



Agenda

Greenville City Council

**November 14, 2019
6:00 PM
City Hall Council Chambers**

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

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

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

VII. Special Recognitions

1. 2018 Sustained Professional Purchasing Award
2. Certificate of Achievement for Excellence in Financial Reporting
3. Award for Outstanding Achievement in Popular Annual Financial Reporting

VIII. Appointments

4. Appointments to Boards and Commissions

IX. Consent Agenda

5. Minutes from the October 7 and October 10, 2019 City Council meetings
6. Contract Change Order for professional services for Construction Engineering and Inspection and Construction Materials Testing for the Safe Routes to School Project
7. Resolution Designating the City's Agents for FEMA Funds for Hurricane Dorian
8. Various tax refunds greater than \$100

X. New Business

Public Hearings

9. Ordinance requested by Salvatore Passalacqua to rezone 0.227 acres (9,888+/- square feet) located along the northern right-of-way of Dickinson Avenue between Columbia Avenue and Pennsylvania Avenue from CDF (Downtown Commercial Fringe) to CD (Downtown Commercial)

Other Items of Business

10. Resolution designating and supporting the formation of an Emerald City Arts District
11. Presentation by Co.-X Properties, LLC related to the private development of a boutique style hotel at 421 and 423 Evans Street
12. Budget ordinance amendment #5 to the 2019-2020 City of Greenville budget (Ordinance #19-031), the Special Revenue Grant Fund (Ordinance #11-003), and the Community Development Capital Projects Fund (Ordinance #17-024)

XI. City Manager's Report

XII. Comments from Mayor and City Council

XIII. Closed Session

- To prevent the disclosure of information that is privileged or confidential pursuant to the law of this State or of the United States, or not considered a public record within the meaning of Chapter 132 of the General Statutes, said law rendering the information as privileged or confidential being the Open Meetings Law
- To discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body

XIV. Adjournment



City of Greenville, North Carolina

Meeting Date: 11/14/2019
Time: 6:00 PM

Title of Item: Appointments to Boards and Commissions

Explanation: **Abstract:** The City Council fills vacancies and makes appointments on the City's boards and commissions. Appointments are scheduled to be made to six of the boards and commissions.

Explanation: City Council appointments need to be made to the Community Appearance Commission, Environmental Advisory Commission, Human Relations Council, Police Community Relations Committee, Redevelopment Commission, and the Youth Council.

The City Council updated the Board and Commission Policy on October 9, 2017 to include a provision for extended vacancies:

Nominations for Extended Vacancies

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

Under this provision, the following seats are open to nominations from the City Council:

- Drake Brinkley - Environmental Advisory Commission
- Maurice Whitehurst - Human Relations Council
- 9 spots on the Youth Council

Fiscal Note: No direct fiscal impact.

Recommendation: Make appointments to the Community Appearance Commission, Environmental Advisory Commission, Human Relations Council, Police Community Relations Committee, Redevelopment Commission, and the Youth Council.

ATTACHMENTS:

▣ **Muni_Report_Appointments_to_Boards_and_Commissions_998631**

Appointments to Boards and Commissions

November 2019

Community Appearance Commission

Council Liaison: Council Member Rick Smiley

Name	District #	Current Term	Reappointment Status	Expiration Date
Thomas Alligood	3	First term	Resigned	April 2021

Environmental Advisory Commission

Council Liaison: Council Member Brian Meyerhoeffler, Jr.

Name	District #	Current Term	Reappointment Status	Expiration Date
David Ames <i>(At-Large Member)</i>	4	First term	Eligible	April 2019

Drake Brinkley	5	First term	Resigned	April 2019
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(Lawyer/Someone with knowledge of environmental regulations and environmental safety practices)

Human Relations Council

Council Liaison: Mayor Pro-Tem Rose Glover

Name	District #	Current Term	Reappointment Status	Expiration Date
Martin Montelongo	1	Filling unexpired term	Not seeking 2 nd term	Sept. 2019
Maurice Whitehurst <i>(Pitt Community College)</i>	2	Second term	Did not meet attendance Requirement	Oct. 2015

Police Community Relations Committee

Council Liaison: Council Member Rick Smiley

Current	Reappointment	Expiration
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Name	District #	Term	Status	Date
Greg Rubel <i>(Council Member Will Bell)</i>	2	Second term	Resigned	October 2020

Redevelopment Commission

Council Liaison: Council Member Will Bell

Name	District #	Current Term	Reappointment Status	Expiration Date
Alan Brock <i>(Council Member William Litchfield, Jr.)</i>	1	Filling unexpired term	Resigned	Nov. 14, 2022
Sharif Hatouim <i>(Mayor P.J. Connelly)</i>	4	Final term	Ineligible	Nov. 14, 2019

Youth Council

Council Liaison: Mayor Pro-Tem Rose Glover

Name	Current Term	Reappointment Status	Expiration Date
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9 spots open

*Seats that are open to nomination from the City Council are highlighted.

Applicants for Community Appearance Commission

Gregory Hemby
1410 W. 6th Street
Greenville, NC 27834

Application Date: 4/22/2018

Home Phone: (202) 412-4369

Business Phone:

Email: hembyg@gmail.com

District #: 1

Applicants for Environmental Advisory Commission

Orrin Allen Beasley
3601 Live Oak Lane
Greenville, NC 27858

Application Date: 12/8/2015

District #: 5

Home Phone: (252) 216-6099

Business Phone: (252) 216-6099

Email: oab0119@gmail.com

Applicants for Human Relations Council

Alaric Martin
3195 Boardwalk Lane Apt. #9
Greenville, NC 27834

District #: 2

Keshia B. Williams
945 Spring Forest Rd.
Greenville, NC

District #: 4

Travis Williams
3408 Evans Street Apt. E
Greenville, NC 27834

District #: 5

Stephanie Winfield
1103 Red Banks Road
Greenville, NC

District #: 4

Application Date: 9/4/2018

Home Phone: (919) 924-1631

Business Phone:

Email: amartin@gmail.com

Application Date: 4/24/2018

Home Phone: 252-558-3620

Business Phone:

Email: williak5@pitt.k12.nc.us

Application Date: 4/16/2017

Home Phone: (252) 412-4584

Business Phone:

Email: taft1986@yahoo.com

Application Date: 7/14/2017

Home Phone:

Business Phone:

Email: ladona12@gmail.com

Applicants for Police Community Relations Committee

None.

Applicants for Redevelopment Commission

Jonathan Ganzert
302 South Summit Street
Greenville, NC 27858

District #: 3

Anna L. Logemann
1105 Turtle Creek Road Unit G
Greenville, NC 27858

District #: 4

Zach Nichols
208 Churchill Dr.
Greenville, NC 27858

District #: 5

Deryck Steven Wilson
1744 Beaumont Drive
Greenville, NC 27858

District #: 4

Application Date: 2/19/2019

Home Phone: (704) 550-6031

Business Phone:

Email: ganzert@gmail.com

Application Date: 4/26/2017

Home Phone: (336) 624-6514

Business Phone:

Email: annlogemann85@gmail.com

Application Date: 6/17/2019

Home Phone: (252) 916-2691

Business Phone: (252) 752-7101

Email: dustin@tdgnc.com

Application Date: 11/27/2017

Home Phone: (252) 714-5950

Business Phone: (252) 321-5200

Email: deryck.wilson@me.com

Youth Council

None.



City of Greenville,
North Carolina

Meeting Date: 11/14/2019
Time: 6:00 PM

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- Title of Item:** Minutes from the October 7 and October 10, 2019 City Council meetings
- Explanation:** Proposed minutes from regular City Council meetings held on October 7 and October 10, 2019 are presented for approval.
- Fiscal Note:** There is no direct cost to the City.
- Recommendation:** Review and approve minutes from the regular City Council meetings held on October 7 and October 10, 2019
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ATTACHMENTS:

- ☐ [For_NovusAgenda_Proposed_Minutes_for_October_7_2019_City_Council_Meeting_1118573](#)
- ☐ [For_NovusAgenda_Proposed_Minutes_for_October_10_2019_City_Council_Meeting_1118574](#)

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



A regular meeting of the Greenville City Council was held at 6:00 p.m., on Monday, October 7, 2019 in the Council Chambers, located on the third floor at City Hall, with Mayor P. J. Connelly presiding. Reverend Trev Evans of Koinonia Christian Center Church gave the invocation on behalf of Council Member Monica Daniels, followed by the Pledge of Allegiance led by Council Member Daniels.

Those Present:

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

Those Absent:

None

Also Present:

Ann E. Wall, City Manager; Emanuel D. McGirt, City Attorney; and Polly Jones, Interim City Clerk

APPROVAL OF THE AGENDA

City Manager Wall requested that the City Council consider removing one item from the agenda, specifically, the presentation from the Public Transportation and Parking Commission.

Council Member Bell requested that the City Council consider removing one item from the agenda, specifically, the discussion of Phase 3 of the greenway.

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

PUBLIC COMMENT PERIOD

Gia Lewis – Ruth Court

Ms. Lewis stated that at a previous City Council meeting, there was discussion about the issues in the uptown area. Chief of Police Mark Holtzman gave a presentation, suggesting that the City Council increase the fine for individuals standing on the sidewalks in the



uptown area. She is deeply concerned about the current law is not being used and Chief of Police Holtzman's suggestion.

Ms. Lewis stated that obstruction of a sidewalk seems to be a ticket or citation in lieu of arrest. It is nothing dangerous or aggressive. So to have the Police Chief to suggest that the City increases the amount of a fine and arrest people show a lack of concern for our youth and students at the East Carolina University.

Ms. Lewis stated it was suggested that the City Council vote on increasing the fine after instead of before the election as a way of protecting the Members of the City Council from public outcry. Citizens expect transparency and consideration of the City Council Members' constituents during their decision-making and those should be made with the community and citizens in mind.

Dr. Eve – 1212 Red Banks Road

Dr. Eve made comments about the City's recent attempt to introduce an ordinance, allowing officers to harass another human being for standing on a public sidewalk at the request of another human being, is nothing more than a Jim Crow law. The City Council is trusted to represent the people. For those who thought it was fine to support this ordinance, it is not acceptable plus the elected officials should be ashamed, if they continue not to reject laws that will affect Black people. We can never turn a cheek to racism. Racism is a power we do not have. It is a power that begins with those who create the law.

Sharon Evan – 1657 Cambria Drive

Ms. Evan made comments about the ordinance relating to obstruction of the sidewalks. The issues that the City has with diversity, racism, and racial profiling with the City of Greenville and the Police Department must be addressed. Before the City Council allows an authority to be given that type of power to make those decisions, she is requesting the City to do a study and to reevaluate that.

Ms. Evan stated that there have been numerous complaints for the past three-four years about issues with downtown and East Carolina University (ECU) students. She is an active ECU alumni member and the members are actively seeking ways to address these issues. Other cities are not having these issues in Greenville at other predominantly white institutions in the State of North Carolina. UNC Chapel Hill has done a phenomenal job with making all their students feel included and welcomed. Before the Police Department is allowed to issue tickets for people standing on the sidewalk, the City Council should at least develop a committee and reevaluate that.

Ms. Evan stated that regarding the Imperial Warehouse site, the City Council should make sure that the development of that area is not excluding the residents of West Greenville. A way should be found to make West Greenville residents feel welcomed and included in that process. Another proposed plan for development or something new that does not exclude or segregate those individuals in West Greenville is not needed.



Ms. Davis – No Address Given

Ms. Davis stated that the boys in the audience have been playing soccer together since some of them were six years old and they played in the regionals and nationals. However, they are not allowed to practice at the Bradford Creek Public Golf Course. In the evening, they practice at the Sports Connection, where the gym space is limited, while the teams that they play practice inside year-round.

Ms. Davis stated that the issues spoken earlier during the Public Comment Period should be addressed.

Mayor Connelly requested that City Manager Wall obtain Ms. Davis’ contact information for staff’s follow-up on her complaint.

SPECIAL RECOGNITIONS

Pitt Greenville U14 Boys Soccer Team

Mayor Connelly recognized and congratulated the team members, manager, and coaches, stating that the Pitt Greenville U14 Boys Soccer Team accomplished something this summer that no soccer team from Greenville has ever accomplished. In May 2019, this group of young men won the North Carolina Youth Soccer Association USYS State Cup in convincing fashion to qualify for the USYS Southern Regional in Baton Rouge, LA in June.

Mayor Connelly stated that in that regional, the team overcame other state champions from Tennessee, Alabama, Florida, and South Carolina to win the regional title – the first regional title for any youth soccer team from anywhere in eastern North Carolina. The regional win secured the team one of only eight spots in the USYS National Championship Series in Overland Park, Kansas in July.

Mayor Connelly stated that while the team’s bid for a national title fell just short, the Pitt Greenville U14 Boys Soccer Team made history in its run through the Southern Regionals.

Mayor Connelly and Council Member Meyerhoeffer presented certificates of recognition to the team members.

Team Members

Mark Gibson	Andy Giordono
Walker Barnes	Cole Buck
David Calhoun	Reeves Cates
Jackson Coston	Ryan Davis
Zaiere Evans	Diego Gonzalez
Austin Harrell	Harrison Janke
Corbin Jefferson	Thomas Lowry



Kevin Moran	Ariel Nunez
Angel Perralta-Olan	Jorge Rivera-Barraza
Mason Ross	Steven Starling
Coen Thompson	Connor Woelfel

Phelicia Price – World Transplant Games

Mayor Connelly recognized Ms. Phelicia Price for the courage, dedication, and effort that she demonstrated while competing at the World Transplant Games in Newcastle of the United Kingdom in August. She was diagnosed with kidney failure in 2010, and she underwent a transplant in 2016. The procedure taught her to appreciate life and work even harder to pursue the things that she loves while also becoming an advocate for health awareness and organ donations. During the World Transplant Games, Ms. Price competed in track and field and several other cultural events with more than 2,500 competitors from 70 countries. During the competition, she represented the City well, and the City of Greenville is proud to honor her for that tonight.

Greenville-Pitt County Convention & Visitors Bureau Awards – Destination Marketing Achievement 2019 Platinum Award for Community Relations and North Carolina Travel & Tourism Industry Association’s Rising Star Award (Paul Sheehan)

Mayor Connelly recognized and congratulated Mr. Paul Sheehan for being honored with the North Carolina Travel & Tourism Association’s 2019 Rising Star Award. Mr. Sheehan was honored with this award for his immediate impact working with Visit Greenville, NC and in tourism and sports marketing in North Carolina.

Mayor Connelly stated that Mr. Sheehan is the director of sports development for the newly formed Greenville-Pitt County Sports Commission, a division of Visit Greenville, NC. He joined Visit Greenville, NC in the fall of 2017 as a Sports Development intern and assisted with services offered to tournaments being held in Greenville and Pitt County. He was promoted to the full-time position of Assistant Director of Sports Development in July 2018. During fiscal year 2018 – 2019, he assisted with the booking of 63 tournaments, including rugby, soccer, Ultimate Frisbee, swimming, cycling, and many others, which resulted in over \$13 million in estimated economic impact. In July 2019, Mr. Sheehan was promoted to the position of Director of Sports Development under the newly formed Greenville-Pitt County Sports Commission.

Visit Greenville, NC (also known as the Greenville-Pitt County Convention & Visitors Bureau)

Mayor Connelly recognized and congratulated the Visit Greenville, NC organization for its award from the North Carolina Travel & Tourism Association. Visit Greenville, NC won a Destination Marketing Achievement Platinum Award for Community Relations for mid-sized Destination Marketing Organizations (DMO’s) for its Visit Greenville, NC Advocacy Plan. The advocacy plan is a guide for staff, board members, and partners to help advocate for tourism and its role in economic development, as well as tourism-related infrastructure growth in Greenville and Pitt County.



Mayor Connelly stated that according to staff, the advocacy plan is an important tool that is used to educate both stakeholders and local residents about the important economic and place-making role tourism plays within our destination.

CONSENT AGENDA

- Minutes from the September 9, 2019 City Council workshop and September 9 and September 12, 2019 regular City Council meetings
- *Removed for Separate Discussion* - Ordinance to Amend the Manual of Fees to adjust charges for Asphalt and Concrete Utility Cut Repairs within the City
- *Removed for Separate Discussion* - Contract award for Task Order 1 (final design) for the Elm Street Drainage Improvement Project
- Contract award for the South Tar River Greenway Phase 3 Project and resolution requesting concurrence in award from the North Carolina Department of Transportation
- Supplemental Municipal Agreement with the North Carolina Department of Transportation for Construction of the South Tar River Greenway Phase 3 – Pitt Street to east of Memorial Drive
- Agreement with CSX Transportation, Inc. for services associated with construction of the South Tar River Greenway Phase 3 – Pitt Street to Nash Street
- Approval to purchase new stormwater vehicles for the Public Works Department
- *Removed for Separate Discussion* - Purchase of replacement vehicles and equipment for various City departments
- Various tax refunds greater than \$100

Council Member Bell asked that one item be removed from the Consent Agenda for separate discussion, specifically, the contract award for the South Tar River Greenway Phase 3 Project and resolution requesting concurrence in award from the North Carolina Department of Transportation.

Mayor Connelly asked that two items be removed from the Consent Agenda for separate discussion: 1) ordinance to amend the Manual of Fees to adjust charges for asphalt and concrete utility cut repairs within the City and 2) purchase of replacement vehicles for various City departments.



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

CONSENT AGENDA ITEMS FOR SEPARATE DISCUSSION

ORDINANCE TO AMEND THE MANUAL OF FEES TO ADJUST CHARGES FOR ASPHALT AND CONCRETE UTILITY CUT REPAIRS WITHIN THE CITY – (Ordinance No. 19-046)

Mayor Connelly stated staff is recommending that the City will charge a \$100 administrative fee for each utility cut, which will cover the cost of the services being provided through administration. His concern is whether the City will be able to justify that fee. Mayor Connelly asked how is the process set up when staff calls a subcontractor.

Public Works Director Kevin Mulligan responded staff will determine the unit prices and line items, and how much cubic yards of asphalt, concrete, stone and curbing are required. Staff will work with the contractor and identify all of the utility cuts and a list of the utility cuts to be done will be sent to the contractor. Staff will inspect each utility cut before the work begins and after the contractor has completed the work. Staff is meeting the contractor to determine what is needed to repair the road adequately. There is a lot of in the field inspection and concurrence with the contractor.

Mayor Connelly asked how is staff determining which contractors will be able to do the work.

Director Mulligan responded that staff would publicly bid out the work. The lowest responsive bidder would be awarded the contract.

Mayor Connelly asked whether the contractor will be required to go through a process to be authorized to be on the list. Is there a process for that or can anybody who has the capability, meets the criteria, and has the insurance requirements complete the necessary work?

Director Mulligan responded the City does not pre-certify the contractors. When the bids are submitted along with bid bonds, staff would investigate the contractors' references, ability to perform, equipment to be used, and financial resources.

Mayor Connelly stated that the purpose of this process is to recoup the actual cost of what it actually takes to be able to repair a utility cut.

Director Mulligan responded that is correct. Recently, a contractor completed 50 utility cuts in the last 2 1/2 months for a total cost of \$275,000. As currently crafted, the City is able to recover less than 50% of that amount. Staff wants to remove that from happening again and whatever the current rates are, the City wants to bill the contractor for that



amount. If a specific number is used, it will be outdated a week later. The result of this requested change of fees will be 100% recovery of the costs from the utility owners for repairs.

Mayor Connelly asked where is the administrative fees revenue going.

Director Mulligan responded that all the revenue will be returned to pay for the utility cuts so that the City will have a rotating fund. The City will pay the contractor and get the exact money back so the program is self-sustaining.

Motion was made by Council Member Bell and seconded by Council Member Smiley to adopt the ordinance. Motion carried unanimously.

CONTRACT AWARD FOR THE SOUTH TAR RIVER GREENWAY PHASE 3 PROJECT AND RESOLUTION REQUESTING CONCURRENCE IN AWARD FROM THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION – (Resolution No. 036-19)

Public Works Director Kelvin Mulligan explained that the rebid of the South Tar River Greenway Phase 3 Project was done in late June 2019. The City requested additional money from the North Carolina Department of Transportation (NCDOT) for the project. The base bid is construction of the main trail from 1st Street Place Apartments to Nash Street, east of Memorial Drive. The second phase will continue all the way to Moye Boulevard near the Veterans Administration Clinic.

Director Mulligan summarized the three alternates:

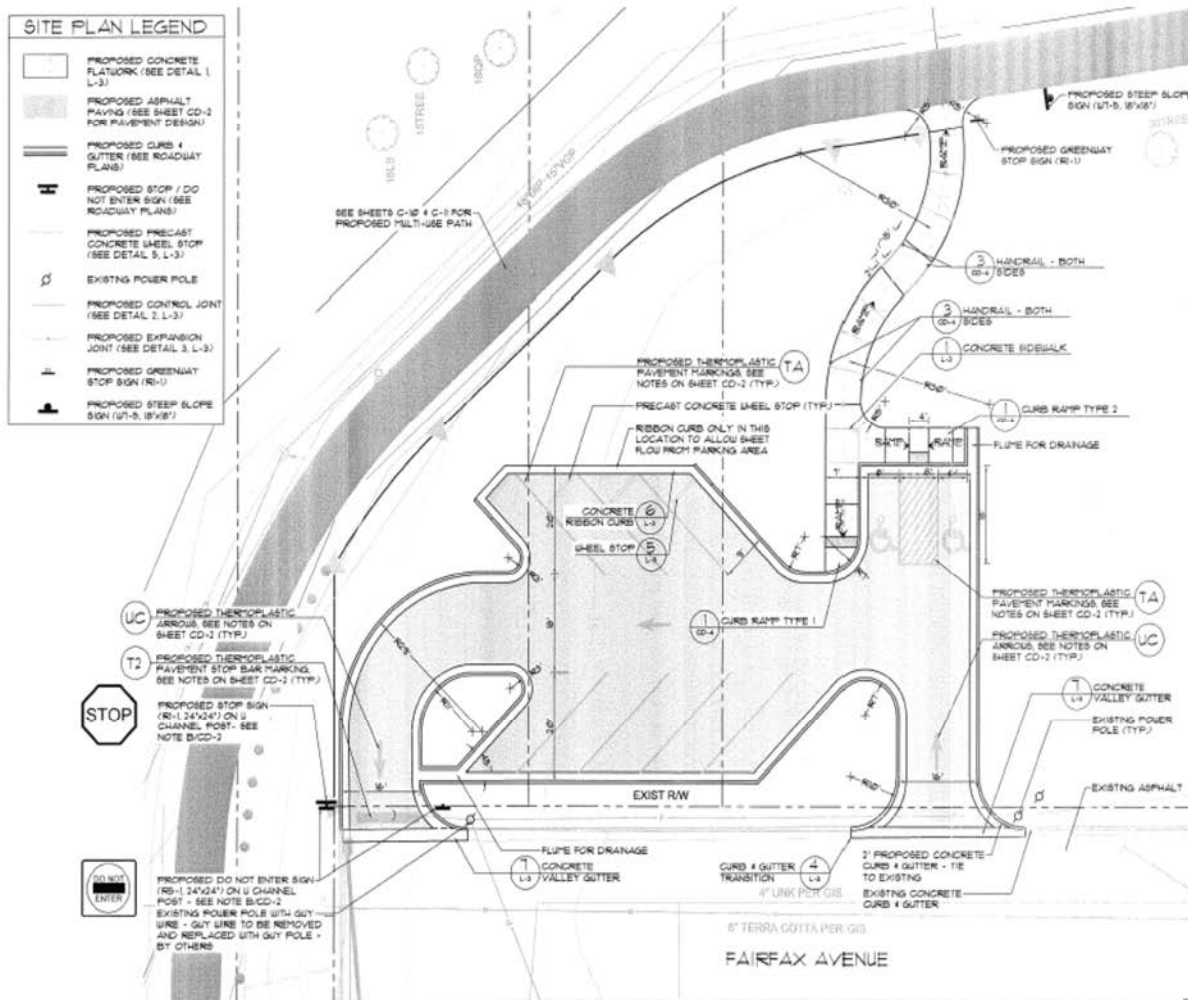
South Tar River Greenway Phase 3A Base Bid and Alternates

- Base Bid – Main Trail: 4,200 LF -10' wide paved asphalt greenway path.
- Alternate #1 –Replace drainage structure on Colonial Avenue.
- Alternate #2 – Fairfax Ave. Trailhead: Paved trailhead parking area for 11 vehicles.
- Alternate #4 – Concrete boardwalk with metal rails in-lieu-of pressure-treated boardwalk (extend life of boardwalk)

Director Mulligan stated the following is a plan of the Fairfax Avenue trailhead/parking area as well as connection to the greenway.



