expressed that the City needs to be fair across the board and not single out one that is near a neighborhood.

City Manager Bowers stated that the City is not monitoring the restaurants; it is responding to complaints. The City gets its information from the State.

Upon being asked if the City can recommend to the State that they monitor fairly, City Manager Bowers replied that since the State has the 30% requirement, it is probably not concerned as long as the restaurant is meeting that requirement. If it is satisfied that someone is meeting their 30% requirement, the State has no reason to ask for more. The City checks when there is a complaint.

The Council then voted on the motion made by Council Member Kittrell and seconded by Council Member Glover to continue this matter until the December 11, 2008 City Council meeting and to request that staff prepare for City Council review at the December 11, 2008 meeting a new City-wide ordinance which will establish a new land use category for a restaurant/club-type use which is Option #5 of the options presented to City Council at the September 11, 2008 meeting. The motion carried unanimously.

PRESENTATIONS BY BOARDS AND COMMISSIONS

Recreation and Parks Commission

Mr. Jimmy Bonds, Chairman of the Recreation and Parks Commission, informed the Council that various facilities and services have seen developments, expansions & improvements. Some projects have been solely a City initiative, but in other cases another group or organization partnered with the City by providing money or staffing and/or support to make something happen that might have been impossible otherwise. Improvements or additions that have been done to facilities included:

- Improvements to the Aquatics & Fitness Center were concluded and the \$500,000 Parks & Recreation Trust Fund grant that made them possible was closed out. More than 200 new members have joined the center since these improvements were completed, and current

membership totals 3,336. Daily attendance runs from 200 to 400, with a monthly attendance averaging 8000.

- Tennis court resurfacing, replacement of shelter roofs and landscaping at Thomas Foreman Park.
- Office siding replaced and renovations to the weight room and kitchen at The Eppes Recreation Center.
- Replacement of tot lot at Elm Street Park with totally accessible playground called "CommonGround.". Because of outside support, a capital investment of \$40,000 resulted in a project valued at nearly \$200,000 and a very special playground. Support for CommonGround included both monies and services, with David Vaughn providing to and leading the fund raising effort, and the Drew Steele Foundation providing \$30,000 toward this important project.
- Fundraising for the Drew Steele Center project, which will convert the Elm Street Gym into a multi-use facility accessible to everyone. This year's dinner & golf tournament, headed up by Drew and Coach Skip Holtz, brought the funds raised up to the \$500,000 level, which is needed if the City is to receive an equal amount from the NC Parks & Recreation Trust Fund.
- Phase II of improvements to the Andrew Best Freedom Park began this year, with a new fence and backstop. Phase II, with paved parking and a walking path, irrigation, turf, landscaping, benches and memorial plaque and signage is expected to be completed in December.
- Phase II of Paramore Park, which includes a paved walking trail, tot lot, benches, volleyball court, horseshoe pits, turf and landscape improvements, and signage is also anticipated to be completed by December.
- Nick's Place, a megatower playground constructed at Jaycee Park was donated in memory of Nick Glennon by his family and business partners.
- The lighting at Jaycee Park was also replaced during the year, as the original lights were almost 30 years old and quite deteriorated.
- At West Haven and Woodlawn Parks, the picnic shelters received steel roofing.
- New restrooms replaced the aging ones at Evans Park, and sun shades were added to the dugouts.
- At River Park North, new black vinyl fencing was installed to separate a sensitive natural area from the more developed portion of the park.
- A new interactive frog exhibit has been added to the Walter L. Stasavich Science and Nature Center.

Mr. Bonds enumerated the programs that were sponsored by the department.

- The Adult Softball program attracted 60 teams this summer and there are 32 teams registered for fall league, the largest number ever.
- The second season of Adult Wiffleball is now underway with seven teams participating.
- The Adult Flag Football League has nine teams and plays a ten-game schedule and a post-season tournament.
- Three QuickStart programs were offered this summer and two are offered for the fall. A total of 147 youngsters have registered. QuickStart is a new and exciting method for teaching

youngsters the game of tennis, uses smaller courts, age-specific balls and rackets, and lets players participate continuously.

- The Bradford Creek Golf Course hosted the Carolina Golf Association's North Carolina Junior Amateur tournament, the largest and most prestigious junior golf tournament in North Carolina. The event drew 130 of the state's best Junior Golfers, and resulted in many room nights being booked at local hotels. In addition to this tournament, there are about 20 other tournaments hosted at the course, often by charity groups such Babe Ruth Baseball, United Way, Lung Association, and the Carolina Pregnancy Center. etc. The course averages about 30,000 rounds per year, and the Bradford Creek Junior Golf Program touches over 300 juniors instilling the values of honor, integrity and commitment that are at the heart of the game.
- The Off-Leash Dog Area continued successful operations through the year. The department's annual kids dog show was moved to the site.
- The City Pool continued to be a popular spot during the summer months, with youngsters and families visiting during general admission hours, and camps of all sorts using the facility, and lessons offered as well.
- The PAL program, a cooperative effort between the Police Department and Recreation and Parks, is offered at both Eppes and South Greenville Recreation Centers. It operates full time in the summer months and after school from fall to spring, and includes both study time and recreation time.
- The fall youth soccer program attracted 865 players.
- Partnerships continued, as an effective means of serving the people of Greenville, and resulted in such programs as the Jackie Robinson League and the Greenville Little League Program, which hosted some significant tournaments in Greenville.
- The cross country course established at H. Boyd Lee Park continues to serve as the home course for D. H. Conley, South Central, and Rose High Schools, and hosts numerous meets each year, including the Bo Run this past weekend, which attracted 49 schools and approximately 1400 runners to the park.
- The department continued providing or supporting a series of special events, including the International Festival, Memorial Day and Veteran's Day Observances, and the Sunday in the Park Concert Series.
- The Extreme Park remains popular.
- The Pitt County Special Olympics continues to be a major focus.
- Senior programs continue to be popular.
- Staff is in the final stages of updating the Comprehensive Master Plan, which should guide the department's land acquisitions and capital park projects over the next 10 to 15 years.

Pitt-Greenville Airport Authority

Mr. Jim Turcotte, Airport Manager, gave a history of the Pitt-Greenville Airport, which dated back to 1941. The airport has hosted several groups during the past year such as returning troops, football teams, the President, and Vice-Presidential candidates. The replacement cost of the airport as it stands today is \$100 million. Its annual economic impact to the community per the 2006 North Carolina Department of Transportation Division of Aviation Study is \$51,696,100. The operational expenses of the airport since 1986 have been \$29,933,318.

Federal and state capital improvement grant revenues and expenditures since 1998 have been \$18,995,493. The Airport Authority matching grant funds since 1998 have been \$1,361,707. There has been no operational funding from Pitt County or the City of Greenville since 1986 and no capital project funding from the Pitt County or City of Greenville since 1998. Infrastructure improvements continue, and they are getting ready to enhance the access road into the airport, creating an attractive gateway. The Council was shown architectural renderings of the terminal with an overhang, stating that they will probably build a new building to the north of existing building to make it three feet higher to meet the recommendations.

Police Community Relations Committee

Ms. Diane Kulik, Chairman of the Police Community Relations Committee, stated that in 2007, the Committee held town hall meetings in each voting district to find out what the citizens felt were the most important crime issues in their district. In 2008 they went back in to each district to meet with the citizens and to give findings. The results were varied among districts. The biggest crime issues all over the city and the neighborhoods were illegal drugs, robberies, violent crime, gangs, burglaries, vandalism, underage drinking and delinquency at night. In response to those concerns, Chief Anderson talked about initiatives to be undertaken to combat the problems. One of the initiatives was to split up the police districts. They became smaller and now there are more districts, meaning there will be more coverage by patrol, more officers on the street, more police visibility and the response time will be shorter. The City is now divided into four police areas, and there is a lieutenant in charge of each area. Community policing is currently very successful forming stronger bonds between the neighborhoods, citizens and police officers. There is better communication between the citizens, the neighborhood and the officers. If they know each other they will rely on each other, and there is a stronger bond. In one neighborhood, there is now a police substation. Another initiative is the youth protection ordinance, which will give parents and police a tool to keep teens under 16 off the streets late at night. Last June a large crime sweep rounded up over 400 fugitives. This was a joint effort of federal, state, county and city officials, in which there were 100 officers on street at one time and 900 warrants were issued. Another initiative is the summer and afterschool initiative, PAL, which sets up police as a positive role model for children, putting them in a positive and safe environment. This year's focus is education. With a focus on education, each voting district is choosing a topic that it wishes to have discussed in its district. As a part of that program, District Attorney Clark Everett recently spoke to 120 to 130 people about the court process from accusation to conviction. This week, the Police Community Relations Committee will sponsor a meeting on gangs at J. H. Rose High School, and Chief William Anderson will be the speaker. Chairman Kulik concluded by stating that the Police Community Relations Committee is helping the citizens and police work together in a positive way to solve crime problems in the city. It is working to get information out in the city and educate the citizens about concerns.

ACQUISITION OF PARCELS FOR THE INTERMODAL BUS TRANSPORTATION CENTER SITE - APPROVED

Assistant City Manager reminded the Council that the Intermodal Transportation Center Steering Committee was created in 2007 for the purpose of providing broad input and representation in the intermodal site selection and program design process. The Steering Committee met with

City staff and Ken Mayer of Moser, Mayer and Phoenix (the project consultant) on September 26, 2008 to receive a report from Ken Mayer, project transportation consultant, and City staff about the completion of the Phase I Environmental Site Assessment and whether the project is ready to move forward with the acquisition activities. Following a presentation by Ken Mayer and a report from Thom Moton, the Steering Committee unanimously approved a recommendation that the City Council be requested to authorize formal acquisition of the parcels. The parcels are bordered by Cotanche, East Eighth, East Ninth, and Evans Streets. Acquisition activities will be regulated by federal requirements. Approval of the request is consistent with the City Council's 2008-09 Goal #4, Objective C. The intermodal transportation center is needed to serve the needs of current and future GREAT riders, to set the foundation for better coordination, to integrate transit into the community and attract GREAT riders of choice, to leverage investment by attracting additional riders and connecting people using other modes of travel, and to support revitalization efforts and create synergies that lead to other investments. The proposed site is in close proximity to Uptown Greenville and the Tenth Street Connector; has convenient access to the east, west, south and north because of the locality near Tenth Street, Cotanche and Evans Streets. It is bounded by Evans, Cotanche, East Eighth and East Ninth Streets. Intermodal transportation experts chose the site based on industry recognized selection criteria. The site must have the following characteristics: access/operations (efficient layout/ability to move in and out), cost (appropriateness/most for the money), size (adequate for current and future needs), intermodality (best location for all transportation providers), proximity to downtown/ECU (core hub locations), availability (assemblage issues), image (location/design that will enhance the City's and transit's image), urban design/planning (enhance City's objectives), Tenth Street Connector (access to major future transportation corridor), and economic development (enhance opportunities on surrounding sites). The facility must be accessible, safe, secure, multipurpose, inspiring and streamlined.

Steering Committee Member Bob Thompson expressed his eagerness to have an accessible intermodal transportation in Greenville. He expressed appreciation for the Council building an inclusive community.

Steering Committee Member Peg Gemperline stated that the committee unanimously recommended that the Council approve the Cotanche Street, East Ninth and Eighth Streets, and Evans street site. The committee was a cross section of citizens. The site selection process was initiated by a steering committee in July 2007 and was well guided by the consultants. The process has been open, having had public input meetings in July 2007. Mr. Thom Moton has been in contact with the property owners of the prospective site. She encouraged the Council to go online to view the proposal. The facility will provide basic amenities to members of the traveling public and a transportation point that will serve as a focal point to serve Greenville/Pitt County. There has been a significant increase in ridership both in the City and Pitt County. Trailways reported that 25% of its riders are ECU students. The transportation center will serve as a hub for people making their way to and from Greenville. The center will service GREAT, Pitt County Area Transit, ECU, Trailways, Greyhound, as well as taxicab service. For many, the Center will be their first impression of Greenville. By virtue of having a center for transportation, the area will be able to interact and support regional transportation.

After discussion about rail and shuttle service and questions about the acquisition process from the Council Members, motion was made by Mayor Pro-Tem Council and seconded by Council Member Kittrell to approve the Steering Committee's recommendation that City Staff be authorized to begin the formal acquisition phase of the Intermodal Bus Transportation Center development. Motion carried unanimously.

FINANCIAL AUDIT FOR THE FISCAL YEAR ENDED JUNE 30, 2008 - APPROVED

Director of Financial Services Bernita Demery stated that Greenville is the tenth largest City in North Carolina. Of the other nine cities, four have property tax rates higher than that of Greenville. Two months into the fiscal year, property tax revenues are 19% over budget, while a 13% growth was projected. Sales tax was conservatively projected at a three percent increase, and that has been surpassed. Staff had projected a 13% decrease in investment earnings. This revenue will be down for the City by the end of the fiscal year due to the economic situation. The economic impact will affect capital spending. Bonds are proposed in FY 2008-09; however, staff is not going to market with those right now. It will look at the market in the January/February time frame to see if that may be a better time, depending on the projects. Inspection permit fees are down. The 2008-09 budget projected a nine percent decrease based on the housing slump at that time. Financial matters include Fannie Mae/Freddie Mac, where the City has 34% of its investment portfolio invested. There is \$2 billion available, and staff has been assured that liquidity is not an issue. The Local Government Commission provides monitoring for the City. Wachovia is the operating bank, and the City has \$4.5 million in Wachovia. The buyout has been put on hold between Citigroup and Wells Fargo. Staff has been assured by the Local Government Commission that it will still have collateralization at Wachovia of 110%, and the last time staff checked it was 133%. Expenditures at this point in the budget process are \$486,000 greater than revenue. There is a slight decrease in the fund balance from \$27.5 million to \$26.9 million.

Ms. Demery continued by stating that the top five revenues are property tax/sales tax (63%), refuse fees (7%), utilities tax (7%), rescue fees (4%), and other revenue (19%). There has been a 4.4% growth in assessed valuation from 2007 to 2008, and 97.1% of the taxes have been collected. Breakdown of the expenses for the major departments include Public Works (21%), Police (31%), Fire/Rescue (18%), Recreation and Parks (8%), and others (22%). Sixty-six percent of the money spent was for personnel, 21.5% for operations, 4.1% for capital improvements, and 8.2% for capital projects. The major capital projects are the West Greenville 45-Block Revitalization (\$5.9 million) and the Dickinson Avenue Relocation (\$2.2 million). Ms. Demery stated that the debt policy is that the City debt will not exceed 2.5% of the assessed property value, and the actual debit is currently less than one percent of assessed value. The outstanding debt as of June 30, 2008 was \$38.95 million, and the debt capacity at that time was \$380 million. There is over \$60 million in unmet capital improvements in the Capital Improvement Plan.

Ms. Marcy Spivey of Martin Starnes and Associates (auditors), provided an unqualified opinion on the City's 2007-08 audit.

City Manager Bowers recognized the Financial Services staff for the excellent work they have done and for receiving the Certificate of Achievement for Excellence in Financial Reporting for the nineteenth year.

Motion was made by Council Member Glover and seconded by Mayor Pro-Tem Council to accept the audit report as presented by Martin Starnes & Associates and receive the information on the results of operations for the fiscal year ended June 30, 2008 presented by Financial Services. Motion carried unanimously.

COMPREHENSIVE RECREATION AND PARKS MASTER PLAN

Director of Recreation and Parks Gary Fenton reminded the Council that the City Council approved contracting with Site Solutions for an update of the 2000 Recreation and Parks Comprehensive Master Plan, which will help determine where the City is going with its recreation and parks needs for the next 12-15 years.

Mr. Derek Williams of Site Solutions stated that his group has been working since January on the master planning process, which will be a road map for not only now but for the future as well. A lot of people have been engaged in the process. There are 1,200 acres of parks with 27 existing parks, 132,000 square feet of buildings under roof. Existing mini parks include Hillsdale playground, Peppermint Park, Tobacco Road Park, Westhaven Park, and the Woodlawn Playground. The next park size up is a neighborhood park, and Greenville has six of those—Andrew A. Best Freedom Park, Greensprings Park, Jaycee Park, Paramore Park, South Greenville Park, and Thomas Foreman Park/Eppes Recreation Center. Neighborhood parks are walk-to parks that serve a radius of about ½ mile. They have five to ten acres and usually include playgrounds and picnic shelters but sometimes have fields associated with them. They are normally not for league type play. There is good coverage in some areas but there are some gaps in area of neighborhood parks. Community parks are the next size up and are usually 20-50 acres in size. They are large enough for league play and sometimes tournament play. The City has good coverage there, with five parks—Elm Street Park, Evans Park, Greenfield Terrace, H. Boyd Lee Park and West Meadowbrook Park. There are areas on the perimeter of the City that are not covered with this type of park. Regional parks are large passive parks, and the City has one—River Park North, which covers most of the city for regional parks. The City also has an undeveloped park, Phil Carroll Nature Preserve, which includes 185 acres of undeveloped land, and it is recommended that a regional park be constructed there. There are three existing small sports complexes in Greenville—Bradford Creek Soccer Complex, Guy Smith Stadium, and Perkins Little League. Typically they are 50-100 acres, and Greenville's are 10-15 acres, excellent but small. The high point of the park facilities is the special use facility, and the City has excellent special use parks—Beatrice Maye Garden Park, Bradford Creek Golf Course, Greenville Aquatics and Fitness Center, Off-leash Dog Park, River Birch Tennis Center, Sports Connection, Teen Center/Perkins Field/Sports Connection, Town Common, and the Walter L. Stasavich Science and Nature Center.

Mr. Williams continued by stating that the 2000 Comprehensive Plan projected the population in 2020 at 86,000; however, the current estimated population for that year is 106,000. In the 2000 Comprehensive Plan, there were recommendations for \$14.5 million improvements to existing

facilities. There were land acquisition and development needs for one district park, two community parks, five neighborhood parks, and fifteen mini parks. The development of some additional special use facilities were noted in the 2000 Comprehensive Master Plan—new sports complex, River Park North Expansion, improvements to the Aquatics Center, a new aquatics center, soccer complex, and Greenways, and the City has done a number of those projects. That plan had a \$45 million capital improvement budget associated with it. In 2003, there was an excellent Greenways Master Plan that came up with a recommendation of 37 greenway projects, almost 100 miles of greenway trails.

Mr. Williams explained that there were three public meetings, in which a total of 150 to 200 people showed up. A countywide survey was also done via telephone of 400 people, of which 300 lived in the city. They got very good input from the random sample. The vast majority of the respondents felt that additional recreation and park areas would benefit the community, and almost 90% felt there is a need for additional facilities. Of the City respondents, 82% have used a public park in the past year, with Elm Street Park being the most used park. Respondents said they would like to see additional greenways (91%), open space (82%), recreation centers (82%), water-based recreation (75%), and athletic fields (72%). There is a strong message there regarding greenways and open spaces. The activities the respondents felt were most important included:

Walking, jogging or bicycling	90%
Fitness activities	84%
Festivals and concerts	78%
Swimming	70%
Nature activities	69%
Basketball	63%
Fishing	62%
Activities for teenagers	62%
Arts and crafts	61%
Performing arts	61%
Baseball	55%
River activities	54%
Soccer	44%
Golf	34%

Eighty percent of those interviewed said they would be willing to spend additional money for park improvements. Of that eighty percent, twenty-five percent would be willing to pay \$25 or less to improve recreation and park facilities; twenty-five percent would be willing to pay \$200 or more for the improvement of recreation and park facilities, while 79% of the City respondents would support a bond referendum to build parks. When compared with towns of similar size, Greenville ranks higher than average with regarding to number of parks. An analysis was done of the total park sites and acreage needs, and the results were as follows:

Park Types	NPPA Guidelines	Greenville 2000	Greenville 2008
Mini Parks	1-3 Acres/Park (.25 acre/1,000)	1-4 Acres/Park (.25 acres/1,000)	1-4 Acres/Park (.25 acres/1,000)
Neighborhood Parks	7-15 Acres/Park (2 acres/1,000)	5-15 Acres/Park (1.5 acres/1,000)	5-15 Acres/Park (1.5 acres/1,000)
Community Parks	40-100 Acres/Park (5 Acres/1,000)	+20-75 Acres/Park (+40) (3-5 Acres/1,000)	20-75 Acres/Park (3 Acres/1,000)
Sports Complexes	60-100 Acres/Park (2.5 Acres/1,000)		40-80 Acres/Park (2 Acres/1,000)
Regional Parks	100-250 Acres/Park (10 Acres/1,000)	+1,000 Acres/Park (10 Acres/1,000)	+1,000 Acres/Park (7.5 Acres/1,000)

Using the needs assessment, it was determined that by 2020, Greenville would need to build 14 mini parks, 7 neighborhood parks, and community parks. The 2000 Comprehensive Master Plan had said there would be a need for one district park, two community parks, five neighborhood parks and fifteen mini-parks. They tried to propose where general needs would be. There was sentiment in the meetings about providing a neighborhood park in the buy-out property. On the perimeter of the city, there will be a need for community parks. There is strong support for a community park on NC 33 East on City-owned land. A competitive swim facility was discussed. He also looked at new facilities that would be needed in conjunction with the parks. There will be needs by 2020 for 3 adult baseball fields, 10 youth baseball fields (game/practice), 8 softball fields, 5 football fields, 12 soccer fields, 9 outdoor basketball courts, 18 tennis courts, 8 volleyball courts, 4 shuffleboard courts, 6 horseshoe pits, 12 picnic shelters, 21 playgrounds, 22.7 miles of hiking/greenway trails, 15.2 miles of fitness trails, 1 swimming pool, 4 spraygrounds, participation in a regional aquatic facility, 1 recreation center with gymnasium, 18.2 miles of blueways, 2 disc golf courses, 5 neighborhood performing areas, and 3 off-leash dog areas. The majority of those would be in the current parks.

Mr. Williams stated that many of the City's parks are in great need of improvements. A part of this recommendation is renovations to parks. It is also recommended that the City increase marketing efforts/staff position; improve/expand maintenance facility; add a park planning position; research/implement operational and construction measures to make department "greener" and investigate "outside" sources to assist in development of parks (public/private partnerships, development community, friends of the parks, corporate sponsorships and donations). It is recommended that the City partner with the Pitt County Community Schools and Recreation and University Health Systems and work with the task force on the development of bikeways throughout the community. The proposed capital improvement budget is \$53,519,500, which is \$8 million more than was projected in 2000. Of that, \$27 million is for renovation of existing parks. Most of those are on the City's five-year capital plan but they are not funded. Because these recommendations are for 2020 doesn't mean that all those items will be accomplished by then. The point is to develop a plan that has the right things in it and to work toward getting them. The monies shouldn't come strictly from City funds. This is a guide and map for future development.

Director of Recreation and Parks Gary Fenton informed the Council that if the City has an updated Comprehensive Recreation and Parks Master Plan, it gets additional points from PARTF. Additional points are awarded if the plan has been adopted by Council. If there is a project that the City would like to receive funding for them in the future, it needs to be in the plan.

Council Member Glover asked about the playground in the Higgs neighborhood and asked Mr. Fenton to get back with her on the Field of Dreams, having tires for the children to play on, etc.

Mayor Pro-Tem Council asked about the Play City, and Mr. Fenton responded that there are not many monies available for that. The benefit is that it is built with people in the community; it is not a contracted project. Creedmoor is currently the only Play City in North Carolina. Staff will be going to see that.

WEST GREENVILLE BROWNFIELDS PROJECT

Senior Planner Carl Rees reminded the Council that in the spring, it authorized a contract with Concurrent Technologies Corporation to manage the City's \$200,000 brownfields grant awarded by the U. S. Environmental Protection Agency in October 2007. The project period is October 1, 2007 to September 30, 2010. Concurrent Technologies Corporation (CTC) partnered with Duncklee & Dunham (D&D) Land Design, who has been working with City staff over the last few months to design a public participation program, as well as to develop a strategy for the inventory and assessment phases of the project. The group will be meeting with other organizations, boards and commissions, and speaking with the Redevelopment Commission.

Mr. David Sykes stated that brownfields are real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant or contaminant. Cleaning up and reinvesting in these properties takes development pressures off of undeveloped, open land, and both improves and protects the environment. The EPA Brownfields Program was established to provide funding to local governments for the inventory, characterization, assessment, clean-up and redevelopment planning of brownfields. It operates on an annual grant cycle and offers assessment, clean-up, revolving loan fund, and job training grants. Grant funds will be used to support community outreach and education, site inventory and selection, environmental assessments, visioning, and clean-up and redevelopment planning in the West Greenville Redevelopment Area. Community outreach activities will include encouraging community participation and awareness, keeping the public informed of project progress, and activities such as public and neighborhood meetings and workshops and a brochure/fact sheet/website. During the initial inventory, 10 sites were identified and a preliminary prioritization model was developed. Future activities include expanding inventory efforts, contacting property owners, determining site eligibility, and selecting sites for environmental assessment and redevelopment planning activities. The environmental assessment will include completion of Phase I environmental assessments (site visit/historical and regulatory review/interviews), Phase II environmental assessments (sample soil and groundwater), lead and asbestos surveys, and threatened and endangered species and cultural and historical resource surveys. The focus area is the Imperial Tobacco site and immediate surrounding area. Phases 1 and 2 of the Imperial Tobacco site have been completed.

They will build upon the West Greenville Revitalization Plan. The activities will include reviewing existing data, a two-day charrette, and development of the plan and design. Grant funds cannot be used for actual clean-up or redevelopment. The extent and cost of clean-up will need to be determined and is dependent on the proposed redevelopment. They will assist the prospective purchasers with liability protection. Mr. Sykes stated that brownfields present challenges and opportunities to return old buildings or gas stations to a beneficial use. There will be a public meeting within the next two months regarding this. Twenty to thirty properties may be added. They will be working with property owners to determine their interest in participating and what their plans are for the sites.

Upon being asked what other areas have been identified, Mr. Rees replied that the grant application focused on the West Greenville revitalization area, which included old repair shops, bulk storage facilities, a dry cleaners, etc. There are likely other sites that may not be as easy to see. This firm and their subcontractors will help staff to know what is out there.

EXPANSION OF THE FAÇADE IMPROVEMENT GRANT PROJECT AREA BOUNDARIES - APPROVED

Planner Tom Wisemiller stated that the Historic Preservation Commission has requested that the Façade Improvement Grant Project Area be expanded to include all of the land parcels contained within Dickinson Avenue, Tenth Street, and Evans Street, as well as all of the parcels contained within Evans Street, Tenth Street, and Cotanche Street. Currently, only some of the parcels within those areas are covered under the grant. Along with increasing per façade grants to \$5,000, which the City Council approved at its August 11, 2008 meeting, the Historic Preservation Commission believes that opening up the grant to additional businesses and property owners will spur more competitive grant cycles and better enable the program to support those projects that will have the most significant, positive, visual and economic impacts on the City's historic urban core. It is an incentive for property and business owners to complete substantial exterior building renovations. There have been \$159,000 in total reimbursement requests since 1999 that has leveraged over \$765,000 in total project receipts. The Historic Preservation Commission believes that opening up the grant to additional business and property owners will spur more competitive grant cycles and support projects that will have the most significant visual and economic impacts on the City's historic urban core.

Motion was made by Mayor Pro-Tem Council and seconded by Council Member Spell to accept the Historic Preservation Commission's recommendation that the Façade Improvement Grant Project Area be expanded to include all land parcels within Dickinson Avenue, Tenth Street, and Evans Street and all land parcels within Evans Street, Tenth Street, and Cotanche Street. Motion carried unanimously.

REVIEW OF APRIL 10, 2008 CITY COUNCIL AGENDA

The Council did a cursory review of the items on the October 9, 2008 City Council Meeting agenda and reviewed the appointments to boards and commissions.

Motion was made by Council Member Spell and seconded by Council Member Mercer to add a lease agreement with the City of Wilson for a portion of Greenville Utilities Commission's Winterville Electric Substation Property for AT&T internet services. Motion carried unanimously.

COMMENTS FROM MAYOR AND CITY COUNCIL

The Council Members made general comments.

CITY MANAGER'S REPORT

The City Manager stated that he will be recommending a time for a joint meeting with Greenville Utilities Commission to discuss the pay and benefits. The potential date is October 21 at 4:30.

ADJOURN

Motion was made by Council Member Mercer and seconded by Council Member Joyner to adjourn the meeting at 9:15 p.m. Motion carried unanimously.

Respectfully submitted,

Wanda T. Elks

Wanda T. Elks, MMC
City Clerk

MINUTES PROPOSED FOR ADOPTION BY CITY COUNCIL

Greenville, NC
October 9, 2008

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

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

APPROVAL OF AGENDA

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

APPOINTMENTS TO BOARDS AND COMMISSIONS

Community Appearance Commission

Council Member Larry Spell asked that this item be continued until November 6.

Human Relations Council

Motion was made by Mayor Pro-Tem Council and seconded by Council Member Spell that the replacements for Mary Bragaw and Reginald Watson, whose terms expired September 2008 and who are ineligible for appointment, be continued until November 6, 2008 and that the student representatives from higher education institutions, Keisha Staton and Stanley Howard, be reappointed for a one-year term to expire October 2009. Motion carried unanimously.

Investment Advisory Committee

Motion was made by Council Member Kittrell and seconded by Council Member Joyner to reappoint William Wilkerson for a second three-year term to expire October 2011. Motion carried unanimously.

Pitt-Greenville Convention and Visitors Authority

Mayor Pro-Tem Council asked that the replacement for Dawn Cribari be continued until November 6, 2008, due to a lack of applications for owner/operator of hotel/motel.

Police Community Relations Committee

Council Member Kittrell announced the reappointment of Richard Crisp, to serve a first two-year term to expire October 2010.

Mayor Dunn announced the reappointment of Dennis Winstead to serve a first two-year term to expire October 2010.

Council Members Glover and Joyner asked that their appointments be continued to November 6, 2008.

Sheppard Memorial Library

Motion was made by Council Member Glover and seconded by Mayor Pro-Tem Council to reappoint Jeffrey Coghill for a second three-year term, expiring October 2011, and to continue the replacement for Don Marr, who is ineligible for reappointment. Motion carried unanimously.

Youth Council

Motion was made by Mayor Pro-Tem Council and seconded by Council Member Spell to reappoint the following students to the Youth Council: Brandon Bell (Ayden-Grifton High School), Karen-Nia Edmonds (Ayden-Grifton High School), Tawanna Franklin (Ayden-Grifton High School), Samantha Miller (Ayden-Grifton High School), Brittany Murphy (Ayden-Grifton High School), Urban Turnage (Ayden-Grifton High School), La'Quon Rogers (Ayden-Grifton High School), Semaj Wallace (Ayden-Grifton High School), Neferteria Artis (South Central High School), Montressa Blount (South Central High School), Ajay Ajmera (Rose High School), Alexis Geyadhour (Rose High School), Shaniqua Singleton (Rose High School), Romeo Garcia III (South Central High School) and to reappoint Arun Ajmera, Matthew Edwards, Matthew Edwards, Calvin Horne, Cameron Horne, Faiza Mustafa, Shampa Panda, Ben Stephenson for another one-year term to expire September 2009. Motion carried unanimously.

RECOGNITION OF CITY MANAGER

Mayor Dunn recognized the City Manager for 35 years of service in local government and represented a paperweight commemorating his service that he recently received at the International City Manager's Association meeting.

PUBLIC COMMENT PERIOD

Mr. Wayne Caldwell, Chair of the Environment Advisory Commission, stated that Greenville provides an excellent recycling operation and opportunity for citizens to use that; however, it has

been underutilized. There have been many attempts to promote it to increase recycling. It has been slow growth. This is an opportunity to do something different. The City has had a volunteer system; however, those cities that have provided a monetary incentive have been very effective. Eastern Carolina Vocational Center said that it can handle the additional recyclables, even if they have to hire people. Those employees are disabled, and this provides jobs for them to become productive citizens. The challenge is to figure out how to do recycling in a cost effective way.

PRESENTATION BY PITT COUNTY DEVELOPMENT COMMISSION

Ms. Wanda Yuhas, Executive Director of the Pitt County Development Commission, gave a presentation on the current economic situation. She stated that the Greenville MSA (Metropolitan Statistical Area) initially included all of Pitt County; however, it now includes Greene County as well. Forbes ranked the MSA as the eighth best place for businesses and careers in the small metro category. There are about 200 communities in small metros, and Pitt/Greene County was the only one from North Carolina in the top ten. Raleigh was the #1 in large metros. The Pitt County Development Commission looks at ways to keep people employed or get them employed if they are not already. Greenville was up from 43 to 22 as best performing cities in the small metro category based on job creation over the last five years, and Greenville was the only MSA in North Carolina with that ranking. This community has a very diverse economy, with a regional hospital and major industrial employers. Based on the client activity, people are already looking at this community, and they have not seen any major panic. However, they haven't received any new client activity for two to three weeks. The community has continued to grow, and as long as a community has in-migration, it has good health. That is a good sign for this area. How the area plans and deals with that growth becomes a major responsibility.

Ms. Yuhas continued by stating that part of what they do is work with teams, looking at a number of different partners that will enable them to move something forward. Greenville Utilities Commission has been a major partner in a number of ways—quality and quantity of water. The quality of water supply and its availability is of major importance to industrial companies. The Development Commission is currently working with Greenville Utilities as they work with Holhouser to find targets that may fit with Pitt County's infrastructure and water resources. They are working to find industry that meshes with the quality and quantity of water that this area has to offer. Many people that move to a city look for one that feels right, not necessarily the one that has businesses that pay the most. They are looking at opportunity and culture, and many have culture as first. Ms. Yuhas stated that the Pitt County Development Commission is not waiting for the future to happen; it is doing what it can to make it what they want it to be. They are tapping into not only East Carolina University, but the University of North Carolina, as well. They are also looking at Europe and South America more than ever. Argentina and Brazil have been a great source of support. In terms of capacity building, some of that is work force development. Ms. Yuhas stated that they have to make sure that every child is in school and graduating and doing the best work he can.

Ms. Yuhas stated that she is seeing more commercial retail developers call as well, as they are seeing this as a good place to invest. While there is a credit crunch, it could be a good time to be looking for an investment. She stated that the industry in areas such as Europe will be expecting

more involvement from local leaders. It may be important to have a meet-and-greet reception so that they can tell whether people in the community are committed to a relationship.

Upon being asked if she had any recommendations for a Sister City, Ms. Yuhas stated that she had spent some time in Japan, and noticed that outside of Tokyo there was a town exactly like Greenville and one down from that was like Washington. It was interesting to see how much they were alike. That community was also on the water.

Upon being asked how Greenville’s numbers shape up nationally, Ms. Yuhas responded that up until two weeks ago, it was great. They have been in good economic health and expect some bruises before recovering.

REVISIONS TO THE CITY OF GREENVILLE NEIGHBORHOOD TRAFFIC CALMING GUIDELINES - CONTINUED

Director of Public Works Wes Anderson stated that during its August 14, 2008 meeting, the City Council requested staff to review the Neighborhood Traffic Calming Guidelines, specifically the 10 mph threshold of the 85th percentile speed limit. In accordance with current requirements, traffic volumes and 85th percentile speeds must be a minimum of 1000 vehicles per day and 35 mph respectively. Staff has reviewed policies and guidelines utilized by other municipalities and, based on its research, staff is recommending the proposed revisions, which include an evaluation process based on a criteria point system. In addition to measuring the traffic volumes and 85th percentile speed, assessments will include the consideration of crash history and pedestrian volume on streets in the area of influence. The North Carolina General Statutes adopt the Federal Manual of Uniform Traffic Control Devices (MUTCD) for Streets and Highways, and all municipalities in North Carolina are required to follow the standards and guidelines presented in this manual. The national warrants applicable to multi-way stops as defined in the MUTCD state that stop signs should not be used for speed control. Therefore, staff is recommending the removal of multi-way stops as a traffic calming measure and the application of a traffic calming point system as follows:

Warrant	Criteria	Points	Awarded
85 th Percentile Speed	1-5 mph	0	
	6-10 mph	3	
	11 mph >	5	
Daily Vehicle Volume	0 – 800	0	
	800-1000	1	
	1000-1499	2	
	1500 >	3	
Crash Data Per Year	1 – 3	1	
	4 - >	2	
Sidewalks	Sidewalks or wide shoulders present	0	
	No sidewalks present	1	
Pedestrian Volume	Pedestrian oriented facility within a ¼ mile of petition area	1	

	Schools within a ¼ mile radius of petition area	2	
Total Points Awarded (*)			

Staff was asked about the input requested and how this will impact new neighborhoods. Mr. Anderson stated that it is anticipated that more blocks of streets will qualify for traffic calming and have it installed. The requests that have come through will go back through the review process using the new criteria, if approved by City Council.

Council Member Joyner stated that he would like to see where input has been received from neighborhoods on issues like this prior to their being brought to City Council.

Staff was directed to advertise the guidelines, have a public input session, have the Public Works Director explain the proposal and ask for input from the citizens, incorporate the comments they feel they can, and bring the final proposal back to City Council.

ALTERNATIVE WAYS TO INCREASE RECYCLING – CONTINUED

Director of Public Works Wes Anderson stated that the 2008-2009 City Council goals and objectives include an objective to increase recycling. An action item under that objective is for the Public Works Department to provide a comprehensive report to City Council on alternative ways to increase recycling. Present collection methods make it easy for citizens to recycle; however, the present diversion rate of 10% is below the desired level. The diversion rate, which was six percent in 2000, is increasing at a slow rate. The intent of the recommendations presented in the proposal are to increase the recycling rate faster. The proposed goal is to divert 20-25% of solid waste by 2012 and 30-35% by 2015. Certain items are currently banned from the landfill, such as cardboard, beverage containers, aluminum cans, white goods and wooden pallets. Upcoming regulations include plastic bottles and oil filters being banned October 1, 2009, televisions being banned January 1, 2011, and computers being banned January 1, 2012. The City currently pays a tipping fee for residential service and receives income from recyclables collected. A goal of City Council is to increase the recycling rate. The existing recycling program is voluntary. Recyclables are collected one time per week from single-family homes, and multi-family recycling centers (there are presently 80 complexes with a center). The drop-off site at Public Works is open 24 hours a day/seven days a week, which results in a diversion rate of 10%. In order to come up with a successful program, staff has looked at the successes and failures of other communities. City staff has studied cities in North Carolina and a sampling of cities from across the United States with concentration on cities on the east coast. Several options have been studied to increase recycling, such as the Recycling Block Leader Program, Composting Education Program, Recycling Incentive Programs, Recycling Reward Programs, Mandatory Recycling for Residential, Construction Industry and Commercial, Pay-As-You-Throw Collection System, and a Business Recycling Evaluation Service. Durham and Goldsboro have mandatory residential recycling programs, with Durham prohibiting placing certain items in the garbage and Goldsboro requiring each resident to recycle at least one time per month. Raleigh currently promotes recycling through block leaders, and nearly 200 residents have signed up for that. Pittsburgh, Pennsylvania requires businesses to recycle certain items

and to report recycling tonnage to the City. Orange County, North Carolina offers technical advice to businesses on how to recycle. The State of North Carolina requires ABC permit holders to recycle beverage containers. Apex, Orange County and Nashville offer a composting education program. Apex offers composting bins for sale and provides education on how to compost. Orange County offers composting education, has demonstration sites for public education, and offers technical assistance to set up composting sites. Nashville, Tennessee provides composting classes and presentations at public events and sells composting bins to the public. Craven County, New Bern and Wilson offer pay-as-you-throw programs. In Craven County recycling is free and garbage requires purchase of stickers for each bag. New Bern has a modified system where the resident pays a base fee for 64 gallons of garbage and requires the purchase of a sticker for additional garbage. Wilmington has a program similar to that of New Bern. Some governmental entities such as Orange County; Chicago, Illinois; and Lee County Florida offer construction and demolition debris recycling. In Orange County, certain construction and debris materials must be recycled and haulers must be licensed. In Chicago, projects that recycle less than 50% of material generated on a project are assessed a penalty. In Lee County, Florida, construction projects must establish a goal, and if the goal is not met, a diversion fee is assessed. Hendersonville has an incentive program, whereby it charges \$12.50 for 96-gallon containers if there is no recycling and \$8 for a 96-gallon container if the household recycles. It also charges \$10.50 for a 32-gallon container if there is no recycling and \$6 for a 32-gallon container if the household recycles. Morehead City has a year-round program where one resident per month receives \$50 credit for City fees and one resident per year receives \$500 donated by the waste contractor. Winston-Salem and Asheville have a 16 week Feed-the-Bin Program.

Mr. Anderson compared the recycling rate and service levels of other North Carolina cities that have programs similar to the one in Greenville:

City	Recycling Rate	Service Level
Greensboro	78%	Bi-Weekly
Durham	55%	Weekly
Hendersonville	23%	Weekly
Winston-Salem	21%	Weekly
Hickory	16%	Weekly
Wilmington	14.7%	Weekly
Charlotte	10%	Weekly
Greenville	10%	Weekly
Concord	9.6%	Weekly
Wilson	5%	Bi-Weekly
Rocky Mount	4.7%	Weekly
Lexington	4.5%	Weekly
Jacksonville	4%	Weekly
Asheville	NA	Bi-Weekly
Fayetteville	NA	Initiated Program
Gastonia	NA	Weekly
Goldsboro	NA	Bi-Weekly

Mr. Anderson stated that the recommendation of staff is based on what it thinks it can do. If Greenville keeps the same level of service as now, which is one pick-up per week, it would need more crews and trucks. If bi-weekly service was provided, the cost would drop to \$83,500. There are costs associated with keeping the same level of service. Staff's recommendation for alternative ways to increase recycling are implemented over a three-year period. The recommendations to implement or study alternatives to increase recycling and diversion rate in the City of Greenville are as follows:

- FY 2009-10 – Develop an ordinance to make recycling mandatory for single-family households and require all multi-family complexes to provide centralized recycling centers at a rate to be determined with a minimum of one recycling center per complex.
- Establish a Block Leader Program to assist in dissemination of recycling promotional material, distribution of recycling information to new residents, and citizen help with answering questions related to sanitation services. The Sanitation Division will, in most cases, work through existing neighborhood and owners' associations and the City Neighborhood Liaison. Implement an enhanced recycling promotion program including a promotion for citizens to buy recycling products.
- FY 2010-11 – Develop a Commercial Mandatory Recycling Ordinance to require each commercial establishment to recycle certain materials. As a part of this recommendation, the City will establish a Business Recycling Evaluation Service to assist businesses in setting up recycling programs that maximize recycling opportunities and minimize cost. Develop a Composting Education Program, which will not increase the recycling tonnage, but will create an increase in the diversion rate. The composted product will be a valuable recycling product to be reused by each citizen in the home or by a community.
- FY 2011-12 – Develop a Recycling Task Force to study the feasibility of implementing a Pay-As-You-Throw Collection Program at a future date either in a pilot area(s) or throughout the City. The Pay-As-You-Throw Program that will be studied is a modified system. The fee structure studied would include a rate for collection of 32-gallon backyard, 32-gallon curbside, 64-gallon curbside, and 96-gallon curbside containers. Recycling would be at no charge. The fee structure would be set to cover the cost of the Sanitation Enterprise Fund. The recommendation of the Recycling Task Force will be presented to City Council for consideration by December 2010. Develop an ordinance to require certain construction and debris materials to be recycled or reused by builders and developers. Many materials presently disposed of could be reutilized or recycled if the plan is in place.