Fairfax Avenue Trailhead/Parking



Director Mulligan explained that the concrete boardwalks and fencing will provide a much longer life than the yellow pine wood. There is benefit to staying along the river the entire way. Staff also looked at going back up heading south and then across the railroad tracks about a block and a half later. Because of that distance, the cost was relatively the same and the City would still need flag protection from CSX in order to do the work.

Director Mulligan stated that the funding amount for this project is as follows:



FUNDING

SOUTH TAR RIVER GREENWAY PHASE 3A		
REVENUE SUMMARY		
ITEM	AMOUNT	DESCRIPTION
CPPW GRANT	\$50,000	Pitt County Health Department Planning Grant - (100%)
GRANT REVENUE #1	\$907,609	Original Agreement, Federal portion (80%)
NON-GRANT REVENUE	\$226,902	City 20% match to original grant
GRANT REVENUE #2	\$903,000	Supplemental Municipal Agreement #1, 80% Fed/20% State/0% City
GRANT REVENUE #3	\$1,440,000	Supplemental Municipal Agreement #3, Federal portion (80%)
NON-GRANT REVENUE	\$360,000	City 20% match for Supplemental Agreement #3
GRANT REVENUE #4	\$703,191	Supplemental Municipal Agreement #4, Federal portion (80%)
NON-GRANT REVENUE	\$175,798	City 20% match for Supplemental Agreement #4
TOTAL REVENUES	\$4,766,500	

Director Mulligan explained that everything is the same since staff's last presentation with the exception of the supplemental agreement with Grant Revenue #4. The NCDOT amount is an additional \$703,191 and the City's 20% match is \$175,798. With a total of \$4,766,500, the City is contributing about \$760,000.

Director Mulligan summarized the project cost of \$4,389,040:

PROJECT COST

EXPENDITURES - CURRENT AND ANTICIPATED		
ITEM	AMOUNT	DESCRIPTION
DESIGN/CEI	\$800,000	Kimley Horne, CSX & SEPI
ACQUISITION	\$81,500	Parcel acquisitions and attorney fees
SUBTOTAL	\$881,500	
CONTRACTOR - FRED SMITH COMPANY - BID SUMMARY		
ITEM	AMOUNT	DESCRIPTION
BASE BID	\$2,915,165	Base Bid for greenway from 1st Place Apartments to Nash Street
ALTERNATE 1	\$7,050	Replace drainage structure
ALTERNATE 2	\$118,458	Fairfax Avenue Trailhead
ALTERNATE 4	\$148,000	Precast Concrete Boardwalks with Metal Railing
	\$3,188,673	
10% CONTINGENCY	\$318,867	
SUBTOTAL	\$3,507,540	
TOTAL COST	\$4,389,040	

Director Mulligan stated that the cost is approximately \$300,000 higher than the bid that was done a year ago. Adding a 10% contingency for any possible fuel conditions and change orders, the construction of this project would be \$3,507,540 with a total cost of \$4,389,040.



Director Mulligan summarized the schedule for the projects, stating that the Concurrence in Award from the NCDOT after the approval of a contract award by the City Council typically takes 3-4 weeks. Final execution of the contract after the concurrence usually takes 2-3 weeks. A notice to proceed will take place early 2020 and clearing and scrubbing should start in the January or February. The construction period consist of interim contract time for the construction of the greenway of 255 days with the base bid and alternates as well as 180 days for the vegetative period, which gives the extension for planting in the right season.

Director Mulligan stated that staff recommends that the City Council award a construction contract for the South Tar River Greenway Phase 3 project to Fred Smith Company in the amount of \$3,188,673 with a 10% contingency. Also, staff recommends the approval of the resolution, requesting a Concurrence in Award from the North Carolina Department of Transportation.

Council Member Bell stated that he asked that this item be removed for separate discussion so that the citizens will be informed of the update on this project. It is exciting to hear that the City is making progress on this project.

Council Member Litchfield stated that this is a wonderful opportunity to increase connectivity throughout Greenville especially connecting West Greenville and the hospital to the downtown area. The lowest responsive bidder is a contractor who was working on another project in Greenville when they bid on the South Tar River Greenway Phase 3 Project. Council Member Litchfield asked how comfortable is staff with the results of this contractor's last project. Were the results delivered in a timely fashion and was the project managed accordingly?

Director Mulligan responded that he feels that the contractor will do a good job on this project. The contractor has a very good reputation and the workforce at their product expressed that a good job was done.

After discussion about the possibility of the CSX charging the City for services outside of the 80-day period, Mayor Connelly asked whether staff could add a friendly amendment to the contract stating that not to exceed a certain amount of timeframe for the CSX portion of the project. That they are required to have it done within an 80-day time period and will not hold the City liable for any expenses that are incurred based on the extension of the contract.

City Attorney Emanuel McGirt stated that the City could approach the contractor about an amendment to the contract, requiring the contractor to make the City whole if the City has to pay CSX for services outside of the 80-day period. This was a publicly bid contract so the City probably could not change the terms of the bid. The contractor can voluntarily agree to make the City whole, but the City could not pay any additional monies because it was a publicly bid contract.



Motion was made by Council Member Smiley and seconded by Council Member Bell to approve the contract award and the resolution requesting a Concurrence in Award.

After a brief discussion about an amendment to the CSX contract, the motion to approve the contract award and the resolution requesting a Concurrence in Award was carried unanimously.

NEW BUSINESS

PRESENTATIONS BY BOARDS AND COMMISSIONS

Human Relations Council

Interim Chairperson Samar Badwan gave the following detailed annual report:

“COPY”

GREENVILLE HUMAN RELATIONS COUNCIL

Annual Report

Monday, October 7, 2019

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

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

THE ROLE OF THE COUNCIL is to:

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

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



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

INITIATIVES

The Council's 2019 events, projects and activities include:

1. In observation of Human Relations Month, the Human Relations Council sponsored the City's 48th annual award ceremony and reception on Saturday, February 23rd. The awards ceremony recognizes and promotes residents who are dedicated for their humanitarian and volunteerism efforts. Volunteers create better environments for others; they create healthier communities, and they brighten lives. It allows us to create connections with a wide variety of people from all sorts of walks of life.
2. The month of April is Fair Housing Month. The Council's fair housing seminar was held on Tuesday, April 9th. Presenters were: Mr. Gene Troy, with North Carolina Human Relations Commission, Raleigh, NC; Attorney Chris Loeb sack, Managing Principal of Loeb sack & Brownlee, Charlotte, NC; and representatives from the City's Fire/Rescue Department. Discussion topics were: Reasonable Accommodations and Modifications, service vs companion animals, leasing laws; to include security deposits, record keeping, screening process and criminal record laws; fire safety, fire alarms and carbon monoxide detectors.

The Administrative and Housing Divisions of the Planning and Development Services Department partnered with the Greenville Housing Authority to sponsor a fair housing workshop with tenants. The presenter was Ms. Latoya Blackwell, an investigator with the North Carolina Human Relations Commission, Raleigh, NC. This workshop was held on Tuesday, April 23rd.

The Community Relations Officer continues to conduct fair housing seminars to ESL students at Pitt Community College and present monthly fair housing seminars to participants in the City's First Time Homebuyers Workshops.

3. From January – September 2019, staff has responded to 106 tenant/landlord complaints. Majority of the complaints relates to refunding of security deposits, evictions, and appliances and air conditioners not working.
4. The City's Inclusive Community Breakfast is held annually on the fourth Thursday in September. The 2019 Inclusive Community Breakfast was held on Thursday, September 26th at 8:30am. The theme was "Eyes Wide Open" and our presenters were Mrs. Portia Willis, Outreach Educator/Victim Advocate for the Center for Family Violence; and Mrs. Latina Shelley, the founder of Ladies of Purpose, a nonprofit that helps women who dealing with domestic violence.



5. The City’s second annual **GAME P.L.A.Y** event will take place Thursday, November 7th from 2:00 – 5:00 pm at the Eppes Recreation Center. Members of the Human Relations Council and various representatives from City Departments and the Boys and Girls Club had the awesome responsibility of organizing this event. Representatives serving on the committee are: **City Manager Office, Greenville Police Department, Recreation and Parks Department, Pitt County Boys and Girls** and the owners of GAME P.L.A.Y, Dion Dail and Gera Miles.
6. Senior Citizens Christmas Celebration is held the first Thursday in December. The celebration was held at the Drew Steele Center. City staff and the Human Relations Council will spearhead this event. Staff from various City Departments support us by serving as volunteers: City Manager’s Office, the Police Department, Fire/Rescue Department, Sheriff’s Department and members of the Community.
7. The Human Relations Council in partnership with the Mayor’s Office and the City Manager’s Office will host a series of community leaders’ meetings. The purpose of this partnership is to provide opportunities for leaders to work with the Mayor and City Manager to address the needs, issues and concerns of the community. The first community meeting was held on Thursday, August 1st, and the second community meeting was held on Thursday, August 22nd. A diverse group of leaders attended those meetings and to address issues/concerns of the citizens of Greenville/Pitt County.

The Human Relations Council believes that in order to improve the quality of life for all residents, we have to listen to their voices. On August 29th, the Human Relations Council, the Mayor and City Manager Offices hosted a community forum for residents: Connecting People: Listening to the Heartbeat of our Greenville Community. Mayor P. J. Connelly, the City Manager Ann Wall and approximately 100 residents came out to voice their concerns/issues for the Greenville community. Forty of the 50 residents who pledged their commitment to continue working with the partnership, met Wednesday, September 18th and developed a listing of initiatives/goals and activities. This information and established timelines will be presented to the Mayor and City Manager within the next week.

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

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Youth Council

Vice-Chairperson Jenna Lee gave the following detailed annual report:

“COPY”

GREENVILLE YOUTH COUNCIL

Annual Report



October 7, 2019

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

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

The Council has thirteen (13) students serving and five (7) vacant slots; and members are currently recruiting to get those position filled. The staff liaison and four members of the Human Relations Council serve as advisors. The advisors assist with implementing events/activities of the Council.

Youth Council meetings are held on the fourth Monday at 6:30 pm. The Council does not meet in June and July.

The Council is a great way for the City to continue its efforts of providing a creative outlet for the youth to continue learning the value of teamwork, respect for self and others, a strong work ethic and what it means to be a responsible citizen.

The Council's focus is to give the next generation of leaders a voice in Greenville and Pitt County by empowering members to advocate for causes relevant to all youth and to collaborate and serve as one united voice for local youth.

The Council sponsored two "Letting Our Voices Be Heard" community dialogues in November 2018 and January 2019; the Council volunteered and participated in the City's first GAME P.L.A.Y event, held on Wednesday, November 14th at South Greenville School; and the Council participated in a food drive benefiting the following agencies: (1) Joy Soup Kitchen, (2) Community Crossroads and (3) Grifton Mission Ministries.

Jamia Galloway and Jeffrey Moore, our newest members of the Council, attended the City's Inclusive Community Breakfast on Thursday, September 26th at 8:30 am.

The August 2019 meeting was orientation for new and returning members. At the Council's, September 22nd meeting, a number of projects and activities were discussed for the upcoming months:

- Adopt A Street Program. The Council would like to participate in the City's Adopt A Street Program. The advisors will review the information and discuss with the Council at our October 28th meeting.
- State Youth Council. The Council wants to be chartered by the State. This will provide opportunities for the Council to attend leadership training and get to meet other youth and learn about other local councils.
- Volunteer at the Little Willie Center and provide supplies for children they serve.
- Volunteer at the Joy Soup Kitchen and provide food items needed to help serve the homeless during the Thanksgiving holidays.



- Volunteer and participate in the upcoming GAME P.L.A.Y. event scheduled for Thursday, November 7th at Eppes Recreation Center.
- Create ways to become more transparent by utilizing various channels of communication that's provided by the City; such as, GTV-9.
- The Council would like to sponsor a fun event for youth (youth fest).
- The Council will continue its series of "Letting Our Voices Be Heard" community dialogues in 2020. These dialogues are designed to give youth a platform, where they can discuss the latest current events and hot social trends in an informal setting, and share and discuss matters of the heart. For the first dialogue we anticipate inviting, the Mayor, the City Manager and Chief of Police for a round table discussion.

Thank you for your time and support.

"END COPY"

Removed From the Agenda – Public Transportation and Parking Commission

PRESENTATION BY SEACOAST COMMUNITIES RELATED TO THE PRIVATE DEVELOPMENT OF THE IMPERIAL TOBACCO WAREHOUSE PROPERTY

Mr. Jim Blount and Rick Banning of Seacoast Communities gave information regarding the proposed development of the Imperial Tobacco Warehouse property. Mr. Banning stated that Seacoast Communities led the development of the Dickinson Lofts and University Edge projects in Greenville. They have been working with the City for the last 2 ½ years to develop a plan for the existing Imperial Tobacco Warehouse site, which consist of eight acres. Seacoast Communities will be part of developing six acres of that site. After many iterations of going through different versions, ideas, and concepts, Seacoast Communities has finalized the best use plan for the site.

Mr. Banning stated that the design includes two major components: 1) hotel and 2) market rate multi-family housing. The total development cost is estimated to be \$41 million with the market-rate housing component estimated at \$25 million and \$16 million for the hotel component. Additionally, the plan incorporates a multi-use parking/gathering area for outdoor events such as shows and markets. An attempt will be made to restore the historical Imperial administration building, which is in the center of the project, for potential use of office or some type of incubator space.

Mr. Banning stated that the project will be developed in two phases. Phase I will be the hotel, consisting of about two acres and Phase II will be the housing component, which is about four acres.

Mr. Blount stated that a 100-bedroom hotel with adequate parking of 120 spaces is being proposed on the south end of the first phase. Seacoast Communities hired a hotel consultant two years ago and looked at sites throughout the City of Greenville. The location



coming over the 10th Street Connector is astounding when visualizing where a hotel could be in Greenville. Seacoast Communities is planning to develop a contemporary boutique hotel, which is similar to an A-Loft and AC Hotel brand. Additionally, the Marriott and Hilton brands are being considered.

Mr. Blount stated that a rooftop lounge has gained a lot of excitement and Seacoast feels that will be a great amenity to the project. A signature hotel located downtown is essential for the success of the Center City's tourism efforts, adding 80-100 visitors per night in the downtown area. Without a downtown hotel, Greenville is kicked out of a lot of potential events.

Mr. Blount stated that regarding Phase II, the market-rate housing component consists of two structures. One structure is 166 plus units along Atlantic Avenue with adequate parking for this plan. The other structure is a 38-unit approximately 8,000 square feet with 1,200 square feet of ground floor retail frontage on Clark Avenue at the corner of Eighth Street. There will be amenities including a pool, Pet Park, and other things. This will be the downtown's first all conventional market-rate housing project. Some market-rate housing was added into Seacoast Communities' other project, but some student housing is located on the other side. There will be 250-300 new residents. This housing component is targeting young professionals, working adults, corporate employees, and East Carolina University faculty.

Mr. Blount stated there is some documentation by the Kimley-Horn Associates relating to student and market-rate apartment housing in the City. Seacoast Communities understands the overbuilt student housing market and does not intend to compete with its student housing projects in the City. The proposed housing will not be marketed to students and will not have quad suites (4-bedrooms). Additionally, the proposed housing will have significant lease restrictions, allow one lease per unit, allow some term leases that are longer, parents are not allowed to co-sign on the lease (which is what happens with student housing), and higher rental rates for conventional market than student housing. Mr. Blount stated that the acreage on the Clark Street side of the site will be used for the Imperial Community Plaza, and Seacoast Communities feels that will be one of the best additions to that area of Dickinson Avenue. The plaza will be a gathering area for the public and will double as a parking lot during the day. At night, it can be a gathering place for concerts, art shows, and movies and it will be for the entire community.

Mr. Blount stated that another great addition to the site is all trails will lead to the Imperial Place. Once Phase 3 of the greenway is done, there will be access through the greenway system where someone can actually bike from the Imperial site down to the greenway system. If you are a medical campus employee, you can get on the greenway from the Imperial site and bike all the way to the Vidant Medical campus and back, which is a great marketing tool for Vidant to have.

Mr. Banning stated that one big piece of connectivity is the Imperial site is in the middle of the University and Vidant. So, it is a good bridge spot and centerpiece for connecting the



two, allowing for the hotel, which is allowing housing to support the University and Vidant and the other corporations and businesses in the community.

Mr. Blount stated that there has been a lot of discussion about the historic building, the reuse of it, and its poor condition. Seacoast Communities is full willing to secure State and Federal historic tax credits to redevelop the entire historic building. The historic building will be restored to its original historical character, but the use is unknown now. There are a lot of opportunities. There is a build grant project in place and Seacoast Communities might be able to have office space, a nonprofit, or retail in the building. The goal is to have the commitment to secure the tax credits and renovate the building. It will be a great addition to the entire site.

Mr. Banning made comments about the land acquisition, stating that the acquisition process will be completed through a negotiated purchase agreement between Seacoast Communities and the City of Greenville, based on an appraised value at the time that the purchase agreement is finalized. The City will survey the property to determine the exact acreage of what will be encompassed into the purchase agreement and that will be outlined and incorporated in the purchase agreement.

Mr. Banning stated that there will be two phases of the purchase. The first phase will be the hotel and the second phase will be the housing. The City will certify the environmental cleanup, which Seacoast Communities has been working on for months already and looking at the cleanup that has been done. They are in good shape with the environmental conditions. The City is barring a couple of areas that Seacoast Communities will probably encapsulate, if there are issues with the site area that are still out there.

Mr. Banning stated that the first phase aggressive completion date is 2021, but Seacoast is looking to be able to have a building permit submitted within a year of the execution of the purchase agreement. The hotel component expected development is within 20-24 months upon receipt of the building permit. Phase II, the housing component, will follow and it will probably be midstride of development and construction of the hotel component. That is when Seacoast Communities will execute, develop, and build the housing component of the project.

Mr. Banning stated that part of the Letter of Intent and the purchase agreement, Seacoast Communities is requesting that the City fund the public infrastructure, the City's plaza parking area, and then a small portion of Atlantic Avenue. The City is in the process of all the removal and demolition of the existing Imperial infrastructure. In order to make this project feasible, Seacoast Communities has requested 75% of the annual property tax for 12 years for development of the project.

Assistant City Manager Michael Cowin gave information about the proposed development's impact to the City of Greenville. He stated that the proposed developer investment includes \$16 million for the hotel and \$25 million for the market rate housing, which would be a total of \$41 million. An overall of what this does to uptown Greenville and the Dickinson



Avenue corridor is it puts the Imperial property back on the tax rolls, increases the number of people within the Dickinson Avenue corridor to 300-400 per day, increases annual tax revenues by approximately \$195,000 (includes property and sales tax), and enhances the opportunity for future economic growth uptown.

Assistant City Manager Cowin summarized the financial impact of both the revenues and the expenses of the project over a 15-year period. The sale of the property is about \$3 million for approximately six acres. Tax revenues are estimated at \$2,307,520. \$1,883,700 is the estimate for property tax revenues at the current rate of 52 cents, sales tax is projected at \$262,800 and with the addition of the Dickinson Avenue property tax at \$161,020. With the timeframe, \$5,307,520 is the total for revenues.

Assistant City Manager Cowin summarized the financial impact of the expenses of the project, stating that the public infrastructure and site development are projected at (\$1,500,000). That includes the partial rebuild of Atlantic Avenue as well as the community plaza, including public art and a parking lot. The capital investment grant for the hotel over a 12-year period is (\$561,600). The overall expenses are (\$2,061,600). Over the timeframe of 15 years, a positive net of \$3,245,920 is expected. A breakdown of the pro forma on a 5, 10 and 15-year basis is as follows:

IMPACT TO THE CITY OF GREENVILLE

15 Year Pro Forma			
	Projected Revenue	Projected Expense	Net
Years 1 - 5	\$ 3,355,120	\$ 1,640,400	\$ 1,714,720
Years 6 - 10	976,200	234,000	742,200
Years 11 - 15	976,200	187,200	789,000
Total	\$ 5,307,520	\$ 2,061,600	\$ 3,245,920

Assistant City Manager Cowin stated that the first step is to formulate a Letter of Intent. Staff has been looking at various language that would be included within the letter, which is a nonbinding agreement laying out the terms of the agreement that would be agreeable by both the developer and the City. The goal would be to present that Letter of Intent to the City Council for approval in October or November or the earliest time possible.

Council Member Daniels asked how residents feel about the community plaza.

Mr. Banning stated that he looked at the overviews from the findings several years ago, and he feels that the community plaza is a great addition to the project. That was an area to be developed for housing. Seacoast Communities has foregone that and has allowed the City to come up with a plan that will allow anyone to come in on this community plaza and have an event. It would be a gathering place. So as far as bringing people together, it is a homerun. West and East Greenville, the college students and of course there would have to



be steps and permits to be approved before they are able to use the plaza, but basically they are on the Imperial site. That acreage is part of the Imperial site.

Council Member Daniels asked about the affordability for all residents, including those who live in West Greenville.

Mr. Banning responded that Seacoast Communities is building the project in line with the average medium income in Greenville. Our rates will afford what that income is and they must have a pro forma to make the project run in the black and to receive approval to be built. The rates will be in line with other market rate projects in the community.

Mayor Pro-Tem Glover asked whether Seacoast Communities met with any residents in West Greenville.

Mr. Banning responded that he attended the workshops in 2017 when the public attended those meetings. He has not had any meetings with any West Greenville residents other than attending those workshops, but he is more than happy to meet with them. He feels that the community plaza and hotel rooftop are available for the public. Those will be great amenities for that area. West Greenville residents could ride a bike or walk to meet their relatives at the hotel where their relatives will be staying.

Mr. Banning stated that Seacoast Communities would probably like to see some public and community input participation as they go through the detailed design process.

Mayor Pro-Tem Glover suggested that the hotel should have some information within it about the history of the community. She stayed at a hotel in Indianapolis that was built in a Native American Indian community and they incorporated the community's history within the hotel. To incorporate some community history with the planned art for the project would be good. Even though everybody refers to the area as uptown Greenville, it is West Greenville. Something is needed in the project to tell stories about the community because people who live in West Greenville along with their relatives worked at the tobacco warehouse.

Mr. Banning stated that it is important to incorporate local culture and history into the art and interior design of the project.

Mr. Blount stated that there are taglines called soft brand, which is when the hotel builder can actually place artwork inside the hotel, such as ECU pirate stuff, tobacco, or anything that connects back to that site. They can definitely discuss that with the co-development partner chosen for the hotel.

Council Member Daniels stated that she feels that incorporating some of the history of the community in the project is a great idea. Once the building becomes a historical site that would be a wonderful place to put things from the neighborhood. Seacoast Communities can get input from individuals who live throughout the neighborhood.



Council Member Daniels stated that in 2017, a meeting was held at the Eppes Center showing the community what was going on and what the expectations were going to be for the Imperial site. Council Member Daniels asked whether there has been anything else informative done since that time, involving the community.

Mr. Banning responded that to his knowledge, there have not been any more sessions.

Council Member Daniels asked whether something could be planned for the West Greenville community.

Mr. Banning responded that some public input would be suggested during the time to produce the detailed site designs and concepts and when the architect is making recommendations about the hotel and building interior designs.

Council Member Smiley stated this was a tobacco processing facility that all the warehouses grouped around, and the middle office was designated as the office for the factory. Certainly, Seacoast Communities will find an East Carolina collection and any number of local collections and a lot of extraordinary imagery from that area. The people in the Hicks neighborhood and other surrounding neighborhoods largely worked in that factory.

Mayor Pro-Tem Glover stated that so many generations of people worked at the warehouses in Greenville. But if the City is going to do something in West Greenville, meetings should be held there and input should be obtained from the people about their families' history.

Mr. Blount stated that Seacoast Communities will welcome the opportunities to have meetings in West Greenville, downtown, and wherever the City would like them to have the meetings.

Council Member Daniels recommended that Seacoast Communities give the community at least a 30-day notice about the meetings. That way people will receive the information timely, attend, and participate at the meetings.

Council Member Meyerhoeffer stated that he stayed at an AC hotel with seven-stories and a rooftop bar in Raleigh yesterday, and it is exciting if the City is moving forward in that direction. Not only is Greenville lacking that in its City Center, he feels this will be a transformational project not just for that area, but for all of Greenville. If the City is modeling the one in Raleigh, it will be absolutely a homerun in Greenville.

Mayor Pro-Tem Glover asked how many stories will the hotelier be using.

Mr. Blount responded that Seacoast Communities will look at the City's codes and restrictions. Our Dickinson Loft project is five stories so this project will probably be five stories as well.



Mayor Pro-Tem Glover asked why the hotel beds are limited to 100.

Mr. Banning responded that number is due to economics.

Mr. Blount responded that number of beds is due to footprints, space, and parking. Seacoast Communities is looking at 90-115 that will physically work in the plan.

Mayor Pro-Tem Glover stated that she was looking for something that could out swallow the student housing in Greenville.

Council Member Bell stated that having a local partner is great. With a local partner, the City will get accountability.

DISCUSSION ON MOVABLE LITTER CAMERAS

City Manager Wall stated Council Member Bell requested that this item be placed on tonight's agenda for discussion.

Public Works Director Kelvin Mulligan stated information from the North Carolina Department of Environmental Quality indicates that illegal dumping can contaminate surface and groundwater. Additionally, illegal dumping can pose a fire risk, disrupt wildlife habitats, and present physical hazards to human health. Section 12-1-4 of the City of Greenville Code of Ordinances states that littering is prohibited:

Greenville – Offenses and Public Nuisances
SEC. 12-1-4 LITTERING PROHIBITED

It shall be unlawful for any person, firm, organization or private corporation to throw or deposit upon any street or sidewalk, or upon any private property, except with written permission of the owner or occupant of the private property any trash, refuse, garbage, building material, cans, bottles, broken glass, paper or any type of litter.

Director Mulligan displayed a photo of illegal dumping at Gum Road and stated that City personnel are assigned to resolve the issue of illegal dumping. Public Works Department crews clear sites about 50 times annually. Other City departments such as the Police, Planning and Development Services, and the City Attorney's Office are involved as well in illegal dumping remediation. The cost of the cleanup on Gum Road was \$3,000.

Director Mulligan stated that quite a bit of illegal dumping occurs in the Tar River area. Steps can be used to minimize illegal dumping, and education is one of them. Various message boards, additional signs, and social, print, and television media can be used to spread the word, "Don't Trash Our City" or "It's Illegal to Dump in Our City". A second step is trail cameras can be used to identify license plates and stop offenders and portable, live-feed cameras can be reviewed and used in known litter areas. The Police Department will reach out to the vehicle owners about what they are doing is illegal.



Director Mulligan stated that the enforcement of existing State laws is a third step. These laws as well as the City's ordinance will be used and whether a penalty or Class 1 felony will be enforced, it will be financial and potential jail time.

North Carolina's Litter Laws

1. Fifteen pounds or less is a Class 3 misdemeanor punishable by a fine of not less than \$250 or more than \$1,000.
2. Over fifteen pounds but not more than 500 pounds is a Class 3 misdemeanor punishable by a fine of not less than \$500 or more than \$2,000. Community service must be imposed in this situation.
3. If the amount of litter is more than 500 pounds, the littering is for commercial purposes, or the littering involves hazardous waste, it is a Class I felony.

Council Member Bell stated that he added this item to the agenda because of comments made by students during the Public Comment Period at the August 19, 2019 City Council meeting. Those students are members of Love A Sea Turtle and Plastic Free NC. These are great ideas and something the City Council could take action on quickly. Hopefully, the students will realize that their attendance at a City Council meeting actually matters.

Council Member Bell asked how soon staff could bring something back to the City Council so that enforcement can take place.

Director Mulligan responded that trail cameras will be placed in the areas where illegal dumping has been seen on a frequent basis. Certain areas will be equipped with cameras to deter that certain activity. The trail cameras have been ordered and staff is working with the Police and Information Technology Departments on the live-feed portable camera.

Mayor Connelly asked about the cost of a trail camera.

Director Mulligan responded that the cost is less than \$500.

Mayor Connelly asked if the data is stored inside the actual component.

Director Mulligan responded that is correct. Staff actually will retrieve the data.

Mayor Connelly asked if there are any applicable laws that the City would have to follow for enforcement or is camera footage sufficient.

Director Mulligan responded certainly it would be sufficient with the usage of a live camera. The trail camera can be timed how often it takes a picture so one can catch the individual's car license plate. The camera must be positioned correctly and there may be



more than one litterer in the same location but with the live camera feed, one may have better positioning and occurrence of being able to see what is going on.

Mayor Connelly asked is the effort going to be mostly done by the Public Works Department or in collaboration with both the Police and Public Works Departments.

Director Mulligan responded the effort will be done by the Public Works Department in collaboration with the Police and IT Departments.

Mayor Connelly stated that there are fantastic detectives in the Police Department who may be able to assist with looking through the cameras that are stationery to get vehicular descriptions.

Director Mulligan stated that the collected data will be given to the Police Department. If there is a license plate involved, the Police Department has the ability to determine the steps.

Mayor Connelly asked if staff has considered putting some type of camera on Allen Road. Mayor Connelly stated that Allen Road seems to be a major problem based on truckloads not being covered. Allen Road is a main artery into the City and litter on that road gives a bad first impression.

Director Mulligan responded yes. One of the goals of the litter cameras is to collect more volume and egregious litter and dumping. Certainly, the Public Works Department can work with the Police Department to have preformatted letters to be sent to the companies that are required to cover their truckloads.

City Manager Wall stated that staff had conversations with the landfill staff to advise all those bringing in loads to the landfill need to be cover. Staff is seeing a lot of truck drivers not pulling the cover over the top of their trucks and debris blows out on the streets.

Mayor Connelly asked whether staff had a discussion with the County transfer station personnel to start potentially notating those vehicles that are unloading and the ones that are persistent about not covering their loads. Mayor Connelly stated that maybe those drivers could be issued a fine for not doing it, if it is the law to cover vehicles that are brought into the landfill.

City Manager Wall stated that staff could certainly discuss that with the County to see if there is any mechanism for a fine.

Mayor Connelly stated that any of them can make a mistake the first time, but if there is a continuance, they will not change their ways unless a fine is associated with what they are doing. Maybe the City and County can do some type of joint marketing to get the message out there so people throughout the City understands that. The trucks are navigating



throughout the entire City and when they arrive at the landfill, there is a significant amount of trash blown out at any part of the City.

Council Member Bell stated that he would like to see the City being proactive with the flashing traffic signs, informing people via social media and GTV9. Representative Kandie Smith took some action on these signs while she was serving on the City Council.

Council Member Daniels stated that something across the river would be good because residents are cleaning those streets every Saturday morning.

Director Mulligan stated that unfortunately, illegal dumping is occurring because less people are living in that area north of the river. Staff will identify those areas and place cameras there as well.

Mayor Connelly asked what type of budget is available for the cameras.

Director Mulligan responded that there is an individual budget for the cameras.

City Manager Wall stated this expense was not anticipated at the time when the budget was prepared.

Director Mulligan stated that the Public Works Department will start using two portable cameras and determine if the Department can purchase a live-feed camera as well, which is 10 times the price of the portable cameras.

City Manager Wall stated that the cameras are mobile so staff will be able to move them to the next identified illegal dumping location.

DISCUSSION ON INCOMPLETE SIDEWALKS THROUGHOUT THE CITY OF GREENVILLE

City Manager Wall stated that Council Member Bell requested that this item be placed on the agenda for discussion.

Public Works Director Kevin Mulligan delineated the location of existing, pending, proposed, and future sidewalk projects on several maps.

Director Mulligan stated that the North Carolina Department of Transportation (NCDOT) projects that have been put on hold are Allen Road, Evans Street from just above Red Banks Road to Fire Tower Road, Charles Boulevard, Fire Tower Road to Portertown Road, and Fourteenth Street up to Red Banks Road. Any time building a road is involved and because of Greenville's population, it is a 60% NCDOT/40% City of Greenville split.

Director Mulligan stated that future sidewalks are part of the State Transportation Improvement Program (STIP), including Greenville Boulevard from Dickinson up to Tenth Street. That is a significant addition to the City's sidewalk infrastructure as well as Evans



Street from Red Banks Road to Tenth Street as part of that road improvement project. From Cadillac Street to Reade Circle is part of a BUILD Grant. Sidewalks in STIP are funded 80% from the State and the local part is 20%.

Director Mulligan stated that if there is a new development in a residential setting, the developer is responsible for sidewalk on one side of the street. A commercial entity that is redeveloping on a thoroughfare would be responsible for installing sidewalk on that thoroughfare.

Director Mulligan stated there is no schedule for the 10th Street safety project that would extend the sidewalk from Evans Street towards Oxford Road on both sides of the street. There are some gaps. As some commercial comes on line since the City's ordinance was passed, they are installing sidewalks, but some areas were in there before the City's ordinance. As far as backfilling those gaps, it comes down to funding priority.

Director Mulligan stated four or five years ago, the City looked at missing sidewalks and outstanding sidewalks to be done. If the City wanted to put sidewalks on both sides of the streets throughout the entire City, it would be in excess of \$100 million.

Council Member Bell thanked staff for the presentation and stated that it is exciting that the City has the upcoming sidewalk projects. The Evans Street improvement will be awesome because people are frequently walking in the street due to the lack of sidewalks. There are gaps along mid-eastern Fourth Street. Council Member Bell asked what would be a reason for there being a gap in the sidewalk for about two-three blocks.

Director Mulligan responded that gap is contributed to the age of that residential area and whether when sidewalk was there when it was built, In order to backfill that location with sidewalk, the City would have to develop a plan and to consider paying 100%. Some cities have a match and offering it to the residents is one possibility, but the City would have to dedicate significant funds to address those kind of items.

Council Member Bell asked about a rough estimate of cost to install sidewalks in an area like similar to the gap along Fourth Street.

Director Mulligan responded that something 4 feet wide is anywhere between \$50 and \$60 a foot.

Council Member Smiley stated that Evans Street south of Arlington Boulevard is a substantially used road. It is a route to J. H. Rose High school for a lot of people. The residents have been asking whether there is any potential for a sidewalk to be built on Evans Street at that location. The status is more than five years out and then it would have to go through scoring again.

Director Mulligan stated that project has ranked well.



Council Member Smiley stated there are some places where the City is mowing on both sides of the guardrail, making it feasible to use the right-of-way to walk even without a sidewalk. Council Member Smiley asked whether a policy or practice has been set that, the City would mow behind the guardrails at that location.

Director Mulligan responded that regarding mowing behind the guardrail in this specific entrance, the NCDOT maintains that road and if a number of calls are received, staff will contact NCDOT. The City's crew has gone several times in the last 12 months to perform that sort of maintenance. It is handwork because it is behind the guardrail. Staff cannot maintain NCDOT's guardrails on a consistent basis, but staff is aware of the high volume of pedestrians in the area.

Council Member Smiley asked if the citizens enter their concerns in the City's Compass, would staff forward them to NCDOT.

Director Mulligan responded that if staff receives something for another entity, staff will identify and send it to the entity.

Mayor Pro-Tem Glover stated that there are no sidewalks on both sides of Memorial Drive pass the Bob Barbour car dealership. There is no sidewalk at and pass the airport and that is a high pedestrian and traffic area. Also, on Arlington Boulevard and all the way out to the shopping center, Lowes and other businesses, there are no sidewalks. People are walking in the street. Mayor Pro-Tem Glover asked whether that is the responsibility of the NCDOT.

Director Mulligan responded that Memorial Drive is the responsibility of the NCDOT. There is no sidewalk in that area. Staff will have a discussion with the NCDOT about their plans for that area.

DISCUSSION OF OBSTRUCTIONS ON SIDEWALKS

City Manager Wall stated that Council Member Bell requested that this item be placed on tonight's agenda for discussion.

Council Member Bell explained that since he is the Council Liaison for the Greenville Bicycle and Pedestrian Commission, he has received complaints about different obstructions on the sidewalks throughout the City. He has seen photos of utility and light poles installed in the middle of sidewalks. Personally, he has seen galvanized steel, once used to erect signs, being cut off and sticking up in the sidewalks and holes for the bolts are visible. That is dangerous and definitely does not look good. Council Member Bell asked what steps are being taken to discontinue the installation of utility and light poles at obscure spots in the City and what is being done to address the existing ones. He stated that the older poles are probably slated for replacement at some point.

Director Mulligan responded that staff can investigate the u-channel steel posts, which should be flushed with the surface or removed and the concrete will be replaced. People



can use the City's Compass to report their concerns, which will help staff with identifying them. Some investigation and additional workforce along with the City's crews will be required.

Director Mulligan responded that as far as the utilities poles, a lot of the work would be based on the existing right-of-way. For example, staff is addressing ADA regulations regarding the 10th Street Connector so there should be a 4-foot clearance.

Director Mulligan stated that in the uptown area, any time there is a zero lot line and roadway, available space is lost to provide the 4-foot clearance, especially when a 40-50 year old pole is involved. Even the placement of that pole at a different location would be difficult. Staff can certainly meet with the entity and have that discussion whether it might be Greenville Utilities Commission or any other entity.

Council Member Bell asked whether the complaints about metal poles that are not flushed with the sidewalk should be reported in the City's Compass.

Director Mulligan responded yes. If people identify the location, staff can dispatch someone to address the issue.

REMOVED FROM THE AGENDA – DISCUSSION OF PHASE 3 OF THE GREENWAY

BUDGET ORDINANCE AMENDMENT #3 TO THE 2019-2020 CITY OF GREENVILLE BUDGET (ORDINANCE No. 19-031) – (Ordinance No. 19-047)

Director of Financial Services Byron Hayes stated that budget ordinance amendment #3 to the 2019-2020 City of Greenville budget includes adjustments to the General Fund, Stormwater Fund, and the Convention & Visitors Authority Fund. A breakdown of the amendments includes the following:

- Consolidating parking enforcement within the Police Department (a net zero impact to the General Fund)
- Appropriating Fund Balance to cover Facade Improvement Grants carried over from FY 2019
- Appropriating Fund Balance within the Convention & Visitors Authority Fund to cover additional marketing, contractual services and advertising costs
- Reducing the transfer to the Facilities Improvement Program and increasing Public Works to cover the cost of the Mast Arm Poles Design contract.

Director Hayes stated that because of these amendments, the City of Greenville Operating Fund is increased to \$136.6 million.

City Manager Wall stated that this budget ordinance amendment also carves money for the City's new department. So, it allocates those funds:



- To move funds from the Public Works Department to the newly established Engineering Department.

Motion was made by Council Member Smiley and seconded by Council Member Bell to approve budget ordinance amendment #3 to the 2019-2020 City of Greenville budget. Motion carried unanimously.

REVIEW OF OCTOBER 10, 2019 CITY COUNCIL MEETING AGENDA

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

CITY MANAGER'S REPORT

City Manager Wall recognized Lisa Kirby as the new Director of the Department of Engineering/ City Engineer, stating that Ms. Kirby has been employed with the City of Greenville for 17 years. She has worked in various engineering capacities and most recently, she served as the City's Stormwater Engineer. The newly created Department of Engineering will be responsible for the City's capital projects, stormwater planning, development services as well as traffic services.

COMMENTS FROM MAYOR AND CITY COUNCIL

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

CLOSED SESSION

Council Member Smiley moved to enter closed session in accordance with G.S. §143-318.11 (a)(1) to prevent the disclosure of information that is privileged or confidential pursuant to the law of this State or of the United States, or not considered a public record within the meaning of Chapter 132 of the General Statutes; and to discuss matters to the location and expansion, and G.S. §143-318.11 (a) (4) to discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations, and G.S. §143-318.11(a)(6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of



initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee. Council Member Bell seconded the motion, which passed by unanimous vote.

Mayor Connelly declared the City Council in closed session at 8:42 p.m. and called a brief recess to allow Council Members time to relocate to Conference Room 337.

Upon conclusion of closed session discussion, motion was made by Council Member Smiley and seconded by Council Member Daniels to return to open session. Motion was approved unanimously, and Mayor Connelly returned the City Council to open session at 9:44 p.m.

ADJOURNMENT

Upon conclusion of closed session discussion, motion was made by Council Member Bell and seconded by Council Member Meyerhoeffer to return to open session. Motion was approved unanimously, and Mayor Connelly returned the City Council to open session at 9:45 p.m.

Respectfully Submitted

Polly Jones
Deputy City Clerk

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



A regular meeting of the Greenville City Council was held at 6:00 p.m., on Thursday, October 10, 2019 in the Council Chambers, located on the third floor at City Hall, with Mayor P. J. Connelly presiding. Mayor Connelly called the meeting to order. Mayor Pro-Tem Rose H. Glover gave the invocation, followed by the Pledge of Allegiance.

Those Present:

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

Those Absent:

None

Also Present:

Ann E. Wall, City Manager; Emanuel D. McGirt, City Attorney; and Polly Jones, Interim City Clerk

APPROVAL OF THE AGENDA

City Manager Wall requested that the City Council consider reordering the agenda by moving one agenda item, the resolution to close an alleyway located on the east side of Cedar Lane and south of East Tenth Street, as the first item under Public Hearings.

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



PUBLIC COMMENT PERIOD

No comments were made by the public during this period.

SPECIAL RECOGNITIONS

Scott Godefroy – Public Works Department/Engineering Division Retiree

City Manager Ann Wall, accompanied by Mayor Connelly and Public Works Director Kevin Mulligan, recognized City Engineer Scott Godefroy on the occasion of his retirement from the Greenville Public Works Department.

City Manager Wall presented City Engineer Godefroy with a clock and plaque, honoring his nearly nine years of service to the citizens of Greenville.

Aaron Hines – Savvy Award from City-County Communications & Marketing Association (3CMA)

City Manager Ann Wall recognized Communication Specialist Aaron Hines for his photography, which is seen on publications and around City Hall. Mr. Hines is a recipient of the Savvy Award from the City/County Communications Marketing Association, which is a network of local government communicators. Mr. Hines received the first place award for his image of the fireworks display at the Town Common on July 4, 2018. Additionally, he received the third place award for his image of the G. K. Butterfield Transportation Center that was taken prior to its opening.

Carol Barwick – City Clerk’s Office Retiree

Mayor Connelly, accompanied by City Manager Ann Wall, recognized former City Clerk Carol Barwick on her retirement from the City Clerk’s Office.

Mayor Connelly read the following resolution and presented Ms. Barwick with a clock and plaque, honoring her nine years and three months of service to the citizens of Greenville.



“COPY”

RESOLUTION NO. 035-19

WHEREAS, Carol L. Barwick has served in North Carolina local government for nearly 40 years, beginning her career in 1979 with the City of Kinston’s Public Works Department where she served in various administrative roles. In May of 2001, she was promoted to City Clerk, one of the oldest professions in local government. In June 2010, she accepted the City Clerk position with the City of Greenville where she worked for a tenure that has lasted nine years and three months, from June 1, 2010 to September 6, 2019, with an effective retirement date of October 1, 2019; and

WHEREAS, during her employment with the City of Kinston, City Clerk Barwick obtained a BS in Business Administration from North Carolina Wesleyan College and a MS in Administration from Central Michigan University. She earned a designation as a Certified Municipal Clerk in 2003; and

WHEREAS, the City Clerk is one of the three city officials who are appointed by the Greenville City Council. During City Clerk Barwick’s tenure, the Greenville City Clerk’s Office focused on the need for accuracy, impartiality, timelines, attention to detail, good interpersonal communications, and professional development; and

WHEREAS, as the City Clerk, wearing many hats, City Clerk Barwick reported directly to the elected officials and citizens and worked closely with department heads; and

WHEREAS, City Clerk Barwick served as the custodian of the City’s seal, manned the City Code, election results, and elected officials’ installation ceremonies, supervised and mentored employees, administered oaths, and prepared budgets, agendas and minutes for City Council meetings, special meeting notices, ordinances, resolutions, and proclamations; and

WHEREAS, City Clerk Barwick is a member of the International Institute of Municipal Clerks (IIMC) and the North Carolina Association of Municipal Clerks (NCAMC); and

WHEREAS, along with City Clerk Barwick’s full commitment to her family and duties as the City Clerk of the City of Greenville, she also committed her time and talents to various professional institutions, serving as a member of the NCAMC Membership Committee, Finance Committee, and MORE Manual Committee, and as the District IV Director.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Greenville, on behalf of all the citizens of the City of Greenville, that it does hereby express appreciation to Carol L. Barwick for her service as City Clerk of the City of Greenville, and commends her for the professional manner in which she has carried out her duties and responsibilities; and

BE IT FURTHER RESOLVED that the City Council of the City of Greenville conveys its best wishes to Carol L. Barwick as she undertakes this exciting new chapter in her life – retirement.