These recommendations are proposed to establish a plan for faster growth in Greenville's recycling and diversion rate. The proposed goals are lofty, but can be met with citizen participation and support of these proposals. There are other alternatives discussed in the report that can be incorporated in a plan but are not recommended at this time. These alternatives are either difficult to maintain or they would not provide a long-term increase in recycling rates.

City Manager Bowers stated that this is for the Council’s information and policy guidance. Staff is not recommending a final product nor is it asking Council to authorize or give feedback tonight.

Council expressed that it would like for citizens to have an opportunity for input as well as to utilize the expertise of the Environmental Advisory Commission.

Upon being asked if cities see an increase in people putting in non-recyclables with a pay-as-you-throw system, Mr. Anderson replied that there was an increase in this and a little illegal dumping. There are pros and cons to each. Most people properly recycled. Mr. Anderson, upon being asked about the apartment complex’s dumpsters, stated that the apartment complexes own the dumpsters; however, there is no way to control what is dumped in those dumpsters.

Several Council Members expressed that they would like to see the people who follow the program rewarded. It was suggested that the options should be reviewed by such groups as the Environmental Advisory Commission, apartment groups, neighborhood associations, and Keep Greenville Beautiful.

The Mayor suggested that staff take two or three proposals and flesh them out in detail so that when citizens look at the options, they know the difference.

Motion was made by Council Member Joyner, and seconded by Mayor Pro-Tem Council to involve Keep Greenville Beautiful and the Environmental Advisory Commission, to take time to flesh out the proposals to see what one looks like in comparison to another, and then to involve the neighborhood associations and apartment complexes. Motion carried unanimously.

ORDINANCE AMENDING SECTION 9 OF CHAPTER 1 OF TITLE 12 OF THE CITY CODE RELATING TO FALSE ALARMS - ADOPTED

Chief of Police William Anderson reminded the Council that on August 11, 2008 staff recommended changes to the false alarm ordinance with a proposed effective date of November 1, 2008. The purpose of the false alarm ordinance was to encourage alarm users to properly use and maintain the operational effectiveness and utilization of their alarm systems and to reduce or eliminate false alarms which unduly divert police resources. The Chief reviewed the numbers that show the decrease in false alarms since implementation of the false alarm ordinance.

	<u>2006</u>	<u>2007</u>	<u>Increase/Decrease</u>
October	558	424	-24%
November	577	449	-22%
December	566	438	-23%
	<u>2007</u>	<u>2008</u>	
January	612	441	-26%
February	505	405	-19%
March	551	392	-29%
April	634	370	-41%
May	539	363	-32%

June	458	400	-13%
July	683	391	-43%
August	660	387	-41%
September	596	395	-31%
Total	6912	4862	-30%

Chief Anderson recommended that the penalty fee structure be amended to be:

- First alarm free (educational opportunity)
- Second alarm free to a permitted alarm system
- Third and fourth alarm: \$25
- Fifth and sixth alarm: \$50
- Six or more alarms: \$100

It was also recommended that the non-permit fine be maintained at \$200 and that the incentive to become permitted be changed from 10 days to 45 days. If the alarm is permitted within the time frame of the incentive, the non-permit fine is waived. The appeals board would consist of representatives from the Police Department and an alarm company. The third member would be a citizen designated by the Neighborhood Advisory Council. Staff also recommends terminating the contract with AOT Public Safety Corporation (PSC) effective January 1, 2009 but that could be delayed based on technical issues. The current contract runs through June 2009. The contract can be cancelled provided the City continues to pay \$1,000 per month. The operation is recommended to be moved in house, with one full-time and one part-time position, with the revenues collected anticipated to be sufficient to administer the program.

City Manager Bowers stated that it is hoped that as time goes by, the fees coming in will decrease. In some places, the alarm seller is required to make the customers aware of the ordinance; however, that is pre-empted in North Carolina, so the City can't require them to do so. The City can suggest it, but not require it.

Motion was made by Council Member Joyner and seconded by Council Member Spell to adopt the ordinance amending Section 9 of Chapter 1 of Title 12 of the City Code relating to false alarms with an effective date of November 1, 2008, to authorize the hiring of one full-time and one part-time position, and to authorize termination of the services contract with AOT Public Safety Corporation. Motion carried unanimously. (Ordinance No. 08-118)

RESOLUTION IMPOSING A GROSS RECEIPTS TAX ON THE SHORT-TERM LEASE OR RENTAL OF HEAVY EQUIPMENT - ADOPTED

City Manager Bowers stated that Session Law 2008-144 repeals the property tax on heavy equipment owned and used for short-term rental or lease by a person whose principal business is the short-term lease or rental of heavy equipment at retail. The Session Law also authorizes the City to enact in the place of property tax a local option gross receipts tax on the short-term heavy equipment rentals. City Council approval must occur two months before the first date of the calendar quarter in which the taxes will be effective. The first date the tax can be effective is January 1, 2009.

Motion was made by Council Member Glover and seconded by Council Member Mercer to adopt the resolution imposing a .8% gross receipts tax on the short-term lease or rental of heavy equipment. Motion carried unanimously. (Resolution No. 08-54)

AGREEMENT FOR FEDERAL LOBBYING SERVICES WITH THE FERGUSON GROUP - APPROVED

City Manager Bowers stated that since 2002, the City has contracted on an annual basis with The Ferguson Group to act as the City's representative with the federal government in Washington, DC. The current agreement expires on October 31, 2008. The proposed agreement extends the services of The Ferguson Group for another year to October 31, 2009 under the same terms and conditions as contained in the current agreement except for a five percent increase in the service fee.

Motion was made by Council Member Joyner and seconded by Mayor Pro Tem Council to approve the agreement for federal lobbying services with The Ferguson Group. Motion carried unanimously. (Contract No. 1215F)

LEASE AGREEMENT WITH THE CITY OF WILSON FOR A PORTION OF GREENVILLE UTILITIES COMMISSION'S WINTERVILLE ELECTRIC SUBSTATION PROPERTY – APPROVED

City Manager Bowers stated that the City of Wilson and Wilson's broadband consultants met with representatives from Greenville Utilities and the City of Greenville on July 16, 2008 to discuss Wilson's need for a point-of-presence internet connection in Greenville. Wilson indicated that AT&T Internet Services has facilities in Greenville and that Wilson desires to connect with AT&T for improved internet service in Wilson.

Motion was made by Council Member Mercer and seconded by Council Member Joyner to approve the lease agreement with the City of Wilson for a portion of Greenville Utilities Commission's Winterville Electric Substation property. Motion carried unanimously. (Contract No. 1728)

COMMENTS FROM MAYOR AND CITY COUNCIL

The Mayor and City Council gave general comments.

Council Member Mercer asked the staff to take a look at the demolition by neglect ordinance that was proposed by the Historic Preservation Commission.

CITY MANAGER'S REPORT

City Manager Bowers stated that the North Carolina League of Municipalities has tried to address concerns about this being a difficult budget year for municipalities, especially those who have sales tax as one of their main revenue streams. The League is recommending that sales tax

may be flat or even have a small decline. When staff worked on the budget, it anticipated much lower than was recommended at that time, and the last three months of the fiscal year were better than anticipated. Staff projected collecting \$14 million and collected \$14.3 million. City Manager Bowers stated that he has asked the departments to begin looking at their budgets to see in what areas costs may be cut. Staff will continue to provide services with minimal interruption.

City Manager Bowers reminded the City Council of the diversity training being held at 5:00 p.m. on October 20 in Room 337 of City Hall.

City Manager Bowers informed the Council that the joint meeting with Greenville Utilities to review the recommendation on the joint insurance plan needs to be established for 4:30 on October 21 in the Greenville Utilities Commission Board Room. The joint committee met yesterday and has a recommendation to make.

Motion was made by Council Member Joyner and seconded by Council Member Glover to have a joint meeting with Greenville Utilities Commission on October 21, 2008, at 4:30 p.m. in the Greenville Utilities Commission Board Room. Motion carried unanimously.

City Manager Bowers reminded the Council that from 9:00 to 4:00 on October 29, there will be a free Parks and Recreation Seminar at the City Hotel and Bistro.

ADJOURNMENT

Motion was made by Council Member Spell and seconded by Council Member Joyner, Jr. to adjourn the meeting at 9:00 p.m. Motion carried unanimously.

Respectfully submitted,

Wanda T. Elks

Wanda T. Elks, MMC
City Clerk

MINUTES PROPOSED FOR ADOPTION BY CITY COUNCIL

Greenville, NC
October 20, 2008

The Greenville City Council met in a regular meeting on the above date at 5:00 PM in the Third Floor Gallery Area of City Hall, with Mayor Patricia C. Dunn presiding. The purpose of the meeting was for diversity training. The following were present.

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

Also in attendance were Stanley Howard, Manolita Buck, John Pierpont and Jim Cox of the Greenville Human Relations Council.

APPROVAL OF AGENDA

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

DIVERSITY TRAINING

Diversity training entitled "Leading to Create An Inclusive Community" was conducted by The Tompkins Group. A second and final session is scheduled for November 24, 2008 at 5:00 p.m.

ADJOURNMENT

Following just over four hours of training, the meeting adjourned at 9:10 p.m.

Respectfully submitted,

Wanda T. Elks

Wanda T. Elks, MMC
City Clerk



City of Greenville, North Carolina

Meeting Date: 11/6/2008
Time: 7:00 PM

-
- Title of Item:** Resolution accepting dedication of rights-of-way and easements for Emerald Park, Phase 1, Section 1; Davencroft, Phase 2, Section 1 and Phase 3; and Westpointe, Section 4, Phase 3
- Explanation:** In accordance with the City's Subdivision regulations, rights-of-way and easements have been dedicated for Emerald Park, Phase 1, Section 1 (Map Book 68 at Pages 23-24); and Davencroft, Phase 2, Section 1, and Phase 3 (Map Book 70 at Page 90); and Westpointe Section 4, Phase 3 (Map Book 63 at Page 41).
- Fiscal Note:** Funds for the maintenance of these rights-of-way and easements are included within the 2008-2009 budget.
- Recommendation:** Adopt the attached resolution accepting dedication of rights-of-way and easements for Emerald Park, Phase 1, Section 1; Davencroft, Phase 2, Section 1 and Phase 3; and Westpointe Section 4, Phase 3.
-

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

Attachments / click to download

- [Davencroft](#)
 - [Emerald Park](#)
 - [Westpointe Section 4 Phase 3](#)
 - [November Right of Way Resolution 790525](#)
-

RESOLUTION NO. 08- _____

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:

Emerald Park, Phase 1 Section 1	Map Book 68	Pages 23-24
Davencroft Phase 2, Section 1 and Phase 3	Map Book 70	Page 90
Westpointe Section 4, Phase 3	Map Book 63	Page 41

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

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

Adopted the 6th day of November, 2008.

Patricia C. Dunn, Mayor

ATTEST:

Wanda T. Elks, City Clerk

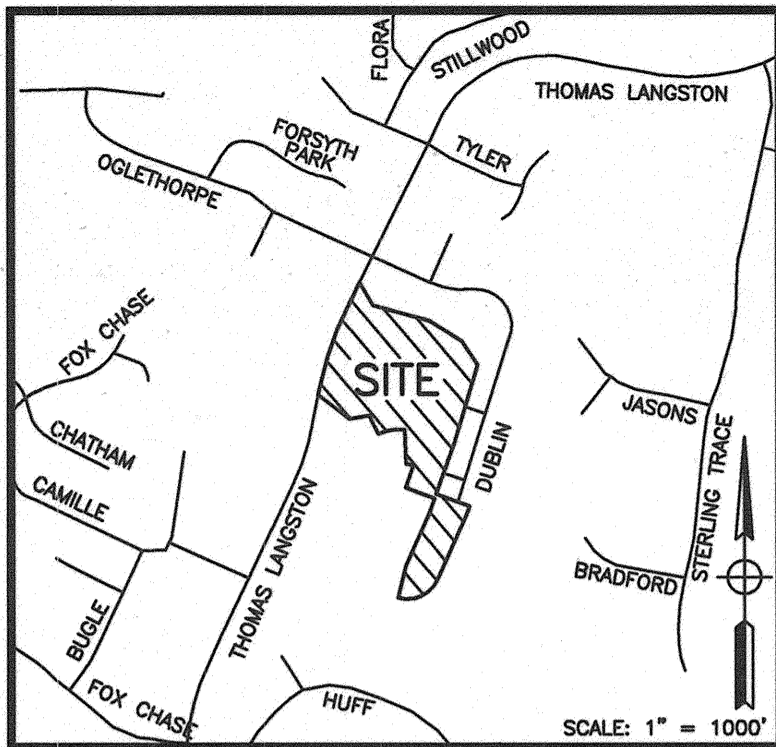
NORTH CAROLINA
PITT COUNTY

I, Patricia A. Sugg, a Notary Public, do hereby certify that Wanda T. Elks, City Clerk, personally appeared before me this day and acknowledged that she is the City Clerk of the City of Greenville, a municipality, and that by authority duly given and as the act of the municipality, the foregoing instrument was signed in its name by its mayor, sealed with the corporate seal, and attested by herself as its City Clerk.

WITNESS my hand and notarial seal this 6th day of November, 2008.

Notary Public

My Commission Expires: 9/4/2011



VICINITY MAP
SCALE: 1" = ±1,000'

SITE DATA

TOTAL AREA	10.353 AC.
NUMBER OF LOTS CREATED	33
AREA IN COMMON AREA	0
AREA IN PARKS, RECREATION AREAS, CEMETERIES AND THE LIKE.	0

LEGEND

- R/W = RIGHT-OF-WAY
- B/B = BACK OF CURB TO BACK OF CURB
- PC = POINT OF CURVATURE
- PT = POINT OF TANGENCY
- EIP = EXISTING IRON PIPE
- = IRON PIPE SET, UNLESS OTHERWISE NOTED
- R = RADIUS
- CH = CHORD
- D.E. = DRAINAGE EASEMENT

DAVENCROFT
PHASE 1
MB 67, PG 10

GENERAL NOTES

- ALL AREAS CALCULATED BY COORDINATE GEOMETRY.
- THIS MAP IS OF A SURVEY THAT CREATES A SUBDIVISION OF LAND WITHIN A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.
- THE DESIGNATION NOTED OVER WATER, SANITARY SEWER, GAS OR ELECTRIC LINES IS FOR THE PURPOSE OF ESTABLISHING THE WIDTH OF SAID EASEMENT. THE EASEMENTS ARE NOT EXCLUSIVE AND WILL PERMIT THE INSTALLATION OF WATER, SANITARY SEWER, GAS AND ELECTRIC LINES WITHIN THOSE DESIGNATED WIDTHS.
- THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARDOUS AREA AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. REF: 3720466600 J, DATED JAN. 2, 2004.
- NO BUILDINGS, STRUCTURES, OR OTHER IMPROVEMENTS, MATERIALS AND SURFACES, INCLUDING BUT NOT LIMITED TO PRINCIPAL AND ACCESSORY STRUCTURES AND ADDITIONS OR APPURTENANCES THERETO, SIGNAGE, FENCES, WALLS, MECHANICAL EQUIPMENT, CANOPIES, ANTENNAS, MASTS, AERIALS, MONUMENTS, LANDSCAPE PLANTINGS, FILL MATERIALS, DEBRIS, SOLID WASTE COLLECTION CONTAINERS, MAIL RECEPTACLES AND IMPERVIOUS SURFACES, SHALL ENCROACH WITHIN ANY DEDICATED EASEMENT WITHOUT PRIOR WRITTEN APPROVAL OF THE CITY OF GREENVILLE.
- UTILITY AND DRAINAGE EASEMENTS ARE RESERVED ALONG ALL SIDE, REAR AND FRONT LOT LINES AS DENOTED IN DETAIL "C".
- THIS PROPERTY IS PART OF THE STORMWATER MANAGEMENT FACILITIES AS SHOWN ON DAVENCROFT, PHASE 1, MAP BOOK 67, PAGES 10 & 11.

CURVE TABLE

CURVE	RADIUS	CHORD	CH.BEARING
C-1	125.00'	10.11'	S 76°25'25"E
C-2	975.00'	58.92'	S 17°37'35"W
C-3	970.00'	14.32'	S 19°46'39"W
C-4	125.00'	162.49'	S 60°44'17"W
C-5	175.00'	10.00'	N 75°45'39"W
C-6	175.00'	60.00'	N 87°51'09"W
C-7	200.00'	10.00'	N 66°02'50"E
C-8	200.00'	127.00'	N 85°59'29"E
C-9	200.00'	4.40'	S 74°51'59"E
C-10	150.00'	46.11'	S 83°04'12"E
C-11	150.00'	56.27'	S 84°55'02"E
C-12	131.91'	74.90'	S 89°24'03"W
C-13	120.00'	28.92'	S 79°18'52"W
C-14	20.00'	32.66'	N 39°30'40"W
C-15	150.00'	33.69'	N 09°19'09"E
C-16	150.00'	34.94'	N 03°49'02"W
C-17	150.00'	10.54'	N 12°31'12"W
C-18	150.00'	59.68'	N 26°00'34"W
C-19	150.00'	62.43'	N 49°29'44"W
C-20	150.00'	47.76'	N 70°40'04"W
C-21	125.00'	17.34'	N 83°48'22"W
C-22	125.00'	54.00'	S 79°44'34"W
C-23	125.00'	57.55'	S 53°57'35"W
C-24	125.00'	47.09'	S 29°47'38"W
C-25	115.00'	41.33'	S 08°35'06"W
C-26	115.00'	47.07'	S 13°34'34"E
C-27	20.00'	28.28'	S 19°36'53"W
C-28	240.00'	72.04'	S 55°58'57"W
C-29	20.00'	28.28'	S 70°23'07"W
C-30	75.00'	56.58'	N 03°13'27"W
C-31	85.00'	59.00'	N 39°14'39"E
C-32	85.00'	59.01'	N 79°51'41"E
C-33	110.00'	125.12'	S 45°10'03"E
C-34	110.00'	30.68'	S 02°29'18"E
C-35	110.00'	19.63'	S 83°48'22"W
C-36	20.00'	28.28'	S 60°46'20"W
C-37	240.00'	32.38'	N 78°06'13"W
C-38	240.00'	73.97'	S 89°09'47"W
C-39	240.00'	65.49'	S 72°27'23"W
C-40	1458.85'	14.38'	N 19°39'03"E
C-41	1305.17'	32.77'	N 19°10'42"E

FINAL PLAT PARCEL #05587 PARCEL #72493 SHEET 1 OF 1

DAVENCROFT

PHASE 2, SECTION 1 AND PHASE 3

REFERENCE: DEED BOOK 2444, PAGE 476 AND BEING A PORTION OF THE PROPERTY DESCRIBED IN DEED BOOK 2097, PAGE 444 OF THE PITT COUNTY REGISTRY

GREENVILLE, WINTERVILLE TOWNSHIP, PITT COUNTY, NORTH CAROLINA

OWNER: CCR PROPERTIES OF PITT COUNTY, LLC.
ADDRESS: PO BOX 1549 WINTERVILLE, NC 28590
PHONE: (252) 355-4688

JACK V. DAVENPORT
2251 THOMAS LANGSTON ROAD WINTERVILLE, NC 28590
(252) 355-2901

Baldwin & Janowska
ENGINEERING - SURVEYING - PLANNING
1015 CONFERENCE DRIVE GREENVILLE, NC 27858 252.756.1390

SURVEYED: TS APPROVED: MWB
DRAWN: SCB DATE: 03/25/2008
CHECKED: MWB SCALE: 1" = 100'

CLOSURE CHECK BOUNDARY

CHECKED: BAW	DATE: 01/29/2008
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CLOSURE CHECK LOT

CHECKED: BAW	DATE: 01/29/2008
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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 2097 PAGE 444
DEED BOOK 2444 PAGE 476
DEED BOOK 2097 PAGE 444
REGISTRATION NO. L-3082

OWNERS STATEMENT
THIS IS EVIDENCE THAT THIS SUBDIVISION IS MADE AT THE REQUEST OF
Jack V. Davenport
SWORN AND SUBSCRIBED BEFORE ME THIS 25th DAY OF March, 2008.
Dawn Poaletti
NOTARY PUBLIC
MY COMMISSION EXPIRES: 03/28/2009

APPROVAL
THIS FINAL PLAT NO. 08-33 WAS APPROVED BY THE SUBDIVISION REVIEW BOARD IN ACCORDANCE WITH TITLE 9, CHAPTER 5 OF THE GREENVILLE CITY CODE THE 9th DAY OF APRIL, 2008.
Al Self
SIGNED CITY PLANNER

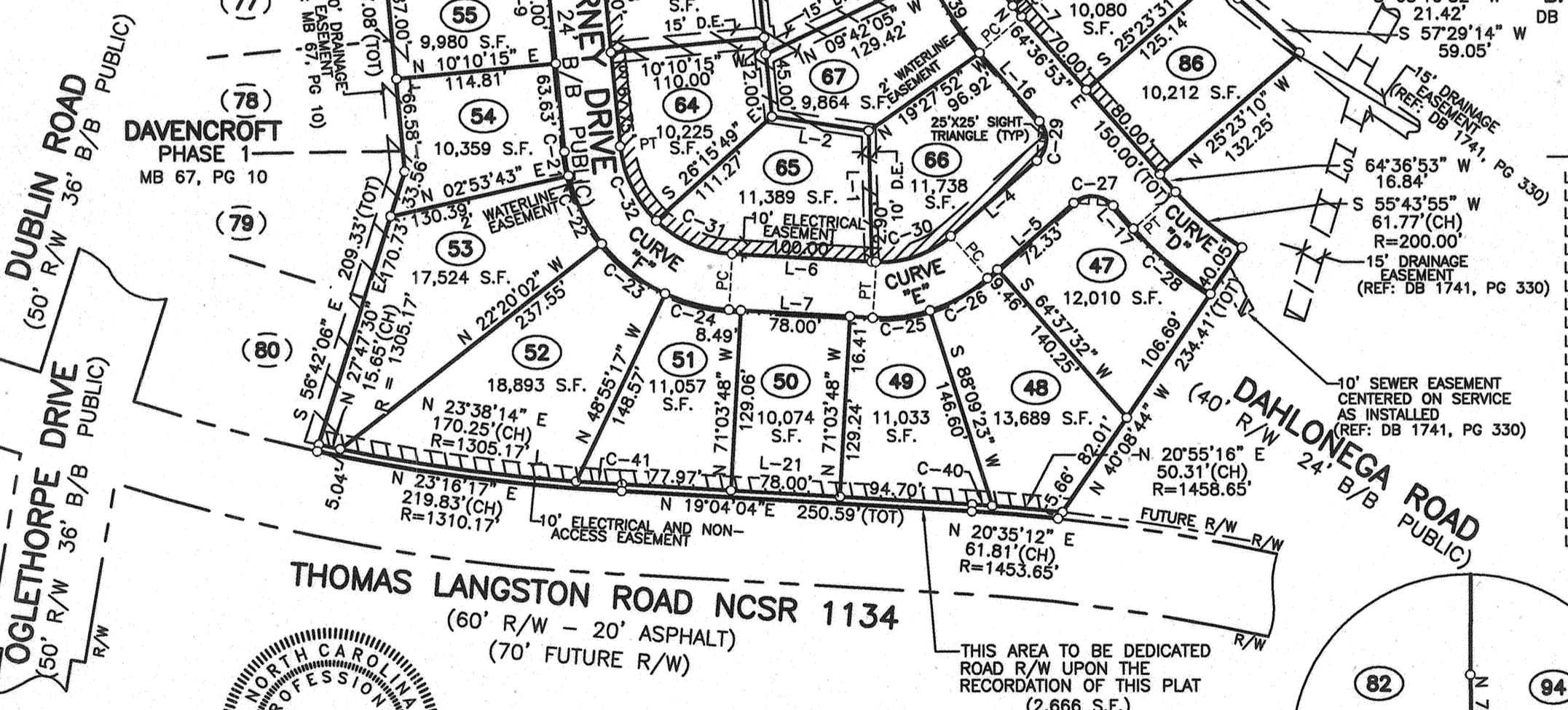
DEDICATION
THE UNDERSIGNED HEREBY ACKNOWLEDGES THIS PLAT AND ALLOTMENT TO BE THEIR FREE ACT AND DEED, AND HEREBY DEDICATES TO PUBLIC USE AS STREETS, PARKS, PLAYGROUNDS, OPEN SPACES AND EASEMENTS FOREVER ALL AREAS AS SHOWN OR SO INDICATED ON SAID PLAT.
Jack V. Davenport
SIGNED
Dawn Poaletti
ATTEST

CERTIFICATION
I, MICHAEL W. BALDWIN CERTIFY THAT UNDER MY DIRECT SUPERVISION FROM AN ACTUAL FIELD SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK PAGE , ETC.) (OTHER); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK PAGE ; THAT THE RATIO OF PRECISION AS CALCULATED BY LATITUDES AND DEPARTURES IS 1:10,000; THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH BS 47-30 AS AMENDED. WITNESS MY HAND AND SEAL THIS 25th DAY OF MARCH, AD 2008.

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

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

Al Self 5/12/08
REVIEW OFFICER DATE
NORTH CAROLINA, PITT COUNTY
FILED FOR REGISTRATION THIS THE 20th DAY OF 2008, AT 10 O'CLOCK P.M.
JUDY J. TART, REGISTER OF DEEDS
BY: DEPUTY REGISTER OF DEEDS



STERLING TRACE
MB 35, PGS 29-29A (18)

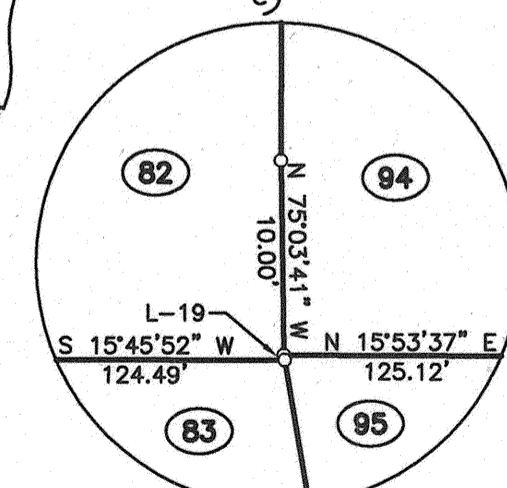
DAVENCROFT
PHASE 1
MB 67, PG 10

CCR PROPERTIES OF
PITT COUNTY, LLC
DB 2150, PG 644

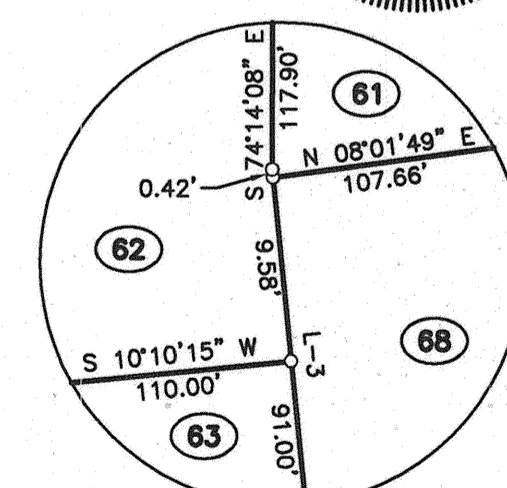
VICTOR T. COREY
DB 2328, PG 364

CASTLEBAR ROAD
(50' R/W VARIES B/B PUBLIC)

JACK V. DAVENPORT
DB 1741, PG 330



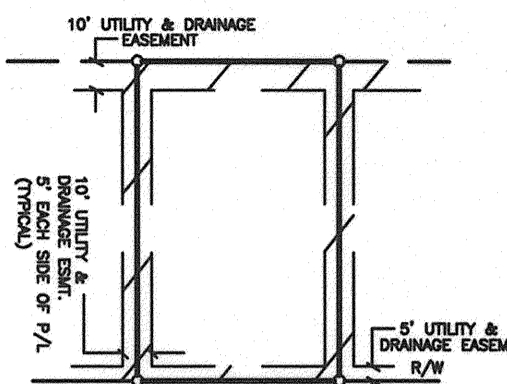
DETAIL 'A'
1"=10'



DETAIL 'B'
1"=10'

CALL TABLE

L-1	S 75°29'53" E	93.35'
L-2	S 24°09'00" W	70.00'
L-3	S 79°49'48" E	158.00'(TOT)
L-4	N 25°23'07" W	81.79'
L-5	S 25°23'07" E	81.79'(TOT)
L-6	N 18°56'12" E	102.90'(TOT)
L-7	S 18°56'12" W	102.90'(TOT)
L-8	S 79°49'45" E	168.75'(TOT)
L-9	N 79°49'45" W	168.75'(TOT)
L-10	S 10°30'20" E	21.80'
L-11	N 10°30'20" W	21.80'
L-12	S 15°46'01" E	65.00'
L-13	N 15°46'01" E	59.16'
L-14	N 74°13'40" E	53.27'
L-15	S 74°13'40" E	100.00'(TOT)
L-16	S 64°36'53" W	65.00'
L-17	S 64°36'53" W	21.84'
L-18	N 85°42'10" E	37.38'
L-19	N 76°03'01" W	0.35'
L-20	S 85°39'25" W	29.10'
L-21	N 19°04'04" E	250.67'(TOT)



PUBLIC STREET
(R/W VARIES B/B VARIES PUBLIC)

DETAIL 'C'
TYPICAL LOT UTILITY & DRAINAGE EASEMENT
N.T.S.

C/L CURVE DATA

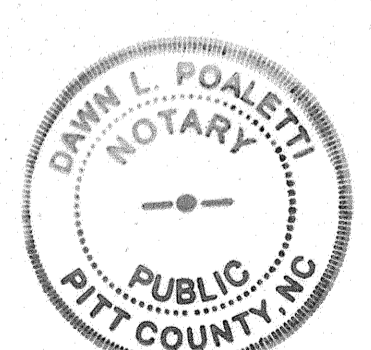
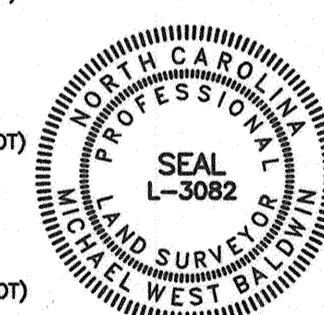
CURVE "A"	CURVE "B"
R = 125.00'	R = 180.00'
Δ = 27°58'53"	Δ = 27°51'37"
L = 61.05'	L = 87.53'
T = 31.14'	T = 44.85'
CH = N 88°05'50" W	CH = S 89°42'00" W
60.44'	73.54'

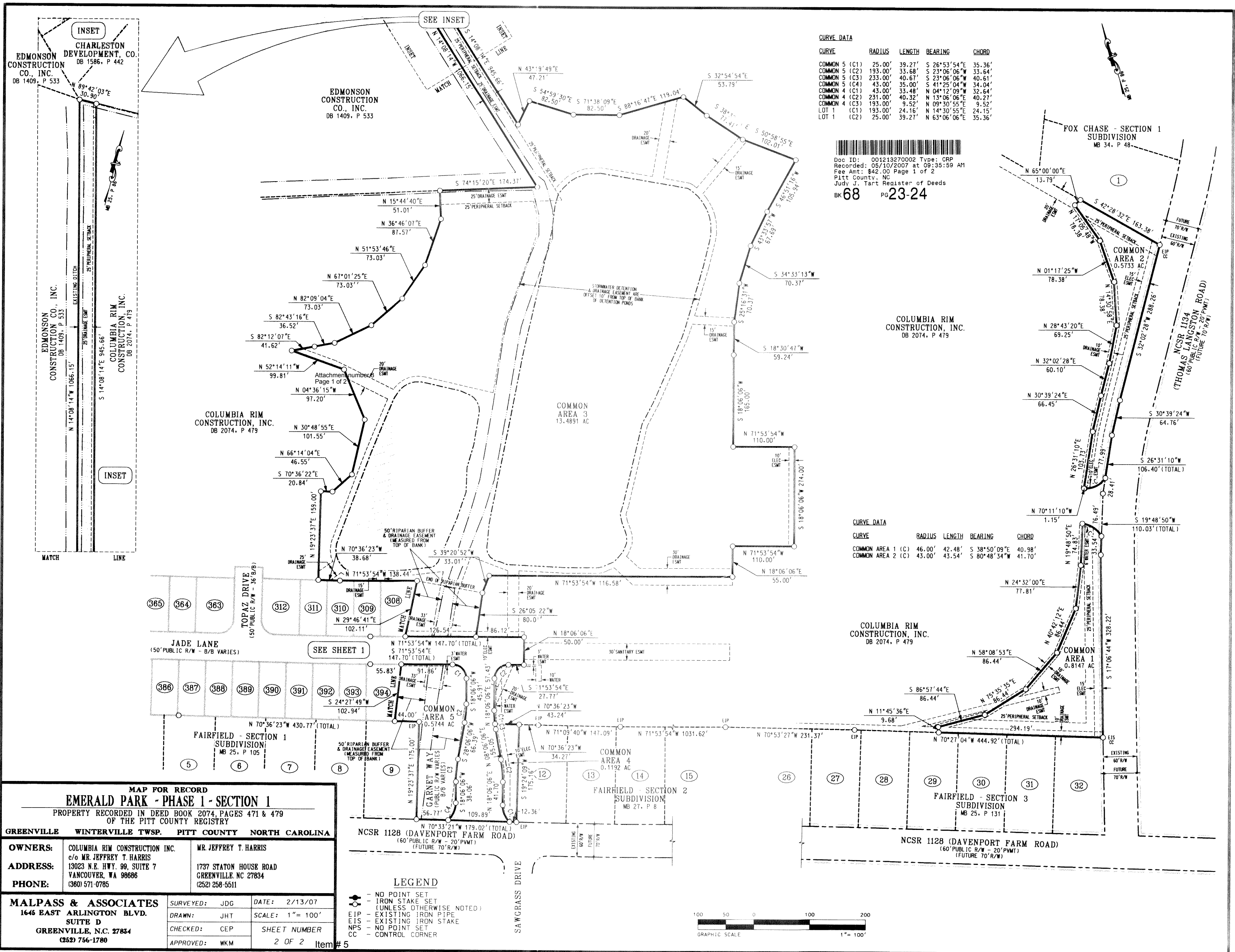
CURVE "C"	CURVE "D"
R = 220.00'	R = 220.00'
Δ = 41°08'59"	Δ = 17°29'27"
L = 158.00'	L = 67.16'
T = 82.58'	T = 33.84'
CH = S 85°11'23" W	CH = S 55°52'07" W
154.63'	66.90'

CURVE "E"	CURVE "F"
R = 95.00'	R = 105.00'
Δ = 44°19'19"	Δ = 81°14'03"
L = 73.49'	L = 148.87'
T = 38.69'	T = 90.05'
CH = N 03°13'27" W	CH = N 59°33'14" E
71.67'	136.71'

CURVE "G"	CURVE "H"
R = 130.00'	R = 130.00'
Δ = 69°19'25"	Δ = 26°16'22"
L = 157.29'	L = 59.81'
T = 89.89'	T = 30.34'
CH = S 45°10'03" E	CH = S 02°37'51" W
147.87'	59.09'

CURVE "I"
R = 150.00'
Δ = 23°01'00"
L = 60.28'
T = 30.54'
CH = N 85°36'53" W
59.85'





CURVE DATA

CURVE	RADIUS	LENGTH	BEARING	CHORD
COMMON 5 (C1)	25.00'	39.27'	S 26°53'54"E	35.36'
COMMON 5 (C2)	193.00'	33.68'	S 23°06'06"W	33.64'
COMMON 5 (C3)	233.00'	40.67'	S 23°06'06"W	40.61'
COMMON 5 (C4)	43.00'	35.00'	S 41°25'04"W	34.04'
COMMON 4 (C1)	43.00'	33.48'	N 04°12'09"W	32.64'
COMMON 4 (C2)	231.00'	40.32'	N 13°06'06"W	40.27'
COMMON 4 (C3)	193.00'	9.52'	N 09°30'55"E	9.52'
LOT 1 (C1)	193.00'	24.16'	N 14°30'55"E	24.15'
LOT 1 (C2)	25.00'	39.27'	N 63°06'06"E	35.36'

Doc ID: 001213270002 Type: CRP
 Recorded: 05/10/2007 at 09:55:59 AM
 Fee Amt: \$42.00 Page 1 of 2
 Pitt County, NC
 Judy J. Tart Register of Deeds
68 PG 23-24

COLUMBIA RIM CONSTRUCTION, INC.
 DB 2074, P 479

CURVE DATA

CURVE	RADIUS	LENGTH	BEARING	CHORD
COMMON AREA 1 (C)	46.00'	42.48'	S 38°50'09"E	40.98'
COMMON AREA 2 (C)	43.00'	43.54'	S 80°48'34"W	41.70'

COLUMBIA RIM CONSTRUCTION, INC.
 DB 2074, P 479

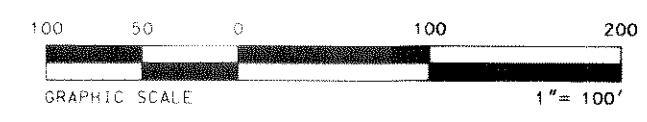
MAP FOR RECORD
EMERALD PARK - PHASE 1 - SECTION 1
 PROPERTY RECORDED IN DEED BOOK 2074, PAGES 471 & 479
 OF THE PITT COUNTY REGISTRY

GREENVILLE WINTERVILLE TWS. PITT COUNTY NORTH CAROLINA

OWNERS:	COLUMBIA RIM CONSTRUCTION INC. c/o MR. JEFFREY T. HARRIS	MR. JEFFREY T. HARRIS
ADDRESS:	13023 N.E. HWY. 99, SUITE 7 VANCOUVER, WA 98686	1737 STATON HOUSE ROAD GREENVILLE, NC 27834
PHONE:	(360) 571-0785	(252) 258-5511

MALPASS & ASSOCIATES 1646 EAST ARLINGTON BLVD. SUITE D GREENVILLE, N.C. 27834 (252) 756-1780	SURVEYED: JDG DATE: 2/13/07
DRAWN: JHT SCALE: 1" = 100'	
CHECKED: CEP SHEET NUMBER	
APPROVED: WKM	2 OF 2 Item # 5

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

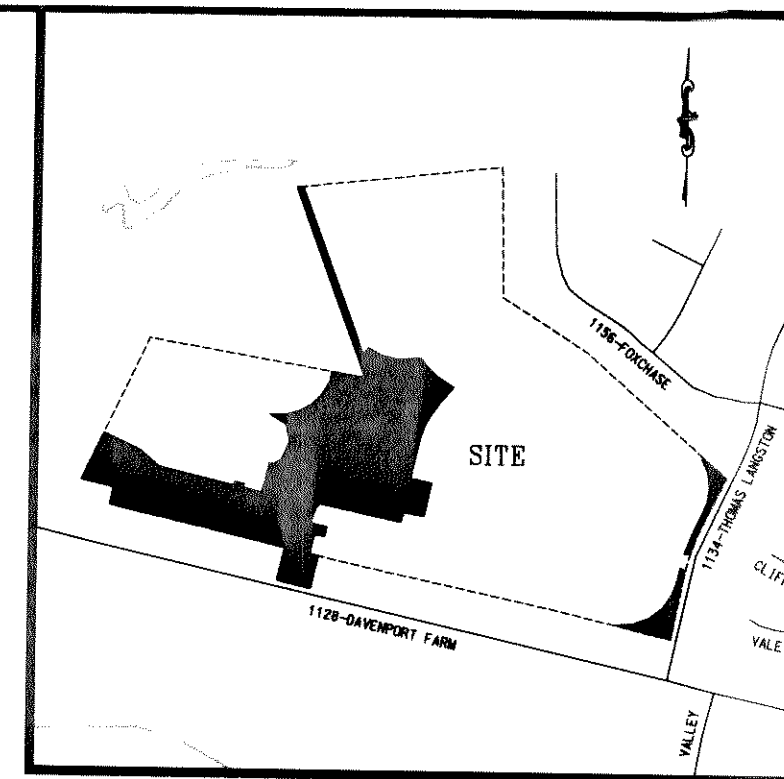


SITE DATA - PHASE 1

AREA IN TOTAL TRACT.....22.6384 ACRES
 NUMBER OF LOTS CREATED.....37
 AREA IN COMMON AREA.....15.5702 ACRES
 AREA IN PARKS, RECREATION AND THE LIKE...0.0000 ACRES

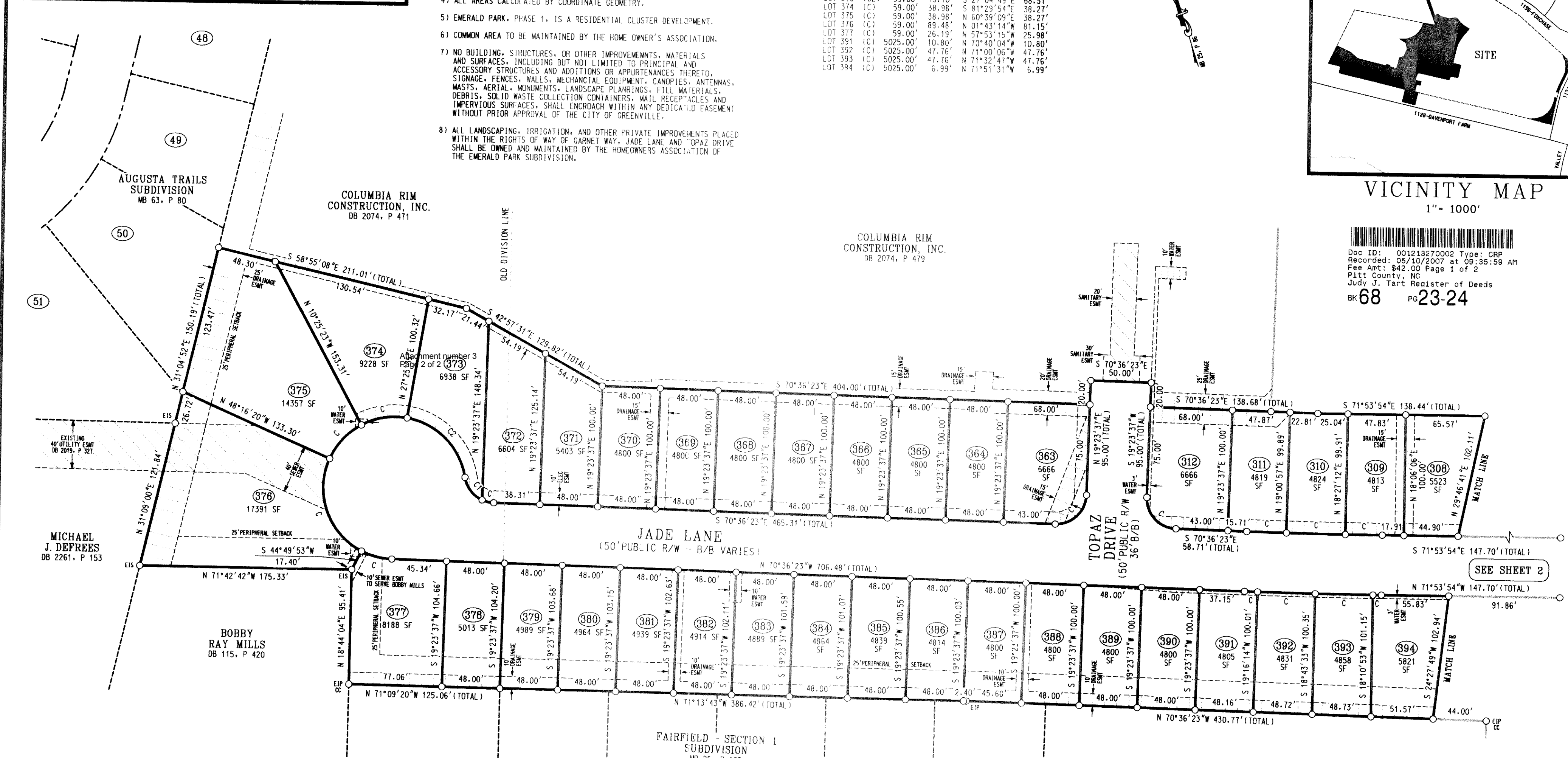
- 1) THE DESIGNATION NOTED OVER WATER, SANITARY SEWER, GAS OR ELECTRIC LINES ARE FOR THE PURPOSE OF ESTABLISHING WIDTH OF SAID EASEMENTS. THE EASEMENTS SHOWN ARE NOT EXCLUSIVE AND WILL PERMIT THE FUTURE INSTALLATION OF WATER, SANITARY SEWER, GAS AND ELECTRIC LINES WITHIN THOSE DESIGNED WIDTHS.
- 2) THIS PROPERTY IS NOT LOCATED WITHIN A 100 YEAR FLOOD PLAIN AS SHOWN ON FIRMS 3720466500J & 3720466600J DATED 1/2/04.
- 3) ALL UTILITY AND DRAINAGE EASEMENTS ARE CENTERED ON MAINS AS INSTALLED UNLESS OTHERWISE DIMENSIONED OR NOTED.
- 4) ALL AREAS CALCULATED BY COORDINATE GEOMETRY.
- 5) EMERALD PARK, PHASE 1, IS A RESIDENTIAL CLUSTER DEVELOPMENT.
- 6) COMMON AREA TO BE MAINTAINED BY THE HOME OWNER'S ASSOCIATION.
- 7) NO BUILDING, STRUCTURES, OR OTHER IMPROVEMENTS, MATERIALS AND SURFACES, INCLUDING BUT NOT LIMITED TO PRINCIPAL AND ACCESSORY STRUCTURES AND ADDITIONS OR APPURTENANCES THERE TO, SIGNAGE, FENCES, WALLS, MECHANICAL EQUIPMENT, CANOPIES, ANTENNAS, MASTS, AERIAL, MONUMENTS, LANDSCAPE PLANTINGS, FILL MATERIALS, DEBRIS, SOLID WASTE COLLECTION CONTAINERS, MAIL RECEPTACLES AND IMPERVIOUS SURFACES, SHALL ENCRDACH WITHIN ANY DEDICATED EASEMENT WITHOUT PRIOR APPROVAL OF THE CITY OF GREENVILLE.
- 8) ALL LANDSCAPING, IRRIGATION, AND OTHER PRIVATE IMPROVEMENTS PLACED WITHIN THE RIGHTS OF WAY OF GARNET WAY, JADE LANE AND TOPAZ DRIVE SHALL BE OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION OF THE EMERALD PARK SUBDIVISION.

CURVE DATA					
CURVE	RADIUS	LENGTH	BEARING	CHORD	
LOT 309 (C)	4975.00'	30.54'	S 71°43'21"E	30.54'	
LOT 310 (C)	4975.00'	48.83'	S 71°15'56"E	48.83'	
LOT 311 (C)	4975.00'	32.82'	S 70°47'43"E	32.82'	
LOT 312 (C)	4975.00'	39.23'	S 25°36'23"E	39.23'	
LOT 363 (C)	25.00'	39.27'	N 64°23'37"E	35.36'	
LOT 372 (C)	25.00'	9.95'	S 59°12'23"E	9.88'	
LOT 373 (C1)	25.00'	24.53'	S 19°41'48"E	23.56'	
LOT 373 (C2)	59.00'	73.10'	S 27°04'49"E	68.51'	
LOT 374 (C)	59.00'	38.98'	S 81°29'54"E	38.27'	
LOT 375 (C)	59.00'	38.98'	N 60°39'09"E	38.27'	
LOT 376 (C)	59.00'	89.48'	N 01°43'14"W	81.15'	
LOT 377 (C)	59.00'	26.19'	N 57°53'15"W	25.98'	
LOT 391 (C)	5025.00'	10.80'	N 70°40'04"W	10.80'	
LOT 392 (C)	5025.00'	47.76'	N 71°00'06"W	47.76'	
LOT 393 (C)	5025.00'	47.76'	N 71°32'47"W	47.76'	
LOT 394 (C)	5025.00'	6.99'	N 71°51'31"W	6.99'	



VICINITY MAP
1" = 1000'

Doc ID: 001213270002 Type: CRP
 Recorded: 06/10/2007 at 09:35:59 AM
 Fee Amt: \$42.00 Page 1 of 2
 Pitt County, NC
 Judy J. Tart Register of Deeds
BK 68 Pg 23-24



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

MAP FOR RECORD
EMERALD PARK - PHASE 1 - SECTION 1
 PROPERTY RECORDED IN DEED BOOK 2074, PAGES 471 & 479
 OF THE PITT COUNTY REGISTRY
 GREENVILLE WINTERVILLE TWS. PITT COUNTY NORTH CAROLINA

OWNERS: COLUMBIA RIM CONSTRUCTION INC. c/o MR. JEFFREY T. HARRIS	MR. JEFFREY T. HARRIS
ADDRESS: 13023 N.E. HWY. 99, SUITE 7 VANCOUVER, WA 98686	1737 STATION HOUSE ROAD GREENVILLE, NC 27834 (252) 258-5511
PHONE: (360) 571-0785	
MALPASS & ASSOCIATES 1645 EAST ARLINGTON BLVD. SUITE D GREENVILLE, N.C. 27854 (252) 756-1780	SURVEYED: JDG DATE: 2/13/07 DRAWN: JHT SCALE: 1" = 60' CHECKED: CEP SHEET NUMBER: 1 OF 2 APPROVED: WKM

SOURCE OF TITLE

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

DEED BOOK 2074	PAGE 471
DEED BOOK 2074	PAGE 479
DEED BOOK	PAGE

OWNER'S STATEMENT

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

OWNER: _____
 OWNER: _____
 SWORN AND SUBSCRIBED BEFORE ME THIS DAY OF _____, 2007.

NOTARY PUBLIC
 MY COMMISSION EXPIRES _____

APPROVAL

THIS FINAL PLAT, NO. 07-28 WAS APPROVED BY THE SUBDIVISION REVIEW BOARD IN ACCORDANCE WITH TITLE 9, CHAPTER 5 OF THE GREENVILLE CITY CODE THE 14TH DAY OF MARCH, 2007.

SIGNED: _____
 CITY PLANNER

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

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

 REVIEW OFFICER
 DATE: 5/10/07

I, CARLTON E. PARKER, CERTIFY THAT THIS MAP WAS DRAWN BY ME OR UNDER MY SUPERVISION FROM AN ACTUAL SURVEY BY ME OR UNDER MY SUPERVISION, THAT THE RATIO OF PRECISION AS CALCULATED FROM LATITUDES AND DEPARTURES IS 1:10,000+; THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION FOUND IN BOOK _____ PAGE _____; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED, WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS _____ DAY OF _____, A.D., 2007.

 CARLTON E. PARKER L-2980

DEDICATION

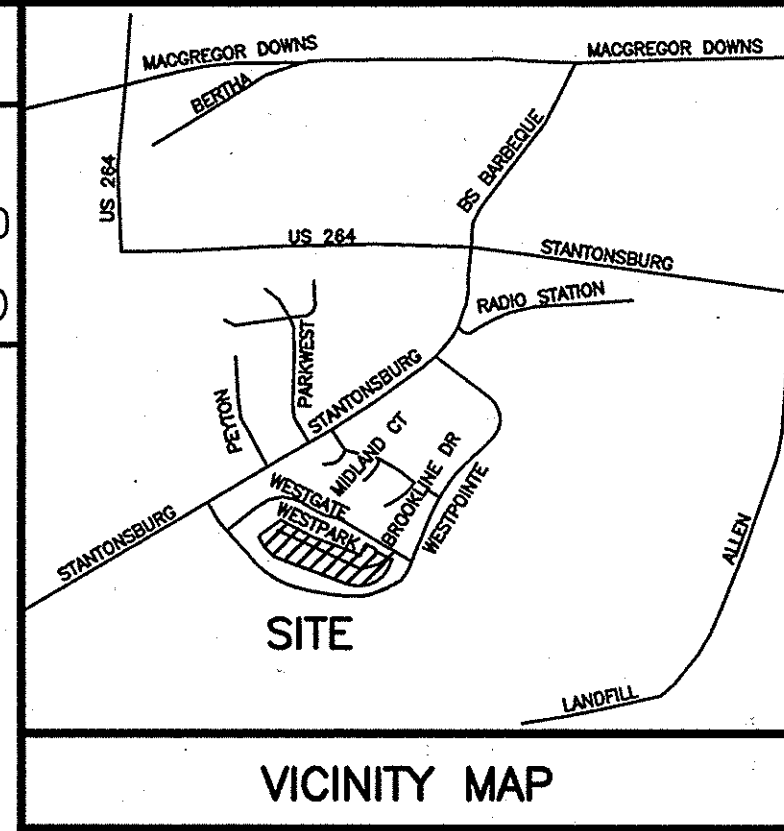
THE UNDERSIGNED HEREBY ACKNOWLEDGE(S) THIS PLAT AND ALLOTMENT TO BE HIS FREE ACT AND DEED, AND HEREBY DEDICATES TO PUBLIC USE AS STREETS, PARKS, PLAYGROUNDS, OPEN SPACES AND EASEMENTS FOREVER, ALL AREAS AS SHOWN OR AS INDICATED ON SAID PLAT.

SIGNED: _____
 SIGNED: _____
 ATTEST: _____

NORTH CAROLINA, PITT COUNTY
 FILED FOR REGISTRATION THIS _____ DAY OF _____, 2007, AT _____ O'CLOCK, _____ M.,
 JUDY TART, REGISTER OF DEEDS.
 BY: _____
 REGISTER OF DEEDS

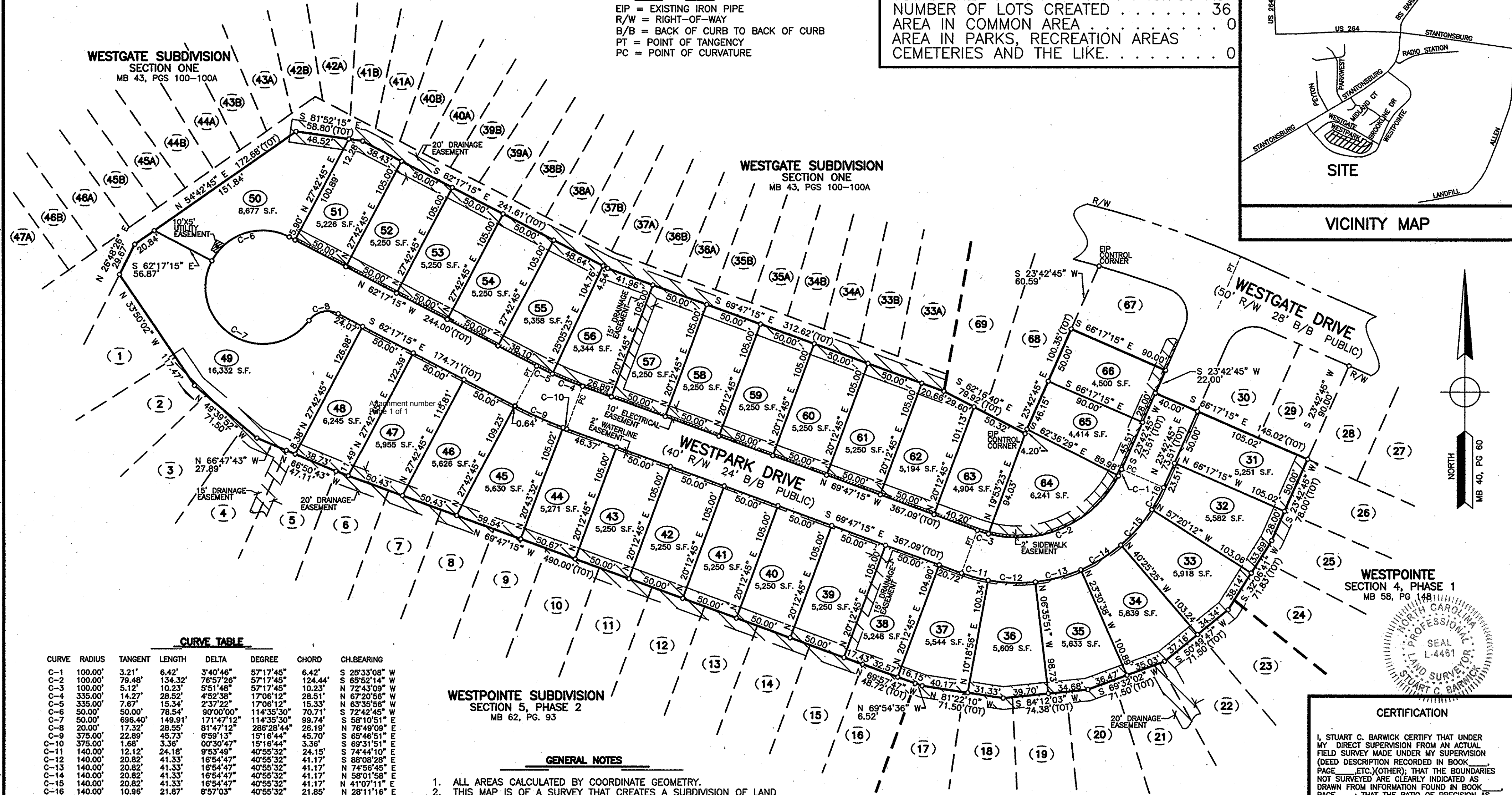
SITE DATA

TOTAL AREA 5.756 AC.
 NUMBER OF LOTS CREATED 36
 AREA IN COMMON AREA 0
 AREA IN PARKS, RECREATION AREAS
 CEMETERIES AND THE LIKE 0



LEGEND

EIP = EXISTING IRON PIPE
 R/W = RIGHT-OF-WAY
 B/B = BACK OF CURB TO BACK OF CURB
 PT = POINT OF TANGENCY
 PC = POINT OF CURVATURE



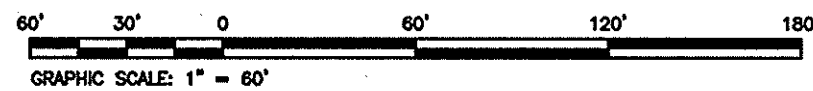
CURVE TABLE

CURVE	RADIUS	TANGENT	LENGTH	DELTA	DEGREE	CHORD	CH. BEARING
C-1	100.00'	3.21'	6.42'	3°40'48"	57°17'45"	6.42'	S 25°33'08" W
C-2	100.00'	79.48'	134.32'	78°57'28"	57°17'45"	124.44'	S 65°52'14" W
C-3	100.00'	5.12'	10.23'	5°51'48"	57°17'45"	10.23'	N 72°43'09" W
C-4	335.00'	14.27'	28.52'	4°52'38"	17°06'12"	28.51'	N 67°20'58" W
C-5	335.00'	7.67'	15.34'	2°37'22"	17°06'12"	15.33'	N 63°35'58" W
C-6	50.00'	50.00'	78.54'	90°00'00"	114°35'30"	70.71'	S 72°42'45" W
C-7	50.00'	696.40'	149.91'	171°47'12"	114°35'30"	99.74'	S 58°10'51" E
C-8	20.00'	17.32'	28.55'	81°47'12"	286°28'44"	28.19'	N 76°49'09" E
C-9	375.00'	22.89'	45.73'	6°50'13"	15°16'44"	45.70'	S 65°46'51" E
C-10	140.00'	1.68'	3.36'	0°30'47"	15°16'44"	3.36'	S 69°31'51" E
C-11	140.00'	12.12'	24.18'	9°53'49"	40°55'32"	24.15'	S 74°44'10" E
C-12	140.00'	20.82'	41.33'	16°54'47"	40°55'32"	41.17'	S 88°08'28" E
C-13	140.00'	20.82'	41.33'	16°54'47"	40°55'32"	41.17'	N 74°56'45" E
C-14	140.00'	20.82'	41.33'	16°54'47"	40°55'32"	41.17'	N 58°01'58" E
C-15	140.00'	20.82'	41.33'	16°54'47"	40°55'32"	41.17'	N 41°07'11" E
C-16	140.00'	10.96'	21.87'	8°57'03"	40°55'32"	21.85'	N 28°11'16" E

WESTPOINTE SUBDIVISION SECTION 5, PHASE 2
 MB 62, PG. 93

GENERAL NOTES

- ALL AREAS CALCULATED BY COORDINATE GEOMETRY.
- THIS MAP IS OF A SURVEY THAT CREATES A SUBDIVISION OF LAND WITHIN A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.
- IRON PIPES TO BE SET AT ALL LOT CORNERS UNLESS OTHERWISE NOTED.
- THE DESIGNATION NOTED OVER WATER, SANITARY SEWER, GAS OR ELECTRIC LINES IS FOR THE PURPOSE OF ESTABLISHING THE WIDTH OF SAID EASEMENT. THE EASEMENTS ARE NOT EXCLUSIVE AND WILL PERMIT THE INSTALLATION OF WATER, SANITARY SEWER, GAS AND ELECTRIC LINES WITHIN THOSE DESIGNATED WIDTHS.
- THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARDOUS AREA AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. REF: FIRM 3720466700 J, DATED JANUARY 2, 2004



SHEET 1 OF 1
 FINAL PLAT

WESTPOINTE

SECTION 4, PHASE 3

REFERENCE: DEED BOOK 1394, PAGE 486
 OF THE PITT COUNTY REGISTRY

GREENVILLE, GREENVILLE TOWNSHIP, PITT COUNTY, N.C.

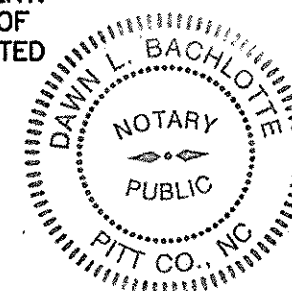
OWNER: GREENVILLE DEVELOPERS, LLC
 ADDRESS: PO BOX 979
 GREENVILLE, NC 28758
 PHONE: (252) 355-0664

Baldwin and Associates
 ENGINEERING, LAND SURVEYING
 AND PLANNING
 1015 CONFERENCE DRIVE
 GREENVILLE NC, 27858
 (252) 756-1390

SURVEYED: DEG APPROVED: SCB
 DRAWN: CCB DATE: 09/04/04
 CHECKED: MWB/SCB SCALE: 1" = 60'
 (1/8")

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/ARE:
 DEED BOOK 1394 PAGE 486
 DEED BOOK PAGE
 DEED BOOK PAGE
 NC REGISTRATION NO. L-4461

OWNERS STATEMENT
 THIS IS EVIDENCE THAT THIS SUBDIVISION IS MADE AT THE REQUEST OF
 Sworn and subscribed before me this 05 day of March, 2005.
 Notary Public
 My Commission Expires: 03/28/09



APPROVAL
 THIS FINAL PLAT NO. 04-13 WAS APPROVED BY THE SUBDIVISION REVIEW BOARD IN ACCORDANCE WITH TITLE 9, CHAPTER 5 OF THE GREENVILLE CITY CODE THE 22ND DAY OF SEPTEMBER, 2004.
 SIGNED: [Signature] CITY PLANNER

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

Filed for registration this the 24 day of March 20 05, at 1:12 o'clock P.M.
 JUDY J. TART, Register of Deeds
 Deborah S. Baird, Deputy Register of Deeds

CERTIFICATION
 I, STUART C. BARWICK CERTIFY THAT UNDER MY DIRECT SUPERVISION FROM AN ACTUAL FIELD SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK PAGE ETC.) (OTHER); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK PAGE; THAT THE RATIO OF PRECISION AS CALCULATED BY LATITUDES AND DEPARTURES IS 1:10,000; THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH GS 47-03 AS AMENDED. WITNESS MY HAND AND SEAL THIS 9th DAY OF SEPT., AD 2004.
 SIGNED: [Signature] REGISTRATION NO. L-4461

REVIEW OFFICER'S CERTIFICATE
 Andrew Thomas Jr.
 REVIEW OFFICER OF PITT COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.
 SIGNED: [Signature] 3/24/05 DATE
 REVIEW OFFICER

NORTH CAROLINA PITT COUNTY
 FILED FOR REGISTRATION THIS DAY OF 20
 JUDY TART, REGISTER OF DEEDS
 BY: [Signature] DEPUTY REGISTER OF DEEDS



City of Greenville, North Carolina

Meeting Date: 11/6/2008
Time: 7:00 PM

Title of Item: Design services contract for the Convention Center Business District Project

Explanation: City staff has determined that hotel occupancy tax dollars can be used to improve the area in the vicinity of Greenville's Convention Center. The intent is to use these funds to provide an attractive and safe space for visitors, tourists, and conventioners to experience Greenville; promote Greenville as the convention center destination of choice east of Interstate 95; and improve the streetscape and the grounds of the Convention Center.

In order to accomplish the above mission, the following goals will be pursued:

- Partner with neighboring businesses to leverage investment
- Create a Convention Center District that is easily recognized by local motorists, tourists, and conventioners
- Provide Convention Center visitors a memorable experience by improving the pedestrian infrastructure and aesthetic qualities of the area
- Provide motorists, tourists, and visitors to the Convention Center with easily recognizable identifiers/signage
- Improve street and pedestrian safety through the uniform application of lighting standards in the Convention Center District
- Improve sidewalk infrastructure so that Convention Center District visitors may be encouraged to walk to nearby retail shops and restaurants, thereby reducing traffic congestion and providing alternative transportation means for those Convention Center visitors who choose to walk or are without transportation
- Install attractive banners or other comparable elements that serve to inform tourists, motorists, and Convention Center visitors that they are entering the Convention Center district and to help improve the overall aesthetic appeal of the areas adjacent to the Convention Center
- Install landscaping along the sidewalks in the Convention Center District to beautify the area with enhanced plantings that will truly capture one's attention and promote a positive visual reminder of the Greenville Convention Center District

- Differentiate Greenville Convention Center from competitors
- Incorporate public art
- Provide connectivity to the Greenville Greenway system

Staff, in connection with the City Attorney, has determined that the hotel occupancy tax dollars can be used for this purpose in the area from Memorial Drive to Evans Street along Greenville Boulevard, thus establishing the limits of the Convention Center Business District.

The North Carolina League of Municipalities 2009 Annual Conference will be held in Greenville in October 2009. This conference will provide Greenville an excellent opportunity to display why the City is the convention center destination of choice east of Interstate 95.

Staff has developed the attached scope of work for the first phase of improvements in the District. A request for proposal for design services was issued on October 2, 2008. Rivers and Associates, Inc. was determined to be the best qualified among the firms providing proposals.

Fiscal Note: Design services will be funded from the Hotel Occupany Tax fund balance.

Recommendation: City Council approve the contract with Rivers and Associates, Inc. for design services for the Convention Center Business District Project - Phase 1.

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

Attachments / click to download

 [Convention_Center_Business_District_Phase_1_scope_793434](#)

Convention Center Business District Project
As of September 26, 2008

Scope of Work for Phase 1:

- a. Replace existing traffic signal system with mast arms and poles at Hooker Road/Greenville Boulevard. Install illuminated street name signs on the mast arms.
- b. Construct sidewalks within the existing right-of-way to support pedestrian movements between Landmark and Bismark Streets. Construct a low-maintenance decorative crosswalk system across the intersection of Greenville Boulevard and Hooker Road.
- c. Construct a "grand" walkway and courtyard in the parking lot (the present greenspace) that leads from the sidewalk on Greenville Boulevard to the front entrance to the Convention Center. The "grand" entrance is to have some form of water feature. Flagpoles to remain unchanged and attempt to retain the existing trees in the greenspace.
- d. Remove/move the current marquee sign and install a new or the existing sign at the entrance to the Convention Center and improve the sight lines to the marquee sign to include removing trees if necessary. Install a modern LED changeable message sign.
- e. Improve the landscaping features in the Convention Center Business District, focusing on the south side of Greenville Boulevard from the new Hampton Inn that is under construction to Landmark Street.
- f. Install street lighting system on the access road to the Convention Center. The system must be capable of supporting banners (72" by 24") hung on arms from the street lights.



City of Greenville, North Carolina

Meeting Date: 11/6/2008
Time: 7:00 PM

Title of Item: Resolution for a grant application to the North Carolina Department of Transportation for Bicycle and Pedestrian Grant funds to update the City of Greenville 2002 Bicycle Master Plan

Explanation: The North Carolina Department of Transportation's (NCDOT) Division of Bicycle and Pedestrian Transportation is accepting grant applications for a matching grant program that will allow municipalities to create or update bicycle or pedestrian master plans. To facilitate bicycle facility planning, staff proposes to submit an application for the purpose of updating the Greenville Urban Area 2002 Bicycle Master Plan. The Bicycle Master Plan is more than 5 years old and may be considered under the grant requirements.

Staff estimates the Bicycle Master Plan update will cost \$95,000. The grant is a 60/40 cost share. NCDOT's share of the grant provides for 60% of the project for plan development, which is \$57,000. The City's share is estimated to be \$38,000.

NCDOT will notify municipalities of grant awards in June 2009. If awarded, the City will be required to execute a municipal reimbursement agreement with NCDOT within 90 days of grant award notification. The update to the plan is to be completed within 15 months following the execution of the agreement with NCDOT.

City Council recently created a Bicycle Friendly Task Force and appointed committee members. The facilitation of these types of grants is one of the stated goals of the Task Force. If the City is successful and receives a grant for this update, this committee will be participating in the development of this study.

Fiscal Note: If awarded, funds for the City's share are proposed to be expended from the City's Contingency Fund.

Recommendation: Adopt the attached resolution supporting and endorsing the submission of an application for North Carolina Department of Transportation Bicycle and

Pedestrian Grant funds for the purpose of updating the City of Greenville 2002 Bicycle Master Plan and authorize the City Manager to execute and submit a grant application to NCDOT's Division of Bicycle and Pedestrian Transportation.

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Attachments / click to download

 [City Council resolution endorsing the Bicycle Master Plan grant application 785906](#)

RESOLUTION NO. 08-
RESOLUTION SUPPORTING AND ENDORSING THE SUBMISSION OF AN
APPLICATION FOR NORTH CAROLINA DEPARTMENT OF TRANSPORTATION
BICYCLE AND PEDESTRIAN GRANT FUNDS FOR UPDATING THE CITY OF
GREENVILLE 2002 BICYCLE MASTER PLAN

WHEREAS, on September 4, 2008, the North Carolina Department of Transportation (NCDOT) issued a call for proposals for grant applications for their Bicycle and Pedestrian Planning Grant Initiative, setting aside \$400,000 in total for this upcoming call for proposals; and

WHEREAS, an updated Bicycle Master Plan will assist with enhancing bicycle facility planning within the City of Greenville; and

WHEREAS, NCDOT's grant initiative is a matching grant and provides for 60 percent of the cost for plan development with the City providing the remaining 40 percent share match; and

WHEREAS, the estimated cost to update the Greenville Urban Area 2002 Bicycle Master Plan is \$95,000 and the grant will provide a maximum funding cap of \$57,000; and

WHEREAS, the existing Bicycle Master Plan was adopted by City Council in September 2002 and is eligible to be updated per NCDOT's grant award criteria; and

WHEREAS, if awarded, the Public Works Department will oversee the development of the update to the master plan and will coordinate its development with the Bicycle Friendly Task Force.

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

- 1) Supports and endorses submission of an application for grant funding to NCDOT for the purpose of updating the City of Greenville 2002 Bicycle Master Plan;
- 2) Authorizes use of Contingency Funds to provide the required local match of 40%, up to a maximum amount of \$38,000, if the grant is awarded; and
- 3) Authorizes and directs the City Manager to submit a grant application to NCDOT on behalf of the City of Greenville.

This 6th day of November, 2008.

Patricia C. Dunn, Mayor

ATTEST:

Wanda T. Elks, City Clerk



City of Greenville, North Carolina

Meeting Date: 11/6/2008
Time: 7:00 PM

Title of Item: Resolution designating applicant's agent for the All Hazards Mitigation Plan Grant

Explanation: The North Carolina Division of Emergency Management (NCDEM) provides disaster recovery programs and funds to municipalities and counties that experience natural disasters. In order to be eligible for funds under these programs, participating jurisdictions must have an "All Hazards Mitigation Plan" approved by NCDEM. The City of Greenville's current plan will expire in 2009. There have been recent amendments to plan requirements by NCDEM that must be incorporated into the amended Hazards Plan submitted for consideration and approval by the State.

NCDEM is providing grant funding to jurisdictions to make the needed updates to their plans. The Community Development Department will apply for grant funds for plan update in order to hire a consultant to prepare the plan. The application will seek approximately \$40,000 from the State for the plan.

The Designation of Applicant's Agent resolution must be submitted to NCDEM by November 7, 2008. This resolution identifies the authorized agents for the City to participate in the grant process and must be approved by City Council.

Fiscal Note: No costs associated with the designation of applicant's agent; however, there may be grant application preparation costs of approximately \$1,100 from existing departmental general operation funds.

Recommendation: Approval of the Designation of Applicant Agent resolution for the All Hazards Mitigation Grant fund and authorization to submit a grant application to the North Carolina Division of Emergency Management agency for preparation of the All Hazards Mitigation Plan.

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 [DEM_Resolution_grant_form_790052](#)

RESOLUTION	
DESIGNATION OF APPLICANT'S AGENT	
North Carolina Division of Emergency Management	
Organization Name (hereafter named Organization):	Disaster Number:
City of Greenville	N/A
Applicant's State Cognizant Agency for Single Audit purposes (If Cognizant Agency is not assigned, please indicate):	
North Carolina Department of Crime Control and Public Safety	
Applicant's Fiscal Year (FY) Start	Month: Day:
	July 1
Applicant's Federal Employer's Identification Number:	
56-6000229	
Applicant's Federal Information Processing Standards (FIPS) Number:	
37147	
PRIMARY AGENT	SECONDARY AGENT
Agent's Name	Agent's Name
Wayne Bowers	Merrill Flood
Organization	Organization
City of Greenville	City of Greenville
Official Position	Official Position
City Manager	Community Development Director
Mailing Address	Mailing Address
P.O. Box 7207	P.O. Box 7207
City, State, Zip	City, State, Zip
Greenville, NC 27835-7207	Greenville, NC 27835-7207
Daytime Telephone	Daytime Telephone
(252) 329-4432	(252) 329-4500
Facsimile Number	Facsimile Number
(252)329-4435	(252)329-4483
Pager or Cellular Number	Pager or Cellular Number
<p>BE IT RESOLVED BY the governing body of the Organization (a public entity duly organized under the laws of the State of North Carolina) that the above-named Primary and Secondary Agents are hereby authorized to execute and file applications for federal and/or state assistance on behalf of the Organization for the purpose of obtaining certain state and federal financial assistance under the Robert T. Stafford Disaster Relief & Emergency Assistance Act, (Public Law 93-288 as amended) or as otherwise available. BE IT FURTHER RESOLVED that the above-named agents are authorized to represent and act for the Organization in all dealings with the State of North Carolina and the Federal Emergency Management Agency for all matters pertaining to such disaster assistance required by the grant agreements and the assurances printed on the reverse side hereof. BE IT FINALLY RESOLVED THAT the above-named agents are authorized to act severally.</p>	
<p>PASSED AND APPROVED this _____ day of _____, 20__.</p>	
GOVERNING BODY	CERTIFYING OFFICIAL
Name and Title	Name
Patricia Dunn, Mayor	Wanda Elks
Name and Title	Official Position
	City Clerk
Name and Title	Daytime Telephone
	(252) 329-4423
CERTIFICATION	
<p>I, _____ (Name) duly appointed and _____ (Title) of the Governing Body, do hereby certify that the above is a true and correct copy of a resolution passed and approved by the Governing Body of _____ (Organization) on the _____ day of _____, 20__.</p>	
Date: _____	Signature: _____

Rev. 03/04

APPLICANT ASSURANCES

The applicant hereby assures and certifies that it will comply with the FEMA regulations, policies, guidelines and requirements including, but not limited to the following authorities: OMB Circulars Nos. A-87, A-95, A-102 and A-110, where applicable, and Part 13 of Title 44 of the Code of Federal Regulations (C.F.R.), as they relate to the application, acceptance and use of Federal funds for this Federally assisted project. Also, the Applicant gives assurance and certifies with respect to and as a condition for the grant that:

1. It possesses legal authority to apply for the grant, and to finance and construct the proposed facilities; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body, authorizing the filing of the application, including all understandings and assurance contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.
2. It will comply with the provisions of: Executive Order 11988, relating to Floodplain Management and Executive Order 11990, relating to Protection of Wetlands.
3. It will have sufficient funds available to meet the non-Federal share of the cost for construction projects. Sufficient funds will be available when construction is completed to assure effective operation and maintenance of the facility for the purpose constructed.
4. It will not enter into a construction contract(s) for the project or undertake other activities until the conditions of the grant program(s) have been met.
5. It will provide and maintain competent and adequate architectural engineering supervision and inspection at the construction site to insure that the completed work conforms with the approved plans and specifications; that it will furnish progress reports and such other information as the Federal grant or agency may need.
6. It will operate and maintain the facility in accordance with the minimum standards as may be required or prescribed by the applicable Federal, State and local agencies for the maintenance and operation of such facilities.
7. It will give the grantor agency and the Comptroller General, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the grant.
8. It will require the facility to be designed to comply with the "American Standard Specifications for Making Buildings and Facilities Accessible to, and Usable by the Physically Handicapped," Number A117.1-1961, as modified (41 CFR 101-17-7031). The applicant will be responsible for conducting inspections to insure compliance with these specifications by the contractor.
9. It will cause work on the project to be commenced within a reasonable time after receipt of notification from the approving Federal agency that funds have been approved and will see that work on the project will be prosecuted to completion with reasonable diligence.
10. It will not dispose of or encumber its title or other interests in the site and facilities during the period of Federal interest or while the Government holds bonds, whichever is the longer.
11. It agrees to comply with Section 311, P.L. 93-288 and with Title VI of the Civil Rights act of 1964 (P.L. 83-352) and in accordance with Title VI of the Act, no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the applicant receives Federal financial assistance and will immediately take any measures necessary to effectuate this agreement. If any real property or structure is provided or improved with the aid of Federal financial assistance extended to the Applicant, this assurance shall obligate the Applicant, or in the case of any transfer of such property, any transferee, for the period during which the real property or structure is used for a purpose for which the Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits.
12. It will establish safeguards to prohibit employees from using their positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties.
13. It will comply with the requirements of Title II and Title III of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (P.L. 91-646) which provides for fair and equitable treatment of persons displaced as a result of Federal and Federally-assisted programs.
14. It will comply with all requirements imposed by the Federal grantor agency concerning special requirements of law, program requirements, and other administrative requirements approved in accordance with OMB Circular A-102, P.L. 93-288 as amended, and applicable Federal Regulations.
15. It will comply with the provisions of the Hatch Act which limit the political activity of employees.
16. It will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act, as they apply to hospital and educational institution employees of State and local governments.
17. (To the best of his knowledge and belief) the disaster relief work described on each Federal Emergency Management Agency (FEMA) Project Application for which Federal Financial assistance is requested is eligible in accordance with the criteria contained in 44 Code of Federal Regulations, Part 205, and applicable FEMA Handbooks.
18. The emergency or disaster relief work therein described for which Federal Assistance is requested hereunder does not or will not duplicate benefits received for the same loss from another source.
19. It will (1) provide without cost to the United States all lands, easements and rights-of-way necessary for accomplishment of the approved work; (2) hold and save the United States free from damages due to the approved work or Federal funding.
20. This assurance is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, reimbursements, advances, contracts, property, discounts of other Federal financial assistance extended after the date hereof to the Applicant by FEMA that such Federal Financial assistance will be extended in reliance on the representations and agreements made in this assurance and that the United States shall have the right to seek judicial enforcement of this assurance. This assurance is binding on the applicant, its successors, transferees, and assignees, and the person or persons whose signatures appear on the reverse as authorized to sign this assurance on behalf of the applicant.
21. It will comply with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973, Public Law 93-234, 87 Stat. 975, approved December 31, 1973. Section 102(a) requires, on and after March 2, 1975, the purchase of flood insurance in communities where such insurance is available as a condition for the receipt of any Federal financial assistance for construction or acquisition purposes for use in any area that has been identified by the Director, Federal Emergency Management Agency as an area having special flood hazards. The phrase "Federal financial assistance" includes any form of loan, grant, guaranty, insurance payment, rebate, subsidy, disaster assistance loan or grant, or any other form of direct or indirect Federal assistance.
22. It will comply with the insurance requirements of Section 314, P.L. 93-288, to obtain and maintain any other insurance as may be reasonable, adequate, and necessary to protect against further loss to any property which was replaced, restored, repaired, or constructed with this assurance.
23. It will defer funding of any projects involving flexible funding until FEMA makes a favorable environmental clearance, if this is required.
24. It will assist the Federal grantor agency in its compliance with Section 106 of the National Historic Preservation Act of 1966, as amended, (16 U.S.C. 470), Executive Order 11593, and the Archeological and Historic Preservation Act of 1966 (16 U.S.C. 469a-1 et seq.) by (a) consulting with the State Historic Preservation Officer on the conduct of investigations, as necessary, to identify properties listed in or eligible for inclusion in the National Register of Historic places that are subject to adverse effects (see 36 CFR Part 800.8) by the activity, and notifying the Federal grantor agency of the existence of any such properties, and by (b) complying with all requirements established by the Federal grantor agency to avoid or mitigate adverse effects upon such properties.
25. It will for any repairs or construction financed herewith, comply with applicable standards of safety, decency and sanitation and in conformity with applicable codes, specifications and standards; and, will evaluate the natural hazards in areas in which the proceeds of the grant or loan are to be used and take appropriate action to mitigate such hazards, including safe land use and construction practices.

STATE ASSURANCES

The State agrees to take any necessary action within State capabilities to require compliance with these assurances and agreements by the applicant or to assume responsibility to the Federal government for any deficiencies not resolved to the satisfaction of the Regional Director.



City of Greenville, North Carolina

Meeting Date: 11/6/2008
Time: 7:00 PM

Title of Item: Authorization for Mayor to execute North Carolina Rural Center Grant Agreement for Aquifer Storage & Recovery Wellhead Facilities Project on behalf of Greenville Utilities Commission

Explanation: On November 5, 2007, the North Carolina Rural Center provided notification that the Aquifer Storage & Recovery (ASR) Wellhead Facilities project had been conditionally awarded \$500,000 in grant funding based on the pre-application submitted by the City of Greenville on behalf of Greenville Utilities. To complete the application process, executed copies of the Financial Assistance Award (signed by the Mayor and GUC Board Chair) were submitted to the N.C. Rural Center in December 2007, followed by a full application (signed by the Mayor) that was submitted in April 2008. The final step to secure grant funding is to submit an executed grant agreement between the N.C. Rural Center and the City of Greenville.