This the 10th of October, 2019.


P. J. Connelly, Mayor



ATTEST:

Polly Jones, Interim City Clerk

“END COPY”



APPOINTMENTS TO BOARDS AND COMMISSIONS

Community Appearance Commission

Council Member Smiley made a motion to appoint Carl Romano to fill an unexpired term that will expire April 2022 in replacement of Jeffrey Johnson, who was no longer eligible to serve. Council Member Bell seconded the motion and it carried unanimously.

Council Member Smiley continued all remaining appointments to the next meeting.

Environmental Advisory Commission

Council Member Meyerhoeffer continued all appointments to the next meeting.

Firefighters' Relief Fund Committee

Council Member Smiley made a motion to appoint Eric Mullet to fill an unexpired term that will expire January 2020 in replacement of Peter Geiger, who had resigned. Council Member Meyerhoeffer seconded the motion and it carried unanimously.

Greenville Bicycle & Pedestrian Commission

Council Member Bell made a motion to appoint John Kohler to fill an unexpired term that will expire January 2020 in replacement of Adele Grier, who had resigned. Council Member Monica Daniels seconded the motion and it carried unanimously.

Human Relations Council

Mayor Pro-Tem Glover made a motion to reappoint all eligible members of the Human Relations Council to additional term. Due to a lack of eligible members, all remaining appointments were continued to the next meeting.

Police Community Relations Committee

Mayor Pro-Tem Glover appointed Lennard Naipaul to a first two-year term that will expire October 2021.

Council Member Litchfield made a motion to reappoint Carol Bass to a second two-year term that will expire October 2021. Council Member Smiley seconded the motion and it carried unanimously.

Council Member Smiley made a motion to reappoint Scott Snyder to a second two-year term that will expire October 2021. Council Member Bell seconded the motion and it carried unanimously.

Council Member Bell continued the appointment for Greg Rubel's seat to the next meeting.



Recreation & Parks Commission

Mayor Pro-Tem Glover made a motion to appoint Kristian Williams to fill an unexpired term that will expire May 31, 2020 in replacement of Ebonee Downey, who had resigned. Council Member Daniels seconded the motion and it carried unanimously.

Council Member Meyerhoeffer continued the appointment for Garret Taylor’s seat to the next meeting.

Redevelopment Commission

Council Member Litchfield continued the appointment for Alan Brock’s seat.

Youth Council

Mayor Pro-Tem Glover continued all remaining appointments to the next meeting.

NEW BUSINESS

PUBLIC HEARINGS

RESOLUTION TO CLOSE AN ALLEYWAY LOCATED ON THE EAST SIDE OF CEDAR LANE AND SOUTH OF EAST TENTH STREET

City Manager Wall stated that the City Council approved to reorder the agenda to hear this item as the first public hearing.

City Attorney Emanuel McGirt stated that when considering a resolution to close an alleyway, North Carolina General Statute § 160A-299 provides that in order to close a public street or alley, a public hearing must be held on the question of whether or not the closing would be detrimental to the public’s entrance or the property rights of an individual. If it appears to the satisfaction of the City Council after the hearing that closing the street or alley is not contrary to the public interest, and that no individual owning property in the vicinity of the street or alley in which it is located would be deprived of reasonable means of ingress and egress to her/his property, the City Council may adopt an order closing the street or alley.

City Attorney McGirt stated that in this case, the City Attorney’s Office received an email from Randy Whitlow, an owner of abutting property to the alley on Cedar Lane. His email included an easement agreement. Mr. Whitlow contends that the easement agreement forbids the owner of the Whitlow property from using the easement on the Eckerd’s property on the northeast and west sides. Based on this new development, it is recommended that the City Council open the public hearing regarding this matter, hear comments from the public on this matter, and continue at least 30 days to see if the easement agreement impacts staff’s recommendation and legal advice from the City Attorney’s Office.



Public Works Director Kevin Mulligan explained that the closure of this alleyway has been requested by residents of Cedar Lane due to several public nuisance issues.

Director Mulligan delineated the Cedar Lane alley on a map and stated that this 20 feet wide and three feet long alley was created in 1957. It stopped at the former Speight property and did not go through to Greenville Boulevard or Highway 264. It started at Cedar Lane and went 600 feet to the east.

Director Mulligan stated that in 2001, the eastern portion of the alley was converted to a perpetual public access easement as part of the redevelopment by the Speights. Lots 1-5 consist of the 271 feet of that previous 603 feet. Dedicated access easement extends from Greenville Boulevard to the Whitlow property. The width varies from 20 to 32 feet so there is a paved driveway, two lanes coming in from Greenville Boulevard.

Director Mulligan stated that the survey map of the area being discussed is the 332 feet of the alley. Currently, the City is maintaining the dirt alley. Staff receives telephone calls about potholes in the alley and the overgrowth of vegetation around it. The City is there several times of the year maintaining an alleyway, which is essentially serving as a driveway to the back of a business.

Director Mulligan stated that on January 7, 2019, the City Council adopted a Resolution of Intent to Close, setting the public hearing on February 14, 2019. On January 15, 2019, the Planning and Zoning Commission gave a favorable recommendation to the petition for closure. On February 14, 2019, the Resolution to Close the alleyway was before the City Council, and on September 9, 2019, the City Council adopted the Resolution of Intent to Close, setting the public hearing for this evening. This was advertised and posted on the property.

Director Mulligan stated that some of the statutory requirements of the Resolution of Intent to Close were published in The Daily Reflector on four consecutive Mondays. A copy was sent by certified mail to all of the owners regarding this potential alley closure. The Notice of Intent to Close and public hearing are primarily posted in two places along the alley. The Greenville Utilities Commission is requesting the utility easement over and upon the alley for maintenance of existing public utilities. A sewer line goes underneath the alley. The City does not receive any Power Bill Funds for the maintenance and budgeted funds are used annually for maintenance of vegetation and potholes, and the dirt alley is in poor condition, which will be addressed by the City.

Director Mulligan stated that based on the nuisance calls received by staff, the City's recommendation is to close 332 feet of the alley and to have property revert to the abutting property owners. The existing utility easement would remain in place. There is concern with the Whitlow property. As a City, the Whitlow property does have access to East Tenth Street. Currently, a vapor shop, barbershop, and tobacco shop have access from the front of Tenth Street as well as a paved two-way lane from Greenville Boulevard to the edge of their property.



Director Mulligan stated that after 2001, the 271 feet was converted to a city alley. The alley means that the City maintains it and the perpetual public easement means that the private property owners maintain it. The private property owners, which were the former Eckerd's and Burger King, are required to maintain that property. The only way that the perpetual easement could be undone is the request goes before the City Council. The access from Greenville Boulevard is perpetual.

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

Tammie Ayers spoke in favor of the alleyway closure, stating that she has lived on Cedar Lane for 14 years and has seen many business openings and closures. She is concerned about the growing decline of the properties around her home and the questionable activities that have taken place during the decline.

Ms. Ayers stated that she has particularly noticed that there appears to be transit individuals who are wandering in that alleyway and to her knowledge, these are not residents of the neighborhood. These individuals may or may not be engaging in illegal activities, but they are putting her family at risk and making her feel nervous in her home. She wholeheartedly supports the City Council's solution to close the alleyway. Not only would it relieve the City of the burden of the upkeep, but it would also make her feel comfortable in her home.

Ms. Ayers stated that back in 2005, the drugstore was opened and people from the neighborhood used the alleyway to go back and forth to the drugstore, but since the drugstore has closed, there are a lot of activities at the alleyway. She finally installed cameras at her house, and what they have recorded would surprise the City Council. The alleyway should be closed or the Police Department should serve the area better.

Mr. Jeremy King made comments in opposition of the closure of the alleyway, stating that some other issues have come up making it wise for the City Council to delay for 30 days and that is probably erring on the side of caution. The applicable statute is important and whenever the City closes a road, there is competing interest involved. Certainly, one can understand that someone living in the area would not want transit people walking near their houses.

Mr. King stated that the City Council should consider would this unreasonably interfere with the property rights of the Whitlow property and would it unreasonably interfere with having a reasonable access. In 1957, this was a commercial district and is still a commercial district. Admittedly, when losing a tenant it makes the area not to be as great, but the alley still services those commercial properties. Tenants come and go, and properties are redeveloped.

Mr. King stated that the Whitlow property served as a carpet store for 30 years and a furniture store for 10 years and has three warehouse spaces in the back of it, which are



suitable for delivery of 18-wheelers. Big trucks come through that alleyway, stop, unload their merchandise at the back of property, and continue out to Tenth Street or they come in the other way. If the alleyway is closed, the big trucks will not be able to service them. To have warehouses without warehousing trucks being able to deliver merchandise would greatly restrict the value of that property and rental possibilities.

Mr. King stated that if the City can guarantee that the easement will provide for a turning radius for an 18-wheeler, so that it does not come in behind the Burger King and back up onto Tenth Street then that might be something for discussion. Generally, it could not be done because there is no turning radius and the 20 feet easement is needed.

Mr. King stated that as far as the nuisance claims, his client has not been made aware of any nuisances. If vagrants are on a publicly maintained alley that is not his client's duty exactly. Certainly, the City does not want vagrants on any alley and causing problems. Ms. Ayers house was not a residence in 1957. When she purchased the house, the property was used for a daycare with a driveway that went out in the alley. Her property was actually developed as a commercial business and she changed it into a residence.

Mr. King asked the City Council to review the deeds, easements, and number of nuisance complaints that have actually been reported, and the maintenance of potholes and vegetation. After the review, the City Council should consider the effect of closing this alley on the adjacent commercial property and not just the residences that have transitioned into it.

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

Motion was made by Council Smiley and seconded by Council Member Bell to continue this item due to necessary review by the City Attorney. Motion carried unanimously.

ORDINANCE REQUESTED BY HAPPY TRAIL FARMS, LLC TO REZONE 0.975 ACRES LOCATED BETWEEN WEST ARLINGTON BOULEVARD AND SPRING FOREST ROAD FROM MCG (MEDICAL-GENERAL COMMERCIAL) TO MR (MEDICAL-RESIDENTIAL [HIGH DENSITY MULTI-FAMILY]) – Ordinance No. 19-048

Chief Planner Chantae Gooby delineated the property on a map and stated that this rezoning is located centrally in the City, specifically between Arlington Boulevard and Spring Forest Road. This rezoning is for a 22 foot strip and the City is correcting the zoning line. Currently, the property is zoned for commercial and the request is for residential. The rezoning is a small insignificant change.

Chief Planner Gooby stated that the property is not impacted by the floodplain. However, the property is located in the Greens Mill Run Watershed so it would require 25-year detention. Staff does not anticipate an increase in the density between the two rezonings. The Future Land Use Plan recommends mixed use at the corner of Arlington Boulevard and Dickinson Avenue, transitioning to residential to the east, and then commercial to the



south. Mixed use is described as places to live, work, and shop. In this area, there is already transitional zoning, so the commercial line is being moved to residential.

Chief Planner Gooby stated that in staff's opinion, the rezoning is in compliance with the Horizons 2026: Greenville's Community Plan and Future Land Use and Character Map. Staff recommends approval of the rezoning request and the ordinance contains the City Council's statutorily required consistency statement. The Planning and Zoning Commission voted unanimously to approve the request.

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

Michael Baldwin, on behalf of Willie Whichard, spoke in favor of the rezoning request. Mr. Baldwin stated that this property was about 56 acres in total when it was combined and his client asked for a rezoning. The preliminary plat created two MR lots which will be used for multi-family on each side of Gabrielle Drive. The line needed to be adjusted to accommodate buildings, parking, and other things to conform to the City's setbacks and ordinances. There will be no increase in traffic and density.

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

Motion was made by Council Member Smiley and seconded by Council Member Bell to approve the rezoning request. Motion carried unanimously.

ORDINANCE REQUESTED BY UNIVERSITY MEDICAL PARK NORTH, LLC TO REZONE 1.133 ACRES LOCATED ALONG THE WESTERN RIGHT-OF-WAY OF MOYE BOULEVARD AND NORTH OF WEST 5TH STREET FROM MO (MEDICAL-OFFICE) TO CG (GENERAL COMMERCIAL) – Ordinance No. 19-049

Chief Planner Chantae Gooby delineated the property on a map and stated that this property is centrally located in the City, specifically along Moye Boulevard and north of West Fifth Street. Thirty feet of the property already has commercial zoning so this request is to rezone it from medical office and have the balance of it rezoned to commercial.

Chief Planner Gooby stated that the property is not impacted by the floodplain. It is located in Harris Mill Run/Schoolhouse Branch Watershed. That would require a 10-year detention. This rezoning could generate a net increase of about 1,000 trips a day. The Moye Boulevard and West Fifth Street intersection is signalized.

Chief Planner Gooby stated that between those two different zonings, it is going to accommodate the same size of the building. The biggest difference is that under the general commercial uses, there could be additional uses for commercial as opposed to the current office zoning. The Future Land Use Plan recommends mixed use along Moye Boulevard, north of Fifth Street and then it transitions to high density residential to the east



and west. The City has the potential conservation/open space leading to the Tar River. Mixed use is described as a place to live, work, and shop.

Chief Planner Gooby stated, in staff's opinion, this request is in compliance with the Horizons 2026: Greenville's Community Plan and Future Land Use Character Map. Staff recommends approval, and the City Council's ordinance contains the required statement related to consistency. The Planning and Zoning Commission voted unanimously to approve the request.

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

Brian Fagundus spoke in favor of the request, stating that the request is straight forward and he has no comments to add to Chief Planner Gooby's comments about the rezoning.

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

Motion was made by Council Member Bell and seconded by Mayor Pro-Tem Glover to approve the rezoning request. Motion carried unanimously.

ORDINANCE REQUESTED BY LIBERTY FREE WILL BAPTIST CHURCH OF GREENVILLE TO REZONE 18.5428 ACRES LOCATED AT THE SOUTHEASTERN CORNER OF THE INTERSECTION OF NC HIGHWAY 43 W AND MARTIN LUTHER KING, JR. HIGHWAY FROM RA20 (RESIDENTIAL-AGRICULTURAL) TO CH (HEAVY COMMERCIAL) – Ordinance No. 19-050

Chief Planner Chantae Gooby delineated the property on a map and stated that this property is located in the northwest quadrant of the City, specifically at the intersection of Martin Luther King, Jr. Highway and NC Highway 43. This property is the former location of the Liberty Free Will Baptist Church.

Chief Planner Gooby stated that the request is for commercial. Most of the properties in this area are vacant. The property is located in the Harris Mill Run/Schoolhouse Branch Watershed and it will require 10-year detention. A small area in the southern section is located in the 100-year floodplain and any development in this area is subject to the Flood Damage Prevention Ordinance.

Chief Planner Gooby stated that at the intersection of Highway 43 and the Bypass, there is a recognized commercial activities center. For these areas, commercial is anticipated and encouraged. This rezoning could generate about a net increase of 2,580 trips per day.

Chief Planner Gooby stated that the way this property is on Highway 43, all trips are to the right-hand side. If people want to go to the left, they must make a right, go down the street and make a U-turn, and come back up the street. Also, there is a turn lane in order for people to turn left into this property and then there is a travel lane to head west.



Chief Planner Gooby stated that this property is zoned residential agricultural. In addition, the property could accommodate an additional 20 single-family homes, which would be to the rear of the property. Under the request for commercial zoning, this property could accommodate additional commercial spaces which could be at restaurant, retail, or even office space. The Future Land Use Plan does recommend commercial at Highway 43 and the Bypass, transitions to office, which is to the east, and there is some potential conservation/open space to the south.

Chief Planner Gooby stated, in staff's opinion, the request is in compliance with the Horizons 2026: Greenville's Community Plan and Future Land Use Character Map. Staff does recommend approval, and the City Council's ordinance requires the language related to consistency. The Planning and Zoning Commission voted unanimously to approve this request.

Council Member Smiley asked whether the traffic pattern is going to be consistent in terms of having to make a right-hand turn, and is that something driven by the North Carolina Department of Transportation (NCDOT) lane road.

Chief Planner Gooby stated that a median is there so that travel can pass back and forth. But because of the Bypass, obviously, there is a lot of traffic and it will continue to be that way.

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

Jeremy King spoke in favor of the rezoning. On behalf of the applicant, Mr. King stated that there is restricted access. The Bypass runs on one side of it and the way to turn on Highway 43 is restricted as well. That is done by means of a NCDOT right-of-way.

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

Motion was made by Council Member Bell and seconded by Council Member Daniels to adopt the ordinance. Motion carried unanimously.

ORDINANCE REQUESTED BY THE PLANNING AND DEVELOPMENT SERVICES DEPARTMENT TO AMEND THE CITY CODE BY AMENDING THE USE OF RECORDING STUDIO BY RENAMING IT TO "DIGITAL BROADCAST STUDIO", ADDING A DEFINITION, ADDITIONAL STANDARDS AND PERMISSIBLE ZONING DISTRICTS – Ordinance No. 19-051

Chief Planner Chantae Gooby stated that currently, the City's zoning ordinance does allow a recording studio in office and office residential and in the downtown commercial zoning districts. But, it does not have a specific definition.

Chief Planner Gooby stated that advances in technology in this field really do not have recording studios anymore, but there are broadcast studios or recording studios. Staff has



crafted and used a standard language, which would come with a definition and use, and that is “digital broadcast studio”. Essentially, this is an establishment or a studio for staging recording as well as distribution and production for movies, web streaming, or even a YouTube video.

Chief Planner Gooby stated that this use would be in a commercial setting so this is not someone on the internet at his/her house. This would be more of a commercial or service nature. Staff also added no living quarters and no transmission towers or monopoles. If this were in an office or commercial setting, the City would not want any of the equipment to be on the outside or on the grounds. This is something that can be broadcasted from the interior of the building. That was put in as a blanket statement.

Chief Planner Gooby stated that in addition to the current districts allowing recording studio, staff added three additional commercial districts: general commercial, neighborhood commercial and heavy commercial. In the Horizons 2026: Greenville's Community Plan, under goal #4 a stable and resilient economy, modernizing and diversifying the local economy is mentioned. In this particular instance, the City is trying to modernize its Zoning Ordinance which does not speak to any kind of use. This is also an employment sector as well.

Chief Planner Gooby stated that this request is in compliance with the Horizons 2026: Greenville's Community Plan. The Planning and Zoning Commission voted unanimously to approve the request.

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

Motion was made by Council Member Bell and seconded by Council Member Litchfield to adopt the ordinance. Motion carried unanimously.

ORDINANCE REQUESTED BY MICHAEL OVERTON TO AMEND THE CITY CODE BY ADDING "PET GROOMING FACILITY" AS A USE THAT IS PERMITTED IN THE CD (DOWNTOWN COMMERCIAL), CDF (DOWNTOWN COMMERCIAL FRINGE), MCG (MEDICAL-GENERAL COMMERCIAL), MCH (MEDICAL-HEAVY COMMERCIAL), CN (NEIGHBORHOOD COMMERCIAL), CG (GENERAL COMMERCIAL) AND CH (HEAVY COMMERCIAL) ZONING DISTRICTS. THE AMENDMENT INCLUDES A DEFINITION, ADDITIONAL STANDARDS AND PERMISSIBLE ZONING DISTRICTS - (Ordinance No. 19-052)

Chief Planner Chantae Gooby stated that staff received this request from Michael Overton, who wanted to know about pet grooming and where was it allowed in the City. Under the City's current ordinance, any kind of grooming, daycare, or training is considered as a personal service not otherwise listed and requires a special use permit. Hopefully, it is becoming more popular to offer only pet grooming and a lot of people have no interest in the other things. Staff looked at a way to have pet grooming as a standalone use and not have it required a special use permit.



Chief Planner Gooby stated that one of the reasons behind this is that pet grooming is a less intensive use as far as the number of pets at the facility for a couple hours. The operation hours are going to be shorter and staff thought it would be appropriate to have it as a permitted use.

Chief Planner Gooby stated that staff used a standardized definition, which states that any premises containing four or more domestic pets that are going to be dropped off and picked up on a temporary basis for grooming. Staff has added all of the City's commercial districts for this to be a permitted use. Staff added some additional standards, including the following:

- 1) Pet grooming and holding will not extend before 7 a.m. or beyond 8 p.m.
- 2) Standalone pet grooming facilities are not to include training, exercise, socialization, keeping or boarding, breeding or sale or rental of pets
- 3) In the event of a combine use within a single premise any and all pet grooming activities shall occur exclusively within an enclosed area
- 4) In no event shall pets be kept outside of the structure for purposes of grooming or holding

Chief Planner Gooby stated that the proposed changes would allow only the standalone use of pet grooming to be a permitted use for all the City's standards. It was crafted this way to minimize any unintended negative effects. Within these businesses, they will still be able to have retail sales such as dog food and bows or other items can be done within those premises. Those are not considered a separate use.

Chief Planner Gooby stated that staff recommends approval of this use.

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

Troy Demers spoke in favor of the amendment. On behalf of Michael Overton, Mr. Demers stated that there is an interest in doing a concept similar to PetSmart. Primarily, it is a resale concept to have customers to drink coffee and to shop for pet accessories, treats, and food while their dogs are being groomed. The dogs would be dropped off and picked up within 30 minutes or an hour. There is no overnight stay at the business.

Jeremy King spoke in favor of the amendment, stating that with business diversity, no one can anticipate every possible use like a dog grooming/coffee shop. It is great to have a city that is responsive to expanding broadcast studios to include digital transmission and to consider dog grooming as an acceptable use in a commercial facility.

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

Motion was made by Council Member Smiley and seconded by Council Member Bell to approve the amendment to the City Code. Motion carried unanimously.



OTHER ITEMS OF BUSINESS

ACQUISITION OF PROPERTY AT 430 BONNERS LANE NEAR IMPERIAL SITE FOR ECONOMIC DEVELOPMENT PURPOSE

City Attorney Emanuel McGirt stated that the City has an option to purchase property located at 430 Bonners Lane for \$101,200. The planned use of the property is for an economic development purpose. In that the project is adjacent to or near numerous city-owned properties, including the Imperial Tobacco site, approval by the City Council is needed to proceed with the purchase. Several members of the current owners of the property, Miracle Deliverance Holiness Church, are in the audience.

Council Member Smiley asked whether the sellers approached the City on this acquisition of the property. Council Member Smiley asked whether it is correct that the City did not reach out to them to attempt to acquire this land independently.

City Attorney McGirt responded that is correct.

Motion was made by Council Member Daniels and seconded by Council Member Smiley to authorize the acquisition of the property. Motion carried unanimously.

CITY MANAGER’S REPORT

City Manager Wall recognized Lisa Kirby as the new Director of the Department of Engineering/City Engineer. City Manager Wall stated that Ms. Kirby has been employed with the City of Greenville for 17 years in various engineering capacities and most recently, she served as the City’s Stormwater Engineer. The Department of Engineering will be responsible for capital projects, stormwater planning, development services as well as the City’s traffic services.

COMMENTS FROM MAYOR AND CITY COUNCIL

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



ADJOURNMENT

There being no further business before the City Council, Council Member Meyerhoeffer moved to adjourn the meeting, seconded by Council Member Bell. The motion passed by unanimous vote and Mayor Connelly adjourned the meeting at 7:13 p.m.