At their meeting on October 21, 2008, the Greenville Utilities Board took action to recommend the City Council authorize the Mayor to execute the N.C. Rural Center grant agreement for the ASR Wellhead Facilities project.

Fiscal Note: No cost to the City of Greenville.

Recommendation: Authorize the Mayor to execute the N.C. Rural Center grant agreement for the Aquifer Storage & Recovery (ASR) Wellhead Facilities Project on behalf of Greenville Utilities.

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City of Greenville, North Carolina

Meeting Date: 11/6/2008
Time: 7:00 PM

Title of Item: Budget ordinance amendment #5 to the 2008-2009 City of Greenville budget

Explanation: Attached is an amendment to the 2008-2009 budget ordinance for consideration at the November 6, 2008, City Council meeting. For ease of reference, a footnote has been added to each line item of the budget ordinance amendment, which corresponds to the explanations below:

A To allocate grant funds from the U.S. Environmental Protection Agency. Funds will be used for an inventory assessment and reuse of Brownfield sites in the West Greenville certified area. This item was approved during the October 6, 2008 City Council meeting (\$200,000).

B To allocate contingency funds to cover the increased fees charged by The Ferguson Group. The contract, which extends the services of the Group for another year, includes a 5% increase. This item was introduced to City Council on October 9, 2008 (\$4,500).

C To appropriate funds to transfer to the Capital Reserve Fund for Capital Improvement projects. This transfer reflects the annual transfer that occurs after the audit is complete and is based on "Undesignated /Unreserved" Fund Balance levels. The detail of this transfer is also on the November 6, 2008 City Council agenda for approval (\$884,142).

Fiscal Note: The budget ordinance amendment affects the following funds: increase General Fund by \$1,084,142; and increase the Capital Reserve Fund by \$884,142.

<u>Fund Name</u>	<u>Original Adopted Budget</u>	<u>Proposed Amendment</u>	<u>Adjusted Budget</u>
General Fund	\$ 71,677,059	\$ 1,084,142	\$ 72,761,201

Capital Reserve Fund	\$ 1,873,914	\$ 884,142	\$ 2,758,056
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Recommendation: Approve budget ordinance amendment #5 to the 2008-2009 City of Greenville budget.

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[Budget Ordinance Amendments 2008 2009 776865](#)

ORDINANCE NO. 08-_____
CITY OF GREENVILLE, NORTH CAROLINA
ORDINANCE (#5) AMENDING ORDINANCE NO. 08-73

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

Section I. Estimated Revenues. General Fund, of Ordinance 08-73, is hereby amended by increasing estimated revenues in the amount indicated:

<u>Account</u>	<u>Original Adopted Budget</u>	<u>Proposed Amendment</u>	<u>Adjusted Budget</u>
Spec State/Fed/Loc Grants ^A	\$ 1,134,827	\$ 200,000	\$ 1,334,827
Appropriated Fund Balance ^C	1,838,811	884,142	2,722,953
Total		<u>\$ 1,084,142</u>	

Section II. Appropriations. General Fund, of Ordinance 08-73, is hereby amended by increasing appropriations in the amount indicated:

<u>Department</u>	<u>Original Adopted Budget</u>	<u>Proposed Amendment</u>	<u>Adjusted Budget</u>
City Manager ^B	\$ 1,073,024	\$ 4,500	\$ 1,077,524
Community Development ^A	2,320,351	200,000	2,520,351
Transfer to Other Funds ^C	6,692,716	884,142	7,576,850
Total		<u>\$ 1,088,642</u>	

Section III. Appropriations. General Fund, of Ordinance 08-73, is hereby amended by decreasing appropriations in the amount indicated:

<u>Department</u>	<u>Original Adopted Budget</u>	<u>Proposed Amendment</u>	<u>Adjusted Budget</u>
Contingency ^B	\$ 121,293	\$ 4,500	\$ 116,793

Section IV. Estimated Revenues. Capital Reserve Fund, of Ordinance 08-73, is hereby amended by increasing estimated revenues in the amount indicated:

<u>Account</u>	<u>Original Adopted Budget</u>	<u>Proposed Amendment</u>	<u>Adjusted Budget</u>
Transfer from Other Funds ^C	\$ -	\$ 884,142	\$ 884,142

Section V. Appropriations. Capital Reserve Fund, of Ordinance 08-73, is hereby amended by increasing appropriations in the amount indicated:

<u>Department</u>	<u>Original Adopted Budget</u>	<u>Proposed Amendment</u>	<u>Adjusted Budget</u>
Capital Reserve ^C	\$ 705,000	\$ 884,142	\$ 1,589,142

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

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

Adopted this 6th day of November, 2008.

Patricia C. Dunn, Mayor

ATTEST:

Wanda T. Elks, City Clerk



City of Greenville, North Carolina

Meeting Date: 11/6/2008
Time: 7:00 PM

Title of Item: Fiscal Year 2009-2010 Budget Schedule

Explanation: Attached is the budget schedule for the Fiscal Year 2009-2010 budget. The schedule sets timeframes for information to be prepared, collected, and presented to Council for public input on the consideration of Adoption of the Fiscal Year 2009-2010 budget.

Fiscal Note: No cost to adopt budget schedule.

Recommendation: Adopt the proposed Fiscal Year 2009-2010 budget schedule.

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Attachments / click to download

[Detailed Budget Schedule Fiscal Year 2009 2010 791578](#)

**CITY OF GREENVILLE
DETAILED BUDGET SCHEDULE
FISCAL YEAR 2009-2010**

Thursday	November 6, 2008	Budget Schedule presented to City Council
Friday	November 21, 2008	Submission of updated Mission Statements, Goals and Objectives Indicators, and Performance Measures
Tuesday	December 2, 2008	Review of Budget Adjustment Process with Department Heads and Budget Administrators
Wednesday	January 14, 2009	Revenue Projections updated
Saturday	January 24, 2009	City Council Planning Retreat and Goals and Objectives update
Wednesday	February 11, 2009	Budget Adjustment requests by Departments submitted to the Director of Financial Services electronically
Tuesday - Friday	February 17-20, 2009	Department Head Budget Adjustment meetings with City Manager, Assistant City Manager, and Director of Financial Services to discuss Adjustments
Wednesday	April 20, 2009	Revenues Projections Final updates
Wednesday	May 6, 2009	Distribution to City Council of the Balanced Budgets of the City, GUC, SML, & CVA
Monday	May 11, 2009	Presentation of Balanced Budget Ordinances of the City, GUC, SML, & CVA to City Council
Monday	May 18, 2009	Public Display of Balanced Budget Ordinances prior to the Public Hearing
Monday	June 1, 2009	City Council Budget Meeting
Monday	June 8, 2009	Public Hearing on the Fiscal Year 2009-2010 Budget
Thursday	June 11, 2009	Consideration of Adoption of the Fiscal Year 2009-2010 Budget



City of Greenville, North Carolina

Meeting Date: 11/6/2008
Time: 7:00 PM

Title of Item: Report on bids awarded

Explanation: The Director of Financial Services reports that the following bids were awarded during the period of September 1-October 1, 2008 and are to be included on the City Council agenda for information.

Date Awarded	Description	Vendor	Amount	M/WBE Yes/No
9/16/08	Storage Area Network for Public Safety	4 Front Systems, Inc.	\$54,467.67	
9/30/08	Traffic Signal Equipment	RGA, Inc.	\$82,340.00	
10/1/08	Storage Area Network for Public Safety	4 Front Systems, Inc.	\$54,467.67	

Fiscal Note: An expenditure of \$191,275.34 was appropriated in the 2008-2009 budget to purchase these items.

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

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Attachments / click to download

[Bid Tabulation Storage Area Network 791418](#)

[Bid Tabulation Traffic Signal Equipment 791459](#)

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

Date: 9/15/08

Description: Storage Area Network for Public Safety
 Informal Bid#2008/09-13

Contractor	Address	Contact:	Base Bid	Alternate Bid	Comments
4 Front Systems, Inc.			\$54,467.67		Quotes received by the IT Dept.
Varrow			\$67,078.51		IT used this bid to award two purchase orders (66618 & 66778)
Dell			\$73,275.70		

*Highlighted bidder received award

Doc#791418

 Angelene E. Brinkley, CLGPO, MPA
 Purchasing Manager

Date: _____

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

Date: 9/26/08

Description: Traffic Signal Equipment
 Informal Bid#2008/09-20

Contractor	Address	Contact:	Base Bid	Alternate Bid	Comments
RGA, Inc.	1550 Standing Ridge Drive Ste. 100 Powhatan, VA 23139		\$82,340.00		
Temple, Inc.	P.O. Box 2066 Decatur, AL 35602-2066		\$91,285.40		

*Highlighted bidder received award

Doc#791459

Item # 12

_____ Angelene E. Brinkley, CLGPO, MPA
 Purchasing Manager

Date: _____



City of Greenville, North Carolina

Meeting Date: 11/6/2008
Time: 7:00 PM

Title of Item: Resolution consenting to the reinterment of graves from the Forbes Family Cemetery to Homestead Memorial Gardens

Explanation: On July 3, 2008, the City received the attached letter from *of grave concerns, inc.* on behalf of East Carolina University requesting that the City consent to the relocation of the Forbes Family Cemetery from MacGregor Downs Road to Homestead Memorial Gardens located on East Tenth Street. North Carolina law requires that prior to moving a cemetery, consent must be secured from the municipality in which the cemetery is located.

This request was considered at the August 11, 2008 City Council meeting and continued to the August 14, 2008 meeting. As requested by East Carolina University, on August 14, 2008 the City Council continued the request to the September 11, 2008 City Council meeting. As requested by East Carolina University, on September 11, 2008 the City Council further continued the request to the November 6, 2008 City Council meeting.

Fiscal Note: No cost to the City.

Recommendation: City Council hear a presentation from East Carolina University and approve the attached resolution consenting to the relocation of the Forbes Family Cemetery from MacGregor Downs Road to Homestead Memorial Gardens.

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[Forbes Family Cemetery Relocation](#)

[Resolution Consenting to Relocation of Forbes Family Cemetery to Homestead Memorial Gardens 774922](#)

RESOLUTION NO. 08-_____

RESOLUTION CONSENTING TO THE REINTERMENT OF GRAVES
FROM THE FORBES FAMILY CEMETERY TO HOMESTEAD MEMORIAL GARDENS

WHEREAS, there is an abandoned cemetery located on MacGregor Downs Road, two-tenths of a mile west of its intersection with West Fifth Street, that has fallen into disrepair; and

WHEREAS, the East Carolina University School of Dentistry wishes to develop the property and provide long-term care for the graves; and

WHEREAS, the East Carolina University School of Dentistry has selected Homestead Memorial Gardens to receive the burials; and

WHEREAS, North Carolina General Statute 65-106 allows for the disinterment, removal, and reinterment of abandoned graves by landowners after securing the consent of the governing body in which such cemetery is located; and

WHEREAS, the request to reinter the graves has been published at least once per week for four successive weeks in *The Daily Reflector* in accordance with General Statute 65-106;

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Greenville, North Carolina, does hereby give consent to the East Carolina University School of Dentistry to relocate the Forbes Family Cemetery from MacGregor Downs Road to Homestead Memorial Gardens on East Tenth Street as requested.

This the 6th day of November, 2008.

Patricia C. Dunn, Mayor

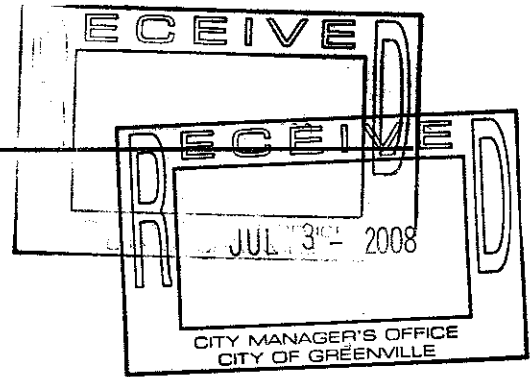
ATTEST:

Wanda T. Elks, City Clerk

of grave concerns, inc.

1523 Hanover Street – Raleigh, NC 27608
Telephone (919) 839 0501

Mr Wayne bowers,
City Manager
City of Greenville
P O. Box 7207
Greenville, NC 27835-7207



Re; Moving the Forbes Family Cemetery on McGregor Downs Road to Homestead Memorial Gardens, East Tenth Street

June 30, 2008

Dear Mr. Bowers:

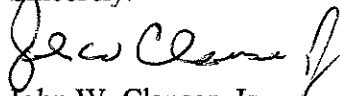
East Carolina School of Dentistry wishes to have the Forbes Family Cemetery relocated under the guidelines set forth in North Carolina General Statute 65-4. We have made a reasonable and prudent effort to contact family members and have had several conversations with Mr. William Barnes who has six family members interred in the cemetery. Mr. Barnes had contacted several additional family members and has reported that all are in favor of the move. The family members agree that Homestead Memorial Gardens, where the graves will receive long-term care, is a suitable location for the reinterment. The School of Dentistry has agreed to assume all financial responsibility for the removal and reinterment.

The statute also requires that legal notice be published once a week for four consecutive weeks. A legal advertisement has been run in the Daily Reflector on June 4, June 11, June 18 and June 25, 2008. A copy of this notice is enclosed for your convenience.

It is our desire to come before the City Council and request a resolution authorizing the removal and reinterment as required by the statute. We understand that the next council meeting will be held on August 11, 2008 and would like to be placed on the agenda. I am also enclosing a draft resolution that you may wish to use as a guide.

If you have any questions, or require any additional information, please do not hesitate to contact me.

Sincerely:


John W. Clauser, Jr
Archaeologist

The Daily Reflector

1882 · 2007

P.O. Box 1967, Greenville, NC 27835-1967 (252) 329-9504

OF GRAVE CONCERNS, INC
ATTN: JOHN CLAUSER
1523 HANOVER STREET
RALEIGH, NC 27608

CopyLine: Forbes Family Cemetery
Lines: 32
Total Price: \$136.88
Pay this amount due in 10 days

Account: 149772 AD ID: 329542

PUBLISHER'S AFFIDAVIT

AD ID: 329542

NORTH CAROLINA
PITT COUNTY:

Kim Little affirms that she is clerk of The Daily Reflector, a newspaper published daily at Greenville, Pitt County, North Carolina, and that the advertisement, a true copy of which is hereto attached, entitled Forbes Family Cemetery was published in said The Daily Reflector on the following dates:

Wednesday, June 4, 2008 Page: C5
Wednesday, June 11, 2008 Page: C5
Wednesday, June 18, 2008 Page: C6
Wednesday, June 25, 2008 Page: C6

and that the said newspaper in which such notice, paper, document or legal advertisement was published, was at the time of each and every publication, a newspaper meeting all of the requirements and qualifications of Chapter 1, Section 597 of the General Statutes of North Carolina and was a qualified newspaper within the meaning of Chapter 1, Section 597 of the General Statutes of North Carolina.

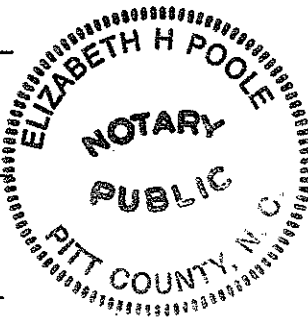
Kim Little

Affirmed and subscribed before me this 25 day
of June 2008

Elizabeth H Poole
(Notary Public Signature)

Elizabeth H Poole
(Notary Public Printed Name)

My commission expires 1-17-2011



Legal Notice
Notice is hereby given to relatives both known and unknown of: Mary Forbes, 1872 - 1906, Jacob Forbes, died 1918 and 40 other unknown individuals buried in Forbes Family Cemetery, Greenville, Pitt County, North Carolina of the intention to remove relocate and reinter the 42 graves. The cemetery is located approximately west of Macgregor Downs Road and 2/10 mile south of the intersection of Fifth Street. The property is further described in Pitt County Book of Deeds 1417 Page 458. It is intended, in consultation with descendants, to reinter remains in Homestead Memorial Gardens, Greenville, NC. Anyone having information about these burials, or the next of kin should contact Of Grave Concerns, Inc. (919) 839 0501.

June 4, 11, 18 & 25, 2008



City of Greenville, North Carolina

Meeting Date: 11/6/2008
Time: 7:00 PM

Title of Item: Ordinance requested by WRS, Incorporated to amend the Future Land Use Plan Map for the area described as being located along the northern right-of-way of East 10th Street and the eastern right-of-way of Port Terminal Road containing 52+ acres from "Office/Institutional/Multi-family", "Medium Density Residential", and "Conservation/Open Space" categories to a "Commercial" category

Explanation: **History/Background:**

The current Future Land Use Plan Map was adopted on February 12, 2004.

In 1972, the subject property was incorporated into the City's extra-territorial jurisdiction (ETJ) and was zoned RA20 (Residential-Agricultural). There are two (2) neighborhood commercial-zoned (CN) properties within the boundary of the request that were rezoned in 1980 and 1988.

Comprehensive Plan:

The subject site is located in Vision Area C.

East Tenth Street is considered a " gateway " corridor from the intersection of Greenville Boulevard and East Tenth Street continuing east. Gateway corridors serve as primary entranceways into the City and help define community character. These roads are designed to carry high volumes of traffic through and across the City.

The intersection of East Tenth Street and Port Terminal Road is designated as an intermediate focus area. These nodes typically contain 50,000 to 150,000 square feet of conditioned floor space.

The Future Land Use Plan Map recommends commercial at the northeast corner of the intersection of East 10th Street and Port Terminal Road transitioning to office/institutional/multi-family adjacent to the Highway 33 frontage

immediately outside the recognized focus area and medium density residential on the interior. The Future Land Use Plan Map further recommends conservation/open space on interior areas likely to be impacted by environmental limitations.

The Future Land Use Map identifies certain areas for conservation/open space uses. The map is not meant to be dimensionally specific, and may not correspond precisely with conditions on the ground. When considering rezoning requests or other development proposals, some areas classified as conservation/open space may be determined not to contain anticipated development limitations. In such cases, the future preferred land use should be based on adjacent Land Use Plan designations, contextual considerations, and the general policies of the comprehensive plan.

The Comprehensive Plan states that "location and size of commercial nodes included in the plan are not intended to be static. As the area surrounding commercial nodes develop, larger node definitions ...may be warranted. In addition, as the commercial nodes of outlying areas of the City's planning jurisdiction develop, they should be buffered from surrounding areas by office, institutional and multi-family and residential and open spaces. Again, the exact size of the required buffer has not been predetermined. The required buffer width should be determined when the ultimate extent of the commercial node is known".

There is a recognized community focus area at the intersection of Greenville Boulevard and East Tenth Street.

There is a recognized intermediate focus area east of the intersection of East Tenth Street/Highway 33 East and Portertown Road.

Below are considerations from Horizons: Greenville's Community Plan.

- The locations of Intermediate and Neighborhood Focus Areas should be evaluated based on surrounding residential development patterns and the lack of alternative retail uses to serve these areas.
- Retail should have access to collector streets.
- Ensure proper size of and spacing between focus areas.
- Ensure that new development has adequate north/south and east/west transportation corridors.

The subject site is only accessible via East Tenth Street (Hwy 33). There are no north/south connections to this site.

This request would allow for commercial uses, such as general retail, fast food restaurants, conventional restaurants, and gasoline sales.

Currently, there are 28.39 acres of commercially-zoned property in the vicinity of the intersection of East 10th Street and Port Terminal Road.

Environmental Conditions/Constraints:

In 1999, the area to the north of the subject area was impacted by Hurricane Floyd. A large portion of the property was purchased by the City through the Hazard Mitigation Grant Program (Buy-Out).

There is a portion of the property that is under common interest of the applicant that is not included as part of this request. This property can be used as part of the stormwater requirements for any development on the subject property as it is currently zoned.

Surrounding Land Uses and Zoning:

North: RA20 - Vacant (City-owned and a portion under common interest of the applicant)

South: CH - Lowe's Home Improvements, Select Bank and Trust, Wound Healing Center and vacant; CG and CN - Vacant

East: RA20 - Woodlands (under common interest of applicant); R9S - River Hills Subdivision

West: RA20 - Scatted single-family residences fronting Port Terminal Road

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

Development under the proposed Land Use Plan Map amendment could generate 11,273 trips to and from the site on East 10th Street, which is a net increase of 5,796 additional trips per day compared with the existing Land Use Plan categories.

During the review process, measures to mitigate traffic impacts will be determined. These measures may include limiting access onto East 10th Street, constructing turn lanes into the development, and modifications of the traffic signal operations at East 10th Street's intersection with Portertown Road, Oakdowne Way, Oxford Road, and Greenville Boulevard.

Detailed Report Attached

Note: This is not a rezoning request. Any future rezoning request(s) for the property in this area shall be considered by the Planning and Zoning Commission and City Council.

Fiscal Note: No cost to the City.

Recommendation: In staff's opinion, the anticipated additional commercial development will significantly alter the desired community character of this corridor; therefore, staff recommends denial of this request. In staff's opinion, the current Future Land Use Plan Map designations for the subject and adjoining properties support a sustainable environment for the area and provide reasonable use for the affected properties.

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

The Planning and Zoning Commission, at their October 21, 2008 meeting, voted to recommend approval of the request.

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

Attachments / click to download

- [Future Land Use Plan Map \(Current and Proposed\)](#)
 - [Current Zoning and Existing Land Use Map](#)
 - [Planning and Zoning Commission Minutes](#)
 - [Letter from River Hills Neighborhood Association](#)
 - [Letter from Elizabeth Hand](#)
 - [Ordinance WRS 793430](#)
 - [Land Use Plan Amendment 08 02 789683](#)
-

ORDINANCE NO. 08-_____
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GREENVILLE
AMENDING HORIZONS: GREENVILLE'S COMMUNITY PLAN

WHEREAS, the City Council of the City of Greenville, North Carolina, in accordance with Article 19, Chapter 160A, of the General Statutes of North Carolina, caused a public notice to be given and published once a week for two successive weeks in The Daily Reflector setting forth that the City Council would, on November 6, 2008 at 7:00 p.m. in the City Council Chambers of City Hall in the City of Greenville, NC, conduct a public hearing on the adoption of an ordinance amending the Future Land Use Plan Map for the following described territory;

WHEREAS, the Horizons: Greenville's Community Plan was adopted on January 9, 1992 by the Greenville City Council per ordinance 2412; and

WHEREAS, the Horizons: Greenville's Community Plan will from time to time be amended and portions of its text clarified by the City Council; and

WHEREAS, Future Land Use Plans are to be prepared to expand and clarify portions of the Horizons: Greenville's Community Plan; and

WHEREAS, the City Council of the City of Greenville has per ordinance no. 97-73 adopted the Greenville Future Land Use Plan Map and associated text dated June 4, 1997 as an amendment to the Horizons: Greenville's Community Plan; and

WHEREAS, the City Council of the City of Greenville has per ordinance no. 04-10 amended the Horizons: Greenville's Community Plan and Future Land Use Plan Map pursuant to the 2004 Update; and

WHEREAS, the Planning and Zoning Commission and the City Council have reviewed the Future Land Use Plan Map and a public hearing has been held to solicit public comment.

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

Section 1. The Future Land Use Plan Map is hereby amended by re-designating from "Office/Institutional/Multi-family", "Medium Density Residential" and Conservation/Open Space" categories to a "Commercial" category for the area described as being located near the northeast corner of the intersection of East Tenth Street and Port Terminal Road, and more specifically described as being located 350+/- feet from the corner of the intersection with 1,400+/- feet of frontage along East Tenth Street and 180+/- feet from the corner of the intersection with 1,050+/- feet of frontage along Port Terminal Road with an average depth of 1,730+/- from East Tenth Street, containing approximately 52 acres.

Section 2. That the Director of Community Development is directed to amend the Future Land Use Plan Map of the City of Greenville in accordance with this ordinance.

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

Section 4. That this ordinance shall become effective upon its adoption.

ADOPTED this 6th day of November, 2008.

Patricia C. Dunn, Mayor

ATTEST:

Wanda T. Elks, City Clerk

#793430

LAND USE PLAN MAP AMENDMENT THOROUGHFARE/TRAFFIC VOLUME REPORT

Case No: 08-02

Applicant: WRS, Incorporated

Property Information

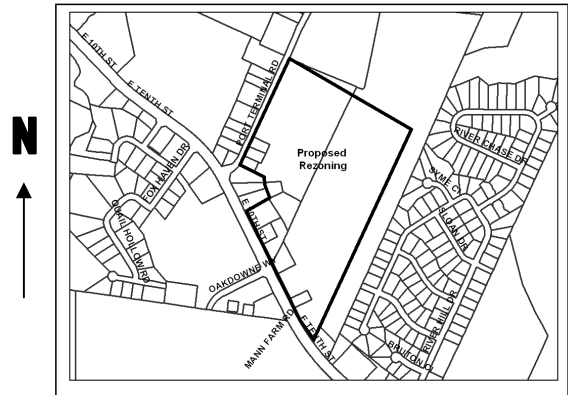
Current Land Use: Office/Institutional/Multi-Family (OIMF)
Medium Density Residential (MDR)
Conservation/Open Space (COS)

Proposed Use: Commercial (C)

Current Acreage: 52+/- acres

Location: NE Corner of Port Terminal Rd and E 10th St

Points of Access: Port Terminal Rd and E 10th St



Location Map

Transportation Background Information

1.) E 10th St - State maintained

	<u>Existing Street Section</u>	<u>Ultimate Thoroughfare Street Section</u>
Description/cross section	5-lane with curb and gutter	5-lane with curb and gutter
Right of way width (ft)	100	100
Speed Limit (mph)	West of Site: 45 East of Site: 55	
Current ADT:	19,890(*)	Design ADT: 33,500 vehicles/day (**)

Controlled Access No

Thoroughfare Plan Status: Major Thoroughfare

Other Information: There are sidewalks along the north side of E 10th St that terminate at the northwest corner of E 10th St and Port Terminal Rd and along the south side of E 10th St across from the property.

Notes: (*) 2007 City count adjusted with a 2% growth rate
(**) Traffic volume based on an operating Level of Service D for existing geometric conditions
ADT – Average Daily Traffic volume

Transportation Improvement Program Status: No Projects Planned.

Trips generated by proposed use/change:

Current Use: 5,477 -vehicle trips/day (*) **Proposed Use:** 11,273 -vehicle trips/day (*)

Estimated Net Change: increase of 5,796 -vehicle trips/day (assumes full-build out)

(* - These volumes are estimated and based on an average of the possible uses permitted by the current and proposed use.)

Case No: 08-02

Applicant: WRS, Incorporated

Impact on Existing Roads

The overall estimated trips presented above are distributed based on current traffic patterns. The estimated ADTs on E 10th St are as follows:

1.) E 10th St, East of Site (“No build” ADT of 19,890)

Estimated ADT with Proposed Use (full build) – 26,654
Estimated ADT with Current Use (full build) – 23,176
Net ADT change – 3478 (13% increase)

2.) E 10th St, West of Site (“No build” ADT of 19,890)

Estimated ADT with Proposed Use (full build) – 24,399
Estimated ADT with Current Use (full build) – 22,081
Net ADT change – 2318 (10% increase)

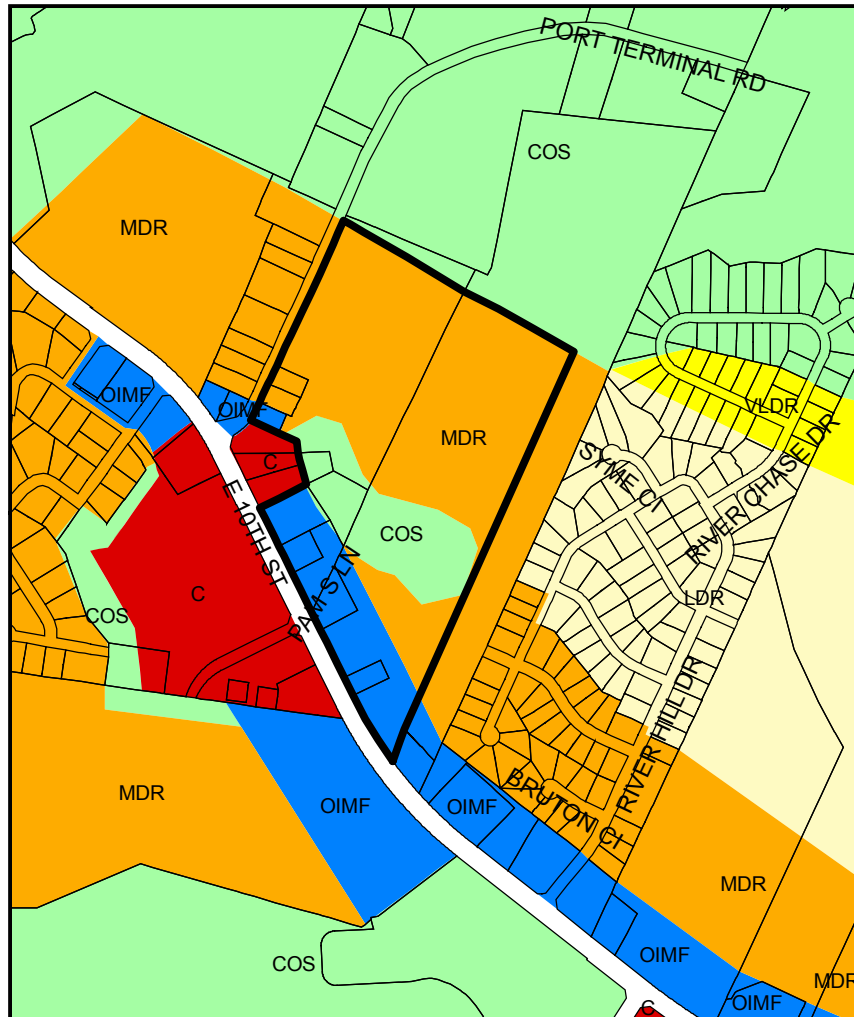
Staff Findings/Recommendations:

Development under the proposed land use plan amendment could generate 11,273 trips to and from the site on E 10th St, which is a net increase of 5,796 additional trips per day compared to the existing land use.

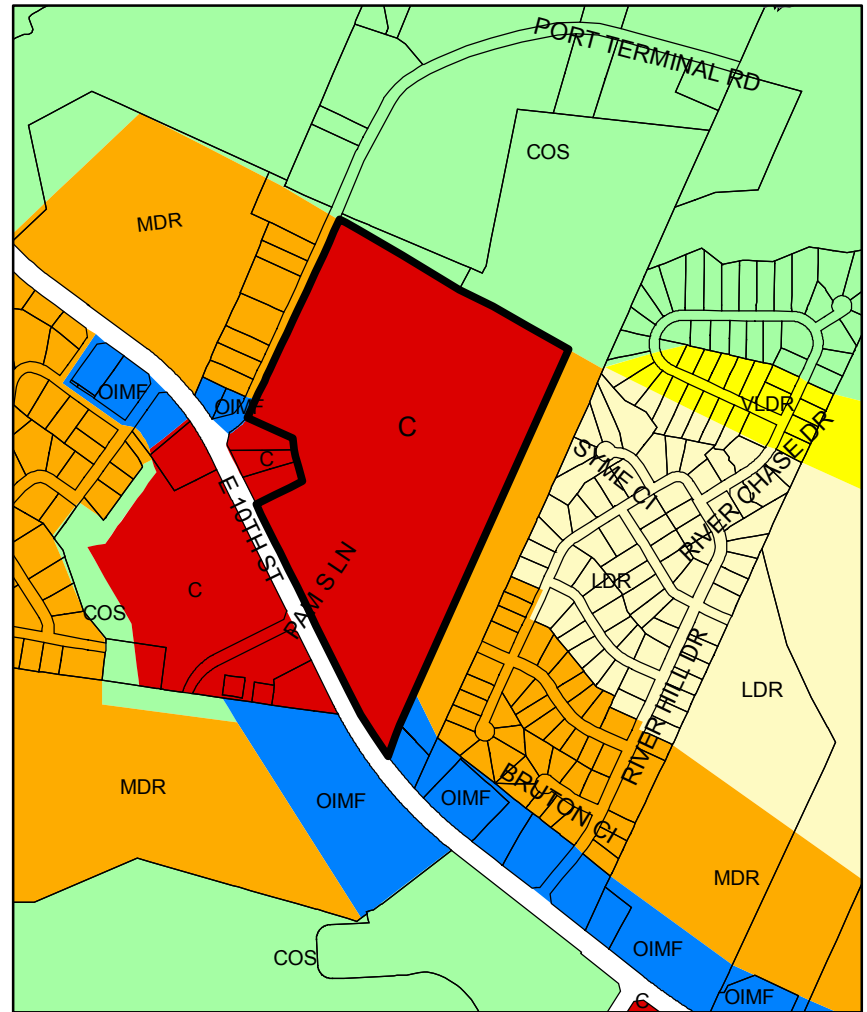
During the review process, measures to mitigate traffic impacts will be determined. These measures may include limiting access onto E 10th St, constructing turn lanes into the development, and modification of the traffic signal operations at E 10th Street’s intersections with Portertown Road, Oakdowne Way, Oxford Road, and Greenville Boulevard.

Future Land Use Plan Admendment - WRS, Inc. (08-02) 52 +/- acres

Current (Future Land Use Plan Map)



Proposed (Future Land Use Plan Map)

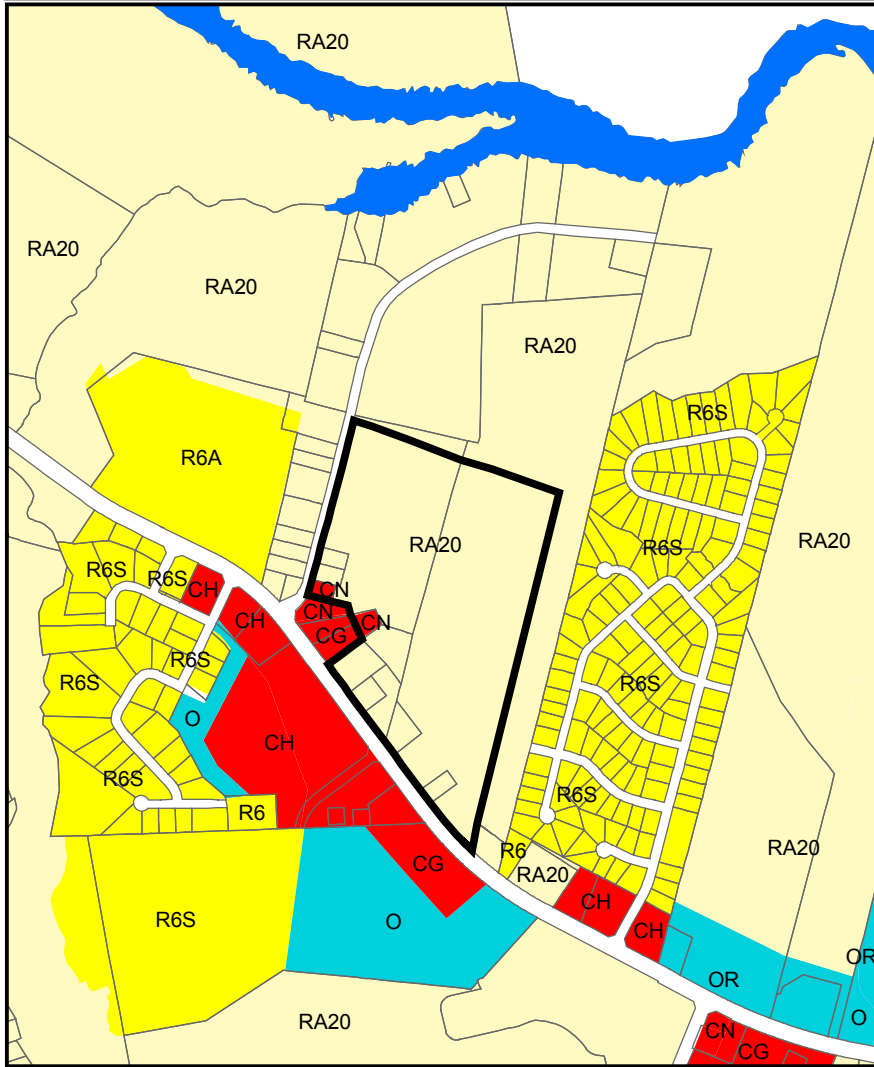


- | | | | |
|------------------------------------|---------------------------------------|------------------------------|---------------------------|
| Mixed Use / Office / Institutional | Office / Institutional / Medical | Medium Density Residential | Conservation / Open Space |
| Medical Core | Office / Institutional / Multi-Family | Low Density Residential | Industrial |
| Medical Transition | High Density Residential | Very Low Density Residential | Commercial |

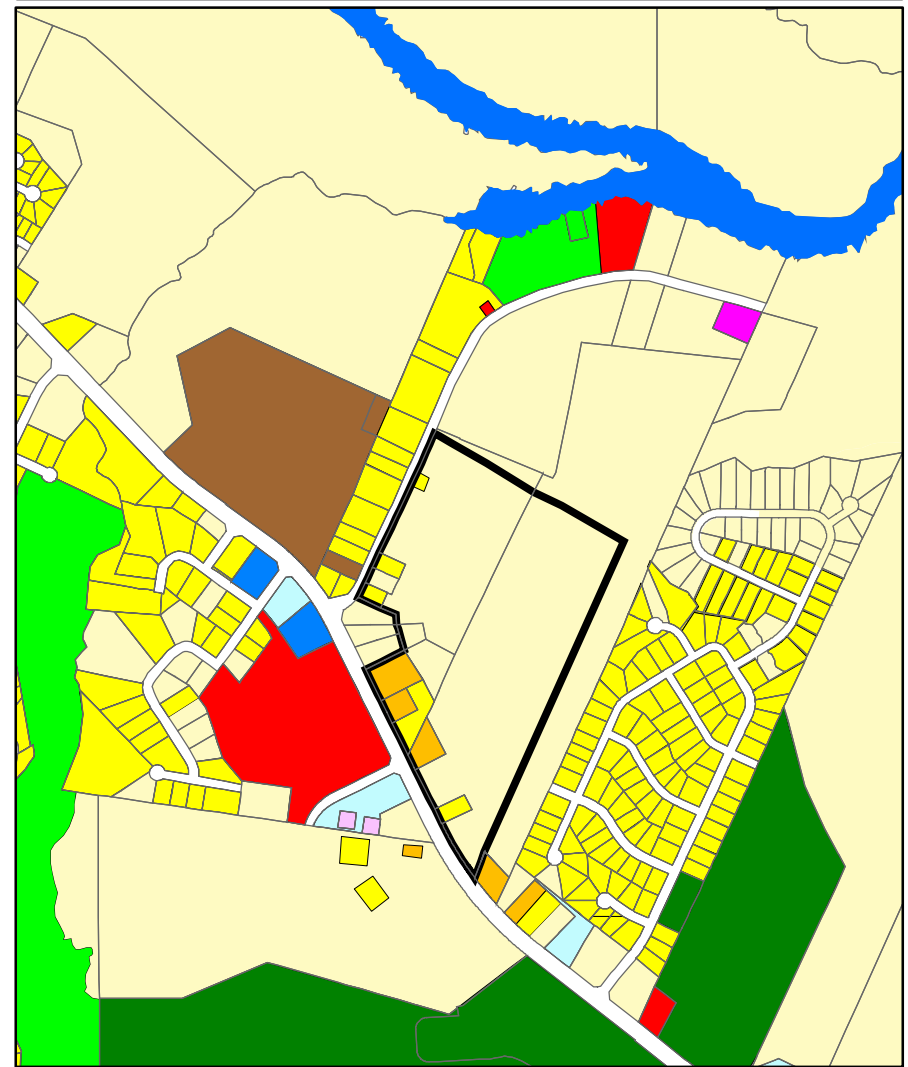
Created:
10/2/08

WRS, Incorporated Future Land Use Plan Map Amendment (08-01) 52+/- acres

Zoning Patterns Map



Existing Land Use Map



- Rezoning Site
- Commercial
- Office & Institutional
- Residential
- Residential / Agricultural
- Industrial

- Tar River
- Land Parcels
- Rezoning Site
- Cemetery
- Commercial
- Duplex
- Industrial
- Institutional
- Landfill
- Mobile Home Park
- Multi-Family
- Office
- Public Parking
- Single Family
- Utility
- Vacant
- Mobile Home
- Recreation

Item # 14

Created:
10/9/08

Excerpt from the Planning and Zoning Commission meeting minutes (10/21/08)

REQUEST BY WRS, INCORPORATED

Ordinance requested by WRS, Incorporated to amend the Future Land Use Plan Map for the area described as being located along the northern right-of-way of East 10th Street and the eastern right-of-way of Port Terminal Road containing 52+/- acres from "Office/Institutional/Multi-family", "Medium Density Residential", and "Conservation/Open Space" categories to a "Commercial" category.

Ms. Gooby stated this was a request to amend the Future Land Use Plan Map with the expectation of a rezoning request. The property is located in the eastern section of the city along East Tenth Street. River Hills Subdivision is located to the east, the Tar River to the north, and Oakhurst and Brook Valley subdivisions are to the west of the property. Ms. Gooby stated the property was located along East Tenth Street across from the Lowe's Shopping Center with some single-family homes that front along East Tenth Street. Ms. Gooby stated East Tenth Street is a gateway corridor which serves as a primary entranceway into the City. There is an intermediate focus area at the intersection of East Tenth Street and Port Terminal Road. Ms. Gooby stated there were currently about 28 acres of commercially zoned property at this intersection. The request could generate a net increase of about 5,800 trips per day, with 60% of that traffic going east and 40% going west. Ms. Gooby stated the site was only accessible via East Tenth Street with no other connectors to the north or the south. Port Terminal Road is a dead-end street. Ms. Gooby stated the property was currently zoned Residential-Agricultural with two small lots of commercially-zoned property. Ms. Gooby showed the commission a map with the Current Land Use Plan Map and the Proposed Land Use Plan Map. She stated the current plan recommends commercial for the property located at the corner of East Tenth Street and Port Terminal Road as well as office and multi-family along East Tenth Street providing some transitional zoning. There is also some medium density residential to the north. The proposed request has commercial radiating out from the corner of East Tenth Street and Port Terminal Road with a strip of office multi-family and medium density residential to serve as transitional zoning to the River Hills Subdivision. Ms. Gooby stated the green area on the map designated as Conservation/Open Space would be in anticipation of some environmental impacts, potentially wetlands. Ms. Gooby showed the Land Use Plan from 1997. She stated in 2004 the Comprehensive Plan Committee met to revise the plan. At that time, several issues arose regarding the intersection being requested due to interest in the property being rezoned or the zoning being noncompliant with the land use plan map. The revised plan included commercial zoning at the corner of Port Terminal Road and an area that abuts the Oakhurst Subdivision. They also added Conservation/Open Space for transitional zoning and changed an area of High Density Residential to Medium Density Residential. Ms. Gooby stated there were approximately 200 changes proposed to the map in 2004, resulting in the Current Future Land Use Plan Map. The Comprehensive Plan Committee took into consideration what was already on the ground and what was already shown on the land use plan and made their recommendations based on what was already there or in anticipation of new developments. Ms. Gooby showed the board a map with a development pattern that would be in compliance with the current Comprehensive Plan. The map showed a variety of zonings, including commercial and office along East Tenth Street, with potential conservation/open space behind that and medium density multi-family along Port Terminal Road and single-family abutting River Hills

Subdivision. Ms. Gooby said a portion of the property not involved in the request could be used as a part of the stormwater requirements as it is currently zoned. She stated the current plan affords reasonable use of the property and provides sustainability for the area for the adjacent properties. Ms. Gooby then showed the board a map that represented a typical street pattern for this type of development. The map showed a curb-cut at Oakdowne Way, which is a signalized intersection. It also showed interconnectivity with River Hills Subdivision, which is currently a stub-out, and Port Terminal road, allowing for two points of ingress and egress and also interconnectivity. Ms. Gooby stated the eastern section of Pitt County is experiencing a lot of residential growth. She stated there was a focus area located at Tenth Street and Portertown Road as well as two focus areas along Highway 43 at Tull Road and Worthington Road. Ms. Gooby stated the other focus areas have north-south as well and east-west connections as opposed to the subject site, where only Tenth Street can be used as a connection to the site. She stated the areas would be more appropriate for this type of development and would also be just as convenient for the residents of the area. She also stated there was already some commercial zoning in the other areas. In closing, Ms. Gooby stated the Comprehensive Plan that we have now was a result of the changes made in 2004. She said the proposal was in preparation for developing the area with a much larger and more intense development than was currently on the plan. Ms. Gooby stated the Current Land Use Plan was not dimensional or site specific. It illustrates the desired community character and affords reasonable use of the properties; therefore absent any compelling or significant changes staff would recommend denial of the request. Ms. Gooby also stated to the board that they could not rely on any of the information in the brochure that was put out by the applicant, just as in a rezoning case.

Mr. Baker asked if the construction of the five lane road was in anticipation of commercial growth for that area.

Ms. Gooby stated she wasn't sure when the road was widened, but it was obviously done to accommodate growth in the area. Ms. Gooby stated the city's position was not that there shouldn't be any development, but it was a matter of the scale of the development.

Mr. Baker stated there weren't many locations in Pitt County that could handle the traffic like that area.

Ms. Gooby said any traffic for this area would be on Tenth Street because there was no other area for the traffic to be disbursed.

Mr. Bell asked if the traffic increase would maximize Tenth Street.

Ms. Gooby said it would not. She said the real difference would be in congestion level.

Mr. Randall asked if the net increase in traffic was based on current zoning or land use.

Ms. Gooby said it was based on the land use plan as it is proposed.

Mr. Baker asked what is the capacity of Tenth Street.

Ms. Gooby said the current was 19,000 and the capacity was 33,000.

Mr. Parker asked if it was expected that River Hills would be connected to the shopping center once completed.

Ms. Gooby said there was already a stub-out in River Hills and the city's policy was to encourage/require interconnectivity.

Mr. Ramey stated that was for fire and police protection.

Mr. Tozer stated what was actually on the ground varied greatly from what was on the plan. He asked how many land use plan map amendments the commission had received over the past two years.

Ms. Gooby stated there were five in 2007 and this was the second one for this year.

Mr. Tozer asked how many were passed by the commission.

Ms. Gooby stated Planning and Zoning Commission had recommended approval for five of the six.

Mr. Tozer asked what happened at the City Council level.

Ms. Gooby said City Council had approved three and denied three.

Mr. Parker asked Ms. Gooby to describe a gateway corridor.

Ms. Gooby stated it was a route for moving large bodies of traffic in and out of the city.

Mr. Parker asked if it defined the character of the city in any way.

Ms. Gooby said it did.

Mr. Randall said there was some wording in the proposal they had received before this one had some wording describing a gateway corridor that was not included in this request. It stated a variety of intense large scale uses could be appropriately developed in one of these corridors.

Mr. Bell asked if the denial of the recommendation was due to the north and south traffic pattern.

Ms. Gooby stated there were a couple of reasons. She said the north and south pattern was a deterrent for having a large scale development there, and the Comprehensive Plan Committee had put a lot of time and research into the plan.

Mr. Baker asked if they were going to try to discontinue any growth and activity in that area since Lowe's was built.

Ms. Gooby said the city was not against more commercial property in that area, it was a matter of scale in this case.

Mr. Parker asked if who made up the Comprehensive Plan Committee.

Ms. Gooby said it was made up of a varied body of people, including citizens, professionals and interested parties.

Mr. Parker asked how long the committee worked on the plan.

Ms. Gooby said it was two years.

Mr. Lehman opened the public hearing and called for those wished to speak in favor to come forward.

Mr. Jim Price, Vice President and broker in charge of WRS Real Estate Investments, spoke in favor of the request on behalf of the applicant. Mr. Price requested an additional five minutes to give his presentation.

Mr. Lehman said the board needed to discuss the matter and vote on it first.

Mr. Tozer said he felt five minutes was appropriate given the amount of people in the audience who wished to speak and the fact that Mr. Price would be given ample time to respond to questions from the board.

Mr. Randall stated if the request was granted, the opposing side should also be given the extended time.

Mr. Holec stated the rules give the initial speaker five minutes, with each additional person having three minutes. He said the rules were flexible, and they could vote and make the change; however if they do give the initial speaker who is in favor of the application an extra five minutes, they would have to do the same for the opposing side.

Motion was made by Mr. Parker, seconded by Mr. Tozer to deny the request. Parker, Tozer, Basnight, Wilson and Bell voted for the motion, while Baker, Randall and Ramey voted in opposition. Motion carried.

Mr. Price stated they have assembled a nine parcel assembly consisting of eighty-five acres. He said their project was a mixed-use development. Mr. Price stated he believed approximately 30,000 people in the city were not being served and having to travel to get goods and services. He stated there were two intermediate focus areas covering a huge area and all of the residents of that area have to travel to Greenville Boulevard to get goods and services. Mr. Price said the Comprehensive Plan was not static and the board had the ability to make changes to the plan when needed. He stated he wanted to give the city a gateway project of mixed-use development that would be aesthetically pleasing to the city. Mr. Price stated the property was eighty-five acres and they had tree preservation acres on the site in excess of three acres. He said the rear of the property would be zoned R6A, and they would not do anything to that portion. He stated they would ask for the zoning classification of Office-Residential consisting of about 13.3 acres. Mr. Price stated 49% of the project would be left green. He said the project would end up being about 227,000 feet of retail space, providing 750 jobs and increasing the City's tax base.

Mr. Holec told the commission they could not rely upon any representation as to the manner in which the property is to be developed. He said the property could be developed into any of the permissible uses allowed in the zoning classification.

Mr. Tozer said it appeared the commercial line was coming down along the multi-family line.

Mr. Price said that was correct.

Mr. Tozer asked if you could do multi-family in commercial.

Mr. Price stated they weren't doing commercial in multi-family. He said they could put parking in a multi-family classification.

Mr. Tozer stated he understood they couldn't consider that, but asked if there was supposed to be some multi-family in that area.

Mr. Price said what they were trying to show is that there would not be commercial there, it would be Office-Residential.

Mr. Randall said the request was for commercial.

Mr. Price said once the Land Use Plan was amended, they would request Office Residential zoning for site.

Mr. Parker asked if the Land Use Plan was amended if they would have to request rezoning for three different sections of the property.

Mr. Price said they would, but the property was currently zoned in three different sections.

Mr. Ramey stated there was commercial property on the corner and asked why the two lots next to it couldn't be commercial as well to make it more comprehensive with the plan.

Mr. Price stated all of that property was commercial.

Mr. Randall stated it was currently RA20.

Ms. Gooby said the area they chose was currently zoned residential-agricultural with two small lots zoned commercial.

Mr. Ramey stated he heard Mr. Price say it would all be commercial, from the corner all the way to the stoplight.

Mr. Price said that was correct.

Mr. Parker said it couldn't be because there was a cemetery there.

Mr. Price said the three-way stop at Lowe's would be their major point of ingress and egress, with their property running east from there.

Mr. Parker stated he wanted to be sure that there area was not currently commercial.

Ms. Gooby stated that was correct, except for the two small areas.

Mr. Bell asked if the blue area was their wetland proposal.

Mr. Price stated they wanted to place a conservation easement over that property so it would never be developed. He said a portion of the property was in a floodway and the remainder would be landscaped.

Mr. Maxwell asked the size of the total parking lot.

Mr. Price said it was about 30 acres including building, parking, landscaping, buffers and tree preservation. He said 49% of the interior would be left green.

Mr. Randall asked if that included the property along Highway 33 that is initially not developed.

Mr. Price said they were assuming the out parcels would be 80% developed.

Mr. Randall asked Mr. Price to elaborate on the property that is zoned R6S that abuts River Hills that he said they would be giving away.

Mr. Price said they would leave that there as a natural buffer that would be enhanced. He stated in their meetings with River Hills, security was a topic of discussion and there would be a fence continued all the way up to Highway 33. Mr. Price said their plan did not have a cut to Bramblewood Road and that River Hills did not want that connection. He stated they would have smooth and safe ingress and egress without that road.

Mr. Bell asked if he had met with all of the associations around the site.

Mr. Price said he had met with everyone he could. He stated he had spoken with several people on the east side of Greenville that were driving to Washington to get goods and services.

Mr. Randall asked how wide the buffer area was in the back where it appeared to be the smallest.

Mr. Price said it was about eighty-feet and they would enhance that area.

Mr. Maxwell asked if the city would require the connectivity.

Ms. Gooby said it was her understanding that the city and the Department of Transportation would require interconnectivity with River Hills and the development.

Jason Hamilton, traffic engineer with Ramey Kemp & Associates, spoke in favor of the request. He stated his company was in process of doing a traffic impact analysis for the site. Mr. Hamilton stated the traffic expected to be generated from this site was not expected to exceed the capacity of Tenth Street.

Mr. Randall stated they would be adding possibly 5,800 trips and asked how they would handle that additional traffic.

Mr. Hamilton stated they were proposing improvements beyond what was currently there. He said though they were projecting 5,800 trips daily, they looked at peak hours in their study. He said there would be turn lane improvements and the TIA would address that and recommend improvements as needed.

Ms. Gooby stated the traffic modifications would take place at the time the Preliminary Plat review.

Jeff Belyea, civil engineer with Wolverton and Associates, spoke in favor of the request. He stated they prepared the site plans for the property and would answer any questions they had regarding the site plan.

Mr. Tozer asked where the building would be from Tenth Street in regards to elevation.

Mr. Belyea said they had looked at some preliminary grades and based on GIS information, Tenth Street had an elevation of 50 feet and they expected the anchor tenant to be at a finished floor of 27 feet, making the rooftop slightly higher than Tenth Street.

Jon Day, Commercial Real Estate Broker of Jon Day & Associates, spoke in favor of the request. Mr. Day stated the Proposed Land Use Amendment was the result of about a year and half of research done by Jim Price. He said his research showed the need for retail services on the east side of Greenville. Mr. Day stated five reasons he believed the Land Use Plan should be amended. The first reason he stated was a need for additional commercial zoning in the area. The second reason is due to the three rezonings that have taken place in the area within the last several years. The third reason was that the existing road pattern has the capacity to handle the anticipated growth. The fourth reason was the growth of the residential subdivisions that has occurred in the eastern part of the county. The fifth reason was change. He stated our world was constantly changing and the cost to travel was increasing.

Mr. Phil Dixon, attorney, spoke in favor of the request. He stated the traffic report in the packet stated the current ADT is 19,890 vehicles per day, with a design capacity of 33,500 vehicles per day, leaving a cushion of about 14,000 vehicles, where this proposal would only be a net increase of 5,800. For this reason he felt traffic was not an issue. Mr. Dixon stated this development could add \$1million dollars in tax revenues and create 750 new jobs. He stated the project would generate more than 100-million dollars in sales per year. Mr. Dixon said when looking at the City's plan, all of the commercial development was located in the Highway 11 and Greenville Boulevard corridor. He said a town center development was more suited for the city than strip development. Mr. Dixon stated there would be substantial buffer from the residential areas.

Mr. Lehman asked for those who wished to speak in opposition to come forward.

Mr. Charles Da Silva, Co-President of River Hills Neighborhood Association spoke in opposition to the request. Mr. Da Silva stated he had been involved in construction for 34

years and had seen both developments that were well-developed and well-planned as well as those that were not. He said he believed this plan was not well located based on many observations. He said the fact that it does not meet the Current Land Use Plan is the main reason. He said the proposed shopping center would undermine the City's own plan for growth and the area was never intended for this level of commercial activity. He stated Highway 33 was expanded in 1999. Mr. Da Silva said orderly sustainable growth was defined by looking at the features of existing neighborhoods, commercial centers and available land parcels and looking at unique features. He stated while maintaining the continuity of the City's Comprehensive Plan we would preserve neighborhoods and expand the City's business centers without conflict. He said the parcel in question had some unique features and felt it would be tragic to lose those to a commercial development. Mr. Da Silva stated River Hills had a mature ecosystem, provides a diverse, friendly safe environment for families and seniors. He said the riparian buffers to the west and through the neighborhood provide crucial flood control to the area. Mr. Da Silva stated the commercial development would provide interconnectivity and increase traffic, making it unsafe for children to play and ride their bicycles. He said there were no other parcels that would link directly to the Greenway and felt the City would lose a valuable opportunity to have another subdivision with direct access to the Greenway. Mr. Da Silva stated there were several other properties in the city that could house the development without amending the land use plan.

Marian Blackburn, Co-President of River Hills Neighborhood Association spoke in opposition to the request. Ms. Blackburn asked all the members in the audience to stand who came in opposition to the request (around 100 people stood). She urged the board to uphold the residential designation of the proposed site. She felt there was no compelling reason to change the plan and stated there were many parcels available where the development would be more appropriate, more suitable, and more desirable. Ms. Blackburn showed the board a petition that had been signed by 170 people in opposition to the request. She said she and many of her neighbors met with Mr. Price, Mr. Day and Mr. Dixon in August and expressed their concern with the proposal. She stated they felt the development would destroy their neighborhood and was better suited for another area. Ms. Blackburn stated the increase in revenues and the 750 jobs would be there no matter where the development was located.

Mr. Baker asked what River Hill's opinion of Lowe's was.

Ms. Blackburn said there has been mixed opinions. She felt Lowe's was a good neighbor and this was a matter of intensity in the area.

Mr. Baker asked if she agreed that no matter where the project was located, there would be neighborhoods affected.

Ms. Blackburn said there were some parcels that were suggested where neighborhoods would not be affected. She said the level of intensity of commercial use in this area is about 100,000 square feet, which is already taken up by Lowe's. She said the proposed development would add another 400,000 square feet of space that was above and beyond what is considered appropriate.

Mr. Randall asked why she felt the development would destroy their neighborhood.

Ms. Blackburn said the City's recommended pattern of development was to put single-family homes beside River Hills with apartments on Port Terminal Road. She said if that pattern were followed, those people would be her new neighbors, as opposed to black top asphalt, eighteen wheelers, noise, trash and lights.

Mr. Dale Guckian spoke in opposition to the request. He stated the largest retailer in the world had decided their Greenville store was no longer meeting their needs. He agreed they needed to grow and welcomed that, but wanted to know why anyone would benefit from putting their store there. He said a new retailer coming to town may redistribute spending but it will not give anyone more money to spend. Mr. Guckian said any revenue they generated would be offset by revenue someone else was losing. He stated it wasn't the citizens of Greenville benefiting from this proposal, but the developers from South Carolina and the world's largest retailer.

Mr. John Hylant spoke in opposition to the request. Mr. Hylant stated his opposition had nothing to do with the way the project was being developed. He said they were adding 5,800 cars only to the Wal-Mart store. He asked how many cars were being added with all of the multi-family units being built in the area.

Mr. Juan Daneri spoke in opposition to the request. He stated he moved to the area in 2004 and Greenville residents were more than just shoppers. He said this was a great opportunity for the city to take the new residents that were just annexed and reciprocate.

Ms. Blythe Tennent spoke in opposition to the request. Ms. Tennent said she had lived in the Oakhurst Subdivision for the past 10 years. She said the reason she moved in her neighborhood was because it was quiet, wooded and a great place to raise children. She said her neighborhood was lied to about the Lowe's shopping center and they were very angry at the transformation that had been made. She said the traffic already seemed to be at capacity and suggested some other areas for the development that would serve the same population without interfering with the residential areas.

Mr. Michael King spoke in opposition to the request. He said River Hills was started in the early 80's and has remained a well-kept neighborhood and maintained its tax value. He said the citizens who purchased property in the subdivision did so believing the area would be surrounded with medium and low-density residential housing districts on both sides. The subdivision also has a single-entry point, discouraging drive-thru traffic. He stated the land use plan had served and continued to serve the community well. He said though he had not seen the request, it was his understanding that their intentions were to put a Wal-Mart store at this location. He said Wal-Mart had no regard for the citizens or the environment. He said their reputation and influence for locating stores exactly where they please was unprecedented. He said they would bring increased criminal activity, noise, traffic and acres of impervious surface.

Mr. Ramey said they were not considering a Wal-Mart, but a development of the property and the Comprehensive Plan being changed. He said he did not know anything about Wal-Mart being built out there and the board was not deciding anything concerning Wal-Mart.

Mr. Lehman asked if anyone wished to speak in favor in rebuttal.

Mr. Dixon spoke in rebuttal in favor. He asked the board to think about the 750 jobs and consider the request. He said there was a suggestion made that there would be about 400,000 square feet of space, when it was actually about 150,000 square feet. He said the Future Land Use Plan Map called for commercial on the corner of East Tenth Street and Port Terminal Road. He said the area was a gateway corridor designed to carry high volumes of traffic through and across the city. He said it seems the City's documentation supports the change, yet they have recommended denial of the request. He said there were 19 lots in River Hills that border the property and a substantial buffer proposed.

Mr. Da Silva spoke in rebuttal in opposition. He said traffic was very heavy at peak hours and often backed up to River Hills Drive heading west. He said based on the numbers given by staff, in a 12 hour window that would be approximately 500 cars per hour. He said the interconnectivity would affect more than 19 lots; it would affect every child in the neighborhood on a bicycle or walking through the neighborhood. He said the interconnectivity was one of the major objections for the residents. Mr. Da Silva said the focus area was for intermediate commercial, not something this large that would make such an impact. He said the area acted as a flood buffer for River Hills and even with 49% green space, the area of impervious land would greatly affect the runoff. He said the many tropical storms that we see greatly affect the River Hills Subdivision and felt there was a serious threat of flooding to the land.

Mr. Bell asked Mr. Da Silva what type of experience he had in construction.

Mr. Da Silva stated he had done developments of this magnitude and recently built a dam in Hickory Log Creek and was currently building a 64-inch diameter water main through the City of Charlotte.

Mr. Bell stated Mr. Da Silva indicated he did not feel the project was well located and asked if he felt it was well planned.

Mr. Da Silva said it looked like a reasonably decent plan, but had really not had the chance to look at it in depth.

Mr. Baker stated someone had previously talked about the protection needed for runoff.

Mr. Da Silva stated the property currently acted as a riparian buffer and protects against flood control.

Mr. Baker said someone had stated it was a great place to build homes and asked if he agreed with that.

Mr. Da Silva said the homes would not be as impervious as the shopping center.

Mr. Randall said if the project was approved it would have to come back to the board as a preliminary plat and the board had the ability to put restrictions on the interconnectivity.

Mr. Da Silva said once the property was rezoned, many things could happen that were not in the proposal.

Mr. Randall asked if the city engineer could address the storm runoff issue.

Mr. Tozer said state law would require retention ponds directly proportioned to the pavement on the ground that require specific grass and specific wetland species of bushes in the pond and will maintained inspected by the city. He stated he didn't think he would experience any additional runoff due to those new laws in place.

Mr. Da Silva said what he was referring to is a "sed" basin that is designed to handle a particular flow based on the area they represent and have an overflow spillway for catastrophic events, like tropical storms. He said there were areas in River Hills that rapidly flashfloods that would not be able to handle back to back storms and would be subject to serious flooding and storm drainage back-up from the property.

Mr. Lehman closed the public hearing and called for board discussion.

Mr. Ramey said change happens everywhere and it was called progress.

Mr. Baker said they have a good plan and he felt his questions had been answered.

Mr. Parker said the planners felt this development was inappropriate for this site and we should look at another location.

Mr. Wilson said it took two years to make the Comprehensive Plan and it incorporated that change for the future.

Mr. Ramey said the Comprehensive Plan was a guide to go by that could be changed.

Mr. Wilson said there should be very compelling reasons for changing the comprehensive plan.

Mr. Parker said he felt the people responsible for developing the plan were very responsible for the actions of their work and how it would impact the city. He said the plan was just finalized four years ago and though they need to look objectively into change, they don't need to change the plan just because a big box retailer wants to come into a neighborhood area.

Mr. Bell said a lot had changed in Greenville in the last four years, including a lot of residential areas being added that need some retail to support that.

Mr. Randall said the Comprehensive Plan states the location and size of commercial nodes is included and is not intended to be static.

Mr. Ramey said we need the jobs that it would offer to the area.

Mr. Parker said only a portion of the jobs would be full-time, most would be part-time.

Mr. Tozer said the Land Use Plan was basically a guide and there was obviously already a conflict with what was on the Land Use Plan verses what was on the ground. He felt it was

imperative that they look at the potential tax-base this would bring to the city. Motion was made by Mr. Tozer, seconded by Mr. Baker to accept the proposed amendment.

Mr. Lehman asked Mr. Holec to explain the process from this point forward to the acceptance or denial of the project.

Mr. Holec stated the commission's recommendation would go to City Council and be voted on there. Then there would be an application for rezoning presented to the Planning and Zoning Commission and they would have to make a recommendation to City Council for approval or denial of that request. If that is approved by City Council, they would then have to submit a preliminary plat for approval to the Planning and Zoning Commission. He said if there was not a subdivision, staff would review the site plan and make changes as necessary to follow the ordinance.

Mr. Tozer asked if they would be able to enhance the buffer.

Mr. Holec said if what they submit is in compliance with the regulations they would not have the authority to increase it.

Mr. Lehman called for the vote. Randall, Ramey, Baker, Basnight, Tozer and Bell voted for the request. Parker and Wilson voted in opposition to the request. Motion carried.

RIVER HILLS NEIGHBORHOOD ASSOCIATION
802 River Hills Drive
Greenville NC 27858

City Council
City of Greenville
200 West Fifth Street
Greenville NC 27858

Dear Members of the Greenville City Council:

We are writing to express strong opposition to amending the City's Future Land Use Plan on more than 50 acres on N.C. 33 east at Port Terminal Road to allow additional commercial development. The request to amend the Future Land Use Plan map comes from a South Carolina developer who wishes to develop a large retail shopping center at this location. The area is currently designated as residential in the City's Future Land Use Plan. The developer is asking to change the designation on this site to commercial.

It is vitally important to maintain the residential designation of this area. This designation reflects careful review by the Comprehensive Plan committee, as well as the desired growth ideals of our City Council and our City planning staff. There is no compelling reason to change the Future Land Use Plan map to allow a major shopping center at this location. This area was not intended for commercial activity of this intensity, rather the desired level of commercial activity for this area is intermediate, a level that has already been attained or is in progress.

This shopping center proposed by WRS Real Estate Investments would include a big box discount store with its main entrance on Port Terminal Road. The shopping center would entail a complex of several other retail stores and possibly multi-family development. The big box store would operate 24 hours a day.

While the shopping center may be economically desirable for Greenville, there are several alternative, suitable and appropriate locations for this retail center that do not violate the City's own growth planning document. These locations would serve the same population the developer hopes to attract. These alternative sites uphold the City's planned pattern of growth.

The residents of River Hills overwhelmingly oppose this Future Land Use Plan amendment and believe the current residential designation for this area should be maintained. More than 160 people from River Hills have signed a petition opposing this requested amendment. A copy of the petition is attached and the signed petitions are available for your review.

In August, about 75 residents of River Hills met with Mr. James Price of WRS Real Estate and with real estate agent Mr. Jon Day and expressed their strong opposition to this proposal and asked him to consider alternative sites.

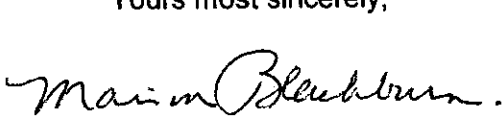
We are concerned about allowing intense commercial use on land near an established neighborhood for many reasons, such as increased lights, noise, traffic and the 24-hour cycle of activity that comes with a big box retailer. We are also deeply concerned because of the City's required interconnectivity which would open a cut-through street between River Hills and the shopping center. The area in question also includes wetlands and borders low-lying areas which during Hurricane Floyd were submerged under water, including parts of Port Terminal Road.

We believe the current Future Land Use Plan should be upheld for the good of the City as well as for the preservation of our neighborhood and others nearby, where families and children live.

The City's Comprehensive Plan and its Future Land Use Plan protect the City overall and its neighborhoods in particular. They provide a road map for growth. We believe the requested Future Land Use Plan amendment seriously undermines the City's own vision for its future.

We would like to ask you as members of the Greenville City Council to uphold the current residential designation and deny the amendment to allow additional commercial development as requested by Mr. Price.

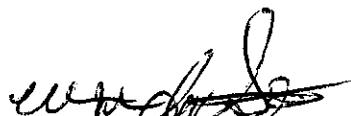
Yours most sincerely,



Marion Blackburn

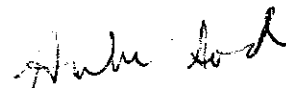
Co-President

River Hills Neighborhood Association



Charles DaSilva

Co-President



Ambre Gorsek

Treasurer

October 22, 2008

Item # 14

Chantae Gooby

From: Hand, Elizabeth [HANDE@ecu.edu]
Sent: Tuesday, October 21, 2008 12:48 PM
To: Chantae Gooby
Subject: River Hills Subdivision meeting

I am unable to attend this evening's meeting because I administer a tutoring program on Tuesday evenings at ECU.

I am however, extremely concerned about the propose change in zoning adjacent to my neighborhood, River Hills.

- I am opposed to the change in zoning adjacent to the neighborhood.
- I believe will negatively affect the safety of my neighborhood, property, and children.
- I also believe it will negatively impact the wetland/wooded areas of the neighborhood.
- Residential zoning is the most acceptable use of this property.

Please know that even though I will not be present tonight—I am indeed in opposition to any proposed changes.

Thank you for your consideration,

Elizabeth M. Hand Coghill, MPA

Associate Director

Pirate Tutoring Center

Academic Advising and Support Center

East Carolina University

2420 Old Cafeteria Complex

Greenville, NC 27858

252-737-2011 direct line

252-328-6001 appointments

tutoring@ecu.edu

www.ecu.edu/aa/piratetutoringcenter

The road to success is often off the beaten path.

--F. Tyger



City of Greenville, North Carolina

Meeting Date: 11/6/2008
Time: 7:00 PM

Title of Item: Ordinance requested by The Covington Group, LTD to rezone 4.882 acres located along the southern right-of-way of West Fifth Street west of its intersection with B's Barbeque Road from MR (Medical-Residential [High Density Multi-family]) and MRS (Medical-Residential Single-Family [Low Density]) to MO (Medical-Office)

Explanation: **Required Notice:**
Planning and Zoning Commission meeting notice (adjoining property owner letters) was mailed on October 7, 2008.
On-site Sign(s) posted on October 1, 2008.
City Council public hearing notice (adjoining property owner letters) mailed on October 22, 2008.
Public Hearing Legal Advertisement published on October 27 and November 3, 2008.

Comprehensive Plan:

The subject site is located in Vision Area F.

West 5th Street is considered a “gateway corridor” beginning at the intersection with Martin Luther King Jr. Highway and continuing east into the city. These major transportation corridors should be carefully designed and developed to reflect their importance as entranceways to the City. Since these thoroughfares will ultimately be multi-lane facilities carrying large volumes of high-speed traffic, adjoining land uses should be planned accordingly. A variety of intense, large-scale uses could appropriately be developed in these corridors; however, curb cuts should be strictly controlled to facilitate smooth traffic flow.

The Future Land Use Plan Map recommends Office/Institutional/Multifamily (OIM) for much of the area to the east and west of the B’s Barbeque Road Intermediate Focus area including the subject property.

Thoroughfare/Traffic Volume (PW-Engineering Division) Report Summary

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 353 trips to and from the site on W. Fifth St., which is a net increase of 143 additional trips per day.

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 198 trips to and from the site on B's Barbeque Road, which is a net increase of 80 additional trips per day.

During the review process, measures to mitigate the traffic will be determined. Site access on NC 43 will be limited to a right-in/right-out due to proposed improvements associated with the NC 43 widening project (TIP # U-5018). The site may have a full movement driveway on B's Barbeque Road.

Detailed report attached

History/Background

The subject property was shown on the 1989 Illustrative Zoning Maps as being zoned for single-family and multi-family development at the time of adoption of the Medical District Zoning.

The Future Land Use Plan was amended in September 2008 from HDR (high-density residential) to OIMF (office/institutional/multi-family) for the subject site.

Present Land Use:

Vacant.

Water/Sewer:

Water service is located in the right-of-way of NC Highway 43.

Sanitary sewer service is located on the northwest side of the property.

Historic Sites:

There is no known effect on designated sites.

Environmental Conditions/Constraints:

A portion of the property is affected by the 100-year floodplain.

Surrounding Land Uses and Zoning:

North: RA-20 – vacant/wooded

South: MRS – B's Barbeque restaurant, one single-family home

East: MRS– single-family homes

West: MR – Rownetree Woods multi-family residential

Density Estimates:

Under the current zoning MR, staff would anticipate the site to yield 25-35 multi-family units.

Under the current zoning MRS, staff would anticipate the site to yield 3 single-family lots.

At the proposed zoning (MO), staff would anticipate the site to yield 50,285 square feet of retail/restaurant/office space based on similar site comparison of Arlington Crossing Shopping Center (10,300 sq. ft conditioned floor space/acre). Staff would anticipate the site to develop similarly to Arlington Crossing with one building of multiple, connecting units with at least one fast food restaurant.

Fiscal Note: No cost to the City.

Recommendation: In staff’s opinion, the request is in compliance with Horizons: Greenville’s Comprehensive Plan and the Future Land Use Plan Map.

The Planning and Zoning Commission on October 21, 2008, voted to approve the request.

“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.

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

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

Attachments / click to download

- [Survey](#)
- [Location Map](#)
- [Bufferyard chart](#)

[Traffic Report](#)

[Ordinance to Rezone The Covengton Group Ltd 791202](#)

[List of Uses MR and MRS to MO 791195](#)

[The Covengton Group minutes excerpt 793053](#)

ORDINANCE NO. 08-__
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GREENVILLE
REZONING TERRITORY LOCATED WITHIN THE
PLANNING AND ZONING JURISDICTION OF THE CITY OF
GREENVILLE, NORTH CAROLINA

WHEREAS, the City Council of the City of Greenville, North Carolina, in accordance with Article 19, Chapter 160A, of the General Statutes of North Carolina, caused a public notice to be given and published once a week for two successive weeks in The Daily Reflector setting forth that the City Council would, on November 6, 2008 at 7:00 p.m., in the City Council Chambers of City Hall in the City of Greenville, NC, conduct a public hearing on the adoption of an ordinance rezoning the following described territory;

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

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

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

Section 1. That the following described territory is rezoned from MR (Medical-Residential [High Density Multi-family]) and MRS (Medical-Residential-Single-Family [Low Density]) to MO (Medical-Office).

TO WIT: The Covengton Group, LTD Property.

LOCATION: Located along the southern right-of-way of West 5th Street at its intersection with B's Barbeque Road.

DESCRIPTION:

Tract 1

Beginning at a point where the northern right-of-way of NCSR 1204 (B's Barbeque Road) intersects the western right-of-way of NC Hwy 43. From the above described beginning, so located, running thence as follows.

With the northern right-of-way of NCSR 1204 (B's Barbeque Road), S 42°04'00" W 254.39', thence leaving the northern right-of-way of NCSR 1204 (B's Barbeque Road), N 47°56'00" W 145.00', thence N 75°52'34" W 70.43', thence N 31°00'00" W 141.89', thence N 30°59'39" W 25.04', thence N 53°10'50" E 110.03', thence N 62°24'00" E 229.29' to a point on the western right-of-way of NC Hwy 43, thence with the western right-of-way of NC Hwy 43, S 27°36'00" E 76.19', S 29°22'00" E 100.76', S 32°41'00" E 77.12' and S 35°41'00" E 25.25' to the point of beginning containing 4.882 acres and being a portion of the property described in Deed Book 446, Page 416 of the Pitt County Register of Deeds Office.

Tract 2

Beginning at a point on the western right-of-way of NC Hwy 43, said point being located N 35°41'00" W 25.25', N 32°41'00" W 77.12', N 29°22'00" W 100.76' and N 27°36'00" W 76.19' as measured along the western right-of-way of NC Hwy 43 from a point where the northern right-of-way of NCSR 1204 (B's Barbeque Road) intersects the western right-of-way of NC Hwy 43. From the above described beginning, so located, running thence as follows.

Leaving the western right-of-way of NC Hwy 43, S 62°24'00" W 229.29', thence N 22°49'38" W 54.85', thence N 60°19'38" E 24.86', thence N 29°41'00" W 521.55' to a point in the centerline of Harris Mill Run, thence with the centerline of Harris Mill Run, N 45°30'00" E 5.37', S 86°06'00" E 21.69', N 60°22'00" E 42.26' and N 84°09'00" E 131.20' to a point on the western right-of-way of NC Hwy 43, thence with the western right-of-way of NC Hwy 43, S 37°27'00" E 112.18', S 33°18'00" E 97.92', S 29°12'00" E 97.67', S 27°25'00" E 96.28', S 27°28'00" E 92.64' and S 27°36'00" E 25.37' to the point of beginning containing 2.581 acres and being a portion of the property described in Deed Book 446, Page 416 of the Pitt County Register of Deeds Office.

Section 2. That the Director of Community Development is directed to amend the zoning map of the City of Greenville in accordance with this ordinance.

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

Section 4. That this ordinance shall become effective upon its adoption.

ADOPTED this 6th day of November, 2008.

Patricia C. Dunn, Mayor

ATTEST:

Wanda T. Elks, City Clerk

EXISTING ZONING

MR (Medical-Residential)

Permitted Uses

(1) General:

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

(2) Residential:

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

(3) Home Occupations (see all categories):

*None

(4) Governmental:

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

(5) Agricultural/ Mining:

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

(6) Recreational/ Entertainment:

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

(7) Office/ Financial/ Medical:

* None

(8) Services:

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

(9) Repair:

* None

(10) Retail Trade:

* None

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

* None

(12) Construction:

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

(13) Transportation:

* None

(14) Manufacturing/ Warehousing:

* None

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

* None

MR (Medical-Residential)
Special Uses

(1) General:

* None

(2) Residential:

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

(3) Home Occupations (see all categories):

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

(4) Governmental:

- a. Public utility building or use

(5) Agricultural/ Mining:

* None

(6) Recreational/ Entertainment:

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

(7) Office/ Financial/ Medical:

* None

(8) Services:

- a. Child day care facilities
- b. Adult day care facilities
- g. School; junior and senior high (see also section 9-4-103)
- h. School; elementary (see also section 9-4-103)
- i. School; kindergarten or nursery (see also section 9-4-103)

(9) Repair:

* None

(10) Retail Trade:

* None

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

* None

(12) Construction:

* None

(13) Transportation:

* None

(14) Manufacturing/ Warehousing:

* None

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

* None

MRS (Medical-Residential-Single-Family)
Permitted Uses

(1) General:

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

(2) Residential:

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

(3) Home Occupations (see all categories):

*None

(4) Governmental:

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

(5) Agricultural/ Mining:

- a. Farming; agriculture, horticulture, forestry (see also section 9-4-103)
- f. Stable; horse only (see also section 9-4-103)
- g. Stable; per definition (see also section 9-4-103)
- h. Animal boarding not otherwise listed; outside facility, as an accessory or principal uses

(6) Recreational/ Entertainment:

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

(7) Office/ Financial/ Medical:

* None

(8) Services:

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

(9) Repair:

* None

(10) Retail Trade:

* None

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

* None

(12) Construction:

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

(13) Transportation:

* None

(14) Manufacturing/ Warehousing:

* None

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

* None

MRS (Medical-Residential-Single-Family)
Special Uses

(1) General:

* None

(2) Residential:

* None

(3) Home Occupations (see all categories):

b. Home occupations; excluding barber and beauty shops

d. Home occupations; excluding manicure, pedicure or facial salon

(4) Governmental:

a. Public utility building or use

c. County or state government building or use not otherwise listed; excluding outside storage and major or minor repair

(5) Agricultural/ Mining:

b. Greenhouse or plant nursery; including accessory sales

(6) Recreational/ Entertainment:

a. Golf course; regulation

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

(7) Office/ Financial/ Medical:

* None

(8) Services:

g. School; junior and senior high (see also section 9-4-103)

h. School; elementary (see also section 9-4-103)

i. School; kindergarten or nursery (see also section 9-4-103)

y. Television, and/or radio broadcast facilities including receiving and transmission equipment and towers or cellular

telephone and wireless communication towers [unlimited height, except as provided by regulations]

(9) Repair:

* None

(10) Retail Trade:

* None

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

* None

(12) Construction:

* None

(13) Transportation:

* None

(14) Manufacturing/ Warehousing:

* None

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

* None

PROPOSED ZONING

MO (Medical-Office)

Permitted Uses

(1) General:

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

(2) Residential:

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

(3) Home Occupations (see all categories):

*None

(4) Governmental:

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

(5) Agricultural/ Mining:

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

(6) Recreational/ Entertainment:

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

(7) Office/ Financial/ Medical:

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

(8) Services:

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

(9) Repair:

* None

(10) Retail Trade:

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

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

* None

(12) Construction:

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

(13) Transportation:

* None

(14) Manufacturing/ Warehousing:

* None

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

* None

Special Uses MO (Medical-Office)

(1) General:

* None

(2) Residential:

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

(3) Home Occupations (see all categories):

* None

(4) Governmental:

a. Public utility building or use

(5) Agricultural/ Mining:

* None

(6) Recreational/ Entertainment:

s. Athletic club; indoor only

(7) Office/ Financial/ Medical:

* None

(8) Services:

a. Child day care facilities

b. Adult day care facilities

e. Barber or beauty shop

f. Manicure, pedicure or facial salon

j. College and other institutions of higher learning

l. Convention center; private

s. Hotel, motel bed and breakfast inn; limited stay lodging (see also residential quarters for resident manager, supervisor

or caretaker and section 9-4-103)

s.(1). Hotel, motel bed and breakfast inn; extended stay lodging (see also residential quarters for resident manager,

supervisor or caretaker and section 9-4-103)

hh. Exercise and weight loss studios; indoor only

ll.(1) Dry cleaning; household users, drop-off/pick-up station only [2,000 sq. ft. gross floor area limit per establishment]

jj. Health services not otherwise listed

(9) Repair:

* None

(10) Retail Trade:

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

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

* None

(12) Construction:

* None

(13) Transportation:

* None

(14) Manufacturing/ Warehousing:

* None

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

* None

Excerpt from the Planning and Zoning Commission meeting minutes (10/21/08)

REQUEST BY THE COVENGTON GROUP, LTD.

Ordinance requested by The Covengton Group, LTD to rezone 4.882 acres located along the southern right-of-way of West Fifth Street, west of its intersection with B's Barbecue Road from MR (Medical-Residential [High Density Multi-family]) and MRS (Medical-Residential Single-family [Low Density]) to MO (Medical-Office).

Mr. Seth Laughlin, planner, delineated the area on the map. He stated the property was located in the western part of the city along West Fifth Street and Highway 43 near its intersection with B's Barbecue Road. The existing Land Use Map shows the property is currently vacant. Property north of the proposed rezoning site is zoned RA-20, property to the south and east is zoned MRS and to the west is zoned MR. Rownetree Woods is a multi-family unit located to the West that contains approximately 181 units. Mr. Laughlin stated the rezoning could generate a net increase of 223 trips, with the majority of those trips being to and from the site on West Fifth Street. The property is located on gateway and connector corridors and is adjacent to an intermediate focus area. Mr. Laughlin stated the Future Land Use Plan Map recommends Office/Institutional/Multi-family for the subject property. In staff's opinion, the request is in compliance with the Comprehensive Plan and the Future Land Use Plan Map.

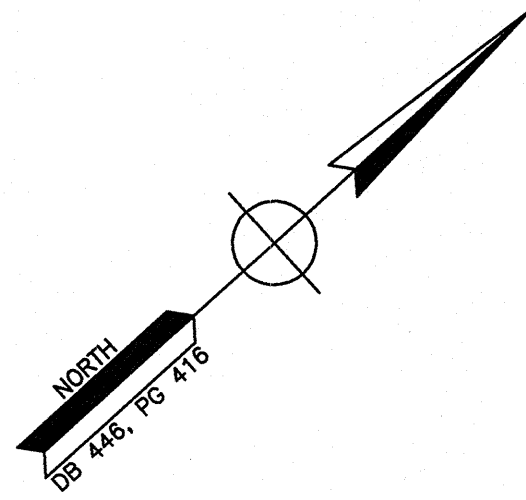
Mr. Tozer asked Mr. Laughlin to explain the note portion of the recommendation.