Respectfully Submitted

A handwritten signature in cursive script that reads "Polly Jones".

Polly Jones
Deputy City Clerk



City of Greenville, North Carolina

Meeting Date: 11/14/2019
Time: 6:00 PM

Title of Item: Contract Change Order for professional services for Construction Engineering and Inspection and Construction Materials Testing for the Safe Routes to School Project

Explanation: **Abstract:** The City currently contracts with SEPI Engineering to perform Construction Engineering and Inspection (CEI) and Construction Materials Testing (CMT) services for several projects. An increase in the scope of work on the Safe Routes to Schools Project requires a Change Order to be executed.

Explanation: When the contract with SEPI Engineering for Construction Engineering and Inspection (CEI) and Construction Materials Testing (CMT) services was originally executed in September 2016, the Safe Routes to Schools Project was still in design. At that early stage of design, the contract time was only anticipated to be three months.

As design progressed, new complexities were realized, requiring that the construction contract time be increased to nine months. The increase in construction contract time due to design complexities necessitates a change order to the contract with SEPI. The additional funds needed for this work total \$112,240.19.

Fiscal Note: Funding for this change order will come from 2015 General Obligation Bond funds for sidewalks. The proposed change order amount is \$112,240.19.

Recommendation: City Council approve the Change Order to the contract for CEI and CMT services with SEPI Engineering and Construction for the Safe Routes to Schools Project in the amount of \$112,240.19.

ATTACHMENTS:

- ☐ **Safe Routes to School Change Order**



July 29, 2019

James Lynn Raynor, P.E.
Civil Engineer II
City of Greenville Public Works Department
1500 Beatty Street
Greenville, NC 27834

Subject: **City of Greenville (COG) – SR 5001 CA- Construction Engineering & Inspection Services amendment**

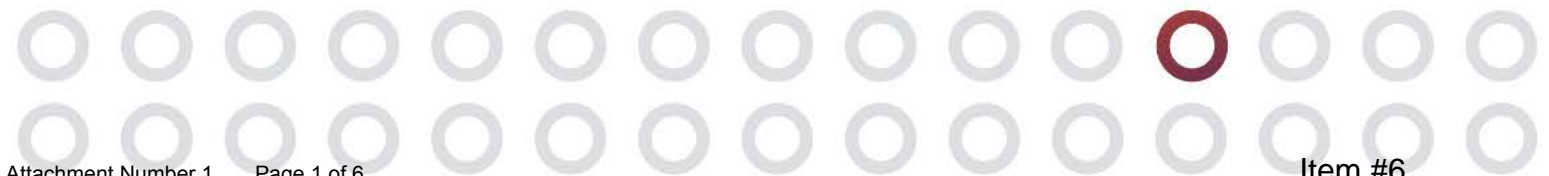
Dear Mr. Raynor,

SEPI Engineering & Construction, Inc. (SEPI) is pleased to provide the City of Greenville with a revised scope and fee proposal to for Professional Construction Engineering and Inspection Services for the **SR-5001-CA project**. This proposed scope and fee is to amend/extend the existing contract originally anticipating a 3-month project in 2016. The proposed amendment takes into account the approved construction budget with additional add alternates requiring a 9- month construction schedule opposed to the contract term considered in 2016. The proposed scope and fee with and attached 2019.07.02 RJS manpower estimate version includes additional administration, inspection, and direct costs necessary to complete closeout and inspection services for the project with current rates and costs.

Scope and Fee

Our scope of services includes your potential desire to have all construction management duties, material verification, and materials testing associated with this project, performed to minimum NCDOT specifications. The scope of this project would include the following:

- * Standard proctor value on the subgrade;
- * In place density testing on the subgrade in accordance with NCDOT protocols;
- * In place density testing on the aggregate base in accordance with NCDOT protocols;
- * Preparation of 7- and 28-day cylinders and strength testing of field samples of concrete samples;
- * Conduct all concrete field testing (which includes concrete air entrainment and concrete slump);
- * Produce concrete test cylinders and deliver to third party laboratory for testing;
- * Perform sampling for all appropriate materials on the project;
- * Monitor traffic control plans for compliance;
- * Monitor utility conflicts and relocations;
- * Inspect asphalt repair/laydown operations;
- * Maintain project documentation in accordance with minimum NCDOT standards;
- * Perform claims avoidance for client;
- * Provide project closeout.





SEPI construction technicians will have all equipment necessary to conduct their work in their possession at all times. All equipment will be well maintained, recently calibrated, and in good working order. SEPI will provide appropriate vehicle for requirements of project. SEPI will provide reliable computer with WIFI capability.

The Construction Technician has the ability to inspect construction phases for roadway/structure construction projects under the supervision of the construction project manager, or other supervisory personnel. The work by the Construction Technician is predicated upon the requirement to act and make decisions independently for routine project issues and to foster partnering relationships with the City of Greenville, contractors, the general public, or other project stakeholders. The Construction Technician will monitor the work of contractors to ensure quality control and contractor compliance of moderate complexity. The inspector will be flexible in his responsibilities and will use the direction of the engineer to incorporate plan changes and/or non-conformance of the contractor. This technician also maintains diaries and other project documentation. The technician will also provide cost documentation of pay quantities accurately and in a manner satisfactory to the Town and in accordance to NCDOT standard procedures.

The SEPI Construction Manager's function is to manage the assigned elements of a construction project to assure quality of the contractor's compliance with the plans and contract documents, conduct preconstruction meetings, conduct monthly progress meetings, prepare reports, approve pay applications from contractor, manage project personnel staffing, project inspection, and contract administration.

The fees noted below include travel time and management/coordination/ administration. Any direct expenses required beyond those considered customary will be reviewed with the City of Greenville for approval prior to expense.

Description of Work Required:

Based upon information provided by the City of Greenville, contract documents, and plans, construction technicians are needed for the inspection and observation of the construction of the **SR-5001-CA project**. Scope of work will include inspection of subgrades; compaction testing of fill soils; concrete material sampling and testing; nuclear gauge testing of aggregate base material and asphalt; roadway grading inspection; drainage; monitoring sedimentation and erosion control devices; structure inspection; monitoring traffic control; monitor utility conflicts and relocations; inspection of asphalt repair/laydown; signal upgrades; signage; and pavement markings as needed for this project in accordance to minimum NCDOT standards.

Project Administration:

- 1.1 General Administration
- 1.2 Project construction administration will be directed by the City of Greenville ((COG))
- 1.3 SEPI will take direction from (COG) on schedule;
- 1.4 SEPI will coordinate all contractor communications with (COG) Project Manager
- 1.5 SEPI fee is based upon on an average 40 hours/week. Actual time invoiced will be based upon time on the project and performing duties associated with (COG) project.
- 1.6 SEPI will observe and inspect project per project contract, plans, permits, NCDOT Standards and Specifications, and any governing specifications.





General Design:

- 2.1 Project Quantities - SEPI will follow design plans (and any field plan revisions) to calculate quantities and document material received in accordance with NCDOT standard practices and will be based upon the latest version of the Standard Specifications and Project Special Provisions (2012).
- 2.2 Project Special Provisions - SEPI will observe and interpret the project special provisions for this project using the most current revisions in the contract document.

Construction Engineering and Inspection Services:

- 3.1 Daily Inspection - SEPI will observe daily operations of contractor per NCDOT standards and specifications.
- 3.2 Project Diaries - SEPI will document daily operations of contractor per NCDOT standards and specifications, and in accordance to the NCDOT Construction Manual with the approved daily report form. All needed forms will be identified prior to project to ensure correct documentation is used.
- 3.3 Materials Received - SEPI will record all material received per NCDOT standards specifications and in accordance to the NCDOT Construction Manual, unless otherwise noted.
- 3.4 Maintain Pay Record Book - SEPI will record and document pay items per NCDOT standards, specifications, and the NCDOT Construction Manual, unless otherwise noted.
- 3.5 Coordinate Material Testing - SEPI will coordinate all laboratory testing with a certified testing laboratory.
- 3.6 Subgrade Evaluation - SEPI will observe and inspect subgrade operations, including density tests.
- 3.9 Material Testing - where appropriate and identified by scope, SEPI will provide field testing per NCDOT standards and specifications and within frequencies specified in the NCDOT Minimum Sampling Guide. All testing technicians assigned to this project will be certified by NCDOT.

QA/QC:

- 4.1 As part of SEPI's QA/QC process, SEPI's Project Manager will conduct project inspections to ensure compliance and quality of work.
- 4.2 On-Site PM Review - This will be done as needed for a documentation review
- 4.3 Coordination with job progress will be part of the QC process.
- 4.4 Monthly Progress Meetings will be held with (COG), contractor, and other stakeholders.

Project Schedule:

- 5.1 SEPI will coordinate the monitoring of work associated with this project when the scope and fee is approved by (COG).





Exclusions:

6.1 If additional services are needed, this will be further negotiated.

Invoicing:

7.1 SEPI will send invoices on a monthly basis.

Estimate

Our Labor Structure Fee Schedule is:
Refer to the attached NCDOT estimate spread sheet.

Construction Technician(s) – 1,526 hours; Project Manager – 120 hours. Total Cost with labor and directs - \$112,240.19

Construction technician time is based on a 9-month construction period at a NCDOT approved rate structure of 165 hours per month with up to 10 percent overtime. Any Construction Technician hours still available at the end of February 2020 resulting from no work activity, rain days, or holidays will be eligible for additional inspection hours. Project management hours are based off an additional 7 months project completion and closeout through February 2020. Significant construction activity beyond February 2020 may require contract revisions with the (COG) and SEPI engineering.

STATEMENT OF FIRM BEING ON REGISTER

SEPI is properly registered with the Office of the Secretary of State (License No. 0591120), and the North Carolina Board of Registration for Professional Engineers and Land Surveyors (License No. C-2197), the North Carolina Board of Landscape Architects (License No. C-482), and the North Carolina Licensing Board for General Contractors (License No. 64643) and carries the requested professional liability insurance coverage.

We have the financial capacity to undertake this assignment and have the accounting system to identify project costs accurately.

DATE OF MOST RECENT PRE-QUALIFICATION

SEPI is prequalified with NCDOT, and the date of our most recent Private Engineering Firm Qualification letter is July 1, 2019. Our full list of prequalification codes can be viewed on NCDOT’s Vendor Directory page. The SEPI Team will comply with all applicable federal, state, and local regulations regarding equal employment opportunity.





SEPI maintains Workers Compensation Insurance and General Liability Insurance coverage of \$2,000,000 for our Firm. Upon receipt of a Notice of Intent to Award (NIA) and/or Notice of Award, our team can provide Certificates of Insurance.

CONFIDENTIALITY

This proposal was prepared by SEPI solely for your internal use in evaluating SEPI's services. SEPI considers the pricing technical and business information containing in this estimate to be proprietary and confidential. This proposal and the information contained herein shall not be used for any purpose other as specifically stated above and shall not be disclosed to any other party without SEPI's prior written consent.

Sincerely,

C. E. "Neil" Lassiter, PE
Senior Vice-President - CEI Director

The return of this executed document will serve as the Notice to Proceed.

Accepted By:

Print: _____

Signature: _____

Date: _____



APPROVED AS TO FORM:

BY: _____
Emanuel D. McGirt, City Attorney

PRE-AUDIT CERTIFICATION:

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

Byron Hayes, Director of Financial Services

Account Number _____

Project Code (if applicable) SWLK-CONSTR



City of Greenville, North Carolina

Meeting Date: 11/14/2019
Time: 6:00 PM

Title of Item: Resolution Designating the City's Agents for FEMA Funds for Hurricane Dorian

Explanation: **Abstract:** In order to file for reimbursement through the Federal Emergency Management Agency (FEMA) for Hurricane Dorian-related expenses, the City must designate agents to apply for funds. A resolution is attached naming those agents.

Explanation: On October 4, 2019, the President of the United States made Public Assistance Disaster Declaration regarding Hurricane Dorian for multiple counties in North Carolina, including Pitt County. This action opened the door for federal disaster aid to the City through the U.S. Department of Homeland Security, Federal Emergency Management Agency (FEMA), to be made available to supplement state and local efforts in the affected area. These funds can be used to assist with the emergency work related to preparing for and responding to the event and the permanent work needed to repair public infrastructure.

To apply for these funds the City of Greenville must designate a Primary and Secondary Applicant's Agent. FEMA and the North Carolina Department of Emergency Management have requested that the individuals be able to respond directly to questions and gather all necessary paperwork for successful application process.

Fiscal Note: The City is planning to submit a reimbursement request of \$182,000 to FEMA for Hurricane Dorian assistance based on actual estimated cost to the City.

Recommendation: City Council approve the attached resolution designating Ann E. Wall (City Manager) as Primary Agent and Byron Hayes (Financial Services Director) as Secondary Agent to facilitate this application for FEMA Funds.

ATTACHMENTS:

- ☐ Resolution for Designation of Agent's Applicants**
- ☐ Application**

RESOLUTION
DESIGNATION OF APPLICANT'S AGENT
 North Carolina Division of Emergency Management

Organization Name (hereafter named Organization) City of Greenville	Disaster Number: FEMA-4465DR-NC
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Applicant's State Cognizant Agency for Single Audit purposes (If Cognizant Agency is not assigned, please indicate):
 NC Dept. of Public Safety, Division of Emergency Management

Applicant's Fiscal Year (FY) Start
 Month: 07 Day: 01

Applicant's Federal Employer's Identification Number
 56 - 6000229

Applicant's Federal Information Processing Standards (FIPS) Number
 NC - 37147 -

PRIMARY AGENT	SECONDARY AGENT
Agent's Name Ann E. Wall	Agent's Name Byron Hayes
Organization City of Greenville	Organization City of Greenville
Official Position City Manager	Official Position Financial Services Director
Mailing Address P.O. Box 7207	Mailing Address P.O. Box 7207
City ,State, Zip Greenville, NC 27835	City ,State, Zip Greenville, NC 27835
Daytime Telephone (252) 329-4432	Daytime Telephone (252) 329-4443
Facsimile Number (252) 329-4435	Facsimile Number (252) 329-4074
Pager or Cellular Number	Pager or Cellular Number (252) 493-1817

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. PASSED AND APPROVED this _____ day of _____, 20__.

GOVERNING BODY	CERTIFYING OFFICIAL
Name and Title P.J. Connelly, Mayor	Name Polly Jones
Name and Title Rose Glover, Mayor Pro-Tem	Official Position Interim City Clerk
Name and Title	Daytime Telephone (252) 329-4422

CERTIFICATION

I, Polly Jones, (Name) duly appointed and Interim City Clerk (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 City of Greenville, NC (Organization) on the _____ day of _____, 20__.

Date: _____ **Signature:** _____

APPLICANT ASSURANCES

The applicant hereby assures and certifies that it will comply with the FEMA regulations, policies, guidelines and requirements including OMB's Circulars No. A-95 and A-102, and FMC 74-4, 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 assurances 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 grantor 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/her 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 206, 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 accomplishments 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, PL 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 assistance.
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.



North Carolina Department of Public Safety Division of Emergency Management

APPLICANT: City of Greenville DISASTER: Hurricane Dorian
FEMA- 4465-DR-NC

PUBLIC ASSISTANCE CFDA# 97.036

STATE – APPLICANT DISASTER ASSISTANCE AGREEMENT

This Agreement made by and between the State of North Carolina, Dept. of Public Safety, Division of Emergency Management (“the State”) and City of Greenville (“the Applicant”) shall be effective on the date signed by the State and the Applicant. It shall apply to all disaster assistance funds provided by or through the State to the Applicant as a result of the disaster called **Hurricane Dorian**, and pursuant to the Disaster Declaration made by the President of the United States numbered FEMA - 4465 - DR-NC.

The designated representative of the Applicant (Applicant’s Agent) certifies that:

1. He/She has legal authority to apply for assistance on behalf of the Applicant pursuant to a resolution duly adopted or passed by the Applicant’s governing body.
2. The Applicant shall provide all necessary financial and managerial resources to meet the terms and conditions of receiving Federal and State disaster grant assistance.
3. The applicant shall use disaster assistance funds solely for the purpose for which these funds are provided and as approved by the Governor’s Authorized Representative (GAR).
4. The Applicant is aware of and shall comply with cost-sharing requirements of Federal and State disaster assistance: specifically that Federal assistance is limited to 75% of eligible expenditures, and that State assistance is limited to 25% of the eligible costs. Alternate projects selected by the Applicant may be eligible for only 75% of the approved Federal share of estimated eligible costs.
5. The Applicant shall provide the following completed documentation to the State:
 - Designation of Applicant’s Agent;
 - State-Applicant Disaster Assistance Agreement
 - Private Non-Profit Organization Certification (if required);
 - Summary of Documentation Form itemizing actual costs expended for large project payment requests;
 - Monthly Progress Reports;
 - Copies of Single Audit Reports as applicable.

If the Applicant fails to provide any of the above documentation, the State will be under no obligation to reimburse the Applicant for eligible expenses.

6. The Applicant shall establish and maintain a proper accounting system to record expenditures of disaster assistance funds in accordance with generally accepted accounting principals or as directed by the Governor's Authorized Representative. If applicable, the Applicant shall conduct audit(s) pursuant to the Single Audit Act of 1984, 31 U.S.C. §7501 *et. seq.*, 44 C.F.R. Part 14, OMB Circular A-133, "Audits of States, Local Governments and Non-profit Organizations," and applicable North Carolina laws, rules and regulations.
7. The Applicant shall provide to the State monthly Progress Reports for all open large projects funded by State and Federal disaster assistance grants. The first Progress Report will be due on the 10th day of the first month following initiation of the project and subsequent Progress Reports will be due on the 10th day of each and every month thereafter until project completion. Forms and reporting requirements will be provided by the Governor's Authorized Representative.
8. The Applicant, its employees and agents, including consultants, contractors and subcontractors to be paid with funds provided under this Agreement, shall give State and Federal agencies designated by the Governor's Authorized Representative, full access to and the right to examine all records and documents related to the use of disaster assistance funds.
9. The Applicant shall return to the State, within thirty (30) days of a request by the Governor's Authorized Representative, any funds advanced to the Applicant that are not supported by audit or other Federal or State review of documentation maintained by the Applicant.
10. The Applicant shall comply with all applicable codes and standards in the completion of eligible work to repair or replace damaged public facilities.
11. The Applicant shall comply with all applicable provisions of Federal and State statutes, rules and regulations regarding the procurement of goods and services and regarding contracts for the repair and restoration of public facilities.
12. The Applicant shall begin and complete all items of work within the time limits established by the Governor's Authorized Representative and in accordance with applicable Federal and State statutes, rules and regulations.
13. The Applicant shall request a final inspection within ninety (90) days after completion of each and every large project funded under this Agreement, or within ninety (90) days after the expiration of the time limit established for each project under Paragraph 12 above, whichever occurs first. Applicant shall present all supporting documentation to State and/or Federal inspectors at the time of final inspection. **The State, as Grantee, reserves the right to conduct a final inspection of any large project after expiration of the ninety- (90) day period and to reimburse Applicant only for costs documented at the time of final inspection.**

14. The Applicant shall comply with all applicable Federal and State statutes, rules and regulations for publicly financed or assisted contracts including, but not limited to, non-discrimination, labor standard, and access by the physically handicapped.
15. The Applicant's Designated Agent shall execute and comply with the Lobbying Prohibition document incorporated herein as Attachment A.
16. The Applicant's Designated Agent shall execute and comply with the Statement of Assurances (SF 424D) document incorporated herein as Attachment B.
17. The Applicant shall not enter into cost-plus-percentage-of-cost contracts for debris removal, emergency protective measures, or completion of disaster restoration or repair work.
18. The Applicant shall not enter into contracts for which payment is contingent upon receipt of State or Federal funds.
19. The Applicant shall not enter into any contract with any entity that is debarred or suspended from participation in Federal Assistance. The State and/or FEMA will not be under any obligation to reimburse Applicant for payments made to a debarred or suspended contractor. Applicant may search for debarred or suspended contractors on the "Excluded Parties List System" (EPLS) at the following website: www.sam.gov.
20. The Applicant shall comply with the provisions of 42 U.S.C. §5155 (Section 312 of the Stafford Act) which prohibits duplication of benefits. Applicant shall notify State immediately if any other source of funds is available to offset disaster assistance provided pursuant to this Agreement. Applicant agrees that eligible costs under this Agreement will be reduced by duplicate benefits received from any other source.
21. The Applicant shall comply with all uniform grant administration requirements required by State and Federal statutes, rules and regulations, including but not limited to, the Robert T. Stafford Disaster Relief and Emergency assistance Act, Public Law 93-288, as amended, Title 44 of the Code of Federal Regulations, applicable OMB Circulars, and policy guidance issued by the Federal Emergency Management Agency (FEMA).
22. If the Applicant pays contractors, subcontractors or consultants with funds provided through this Agreement then the Applicant shall include language in all contracts that binds the contractor, subcontractor or consultant to the terms and conditions of this Agreement with the State. Contractual arrangements with contractors, subcontractors or consultants shall in no way relieve the Applicant of its responsibilities to ensure that all funds provided through this Agreement are administered in accordance with all State and Federal requirements.

FOR THE APPLICANT:

Date

56-6000229
Applicant's Federal Tax I.D.
Number (required)

BY: _____

Signature

Ann E. Wall

Typed Name

City Manager

Title

FOR THE STATE:

Date

BY: _____

Signature

Typed Name

Title

ATTACHMENT A

LOBBYING PROHIBITION

The undersigned certifies, to the best of his or her knowledge and belief, that:

- (a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence either directly or indirectly an officer or employee of any State or Federal agency, a member of the N.C. Legislature, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan or cooperative agreement, the undersigned shall complete and submit Standard Form-L, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (c) The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all recipients of funds under this Agreement shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each failure.

City of Greenville

Name of Applicant

BY: _____

Signature of Applicant's Designated Agent

ATTACHMENT B-1

OMB Approval No. 0348-0042

ASSURANCES-CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0042), Washington DC 20503

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the Awarding Agency. Further, certain Federal assistance awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of the project costs) to ensure proper planning, management and completion of the project described in this application
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will not dispose of, modify the use of, or change the terms of the real property title, or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal interest in the title of real property in accordance with awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure non-discrimination during the useful life of the project.
4. Will comply by the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.
5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progress reports and such other information as may be required by the assistance awarding agency or State.
6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
8. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-2763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
9. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
10. Will comply with all Federal statutes relating to non-discrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681 1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee 3), as amended relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended relating to nondiscrimination in the sale, rental, or financing of housing ; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.