Mr. Laughlin stated that was the standard language within a recommendation.

Mike Baldwin spoke in favor of the request on behalf of the applicant.

No one spoke in opposition.

Motion was made by Mr. Tozer, seconded by Mr. Ramey, to recommend approval of the proposed amendment, to advise that it is consistent with the comprehensive plan and other applicable plans, and to adopt the staff report that addresses plan consistency and other matters. Motion carried unanimously.



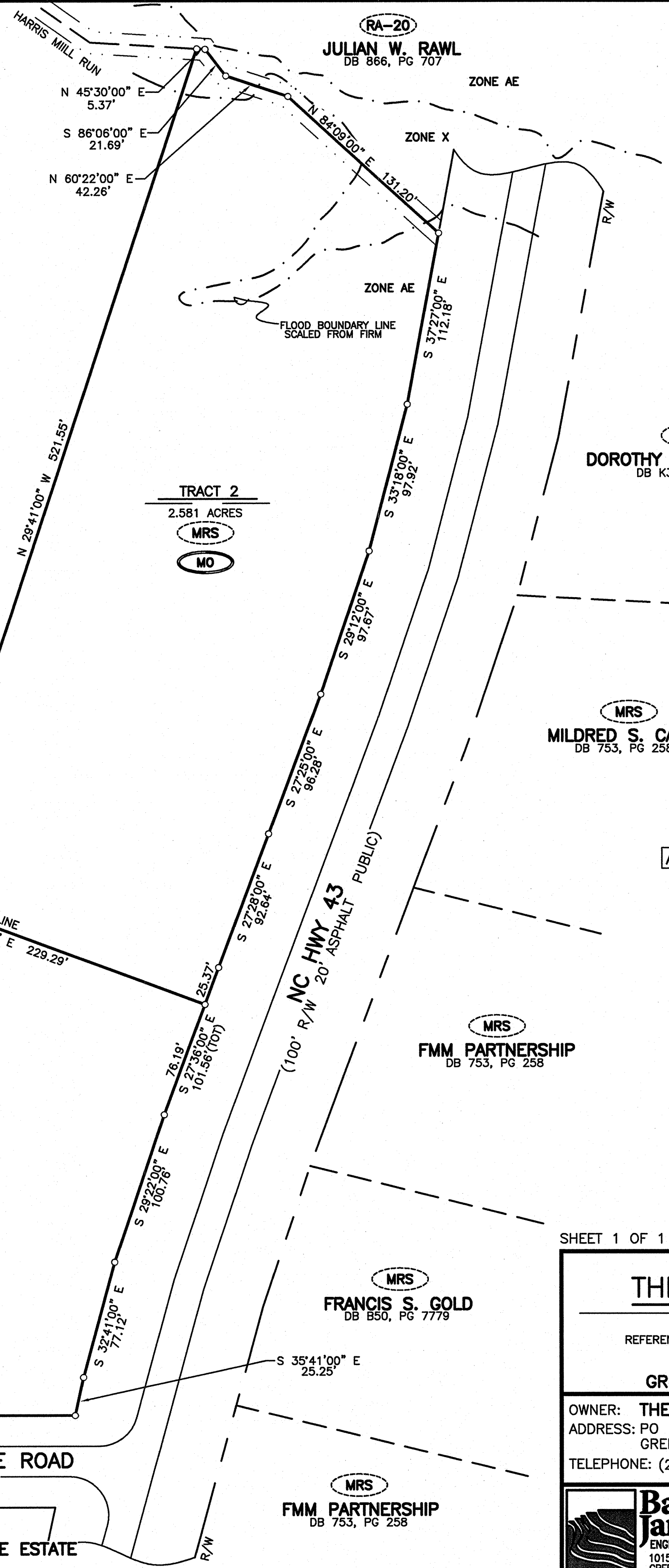
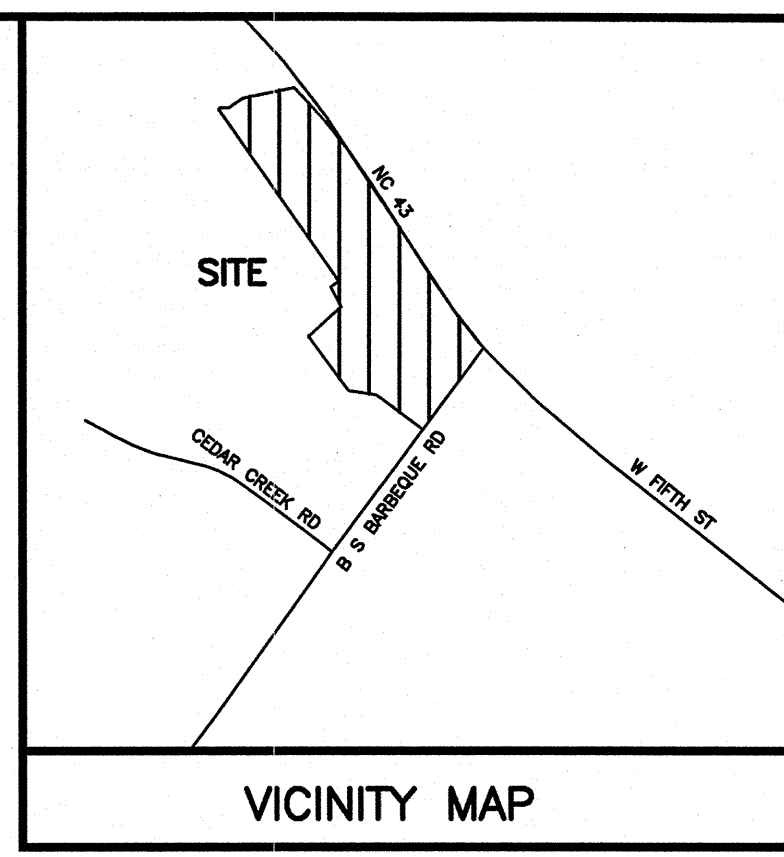
NOTES

1. THIS SURVEY IS OF ANOTHER CATEGORY.
2. NO SURVEY WAS PERFORMED IN THE PRODUCTION OF THIS MAP BY BALDWIN & JANOWSKI, PA., INFORMATION USED TO PRODUCE THIS MAP CAME FROM MAPS BY OTHERS AND DEEDS FROM PITT COUNTY REGISTER OF DEEDS.
3. A PORTION OF THIS PROPERTY IS LOCATED IN A SPECIAL FLOOD HAZARDOUS AREA AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. ZONE AE, REF: FIRM 3720466800J, DATED: MAY 15, 2003.

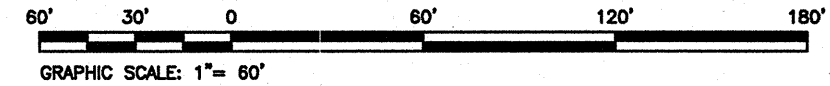
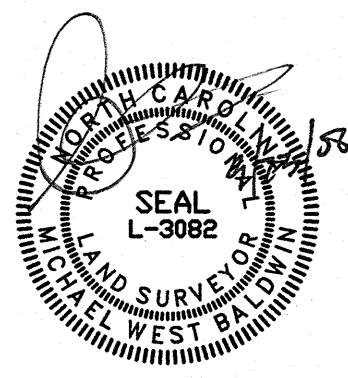
Attachment number 4
Page 1 of 1

LEGEND

- R/W = RIGHT-OF-WAY
B/B = BACK OF CURB TO BACK OF CURB
- = EXISTING ZONING CLASSIFICATION
 = PROPOSED ZONING CLASSIFICATION



AREA TO BE REZONED = 4.882 ACRES



SHEET 1 OF 1
TAX MAP. #4668-94-9832
TAX PARCEL #51103

REZONING MAP FOR
THE COVENGTON GROUP, LTD.

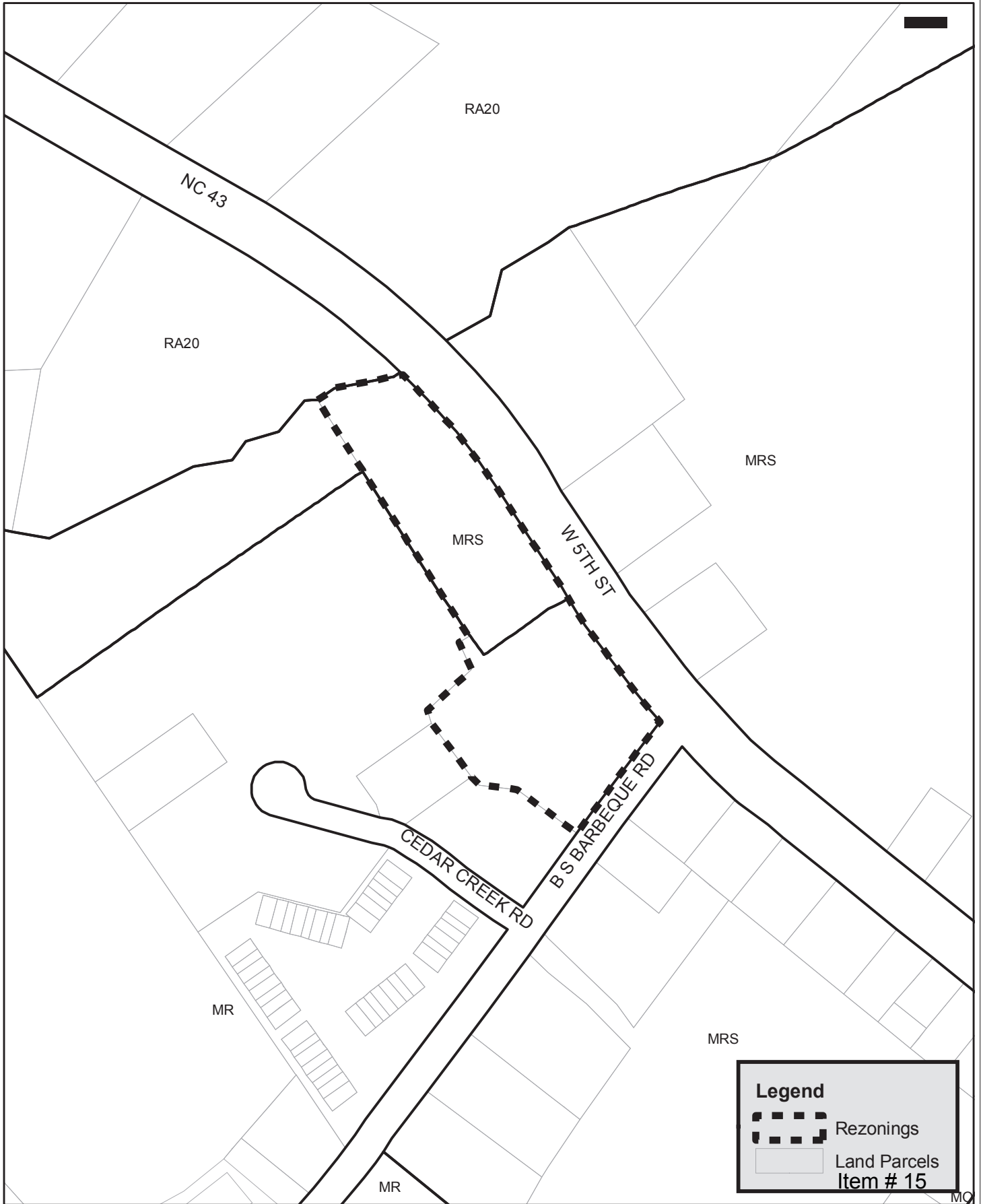
REFERENCE: DEED BOOK 446, PAGE 416 OF THE PITT COUNTY REGISTRY

GREENVILLE, FALKLAND TWP., PITT CO., N.C.

OWNER: THE COVENGTON GROUP, LTD
ADDRESS: PO BOX 3075
GREENVILLE, NC 27836
TELEPHONE: (252) 355-0752

	SURVEYED: N/A	APPROVED: MWB
	DRAWN: JSJ/CCB	DATE: 09/22/08
	CHECKED: MWB	SCALE: 1" = 60'

The Covington Group, LTD
MR & MRS to MO
4.88 Acres
October 7th 2008



BUFFERYARD SETBACK AND VEGETATION SCREENING CHART

For Illustrative Purposes Only

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

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

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

Street trees may count toward the minimum acreage.

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

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

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

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

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

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

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

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

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

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

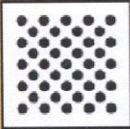
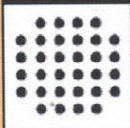
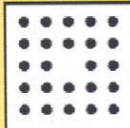
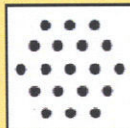
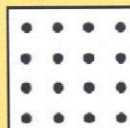
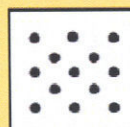
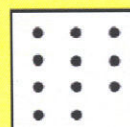
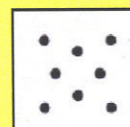
Residential Density		
Maximum density allowed by Zoning District based on average of 2.67 persons per dwelling unit		
High Density		
R6 R6-N R6-MH OR CDF	17 units per acre yields 45 persons per acre	
PUD	12 units per acre yields 32 persons per acre	
Medium Density		
R6-A	9 units per acre yields 24 persons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

Illustration: Maximum allowable density in Residential Zoning Districts

REZONING THOROUGHFARE/TRAFFIC VOLUME REPORT

Case No: 08-18

Applicant: The Covengton Group, Ltd.

Property Information

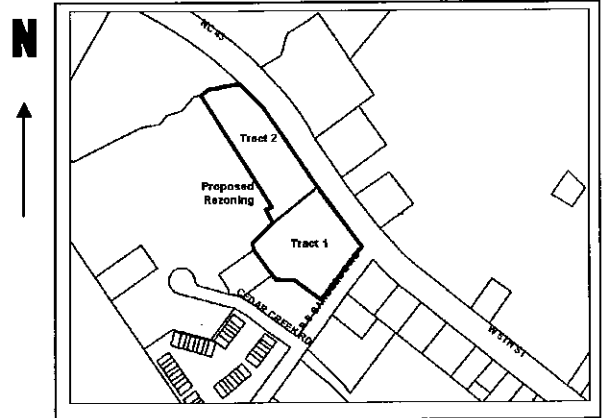
Current Zoning: Tract 1: MR
Tract 2: MRS

Proposed Zoning: Tract 1: MO
Tract 2: MO

Current Acreage: Tract 1: 2.301 acres
Tract 2: 2.581 acres
Total: 4.882 acres

Location: SW Corner of NC 43 / W 5th St and
B's Barbeque Rd

Points of Access: NC 43 / W 5th St and B's Barbeque Rd



Location Map

Transportation Background Information

1.) NC 43/W 5th St - State maintained

	<u>Existing Street Section</u>	<u>Ultimate Thoroughfare Street Section</u>
Description/cross section	2-lanes	4-lanes
Right of way width (ft)	100	100
Speed Limit (mph)	45	45
Current ADT:	15,600(*)	Design ADT: 33,500 vehicles/day (**)
Design ADT:	12,000 vehicles/day (**)	
Controlled Access	No	
Thoroughfare Plan Status:	Major Thoroughfare	
Other Information:	There are no sidewalks along NC 43/W 5 th St that service this property.	

Notes: (*) 2006 NCDOT count adjusted for a 2% annual growth rate
(**) Traffic volume based an operating Level of Service D for existing geometric conditions
ADT – Average Daily Traffic volume

Transportation Improvement Program Status: TIP # U-5018: US 264 to NC 11/Memorial Drive: Widen to a 4-lane divided facility.

2.) B's Barbeque Rd - State maintained

	<u>Existing Street Section</u>	<u>Ultimate Thoroughfare Street Section</u>
Description/cross section	2-lanes	2-Lanes
Right of way width (ft)	60	70
Speed Limit (mph)	45	45
Current ADT:	4,470(*)	Design ADT: 12,000 vehicles/day (**)
Design ADT:	12,000 vehicles/day (**)	
Controlled Access	No	
Thoroughfare Plan Status:	Minor Thoroughfare	
Other Information:	There are no sidewalks along B's Barbeque Rd that service this property.	

Notes: (*) 2006 NCDOT count adjusted for a 2% annual growth rate
(**) Traffic volume based an operating Level of Service D for existing geometric conditions
ADT – Average Daily Traffic volume

Transportation Improvement Program Status: No Improvements Planned.

Case No: 08-18

Applicant: The Covengton Group, Ltd.

Trips generated by proposed use/change:

Current Zoning: 328 -vehicle trips/day (*) **Proposed Zoning:** 551 -vehicle trips/day (*)

Estimated Net Change: increase of 223 -vehicle trips/day (assumes full-build out)

(* - These volumes are estimated and based on an average of the possible uses permitted by the current and proposed zoning.)

Impact on Existing Roads

The overall estimated trips presented above are distributed based on current traffic patterns. The estimated ADTs on NC 43/W 5th St and B's Barbeque Rd are as follows:

1.) NC Hwy 43, North of Site ("No build" ADT of 15,600)

Estimated ADT with Proposed Zoning (full build) -	15,655
Estimated ADT with Current Zoning (full build) -	<u>15,633</u>
Net ADT change -	22 (<1% increase)

2.) NC Hwy 43, South of Site ("No build" ADT of 15,600)

Estimated ADT with Proposed Zoning (full build) -	15,898
Estimated ADT with Current Zoning (full build) -	<u>15,777</u>
Net ADT change -	121 (1% increase)

3.) B's Barbeque Rd, West of Site ("No build" ADT of 4,470)

Estimated ADT with Proposed Zoning (full build) -	4,668
Estimated ADT with Current Zoning (full build) -	<u>4,588</u>
Net ADT change -	80 (2% increase)

Staff Findings/Recommendations:

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 353 trips to and from the site on W. Fifth St., which is a net increase of 143 additional trips per day.

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 198 trips to and from the site on B's Barbeque Road, which is a net increase of 80 additional trips per day.

During the review process, measures to mitigate the traffic will be determined. Site access on NC 43 will be limited to a right-in/right-out due to proposed improvements associated with the NC 43 widening project (TIP # U-5018). The site may have a full movement driveway on B's Barbeque Road.



City of Greenville, North Carolina

Meeting Date: 11/6/2008
Time: 7:00 PM

Title of Item: Ordinance to annex Langston Farms, Phase 10, containing 4.2594 acres located at the terminus of Stonebend Drive and Stonewood Drive

Explanation: ANNEXATION PROFILE

A. SCHEDULE

1. Advertising date: October 27, 2008
2. City Council public hearing date: November 6, 2008
3. Effective date: December 31, 2008

B. CHARACTERISTICS

1. Relation to Primary City Limits: Contiguous
2. Relation to Recognized Industrial Area: Outside
3. Acreage: 4.2594 acres
4. Voting District: 5
5. Township: Winterville
6. Vision Area: E
7. Zoning District: R6S (Residential-Single Family [Medium Density])
8. Land Use: Existing: Vacant
Anticipated: 17 (approximately 1800 square foot) single-

family homes.

9. Population:

	Formula	Number of People
Total Current	-----	0
Estimated at full development	17 x 2.35*	40
Current Minority	-----	0
Estimated Minority at full development	40 x 43.4%**	17
Current White	-----	0
Estimated White at full development	40 - 17	23

10. Rural Fire Tax District: Winterville

11. Greenville Fire District: Station #5 (Distance of 2.48 miles)

12. Present Tax Value: \$105,000
Estimated Future Tax Value: \$3,165,000

Fiscal Note: The total estimated tax value at full development is \$3,165,000.

Recommendation: Approval of the ordinance to annex Langston Farms, Phase 10.

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

Attachments / click to download

[Survey of property](#)

[Location Map](#)

[Annexation Ordinance Langston Farms Phase 10 788957](#)

GENERAL DESCRIPTION: Lying and being in Winterville Township, Pitt County, North Carolina, lying west of NC Highway 11 and north of NCSR 1134 Thomas Langston Road, and beginning at a point on the southeastern right-of-way of Stonebend Drive, the northern most corner of Lot 90, Langston Farms, Phase 3, Section 2 as recorded in Map Book 60, Page 29 of the Pitt County Registry, the true point of beginning.

Thence from the true point of beginning, leaving Lot 90 and crossing Stonebend Drive N38-07-05W – 50.43’ to a point in the line of Lot 216, on the northwestern right-of-way of Stonebend Drive, thence along the right-of-way of Stonebend Drive with a curve to the right having a radius of 350.00’ and a chord bearing of N62-36-00E – 46.43’ to the southeast corner of Lot 216, thence leaving the right-of-way of Stonebend Drive and following the eastern line of Lot 216 N23-35-47W – 130.88’ to a point in the southeastern boundary of Langston Farms, Phase 8a (Map Book 65, Page 183), thence along Phase 8A the following calls: N49-30-56E – 170.44’, thence N58-41-52E – 120.00’ to a point on the western right-of-way of Stonewood Drive, thence along the right-of-way of Stonewood Drive S31-18-08E – 15.48’, thence crossing Stonewood Drive N58-41-52E – 169.48’ to the eastern most corner of Lot 102, Langston Farms, Phase 8A, thence leaving the Langston Farms boundary and following the southwestern line of Mrs. G.T. Evans Heirs S31-18-36E – 357.57’ to a corner of the TMH Properties, LLC property (Deed Book 1864, Page 419), thence along the northwestern line of TMH Properties, LLC S52-47-08W – 426.00’ to a point in the northeastern line of Lot 75, Langston Farms, Phase 1, Section 2 (Revised) (Map Book 56, Page 5), thence along the boundary of Lot 75, N56-10-01W – 107.99’, thence S54-11-41W – 32.57’ to the easternmost corner of Lot 90, Langston Farms, Phase 3, Section 2, thence along the northeastern line of Lot 90, N38-07-05W – 118.55’ to the true point of beginning, containing 4.2594 Acres and being Parcel number 00530 as filed with the Pitt County Tax Assessor’s Office.

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

Section 3. The territory annexed and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Greenville and shall be entitled to the same privileges and benefits as other territory now within the City of Greenville. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 4. The Mayor of the City of Greenville, North Carolina, shall cause a copy of the map of the territory annexed by this ordinance and a certified copy of this ordinance to be recorded in the office of the Register of Deeds of Pitt County and in the Office of the Secretary of State in Raleigh, North Carolina. Such a map shall also be delivered to the Pitt County Board of Elections as required by G.S. 163-288.1.

Section 5. This annexation shall take effect from and after the 31st day of December, 2008.

ADOPTED this 6th day of November, 2008.

Patricia C. Dunn, Mayor

ATTEST:

Wanda T. Elks, City Clerk

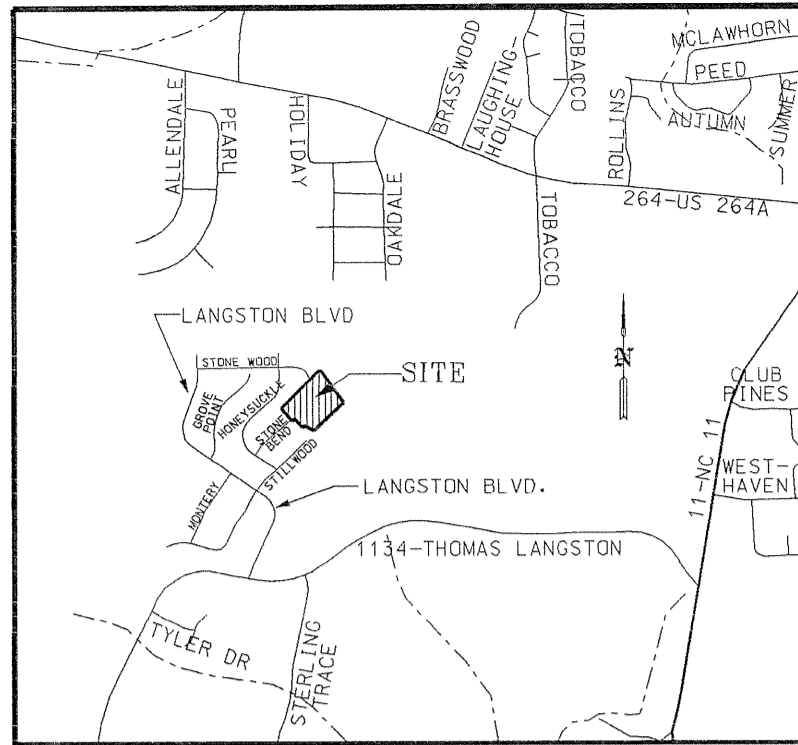
NORTH CAROLINA
PITT COUNTY

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

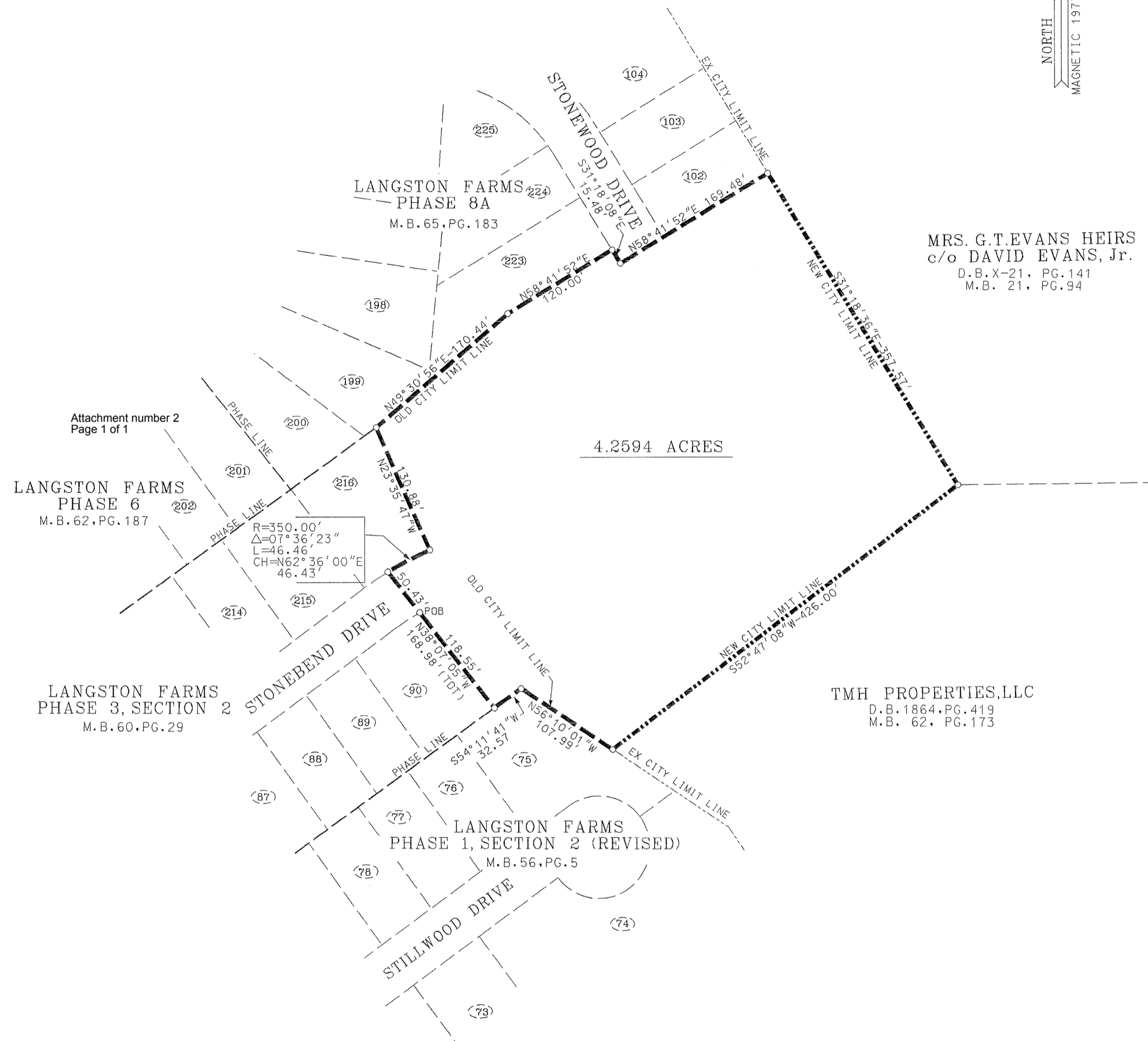
WITNESS my hand and official seal, this the _____ day of _____, 2008.

Patricia A. Sugg, Notary Public

My Commission Expires: September 4, 2011



VICINITY MAP



MRS. G.T. EVANS HEIRS
 c/o DAVID EVANS, Jr.
 D.B. X-21, PG. 141
 M.B. 21, PG. 94

TMH PROPERTIES, LLC
 D.B. 1864, PG. 419
 M.B. 62, PG. 173

Attachment number 2
 Page 1 of 1

LANGSTON FARMS
 PHASE 6
 M.B. 62, PG. 187

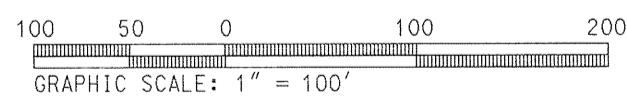
LANGSTON FARMS
 PHASE 3, SECTION 2
 M.B. 60, PG. 29

LANGSTON FARMS
 PHASE 8A
 M.B. 65, PG. 183

LANGSTON FARMS
 PHASE 1, SECTION 2 (REVISED)
 M.B. 56, PG. 5

LEGEND:

- NEW CITY LIMIT LINE
- OLD CITY LIMIT LINE
- EXISTING CITY LIMIT LINE
- POB= POINT OF BEGINNING



REFERENCES:

- DB 954, PG 133
- MB 32, PG 127
- DB 954, PG 149
- DB 1230, PG. 324

PARCEL NO. 00530

LANGSTON FARMS, PHASE 10 WINTERVILLE TWP., PITT COUNTY, NORTH CAROLINA	
OWNER: WILLIAM H. CLARK AND GLORIA E. CLARK 200 E. ARLINGTON BLVD. GREENVILLE, NC 27858 (252) 355-2000	
SURVEYED: N/A	APPROVED: HOB
DRAWN: DM	DATE: 8-21-08
CHECKED: DTB	SCALE: 1" = 100'

MAP NO.	MAPS RECORDED	BOOK	PAGE

MAP SHOWING AREA ANNEXED BY		
THE CITY OF GREENVILLE		
DATE	ORDINANCE NO.	4.2594 AC. AREA

I, _____ CERTIFY THAT THIS MAP IS OF A SURVEY OF ANOTHER CATEGORY AND IS AN EXCEPTION TO THE DEFINITION OF A SUBDIVISION.

PROFESSIONAL LAND SURVEYOR

I, _____, CERTIFY THAT THIS MAP WAS DRAWN BY _____ UNDER MY SUPERVISION FROM AN ACTUAL SURVEY BY _____; THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION FOUND IN DEEDS AND MAPS REFERENCED HEREON.

WITNESS MY HAND AND SEAL THIS _____ DAY OF _____, 20____.

SIGNED _____
 PROFESSIONAL LAND SURVEYOR L- _____

NORTH CAROLINA, _____ COUNTY
 I, _____, NOTARY PUBLIC OF THE COUNTY AND STATE AFORESAID, CERTIFY THAT _____, A REGISTERED LAND SURVEYOR, PERSONALLY APPEARED BEFORE ME THIS DAY AN ACKNOWLEDGED THE EXECUTION OF THE FOREGOING INSTRUMENT. WITNESS MY HAND AND OFFICIAL STAMP OR SEAL THIS THE _____ DAY OF _____, 20____.

NOTARY PUBLIC _____
 MY COMMISSION EXPIRES _____

NORTH CAROLINA, PITT COUNTY
 THE FOREGOING CERTIFICATE OF _____, A NOTARY PUBLIC, IS CERTIFIED TO BE CORRECT. FILED FOR REGISTRATION THIS _____ DAY OF _____, 20____ AT _____ O'CLOCK _____ M.

JUDY J. TART, REGISTER OF DEEDS

BY _____
 DEPUTY REGISTER OF DEEDS



City of Greenville, North Carolina

Meeting Date: 11/6/2008
Time: 7:00 PM

Title of Item: Ordinance requiring the repair or the demolition and removal of the dwelling located at 1115 West Fourth Street

Explanation: The Code Enforcement Coordinator for the City of Greenville is requesting that the City Council approve an ordinance requiring the owner of a dwelling which has been vacated and closed for a period of at least six months pursuant to the enforcement of the Minimum Housing Code to repair or demolish and remove the dwelling located at 1115 West Fourth Street. The ordinance provides that the owner has 90 days to repair or demolish and remove the dwelling and if the owner fails to accomplish this within 90 days, then the City will proceed with repairing or demolishing and removing the dwelling.

The initial notice of violation was sent by certified mail on August 2, 2007, informing the property owner of the minimum housing violations cited by the Code Enforcement Officer and of the remedies necessary to bring the dwelling into compliance. Since that date, there have been three certified notices mailed to the property owner regarding minimum housing violations of the dwelling. Staff has attempted to work with the owner, but no repairs have been made. The most recent notice sent to the owner was mailed on August 12, 2008, and provided notice to the owner that the dwelling was considered an abandoned structure.

There have been no calls for service to the property by the Greenville Police Department. The dwelling has been vacated and closed for a period of at least six months. The utilities to the dwelling have been disconnected since November 14, 2007. There are no back taxes due for this property. The October 20, 2008 Pitt County Tax Assessor's report valued the property at \$14,884 (the building value is \$10,974 and the land value is \$3,910). The estimated cost to repair the dwelling is \$50,000.

Fiscal Note: Cost to test and abate asbestos (if present) and demolish the structure will be approximately \$9,000.

Recommendation: Approval of the ordinance requiring the repair or demolition and removal of the dwelling located at 1115 West Fourth Street.

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

Attachments / click to download

-  [Picture#1 for 1115 West F ourth Street](#)
 -  [Picture for 1115 West Fourth Street](#)
 -  [Picture for 1115 West Fourth Street](#)
 -  [Ordinance_for_1115_West_Fourth_Street_792755](#)
-

ORDINANCE NO. 08-
ORDINANCE REQUIRING THE OWNER OF A DWELLING VACATED
AND CLOSED FOR A PERIOD OF AT LEAST SIX MONTHS PURSUANT TO THE
ENFORCEMENT OF THE MINIMUM HOUSING CODE TO REPAIR OR DEMOLISH
AND REMOVE THE DWELLING LOCATED AT 1115 WEST FOURTH STREET
TAX PARCEL NUMBER 016139

WHEREAS, pursuant to the enforcement of the Minimum Housing Code contained in Article F of Chapter 1 of Title 9 of the Code of the City of Greenville, North Carolina, as authorized by the provisions of Part 6 of Article 19 of Chapter 160A of the North Carolina General Statutes, the dwelling described herein has been vacated and closed for a period of at least six (6) months;

WHEREAS, the City Council of the City of Greenville hereby finds that the owner has abandoned the intent and purpose to repair, alter or improve the dwelling described herein in order to render it fit for human habitation and the continuation of the dwelling in its vacated and closed state would be inimical to the health, safety, morals and welfare of the city in that the dwelling would continue to deteriorate, would create a fire and safety hazard, would be a threat to children and vagrants, would attract persons intent on criminal activities, would cause or contribute to blight and the deterioration of property values in the area, and would render unavailable property and a dwelling which might otherwise have been made available to ease the persistent shortage of decent and affordable housing in this State; and

WHEREAS, G.S. 160A-443 (5), which applies to the City of Greenville pursuant to the provisions of Chapter 200 of the 2005 Session Laws of the North Carolina General Assembly, and Section 9-1-111 of the Code of the City of Greenville, North Carolina, empowers the City Council of the City of Greenville to enact this ordinance;

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

Section 1. The owner, Kerry Moore, of the dwelling located at 1115 West Fourth Street, in the City of Greenville, North Carolina, is hereby directed and required to either repair said dwelling so that it fully complies with the standards of the Minimum Housing Code or to demolish and remove said dwelling within ninety (90) days from the effective date of this ordinance.

Section 2. The Code Enforcement Coordinator is hereby authorized and directed to proceed to either repair or demolish and remove the dwelling in the event the owner fails to comply with the provisions of Section 1 of this ordinance within ninety (90) days, said dwelling being located at 1115 West Fourth Street, Greenville, North Carolina, and owned by Kerry Moore.

Section 3. The cost of repair or demolition and removal shall constitute a lien against the real property upon which the cost was incurred. The lien shall be filed, have the same priority, and be collected in the same manner as the lien for special assessment established by Article 10 of Chapter 160A of the North Carolina General Statutes. The material of the dwelling and any personal property, fixtures, or appurtenances found in or attached to the dwelling shall be sold and the proceeds shall be credited against the cost of removal or demolition and any balance remaining shall be deposited in superior court where it shall be secured and disbursed in the manner provided by G.S. 160A-443 (6).

Section 4. This ordinance shall be recorded in the Office of the Register of Deeds of Pitt County and shall be indexed in the name of the property owner in the grantor index.

Section 5. This ordinance shall become effective upon its adoption.

This the 6th day of November, 2008.

Patricia C. Dunn, Mayor

ATTEST:

Wanda T. Elks, City Clerk



Item # 17



Item # 17



Item # 17



City of Greenville, North Carolina

Meeting Date: 11/6/2008
Time: 7:00 PM

Title of Item: Ordinance requiring the repair or the demolition and removal of the dwelling located at 1311 West Fourth Street

Explanation: The Code Enforcement Coordinator for the City of Greenville is requesting that the City Council approve an ordinance requiring the owner of a dwelling, which has been vacated and closed for a period of at least six months pursuant to the enforcement of the Minimum Housing Code, to repair or demolish and remove the dwelling located at 1311 West Fourth Street. The ordinance provides that the owner has 90 days to repair or demolish and remove the dwelling and if the owner fails to accomplish this within 90 days, then the City will proceed with repairing or demolishing and removing the dwelling.

The initial notice of violation was sent by certified mail on June 9, 2008, informing the property owner of the minimum housing violations cited by the Code Enforcement Officer and of the remedies necessary to bring the dwelling into compliance. Since that date, there have been two certified notices mailed to the property owner regarding minimum housing violations of the dwelling. On June 24, 2008, a hearing was held concerning the property; the listed owner did not appear. Staff has attempted to work with the owner, but no repairs have been made. The most recent notice sent to the owner was sent on October 8, 2008, and provided notice to the owner that the dwelling was considered an abandoned structure.

There have been no calls for service to the property by the Greenville Police Department. The dwelling has been vacated and closed for a period of at least six months. The utilities to the dwelling have been disconnected since June 2005. There are no back taxes due for this property. The September 19, 2008 Pitt County Tax Assessor's report valued the property at \$47,101 (the building value is \$32,810 and the land value is \$2,545). The estimated cost to repair the dwelling is \$25,835.

Fiscal Note: Cost to test and abate asbestos (if present) and demolish the structure will be approximately \$9,000.

Recommendation: Approval of the ordinance requiring the repair or demolition and removal of the dwelling located at 1311 West Fourth Street.

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Attachments / click to download

- [Picture # 1 for 1311 West Fourth Street](#)
 - [Picture #2 for 1311 West Fourth Street](#)
 - [Picture# 3 for 1311 West Street](#)
 - [Ordinance for 1311 West Fourth Street 792561](#)
-

ORDINANCE NO. 08-
ORDINANCE REQUIRING THE OWNER OF A DWELLING VACATED
AND CLOSED FOR A PERIOD OF AT LEAST SIX MONTHS PURSUANT TO THE
ENFORCEMENT OF THE MINIMUM HOUSING CODE TO REPAIR OR DEMOLISH
AND REMOVE THE DWELLING LOCATED AT 1311 WEST FOURTH STREET
TAX PARCEL NUMBER 26988

WHEREAS, pursuant to the enforcement of the Minimum Housing Code contained in Article F of Chapter 1 of Title 9 of the Code of the City of Greenville, North Carolina, as authorized by the provisions of Part 6 of Article 19 of Chapter 160A of the North Carolina General Statutes, the dwelling described herein has been vacated and closed for a period of at least six (6) months;

WHEREAS, the City Council of the City of Greenville hereby finds that the owner has abandoned the intent and purpose to repair, alter or improve the dwelling described herein in order to render it fit for human habitation and the continuation of the dwelling in its vacated and closed state would be inimical to the health, safety, morals and welfare of the city in that the dwelling would continue to deteriorate, would create a fire and safety hazard, would be a threat to children and vagrants, would attract persons intent on criminal activities, would cause or contribute to blight and the deterioration of property values in the area, and would render unavailable property and a dwelling which might otherwise have been made available to ease the persistent shortage of decent and affordable housing in this State; and

WHEREAS, G.S. 160A-443 (5), which applies to the City of Greenville pursuant to the provisions of Chapter 200 of the 2005 Session Laws of the North Carolina General Assembly, and Section 9-1-111 of the Code of the City of Greenville, North Carolina, empowers the City Council of the City of Greenville to enact this ordinance;

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

Section 1. The owner, Pearline Felder, of the dwelling located at 1311 West Fourth Street, in the City of Greenville, North Carolina, is hereby directed and required to either repair said dwelling so that it fully complies with the standards of the Minimum Housing Code or to demolish and remove said dwelling within ninety (90) days from the effective date of this ordinance.

Section 2. The Code Enforcement Coordinator is hereby authorized and directed to proceed to either repair or demolish and remove the dwelling in the event the owner fails to comply with the provisions of Section 1 of this ordinance within ninety (90) days, said dwelling being located at 1311 West Fourth Street, Greenville, North Carolina, and owned by Pearline Felder.

Section 3. The cost of repair or demolition and removal shall constitute a lien against the real property upon which the cost was incurred. The lien shall be filed, have the same priority, and be collected in the same manner as the lien for special assessment established by Article 10 of Chapter 160A of the North Carolina General Statutes. The material of the dwelling and any personal property, fixtures, or appurtenances found in or attached to the dwelling shall be sold and the proceeds shall be credited against the cost of removal or demolition and any balance remaining shall be deposited in superior court where it shall be secured and disbursed in the manner provided by G.S. 160A-443 (6).

Section 4. This ordinance shall be recorded in the Office of the Register of Deeds of Pitt County and shall be indexed in the name of the property owner in the grantor index.

Section 5. This ordinance shall become effective upon its adoption.

This the 6th day of November, 2008.

Patricia C. Dunn, Mayor

ATTEST:

Wanda T. Elks, City Clerk



Item # 18



Item # 18



Item # 18



City of Greenville, North Carolina

Meeting Date: 11/6/2008
Time: 7:00 PM

Title of Item: Ordinance requiring the repair or the demolition and removal of the dwelling located at 613 Ford Street

Explanation: The Code Enforcement Coordinator for the City of Greenville is requesting that the City Council approve an ordinance requiring the owner of a dwelling, which has been vacated and closed for a period of at least six months pursuant to the enforcement of the Minimum Housing Code, to repair or demolish and remove the dwelling located at 613 Ford Street. The ordinance provides that the owner has 90 days to repair or demolish and remove the dwelling and if the owner fails to accomplish this within 90 days, then the City will proceed with repairing or demolishing and removing the dwelling.

The initial notice of violation was sent by certified mail on May 20, 2008, informing the property owner of the minimum housing violations cited by the Code Enforcement Officer and of the remedies necessary to bring the dwelling into compliance. Since that date, there have been two certified notices mailed to the property owner regarding minimum housing violations of the dwelling. Staff has attempted to work with the owner, but no repairs have been made. The most recent notice sent to the owner was mailed on October 8, 2008, and provided notice to the owner that the dwelling was considered an abandoned structure.

There have been three calls for service to the property by the Greenville Police Department. The dwelling has been vacated and closed for a period of at least six months. The utilities to the dwelling have been disconnected since December 2006. There are no back taxes due for this property. The September 19, 2008 Pitt County Tax Assessor's report valued the property at \$17,727 (the building value is \$15,182 and the land value is \$ 2,545). The estimated cost to repair the dwelling is \$25,835.

Fiscal Note: Cost to test and abate asbestos (if present) and demolish the structure will be approximately \$9,000.

Recommendation: Approval of the ordinance requiring the repair or demolition and removal of the

dwelling located at 613 Ford Street.

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Attachments / click to download

 [Picture # 1 for 613 Ford Street](#)

 [Picture #2 for 613 Ford Street](#)

 [Picture # 3 for 613 Ford Street](#)

 [Ordinance for 613 Ford Street 792545](#)

ORDINANCE NO. 08-
ORDINANCE REQUIRING THE OWNER OF A DWELLING VACATED
AND CLOSED FOR A PERIOD OF AT LEAST SIX MONTHS PURSUANT TO THE
ENFORCEMENT OF THE MINIMUM HOUSING CODE TO REPAIR OR DEMOLISH
AND REMOVE THE DWELLING LOCATED AT 613 FORD STREET
TAX PARCEL NUMBER 25408

WHEREAS, pursuant to the enforcement of the Minimum Housing Code contained in Article F of Chapter 1 of Title 9 of the Code of the City of Greenville, North Carolina, as authorized by the provisions of Part 6 of Article 19 of Chapter 160A of the North Carolina General Statutes, the dwelling described herein has been vacated and closed for a period of at least six (6) months;

WHEREAS, the City Council of the City of Greenville hereby finds that the owner has abandoned the intent and purpose to repair, alter or improve the dwelling described herein in order to render it fit for human habitation and the continuation of the dwelling in its vacated and closed state would be inimical to the health, safety, morals and welfare of the city in that the dwelling would continue to deteriorate, would create a fire and safety hazard, would be a threat to children and vagrants, would attract persons intent on criminal activities, would cause or contribute to blight and the deterioration of property values in the area, and would render unavailable property and a dwelling which might otherwise have been made available to ease the persistent shortage of decent and affordable housing in this State; and

WHEREAS, G.S. 160A-443 (5), which applies to the City of Greenville pursuant to the provisions of Chapter 200 of the 2005 Session Laws of the North Carolina General Assembly, and Section 9-1-111 of the Code of the City of Greenville, North Carolina, empowers the City Council of the City of Greenville to enact this ordinance;

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

Section 1. The owner, John Sink, of the dwelling located at 613 Ford Street, in the City of Greenville, North Carolina, is hereby directed and required to either repair said dwelling so that it fully complies with the standards of the Minimum Housing Code or to demolish and remove said dwelling within ninety (90) days from the effective date of this ordinance.

Section 2. The Code Enforcement Coordinator is hereby authorized and directed to proceed to either repair or demolish and remove the dwelling in the event the owner fails to comply with the provisions of Section 1 of this ordinance within ninety (90) days, said dwelling being located at 613 Ford Street, Greenville, North Carolina, and owned by John Sink.

Section 3. The cost of repair or demolition and removal shall constitute a lien against the real property upon which the cost was incurred. The lien shall be filed, have the same priority, and be collected in the same manner as the lien for special assessment established by Article 10 of Chapter 160A of the North Carolina General Statutes. The material of the dwelling and any personal property, fixtures, or appurtenances found in or attached to the dwelling shall be sold and the proceeds shall be credited against the cost of removal or demolition and any balance remaining shall be deposited in superior court where it shall be secured and disbursed in the manner provided by G.S. 160A-443 (6).

Section 4. This ordinance shall be recorded in the Office of the Register of Deeds of Pitt County and shall be indexed in the name of the property owner in the grantor index.

Section 5. This ordinance shall become effective upon its adoption.

This the 6th day of November, 2008.

Patricia C. Dunn, Mayor

ATTEST:

Wanda T. Elks, City Clerk



Item # 19



Item # 19



Item # 19



City of Greenville, North Carolina

Meeting Date: 11/6/2008
Time: 7:00 PM

Title of Item: Ordinance requiring the repair or the demolition and removal of the dwelling located at 1303 South Greene Street

Explanation: The Code Enforcement Coordinator for the City of Greenville is requesting that the City Council approve an ordinance requiring the owner of a dwelling, which has been vacated and closed for a period of at least six months pursuant to the enforcement of the Minimum Housing Code, to repair or demolish and remove the dwelling located at 1303 South Greene Street. The ordinance provides that the owner has 90 days to repair or demolish and remove the dwelling and if the owner fails to accomplish this within 90 days, then the City will proceed with repairing or demolishing and removing the dwelling.

The initial notice of violation was sent by certified mail on May 12, 2008, informing the property owner of the minimum housing violations cited by the Code Enforcement Officer and of the remedies necessary to bring the dwelling into compliance. Since that date, there have been two certified notices mailed to the property owner regarding minimum housing violations of the dwelling. Staff has attempted to work with the owner, but no repairs have been made. The most recent notice sent to the owner was on October 8, 2008, and provided notice to the owner that the dwelling was considered an abandoned structure.

There have been no calls for service to the property by the Greenville Police Department. The dwelling has been vacated and closed for a period of at least six months. The utilities to the dwelling have been disconnected since May 2006. There are no taxes due on this property. The September 19, 2008 Pitt County Tax Assessor's report valued the property at \$9,684 (the building value is \$1,184 and the land value is \$8,500). The estimated cost to repair the dwelling is \$21,755.

Fiscal Note: Cost to test and abate asbestos (if present) and demolish the structure will be approximately \$9,000.

Recommendation: Approval of the ordinance requiring the repair or demolition and removal of the

dwelling located at 1303 South Greene Street.

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Attachments / click to download

-  [Picture #1 for 1303 South Greene Street](#)
 -  [Picture #2 for 1303 South Greene Street](#)
 -  [Picture # 3 for 1303 South Greene Street](#)
 -  [Ordinance for 1303 South Greene Street 792640](#)
-

ORDINANCE NO. 08-
ORDINANCE REQUIRING THE OWNER OF A DWELLING VACATED
AND CLOSED FOR A PERIOD OF AT LEAST SIX MONTHS PURSUANT TO THE
ENFORCEMENT OF THE MINIMUM HOUSING CODE TO REPAIR OR DEMOLISH
AND REMOVE THE DWELLING LOCATED AT 1303 SOUTH GREENE STREET
TAX PARCEL NUMBER 08469

WHEREAS, pursuant to the enforcement of the Minimum Housing Code contained in Article F of Chapter 1 of Title 9 of the Code of the City of Greenville, North Carolina, as authorized by the provisions of Part 6 of Article 19 of Chapter 160A of the North Carolina General Statutes, the dwelling described herein has been vacated and closed for a period of at least six (6) months;

WHEREAS, the City Council of the City of Greenville hereby finds that the owner has abandoned the intent and purpose to repair, alter or improve the dwelling described herein in order to render it fit for human habitation and the continuation of the dwelling in its vacated and closed state would be inimical to the health, safety, morals and welfare of the city in that the dwelling would continue to deteriorate, would create a fire and safety hazard, would be a threat to children and vagrants, would attract persons intent on criminal activities, would cause or contribute to blight and the deterioration of property values in the area, and would render unavailable property and a dwelling which might otherwise have been made available to ease the persistent shortage of decent and affordable housing in this State; and

WHEREAS, G.S. 160A-443 (5), which applies to the City of Greenville pursuant to the provisions of Chapter 200 of the 2005 Session Laws of the North Carolina General Assembly, and Section 9-1-111 of the Code of the City of Greenville, North Carolina, empowers the City Council of the City of Greenville to enact this ordinance;

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

Section 1. The owner(s), Kelvin W. Garvanne and Eric R. Garvanne, of the dwelling located at 1303 South Greene Street, in the City of Greenville, North Carolina, is hereby directed and required to either repair said dwelling so that it fully complies with the standards of the Minimum Housing Code or to demolish and remove said dwelling within ninety (90) days from the effective date of this ordinance.

Section 2. The Code Enforcement Coordinator is hereby authorized and directed to proceed to either repair or demolish and remove the dwelling in the event the owner fails to comply with the provisions of Section 1 of this ordinance within ninety (90) days, said dwelling being located at 1303 South Greene Street, Greenville, North Carolina, and owned by Kelvin W. Garvanne and Eric R. Garvanne.

Section 3. The cost of repair or demolition and removal shall constitute a lien against the real property upon which the cost was incurred. The lien shall be filed, have the same priority, and be collected in the same manner as the lien for special assessment established by Article 10 of Chapter 160A of the North Carolina General Statutes. The material of the dwelling and any personal property, fixtures, or appurtenances found in or attached to the dwelling shall be sold and the proceeds shall be credited against the cost of removal or demolition and any balance remaining shall be deposited in superior court where it shall be secured and disbursed in the manner provided by G.S. 160A-443 (6).

Section 4. This ordinance shall be recorded in the Office of the Register of Deeds of Pitt County and shall be indexed in the name of the property owner in the grantor index.

Section 5. This ordinance shall become effective upon its adoption.

This the 6th day of November, 2008.

Patricia C. Dunn, Mayor

ATTEST:

Wanda T. Elks, City Clerk



Item # 20



Item # 20



Item # 20



City of Greenville, North Carolina

Meeting Date: 11/6/2008
Time: 7:00 PM

Title of Item: Greenville Convention Center naming rights

Explanation: The City received the attached request from Exhibit Hall Managers (the operator of the Greenville Convention Center) seeking to exercise the naming rights provision in the Convention Center Development, Pre-Opening, and Operational Agreement, Section 9.0 dated September 11, 2000. A copy of this section of the Agreement is attached.

The Agreement provides that "Greenville shall have the exclusive right to name the Exhibit Hall and the individual rooms or areas within the Exhibit Hall."

Associating this public facility with a high quality and widely recognized corporation/entity provides an opportunity to enhance the Center's profile and a chance to generate additional revenue to support the facility.

A key consideration in any naming rights activity is ensuring adequate standards are established. If this action is approved, staff will draft a proposal that retains the City's right to select the best proposal based on such factors as the proposer's longevity and proposer's reputation and standing in addition to the monetary value offered.

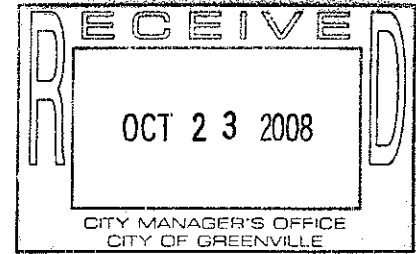
Fiscal Note: Revenue paid for naming rights up to the naming rights cap would be used for replacement and additions to the Convention Center furniture, fixtures, and equipment. Any amount above the naming rights cap (\$181,473) will be revenue collected by Exhibit Hall Managers from its operation of the Center. The naming rights cap is a legal requirement imposed as a result of the issuance of tax-exempt bonds to finance the construction of the Convention Center.

Recommendation: Approve the request by Exhibit Hall Managers to solicit proposals for a Convention Center naming rights agreement.

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Attachments / click to download

 [Naming Rights Info](#)



October 23, 2008

Mr. Thom Moton
Assistant City Manager
200 West 5th Street
Greenville, NC 27835

Mr. Thom Moton

The Greenville Convention Center has serviced thousands of customers over the past seven years and has built a reputation of being a first class conference and convention destination in the east. By the nature of this success and un-solicited, EHM has been approached by a nationally recognized company to include their name on the Greenville Convention Center.

I am requesting the city of Greenville grant permission to pursue the sale of naming rights per section 7.0 -7.2 of the operational management agreement of the Greenville Convention Center.

This opportunity could provide additional credibility and another step in branding the Greenville Convention Center on a national level.

Thank you in advance for your response to this request.

Sincerely,

A handwritten signature in black ink, appearing to read "John VanCoutren".

John VanCoutren
Executive Vice President
Hospitality Operations

cc: Tom Glennon
Wayne Bowers
Debbie Vargus

Item # 21

as to any matters reasonably determined necessary by either such party to complete the Easement Agreement, Greenville and Hilton shall cause the Easement Agreement to be completed by (i) granting to each other any temporary construction, access or other easements necessary to construct the Exhibit Hall or any or all of the Hotel Improvements; (ii) Greenville granting to Hilton and its successors and assigns, an easement to install, repair, replace, modify, use, and maintain any utilities reasonably related to the Hotel Improvements over, under or through approved locations on the Exhibit Hall Property (the consent to such locations to not unreasonably be withheld), (iii) Greenville granting to Hilton, its employees, agents, tenants, guests, and invitees, vehicular and pedestrian access, parking, and use over and upon the areas designated for each such use on Exhibit Hall Property so long as a hotel is operated upon the Hotel Property; (iv) Hilton granting to Greenville and its successors and assigns, an easement to install, repair, replace, modify, use, and maintain any utilities reasonably related to the Exhibit Hall over, under or through approved locations on the Hotel Property (the consent of such locations to not unreasonably be withheld), and (v) Hilton granting to Greenville, its employees, agents, tenants, guests, and invitees, vehicular and pedestrian access, parking, and use over and upon the areas designated for each such use on the Hotel Property including, but not limited to ingress and egress for vehicular traffic through the Hotel Property between the Exhibit Hall Property and Hartford Street so long as an exhibit hall is operated upon the Exhibit Hall Property

9.0 NAMING RIGHTS

9.1 IN GENERAL

Greenville shall have the exclusive right to name the Exhibit Hall and the individual rooms or areas within the Exhibit Hall. Except as set forth in section 9.2, any money paid or collected in connection with naming or changing a name of all or any part or portion of the

Exhibit Hall ("Naming Rights Receipts") shall be held by Greenville in a Naming Rights Fund, and the lesser of \$50,000 or the amount on deposit in such fund shall be annually allocated and reserved by Greenville for replacement and additions to the Exhibit Hall FF&E. The expenditure of such funds shall be governed by the provisions of section 12.0

9.2 NAMING RIGHTS CAP

In the event Greenville issues obligations the interest on which is not included in gross income for federal income tax purposes to pay costs of acquiring, constructing, furnishing and equipping the Exhibit Hall (the "Tax-Exempt Issue"), any Naming Rights Receipts that are in excess of the Naming Rights Cap shall be deemed to be a revenue collected by EHM from its operation of the Exhibit Hall. The "Naming Rights Cap" shall be equal to (i) four percent (4.00%) multiplied by the present value (using the yield on the Tax-Exempt Issue as the present value factor for this purpose), as of the date of issue of the Tax-Exempt Issue of the stated principal and interest due on the Tax-Exempt Issue during the term of this Agreement, (ii) less the present value as of the date of issue of the Tax-Exempt Issue (using the yield on the Tax-Exempt Issue as the present value factor for this purpose) of any other amounts received by Greenville during the term of this Agreement from the operation or use of the Exhibit Hall ("Other Private Payments"). Notwithstanding the provisions of this section 9.2, Greenville shall be under no obligation to name all or any portion of the Exhibit Hall, and Greenville may, at its sole discretion, cause the provisions of this section 9.2 to be amended or deleted in its entirety at any time, upon delivery of an opinion of a nationally recognized bond counsel to EHM or the trustee with respect to the Tax-Exempt Issue that such amendment or deletion will not adversely affect the exclusion of interest on obligations comprising the Tax-Exempt Issue from gross income for purposes of federal income taxation



City of Greenville, North Carolina

Meeting Date: 11/6/2008
Time: 7:00 PM

Title of Item: Resolution of intent to close an unimproved portion of Tripp Lane located west of Grace Avenue

Explanation: Attached for City Council's consideration is a resolution of intent to close an unimproved portion of Tripp Lane located west of Grace Avenue. A petition (attached) requesting the closure of this portion of Tripp Lane was submitted by Mr. Edgar Denton and his wife, Mrs. Elaine Denton, of 3020 Tripp Lane.

The portion of Tripp Lane in question was never improved to public street standards as part of the Clark's Lake Subdivision and is used as a driveway into the Dentons' properties. The Dentons own all of the property along both sides of the street right-of-way proposed to be closed. If closed, some of the lots would become non-compliant with City ordinances. Attached is a recombination map that would address this issue. If closed, a 50-foot utility and access easement would be maintained. Due to surrounding development, this unimproved section cannot be extended.

The attached resolution declaring the intent to close the unimproved portion of Tripp Lane begins the public input process. This Notice of Intent will be advertised in The Daily Reflector on four consecutive Mondays--November 10, 17, and 24, 2008 and December 1, 2008. Signs will also be posted at the location of closing advertising the public hearing. City Council will hold a public hearing on Thursday, December 11, 2008, to hear from affected persons and to consider closing the street. City staff has reviewed the request and based on input from all departments, there are no objections to the closing.

Fiscal Note: The City does not maintain this portion of Tripp Lane. There will be no significant fiscal impact to the City.

Recommendation: Adopt the resolution of intent to close the unimproved portion of Tripp Lane.

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

Attachments / click to download

 [Street Closing Tripp Lane](#)

 [Resolution of Intent to close Tripp Lane 793431](#)

 [Tripp Lane Street Closing Minutes Excerpt 793341](#)

RESOLUTION NO. 08-____
RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GREENVILLE
DECLARING ITS INTENT TO CLOSE A PORTION OF TRIPP LANE

WHEREAS, the City Council has received a petition to close a portion of the 50 foot right of way of Tripp Lane, starting at the intersection with the right of way of Grace Avenue and running southerly about 300 feet to the southern terminus of Tripp Lane; and,

WHEREAS, the City Council intends to close that portion of said street, in accordance with the provisions of G.S. 160A-299;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL that it is the intent of the City Council to close a portion of said street, more particularly described as follows:

To Wit: A 50-foot right of way as shown on the plat entitled "Street Closing – Portion of Tripp Lane", prepared by Baldwin & Janowski dated June 10, 2008.

Location: Lying and being in the City of Greenville, Pitt County, North Carolina and being bounded as follows: On the north by Tripp Lane, on the east by Lots 6 & 7, Block B, Clarks Lake Subdivision as recorded in Deed Book P-45, Page 768; on the south by the Edgar Wayland Denton and Wife, Elaine G. Denton Property as recorded in Deed Book 145, Page 818; and on the west by Lots 1, 2 and 3, Block C, Clarks Lake Subdivision as recorded in Deed Book P-45, Page 786.

Beginning at a point where the southern right-of-way of Grace Avenue intersects the eastern right-of-way of Tripp Lane, said point also being the northwestern corner of the Edgar Wayland Denton Property, as described in Deed Book M-51, Page 622 of the Pitt County of Register of Deeds Office. Leaving the southern right-of-way of Grace Avenue with the western line of referenced Edgar Wayland Denton Property, S 29°00'00" W - 300.00' to an existing iron pipe on the northern line of the Edgar Wayland Denton and Wife, Elaine G. Denton Property as described in Deed Book 145, Page 818 of the Pitt County of Register of Deeds Office, thence with the northern line of said Edgar Wayland Denton and Wife, Elaine G. Denton Property, N 61°00'00" W - 50.00' to an existing iron pipe on the eastern line of the Edgar Wayland Denton and Wife, Elaine G. Denton Property as described in Deed Book O-47, Page 670 of the Pitt County Register of Deeds Office, thence with the eastern line of said Edgar Wayland Denton and Wife, Elaine G. Denton Property and the eastern line of the Edgar Wayland Denton and Wife, Elaine G. Denton Property as described in Deed Book 1713, Page 117 of the Pitt County Register of Deeds Office, N 29°00'00" E - 300.00' to a point at the southeastern corner of the Benjamin N. Trimpi and Wife, Mary Y. Trimpi as described in Deed Book 2469, Page 94 of the Pitt County of Register of Deeds Office, thence crossing right-of-way of Tripp Lane, S 61°00'00" E - 50.00' to the point of beginning.

BE IT FURTHER RESOLVED that a public hearing will be held in the Council Chambers, City Hall, Greenville, North Carolina, on the 11th day of December, 2008 at 7:00 p.m. to consider the advisability of closing the aforesaid street. At such public hearing, all objections and suggestions will be duly considered.

BE IT FURTHER RESOLVED that a copy of this resolution be published once a week for four (4) consecutive weeks in The Daily Reflector; that a copy of this resolution be sent by certified mail to the owners of property adjacent to the above described street, as shown on the County tax records; and that a copy of this resolution be posted in at least two (2) places along the portion of the street to be closed.

Duly adopted this the 6th day of November, 2008.

PATRICIA C. DUNN, MAYOR

ATTEST:

WANDA T. ELKS, CITY CLERK

Excerpt from the Planning and Zoning Commission meeting minutes (10/21/08)

STREET CLOSING- PORTION OF TRIPP LANE

The City has received a request by petition from Edgar Wayland Denton and wife Elaine Garner Denton to close a portion of Tripp Lane starting at the western right of way of Grace Avenue and running about 300 feet to the terminus of Tripp Lane.

Tim Corley, engineer, stated the Denton's own all of the properties along the proposed street section to be closed. The property is currently divided into several lots. Upon the closing of the street, some of the lots would become non-compliant with the City Ordinances. Mr. Corley said a recombination plat was proposed to combine the lots. He said budgeted Funds for the maintenance of this portion of the Tripp Lane will no longer be required upon adoption of a Resolution to Close a Portion of Tripp Lane by City Council. Mr. Corley stated there was a utility easement to be retained by the city that is reflected on the street closing map and the recombination map. He said staff recommended forward the request to City Council for consideration.

Mike Baldwin spoke in favor of the request on behalf of the applicant.

Motion was made by Mr. Ramey, seconded by Mr. Bell to approve the request. Motion carried unanimously.

PETITION FOR PROPERTY OWNERS TO CLOSE
A STREET

We the undersigned owner(s) of real property adjoining _____ block(s) of
Tripp Avenue, do hereby petition the City Council of the City of Greenville,
North Carolina to permanently close the street as described on Exhibit "A" attached.

Signatures of the person(s) requesting the street closing shall be as follows: Property owned by more than one individual shall be signed by all owners. Property owned by husband and wife (tenants in common) both shall sign the petition. Property owned by corporation shall be signed by president or vice president and secretary. Signatures of all remaining property owners should be listed on the attached sheet.

<u>Signature</u>	<u>Name</u>	<u>Address</u>	<u>PIN</u>
<u>Edgar Wayland Denton</u>	Edgar Wayland Denton	3020 Tripp Lane Greenville	39308
<u>Edgar Wayland Denton</u>	Edgar Wayland Denton	3020 Tripp Lane Greenville	
<u>Elaine G. Denton</u>	Elaine G. Denton		45635
<u>Edgar Wayland Denton</u>	Edgar Wayland Denton	3020 Tripp Lane Greenville	
<u>Elaine G. Denton</u>	Elaine G. Denton		35598
<u>Edgar Wayland Denton</u>	Edgar Wayland Denton	3020 Tripp Lane Greenville	
<u>Elaine G. Denton</u>	Elaine G. Denton		27604

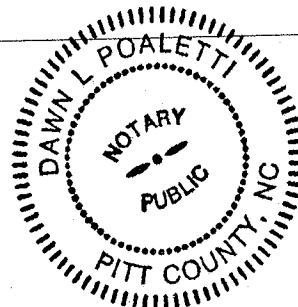
North Carolina
Pitt County

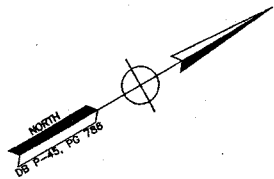
I, Dawn L Poaletti, a Notary Public in and for the aforesaid County and State, do hereby certify that Edgar Denton & Elaine G. Denton, appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and Notarial Seal, this the 8th day of July, 2008.

MY COMMISSION EXPIRES
03/28/2009

NOTARY PUBLIC
Dawn L Poaletti

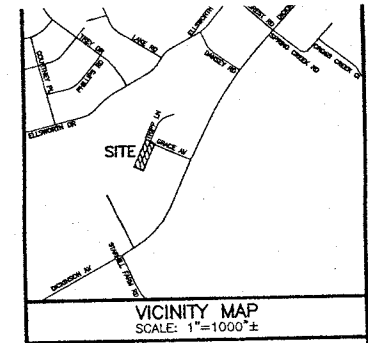




NOTES

1. THIS MAP IS A SURVEY OF ANOTHER CATEGORY.
2. ALL AREAS CALCULATED BY COORDINATE GEOMETRY.
3. THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARDOUS AREA AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. REF: FIRM 3720-4677-00 I, DATED JANUARY 2, 2004
4. PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS, RIGHTS OF WAY, RESTRICTIVE COVENANTS WHICH MAY BE OF RECORD.
5. UNDERGROUND UTILITIES PLOTTED IN PART FROM ACTUAL FIELD LOCATION OF EXISTING ABOVE GROUND FEATURES AND IN PART FROM MAPS ON RECORD AT GUC OR PROVIDED BY CLIENT. ACTUAL LOCATIONS MAY VARY. OTHER UTILITIES MAY EXIST. CONTRACTOR SHOULD CONTACT NORTH CAROLINA ONE-CALL CENTER (NO ONE-CALL) AT 1-800-632-6949 TO HAVE UNDERGROUND UTILITIES LOCATED PRIOR TO EXCAVATING OR TRENCHING.

- LEGEND**
- ABS = ACRYLONITRILE-BUTADIENE-STYRENE
 - CO = CLEAN OUT
 - DI = DROP INLET
 - DIP = DUCTILE IRON PIPE
 - EIP = EXISTING IRON PIPE
 - PH = FIRE HYDRANT
 - GYE = GYE WIRE
 - MH = MANHOLE
 - NPS = NO POINT SET
 - PP = POWER POLE
 - PVC = POLYVINYL CHLORIDE
 - R/W = RIGHT-OF-WAY
 - SSMH = MANHOLE
 - SP = SERVICE POLE
 - WM = WATER METER
 - WV = WATER VALVE
 - = UTILITY EASEMENT
 - = ZONING CLASSIFICATION
 - Ⓐ = BLOCK NUMBER



REVIEW OFFICER

STATE OF NORTH CAROLINA
COUNTY OF PITT

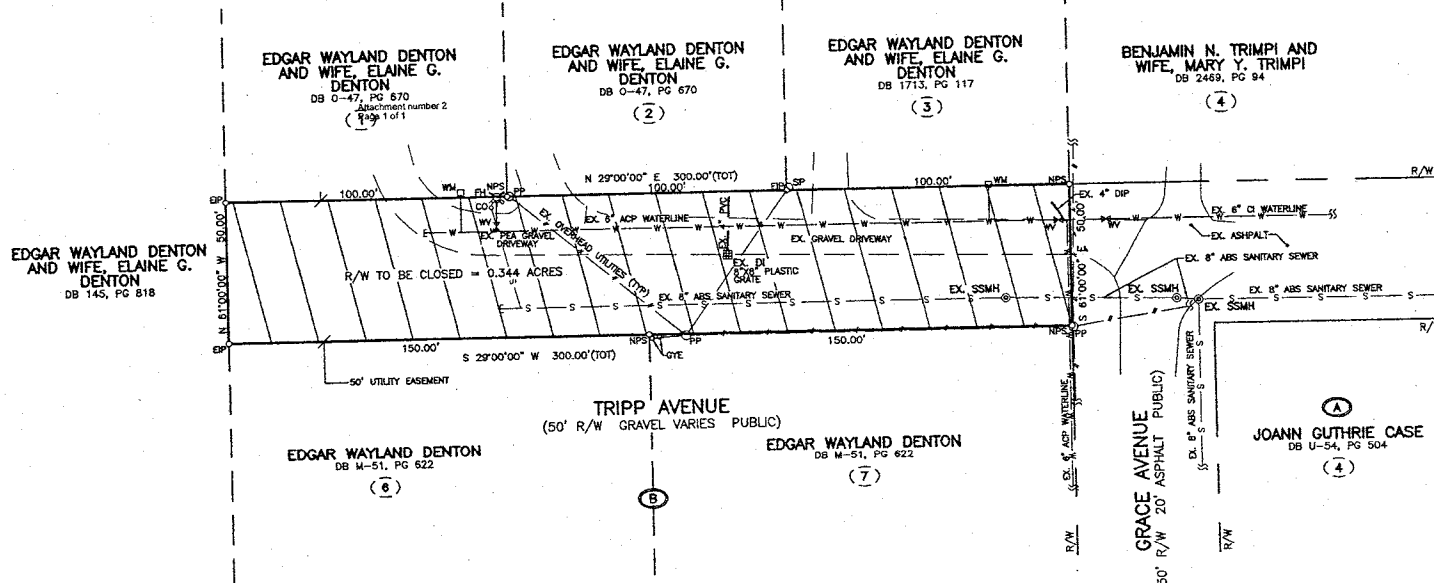
REVIEW OFFICER OF PITT COUNTY, CERTIFY THAT THE MAP OR PLAN TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

DATE: _____

REVIEW OFFICER _____

NORTH CAROLINA, PITT COUNTY
FILED FOR REGISTRATION THIS ____ DAY
OF _____, 2008.

JUDY TART, REGISTER OF DEEDS
BY: _____
DEPUTY REGISTER OF DEEDS



CERTIFICATION

THIS IS TO CERTIFY THAT THIS MAP WAS DRAWN UNDER MY DIRECTION AND SUPERVISION FROM AN ACTUAL FIELD LAND SURVEY PERFORMED UNDER MY DIRECTION AND SUPERVISION THAT THE ERROR OF CLOSURE AS CALCULATED BY LATITUDES AND DEPARTURES IS 1:110,000. THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS DASHED LINE THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.

WITNESS MY HAND AND SEAL THIS 12th DAY OF JUNE, 2008.

MICHAEL WEST BALDWIN, PLS 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	P-45	PAGE	786
MAP BOOK		PAGE	
DEED BOOK		PAGE	

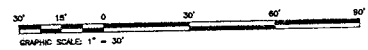
NC REGISTRATION NUMBER 1992

MAYOR'S CERTIFICATE

THIS IS TO CERTIFY THAT THE CITY COUNCIL OF THE CITY OF GREENVILLE HAS PASSED A RESOLUTION TO CLOSE _____
RESOLUTION No. _____
SIGNED _____ MAYOR
SIGNED _____ CITY CLERK

CLOSURE CHECK BOUNDARY

CHECKED: CGD DATE: 6/10/08



SHEET 1 OF 1
STREET CLOSURE MAP

A PORTION OF TRIPP AVENUE

REFERENCE: A PORTION OF DEED BOOK P-45, PAGE 786 OF THE PITT COUNTY REGISTRY

GREENVILLE, GREENVILLE TOWNSHIP, PITT COUNTY, N.C.



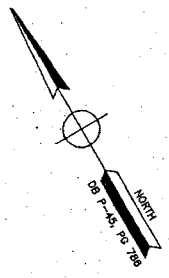
SURVEYED: BM	APPROVED: MWB
DRAWN: CGD	DATE: 6/12/08
CHECKED: MWB	SCALE: 1" = 30'

Item # 22

CAD FILE 08-069 TRIPP AVE CLOSURE MAP.dwg
FB 468, PG 55 C&G FILE: 08-069

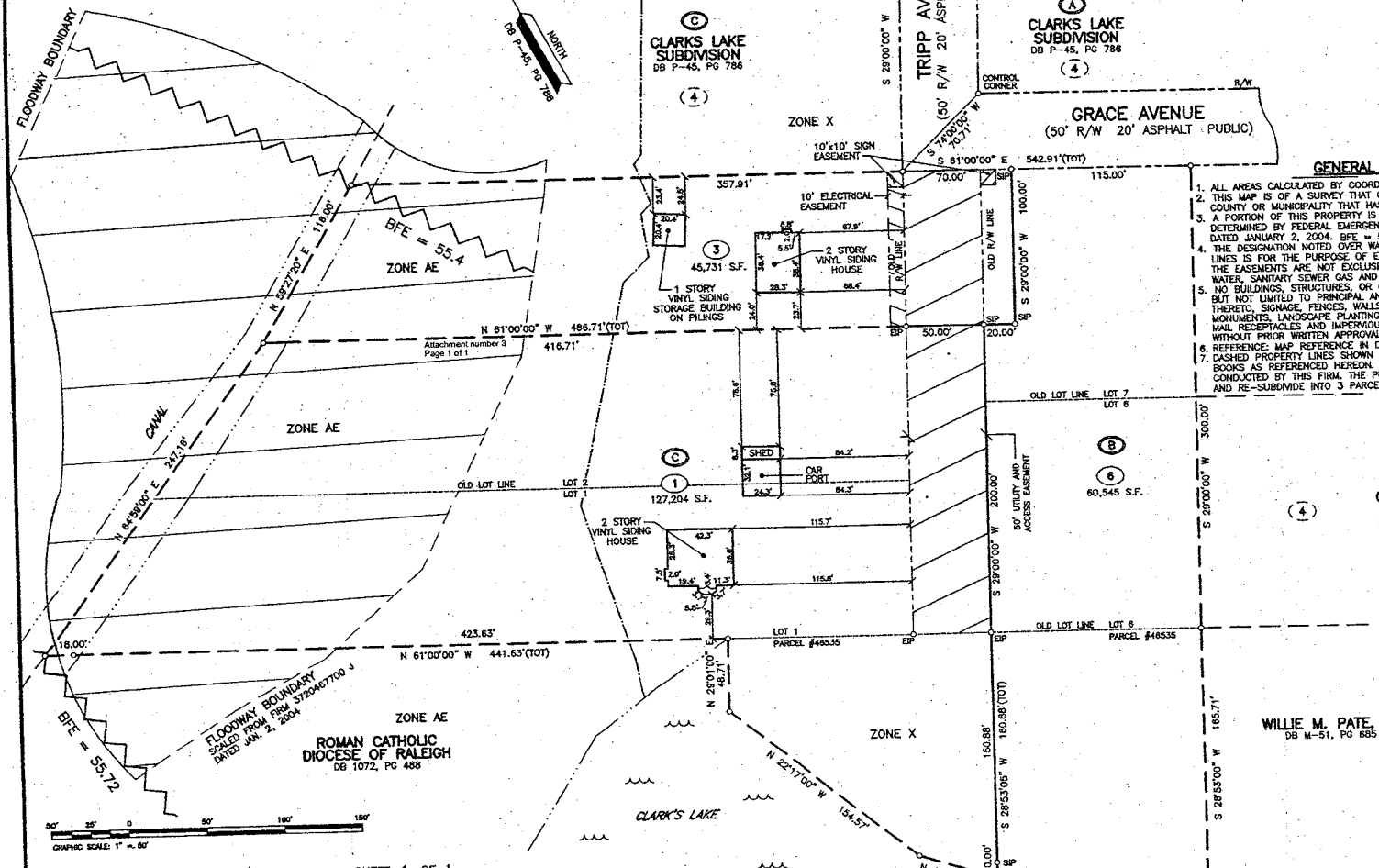
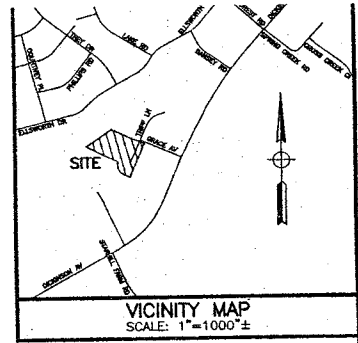
SITE DATA

TOTAL AREA 5.360 AC
 NUMBER OF LOTS CREATED 3
 AREA IN COMMON AREA 0
 AREA IN PARKS, RECREATION AREAS
 CEMETERIES AND THE LIKE 0



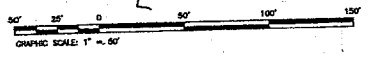
LEGEND

R/W = RIGHT-OF-WAY
 EP = EXISTING IRON PIPE
 SIP = SET IRON PIPE



GENERAL NOTES

- ALL AREAS CALCULATED BY COORDINATE GEOMETRY.
- THIS MAP IS OF A SURVEY THAT CREATES A SUBDIVISION OF LAND WITHIN A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.
- A PORTION OF THIS PROPERTY IS LOCATED IN A SPECIAL FLOOD HAZARDOUS AREA AS DETERMINED BY FEDERAL EMERGENCY MANAGEMENT AGENCY, REF: 3720467700 J DATED JANUARY 2, 2004. BFE = 55.4 & BFE = 55.5 (NAVD 88)
- 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 MONUMENTS, LANDSCAPE PLANTINGS, FILL MATERIALS, DEBRIS, SOLID WASTE COLLECTION CONTAINERS, MAIL RECEPTACLES AND IMPERVIOUS SURFACES, SHALL ENROACH WITHIN ANY DEDICATED EASEMENT WITHOUT PRIOR WRITTEN APPROVAL OF THE CITY OF GREENVILLE.
- REFERENCE MAP REFERENCE IN DEED BOOK P-45, PAGE 786 OF THE PITT COUNTY REGISTRY.
- DASHED PROPERTY LINES SHOWN WERE TAKEN FROM INFORMATION FOUND IN MAP BOOKS AND DEED BOOKS AS REFERENCED HEREON. THEY DO NOT REPRESENT ACTUAL FIELD SURVEY INFORMATION CONDUCTED BY THIS FIRM. THE PURPOSE OF THIS MAP IS TO COMBINE 6 EXISTING PARCELS OF LAND AND RE-SUBDIVIDE INTO 3 PARCELS OF LAND.



FINAL PLAT SHEET 1 OF 1

CLARK'S LAKE SUBDIVISION

DIVISION AND RECOMBINATION OF LOTS 1, 2, 3 BLOCK C AND LOTS 6 AND 7 BLOCK B AND PARCEL #46535

REFERENCE: DEED BOOK 1713, PAGE 117 AND DEED BOOK 0-47, PAGE 670, AND DEED BOOK 145, PAGE 818 AND DEED BOOK M-51, PAGE 622 OF THE PITT COUNTY REGISTRY.

GREENVILLE, GREENVILLE TOWNSHIP, PITT COUNTY, NORTH CAROLINA

PRELIMINARY

NOT FOR RECORDATION,
 CONVEYANCES, OR SALES

OWNER: EDGAR W. DENTON and wife ELAINE G. DENTON
 ADDRESS: 3020 TRIPP LANE
 GREENVILLE, NC 27834
 PHONE: (252) 756-7977

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 1713	PAGE 117
DEED BOOK 0-47	PAGE 670
DEED BOOK 145	PAGE 818
DEED BOOK M-51	PAGE 622

NC REGISTRATION NO. L-3082

OWNERS STATEMENT

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

SWORN AND SUBSCRIBED BEFORE ME THIS _____ DAY OF _____, 2008.

NOTARY PUBLIC
 MY COMMISSION EXPIRES: 03/28/2009

APPROVAL

THIS FINAL PLAT NO. _____ WAS APPROVED BY THE SUBDIVISION REVIEW BOARD IN ACCORDANCE WITH TITLE 9, CHAPTER 5 OF THE GREENVILLE CITY CODE THE _____ DAY OF _____, 2008.

SIGNED _____
 CITY PLANNER

DEDICATION

THE UNDERSIGNED HEREBY ACKNOWLEDGES THIS PLAT AND ALLOTMENT TO BE _____ FREE 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 _____
 SIGNED _____
 ATTEST _____

Baldwin & Janowski P.A.

ENGINEERING SURVEYING - PLANNING

1015 CONVERSE DRIVE
 GREENVILLE, NC 27838 252.756.1300

CHECKED: MWB SCALE: 1" = 50'

CERTIFICATION

I, MICHAEL W. BALDWIN CERTIFY THAT UNDER MY DIRECT SUPERVISION FROM AN ACTUAL FIELD SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK _____ PAGE _____) OTHERS THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS PAGE _____ THAT THE RATIO OF PRECISION AS CALCULATED BY LATITUDES AND DEPARTURES IS 1:10,000; THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH GS 47-30 AS AMENDED. WITNESS MY HAND AND SEAL THIS 28th DAY OF SEPT. AD 2008.