ATTACHMENT B-2

11. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal and federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
12. Will comply with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
13. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. 276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-333) regarding labor standards for federally-assisted construction subagreements.
14. Will comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L.93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
15. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of under ground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
17. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
19. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE City Manager
APPLICANT ORGANIZATION City of Greenville	DATE SUBMITTED



City of Greenville, North Carolina

Meeting Date: 11/14/2019
Time: 6:00 PM

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

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

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

Payee	Adjustment Refunds	Amount
Anthony Little	Registered Motor Vehicle	122.71
Benedicte Kelly	Registered Motor Vehicle	133.27
Bradley J. Zimmerman	Registered Motor Vehicle	284.51
Cynthia Sue Messmore	Registered Motor Vehicle	118.84
D & R Logistics	Registered Motor Vehicle	254.51
Dennis Zelenky	Registered Motor Vehicle	179.32
Donald Duryea Walter	Registered Motor Vehicle	207.66
Factory Mutual Insurance Company	Registered Motor Vehicle	104.86

Freedom Deliverance Church of Christ	Registered Motor Vehicle	209.00
Garris Grading and Paving Inc.	Registered Motor Vehicle	125.24
Grant Hughes Askew	Registered Motor Vehicle	197.93
Green Eggs and Ham Properties LLC	Registered Motor Vehicle	157.68
Jacquay Devon Roach	Registered Motor Vehicle	116.51
Jennifer Dail	Registered Motor Vehicle	150.37
Jennifer Edwards Fowler	Registered Motor Vehicle	225.38
Jessica Stallings	Registered Motor Vehicle	160.70
John Preston Cayton	Registered Motor Vehicle	121.29
Lamar James Gafft	Registered Motor Vehicle	101.47
Laquanda Denise Walters	Registered Motor Vehicle	287.79
Linda Hodges Nelson	Registered Motor Vehicle	223.58
Liny-Phoung Thi Nguyen	Registered Motor Vehicle	184.67
Megan Marie Kitchen	Registered Motor Vehicle	190.18
Pranay Loka	Registered Motor Vehicle	276.85
Randall Horton	Registered Motor Vehicle	218.58
Raymond Earl Eakes	Registered Motor Vehicle	135.61
Regina Wallace	Registered Motor Vehicle	162.91
Robert Pilgreen	Registered Motor Vehicle	105.11
Robert Donald Watson	Registered Motor Vehicle	159.74

Rosetta Afiademanyo	Registered Motor Vehicle	186.75
Shirley Anne Knight	Registered Motor Vehicle	115.12
Terry Glisson	Registered Motor Vehicle	190.09
William Layton Clark III	Registered Motor Vehicle	100.90
Willis Cohoon Watts	Registered Motor Vehicle	202.08
	REFUND TOTAL:	\$5,711.21

Fiscal Note: The total to be refunded is \$5,711.21.

Recommendation: Approval of tax refunds by City Council.



City of Greenville, North Carolina

Meeting Date: 11/14/2019
Time: 6:00 PM

Title of Item: Ordinance requested by Salvatore Passalacqua to rezone 0.227 acres (9,888+/- square feet) located along the northern right-of-way of Dickinson Avenue between Columbia Avenue and Pennsylvania Avenue from CDF (Downtown Commercial Fringe) to CD (Downtown Commercial)

Explanation: **Abstract:** The City has received a request from Salvatore Passalacqua to rezone 0.227 acres (9,888+/- square feet) located along the northern right-of-way of Dickinson Avenue between Columbia Avenue and Pennsylvania Avenue from CDF (Downtown Commercial Fringe) to CD (Downtown Commercial).

Required Notices:

Planning and Zoning meeting notice (property owner and adjoining property owner letter) mailed on October 1, 2019.
On-site sign(s) posted on October 1, 2019.
City Council public hearing notice (property owner and adjoining property owner letter) mailed on October 22, 2019.
Public hearing legal advertisement published on November 4 and November 11, 2019.

Comprehensive Plan:

The Future Land Use and Character Map recommends uptown edge (UE) in the area bounded by Dickinson Avenue, the 10th Street Connector, and West 14th Avenue.

Uptown Edge

Uptown edge surrounds the uptown core and continues the urban street grid. It includes the Warehouse District and the area near the future ECU Millennial Campus. Development should extend the mixed use and walkable pattern of the core. With parcels generally larger than in Uptown Core, this area offers opportunity for larger-scale infill and redevelopment projects.

Intent:

- Infill and redevelopment with a mix of uses
- Adapt and reuse existing buildings for non-industrial uses
- Improve public realm with sidewalks and street trees
- Reduce /consolidate surface parking

Primary uses:

Commercial

Institutional/civic

Neighborhood-scale commercial

Secondary uses:

Multi-family residential

The subject property is included in the Dickinson Avenue Corridor Study that was accepted by City Council on December 8, 2014. It is specifically located in Area Eight, which is described as:

Area Eight: Athletics and Recreation Zone

The current residential neighborhood in this sub-area is in decline and will likely be further stressed by the construction and operation of the elevated 10th Street Connector overpass. While future redevelopment plans for this area must remain flexible and sensitive to the needs of existing populations, this sub-area may be appropriate for athletic facilities and similar uses. Possible options in this sub-area include a downtown-style ballpark using the entire site or a mixed-use district anchored by multi-facility athletics/recreation uses like the West Greenville Basketball Complex, along with compatible restaurants(s)/food vendor(s).

Also, the subject property is located in the West Greenville Revitalization Area (2005).

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

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 360 trips to and from the site on Dickinson Avenue, which is a net increase of 350 additional trips per day.

During the review process, measures to mitigate the traffic will be determined.

History/Background:

In 1969, the property was zoned to its current zoning.

Existing Land Uses:

Vacant

Water/Sewer:

Water and sanitary sewer are available to the property.

Historic Sites:

There are no known effects are on the designated properties.

Environmental Conditions/Constraints:

The property is located in the Harris Mill Run/Schoolhouse Branch Watershed. Since the property is less than 0.5 acres, stormwater rules will not apply.

It is not located in the Special Flood Hazards Area. Therefore, development is not subject to the Flood Damage Prevention Ordinance.

Surrounding Land Uses and Zoning:

North: CDF - One (1) duplex residence (2 units)
South: CDF - Dickinson Avenue Auto and Tire Service
East: CDF - One (1) duplex residence (2 units)
West: CDF - One (1) single-family residence

Density Estimates:

Under the current zoning, the site could accommodate one (1) single-family lot.

Since the proposed zoning (CD) allows zero (0) lot line building construction and non-residential uses are exempt from parking requirements, staff would anticipate 4,000 square feet of restaurant space.

The anticipated build-out is within one (1) year.

Fiscal Note:

No cost to the City.

Recommendation:

In staff's opinion, the request is in compliance with Horizons 2026: Greenville's Community Plan and the Future Land Use and Character Map and The Dickinson Avenue Corridor Study. Therefore, staff recommends approval.

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

The requested district is considered desirable and in the public interest, and staff recommends approval of the requested rezoning.

The Planning and Zoning Commission voted unanimously to approve the request at its October 15, 2019 meeting.

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

If City Council determines to deny the rezoning request, in order to comply with this statutory requirement, it is recommended that the motion be as follows:

Motion to deny the proposed amendment and to make a finding and determination that, although the rezoning request is consistent with the comprehensive plan, there is a more appropriate zoning classification and, therefore, denial is reasonable and in the public interest.

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

ATTACHMENTS:

- ❑ **Ordinance_-Salvatore_Passalacqua_19-16_1117954**
- ❑ **Minutes_-Salvatore_Passalacqua_19-16_1118017**
- ❑ **Attachments**

ORDINANCE NO. 19-
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 the 14th day of November, 2019, at 6:00 p.m., in the 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;

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 zoning the following described property is consistent with the adopted comprehensive plan and other officially adopted plans that are applicable and that the adoption of the ordinance zoning the following described property is reasonable and in the public interest due to its consistency with the comprehensive plan and other officially adopted plans that are applicable and, as a result, its furtherance of the goals and objectives of the comprehensive plan and other officially adopted plans that are applicable;

WHEREAS, as a further description as to why the action taken is consistent with the comprehensive plan and other officially adopted plans that are applicable in compliance with the provisions of North Carolina General Statute 160A-383, the City Council of the City of Greenville does hereby find and determine that the adoption of this ordinance is consistent with provisions of the comprehensive plan including, but not limited to, Policy 1.1.1 guide development with the Future Land Use and Character Map and Policy 1.1.6 guide development using the Tiered Growth Approach; and

WHEREAS, as a further explanation as to why the action taken is reasonable and in the public interest in compliance with the provisions of North Carolina General Statute 160A-383, the City Council of the City of Greenville does hereby find and determine that the adoption of this ordinance will, in addition to the furtherance of other goals and objectives, promote the safety and general welfare of the community because the requested zoning is consistent with the recommended Future Land Use and Character designation and is located in a Preferred Growth Area;

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

Section 1. That the following described territory is rezoned from CDF (Downtown Commercial Fringe) to CD (Downtown Commercial).

TO WIT: Dickinson M, LLC

LOCATION: Located along the northern right-of-way of Dickinson Avenue between Columbia Avenue and Pennsylvania Avenue.

DESCRIPTION: Beginning at a point on the northern right-of-way of Dickinson Avenue said point being the southwestern corner of the Michael White Property as described in Deed Book 3182, Page 48 of the Pitt County Register of Deeds, said point also being located S 63°10'45" W 116.00' as measured along the northern right-of way of Dickinson Avenue from a point where the northern right-of-way of Dickinson Avenue, intersects the western right-of-way of Columbia Avenue. From the above described beginning, so located, running thence as follows:

With the northern right-of-way of Dickinson Avenue, S 63°10'45" W 60.00', thence leaving the northern right-of-way of Dickinson Avenue N 27°01'00" W 165.00', thence N 63°10'45" E 60.00', thence S 27°01'00" E 165.00' to the point of beginning containing 0.227 acres.

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

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

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

ADOPTED this 14th day of November, 2019.

P. J. Connelly, Mayor

ATTEST:

Polly Jones, Interim City Clerk

Excerpt from the draft Planning & Zoning Commission Minutes (10/15/2019)

ORDINANCE REQUESTED BY SALVATORE PASSALACQUA TO REZONE 0.227 ACRES (9,888+/- SQUARE) LOCATED ALONG THE NORTHERN RIGHT-OF-WAY OF DICKERSON AVENUE BETWEEN COLUMBIA AVENUE AND PENNSYLVANIA AVENUE FROM CDF (COMMERCIAL DOWNTOWN FRINGE) TO CD (DOWNTOWN COMMERCIAL) - **APPROVED**

Ms. Gooby delineated the property. The property is currently vacant. It's located in the Harris Mill Run/Schoolhouse Branch Watershed. The property is located in Area 8 of the Dickinson Avenue Corridor Study, which recommends mixed use or athletic facilities for this area. Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate a net increase of 350 trips per day. Under the current zoning, the property could accommodate one (1) single-family home. Under the requested zoning, the property could be used for commercial, retail and/or residential. The Future Land Use and Character Map recommends Urban Edge (UE) which is described as mixed use with walkable street patterns. In staff's opinion, the request is in compliance with Horizons 2026: Greenville's Community Plan and the Future Land Use and Character Map and the Dickinson Avenue Corridor Study. Staff recommends approval.

Mr. Robinson opened the public hearing.

Mr. Mike Baldwin, Baldwin Design Consultants, spoke in favor on behalf of the applicant. The applicant purchased the property on the corner of Dickinson Avenue and Columbia Avenue over a year ago and now is purchasing this lot to combine the two. This request will allow more flexibility in the development of the property with no setbacks and parking requirements. This request bring the property in harmony with the others in the area.

No one spoke in opposition.

Mr. Robinson closed the public hearing.

Motion made by Mr. Faison, seconded by Mr. Parker to recommend to approval for the proposed amendment to advise that it is consistent with the Comprehensive Plan and to adopt the staff report which addresses plan consistency and other matters. Motion passed unanimously.

Salvatore Passalacqua

From: CDF

To: CD

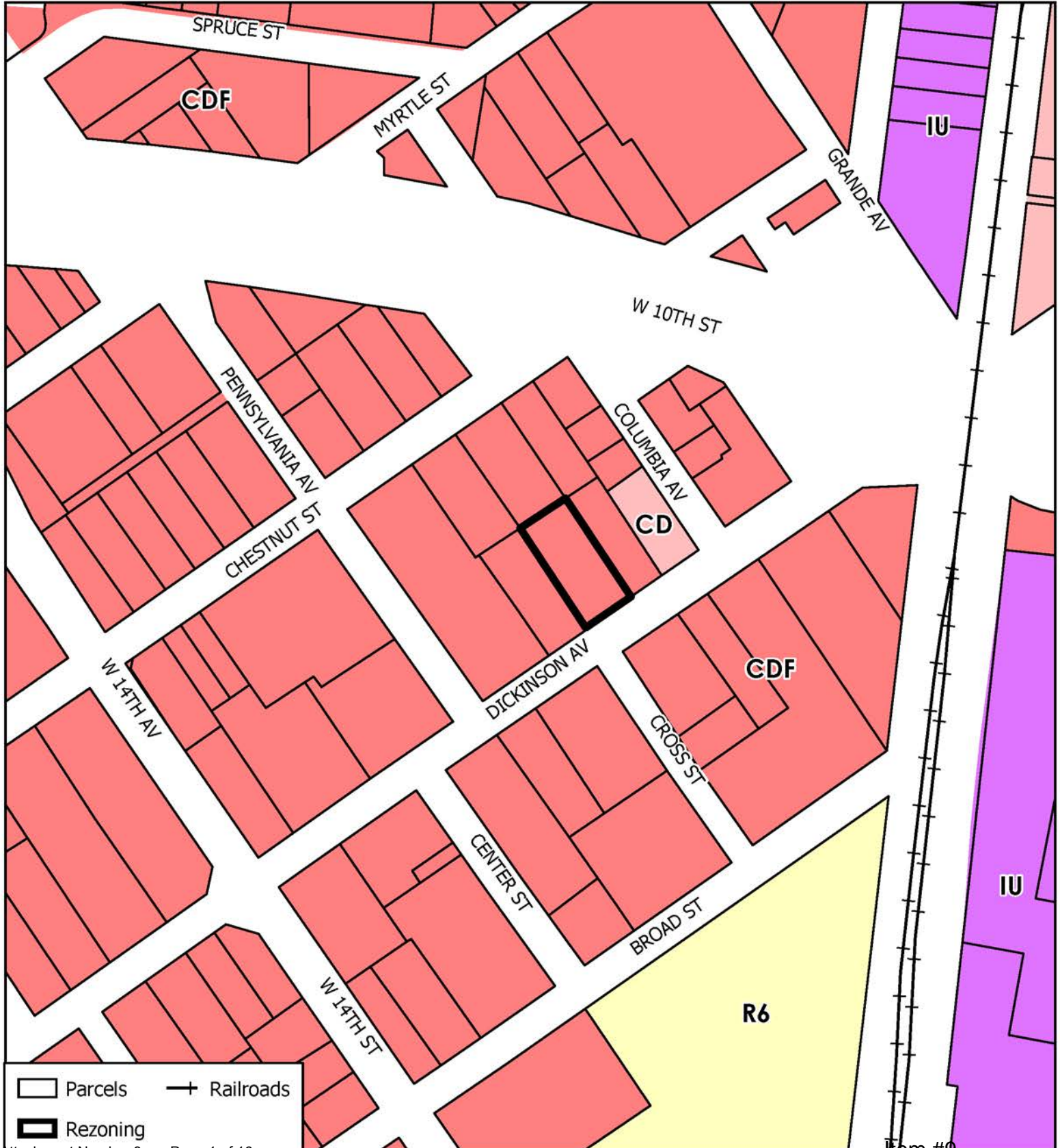
Acres: 0.227

October 1, 2019

N

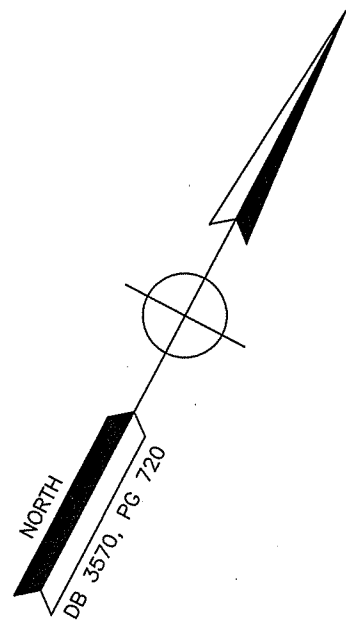


0 0.010.02 0.04 Miles



	Parcels		Railroads
	Rezoning		

Y:\DRAWINGS\19-109 DICKINSON AVE., LLC\REZONING.dwg Mon, Sep 16, 2019-5:14pm MHERREJON



CDF
RENALYSIS EVANS (SINGLE)
OLLIE R. EVANS (SINGLE)
PARCEL #08792
DB 648, PG 432

CDF
IRVING FREEMAN HEIRS
PARCEL #06331
DB 925, PG 627

CDF
RONNIE COOK and
LINDA GIBBS COOK
PARCEL #13071
DB 3619, PG 791

CDF
CHARLIE MACK LONG
PARCEL #03731
DB DC102, D1992

CDF
CHARLIE MACK LONG
PARCEL #03730
DB DC102, 01992

CDF
BISHOP ARIZONA H.
HARTSFIELD and
ARTHUR JAMES
PARCEL #10858
DB 127, PG 547

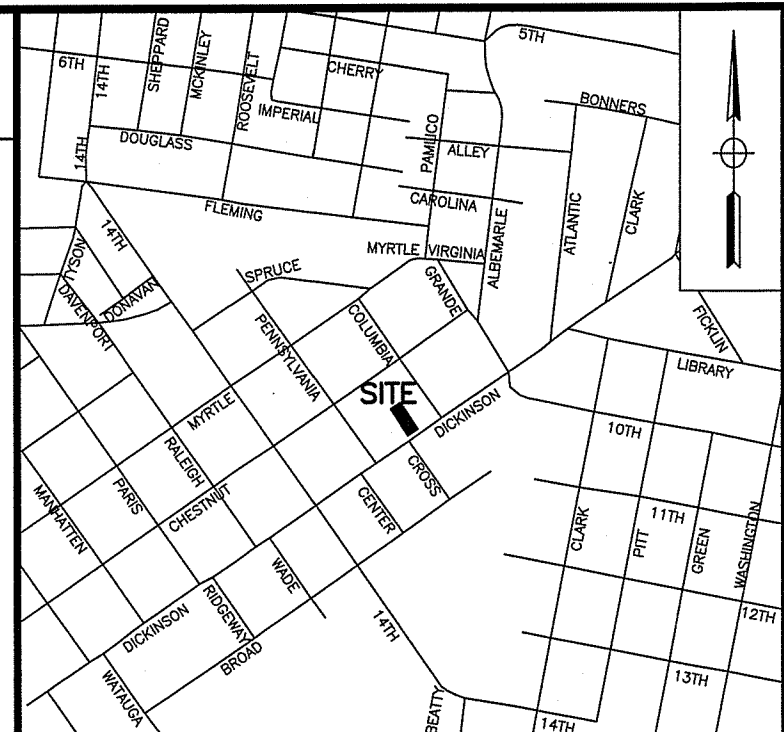
CDF
JAMES A. BROWN and
ARIZONA H. HARTFIELD
PARCEL #13070
DB 241, PG 240

PROPOSED ZONING
CD
CURRENT ZONING
CDF

AREA TO BE REZONED: 0.227 ACRE

CDF
MICHAEL WHITE
PARCEL #08786
DB 3182, PG 46

CD
DICKINSON M, LLC
PARCEL #09657
DB 3717, PG 204



VICINITY MAP
SCALE: 1" = 1000'

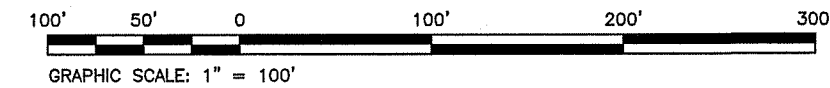
LEGEND

- R/W = RIGHT-OF-WAY
- EIP = EXISTING IRON PIPE
- EIS = EXISTING IRON STAKE
- SIP = SET IRON PIPE
- ECM = EXISTING CONCRETE MONUMENT
- C/L = CENTERLINE
- DB = DEED BOOK
- NPS = NO POINT SET
- EPKN = EXISTING PARKER KALON NAIL
- = NOT TO SCALE
- = ZONING EXISTING
- = ZONING PROPOSED

COLUMBIA AVENUE
(50' R/W 26' B/B PUBLIC)

NOTES

1. ALL AREAS CALCULATED BY COORDINATE GEOMETRY.
2. REFERENCE: DEED BOOK 3570, PAGES 720-722 OF THE PITT COUNTY REGISTER OF DEEDS.