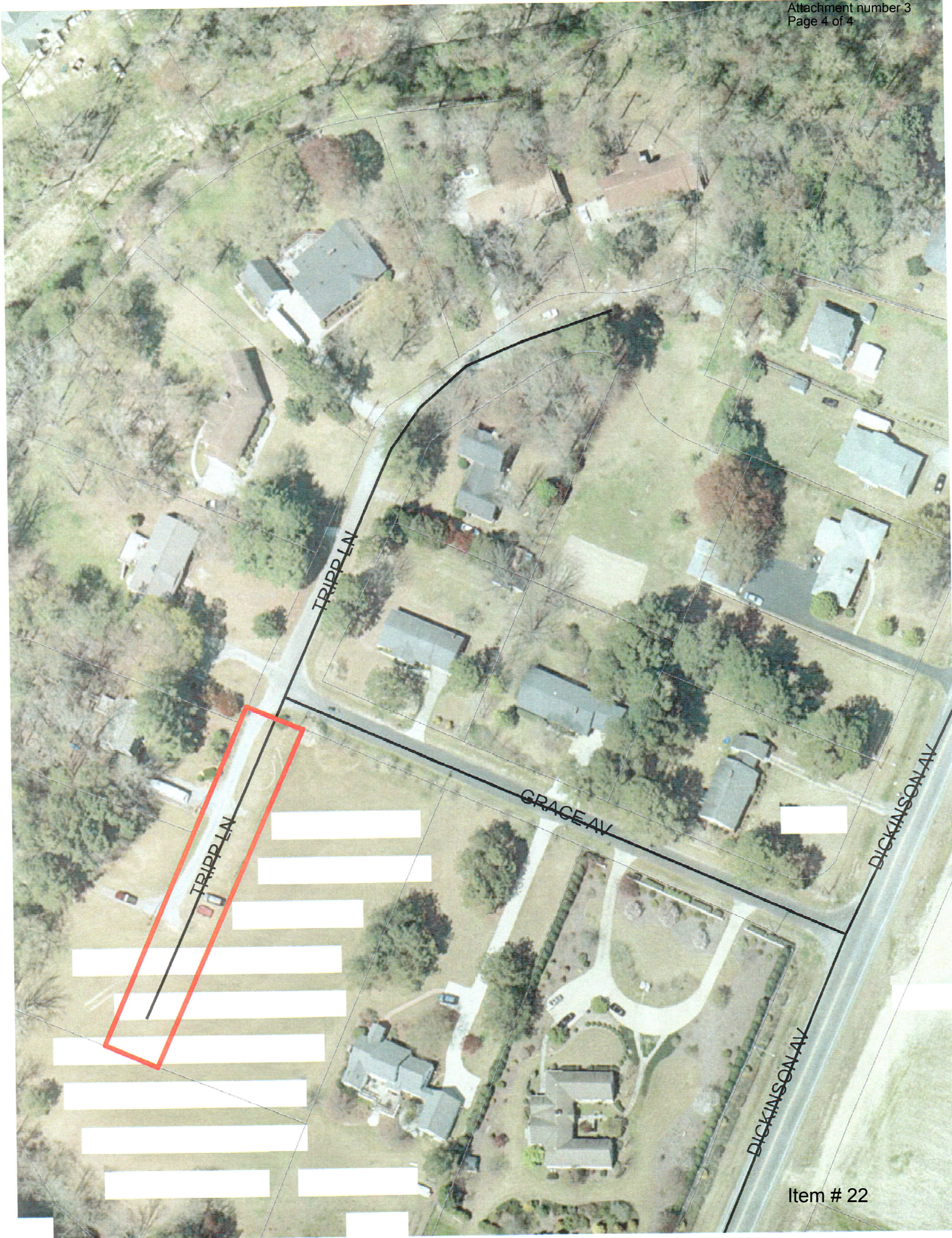
SIGNED _____
 REGISTRATION NO. L-3082

REVIEW OFFICER'S CERTIFICATE

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

REVIEW OFFICER _____ DATE _____

Item # 22





City of Greenville, North Carolina

Meeting Date: 11/6/2008
Time: 7:00 PM

Title of Item: Ordinance amending the Nuisances Regulations of the City Code

Explanation: This amendment to the nuisances regulations of the City Code is being proposed to accomplish one of the Implementation Strategies included in the Lake Ellsworth, Clark's Lake and Tripp Subdivisions Neighborhood Report and Plan.

The Implementation Strategy that this amendment addresses reads as follows:
"The City will consider amendment of the public nuisance regulations to allow trimming of vegetation and/or removal of vegetation from private property where vegetation impedes public safety vehicle ingress and egress in designated apparatus access areas."

The proposed amendment has been reviewed and approved by the City of Greenville Fire/Rescue Department.

Fiscal Note: No associated costs to the City.

Recommendation: Approval of the ordinance to amend the nuisances regulations of the City Code.

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

Attachments / click to download

[Nuisance_Vegetation_Amendment_751616](#)

ORDINANCE NO. 08-__
AN ORDINANCE AMENDING THE CITY CODE
OF THE CITY OF GREENVILLE, NORTH CAROLINA

WHEREAS, North Carolina General Statute 160A-193 authorizes the City of Greenville to abate conditions which are dangerous or prejudicial to the public health or public safety.

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

Section 1: That Title 12, Chapter 3, Article A, Section 12-3-3, of the City Code, is hereby amended by renumbering subsection “(19)” as “(20)”.

Section 2: That Title 12, Chapter 3, Article A, Section 12-3-3, of the City Code, is hereby amended to include a new subsection “(19)” to read as follows:

“(19) Any place of growth of shrubs, trees, or other vegetation that impedes public safety vehicle and firefighting equipment ingress and egress in the following locations that are utilized as public safety vehicle and firefighting equipment access routes and areas: private street easements, private drives, parking lots and/or drive isles, fire hydrant easements, designated fire lanes or other public vehicular area; or”

Section 3: That all ordinances and sections of ordinances in conflict with this ordinance are hereby repealed.

Section 4: That this ordinance shall become effective upon its adoption.

ADOPTED this 6th day of November 2008.

Patricia C. Dunn, Mayor

ATTEST:

Wanda T. Elks, City Clerk



City of Greenville, North Carolina

Meeting Date: 11/6/2008
Time: 7:00 PM

Title of Item: 2008 Comprehensive Recreation and Parks Master Plan

Explanation: Since early 2008, Recreation and Parks staff have been working with Site Solutions, of Charlotte, NC, to update the City's 2000 Comprehensive Recreation and Parks Master Plan (CMP). The process included 3 public meetings, a random telephone survey, interviews with area "stakeholders," and an inventory and assessment of existing recreation and parks facilities within the City and County.

Site Solutions President Derek Williams presented Council members a copy of the plan and discussed the findings of the process at the October 6, 2008 meeting of the Greenville City Council.

Building on the 2000 plan, the update identifies existing and projects future (through 2020) recreation and parks needs for the City of Greenville. The plan will serve as a "roadmap" for the improvements, expansion, and development of the City's recreation and parks system, and help establish priorities for the use of capital funds for parks.

Adoption of the 2008 CMP will indicate the Council's desire to work towards addressing the City recreation and parks needs through a systematic, purposeful plan, but does not commit to the funding or development of any specific aspect of the CMP.

It is anticipated that in-house modifications in the plan will be proposed about every two years in order to keep it current, and such changes will be brought back to City Council for approval.

Note: An additional point is awarded in the Parks and Recreation Trust Fund grant competition process for comprehensive master plans that have been adopted by the local "governing board."

The Greenville Recreation and Parks Commission has reviewed the 2008 CMP

and will consider recommending City Council adoption at their meeting on November 5, 2008. The City Manager will be informed of the result of the Commission vote immediately following that meeting.

Fiscal Note: The proposed Plan includes total capital improvements of \$53,519,500. These improvements to be made as funds can be identified and appropriated.

Recommendation: That City Council adopt the 2008 Comprehensive Recreation and Parks Master Plan.

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

Attachments / click to download



City of Greenville, North Carolina

Meeting Date: 11/6/2008
Time: 7:00 PM

Title of Item: 2008-2009 Capital Reserve Fund designations and ordinance

Explanation: Attached is an ordinance amending the designations for the Capital Reserve Fund. In addition, the 2008-2009 budget ordinance recognizes the recommended transfer from the General Fund to the Capital Reserve Fund. The calculation shows the transfer for the current year in the amount of \$884,142. Additionally, staff proposes interest earnings in the amount of \$147,712, for a total allocation amount of \$1,031,854.

The following documents are attached:

1. Computation of Transfer to Capital Reserve – This calculation was done based on transferring unreserved/undesignated fund balance in excess of 14% of the approved 2008-2009 General Fund budget. This amount is the starting point for determining current year's transfer to the Capital Reserve Fund. After adjustments, the resulting transfer will be an appropriation to fund balance as an amendment to the 2008-2009 General Fund Budget. The amount of the recommended transfer has been reduced by the current year General Fund budget amendments occurring through October and a recommended reserve designation of \$250,000 to start addressing the City's Other Post Employment Benefits (OPEB) actuarial obligation for future retiree health insurance benefits.

2. Capital Reserve Fund - Detail of Changes in Designations – This detail shows the Capital Reserve Fund with the designations that City Council approved on November 8, 2007; changes to those designations; and the proposed designations for the November 6, 2008 City Council meeting. The funds previously appropriated from the Capital Reserve Fund for the following purposes will be transferred to specific project accounts: Convention Center Expansion Project, Public Works Complex Expansion, New Technology for Public Safety, Police Radio System Grant, Restroom at Bradford Creek Soccer Complex, Gymnasium HVAC Systems, and \$1,000 for Open Space for Land Banking. From the 2007-2008 undesignated amount for Capital Reserve allocation of \$1,031,854, the following projects are recommended: purchase

ambulance for new Fire/Rescue peak staffing unit--\$250,000; purchase four police cars to continue expansion of take home program--\$120,750; and renovations to the area at the Eppes Recreation Center recently leased to the Eppes Alumni Association--\$27,000. These recommended appropriations leave an undesignated amount of \$634,104 to be retained to address potential 2008-2009 budget revenue shortfalls or other capital projects identified during the 2009-2010 budget adjustment process.

3. Ordinance Amending the Fund -- This document reflects the proposed projects that have been included in the Capital Reserve Fund at this time. Further, 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 moneys are to be accumulated for each purpose, (ii) the approximate amounts to be accumulated for each purpose, and (iii) the sources from which moneys for each purpose will be derived.

Fiscal Note: Transfer \$884,142 from the General Fund to the Capital Reserve Fund. Amount included as part of the November 6, 2008 budget amendment.

Recommendation: Approve 2008-2009 Capital Reserve Fund designations and adopt the Capital Reserve Fund ordinance.

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

Attachments / click to download

-  [Capital Reserve Update Caculation 652347](#)
-  [Capital Reserve Designations 606168](#)
-  [Update to Capital Reserve Fund Ordinance 612543](#)

**Computation of General Fund Transfer to Capital Reserve
Fiscal Year 2008-2009**

2008-2009 General Fund Budget	Percent	Total Balance Required	Unreserved Undesignated Fund Balance	Amount to Be Transferred
67,891,538	14%	9,504,815	10,710,805	1,205,990

\$ 1,205,990	Amount to be Transferred to Capital Reserve Fund
(71,848)	Budget Ordinance Amendments (2008/2009) through October Meeting
(250,000)	Designated to reserve for Other Post Employment Benefits (OPEB) for fiscal year 2009-2010
<u>\$ 884,142</u>	Recommended Transfer to Capital Reserve
147,712	Capital Reserve Interest (Unallocated)
↓ <u>\$ 1,031,854</u>	Recommended Allocation for Capital Reserve

Recommended Designation for Capital Reserve Transfer

\$ 250,000	Fire/ Rescue Ambulance
120,750	Police Cars (4)
27,000	Eppes Alumni Project
<u>397,750</u>	
↑ <u>\$ 1,031,854</u>	
634,104	Unallocated to be used on future CIP unidentified needs

CAPITAL RESERVE FUND
Detail of Changes in Designations

Purpose	November 8, 2007 Recommended Designations	Increase (Decrease)	November 6, 2008 Recommended Designations
Parking Deck	\$ 1,779,565	\$ -	\$ 1,779,565
River Hills Area Annexation Infrastructure	\$ 202,942	-	\$ 202,942
Transportation			
Sidewalk Construction - DOT projects	\$ 573,250	-	\$ 573,250
Highway 43 Widening	250,000	-	250,000
Brownlea Drive Ext. Phase II	245,195	-	245,195
Subtotal Transportation	<u>\$ 1,068,445</u>		<u>\$ 1,068,445</u>
Convention Center Expansion Project	964,724	(964,724)	-
Public Works Complex Expansion	\$ 754,254	(439,000)	\$ 315,254
Public Safety			
Fire/Rescue Land Acquisition	\$ 440,000	-	\$ 440,000
Fire/Rescue Ambulance	-	250,000	250,000
New Technology for Public Safety	3,484,000	(3,484,000)	-
Police Radio System Grant	661,631	(661,631)	-
Take Home Police Cars	-	120,750	120,750
Subtotal Public Safety	<u>\$ 4,585,631</u>		<u>\$ 810,750</u>
Recreation & Parks			
Restroom at Bradford Creek Soccer Complex	\$ 250,000	(150,000)	\$ 100,000
Gymnasium HVAC Systems		(100,000)	(100,000)
Eppes Alumni Center	-	27,000	27,000
Subtotal Recreation	<u>\$ 250,000</u>		<u>\$ 27,000</u>
Open Space for Land Banking	\$ 125,153	(1,000)	\$ 124,153
Total	<u>\$ 9,730,714</u>	<u>\$ (5,402,605)</u>	<u>\$ 4,328,109</u>

Funding Sources (Uses) for Change:

Transfer from Undesignated Fund Balance:	\$ 884,142
Capital Reserve Fund Interest Earned to Date:	147,712
Total Recommended Allocation	<u>\$ 1,031,854</u>

ORDINANCE NO. 08-____
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>
\$ 1,779,565	General Fund	Parking Deck	5 years
202,942	General Fund	River Hills Area Annexation Infrastructure	5 years
1,068,445	General Fund	Transportation	10 years
315,254	General Fund	Public Works Complex Expansion	5 years
810,750	General Fund	Public Safety	5 years
27,000	General Fund	Recreation & Parks	5 years
124,153	General Fund	Open Space for Land Banking	5 years
<u>\$4,328,109</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 6th day of November, 2008.

Patricia C. Dunn, Mayor

ATTEST:

Wanda T. Elks, City Clerk



City of Greenville, North Carolina

Meeting Date: 11/6/2008
Time: 7:00 PM

Title of Item: Revenue Collections Policy

Explanation: **Overview.** Planning for long-term fiscal stability requires strategies that address accurate collection, recording, and reporting of revenues. The Government Finance Officers Association recommends that local governments include a policy statement to ensure accounts receivable controls and accounts receivable management.

Purpose. This policy identifies procedures and processes for the establishment and utilization of an allowance for doubtful accounts for the City's receivable balances and the write-off of accounts when remaining balances exceed the statutory limitation. The statutory limitations will vary depending on the revenue type.

Currently, to collect receivable balances, the City:

- | |
|--|
| <ul style="list-style-type: none">• Sends an initial notification to customers on balances owed. |
| <ul style="list-style-type: none">• Mails statements to customers every 30 days. |
| <ul style="list-style-type: none">• For "Miscellaneous Receivables," mails notifications to customers with balances in excess of 90 days that they are subject to turnover to a collection agency. |
| <ul style="list-style-type: none">• For "Grass Liens," mails certified letters to customers 30 days past due and initiates legal action when 60 days past due. All accounts not paid within 30 days are recorded at the Clerk of Court's Office as a tax lien. |

Regardless of where aged receivables are in the collections process, the City continues to send statements to the customers in efforts to collect outstanding balances.

The Financial Services Department has already initiated the process for writing off property tax receivables in excess of 10 years, based on State Statute, and rescue receivables in excess of 24 months, as advised by auditors. These practices have been

disclosed annually in the Comprehensive Annual Financial Report.

Scope. As a policy document, the Revenue Collections Policy will serve as a guide to ensure strong financial management practices, proper controls over revenues, and general oversight over the balances collected and uncollected. These controls abide by authoritative standards and practices as set forth by the Governmental Accounting Standards Board and North Carolina General Statutes, Article 10 of Chapter 160A.

Fiscal Note:

The allowance for doubtful account and/or write-off amount will be determined annually at June 30th based on thresholds as outlined by the policy and balances that exceed statutory limitations.

Recommendation:

Approve the attached Revenue Collections Policy to formalize an allowance for doubtful accounts and write-off practices for property taxes, rescue fees, and refuse fees and establish an allowance for doubtful accounts and write-off policy for miscellaneous receivable and lot cutting/cleaning accounts.

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

Attachments / click to download

 [Revenue_Collections_Policy_683728](#)

City of Greenville Revenue Collections Policy

Authority:	As recommended by Government Finance Office Association
Review Responsibility:	Financial Services Department
Review Schedule:	Annually or as needed
Approval Needed:	City Council
Approved on:	

PURPOSE

The Financial Services Department is mandated with direct responsibility to ensure and maintain the financial stability of the City, in part, through maintaining strong fiscal management practices and policies as they relate to the accurate collection, recording and reporting of revenues. Revenue collection practices conform to accounting principles generally accepted in the United States of America as applicable to government units. Revenues are recognized when earned, measurable, and available. The City considers all revenues available if they are collectible within 60 days after fiscal year end. To that end, the following are the significant components of the Financial Services revenue collections policy:

SCOPE

This policy applies to all receipts that are processed by the City of Greenville's collections office. Revenues processed include property taxes, rescue fees, refuse fees, and other miscellaneous receipts.

INTERNAL CONTROLS

All aspects of revenue recordation and accounts receivable monitoring will be subject to properly followed and documented internal controls in regards to generating the receiving and receipting of payments, and in the performance of collection activities on all accounts and applicable revenue sources. Authorization, recordation and custodial functions are performed by different personnel to effect segregation of duties and such procedures are reviewed during the annual audit. If there is any suspicion regarding non-compliance with internal control directives, management will notify the appropriate personnel for further review. Upon any suspicion of fraud, management will be notified. Management will then notify the appropriate personnel (e.g., internal audit, law enforcement) in a timely manner for further investigation.

DEPOSITING OF FUNDS RECEIVED FOR SERVICE

Deposits will be made to an authorized city depository for all functions of the City which require payment prior to or in conjunction with a service being performed, unless service records are maintained as a component of the City's accounts receivable balances. Additionally there may be transactions (e.g., grants, developer contributions, etc.) whereby agreements, resolutions and/or ordinances require remittance to the City of an established amount. All funds received by the City personnel will be deposited in a timely manner in accordance with North Carolina General Statutes.

DEBT COLLECTION

Unless otherwise stated per ordinance or resolution, all initiated bills have established terms and all request for billings received in the Collections offices will be generated within one week of receipt unless specific billing instructions from the generating department indicate an alternative billing date request. Additionally, the billing cycle occurs in the first three weeks of the month with the fourth week of the month committed to monthly statements and month end closing procedures. The billing process is summarized below:

- Original invoices are mailed initially
- A statement summarizing all amounts owed by each customer is mailed at each month end. All available tools and efforts are utilized to pursue the timely collection of account balances
- For those accounts that become past due, collections personnel ensure proper delinquency notice is provided to the customer. Continued service may be restricted, unless continuation of service is required by law or resolution, until such accounts are current
- Delinquent accounts will receive notifications which will specify at what threshold collection efforts by an outside agency will be pursued. All individual debt in excess of \$1,000 and more than ninety days past may be referred to the City Attorney's Office for collection assistance

The threshold for referral to outside collection agencies will vary depending upon the type and circumstances of the revenue. Utilization of collection agencies are performed in accordance with all state and federal notice requirements and in a manner in which the City receives the maximum possible amount of the receipt owed.

Rescue

Rescue charges are invoiced two to three weeks after date of service. The invoices are placed in a billing schedule as self-pay, Medicare, Medicaid, and commercial insurance. Due to the timing of the various types of payment sources, all schedules have a five to six month collection period before being sent to an outside collection agency. Portions left unpaid after insurance(s) has paid go back into the schedule and individuals are given an opportunity to pay before left over balances are referred to outside collections, which again can take five to six months.

Lawn Cutting, Boarded Up Structures, Demolished Structures

After being issued a citation by the Community Development Department, charges for grass cutting, boarding up or demolishing structures are billed. These charges are originally invoiced and statements are sent monthly until the debt is discharged. Charges for grass cutting, boarding up or demolishing structures that were issued since January 1, 2006 and have become thirty days past due are recorded at the Clerk of Court to establish tax liens against the property involved. If these charges are not paid within the first 60 days, the City Attorney's Office prepares collections actions to include repeated communication and foreclosure if necessary.

Other Miscellaneous Charges

Extensive efforts are made to collect all miscellaneous charges before outside referral. These efforts include invoices, monthly statements, phone calls, collection letters, and in some instances site visits. If debt is more than a year old without any payments, it may, at that time, be referred to an outside agency.

ACCOUNTS RECEIVABLE CONTROLS

Some governmental services (such as refuse fees, rescue fees, off-duty fees, alarm citation, etc.) are provided and billed after the date of service. When services are provided by the City prior to the receipt of funds for such services, an on-going accounts receivable system, with documented internal controls, will be maintained for those functions as approved by appropriate officials. Accounts receivable controls and policy will comply with authoritative standards and practices as set forth by the Governmental Accounting Standards Board (GASB) and must conform to applicable state laws.

Receivable balances are formally reported in the Comprehensive Annual Financial Report at fiscal year-end, but will be maintained in the financial system throughout the fiscal year and will have on-going balances and their subsequent receipts monitored by Financial Services personnel throughout the fiscal year. Reconciliation to the general ledger and other supporting accounting ledgers will be performed in a timely manner for receivable balances and subsidiary ledgers. Automated system resources will be utilized where practical to provide better support towards processing and reconciliation. All accounts receivable accounts will be recorded in a manner to permit an analysis of the aging of such receivables (e.g., <30 days, 30-60 days, etc.).

When such accounts are deemed uncollectible (as specified with this policy), they should be written-off from the financial statements. Sound financial management principles include the establishment of an allowance for doubtful accounts in anticipation of periodic write off of uncollectible balances.

ALLOWANCE FOR DOUBTFUL ACCOUNTS

The determination of the need for an allowance for doubtful accounts will be based upon an established method of calculation. The computation of an allowance for doubtful accounts will be adjusted at least annually as of June 30th based upon the aging of such receivables and recent history of write-offs at fiscal year-end, with any material changes reported to appropriate officials. Methods differ dependent upon the type and circumstances of the revenue. Respective calculations used by the City's Financial Services Department are discussed as follows:

Property Taxes

An allowance for doubtful accounts is maintained for ad valorem taxes receivable in an amount equal to an average write-off ratio determined by the percent of the original levy which has normally been written off in the most recent five years experience with write-offs. This is in accordance with North Carolina General Statutes.

Rescue

The allowance for doubtful accounts is maintained monthly for Rescue in an amount equal to an estimated 50% of the outstanding balance. The actual allowance for doubtful accounts is adjusted at year-end to equal 50% of the outstanding balance at year end. Historically, the collection rate for this type of revenue has been between 50% and 58%. Therefore, per the auditor's recommendation, the city's uses 50% as the threshold for establishing the allowance.

Refuse

The allowance for doubtful accounts is maintained for Refuse in an amount equal to the uncollected balance due greater than 150 days old at June 30th of each year.

Stormwater

The allowance for doubtful accounts is maintained for Stormwater in an amount equal to the uncollected balance due greater than 150 days old at June 30th of each year.

Lawn Cutting, Boarded Up Structures, Demolished Structures

The allowance for doubtful accounts will be established and adjusted at fiscal year end to equal the grass lien balances that exceed three years of age but are less than ten years of age from the original billing date.

Miscellaneous

The allowance for doubtful accounts will be established and adjusted at fiscal year end to equal the miscellaneous balances that are greater than 90-days, but less than three years of age from the original billing date.

ACCOUNTS RECEIVABLE BALANCE WRITE-OFF

For write-offs of delinquent accounts, this section establishes thresholds to permit the timely write-off of all receivable categories. Thresholds may vary dependent upon the types and circumstances of the revenue and any related state law. Collection efforts will be performed for a period equivalent to the statute of limitations or sooner if bankruptcy has been discharged for the account, the business no longer exists or the individual is deceased. For any account written-off, customer information will be retained for as long as practically feasible in an automated system in order to continue enforcement of service denied on credit until previously written-off accounts have been paid and all other appropriate collection efforts have been exhausted. The write-off of an account does not preclude the continued pursuit of the debt. Restrictions apply for certain types of delinquent accounts that cannot be written-off (e.g., property taxes) until such time has elapsed as specified by statute. Amounts written-off will not be explicitly disclosed in the Comprehensive Annual Financial Report until the amount collectively exceeds materiality levels as determined by the auditors. Account balance write-offs are determined as follows:

Property Taxes

Uncollected taxes receivable are written-off at the end of ten years in accordance with North Carolina General Statutes (GS. 105-378).

Rescue

Rescue receivables are written off from the receivable accounts when no payment has been received from the customer's insurance company or customer payments within the last 24 months as recommended by the auditors.

Refuse

Refuse balances in excess of three years of age dating from the time of original billing will be written off.

Stormwater

Refuse balances in excess of three years of age dating from the time of original billing will be written off of the receivable account balance.

Lawn Cutting, Boarded Up Structures, Demolished Structures

Balances that have been attached to a lien in excess of ten years of age dating from the original invoice date will be written off. Balances in excess of ten years of age exceed the statutory limitation (GS. 105-378) afforded to charges resulting from minimum housing and nuisance abatement violations.

Miscellaneous

Balances in excess of three years of age dating from the original invoice time will be written off. Balances in excess of three years of age exceed the statutory limitation (GS. 1-52 (1)) afforded to charges resulting as a violation of contract, obligation, or liability arising out of a contract.



City of Greenville, North Carolina

Meeting Date: 11/6/2008
Time: 7:00 PM

Title of Item: Revised Financial Policy Guidelines

Explanation: These policy guidelines are to establish reasonable parameters for the financial operations of the City and to ensure that operating and capital needs are met while maintaining financial stability.

This policy reflects revisions and additions to the City's financial policies. Revisions include changes in debt, reserve, and budget policies. These guidelines also include the addition of the vehicle replacement fund and revenue collections policies. This policy serves as a guideline for managing the City's finances. Having and reviewing a financial policy is one criterion in evaluating the financial strength and capability of a city when it receives its bond rating from the national rating agencies. This revised financial policy will assist the City with maintaining its current bond ratings with Moody's Investors Services and Standard & Poor's. There are some other policies that are detailed and approved separately by City Council (i.e. Investment and Revenue Collections Policies).

As a policy document, this will serve as a planning tool for future financial sustainability. This financial integrity will promote a greater degree of confidence in the City by its citizens, investors, and observers outside of the City. These guidelines, last approved on August 7, 2006, will allow the City to continue to manage its resources in a conservative and professional manner.

Fiscal Note: No funds required.

Recommendation: Approve the revised Financial Policy Guidelines.

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Proposed

Financial Policy Guidelines

For:

City of Greenville, North Carolina

Authority:	North Carolina General Statutes and other Public Finance Law
Supersedes:	Update in August 2006
Review Responsibility:	Financial Services
Review Scheduled:	Annually or as needed
Approval Needed:	City Council

Adopted: _____

FINANCIAL POLICY GUIDELINES

City of Greenville, North Carolina
November 2008

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FINANCIAL POLICY GUIDELINES

City of Greenville, North Carolina
November 2008

FINANCIAL POLICY GUIDELINES – OBJECTIVES

This fiscal policy is a statement of the guidelines and goals that will influence and guide the financial management practice of the City of Greenville, North Carolina. A fiscal policy that is adopted, adhered to, and regularly reviewed as the cornerstone of sound financial management. Effective fiscal policy:

- Contributes significantly to the City’s ability to insulate itself from fiscal crisis,
- Enhances short-term and long-term financial credit ability by helping to achieve the highest credit and bond ratings possible,
- Promotes long-term financial stability by establishing clear and consistent guidelines,
- Directs attention to the total financial picture of the City rather than single issue areas,
- Promotes the view of linking long-run financial planning with day to day operations, and
- Provides the City Council, citizens and the City’s professional management team a framework for measuring the fiscal impact of government services against established fiscal parameters and guidelines.

There are a few identified policies that are elaborated on and approved by City Council within separate documents (i.e. Cash and Investment Policy and Revenue Collections Policy). To these ends, the following fiscal policy statements are presented.

FINANCIAL POLICY GUIDELINES

City of Greenville, North Carolina
November 2008

CAPITAL IMPROVEMENT BUDGET POLICIES

1. The City will prioritize all capital improvements in accordance with an adopted capital improvement program (CIP).
2. The City will develop a five-year plan for capital improvements and review and update the plan at least every two years. The City conducts a needs assessment and projects are ranked according to priority. The estimated costs and potential funding sources for each capital project proposal will be identified before it is submitted for approval. The estimated costs will include consideration for inflation; the inflation rate to be determined annually in the budget process and disclosed in the capital budget. Additional projects can be added to the CIP without ranking, but funding for projects added in this manner are subject to normal operating budget constraints.
3. The City will enact a capital budget at least every two years based on the five-year capital improvement plan. Future capital expenditures necessitated by changes in population, changes in real estate development, or changes in economic base will be calculated and included in capital budget projections.
4. In general, effective maintenance and operations of capital facilities should be given priority over acquisition of new facilities, unless a cost/benefit analysis indicates to the contrary. In addition, state or federal mandates or new service demands may require acquisition of new facilities even when maintenance needs are not fully met.
5. The City will coordinate development of the capital improvement budget with development of the operating budget. Future operating costs associated with new capital improvements will be projected and included in operating budget forecasts.
6. The City will use intergovernmental assistance to finance those capital improvements that are consistent with the capital improvement plan and City priorities, and whose operating and maintenance costs have been included in operating budget forecasts.
7. The City will maintain all its assets at a level adequate to protect the City's capital investment and to minimize future maintenance and replacement costs. The City will maintain accurate information on the condition, lifespan and estimated replacement cost of its major physical assets to assist in long term planning.
8. The City will project its equipment replacement and maintenance needs for the next five years and will update this projection at least every two years. From this projection a maintenance and replacement schedule will be developed.

FINANCIAL POLICY GUIDELINES

City of Greenville, North Carolina
November 2008

CAPITAL IMPROVEMENT BUDGET POLICIES (cont.)

9. The City will identify the estimated costs and potential funding sources for each capital project proposal before it is submitted for approval.
10. The City will attempt to determine the most cost effective and flexible financing method for all new projects.

FINANCIAL POLICY GUIDELINES

City of Greenville, North Carolina
November 2008

VEHICLE REPLACEMENT FUND

1. Biennially, a Public Works team will review all vehicles and place them into categories as described in the vehicle replacement guidelines. The team will consist of the Director of Public Works, Operations Manager, and Fleet Superintendent. This list is included during the budget preparation process. The list is intended to guide the purchase of vehicles/equipment as a part of the City's Vehicle Replacement Program in an efficient and timely manner ensuring the appropriate equipment is purchased.
2. Equipment is evaluated by four criteria: age, mileage, general overall condition, and maintenance cost. Each vehicle is scored on a point system to determine which units are eligible for replacement consideration. Point criteria includes: year of vehicle, mileage, general overall condition and maintenance costs. Any Vehicle that scores a score of 10 or greater will be eligible for replacement.
3. Replacement recommendations will be based on a replacement schedule (vehicles by type) created by the Public Work Department. Any changes to the recommended list must be submitted in writing to the City Manager.
4. City departments will pay monthly replacement rates to fund the vehicle replacement fund in preparation for future scheduled replacements.
5. The monthly rates are calculated based on the cost plus inflation rate of the vehicles on hand within the respective departments. The costs divided by the expected useful life will determine what is paid on a monthly basis to the replacement fund, in order to pay for future replacements. Because the city is forward-funding replacement cost for purchases of future vehicles, an inflation factor of 3-5% per year is included in estimates. The calculation of the monthly charged rates will be based on actual vehicle costs not a budget or estimate.

FINANCIAL POLICY GUIDELINES

City of Greenville, North Carolina
November 2008

DEBT POLICIES

1. The city will confine long-term borrowing to capital improvement or projects that cannot be financed from current revenues or fund balance except where approved justification is provided.
2. The City will utilize a balanced approach to capital funding utilizing debt financing, draws on capital reserves and/or fund balances in excess of policy targets, and current-year (pay-as-you-go) appropriations.
3. When the City finances capital improvements or other projects by issuing bonds or entering into capital leases, it will repay the debt within a period not to exceed the expected useful life of the project. Target debt ratios will be calculated at least every two years and included in the review of financial trends.
4. Where feasible, the City will explore the usage of special assessment, revenue, or other self-supporting bonds instead of general obligation bonds.
5. The City will retire tax anticipation debt, if any, annually when taxes are collected only if cash flow is needed.
6. Prior to the issuance of new General Obligation (GO) debt, consideration shall be given to forecasted tax rate requirements, ratio of net GO debt to assessed taxable value, net GO debt per capita, and debt service payments to General Fund operating budget.
7. Direct net debt as a percentage of total assessed value of taxable property should not exceed 2.5%. Direct net debt is defined as any and all debt that is tax-supported.
8. The ratio of direct debt service expenditures as a percent of total governmental fund expenditures will be targeted to remain at or below 10.0% but in any case should not exceed 12.0% with an aggregate direct debt ten-year principal payout ratio target of 60.0% or better.
9. The City recognizes the importance of underlying and overlapping debt in analyzing financial condition. The City will regularly analyze total indebtedness including underlying and overlapping debt.
10. The City may employ municipal finance professionals to assist in developing a bond issuance strategy, preparing bond documents, and marketing bonds to investors.
11. The City will select a method of sale that is the most appropriate in light of the financial market, transaction-specific conditions, City-related conditions, and in accordance with State law.

FINANCIAL POLICY GUIDELINES

City of Greenville, North Carolina
November 2008

DEBT POLICIES (cont.)

12. The City will use fixed rate debt in most cases to finance its capital needs; however, the City may issue variable rate debt up to 20 percent of its total debt portfolio, when necessary.
13. Debt structures that result in significant “back loading” of debt will be avoided.
14. The Financial Services Director will maintain good communication with bond rating agencies
 - a. The Financial Services Director will provide periodic updates on the City’s financial condition.
 - b. Required disclosure on every financial report and bond prospectus will be followed.
 - c. The City may request ratings prior to the sale of securities from the major rating agencies for municipal bond issues.
15. The City will strive to achieve and maintain the highest credit rating awarded by the municipal bond rating agencies.
16. The City may undertake refinancing of outstanding debt
 - a. When such refinancing allows the City to realize significant debt service savings (net present value savings equal to at least 2.0 percent of the refunded par amount) without lengthening the term of refinanced debt and without increasing debt service in any subsequent year; or
 - b. When the public policy benefits outweigh the costs associated with the issuance of new debt and any increase in annual debt service; or
 - c. When a restrictive covenant is removed to the benefit of the City.
17. The Financial Services Director shall maintain a system of record keeping and reporting to meet the arbitrage rebate compliance requirements for the federal tax code.

FINANCIAL POLICY GUIDELINES

City of Greenville, North Carolina
November 2008

RESERVE POLICIES

1. The City will establish and maintain an Insurance Loss Reserve to pay for needs caused by unforeseen emergencies. This reserve will be maintained at no less than \$2.0 million.
2. In preparation of the last budget ordinance amendment of any given year, the city will review budgeted insurance loss, deductibles and premium accounts. If insurance losses, deductibles, and premiums are less than budgeted for any fiscal year, these unspent monies will be transferred to the Insurance Loss Reserve Fund for future unexpected claims.
3. Unreserved, Undesignated Fund Balances will be funds that remain available for appropriation by the City Council after all commitments for future expenditures, required reserves defined by State statutes, and previous Council designations have been calculated. The City will define these remaining amounts as "available fund balances."
4. The City will strive to maintain an unreserved, undesignated General fund balance at the close of each fiscal year of at least 14.0% of the total annual operating budget.
5. The City Council may, from time-to-time, appropriate fund balances that will reduce unreserved, undesignated fund balances below the 14.0% policy for the purposes of a declared fiscal emergency or other such global purpose as to protect the long-term fiscal security of the City of Greenville. In such circumstances, the Council will adopt a plan to restore the available fund balances to the policy level within 36 months from the date of the appropriation. If restoration cannot be accomplished within such time period without severe hardship to the City, then the Council will establish a different but appropriate time period.
6. The excess unreserved, undesignated fund balance may be used to fund one-time capital expenditures or other one-time costs, if it has not been transferred to the Capital Reserve Fund.

FINANCIAL POLICY GUIDELINES

City of Greenville, North Carolina
November 2008

BUDGET DEVELOPMENT POLICIES

1. The City will develop the Budget in conjunction with a stated program of performance objectives and measures with which to gauge progress toward meeting those objectives.
2. The Financial Services Department will maintain a system for monitoring the City's budget during the fiscal year. This system will provide the Council with monthly information on expenditures and performance at both the department and fund level. Included will be provisions for amending the budget during the year in order to address unanticipated needs, emergencies, or compliance with State of North Carolina budgetary statutes.
3. The City will continue to focus on using one-time or other special revenues for funding special projects.
4. The City will pursue an aggressive policy seeking the collection of delinquent licenses, permits and other fees due to the City.
5. Budgeted contributions for non-profit agencies will continue to be limited to no more than 15.0% of the annual Community Development Block Grant ("CDBG") entitlement funds.
6. For services that benefit specific users, the City shall establish and collect fees to recover the costs of those services. The City Council shall determine the appropriate cost recovery level and establish the fees. Where feasible and desirable, the city shall seek to recover full direct and indirect costs. User fees shall be reviewed on a regular basis to calculate their full cost recovery levels, to compare them to the current fee structure, and to recommend adjustments where necessary.
7. The City shall endeavor to reduce its reliance on property tax revenues by revenue diversification, implementation of user fees, and economic development. The City shall also strive to minimize the property tax burden on Greenville residents.
8. In order to maintain a stable level of services, the City shall use a conservative, objective, and analytical approach when preparing revenue estimates. The process shall include analysis of probable economic changes and their impacts on revenues, historical collection rates, and trends in revenues. This approach should reduce the likelihood of actual revenues falling short of budget estimates during the year and should avoid mid-year service reductions.
9. The City shall take immediate corrective actions if at any time during the fiscal year expenditure and revenue re-estimates are such that an operating deficit (i.e., projected expenditures in excess of projected revenues) is projected at

FINANCIAL POLICY GUIDELINES

City of Greenville, North Carolina
November 2008

BUDGET DEVELOPMENT POLICIES (cont.)

year-end. Corrective actions can include a hiring freeze, expenditure reductions, fee increases, or use of fund balance. Expenditure deferrals into the following fiscal year, short-term loans, or use of one-time revenue sources shall be avoided to balance the budget, for recurring expenditures.

10. The tax rate will be set each year based on the cost of providing general governmental services and paying debt service. Consideration will be given to future net revenue requirements for capital improvement project operational expenditure impacts and programmed debt service.
11. Expenditure budgets are reviewed by staff, the City Manager, and City Council prior to adoption and are continually monitored throughout the budget year. Budgeted funds will be spent for the categorical purposes for which they were intended. The annual operating budget ordinance defines staff authorization for operating budget adjustments. No appropriations of the proceeds of a debt instrument will be made except for the purpose for which such debt instrument was issued. Donations will be spent only toward the intent for which they were given.
12. The City will review the financial position of nonprofit corporations or organizations receiving funding to determine the entity's ability to carry out the intended purpose for which funding was granted. For organizations receiving \$20,000 or more in any fiscal year, the City may require the nonprofit to have an audit or review performed for the fiscal year in which the funds are received and to file a copy with the City.

FINANCIAL POLICY GUIDELINES

City of Greenville, North Carolina
November 2008

CASH MANAGEMENT AND INVESTMENT POLICY

1. The City's cash management consolidates cash balances from all funds to maximize investment earnings (pooling of funds). The accounting for the individual fund cash balances will continue to be maintained separately. Investment income will be allocated to the individual funds based on their respective participation and in accordance with generally accepted accounting principles. Where applicable, this policy also incorporates the following Government Accounting Standards Board Statements:
 - I. GASB Statement No. 31 - *Accounting and Financial Reporting for Certain Investments and External Investment Pools*, implemented July 1, 1997. It should be noted that GASB Statement No. 32 amends No. 31 but only as it applies to Section 457 plans so it is not applicable to the City of Greenville.
 - II. GASB Statement No. 40 – *Deposit and Investment Risk Disclosure, effective July 1, 2004.*
2. The City has established an Investment Policy to provide safe and responsible guidelines for the investment of idle funds in the best interest of the public while fully maximizing the rate of return.
 - ◆ Safety of principal is the highest objective of this policy. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. The objective will be to minimize credit risk and interest rate risk.
 - ◆ The investment portfolio shall remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated. This is accomplished by structuring the maturity of investments to meet the anticipated cash needs. In addition, since all possible cash demands cannot be anticipated, the portfolio will consist largely of securities with active resale markets.
 - ◆ The portfolio shall be designed with the objective of attaining a market rate of return. Return on investment is of secondary importance compared to the safety and liquidity objectives described above. The investments prescribed in this policy are limited to relatively low risk securities and therefore, it is anticipated they will earn a fair return relative to the risk being assumed.
3. The investment committee consists of the City Manager, Assistant City Manager, Director of Financial Services, and Financial Services Manager. Members of the investment committee meet every other month to determine general strategies and monitor results.
4. This Advisory Committee consists of three Greenville, NC residents with qualifications related to investing (i.e. bankers, stock brokers, accountants, economists, etc.). These members will be appointed by City Council and will

FINANCIAL POLICY GUIDELINES

City of Greenville, North Carolina
November 2008

CASH MANAGEMENT AND INVESTMENT POLICY (cont.)

meet three times a year. Members of the Advisory Committee will meet to review the City's current portfolio and any recommendations for new investments that the committee has, in order to determine general strategies and monitor results.

5. The Director Financial Services, or designee, prepares an investment report monthly, which will be provided to the Investment Committee, Investment Advisory Committee and City Council.

FINANCIAL POLICY GUIDELINES

City of Greenville, North Carolina
November 2008

REVENUE COLLECTIONS POLICY

1. The determination of the need for an allowance for doubtful accounts and write-offs will be based on an established method of calculation and computed and adjusted annually.
2. For write-offs of delinquent balances, the policy establishes threshold to permit the timely write-off of all receivable categories. Thresholds vary dependant upon the types and circumstances of the revenue and the related state law.