S 63°10'45" W 60.00' S 63°10'45" W 116.00' (TIE)

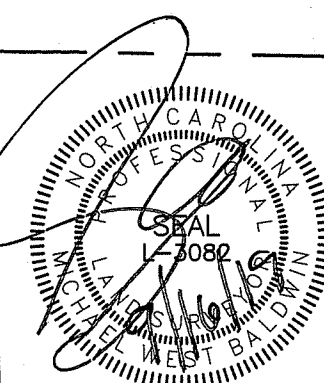
DICKINSON AVENUE
(55' R/W 41' B/B PUBLIC)

CDF
ROBERT S. MOYE HEIRS
PARCEL #15840
DB G08, PG 276

CROSS STREET
(40' R/W 22' B/B PUBLIC)

CDF
COUNTRY FARMS, LLC
PARCEL #01706
DB 1272, PG 781

CDF
TAYLOR CAPITAL, LLC
PARCEL #01518
DB 2962, PG 170



CLOSURE CHECK BOUNDARY	
CHECKED: MAH	DATE: 09/10/19

SHEET 1 OF 1
REZONING MAP PARCEL #06332
TAX MAP #4687-09-8597

DICKINSON AVE., LLC

REFERENCE: DEED BOOK 3570, PAGES 720-722 OF THE PITT COUNTY REGISTER OF DEEDS

GREENVILLE, GREENVILLE TOWNSHIP, PITT COUNTY, NC

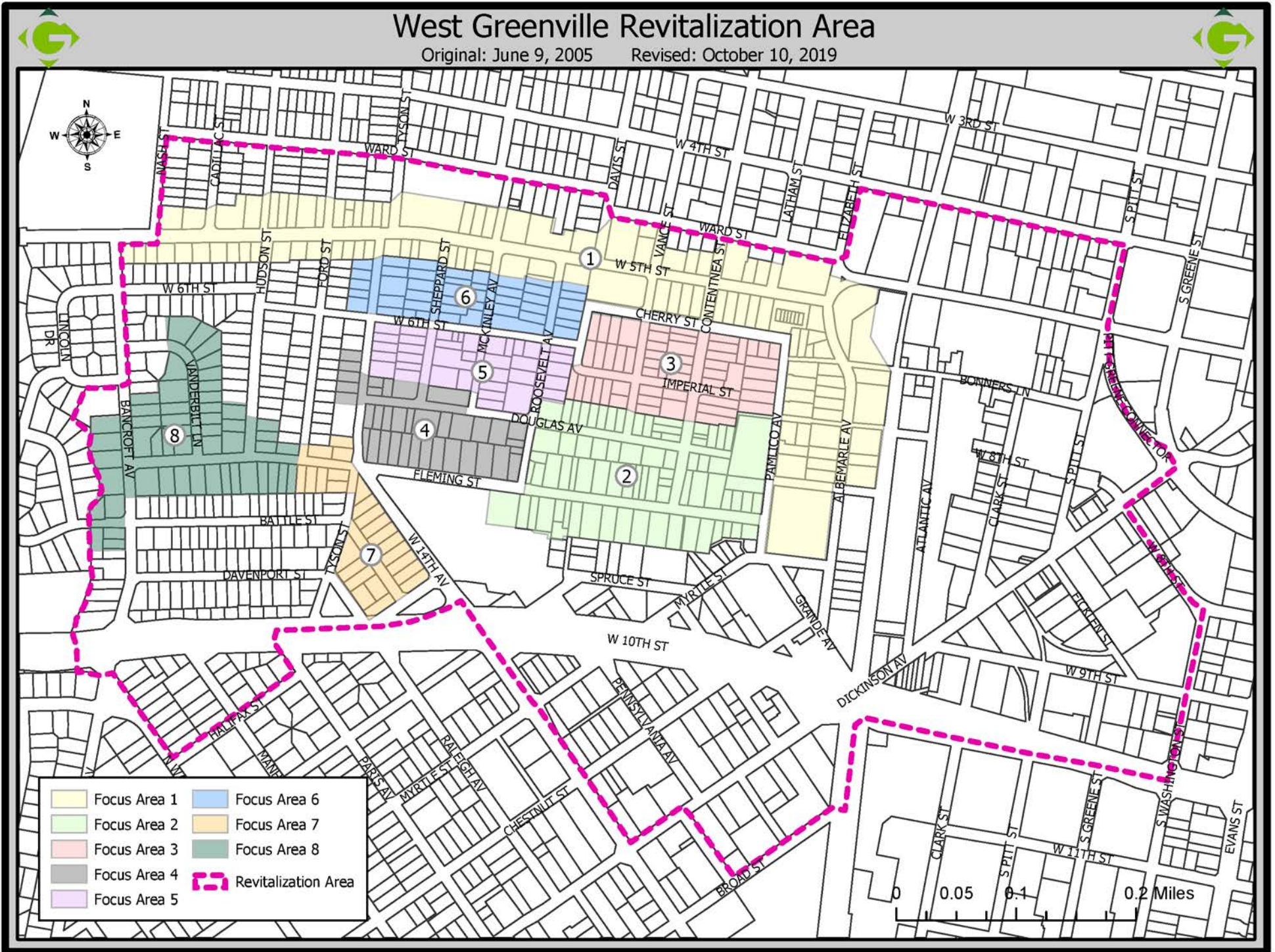
OWNER: **PALCO INVESTMENTS, LLC**
ADDRESS: PO BOX 662
GREENVILLE, NC 27835
PHONE: (917) 345-2844

Baldwin Design Consultants, PA
ENGINEERING - SURVEYING - PLANNING
1700-D EAST ARLINGTON BOULEVARD
GREENVILLE, NC 27858 252.756.1390

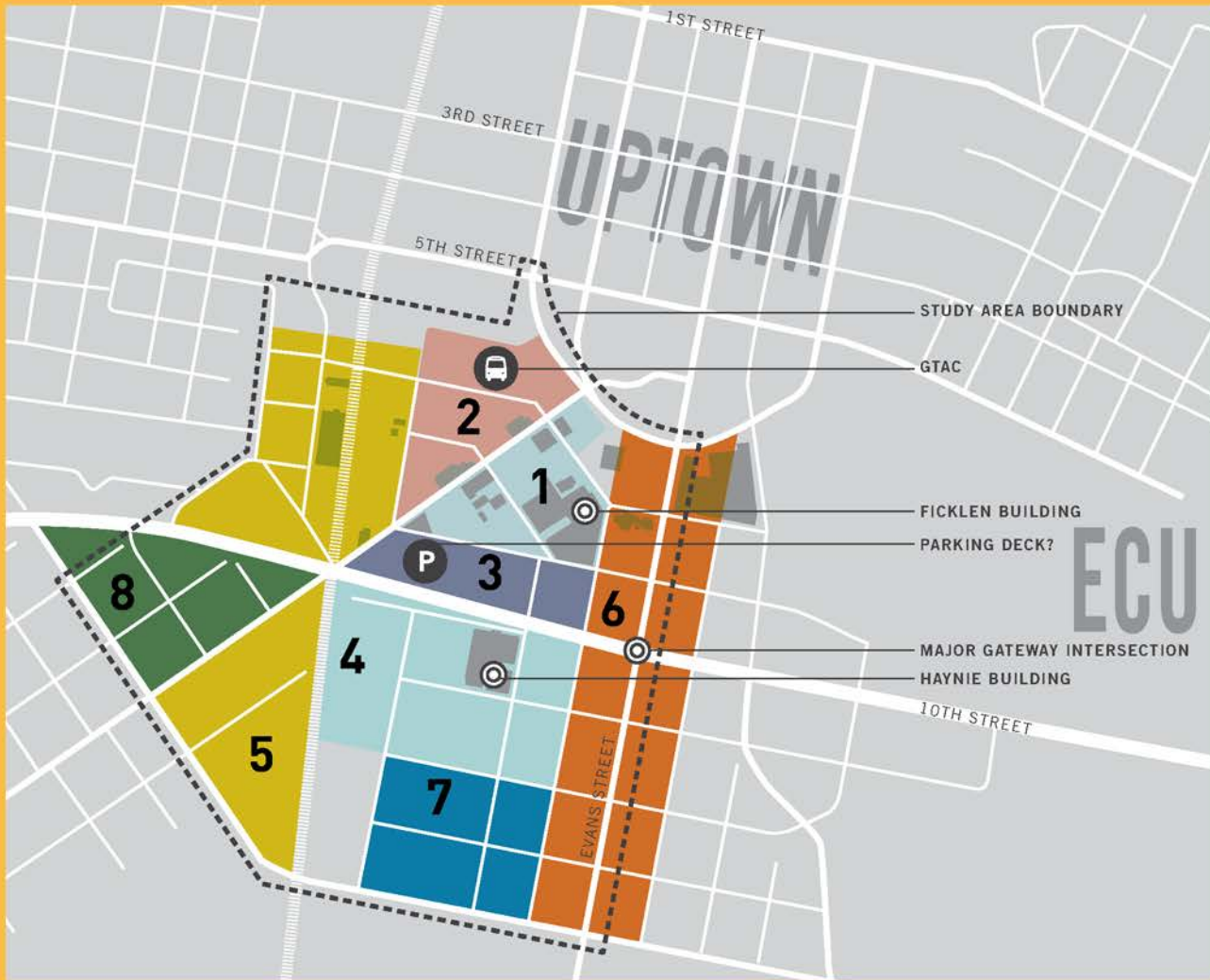
SURVEYED: N/A	APPROVED: MWB
DRAWN: MAH	DATE: 09/11/19
CHECKED: MWB	SCALE: 1" = 20'

West Greenville Revitalization Area

Original: June 9, 2005 Revised: October 10, 2019



EIGHT DISTINCT SUB-AREAS



Legend

- AREA ONE: HISTORIC BUILDING INFILL
- AREA TWO: ARTS DISTRICT AND TRANSIT
- AREA THREE: 10TH STREET THRESHOLD
- AREA FOUR: INNOVATION ZONE
- AREA FIVE: PDR AREAS
- AREA SIX: EVANS CORRIDOR
- AREA SEVEN: EXISTING RESIDENTIAL NEIGHBORHOOD
- AREA EIGHT: ATHLETICS / RECREATION ZONE

REZONING THOROUGHFARE/TRAFFIC VOLUME REPORT

Case No: 19-16

Applicant: Salvatore Passalacqua

Property Information

Current Zoning: CDF (Downtown Commercial Fringe)

Proposed Zoning: CD (Downtown Commercial)

Current Acreage: .227 acres (9,888 sf)

Location: Dickinson Ave, just west of Columbia Ave

Points of Access: Dickinson Ave



Location Map

Transportation Background Information

1.) Dickinson Ave- State maintained

	<u>Existing Street Section</u>	<u>Ultimate Thoroughfare Street Section</u>
Description/cross section	3-lane with curb & gutter	no change
Right of way width (ft)	50	no change
Speed Limit (mph)	25	no change
Current ADT:	7,330	
Design ADT:	11,300 vehicles/day (**)	
Controlled Access	No	
Thoroughfare Plan Status:	Major Thoroughfare	

Other Information: There are sidewalks along Dickinson Ave that service this property.

Notes: (**) Traffic volume based an operating Level of Service D for existing geometric conditions
ADT – Average Daily Traffic volume

Transportation Improvement Program Status:

Trips generated by proposed use/change

Current Zoning: 10 -vehicle trips/day (*) **Proposed Zoning: 360** -vehicle trips/day (*)

Estimated Net Change: increase of 350 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 Dickinson Ave are as follows:

1.) Dickinson Ave , North of Site (60%): “No build” ADT of 7,330

Estimated ADT with Proposed Zoning (full build) –	7,546
Estimated ADT with Current Zoning (full build) –	<u>7,336</u>
Net ADT change =	210 (3% increase)

2.) Dickinson Ave , South of Site (40%): "No build" ADT of 7,330

Estimated ADT with Proposed Zoning (full build) – 7,474

Estimated ADT with Current Zoning (full build) – 7,334

Net ADT change = 140 (2% increase)

Staff Findings/Recommendations

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 360 trips to and from the site on Dickinson Ave, which is a net increase of 350 additional trips per day.

During the review process, measures to mitigate the traffic will be determined.

EXISTING ZONING	
CDF (DOWNTOWN COMMERCIAL FRINGE) - PERMITTED USES	
(1) General	
	a. Accessory use or building
	b. Internal service facilities
	c. On-premise signs per Article N
	e. Temporary uses; of listed district uses
	f. Retail sales; incidental
	g. Incidental assembly of products sold at retail or wholesale as an accessory to principal uses
(2) Residential	
	a. Single-family dwelling
	b. Two-family attached dwelling (duplex)
	c. Multi-family development per Article I
	k. Family care homes (see also 9-4-103)
	q. Room renting
(3) Home Occupations - None	
(4) Governmental	
	b. City of Greenville municipal government building or use (see also section 9-4-103)
	c. County or state government building or use not otherwise listed; excluding outside storage and major or minor repair
	d. Federal government building or use
	g. Liquor store, state ABC
(5) Agricultural/Mining	
	a. Farming; agricultural, horticulture, forestry (see also section 9-4-103)
	l. Beekeeping; minor use (see also section 9-4-103)
(6) Recreational/Entertainment	
	f. Public park or recreational facility
	g. Private noncommercial park or recreational facility
	n. Theater; movie or drama, indoor only
(7) Office/Financial/Medical	
	a. Office; professional and business, not otherwise listed
	c. Office; customer service, not otherwise listed, including accessory service delivery vehicle parking and indoor storage
	d. Bank, savings and loans or other savings or investment institutions
	e. Medical, dental, ophthalmology or similar clinic, not otherwise listed
(8) Services	
	c. Funeral home
	e. Barber or beauty salon
	f. Manicure, pedicure or facial salon
	g. School; junior and senior high (see also section 9-4-103)
	h. School; elementary (see also section 9-4-103)
	i. School; nursery and kindergarten (see also section 9-4-103)
	k. Business or trade school

n.	Auditorium
o.	Church or place of worship (see also section 9-4-103)
p.	Library
q.	Museum
r.	Art gallery
s.	Hotel, motel bed and breakfast inn; limited stay lodging (see also residential quarters for resident manager, supervisor or caretaker and section 9-4-103)
u.	Art studio including art and supply sales
v.	Photography studio including photo and supply sales
w.	Recording studio
z.	Printing or publishing service including graphic art, maps, newspapers, magazines and books
aa.	Catering service including food preparation (see also restaurant; conventional and fast food)
kk.	Launderette; household users
ll.	Dry cleaners; household users
mm.	Commercial laundries; linen supply
oo.	Clothes alteration or shoe repair shop
pp.	Automobile wash
(9) Repair	
d.	Upholsterer; furniture
f.	Appliance; household and office equipment repair
g.	Jewelry, watch, eyewear or other personal item repair
(10) Retail Trade	
a.	Miscellaneous retail sales; non-durable goods, not otherwise listed
d.	Pharmacy
e.	Convenience store (see also gasoline sales)
f.	Office and school supply, equipment sales
g.	Fish market; excluding processing or packing
h.	Restaurant; conventional
i.	Restaurant; fast food
l.	Electronic; stereo, radio, computer, TV, etc... sales and accessory repair
m.	Appliance; household use, sales and accessory repair, excluding outside storage
n.	Appliance; commercial use, sales and accessory repair, excluding outside storage
p.	Furniture and home furnishing sales not otherwise listed
q.	Floor covering, carpet and wall covering sales
r.	Antique sales, excluding vehicles
s.	Book or card store, news stand
v.	Video or music store; records, tape, CD and the like sales
w.	Florist
x.	Sporting goods sales and rental shop
y.	Auto part sales (see also major and minor repair)
ee.	Christmas tree sales lot; temporary only (see also section 9-4-103)
(11) Wholesale/Rental/Vehicle-Mobile Home Trade	

	c.	Rental of clothes and accessories; formal wear, and the like
	d.	Rental of automobiles, noncommercial trucks or trailers, recreational vehicles, motorcycles and boats
	f.	Automobiles, truck, recreational vehicle, motorcycles and boats sales and services (see also major and minor repair)
(12) Construction		
	a.	Licensed contractor; general electrical, plumbing, mechanical, etc... excluding outside storage
	c.	Construction office; temporary, including modular office (see also section 9-4-103)
	e.	Building supply; lumber and materials sales, plumbing and/or electrical supply excluding outdoor sales
	f.	Hardware store
(13) Transportation		
	b.	Bus station; passenger and related freight
	c.	Taxi or limousine service
	e.	Parcel delivery service
	f.	Ambulance service
(14) Manufacturing/Warehousing		
	c.	Bakery; production, storage, and shipment facilities
(15) Other Activities (not otherwise listed - all categories) - None		
CDF (DOWNTOWN COMMERCIAL FRINGE) - SPECIAL USES		
(1) General - None		
(2) Residential		
	d.	Land use intensity multi-family (LUI) development rating 50 per Article K
	e.	Land use intensity multi-family (LUI) development rating 67 per Article K
	i.	Residential quarters for resident manager, supervisor or caretaker; excluding mobile home
	m.	Shelter for homeless or abused (see also section 9-4-103)
	n.	Retirement center or home
	o(1).	Nursing, convalescent or maternity home; minor care facility
	o.	Nursing, convalescent or maternity home; major care facility
	r.	Fraternity or sorority house
(3) Home Occupations		
	a.	Home occupation; not otherwise listed
	b.	Home occupation; barber and beauty shop
	c.	Home occupation; manicure, pedicure or facial salon
(4) Governmental		
	a.	Public utility building or use
(5) Agricultural/Mining - None		
(6) Recreational/Entertainment		
	d.	Game center
	i.	Commercial recreation; indoor and outdoor, not otherwise listed
	l.	Billiard parlor or pool hall
	m.	Public or private club
	m(1).	Dining and entertainment establishment (see also section 9-4-103)

	s.	Athletic club; indoor only
(7) Office/Financial/Medical - None		
(8) Services		
	a.	Child day care facilities
	b.	Adult day care facilities
	l.	Convention center; private
	x.	Dance studio
	bb.	Civic organizations
	cc.	Trade or business organization
	ff(1).	Mental health, emotional or physical rehabilitation day program facility
	hh.	Exercise and weight loss studio; indoor only
(9) Repair		
	a.	Major repair; as an accessory or principal use
	b.	Minor repair; as an accessory or principal use
(10) Retail Trade		
	b.	Gasoline or automotive fuel sales; accessory or principal use, retail
	c.	Wine shop; including on-premise consumption (see also section 9-4-103)
	g.	Fish market; excluding processing or packing
	j.	Restaurant and/or dining and entertainment establishment; regulated outdoor activities
	t.	Hobby or craft shop
	u.	Pet shop (see also animal boarding; outside facility)
	ff.	Tobacco shop (Class 1) (see also section 9-4-103)
	hh.	Hookah café (see also section 9-4-103)
(11) Wholesale/Rental/Vehicle-Mobile Home Trade - None		
(12) Construction		
	d.	Building supply; lumber and materials sales, plumbing and/or electrical supply including outdoor sales
(13) Transportation		
	h.	Parking lot or structure; principal use
(14) Manufacturing/Warehousing		
	g.	Cabinet, woodwork or frame shop; excluding furniture manufacturing or upholstery
(15) Other Activities (not otherwise listed - all categories)		
	a.	Other activities; personal services not otherwise listed
	b.	Other activities; professional services not otherwise listed
	c.	Other activities; commercial services not otherwise listed
	d.	Other activities; retail sales not otherwise listed
PROPOSED ZONING		
CD (DOWNTOWN COMMERCIAL) - PERMITTED USES		
(1) General		
	a.	Accessory use or building
	b.	Internal service facilities
	c.	On-premise signs per Article N
	e.	Temporary uses; of listed district uses
	f.	Retail sales; incidental

	g. Incidental assembly of products sold at retail or wholesale as an accessory to principal uses
(2) Residential	
	c. Multi-family development per Article I
	i. Residential quarters for resident manager, supervisor or caretaker; excluding mobile home
	n. Retirement center or home
	o. Nursing, convalescent or maternity home; major care facility
	q. Room renting
(3) Home Occupations - None	
(4) Governmental	
	a. Public utility building or use
	b. City of Greenville municipal government building or use (see also section 9-4-103)
	c. County or state government building or use not otherwise listed; excluding outside storage and major or minor repair
	d. Federal government building or use
	g. Liquor store, state ABC
(5) Agricultural/Mining	
	a. Farming; agricultural, horticulture, forestry (see also section 9-4-103)
(6) Recreational/Entertainment	
	f. Public park or recreational facility
	g. Private noncommercial recreation; indoor only, not otherwise listed
	h. Commercial recreation; indoor only, not otherwise listed
	j. Bowling alley
	o. Theater; movie or drama, including outdoor facilities
	s. Athletic club; indoor only
(7) Office/Financial/Medical	
	a. Office; professional and business, not otherwise listed
	b. Operation/processing center
	c. Office; customer service, not otherwise listed, including accessory service delivery vehicle parking and indoor storage
	d. Bank, savings and loans or other savings or investment institutions
	e. Medical, dental, ophthalmology or similar clinic, not otherwise listed
	f. Veterinary clinic or animal hospital (see also animal boarding; outside facility, kennel and stable)
	g. Catalogue processing center
(8) Services	
	c. Funeral home
	e. Barber or beauty salon
	f. Manicure, pedicure or facial salon
	j. College and other institutions of higher learning
	k. Business or trade school
	n. Auditorium
	o. Church or place of worship (see also section 9-4-103)
	p. Library
	q. Museum

	r.	Art gallery
	s.	Hotel, motel bed and breakfast inn; limited stay lodging (see also residential quarters for resident manager, supervisor or caretaker and section 9-4-103)
	u.	Art studio including art and supply sales
	v.	Photography studio including photo and supply sales
	w.	Recording studio
	x.	Dance studio
	y.	TV and/or radio broadcast facilities, including receiving and transmission equipment and towers or cellular telephone and wireless communication towers
	z.	Printing or publishing service including graphic art, maps, newspapers, magazines and books
	aa.	Catering service including food preparation (see also restaurant; conventional and fast food)
	bb.	Civic organizations
	cc.	Trade or business organizations
	hh.	Exercise and weight loss studio; indoor only
	kk.	Launderette; household users
	ll.	Dry cleaners; household users
	oo.	Clothes alteration or shoe repair shop
(9) Repair		
	f.	Appliance; household and office equipment repair
	g.	Jewelry, watch, eyewear or other personal item repair
(10) Retail Trade		
	a.	Miscellaneous retail sales; non-durable goods, not otherwise listed
	d.	Pharmacy
	e.	Convenience store (see also gasoline sales)
	f.	Office and school supply, equipment sales
	h.	Restaurant; conventional
	i.	Restaurant; fast food
	l.	Electronic; stereo, radio, computer, TV, etc... sales and accessory repair
	m.	Appliance; household use, sales and accessory repair, excluding outside storage
	p.	Furniture and home furnishing sales not otherwise listed
	q.	Floor covering, carpet and wall covering sales
	r.	Antique sales, excluding vehicles
	s.	Book or card store, news stand
	t.	Hobby or craft shop
	u.	Pet shop (see also animal boarding; outside facility)
	v.	Video or music store; records, tape, CD and the like sales
	w.	Florist
	x.	Sporting goods sales and rental shop
	y.	Auto part sales (see also major and minor repair)
	ee.	Christmas tree sales lot; temporary only (see also section 9-4-103)
(11) Wholesale/Rental/Vehicle-Mobile Home Trade		
	c.	Rental of clothes and accessories; formal wear, and the like

	d.	Rental of automobiles, noncommercial trucks or trailers, recreational vehicles, motorcycles and boats
(12) Construction		
	a.	Licensed contractor; general electrical, plumbing, mechanical, etc... excluding outside storage
	c.	Construction office; temporary, including modular office (see also section 9-4-103)
	f.	Hardware store
(13) Transportation		
	b.	Bus station; passenger and related freight
	c.	Taxi or limousine service
	e.	Parcel delivery service
	h.	Parking lot or structure; principal use
(14) Manufacturing/Warehousing		
	g.	Cabinet, woodwork or frame shop; excluding furniture manufacturing or upholstery
	h.	Engraving; metal, glass or wood
(15) Other Activities (not otherwise listed - all categories) - None		
CD (DOWNTOWN COMMERCIAL) - SPECIAL USES		
(1) General - None		
(2) Residential		
	e(1).	Dormitory Development
(3) Home Occupations - None		
(4) Governmental - None		
(5) Agricultural/Mining - None		
(6) Recreational/Entertainment		
	d.	Game center
	l.	Billiard parlor or pool hall
	m.	Public or private club
	m(1).	Dining and entertainment establishment (see also section 9-4-103)
	t.	Athletic club; indoor and outdoor facilities
(7) Office/Financial/Medical - None		
(8) Services		
	a.	Child day care facilities
	b.	Adult day care facilities
	i.	School; nursery and kindergarten (see also section 9-4-103)
	l.	Convention center; private
	ff(1).	Mental health, emotional or physical rehabilitation day program facility
(9) Repair		
	b.	Minor repair; as an accessory or principal use
(10) Retail Trade		
	b.	Gasoline or automotive fuel sales; accessory or principal use, retail
	c.	Wine shop; including on-premise consumption (see also section 9-4-103)
	g.	Fish market; excluding processing or packing
	j.	Restaurant and/or dining and entertainment establishment; regulated outdoor activities

n.	Appliance; commercial use, sales and accessory repair; excluding outside storage
aa.	Pawnbroker
ff.	Tobacco shop (Class 1) (see also section 9-4-103)
hh.	Hookah café (see also section 9-4-103)
ii.	Microbrewery (see also section 9-4-103)
(11) Wholesale/Rental/Vehicle-Mobile Home Trade - None	
(12) Construction - None	
(13) Transportation - None	
(14) Manufacturing/Warehousing	
y.	Recycling collection station or facilities
(15) Other Activities (not otherwise listed - all categories)	
a.	Other activities; personal services not otherwise listed
b.	Other activities; professional services not otherwise listed
c.	Other activities; commercial services not otherwise listed
d.	Other activities; retail sales not otherwise listed

BUFFERYARD SETBACK AND VEGETATION SCREENING CHART

For Illustrative Purposes Only

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

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

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

Street trees may count toward the minimum acreage.

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

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

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

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

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

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

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

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

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

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

RESIDENTIAL DENSITY CHART

Density Level	Future Land Use and Character Type	Applicable Zoning District(s)	Units per Acre***
High	Uptown Edge (UE)	CDF and CD*	17 units per acre
	Mixed Use, High Intensity (MUHI)	OR	17 units per acre
		R6, MR	17 units per acre
	Residential, High Density (HDR)	R6, MR	17 units per acre
		R6MH	17 units per acre
Medical-Transition (MT)	MR	17 units per acre	
High to Medium	Mixed Use (MU)	OR	17 units per acre
		R6, MR	17 units per acre
		R6A	9 units per acre
	Uptown Neighborhood (UN)	R6S	7 units per acre
	Traditional Neighborhood, Medium-High Density (TNMH)	R6	17 units per acre
		R6A	9 units per acre
		R6S	7 units per acre
Medium to Low	Traditional Neighborhood, Low-Medium Density (TNLM)	R9	6 units per acre
		R9S	5 units per acre
		R15S	3 units per acre
	Residential, Low-Medium Density (LMHR)	R9S	5 units per acre
		R15S	3 units per acre
		RA20	4 units per acre
		MRS	4 units per acre

* The residential density of the CD zoning district is based on the size of the mechanically conditioned floor area. See Section 9-4-153 in the City Code for development standards.

*** Maximim allowable density in the respective zoning district.



City of Greenville, North Carolina

Meeting Date: 11/14/2019
Time: 6:00 PM

Title of Item: Resolution designating and supporting the formation of an Emerald City Arts District

Explanation: **Abstract:** With the approval of the attached resolution, the City Council will designate an Arts District and work with the Pitt County Arts Council to form the Emerald City Arts District Committee.

Explanation: The Pitt County Arts Council conducted extensive research into arts districts and visited ten arts districts to learn about models, public art programs, incentive programs, and programming. This research concluded that arts districts have positive economic impact on a community.

The Pitt County Arts Council recommended the establishment of an arts district with the following boundaries: from the Town Common to the south side of Tenth Street and from Albemarle Avenue to the east side of Reade Street.

The Pitt County Arts Council will form the Emerald City Arts District Committee with representatives from the Arts Council, Uptown Greenville, the Greenville-Pitt County Convention and Visitors Bureau, stakeholders in the Arts District, and the City of Greenville.

Fiscal Note: No direct cost associated with this request.

Recommendation: Adopt the attached resolution supporting the designation of the Emerald City Arts District

ATTACHMENTS:

▣ **ARTS_DISTRICT_RESOLUTION_NO_1118498**

RESOLUTION NO. 19-
RESOLUTION DESIGNATING THE EMERALD CITY ARTS DISTRICT

WHEREAS, arts districts increase the vibrancy, quality of life, tourism, creativity, and economic development of an area; and

WHEREAS, the Greenville City Council is committed to ensuring that residents have access to a wide range of cultural and arts-related resources. To support that commitment, the City asked the Pitt County Arts Council to conduct research and make recommendations on designating an Arts District in Greenville's Center City; and

WHEREAS, the Pitt County Arts Council formed an Arts District Research Committee and conducted extensive research into arts districts and traveled to ten Arts Districts to learn about national models, public art programs, incentive programs, and Arts District programming, as well as the positive economic impact Arts Districts have on a community; and

WHEREAS, the Pitt County Arts Council conducted significant public engagement including meeting with four major stakeholder groups and eleven focus groups, as well as conducting a public engagement meeting with over seventy-five participants and a community-wide survey with over six hundred responses; and

WHEREAS, the Pitt County Arts Council made recommendations to the City Council regarding the establishment of an Arts District in Greenville, the goals and boundaries of an Arts District; and

WHEREAS, the boundaries of the Arts District will be from the Town Common to the south side of Tenth Street, and from Albemarle Avenue to the east side of Reade Street;

WHEREAS, the Pitt County Arts Council will form an Emerald City Arts District Committee with representatives from the Arts Council, Uptown Greenville, the Greenville-Pitt County Convention and Visitors Bureau, stakeholders in the Arts District, and the City of Greenville; and

WHEREAS, the City of Greenville has made the arts and entertainment a priority and recognizes the importance of investing in arts, entertainment and cultural programming; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Greenville that it does hereby designate and support the creation of the Emerald City Arts District.

This 14th day of November, 2019.

P. J. Connelly, Mayor

ATTEST:

Polly Jones, Interim City Clerk

1118498



City of Greenville, North Carolina

Meeting Date: 11/14/2019
Time: 6:00 PM

Title of Item: Presentation by Co.-X Properties, LLC related to the private development of a boutique style hotel at 421 and 423 Evans Street

Explanation: **Abstract:** Representatives of Co.-X Properties, LLC will make a presentation to City Council on the proposed development of a boutique style hotel to be constructed on property currently owned by the City located at 421 & 423 Evans Street.

Explanation: The City has been approached by Co.-X Properties, LLC with discussions related to the development of City-owned property located at 421 and 423 Evans Street on the block between 4th and 5th Streets. The site is commonly referred to as the "hammock lot" and currently serves as a connection between the Fourth Street Parking Garage and Evans Street. The property consists of two tax parcels (Pitt County tax parcels 14486 and 51695) that comprise approximately .19 acres. The property has a current fair market value of approximately \$203,000 as of a November 30, 2018 appraisal. A map of the property is attached to the agenda item.

Co.-X Properties has shown a strong interest in the commercial development of the Evans Street property. Co.-X Properties is a development and investment company focused on business creation and opportunity zone ventures with experience in hotel development and operations. Co.-X Properties is partnering with Clarendon Properties on the proposed development of the Evans Street site. Clarendon Properties is a commercial real estate development firm with over \$100 million in hotel and retail development experience.

Co.-X Properties in partnership with Clarendon Properties is proposing the development of a boutique style hotel with a rooftop bar and lounge on the Evans Street site. The hotel would be a minimum 3-star hotel with between 60 and 90 guest rooms. The developer's investment in the project is projected to be between \$16 and \$19 million and produce annual property taxes of between \$62,000 and \$74,000. The project is projected to result in an increase of approximately 90 to 120 people in the Uptown district on a daily basis, thereby providing a direct economic impact to all business in the center city.

At the Council meeting, Co.-X Properties will present to Council their vision for the Evans Street hotel project and summarize each component of the development.

Fiscal Note: No direct cost at this time

Recommendation: Hear the presentation by Co.-X Properties related to the development of 421 and 423 Evans Street.

ATTACHMENTS:

- ❑ **Evans Street Property**



Tax Parcel	Owner
14486	City of Greenville
51695	City of Greenville



City of Greenville, North Carolina

Meeting Date: 11/14/2019
Time: 6:00 PM

Title of Item: Budget ordinance amendment #5 to the 2019-2020 City of Greenville budget (Ordinance #19-031), the Special Revenue Grant Fund (Ordinance #11-003), and the Community Development Capital Projects Fund (Ordinance #17-024)

Explanation: **Abstract:** This budget amendment is for City Council to review and approve proposed changes to the adopted 2019-2020 budget and other funds as identified.

Explanation: Attached for consideration at the November 14, 2019, City Council meeting is an ordinance amending the 2019-2020 City of Greenville budget (Ordinance #19-031), the Special Revenue Grant Fund (Ordinance #11-003), and the Community Development Capital Projects Fund (Ordinance #17-024).

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

<u>Item</u>	<u>Justification</u>	<u>Funds Amended</u>	<u>Net Adjustment</u>
A	To recognize encumbrances that were carried over at the close of FY 2018-19.	General	997,154
		Stormwater	1,101,668
		Sanitation	105,666
		FIP	234,698
		VRF	58,830
		Transit	6,940
B	To carry forward funds that were encumbered related to Facilities Improvement Projects.	Fleet	74,408
		FIP	2,252,677
C	To recognize funding received from GUC on an annual basis for Energy Assistance.	CD Capital Projects	150,000

D	To recognize funding received from the State Museum in Raleigh for STEAM Lab (Love a Sea Turtle).	Special Revenue	24,383
E	To appropriate fund balance within the Stormwater Utility Fund to adequately fund increases associated with building and equipment costs resulting from expansion of service.	Stormwater Utility	1,350,000

Fiscal Note:

The budget ordinance amendment affects the following funds:

<u>Fund Balance</u>	2019-20 Original Budget	Amend #5	2019-20 Budget per Amend #3
General	\$ 85,710,567	\$ 997,154	\$ 86,707,721
Debt Service	5,559,881	-	5,559,881
Public Transportation (Transit)	3,328,434	6,940	3,335,374
Fleet Maintenance	4,561,394	74,408	4,635,802
Sanitation	7,895,860	105,666	8,001,526
Stormwater	7,368,459	2,451,668	9,820,127
Housing	1,733,500	-	1,733,500
Health Insurance	14,003,384	-	14,003,384
Vehicle Replacement	4,700,179	58,830	4,759,009
Facilities Improvement	1,180,000	2,487,375	3,667,375
Capital Reserve	390,000	-	390,000
Convention & Visitors Authority	1,645,047	-	1,645,047
Sheppard Memorial Library	2,515,964	-	2,515,964
Public Works Capital Projects	55,970,096	-	55,970,096
Rec & Parks Capital Projects	9,531,712	-	9,531,712
Fire/Rescue Capital Projects	6,000,000	-	6,000,000
Donations	280,687	-	280,687
Greenways Capital Project	6,565,846	-	6,565,846
Street Improvement Bond	16,852,567	-	16,852,567
Red Light Camera Program	1,400,000	-	1,400,000
FEMA-Hurricane Project	2,212,100	-	2,212,100
Community Development Capital	18,654,227	150,000	18,804,227
Special Revenue Grants	8,815,575	24,383	8,839,958

Recommendation: Approve budget ordinance amendment #5 to the 2019-2020 City of Greenville budget (Ordinance #19-031), the Special Revenue Grant Fund (Ordinance #11-003), and the Community Development Capital Projects Fund (Ordinance #17-024).

ATTACHMENTS:

☐ **Budget_Ordinance_Amend__5_1118556**

ORDINANCE NO. 19-
CITY OF GREENVILLE, NORTH CAROLINA
Ordinance (#5) Amending the 2019-20 Budget (Ordinance #19-031), Special Revenue Grant Fund
(Ordinance #11-003), and the Community Development Capital Projects Fund (Ordinance #17-024)

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

Section I: Estimated Revenues and Appropriations. General Fund, of Ordinance #19-031 is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

	2019-20 Revised Budget	Budget Amendment #5		2019-20 Budget per Amend #5
		A.	Total Amend #5	
ESTIMATED REVENUES				
Property Tax	\$ 34,306,950	\$ -	\$ -	\$ 34,306,950
Sales Tax	20,404,423	-	-	20,404,423
Video Prog. & Telecom. Service Tax	869,544	-	-	869,544
Rental Vehicle Gross Receipts	165,181	-	-	165,181
Utilities Franchise Tax	7,100,000	-	-	7,100,000
Motor Vehicle Tax	1,568,863	-	-	1,568,863
Other Unrestricted Intergov't	895,982	-	-	895,982
Powell Bill	2,182,000	-	-	2,182,000
Restricted Intergov't Revenues	597,674	-	-	597,674
Licenses, Permits and Fees	4,433,229	-	-	4,433,229
Rescue Service Transport	3,205,109	-	-	3,205,109
Parking Violation Penalties, Leases,	247,302	-	-	247,302
Other Sales & Services	389,868	-	-	389,868
Other Revenues	864,187	-	-	864,187
Interest on Investments	850,000	-	-	850,000
Transfers In GUC	6,639,369	-	-	6,639,369
Appropriated Fund Balance	990,886	997,154	997,154	1,988,040
Total Revenues	\$ 85,710,567	\$ 997,154	\$ 997,154	\$ 86,707,721
APPROPRIATIONS				
Mayor/City Council	\$ 525,033	\$ 5,240	\$ 5,240	\$ 530,273
City Manager	2,050,753	446,877	446,877	2,497,630
City Clerk	284,263	1,123	1,123	285,386
City Attorney	531,965	-	-	531,965
Human Resources	2,883,262	872	872	2,884,134
Information Technology	3,216,356	85,973	85,973	3,302,329
Engineering	4,936,605	291,617	291,617	5,228,222
Fire/Rescue	15,890,521	17,487	17,487	15,908,008
Financial Services	2,603,807	-	-	2,603,807
Recreation & Parks	7,378,046	15,489	15,489	7,393,535
Police	25,984,678	44,773	44,773	26,029,451
Public Works	5,873,293	17,431	17,431	5,890,724
Planning & Development	3,025,385	70,272	70,272	3,095,657
OPEB	700,000	-	-	700,000
Contingency	100,000	-	-	100,000
Indirect Cost Reimbursement	(1,950,887)	-	-	(1,950,887)
Capital Improvements	-	-	-	-
Total Appropriations	\$ 74,033,080	\$ 997,154	\$ 997,154	\$ 75,030,234
OTHER FINANCING SOURCES				
Transfers to Other Funds	\$ 11,677,487	\$ -	\$ -	\$ 11,677,487
Total Other Financing Sources	\$ 11,677,487	\$ -	\$ -	\$ 11,677,487
Total Approp & Other Fin Sources	\$ 85,710,567	\$ 997,154	\$ 997,154	\$ 86,707,721

Section II: Estimated Revenues and Appropriations. Stormwater Management Utility Fund, of Ordinance #19-031 is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

	2019-20 Original Budget	A.	E.	Total Amend #5	2019-20 Budget per Amend #5
ESTIMATED REVENUES					
Stormwater Utility Fee	\$ 5,941,000	\$ -	\$ -	\$ -	\$ 5,941,000
Appropriated Fund Balance	1,427,459	1,101,668	1,350,000	2,451,668	3,879,127
Total Revenues	\$ 7,368,459	\$ 1,101,668	\$ 1,350,000	\$ 2,451,668	\$ 9,820,127
APPROPRIATIONS					
Public Works	\$ 2,126,056	\$ 22,000	\$ -	\$ 22,000	\$ 2,148,056
Engineering	2,008,873	3,389	1,350,000	1,353,389	3,362,262
Capital Projects	1,437,265	1,076,279	-	1,076,279	2,513,544
Transfer Out	1,296,265	-	-	-	1,296,265
Preventative Maintenance	500,000	-	-	-	500,000
Total Appropriations	\$ 7,368,459	\$ 1,101,668	\$ 1,350,000	\$ 2,451,668	\$ 9,820,127

Section III: Estimated Revenues and Appropriations. Facilities Improvement Fund, of Ordinance #19-031 is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

	2019-20 Original Budget	A.	B.	Total Amend #5	2019-20 Budget per Amend #5
ESTIMATED REVENUES					
Transfer from General Fund	\$ 1,180,000	\$ -	\$ -	\$ -	\$ 1,180,000
Appropriated Fund Balance	-	234,698	2,252,677	2,487,375	2,487,375
Total Revenues	\$ 1,180,000	\$ 234,698	\$ 2,252,677	\$ 2,487,375	\$ 3,667,375
APPROPRIATIONS					
Capital Improvements	\$ 1,180,000	\$ 234,698	\$ 2,252,677	\$ 2,487,375	\$ 3,667,375
Total Appropriations	\$ 1,180,000	\$ 234,698	\$ 2,252,677	\$ 2,487,375	\$ 3,667,375

Section IV: Estimated Revenues and Appropriations. Public Transportation Fund, of Ordinance #19-031 is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

	2019-20 Original Budget	A.	Total Amend #5	2019-20 Budget per Amend #5
ESTIMATED REVENUES				
Operating Grant 2018-19	\$ 1,771,993	\$ -	\$ -	\$ 1,771,993
Planning Grant 2018-19	42,000	-	-	42,000
State Maintenance Asst Program	292,055	-	-	292,055
Advertising	11,000	-	-	11,000
Hammock Source	974	-	-	974
Pitt Community College Bus Fare	9,744	-	-	9,744
Greyhound Bus Tickes	60,457	-	-	60,457
Bus Fares	255,297	-	-	255,297
Bus Ticket Sales	108,149	-	-	108,149
Pitt County Bus Service	4,871	-	-	4,871
Transfer from General Fund	771,894	-	-	771,894
Appropriated Fund Balance	-	6,940	6,940	6,940
Total Revenues	\$ 3,328,434	\$ 6,940	\$ 6,940	\$ 3,335,374
APPROPRIATIONS				
Personnel	\$ 1,157,856	\$ -	\$ -	\$ 1,157,856
Operating	1,642,549	3,027	3,027	1,645,576
Capital Improvements	528,029	3,913	3,913	531,942
Total Appropriations	\$ 3,328,434	\$ 6,940	\$ 6,940	\$ 3,335,374

Section V: Estimated Revenues and Appropriations. Fleet Maintenance Fund, of Ordinance #19-031 is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

	2019-20 Original Budget	A.	Total Amend #5	2019-20 Budget per Amend #5
ESTIMATED REVENUES				
Fuel Markup	\$ 1,219,789	\$ -	\$ -	\$ 1,219,789
Labor Fees	1,350,000	-	-	1,350,000
Parts Markup	1,356,425	-	-	1,356,425
Commercial Labor Markup	600,000	-	-	600,000
Other Revenues	35,180	-	-	35,180
Appropriated Fund Balance	-	74,408	74,408	74,408
Total Revenues	\$ 4,561,394	\$ -	\$ -	\$ 4,635,802
APPROPRIATIONS				
Personnel	\$ 1,543,856	\$ -	\$ -	\$ 1,543,856
Operating	2,982,538	74,408	74,408	3,056,946
Capital Outlay	35,000	-	-	35,000
Total Appropriations	\$ 4,561,394	\$ 74,408	\$ 74,408	\$ 4,635,802

Section VI: Estimated Revenues and Appropriations. Sanitation Fund, of Ordinance #19-031 is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

	<u>2019-20 Original Budget</u>	<u>A.</u>	<u>Total Amend #5</u>	<u>2019-20 Budget per Amend #5</u>
ESTIMATED REVENUES				
Refuse Fees	\$ 7,599,360	\$ -	\$ -	\$ 7,599,360
Cart & Dumpster Sales	100,000	-	-	100,000
Other Revenues	196,500	-	-	196,500
Appropriated Fund Balance	-	105,666	105,666	105,666
Total Revenues	<u>\$ 7,895,860</u>	<u>\$ 105,666</u>	<u>\$ 105,666</u>	<u>\$ 8,001,526</u>
APPROPRIATIONS				
Personnel	\$ 3,024,516	\$ -	\$ -	\$ 3,024,516
Operating	4,302,494	105,666	105,666	4,408,160
Capital	150,000	-	-	150,000
Debt Service	168,850	-	-	168,850
Transfer to VRF	250,000	-	-	250,000
Total Appropriations	<u>\$ -</u>	<u>\$ 105,666</u>	<u>\$ 105,666</u>	<u>\$ -</u>

Section VII: Estimated Revenues and Appropriations. Vehicle Replacement Fund, of Ordinance #19-031 is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

	<u>2019-20 Original Budget</u>	<u>A.</u>	<u>Total Amend #5</u>	<u>2019-20 Budget per Amend #5</u>
ESTIMATED REVENUES				
Sale of Property	\$ 227,460	\$ -	\$ -	\$ 227,460
Other Revenues	51,000	-	-	51,000
Transfer from City Departments	4,171,719	-	-	4,171,719
Transfer from Sanitation Fund	250,000	-	-	250,000
Appropriated Fund Balance	-	58,830	58,830	58,830
Total Revenues	<u>\$ 4,700,179</u>	<u>\$ 58,830</u>	<u>\$ 58,830</u>	<u>\$ 4,759,009</u>
APPROPRIATIONS				
Capital Equipment	\$ 4,700,179	\$ 58,830	\$ 58,830	\$ 4,759,009
Total Appropriations	<u>\$ 4,700,179</u>	<u>\$ 58,830</u>	<u>\$ 58,830</u>	<u>\$ 4,759,009</u>

Section VIII: Estimated Revenues and Appropriations. Community Development Capital Projects Fund, of Ordinance #17-024 is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

	2019-20 Revised Budget	C.	Total Amend #5	2019-20 Budget per Amend #5
ESTIMATED REVENUES				
Transfers In / CD Small Business	\$ 4,997,546	\$ -	\$ -	\$ 4,997,546
Transfers / Ctr City Rev Project	160,500	-	-	160,500
Transfers / Trans from Energy Eff	275,000	-	-	275,000
Transfers from General Fund	1,040,000	-	-	1,040,000
Rstrc Intgv / Spec ST Fed Grant	550,000	150,000	150,000	700,000
Rstrc Intgv / Grant Proceeds	7,500	-	-	7,500
Investment Earnings	399,640	-	-	399,640
Bond Proceeds	10,048,747	-	-	10,048,747
Comm Dev / Sale of Property	422,088	-	-	422,088
Rental Income	316,117	-	-	316,117
Other Revenues	437,089	-	-	437,089
Total Revenues	\$ 18,654,227	\$ 150,000	\$ 150,000	\$ 18,804,227
APPROPRIATIONS				
GUC Energy Improvement Program	\$ 100,000	\$ -	\$ -	\$ 100,000
West Greenville Revitalization Proj	6,270,918	-	-	6,270,918
Center City Revitalization Project	5,349,156	-	-	5,349,156
Energy Efficient Revolving Loan Prog	700,000	150,000	150,000	850,000
4th Street Parking Garage Project	5,194,153	-	-	5,194,153
Imperial Site Purchase	957,035	-	-	957,035
Transfer to R&P Capital Project	82,965	-	-	82,965
Total Appropriations	\$ 18,654,227	\$ -	\$ -	\$ 18,804,227

Section IX: Estimated Revenues and Appropriations. Special Revenue Grant Fund, of Ordinance #11-003 is hereby amended by increasing estimated revenues and appropriations in the amount indicated:

	2019-20 Revised Budget	D.	Total Amend #5	2019-20 Budget per Amend #5
ESTIMATED REVENUES				
Special Fed/State/Loc Grant	\$ 7,537,194	\$ 24,383	\$ 24,383	\$ 7,561,577
Transfer From General Fund	1,177,529	-	-	\$ 1,177,529
Transfer From Pre-1994 Entitlement	80,000	-	-	\$ 80,000
Transfer from Other Funds	20,852	-	-	\$ 20,852
Total Revenues	\$ 8,815,575	\$ 24,383	24,383	\$ 8,839,958
APPROPRIATIONS				
Personnel	\$ 2,254,968	\$ 13,260	\$ 13,260	\$ 2,268,228
Operating	4,554,222	11,123	11,123	4,565,345
Capital Outlay	2,006,385	-	-	2,006,385
Total Appropriations	\$ 8,815,575	\$ 24,383	\$ 24,383	\$ 8,839,958

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

Adopted this 14th day of November, 2019

P. J. Connelly, Mayor

ATTEST:

Polly Jones, CMC